

**PLANNING COMMISSION – August 17, 2020
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Replat		First Replat in Block G, College Hills South Business Park Addition, Section Two	
SYNOPSIS:			
<p>The applicant is proposing to subdivide two tracts comprising 3.632 acres into two new platted lots, 1.801 acres and 1.831 acres each, for future commercial development within Block G of the College Hills South Business Park Addition, Section Two. The original subdivision plat was filed for record with the County Clerk on June 29, 1977 and includes a 9.0-acre Block G. Deed research by Staff confirms that this 9.0-acre property was split into several tracts without platting, including tracts within the proposed subdivision. However, because all of the tracts were created before 2017, the Planning Division’s policy requires only the tracts in this subdivision to be replatted at this time. The remainder of Block G will only require replatting at the time it is redeveloped, if triggered by the Land Development and Subdivision Ordinance.</p>			
LOCATION:		LEGAL DESCRIPTION:	
An unaddressed 3.632-acre tract located on West Loop 306 between South College Hills Boulevard and Billie Bolin Drive.		Being 3.632 acres in Block G of College Hills South Business Park Addition, Section Two.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District: Lane Carter (SMD#5) Neighborhood: Vista del Arroyo	CG/CH	C – Commercial	3.632 acres
THOROUGHFARE PLAN:			
<p>West Loop 306 Frontage Road – Freeway (TXDOT) 300’ right-of-way, 150’ pavement (existing 5-foot sidewalk inside property will require public use easement)</p>			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a “First Replat in Block G, College Hills South Business Park Addition, Section Two”; subject to seven Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
Property Owner: West Texas Christian Ministries Agent: Mr. Casey McBroom, P.E. Project Engineer, Cross Engineering Consultants			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Conformity with Comprehensive Plan and Intent of Purpose Statements: Chapter 5.III.A.3(c)(3) of the LDSO states that the Planning Commission may “deny approval of the final plat, if the Planning 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 has a Future Land Use of “Commercial” in the City’s Comprehensive Plan. Commercial areas are “often 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 subject property is located within the West Loop 306 commercial corridor, a TXDOT freeway that extends over 1.5 miles between Forest Trail to the west and Lutheran Way to the east. The platted lots will have direct, abutting access to this freeway, which supports new commercial development. In addition, the Commercial policies encourage “where possible to plan for new pedestrian and/or vehicular connections through commercial areas to integrate them with the city-wide grid network of streets.” The property contains an existing 5-foot wide sidewalk that will connect to future TXDOT sidewalks immediately west and east of the property in 2021. This will provide greater pedestrian accessibility to future commercial developments along West Loop 306, consistent with the above policy.

Intent of Purpose Statements

The proposed replat will conform to the Purpose Statements of Chapter 2 of the Subdivision Ordinance. The two new lots will have direct, abutting access onto West Loop 306, a freeway designed to carry large volumes of commercial traffic. In addition, the existing sidewalk will provide greater pedestrian access along this commercial corridor and to future TXDOT sidewalks, consistent with Statement D, “to provide streets that insure safe, convenient, and functional systems for vehicular and pedestrian circulation.” As conditions of approval, the developer will be required to install water and sewer mains for the property, consistent with Statement G, “to provide for the efficient use and extension of municipal utilities.” Finally, the new lots will front onto West Loop 306 which will allow convenient access to the lots for future commercial development, consistent with Statement O, “To insure the proper and efficient layout of lots and blocks to insure orderly and harmonious development.”

Recommendation: Staff recommends **APPROVAL** of a “First Replat in Block G, College Hills South Business Park Addition, Section Two”; subject to **seven Conditions of Approval:**

1. Prior to plat recordation, per Land Development and Subdivision Ordinance, Chapter 7, provide a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision.
2. Prior to plat recordation, per Chapter 9.V of the Land Development and Subdivision Ordinance, provide a public access easement on the plat for the existing sidewalk that is planned to connect to a future TXDOT sidewalk adjacent to West Loop 306.

3. Prior to plat recordation, per Chapter 12, Planning and Development, Sec 12.05.001 and Stormwater Design Manual, Sec 2.13, a drainage study shall be submitted. If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval. Alternatively, per Chapter 12, Planning and Development, Sec. 12.05.004, submit a request to the City Engineer, Lance Overstreet, for a deferral of the requirement to a later stage of development.
4. Prior to plat recordation, per Land Development and Subdivision Ordinance, Chapter 11.I.A, prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections, and per Land Development and Subdivision Ordinance, Chapter 11.I.B, complete the installation in accordance with the approved version of these plans. Alternatively, per Land Development and Subdivision Ordinance, Chapter 6, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.
5. Prior to plat recordation, per Land Development and Subdivision Ordinance, Chapter 12.I.A, City of San Angelo Standards, prepare and submit plans for approval, illustrating the proposed installation of a sewer main and required sewer connections, and per Land Development and Subdivision Ordinance, Chapter 12.I.B, complete the installation in accordance with the approved version of these plans. Alternatively, per Land Development and Subdivision Ordinance, Chapter 6, submit a financial guarantee ensuring the completion of these improvements within an 18 month period. A second alternative, prior to plat recordation, per Title 30 TAC Chapter 285, Health and Safety Code Chapter 366, is to provide a site plan showing existing structures and existing septic systems, and specifying the water source, to the Tom Green County Environmental Health Department. A suitability study must also be submitted. For more information, contact Pam Weishuhn at 325-658-1038, and provide City staff with approval.
6. Prior to plat recordation, per Land Development and Subdivision Ordinance, Chapter 11.I.B.2 & Chapter 12.I.A.1, install necessary water and wastewater service lines to each new lot. Alternatively, per Land Development and Subdivision Ordinance, Chapter 11.I.B.2, request to the Department of Public Works the deferral of such requirement to a later stage of development.
7. Prior to plat recordation, per the International Fire Code 2015 edition, section 507.5.1, a fire hydrant is required.

Note:

1. Prior to building permit issuance, the developer will be required to submit a site plan delineating a six-foot tall opaque privacy fence along the east property line adjacent to a residential use, a seniors living complex, except for the front 25 feet facing West Loop 306, which may be reduced to four feet, per Section 509 of the Zoning Ordinance, and install this fence prior to final occupancy.

Attachments:

Aerial Map

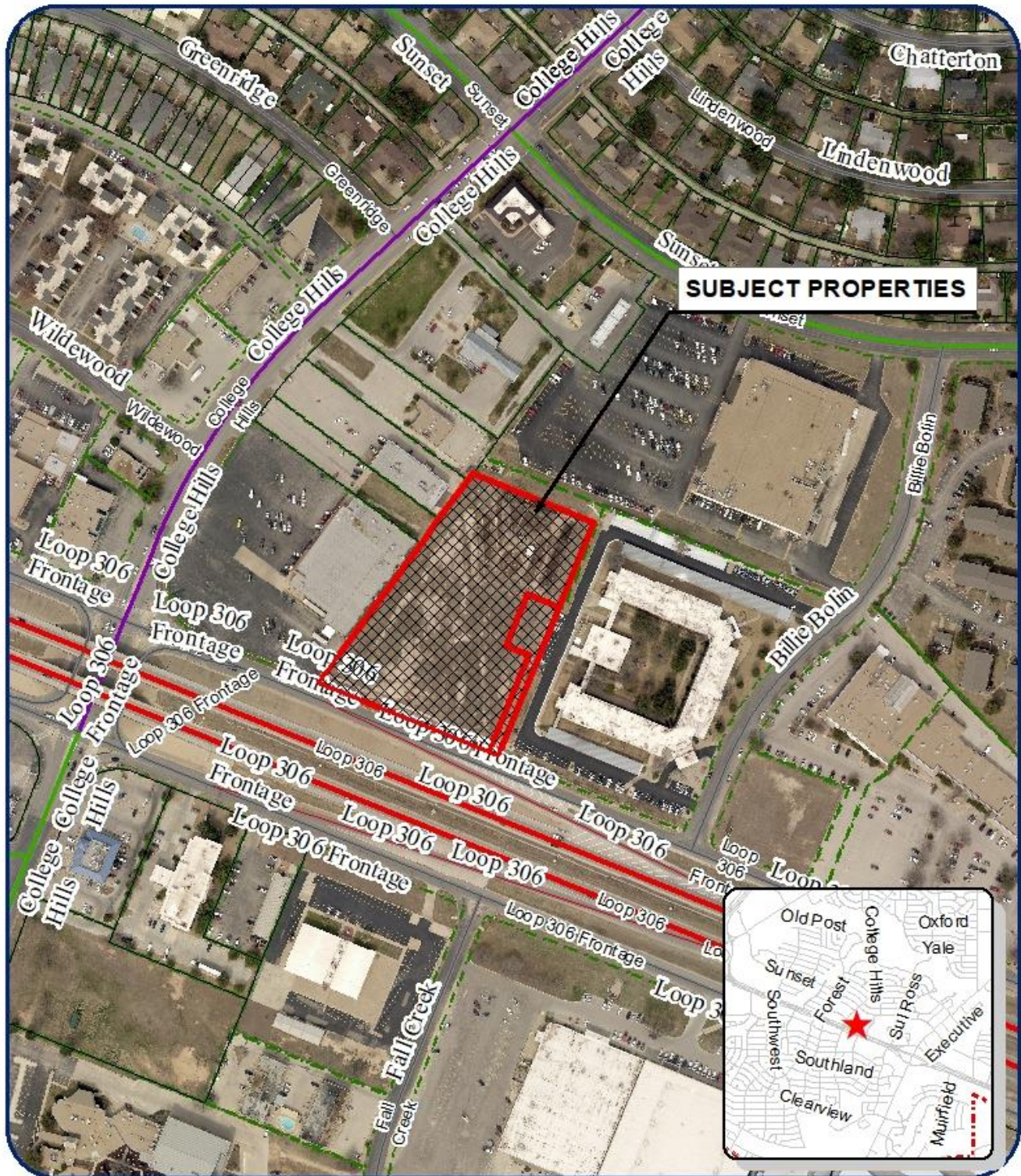
Future Land Use Map



Zoning Map

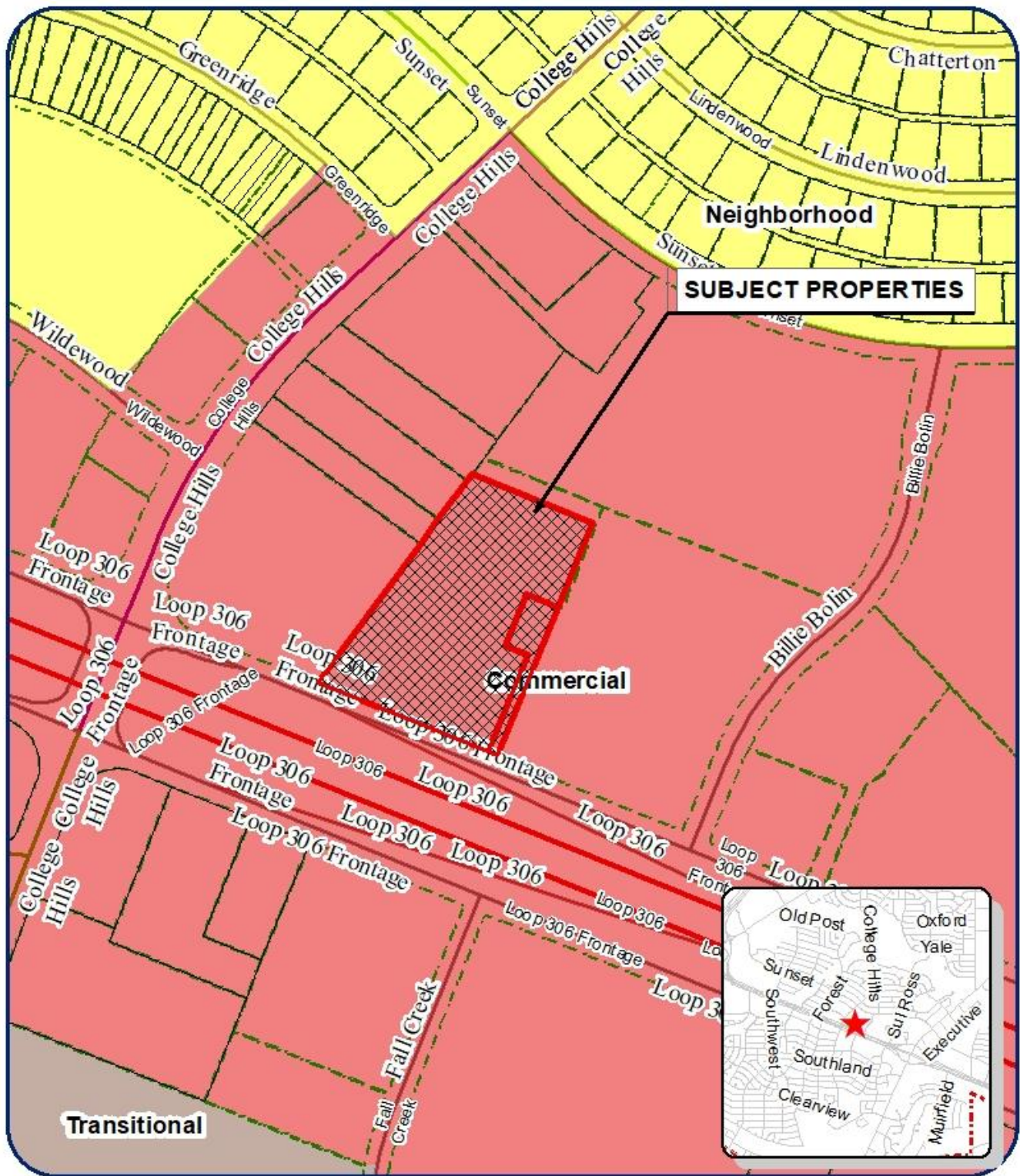
Photographs

Proposed Replat

Application



Replat		Legend			
Loop 306 Commercial Addition		Subject Properties: 	Current Zoning: CG/CH		
Council District: Lane Carter - District 5		Requested Zoning Change: N/A			
Neighborhood: Vista del Arroyo		Vision: Commercial			
Scale: 1" approx. = 250 ft					
W. Loop 306 between S. College Hills Blvd & Billie Bolin Dr., 3.632 acres					

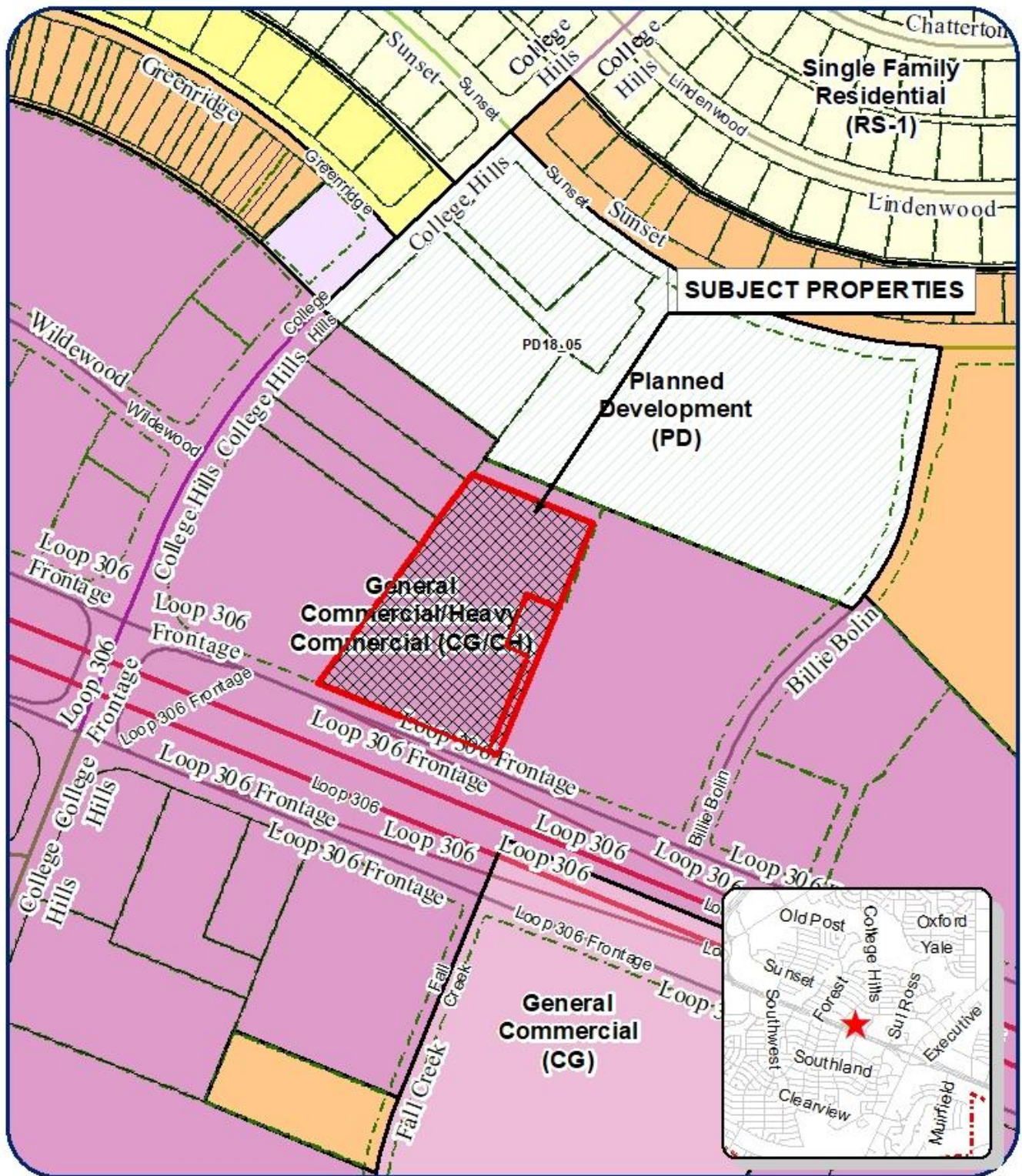


Replat
Loop 306 Commercial Addition
 Council District: Lane Carter - District 5
 Neighborhood: Vista del Arroyo
 Scale: 1" approx. = 250 ft

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

W. Loop 306 between S. College Hills Blvd & Billie Bolin Dr., 3.632 acres



Replat
Loop 306 Commercial Addition
 Council District: Lane Carter - District 5
 Neighborhood: Vista del Arroyo
 Scale: 1" approx. = 250 ft
W. Loop 306 between S. College Hills Blvd & Billie Bolin Dr., 3.632 acres

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




Photos of Site and Surrounding Area

EAST ADJACENT TO LOOP 306



WEST ADJACENT TO LOOP 306



NORTH AT SUBJECT PROPERTY



Proposed Replat

AREA NOTE:
This area (area) shown herein is based on the mathematical closure of the survey. It does not include the monumentation that may be present due to monuments in place.

REFERENCE PLACING NOTE:
The bearing shown herein was measured to North 88 deg 32 min 44 sec. Track along the westerly line of the survey to the intersection of the line with the line of the survey. The monumentation shown herein, according to the plat hereof, recorded in Volume 4, County Records, Tom Green County, Texas.

BOUNDARY NOTE:
This Survey, and proposed plat, were recorded on June 18, 2020, established by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for the area shown herein, which is designated as "Zone X" (in Shaded) and is a portion of the 100 year flood plain with a 1% annual chance floodplain.

LEGEND

- BOUNDARY LINE
- ADJACENT BOUNDARY LINE
- EXISTING LINE

ABBREVIATIONS

Page: [] Volume: []
 Date: [] County: []
 Plat No.: [] Page: []
 Plat No.: [] Page: []
 Plat No.: [] Page: []
 Plat No.: [] Page: []
 Plat No.: [] Page: []
 Plat No.: [] Page: []

CITY PLANNING COMMISSION

Approved for recording this _____ day of _____, 2020.

By: _____
 Chairman

Approved for recording this _____ day of _____, 2020.

By: _____
 Director of Public Works

Approved for recording this _____ day of _____, 2020.

By: _____
 County Clerk of Tom Green County, Texas

OWNER: West Texas Christian Ministries

REPLAT

**LOT 1 & LOT 2, BLOCK G
 LOOP 306 COMMERCIAL ADDITION
 SECTION TWO
 3.632 Acres**

**E. B. Cogswell Survey, Abstract No. 129
 City of San Angelo, Tom Green County, Texas**

OWNER: West Texas Christian Ministries

OWNER: WEST TEXAS CHRISTIAN MINISTRIES

WEST TEXAS CHRISTIAN MINISTRIES
 1100 W. 12TH ST.
 SAN ANGELO, TEXAS 76901

DATE: _____

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



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

Loop 306 Commercial Addition 20-10460019

Proposed Subdivision Name _____

Blk: G, Subd: COLLEGE HILLS SO BSN PARK, 3.365 ACRES OUT OF BLOCK G SEC 2

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

R000027130; 07-18700-0000-008-50

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

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

Authorized Representative: Tenant Property Owner Contractor Engineer

Tenant:	n/a	n/a	n/a
	Name	Phone Number	Email Address
Property Owner:	West Texas Christian Ministries - Mark Davis	325-944-0819	mark@wtcf.us
	Name	Phone Number	Email Address
Architect/Engineer/Design Professional:	Casey McBroom, PE	972-562-4409	cmcbroom@crossengineering.biz
	Name	Phone Number	Email Address

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

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

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

Section 2: Utility & Easement Information

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

Sewer: City - requesting new services Proposed size? 6 inch
 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

3.632 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 CW ML MH

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

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

Vacant 3.632 Single-Family Residential _____ Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail _____

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

Vacant 1.831 Single-Family Residential _____ Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail 1.801

Are there existing structures on the property? Yes No
 If yes, how many structures exist? 2 What type of structures exist currently? Small Shed / Gazebo
 Existing Community Garden _____

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: Full ordinance citation from Subdivision Ordinance standard 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)

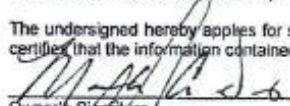
Section 4, continued

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.

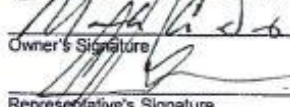
The variance will not, in any significant way, vary the provisions of applicable ordinances

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.ii of the Subdivision Ordinance.

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


 Owner's Signature

7/21/20
 Date


 Representative's Signature

7/16/20
 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:

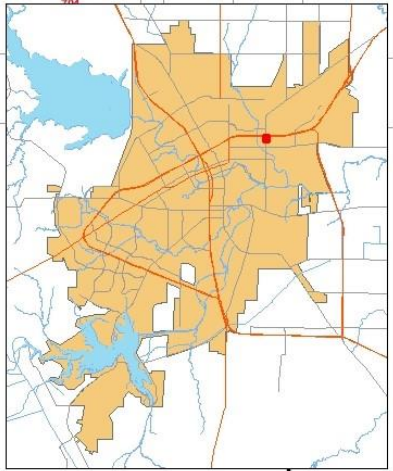
	Approval Date	Case Number	Notes
Administrative Approval	_____	_____	_____
Planning Commission	_____	_____	_____
City Council (cases with appeal)	_____	_____	_____

Date of Approval Expiration: _____

Date Recorded: _____

PLANNING COMMISSION – September 16, 2019
STAFF REPORT



APPLICATION TYPE:		CASE:	
First Replat		Kenley Addition, Block Two	
SYNOPSIS:			
A request for approval of the First Replat of Block Two, Kenley Addition, being 0.850 acres in Lots 1, 2, 18 and 19, the south part of Lot 17, and part of alley, Block 2, Kenley Addition, and a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a paving width of 36 feet without sidewalk in lieu of the required 40 feet for Ellis Street, an urban local street.			
LOCATION:		LEGAL DESCRIPTION:	
704 North Bell Street		Being 0.850 acres of land being all of Lots 1, 2, 18 and 19, the south part of Lot 17 and part of alley, Block 2, Kenley Addition, City of San Angelo Texas	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Neighborhood: Paulann	General Commercial/ Heavy Commercial (CG/CH) & Heavy Commercial (CH)	Commercial	0.850 acres
THOROUGHFARE PLAN:			
<p><i>East Houston Harte Expressway Frontage Road</i> - TXDOT</p> <p><i>North Bell Street</i> – Minor Arterial: Required 80’ ROW and 64’ paving, Existing 63’ ROW and 48’ existing (Under construction by COSA)</p> <p><i>Ellis Street</i> - Local Street, Required: 50’ right-of-way, 40’ or 36’ with 4’ sidewalk pavement width; 50’ ROW and 36’ pavement with no sidewalk (existing)</p>			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of “First Replat Block Two, Kenley Addition” and APPROVAL of a variance from Chapter 10.III.A.2 of the LDSO, subject to Three Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
Property Owner: Ray Oujesky - JLS Business Properties LTD Agent: Russell Gulley, SKG Eng.			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us			

Additional Information: The proposed First Replat includes four lots and the abandoned alley 0.850 of an acre. The Planning Commission and City Council recently approved the abandonment of the alley included in this replat. The existing building years ago was built over the alley and replatting was a requirement of the abandonment of that alley approval. This replat will accomplish that requirement and will clean up this entire commercial property for future use.

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.”

Comprehensive Plan

The subject land is designated Commercial in the City’s Comprehensive Plan. This intended final plat is in keeping with that designation and use and was a requirement of the previous alley abandonment.

Purpose Statements

The proposed replat will also conform to the 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); will assist in guiding the future growth and development of the city (Statement E); to ensure that property boundaries created are accurately determined, marked on the land and established on a recorded plat which is available for public inspection (Statement K). The proposed plat will follow the current pattern of development within this area.

Variance: As indicated above, the applicant has submitted a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance (LDSO) to allow Ellis Street to maintain an existing paving width of 36 feet within an existing heavy commercial use area. 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.**

Applicant: The variance will allow the street to remain in its existing, functional state and will not be detrimental to the public safety, health or welfare, or be injurious to other property.

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

Applicant: The conditions upon which the request for a variance is based are unique to the property in that all other property in the immediate area is developed and would never be subject to the regulation. The street is developed fully with curb and gutter and functions well. All of the other properties along Ellis to the east do not have curb and gutter and are functioning heavy commercial properties that utilize the curb less street for the movement of large heavy equipment.

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.**

Applicant: Due to the physical shape and alignment of the existing roadway, not only would a hardship result but due to the physical surroundings and shape of the subject property a particular hardship to the owner would result.

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

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

Staff concurs with the arguments made by the applicant for his variance case. In this instance the road is existing and of adequate size for this local road. There is development on both sides of the road and there would be no advantage in having the applicant pave a portion of the road that was different in just this one area.




Recommendation: Staff recommends **APPROVAL** the “First Replat Block 2, Kenley Addition” and **APPROVE** the **variance** from Chapter 10.III.A.2 of the LDSO, subject to the following **Three Conditions of Approval:**

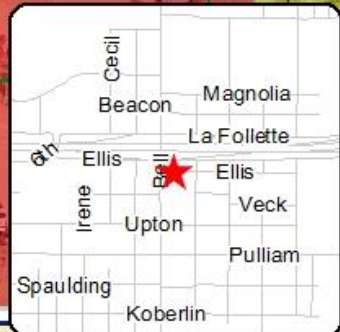
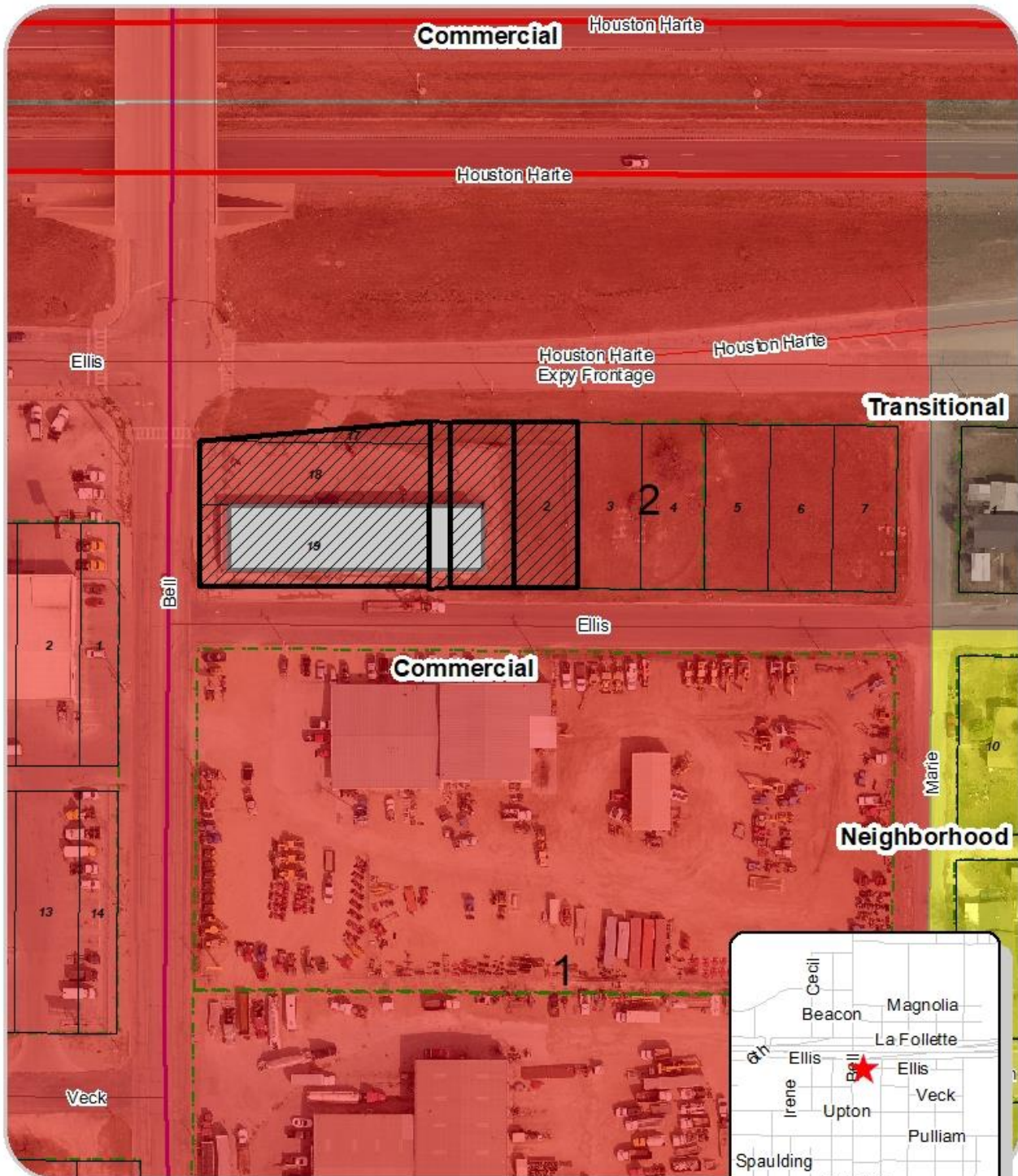
1. Prior to plat recordation, provide a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision. [Land Development and Subdivision Ordinance, Chapter 7.II.A].
2. Prior to plat recordation, prepare and submit plans for required improvements to Ellis Street by half the additional increment necessary to comprise the minimum paving width. [Land Development and Subdivision Ordinance, Chapter 10]. For Ellis Street, the minimum width is 36 feet with a 4 foot sidewalk along one side, or 40 feet with no sidewalk (in this case, requiring either construction of a 4 foot sidewalk, or 2 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]. A second alternative would be to obtain approval of a variance from the Planning Commission [Land Development and Subdivision Ordinance, Chapter 1.IV]
3. 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]

Attachments:

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




<p>Location Map Replat Ray Oujesky Council District 3 - Harry Thomas Neighborhood: Paulann Scale: 1" approx. = 100 ft</p>	<p>Legend Subject Properties:  Current Zoning: CG/CH & CH Requested Zoning Change: N/A Vision: Commercial</p>	<p> </p>
<p>Lot: 18 & 19 & S PART OF LOT 17 AND ALLEY AD, Blk 2, Subd: KENLEY C M ADDITION; Lot: 1, Blk 2, Subd: KENLEY C M ADDITION; Lot: 2, Blk 2, Subd: KENLEY C M ADDITION</p>		



Location Map Replat

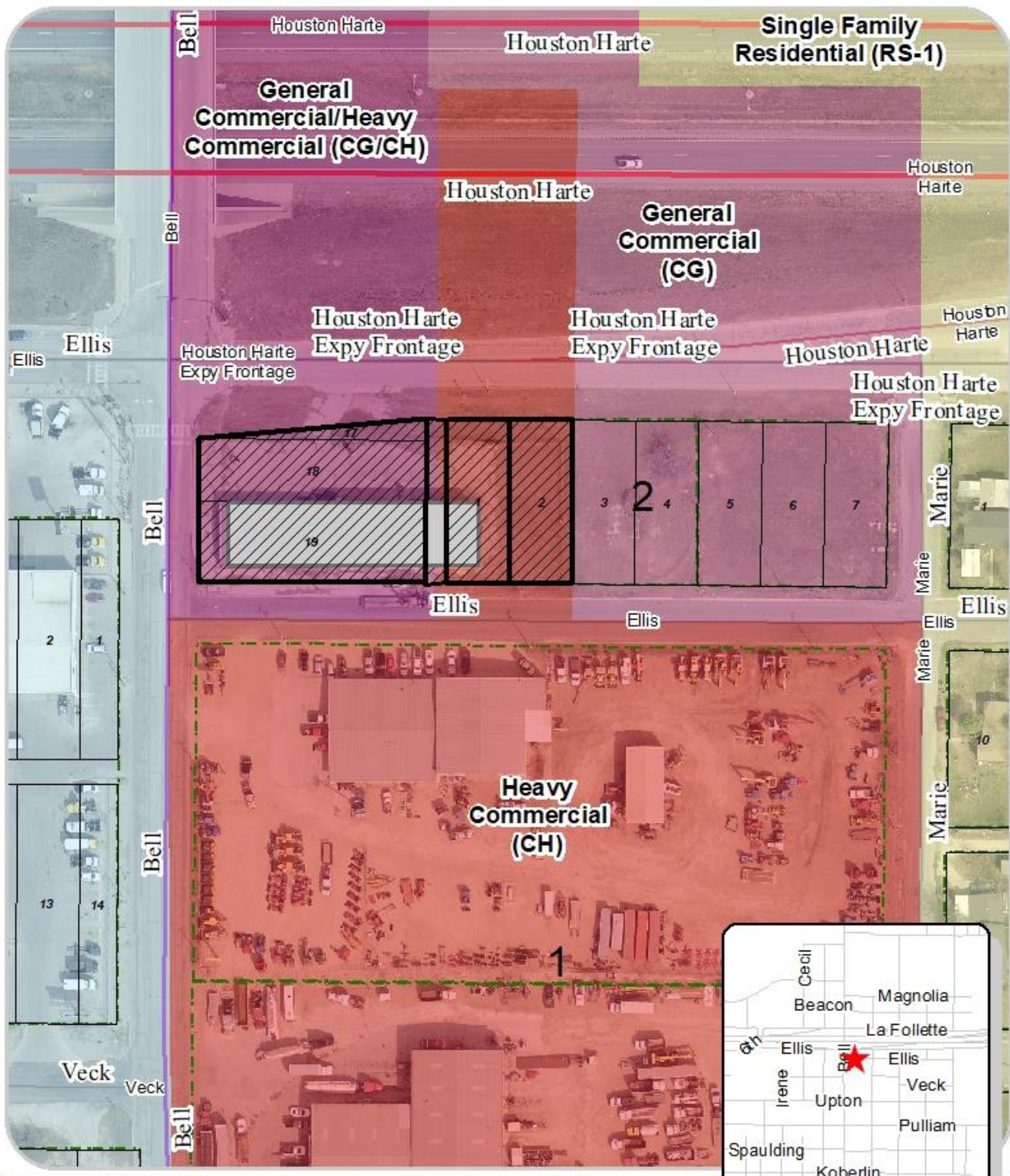
Ray Oujesky
 Council District 3 - Harry Thomas
 Neighborhood: Paulann
 Scale: 1" approx. = 100 ft




Legend

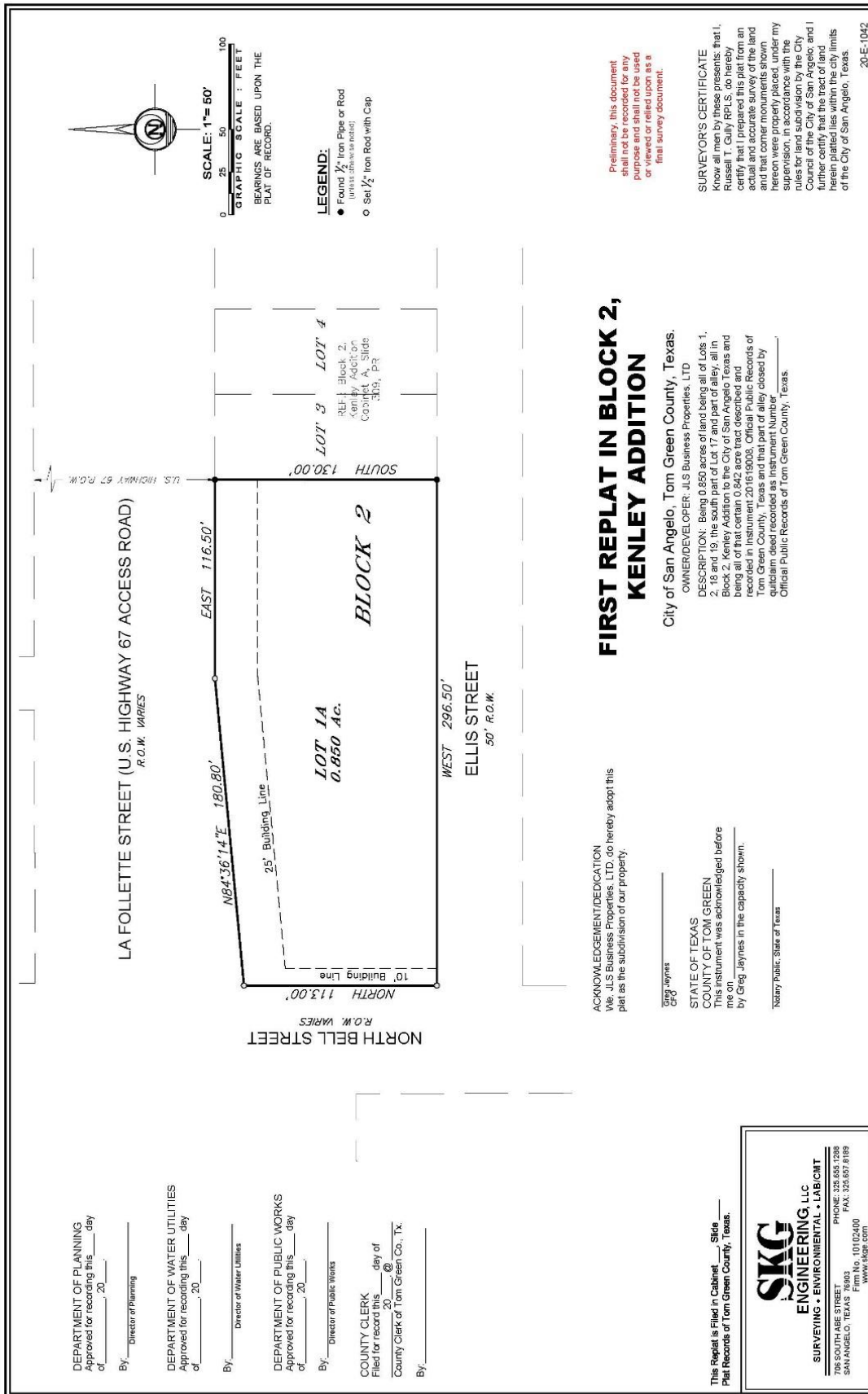
Subject Properties: 
 Current Zoning: **CG/CH & CH**
 Requested Zoning Change: **N/A**
 Vision: **Commercial**



Lot: 18 & 19 & S PART OF LOT 17 AND ALLEY AD, Blk 2, Subd: KENLEY C M ADDITION;
 Lot: 1, Blk 2, Subd: KENLEY C M ADDITION; Lot: 2, Blk 2, Subd: KENLEY C M ADDITION



<p>Location Map Replat Ray Oujesky Council District 3 - Harry Thomas Neighborhood: Paulann Scale: 1" approx. = 100 ft</p> <p>Lot: 18 & 19 & S PART OF LOT 17 AND ALLEY AD, Blk 2, Subd: KENLEY C M ADDITION; Lot: 1, Blk 2, Subd: KENLEY C M ADDITION; Lot: 2, Blk 2, Subd: KENLEY C M ADDITION</p>	<p>Legend</p> <p>Subject Properties:  Current Zoning: CG/CH & CH Requested Zoning Change: N/A Vision: Commercial</p>	<p>N</p>  
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DEPARTMENT OF PLANNING
 Approved for recording this ___ day
 of ___, 20__.

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: _____

ACKNOWLEDGEMENT/DEDICATION
 We, JLS Business Properties, LTD, do hereby accept this
 plat as the subdivision of our property.

By: _____
 Greg Jaynes
 JLS Business Properties, LTD
 STATE OF TEXAS
 COUNTY OF TOM GREEN
 This instrument was acknowledged before
 me on _____
 by Greg Jaynes in the capacity shown.
 Notary Public, State of Texas

**FIRST REPLAT IN BLOCK 2,
 KENLEY ADDITION**

City of San Angelo, Tom Green County, Texas.
 OWNER/DEVELOPER: JLS Business Properties, LTD
 DESCRIPTION: Being 0.850 acres of land being all of Lots 1,
 2, 18 and 19, the south part of Lot 17 and part of alley, all in
 Block 2, Kenley Addition to the City of San Angelo Texas and
 being all of that certain 0.842 acre tract described and
 being in Tom Green County, Texas and that part of the
 Tom Green County, Texas and that part of the
 quitclaim deed recorded as instrument Number _____
 Official Public Records of Tom Green County, Texas.

Preliminary, this document
 shall not be recorded for any
 purpose and shall not be used
 or viewed or relied upon as a
 final survey document.

SURVEYOR'S CERTIFICATE
 Know all men by these presents: that I,
 Russell T. Gully R.P.L.S., do hereby
 certify that I prepared this plat from an
 actual and accurate survey of the land
 and that corner monuments shown
 hereon were set by me or by my
 assistants, 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
 of the City of San Angelo, Texas.

20-E-1042

SKG ENGINEERING, LLC
 SURVEYING • ENVIRONMENTAL • LAB/CERT
 708 SOUTH ABILE STREET
 SAN ANGELO, TEXAS 76903
 PHONE: 325.655.1238
 FAX: 325.657.8189
 Firm No. 101072400
 www.skg.com



City of San Angelo, Texas - Planning
Land Subdivision Application



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

Section 1: Basic Information

First Replat in Block 2, Kenley Addition

Proposed Subdivision Name _____

Lot: 18 & 19 & S PART OF LOT 17 AND ALLEY AD, Blk: 2, Subd: KENLEY C M ADDITION; Lot: 1, Blk: 2, Subd: KENLEY C M ADDITION; Lot: 2, Blk: 2, Subd: KENLEY C M ADDITION

Current Legal Description (can be found on property tax statement or at www.tomgreencad.com)
 15-29800-0002-011-00; 15-29800-0002-001-00; 15-29800-0002-002-00

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: JLS BUSINESS PROPERTIES LTD	817-359-1135	shubbell@shoppas.com

Property Owner:

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

Architect/Engineer/Design Professional:

Name	Phone Number	Email Address
Subdivision Type: <input type="checkbox"/> Final Plat <input type="checkbox"/> Replat - requiring Planning Commission approval <input type="checkbox"/> Plat Vacation		
<input type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Replat - administratively eligible* <input type="checkbox"/> 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? 1" - 2" _____

Other Please specify: _____

Sewer: City - requesting new services Proposed size? _____

City - utilizing existing services Existing size? 4" _____

Other Please specify: _____

Septic System Lot size? _____

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

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

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

Section 3: Property Characteristics

0.850 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 0.850

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

Vacant _____ Single-Family Residential _____ Office _____

Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail 0.850

Are there existing structures on the property? Yes No

If yes, how many structures exist? 1 What type of structures exist currently? Metal Building

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 _____
 Representative's Signature _____

7/21/2020
 Date
 7/21/2020
 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: _____

SHEET FOR ADDITIONAL VARIANCE REQUEST(S)

Section 4: Variance Requests

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

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

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

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

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

Approval of this variance is not detrimental to the public safety or injurious to other property.

The Street currently meets the functional needs of the area.

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 street maintains a similar width for its entirety to the east. This street is in an already developed area.

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

Due to the physical surroundings and shape of the subject property a particular hardship to the owner would result.

The street maintains a similar width for it entirety to the east

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

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

PHOTOS



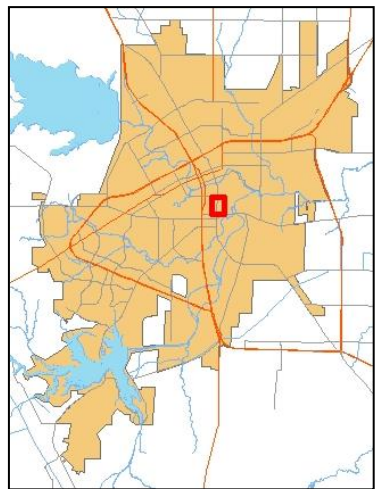
704 North Bell Street



Total property

**PLANNING COMMISSION – August 17, 2020
STAFF REPORT**



APPLICATION TYPE:		CASES:	
Rezoning & Comprehensive Plan Amendment		Z20-10 & CP20-04: 1217 S Oakes Street	
SYNOPSIS:			
A request for approval of a rezoning from the General Commercial (CG) zoning district to the Light Manufacturing (ML) zoning district and a request for an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the “Neighborhood Center” Future Land Use to “Industrial” on the subject property. The applicant is intending to expand the existing business of Ventaire Awning and Ornamental Iron Fencing onto lots adjoining directly to the north of 1217 South Oakes Street. The proposed expansion would not be allowed by right in the existing zoning district (see additional information). A rezoning to the property would also warrant a Comprehensive Plan amendment as part of the criteria for approval per Section 212.G of the Zoning Ordinance.			
LOCATION:		LEGAL DESCRIPTION:	
1209, 1213 & 1217 South Oakes Street, generally located on the west side of South Oakes Street between East Avenue H and East Avenue I.		Being N50’ of S155’ of E170’, N50’ of S205’ of E ½ of Block 32 & S50’ of N155’ of E ½ of Block 32, Fort Concho Addition, City of San Angelo, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District 3 – Harry Thomas Neighborhood – Fort Concho	General Commercial (CG)	Neighborhood Center	0.59 acres
THOROUGHFARE PLAN:			
<i>South Oakes Street</i> – Local Street, 50’ ROW required (100’ existing), 40’ pavement required (60’ provided)			
NOTIFICATIONS:			
Z20-10: 20 notifications were mailed within a 200-foot radius on August 6, 2020. CP20-04: 20 notifications were mailed within a 200-foot radius on August 6, 2020. No responses have been received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends DENIAL of a rezoning from General Commercial (CG) zoning district to the Light Manufacturing (ML) zoning district; and DENIAL of a Comprehensive Plan Amendment changing the Future Land Use designation from the “Neighborhood Center” Future Land Use to “Industrial.”			
PROPERTY OWNER/PETITIONER:			
Applicant: Doug Tounget Representative: David Mazur			
STAFF CONTACT:			
Shelly Paschal Planner (325) 657-4210, Extension 1533 shelly.paschal@cosatx.us			

Additional Information: The background on a portion (1217 South Oakes Street) of this subject property is that in November 1977 there was an approved zone change (ZC1144) from Two-Family Residential (RS-2) zoning district to CG (General Commercial) zoning district with conditional options for vehicle sales, service and repair. Then in January 1986 there was a request for a zone change (ZC1549) requested a change from General Commercial (CG) to Light Manufacturing (ML) zoning district, **which was denied**. *However, at the same meeting a Special Permit (SP1150A) was approved to allow for the manufacturing of awning and ornamental iron, subject to the conditions of a required privacy fence and no outside storage.* Therefore, the existing use of the subject property at 1217 South Oakes Street is allowed by the approved Special Permit, with the exception that currently that Special Permit is in violation due to its outdoor storage. However, now the owner wants to expand his business to the two lots adjoining and directly north of the property. These two properties are addressed as 1209 and 1213 South Oakes Street. The existing zoning on these two lots does not allow the proposed use of manufacturing of awnings and ornamental iron. The only way to allow this proposed use is a rezoning. The applicant is proposing a rezoning from the current General Commercial (CG) zoning district to the Light Manufacturing (ML) zoning district. There is a strip of commercial all along South Oakes Street, most of which is compatible with neighborhood commercial or general commercial.

The Future Land Use map for this area is incompatible for this requested zone change. The existing Comprehensive Plan and the Vision Plan for this area is currently Neighborhood Center. The existing Neighborhood Center is less intensive for the neighborhood to the west directly across the alley from the subject property, than the proposed change to Industrial.

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 proposed Comprehensive Plan Amendment from Neighborhood Center to Industrial would not be consistent with the surrounding development pattern in the area, but there is commercial uses in this area. The subject property is designated “Neighborhood Center.” The “Neighborhood Center” designation in the City’s Comprehensive Plan intends to “contract retail commercial corridors into series of identifiable nodes or centers at key intersections.” The subject property is a better fit for the Neighborhood Center, due to the adjacency to a well-established neighborhood. Also, in the Vision Plan, Neighborhood Centers are intended to be more pedestrian-friendly in character, and are more integrated with and connected to their surroundings, and cluster buildings to generate synergies between complementary uses. This proposed use is not a complimentary use in this area and does not support this intent. The proposed use, which is manufacturing of awnings and ornamental iron, is not integrated nor complementary with the other commercial uses on the block, or the residential neighborhood on this block. The “Industrial” designation in the City’s Comprehensive Plan intends to “support the local economy while mitigating some of their potentially undesirable secondary effects on nearby residences.” Given the proximity to residential, staff

does not believe this is a good fit.

2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* The existing use at 1217 South Oakes Street, manufacturing of awnings and ornamental iron (a manufacturing use), is allowed by the approved Special Permit in 1986. However, the proposed expansion of this same business is not an allowed use on the other two adjacent properties. This would require an approval of the requested rezoning to a Light Manufacturing (ML) zoning district to allow the business expansion, but staff believes this location is not appropriate given the proximity to homes in the area. The zoning ordinance, section 104 states the purposes of this ordinance. The purpose statements state, “Prevent or minimize land use incompatibilities and conflicts among different land uses.” Staff believes this proposed rezoning would be in conflict with both this statement as the proposed use could be unsightly and noisy. The current zone is CG which allows 10% outdoor storage and it appears that this limitation is already being exceeded. Also, this outside storage is industrial in nature, which is not compatible with the adjacent neighborhood.
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 commercial and residential uses. There is a single-family residential neighborhood directly to the west across the alley from the subject property. There is also a single-family home directly south of the subject property as well. The expansion of the subject parcels doesn’t fit in with the existing neighborhood. The expansion of the subject use, which is a Light Manufacturing use, is inconsistent with the surrounding neighborhood.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* Although neighborhood center uses have not developed on this property, per the adopted Comprehensive Plan, such uses are the long-term goal identified for this area. The plan envisions a transition in this area to less intensive commercial uses that serve the adjoining neighborhood. Since 1986, there was a Special Permit granted to allow the current use. Since 2009, this subject property has been designated as Neighborhood Center. Now the applicant is wanting to expand on to more lots and this expansion is not compatible with the surrounding area, the zoning ordinance, nor the land use designation in the City’s Comprehensive Plan.
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 Comprehensive Plan amendment and rezoning are anticipated to have an adverse impact on the natural environment. The existing uses of the subject property already has an impact, due to the noise and dust produced by this specific use, and expanding this use would only create more of an

impact.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* There is a need for manufacturing in San Angelo; however, with the immediate adjacent established neighborhood, this location is not the appropriate location for such a use. This is a retail commercial area and it would be more appropriate for the applicant to find an industrial zoned property for expansion.

7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The existing development pattern in the immediate area along South Oakes Street is both residential and commercial. The existing business is allowed, but the expansion of this use as light manufacturing would not be logical for the surrounding area. The proposed use could have a negative affect due to an increase in deliveries and manufacturing activities, due to the expansion.

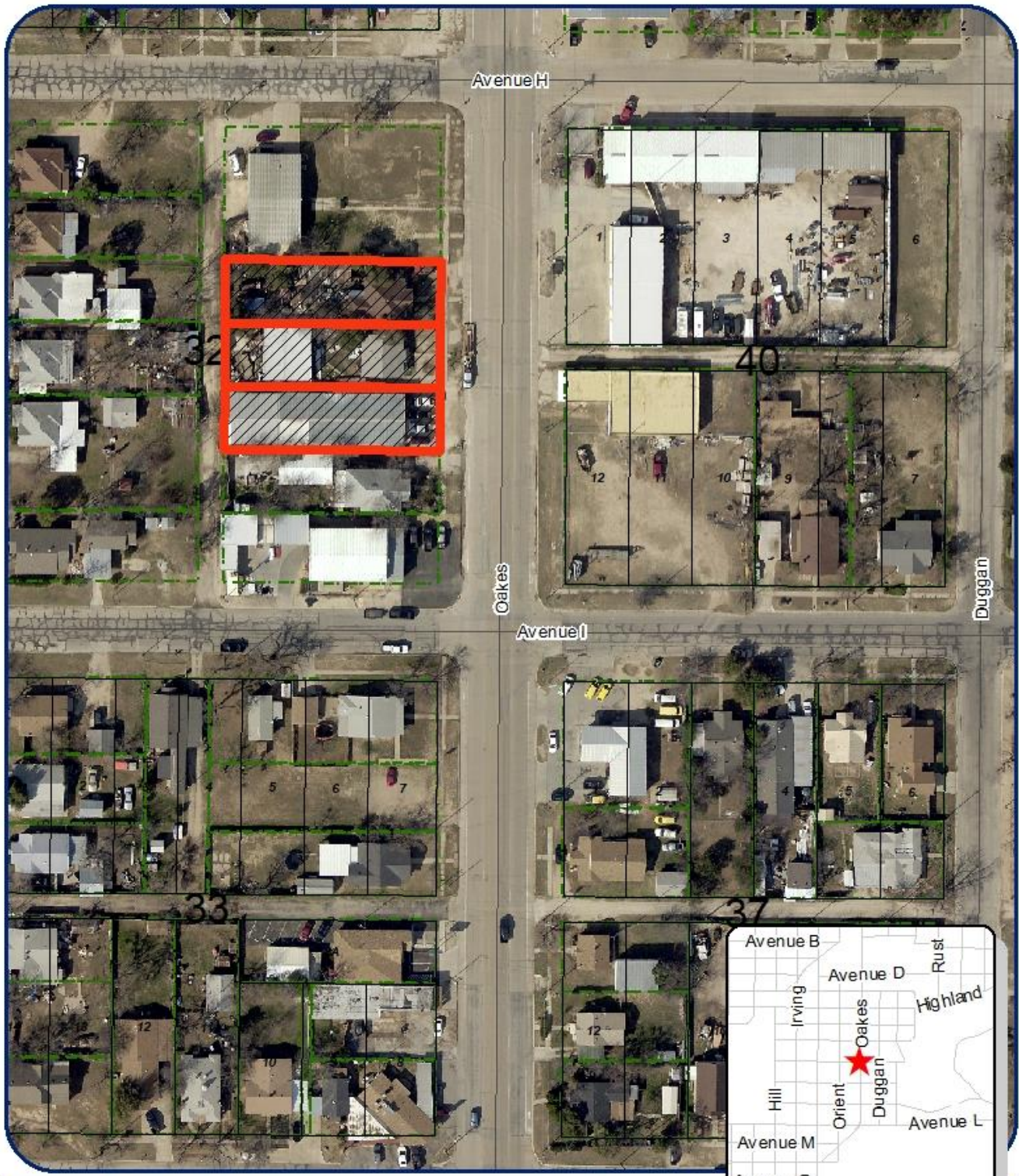
Recommendation:

Staff recommends **DENIAL** of a rezoning from General Commercial (CG) zoning district to the Light Manufacturing (ML) zoning district; and

Staff recommends **DENIAL** of a Comprehensive Plan Amendment changing the Future Land Use designation from the “Neighborhood Center” Future Land Use to “Industrial.”

Attachments:

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



Location Map Z20-10 & CP20-04

1217 South Oakes Street

Council District 3 - Harry Thomas
 Neighborhood: Fort Concho

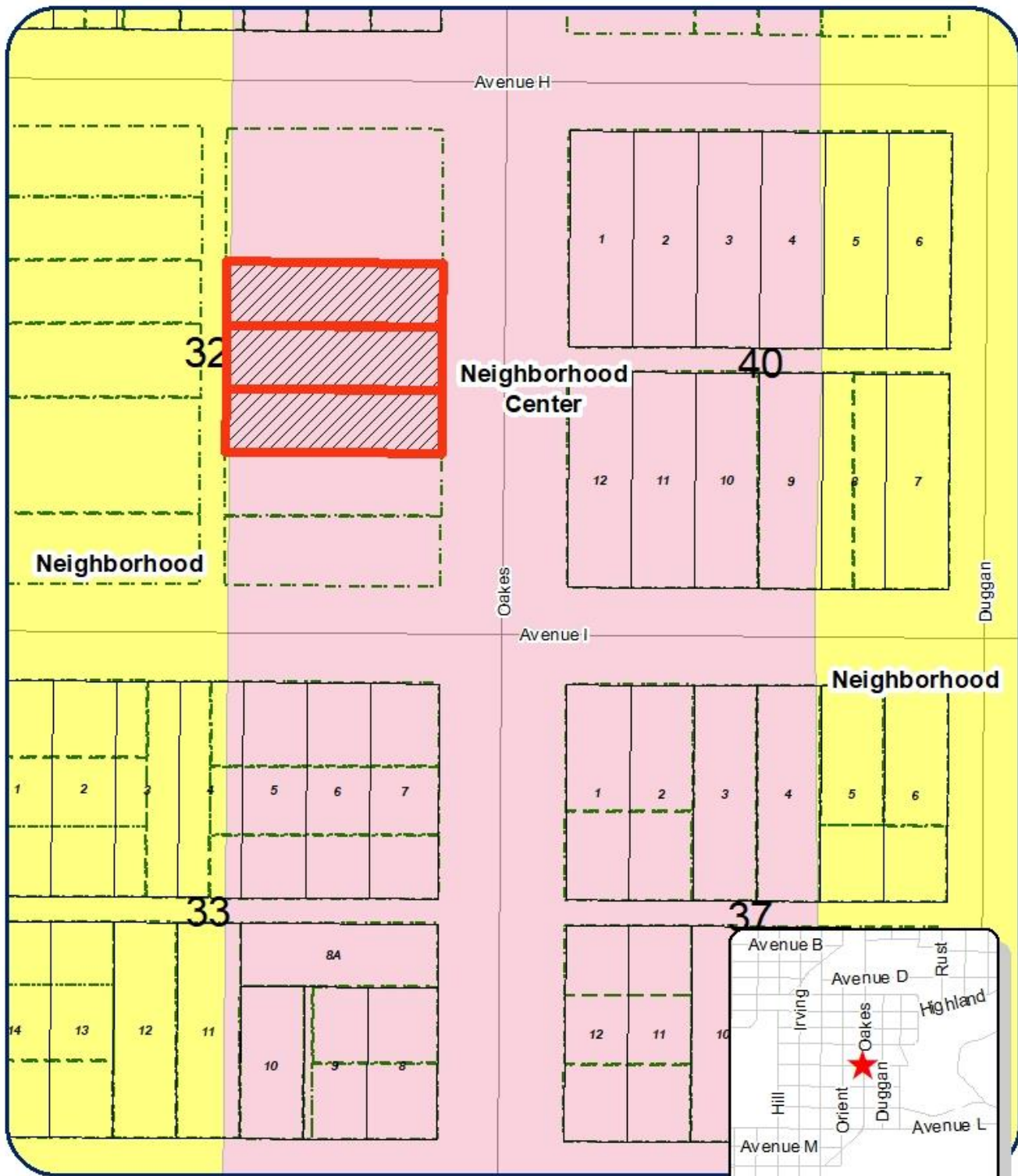
Scale: 1" approx. = 100 ft

Being N50' of S155' of E170', N50' of S20' of E1/2 of Block 32 & S50' of N155' of E1/2 of Block 32,
 Block 32, Fort Concho Addition

Legend

- Subject Properties: █
- Current Zoning: █ CG
- Requested Zoning Change: █ ML
- Vision: █ Neighborhood Center





Location Map Z20-10 & CP20-04

1217 South Oakes Street

Council District 3 - Harry Thomas

Neighborhood: Fort Concho

Scale: 1" approx. = 100 ft

Being N50' of S155' of E170', N50' of S20' of E1/2 of Block 32 & S50' of N155' of E1/2 of Block 32, Block 32, Fort Concho Addition

Legend

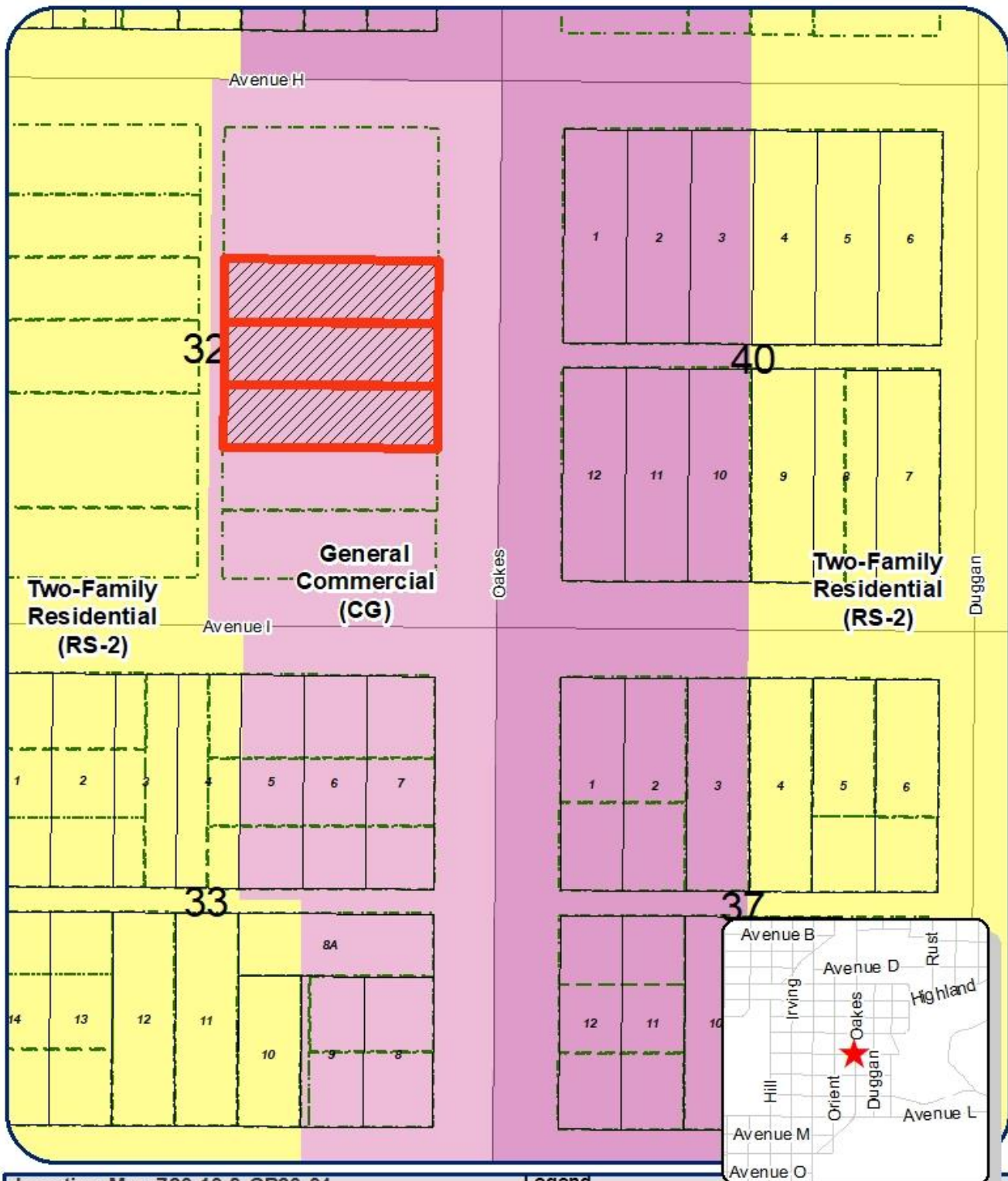
Subject Properties:

Current Zoning: CG

Requested Zoning Change: ML

Vision: Neighborhood Center





Location Map Z20-10 & CP20-04

1217 South Oakes Street

Council District 3 - Harry Thomas

Neighborhood: Fort Concho

Scale: 1" approx. = 100 ft

Being N50' of S155' of E170', N50' of S20' of E1/2 of Block 32 & S50' of N155' of E1/2 of Block 32, Block 32, Fort Concho Addition

Legend

Subject Properties:

Current Zoning: CG

Requested Zoning Change: ML

Vision: Neighborhood Center





Location Map Z20-10 & CP20-04

1217 South Oakes Street

Council District 3 - Harry Thomas

Neighborhood: Fort Concho

Scale: 1" approx. = 100 ft

Being N50' of S155' of E170', N50' of S20' of E1/2 of Block 32 & S50' of N155' of E1/2 of Block 32, Block 32, Fort Concho Addition

Legend

Subject Properties: █

Current Zoning: █

Requested Zoning Change: █

Vision: █ Neighborhood Center

N



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): David Mazur (Doug Tounget, owner Ventaire Awning)
 Owner Representative (Notarized Affidavit Required)

Mailing Address	City	State	Zip Code
1310 Mackenzie St	San Angelo	TX	76901

Contact Phone Number	Contact E-mail Address
325-656-7353	mazur057@gmail.com

Subject Property Address	City	State	Zip Code
1217 S Oakes	San Angelo	TX	76903

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

Blk: 32, Subd: FORT CONCHO ADDITION, N50 FT OF S155'OF E170' OF BLK 32

Existing Zoning: _____ Proposed Zoning: _____ Lot size: 0.195 Acres

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

Section 2: Site Specific Details

Existing Use of Property: Ornamental Iron Fabrication Facility

*Proposed Use of Property: SAME - Ornamental Iron Fabrication Facility

*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.

Doug Tounget

Signature

Ventaire Awning

Company/Organization (If Applicable)

8-17-20

Date

David Mazur

Signature

Mazur Construction

Company/Organization

8-17-2020

Date

FOR OFFICE USE ONLY:

Verified Complete Verified Incomplete

Date of Application: ____/____/____

Case No.: Z ____ -- ____

Fully-dimensioned site plan:

Nonrefundable fee: \$ ____

Receipt #: ____ Date paid: ____/____/____

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: ____/____/____

Effective January 3, 2017



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



Application for Request to Amend Comprehensive Plan

Section 1: Basic Information

Name of Applicant(s): David Mazur (Doug Tounget - Owner, Venteaire Awning)
 Owner Representative (Notarized Affidavit Required)

1310 Mackenzie St San Angelo TX 76901
 Mailing Address City State Zip Code

325-656-7353 mazur057@gmail.com
 Contact Phone Number Contact E-mail Address

1217 S. Oakes San Angelo TX 76903
 Subject Property Address City State Zip Code

Lot Size: 0.195 Acres Zoning: _____

Section 2: Site Specific Details

Existing Use of Property: Ornamental Iron Fabrication Facility

Proposed Use of Property: SAME - Ornamental Iron Fabrication Facility

Existing Comprehensive Plan Land Use Designation: _____

Requested Comprehensive Plan Land Use Designation: _____

Reason(s) and justification(s) for requesting Comprehensive Plan Amendment:
Update and change building and lot from non-conforming land use to conforming use in order to expand facility and allow for inside storage and fabrication

Effective January 3, 2017

Section 3: Applicant(s) Acknowledgement

Please initial the following:

AM This process does NOT change the zoning on the property. Future applications filed for zone change will be evaluated by comparing the request against the Comprehensive Plan category, to insure consistency as required by the Local Government Code. This Code directs cities to make zoning decisions in accordance with this planning document.

AM Filing of this application is simply a request that the Planning Commission consider an amendment to the Comprehensive Plan map. Both the Planning Commission and City Council have the option to determine no amendment is necessary. If amendment is deemed necessary, staff will recommend updates based on the facts and evidence collected, and in accordance with the principles of the Comprehensive Plan adopted in 2009.

AM If approved, the Comprehensive Plan Amendment is applied to the property and runs with the land; it does not apply to the property owner(s).

AM The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a Comprehensive Plan Amendment request, the request must still go before City Council for final action.

AM If a Comprehensive Plan Amendment request is granted by City Council, a Zone Change application must still be filed to begin the rezoning process. While such applications may be filed concurrently, refund of a rezoning application fee is not possible; as such, it may be advisable to wait for a final decision on said Comprehensive Plan Amendment before proceeding with a rezoning request.

AM Comprehensive Plan Amendments are not done on a property by property basis, since zoning is largely based upon anticipating & mitigating the effects and unintended consequences land uses have on their surroundings. The neighborhood or area where your property lies will be evaluated and studied by staff, the Planning Commission, and City Council.

AM Areas will be examined no more than once per calendar year. The analysis, study, and evaluation by staff, the Planning Commission is a three month process; City Council must also adopt any changes.

AM 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.



 Signature of licensee or authorized representative

8-21-2020

 Date

David Mazur

 Printed name of licensee or authorized representative

Venture Awning

 Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: CPA.: _____ -- _____ Planning Commission Date: ____/____/____

City Council Date(s): ____/____/____

Non-Refundable Fee: \$ _____ Receipt #: _____ Date paid: ____/____/____

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

Site and surrounding property photos



Subject property



South of subject property



North of subject property



Commercial south of subject property



Commercial north of subject property



Residential west of subject property



Residential west of subject property



Commercial across S Oakes



Commercial across S Oakes



Commercial across S Oakes



Commercial across S Oakes

**PLANNING COMMISSION – August 17, 2020
STAFF REPORT**



APPLICATION TYPE:		CASES:	
Rezoning and Conditional Use		Z20-09 / CU20-10: 1901-2023 and 2105 Knickerbocker Road	
SYNOPSIS:			
<p>The applicant and property owner has applied for a rezoning of the Stadium Park shopping plaza at 1901-2023 Knickerbocker Road, and Stadium Lanes bowling alley at 2105 Knickerbocker Road, from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District to allow existing and future retail commercial uses on these properties. The applicant has also submitted a Conditional Use for only 1901-2023 Knickerbocker Road to allow a retail area in a portion of the former Zentner’s Daughter restaurant. The applicant decided to apply for the Conditional Use to shorten the approval time, allowing her to obtain a building permit and move forward with the required interior renovations (see Additional Information).</p>			
LOCATION:		LEGAL DESCRIPTION:	
1901-2023 and 2105 Knickerbocker Road		Being 7.01 acres in the J. McNeese Survey No. 176.25, Abstract No. 1641	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #5 – Lane Carter ASU – College Hills Boulevard	ML	Commercial	7.01 acres
THOROUGHFARE PLAN:			
<p>Knickerbocker Road – TXDOT - Urban Major Arterial Street, Required: 80’ right-of-way, 64’ pavement; Provided: 106’ right-of-way, 90’ pavement</p> <p>Industrial Avenue – Urban Local Street, Required: 50’ right-of-way, 40’ pavement or 36’ with 4’ sidewalk; Provided: 60’ right-of-way, 40’ pavement with no sidewalk</p>			
NOTIFICATIONS:			
Six notifications were mailed within a 200-foot radius of the property on July 28, 2020 for both cases. One response was received in favor for each case; none against.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District at 1901-2023 and 2105 Knickerbocker Road; and APPROVAL of a Conditional Use to allow retail sales and service within the Light Manufacturing (ML) Zoning District on 1901-2023 Knickerbocker Road, subject to two conditions of approval.			
PROPERTY OWNER/PETITIONER:			
Applicant and Owner: Alexander Construction Company (Mary Jane Steadman, Acting Partner)			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: The applicant’s proposed interior renovations for the former Zentner’s Daughter restaurant at 1901 Knickerbocker Road triggered these requests. The applicant is proposing to utilize 10,212 square feet for a new restaurant and convert the remaining 3,436 square feet into a new retail (furniture) store. Before 2000, the property was zoned “Manufacturing (M-1)” which would have allowed commercial uses in this industrial district, including restaurants and retail stores. However, in 2000, the property was rezoned to ML which does not allow either of the new commercial uses. Section 601 of the Zoning Ordinance however, considers the restaurant space a lawful conditional use because there was already a restaurant on the property on January 4, 2000 when the current Zoning Ordinance was adopted. Therefore, no planning approvals are required for the restaurant. However, the portion of Zentner’s Daughter being converted into a furniture store, a new use, does not have this lawful conditional use status, and therefore, requires a new Conditional Use approval or Rezoning from the Planning Commission. As part of the rezoning request, the applicant has decided to include the adjacent property, 2105 Knickerbocker Road, which remains a retail entertainment use (bowling alley), thereby legalizing this use also.

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 proposed rezoning to General Commercial (CG) will recognize an existing retail commercial shopping plaza and bowling alley which have existed since 1996 according to historic aerials. The Light Manufacturing (ML) zoning no longer reflects the character of most of the properties in this commercial corridor, which extends over 1.5 miles on the south side of Knickerbocker Road between the Red Arroyo to the west and South Bryant Boulevard to the east. The rezoning will be consistent with the Commercial Future Land Use designation in both the 2003 Comprehensive Plan, and later the 2009 Strategic Plan Update. Commercial areas are “often 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 existing shopping center as indicated is located within a commercial corridor with visibility and access onto Knickerbocker Road, a State Arterial Road designed to accommodate large traffic volumes. Staff believes that a rezoning is both practical and logical, allowing the applicant’s proposed future furniture store and recognizing the existing retail uses that include a restaurant, boutique, salon, clothing store, cellular phone store and bowling alley.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The shopping plaza property comprises 4.694 acres property with a lot frontage of 500 feet and lot depth of at 350 feet on its shortest

(west) side. The bowling alley property comprises 2.32 acres with a lot frontage of 275 feet and lot depth of 370 feet. Both properties comply with, and well exceed, the minimum lot area of 6,000 square feet; minimum lot frontage of 50 feet; and minimum lot depth of 80 feet in the CG zone. As part of the applicant's required change of occupancy permit to convert a portion of the former restaurant to a furniture store, a development plan showing required parking shall be submitted. Since the existing shopping plaza has existed for over 20 years and would have complied with parking standards at the time of construction, the applicant is only required to demonstrate compliance for the new tenant. Deducting the areas not accessible to the public, there will be approximately 3,000 square feet of accessible retail space for the new furniture store, requiring five parking spaces (1 space per 600 square feet for a furniture store). The applicant's concept plan delineates 161 parking spaces currently on the property, and therefore, the new use will satisfy parking requirements.

3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* As indicated, the property is surrounded by retail commercial uses along the Knickerbocker Road commercial corridor. Although several properties along this corridor remain Light Manufacturing (ML), the nature of this area has become increasingly commercial as reflected in the 2003 Comprehensive Plan and 2009 Strategic Plan Update which designated this corridor exclusively Commercial. City Council has already approved several zone changes from ML to CG to allow retail uses along this portion of Knickerbocker Road including Chick Fil-A at 1609 Knickerbocker Road (Z16-02) and Bush's Chicken at 1225 Knickerbocker Road (Z16-09). Approval of this rezoning to CG will recognize the retail uses already in the shopping center, as well as allow the new furniture store.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* As indicated, the properties are part of a large corridor that has become increasingly Commercial over time, including the rezoning approvals from ML to CG referenced above. The ML zoning is no longer appropriate for these properties, as the majority of uses in the shopping center facing Knickerbocker Road and bowling alley are retail commercial uses. Staff had examined expanding the rezoning to include other properties but discovered that south of the subject property remained more industrial-type uses including the sale and rental of heavy equipment, warehousing, and printing, and east of the property remained a clothing store that including a large manufacturing and fabrication component where the clothes are made on-site. Therefore, Staff is satisfied with the proposed rezoning as submitted, which will recognize the existing retail shopping center and bowling alley.
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. Staff does not believe that there will be any adverse effects on the natural environment. The proposed renovations will be exclusively within the building and there is ample paved parking already available on the property.

6. **Community Need.** Whether and the extent to which the proposed amendment addresses a demonstrated community need. Planning Staff agree with the applicant that the zone change addresses the need to update current zoning to reflect actual and potential future development. As indicated, the existing retail shopping center and bowling alley are retail uses which are no longer allowed under the current ML zoning. While existing retail uses are allowed to continue as lawful conditional uses if they existed on the property in 2000 (when the current Zoning Ordinance was enacted), a rezoning to CG avoids the problem of non-conformity when a change of occupancy is triggered and the lawful conditional status of a use is removed.
7. **Development Patterns.** Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community. The property has direct and abutting access onto Knickerbocker Road, a major urban arterial TXDOT road that can accommodate large traffic volumes. The proposed construction is for interior renovations only and no additional driveway accesses will be required.

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

1. **Impacts Minimized.** Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties. The proposed 3,436-square foot furniture store will not create any adverse effects on other tenants in the shopping center or surrounding properties. The applicant has applied for a permit for interior renovations only so there will be no expansion of the footprint of the existing building.
2. **Consistent with Zoning Ordinance.** Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance. As indicated with the associated rezoning review, the subject property will comply with the minimum lot area, lot frontage, and lot depth requirements of the CG Zoning District. The change of occupancy will require five parking spaces for the new furniture store and there are over 161 parking spaces on the property.
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. As indicated, several rezonings were approved from ML to CG along the Knickerbocker commercial corridor. A Conditional Use to allow the new furniture store until the associated rezoning is approved by City Council is appropriate given the retail uses that already exist in the shopping center. This would be

consistent with Bush's Chicken at 1225 Knickerbocker Road which was in the a similar situation in 2016 wanting to expedite construction and received a Conditional Use (CU16-09) before their Rezoning (Z16-09).

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.* Staff anticipates no adverse impacts for the same reasons as the rezoning (see rezoning criteria #5).
5. **Community Need.** *Whether and the extent to which the proposed conditional use addresses a demonstrated community need.* Staff believes the conditional use addresses a need for the same reasons as the rezoning (see rezoning criteria #6).
6. **Development Patterns.** *Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.* Staff believes the conditional use will create a logical and orderly pattern of development for the same reasons as the rezoning (see rezoning criteria #7). TXDOT plans to construct a six-foot wide sidewalk along the south side of Knickerbocker Road in front of the properties which will improve pedestrian access to the properties. As a condition of approval, Staff recommends that the applicant install a sidewalk connection from the future TXDOT sidewalk adjacent to Knickerbocker Road to the main building to provide greater pedestrian access to the property.

Recommendation:

Staff recommends **APPROVAL** of a rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District on 1901-2023 and 2105 Knickerbocker Road; and **APPROVAL** of a Conditional Use to allow retail sales and service within the Light Manufacturing (ML) Zoning District on 1901-2023 Knickerbocker Road, subject to **two** conditions of approval:

1. The applicant shall obtain building permits for interior renovations and a change of occupancy for the new furniture store from the Permits and Inspections Division, as required;
2. The applicant shall submit a development plan to the Planning Director delineating a pedestrian connection between the existing building and the future TXDOT sidewalk to be constructed adjacent to Knickerbocker Road. This connection shall include a concrete sidewalk and ramp from the future TXDOT sidewalk to the parking lot, and a painted crosswalk from the parking lot to the existing building.

Note: Prior to final occupancy, the applicant shall install the required pedestrian connection referenced above.

Attachments:

Z20-09 Maps

CU20-10 Maps

Photographs

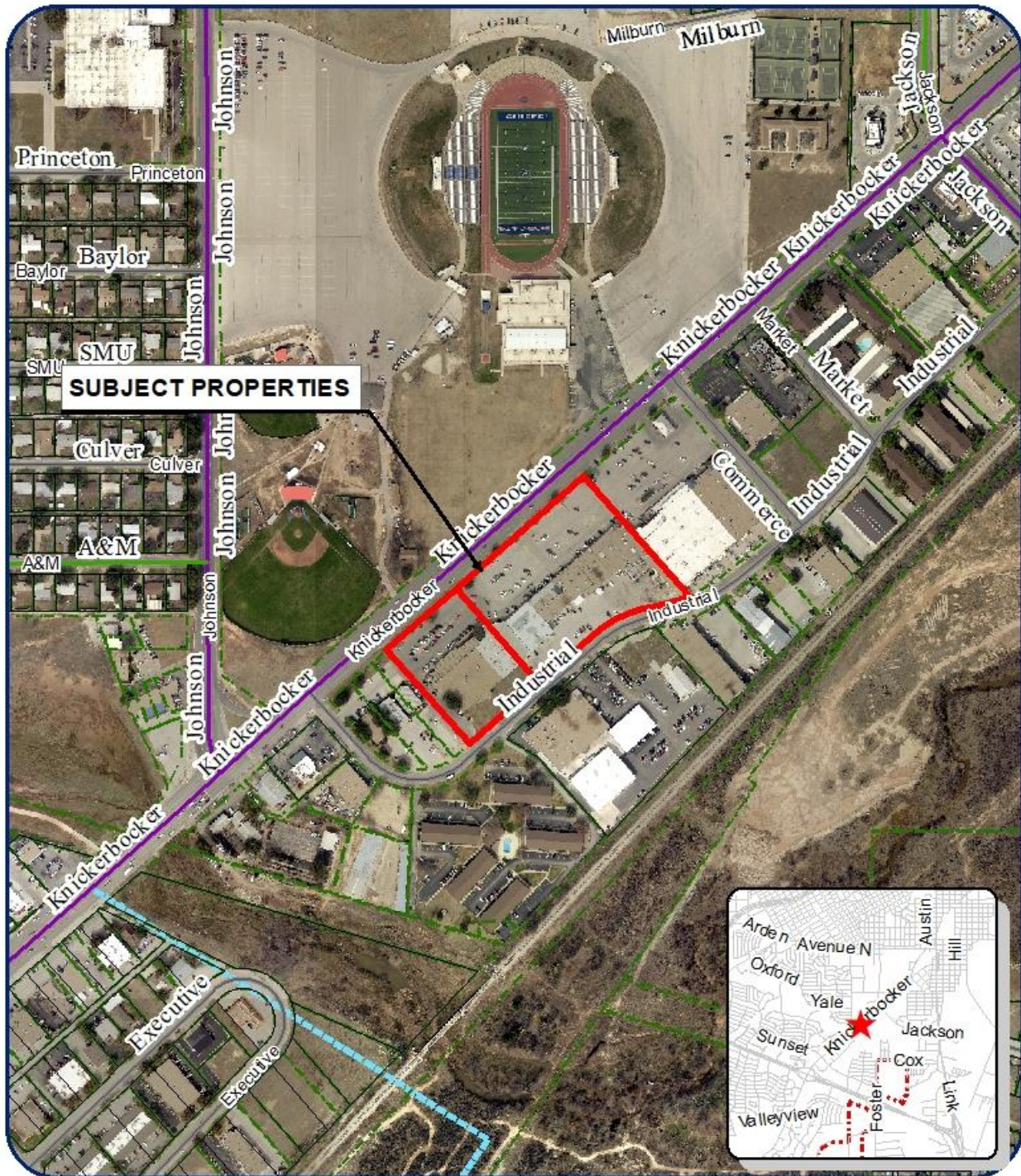
Response Letters

CU20-10 Concept Plan

Zone Change Criteria Sheet



Zone Change Application

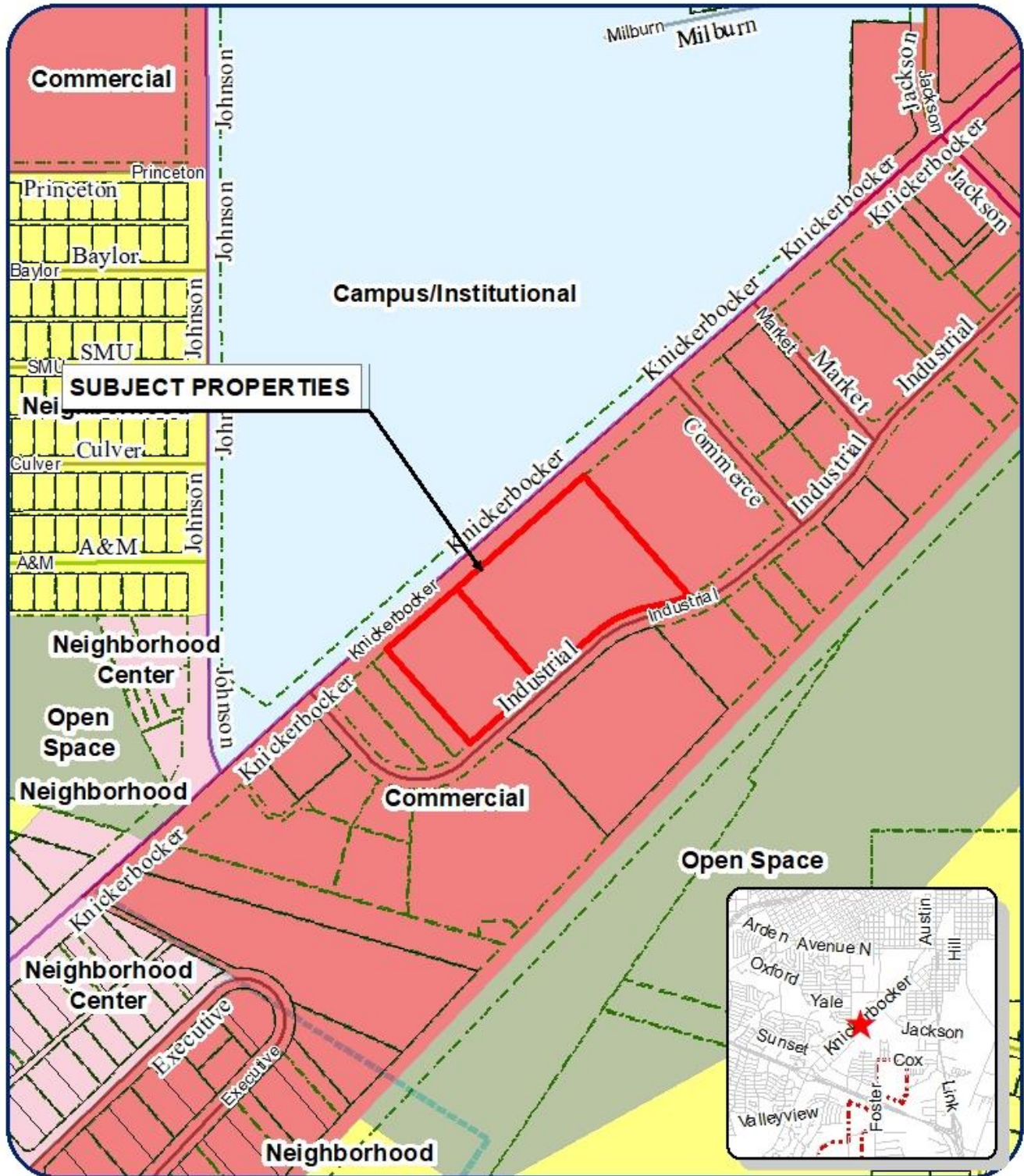
Conditional Use Application



Rezoning Z20-09:
1901-2023, 2105 Knickerbocker Road
 Council District: Lane Carter - District 5
 Neighborhood: ASU - College Hills
 Scale: 1" approx. = 375 ft
1901-2023, 2105 Knickerbocker Rd., 7.01 ac.

Legend
 Subject Properties: —
 Current Zoning: ML
 Requested Zoning Change: CG
 Vision: Commercial



Rezoning Z20-09:

1901-2023, 2105 Knickerbocker Road

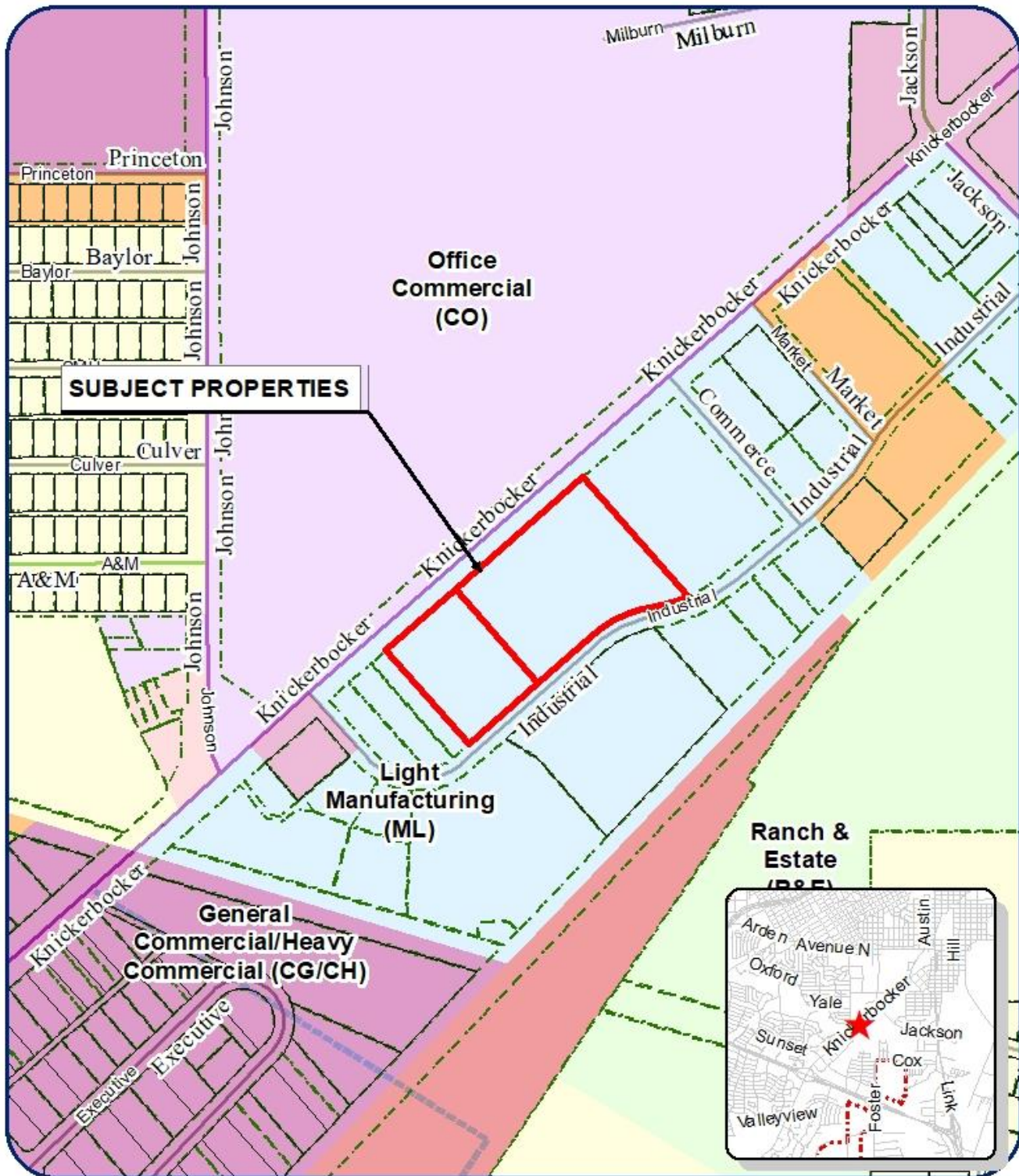
Council District: Lane Carter - District 5
 Neighborhood: ASU - College Hills
 Scale: 1" approx. = 375 ft

1901-2023, 2105 Knickerbocker Rd., 7.01 ac.

Legend

- Subject Properties: —
- Current Zoning: **ML**
- Requested Zoning Change: **CG**
- Vision: **Commercial**





Rezoning Z20-09:

1901-2023, 2105 Knickerbocker Road

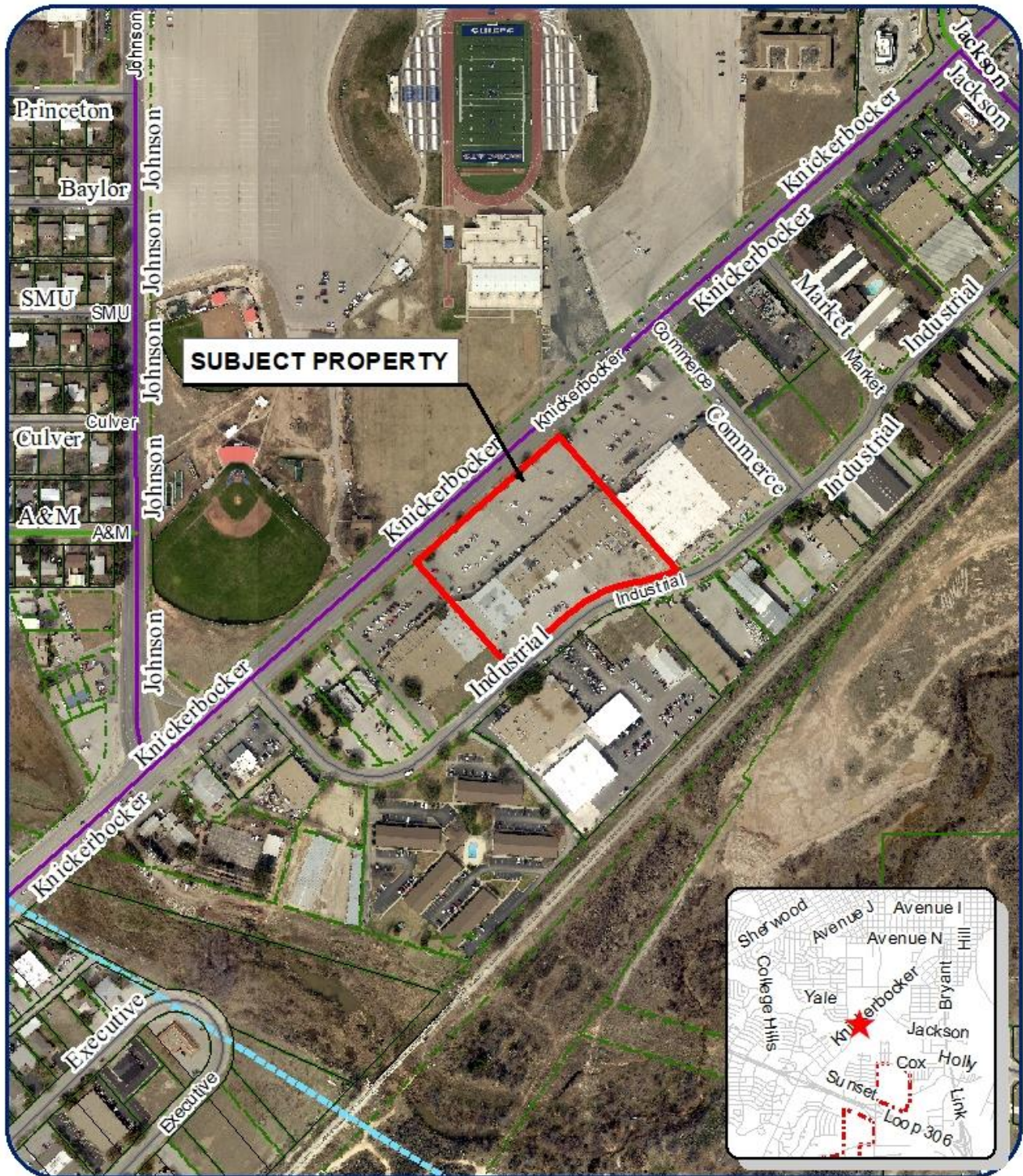
Council District: Lane Carter - District 5
Neighborhood: ASU - College Hills
Scale: 1" approx. = 375 ft

1901-2023, 2105 Knickerbocker Rd., 7.01 ac.

Legend

- Subject Properties: —
- Current Zoning: ML
- Requested Zoning Change: CG
- Vision: Commercial





Conditional Use CU20-10:
1901-2023 Knickerbocker Road

Council District: Lane Carter - District 5
 Neighborhood: ASU - College Hills
 Scale: 1" approx. = 333 ft

1901-2023 Knickerbocker Rd., 4.694 ac.

Legend

- Subject Properties: —
- Current Zoning: **ML**
- Requested Zoning Change: **CG**
- Vision: **Commercial**



Photos of Site and Surrounding Area

EAST



1901-2023 KNICKERBOCKER RD
SHOPPING CENTER

WEST



1901-2023 KNICKERBOCKER RD
RESTAURANT AND FURNITURE STORE



2105 KNICKERBOCKER RD
BOWLING ALLEY



NORTH



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

(X) IN FAVOR () IN OPPOSITION

REASON(S) _____

NAME: _____

ADDRESS: _____

SIGNATURE: Guy M. J. ...

Z20-09: 1901-2023, 2105 Knickerbocker Road

property owner number: H

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

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

IN FAVOR

IN OPPOSITION

REASON(S) _____

NAME: _____

ADDRESS: _____

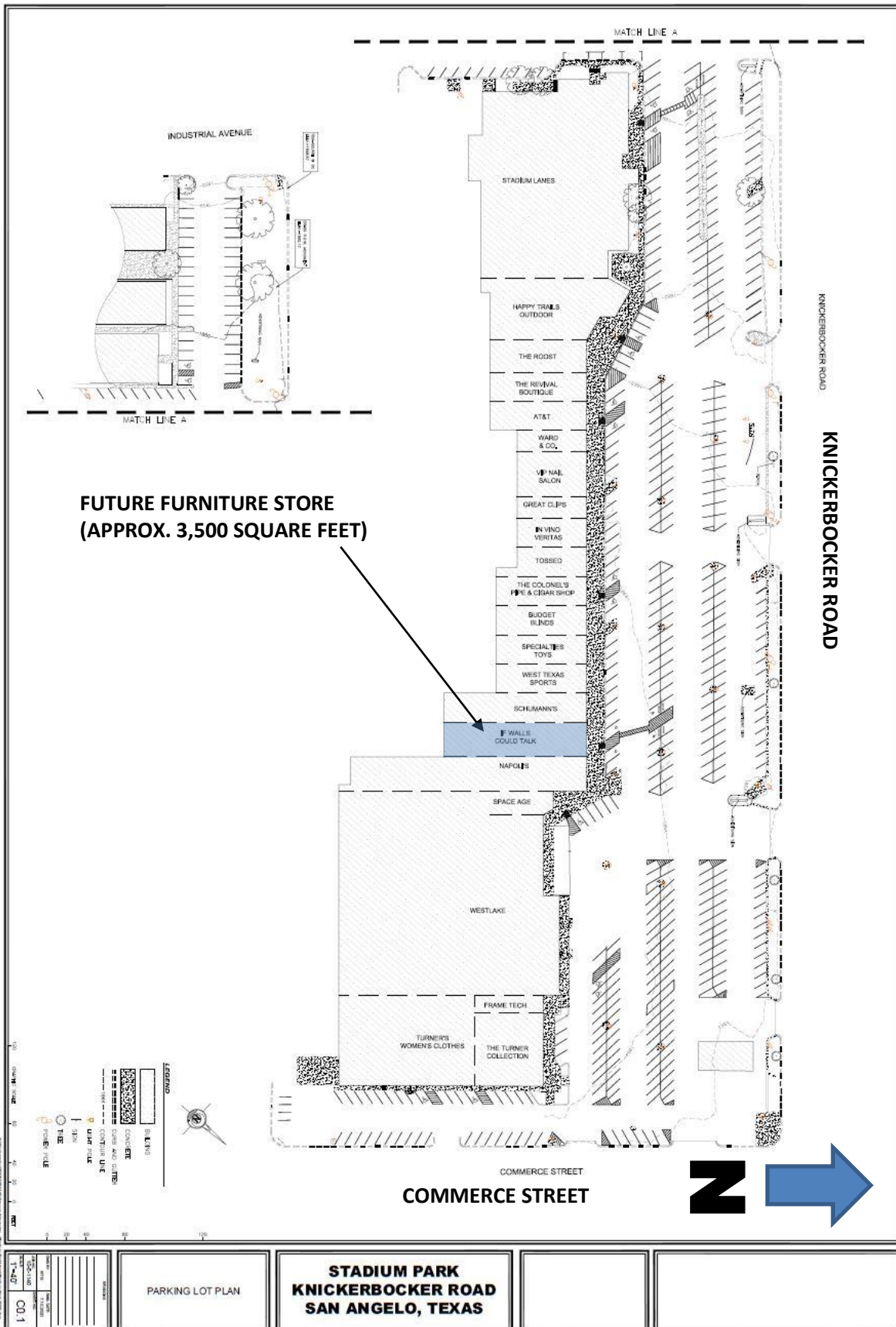
SIGNATURE: Guy McJannet

CU20-10: 1901-2023 Knickerbocker Road

property owner number: 4

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

CU20-10 Concept Plan



Sec. 212. Amendments to Text or Official Zoning Map

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

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

we believe that the city's comprehensive plan likely show this area as commercial and not ml.

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

presently most business in this area is a commercial/retail business or service. Changing from ml to general commercial seems consistent

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.

area is already general commercial in nature and therefore compatible

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

This area has developed from ML to GC over time. This proposal for zoning change is to match comprehensive planning and ^{the} actual, _{existing} development.

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

there are/is no adverse affects or impact because of the proposed change

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

this change addresses the need to update ^{over} old zoning designations to match actual, _{time} existing as well as future development

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.

this proposal is logical and orderly. This area is well developed as General Commercial already.

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): Alexander Construction Company

Owner Representative (Notarized Affidavit Required)

3619 S. Jackson San Angelo TX 76904
 Mailing Address City State Zip Code

325-949-2811 mjas@wcc.net
 Contact Phone Number Contact E-mail Address

1901 - 2023 and 2105 Knickerbocker San Angelo, TX 76904
 Subject Property Address City State Zip Code

1901 - 2023 Knickerbocker (R73068) and 2105 Knickerbocker (R73064)
 Legal Description (can be found on property tax statement or at www.tomgreencad.com)

Existing Zoning: ML Proposed Zoning: CG Lot size: _____

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

Section 2: Site Specific Details

Existing Use of Property: General Retail, Restuarant, General Business, Commercial, Commercial Recreation (Shopping Center)

*Proposed Use of Property: Commercial CG

*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.)

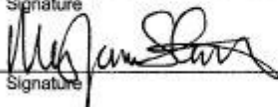
- An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner;
- 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
Mary Jane Steadman		Alexander Construction Company	7/15/2020
Representative Name (Print)	Signature	Company/Organization	Date

FOR OFFICE USE ONLY:

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

Case No.: Z_____ Fully dimensioned site plan:

Nonrefundable fee: \$_____ Receipt #: _____ Date paid: ____/____/____

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: ____/____/____ Permits due date: ____/____/____

Publication date: ____/____/____

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

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): Alexander Construction Company
 Owner Representative (Affidavit Required)

3619 S. Jackson San Angelo TX 76904
Mailing Address City State Zip Code

325-949-2811 mjas@wcc.net
Contact Phone Number Contact E-mail Address

1901 - 2023 Knickerbocker Road San Angelo, TX 76904
Subject Property Address City State Zip Code

1901- 2023 Knickerbocker (R73068)
Legal Description (can be found on property tax statement or at www.tamgreencad.com)

Lot Size: _____ Zoning: ML

Section 2: Site Specific Details

*Use attachment if necessary.

Existing Use of Property: Presently ML but lawful non-conforming use has been as Retail/Restuarant/Shopping and other CG uses

Proposed Use/Size: approximately 3436 sq ft (1903 Knickerbocker)

Proposed Conditional Use (from Section 309): Presently zoned ML, need to rezone to CG but while waiting for zoning approval, we are requesting to allow retail sales and service in the ML zone exclusively for 1903 Knickerbocker Rd within the shopping center

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: Business mix is relatively the same as has been for past 30-40+ years. Creates no adverse effect since no changes are being made other than changing one space to retail from restuarant and working to update zoning to meet current and planned use

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

Explanation: conditional use request is consistant with the current existing use of others in the area.

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

Explanation: there is no impact on water or air quality, noise, storm water, wildlife, vegetation, wetlands and the function of the natural environment.

Effective January 3, 2017

Section 2 continued: Site Specific Details

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

Explanation: The community does not need empty buildings. Job retention and /or creation helps the community. The changing of a portion of the old restaurant to retail/showroom space makes the restaurant side more marketable and manageable and helps to create /retain jobs in the food service industry. It is logical to convert this to retail.

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: Urban planning sees this area as commercial, but the zoning in this area is still ML. It is logical and orderly to permit a conditional use consistent with the surrounding area while concurrently looking at rezoning this property.

Section 3: Applicant(s) Acknowledgement

Please initial the following:

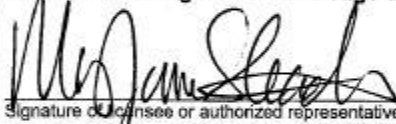
mjs If approved, a Conditional Use is applied to the property, not the property owner.

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

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

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

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



Signature of licensee or authorized representative

7/15/2020
Date

Mary Jane Steadman, Acting Managing Partner

Printed name of licensee or authorized representative

Alexander Construction Company
Name of business/Entity of representative

FOR OFFICE USE ONLY:

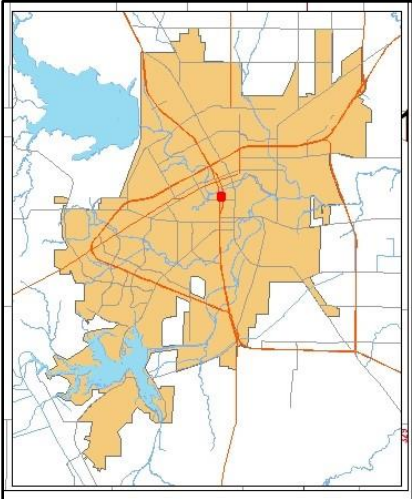
Case No. : CU: _____ Planning Commission date: _____/_____/_____

Nonrefundable application Fee: \$ _____ Receipt #: _____ Date paid: _____/_____/_____

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

**PLANNING COMMISSION – August 17, 2020
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Conditional Use		CU20-11: 411 West Avenue C	
SYNOPSIS:			
A request for approval of a Conditional Use to allow for Household Living (6 units maximum) in the Office Commercial (CO) Zoning District, on a 0.21-acre property located at 411 W. Avenue C.			
LOCATION:		LEGAL DESCRIPTION:	
411 West Avenue C, generally located between South Abe Street and South Koenigheim Street		Lot 8 & east ½ of Lot 7 Block 9; Park Heights Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #5: Lane Carter Neighborhood: Santa Rita	CO – Commercial Office	Neighborhood Center	0.207 acres
THOROUGHFARE PLAN:			
West Avenue Y – Urban Local Street Required: 50’ right-of-way, 40’ pavement or 36’ with a 4’ wide sidewalk Provided: 80’ right-of-way, 36’ pavement/curb and gutter			
NOTIFICATIONS:			
13 notifications mailed within 200-foot radius on August 4, 2020. No responses in favor or against have been received.			
STAFF RECOMMENDATION:			
APPROVAL of a Conditional Use to allow for household living in the Commercial Office Zoning District subject to two Conditions of Approval.			
PROPERTY OWNER/PETITIONER:			
Don & Tracy Kennemer			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us			

Additional Information: This property was built in the late 1950's. From the beginning there was a front house and the two shot gun two story buildings in the back. Those two units were used as rental property, and the zoning at that time was R-2, Two-family. Staff has been able to establish that units C, D, E, and F were used for student rentals in the 70's, 80's and right up to 2020. In 1986 there was a request to rezone the property to Commercial Office with the intent to have a retail commercial area. At this time the staff report stated there was a main single family home in the front and three accessory units in the rear of the property. A previous zoning request the year before to go to General Commercial (CG) had been denied. This R-2 area was undergoing transitional change with multi-family being built across the street, office to the west, and commercial to the south. There remained single family and two family units and do to this day.

In 1995 and 1996 staff has been able to establish that the existing electric meters were changed out for the new meters in units A, B, C, D, E, and F. What is vague is when the front home was converted to a duplex. The owner believes it was in the 70's or 80's before the zone change, which would have been allowed while it was zoned R-2. This fact is confirmed by the neighbor who lives across the street, and has for 57 years, who says it has been three units for as long as he has lived here. If it was after the zone change then that would have not been allowed without a conditional use. We do know it has been operating as three duplexes since 1995.

Recently, the front house burned down. The owner would like to replace the house with a duplex unit similar in nature to what had been there when they bought the property in 2006. However, since there is this conversion question and the history is vague, staff has requested that the owner apply for a Conditional Use for the three duplex units (maximum of 6 individual units) to clear up the issue rather than be limited to the four units which can be verified.

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. The residential development in this block ranges from 1957 to two homes built in 2003.

- 1. Impacts Minimized. Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** Planning Staff believes that no adverse impacts will be created by the intended Conditional Use. Even though the zoning district is Commercial Office (CO), the existing use in the area is in keeping with the adjacent residential uses.
- 2. Consistent with Zoning Ordinance. Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** This lot was Zoned R-2 for many years before being rezoned to CO. That use was never accomplished, so this property is requesting to remain as it has for over 60 years. The lot is 9,000 sq. ft., 75 ft. X 120 ft, and met the standard in 1959 The front duplex will have to meet a 25 ft. front yard setback, 5 ft. setback on both side yards and four parking spaces, two per unit. That is consistent with the zoning code and the applicant has submitted a site plan that meets those requirements. Any future remodeling will be reviewed at the time of submittal.

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. Staff believes that the proposed use is compatible with the existing uses. To the west of this property is an existing professional office building and to the east is residential. This will provide a transition in an area with mixed uses.
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. Staff does not anticipate adverse impacts on the natural environment.
5. **Community Need.** Whether and the extent to which the proposed conditional use addresses a demonstrated community need. The most recent housing study shows that San Angelo is still in need of affordable housing, particularly in older subdivisions where build out has not occurred. This area is a mix of older housing and small neighborhood commercial. This use has existed for many years and has fulfilled a student housing need in the community.
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. Current development patterns are not anticipated to change. The lots are already platted in the current configuration. A reasonable expectation for this area is the continuation of a mixture of uses including single family housing, multifamily housing, and small commercial uses, which have developed a sense of neighborhood and work well together.

Recommendation:



Staff's recommendation is for the Planning Commission to **APPROVE** a Conditional Use to allow Household Living (6 units maximum) in the Commercial Office zoning district at 411 West Avenue C subject to the **following two Conditions of Approval:**

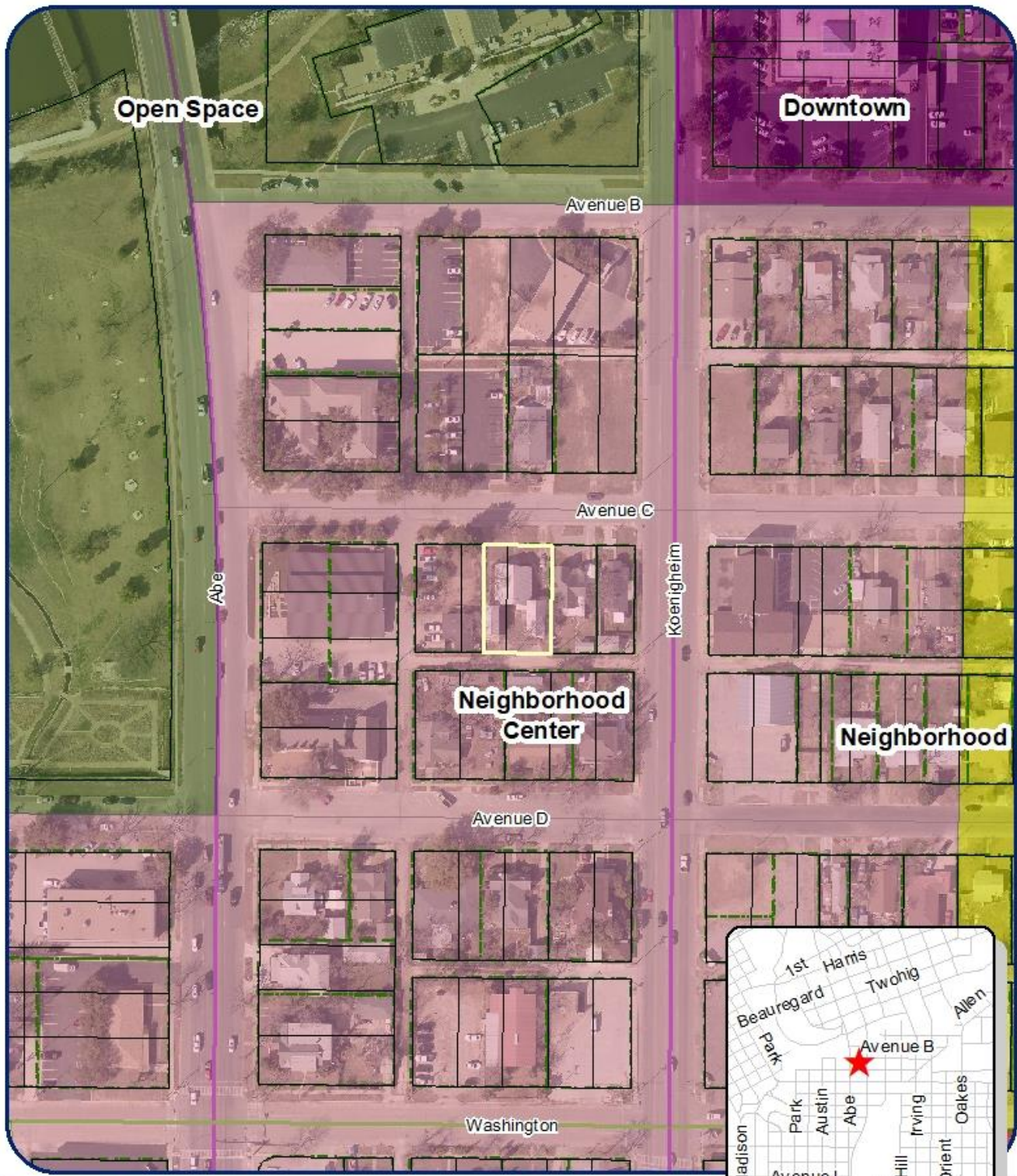
1. The applicant shall obtain building permits from the Permits and Inspections Division for improvements as required.
2. The development of this lot is limited to six dwelling units. The new duplex unit will have to meet current ordinance requirements and any remodeling of the remaining units will be subject to the requirement of the ordinances at that time.

Attachments:

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



<p>Location Map Conditional Use 411 West Avenue C Council District 5 - Lane Carter Neighborhood: Santa Rita Scale: 1" approx. = 120 ft</p>	<p>Legend Subject Properties: █ Current Zoning: Commercial Office (CO) Requested Change: Conditional Use Vision: Neighborhood Center</p>	<p style="text-align: center;">N </p> 
<p>Lot 8 & E 1/2 of Lot 7, Blk 9 PARK HEIGHTS ADDITION</p>		<p>Aerial Map</p>



Location Map Conditional Use

411 West Avenue C

Council District 5 - Lane Carter
 Neighborhood: Santa Rita
 Scale: 1" approx. = 140 ft

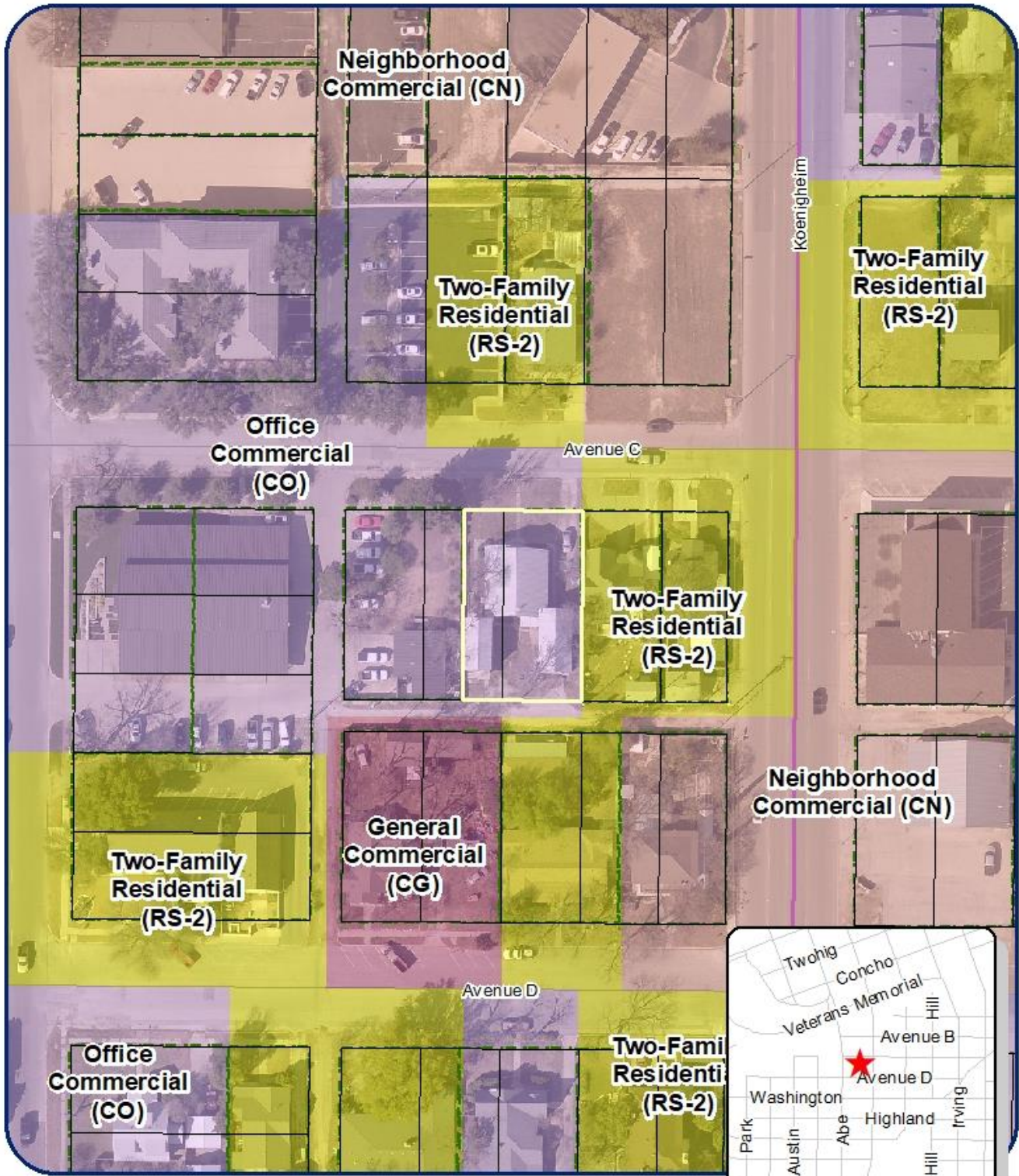
Lot 8 & E 1/2 of Lot 7, Blk 9 PARK HEIGHTS ADDITION

Legend

- Subject Properties: █
- Current Zoning: █ **Commercial Office (CO)**
- Requested Change: █ **Conditional Use**
- Vision: █ **Neighborhood Center**

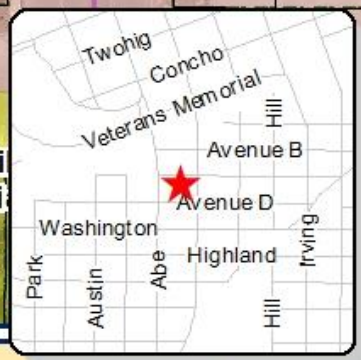


Zoning Map



Location Map Conditional Use
411 West Avenue C
 Council District 5 - Lane Carter
 Neighborhood: Santa Rita
 Scale: 1" approx. = 80 ft
 Lot 8 & E 1/2 of Lot 7, Blk 9 PARK HEIGHTS ADDITION

Legend
 Subject Properties:
 Current Zoning: Commercial Office (CO)
 Requested Change: Conditional Use
 Vision: Neighborhood Center



Zoning Map



Location Map Conditional Use		Legend		N ▲	
411 W. Ave C		Subject Properties: 	Current Zoning: Commercial Office (CO)		
Council District 5 - Lane Carter		Requested Change: Conditional Use	Vision: Neighborhood Center		
Neighborhood: Santa Rita					
Scale: 1" approx. = 120 ft					
Lot 8 & E 1/2 of Lot 7, Blk 9 PARK HEIGHTS ADDITION					

Photos of Site



Looking south where the existing two story units.




Off the alley – one of the existing two story units




The second two story unit

RECEIVED 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): Donald Kennemer
 Owner Representative (Affidavit Required)

Mailing Address: 7926 S. Country Club Rd. San Angelo, TX 76904
City State Zip Code

Contact Phone Number: 325-656-1428 Contact E-mail Address: don.kennemer@yahoo.com

Subject Property Address: 411 W. Avenue C San Angelo, Texas
City State Zip Code

Legal Description (can be found on property tax statement or at www.tcomgreencad.com):
.207, Lot B 3rd East 1/2 of 7, Blk 9, Subd. Park Heights Addition

Lot Size: 9,000 sq. ft. Zoning: Office Commercial

Section 2: Site Specific Details

*Use attachment if necessary.

Existing Use of Property: Multi Family
 Proposed Use/Size: Multi Family
 Proposed Conditional Use (from Section 309): Multi Family 6 units (3 duplexes)

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: This property was built in 1954 and has been used as multi family, since the early '80's. It has no adverse effects.

Consistent with Surrounding Area. Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses, surrounding the subject land.
 Explanation: This property was built in 1954 and has been used as multi family since the 80's. It is consistent with the area.

Effect on Natural Environment. Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to, adverse impacts on water and air quality, noise, storm-water management, wildlife, vegetation, wetlands and the practical function of the natural environment.
 Explanation: Built in 1954, this property has been multi family since the '80's and has no adverse effects on any of the above mentioned.

Effective January 3, 2017

Section 2 continued: Site Specific Details

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

Explanation: *Absolutely. This has been multi family since the 80's. There is a huge need for this type of housing.*

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: *Absolutely. This property is in close proximity to downtown. An area the city wants to see development.*

Section 3: Applicant(s) Acknowledgement

Please initial the following:

- DL If approved, a Conditional Use is applied to the property, not the property owner.
- DL The Planning Commission makes the final decision on Conditional Use requests; appeals may be directed to City Council
- DL Approval of this Conditional Use request does not constitute approval of permits, site plans, or other processes that require separate approval.
- DL 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.



8/3/20
Date

Signature of licensee or authorized representative

Donald Kennemer
Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: CU: _____ Planning Commission date: ____/____/____

Nonrefundable application Fee: \$ _____ Receipt #: _____ Date paid: ____/____/____

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

**PLANNING COMMISSION – August 17, 2020
STAFF REPORT**



APPLICATION TYPE:		CASES:	
Master Thoroughfare Plan Amendment		2020 – S. Concho Dr., S. County Club Rd. & Country Club Rd.	
SYNOPSIS:			
Consideration of an amendment to the Master Thoroughfare Plan to designate South Concho Drive, South Country Club Road, and Country Club Road from a Parkway to a Major Collector street.			
LOCATION:			
Generally located east of Knickerbocker along S. Concho Rd. to S. Country Club Rd. to Country Club Rd, South of Lake Nasworthy.			
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
Nasworthy Neighborhood SMD #1 – Tommy Hiebert	RS-1 - Single-Family Residential Residential R & E – Ranch & Estate CG – General Commercial PD – Planned Development OS – Open Space	Neighborhood Center/ Neighborhood/ Rural/ Open Space	Approx. 4.5+/- miles
THOROUGHFARE PLAN:			
Collectors require 60-foot right-of-way; Parkway requires 50-feet of right-of-way			
NOTIFICATIONS:			
130 notifications were mailed. None received in Support or Opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the proposed Master Thoroughfare Plan Amendment .			
PETITIONERS:			
City of San Angelo			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210 sherry.bailey@cosatx.us			

Background:

The San Angelo Comprehensive Plan, adopted in 2003 and updated in 2009, includes a Master Thoroughfare Plan (MTP) component that designates existing major streets as freeways, arterial, collector streets and Parkways. The MTP also shows the planned future path of new freeways, arterial and collector streets in areas of future development around the urban fringe of San Angelo. Staff periodically reviews areas and proposes amendments based new information or changing development patterns.

In discussion concerning the development along Country Club Road staff realized that the area adjacent to Country Club Road, South Country Club Road and South Concho Road will be opening to development requests in the future once the sewer capacity expansion project is completed. This area has already been the center of numerous development inquiries over the past few years. Staff is proposing a street use designation change for S. Concho Dr., S. County Club Rd. and Country Club Rd. These streets are designated as a Parkway. However, we know that over the next 20 to 30 years as this area along this 4.5 mile section of roadway develops that traffic will increase. Along with the traffic increase will come congestion and multi-use issues including more intersecting roads. The change in designation allows the City to require 60 ft. of right of way from the developing areas instead of the 50 feet of right of way that a Parkway designation requires. It also allows us to start developing a different multi-use design that provides for sidewalks and bike ways. This is just of the natural review and evolution that occurs as an area grows.

As part of its MTP review of this area, Staff examined:

- Existing development in the area;
- Projected development and the demand on the existing street network;
- Potential additions and modifications to existing and future projected collector and arterial streets to improve traffic flow and enhance public safety

The review concluded that changes needed to be made to the current MTP map, and Staff revised the proposed MTP street map with the goal of providing access and connectivity to all parcels of land and meeting future demands for multi-use accommodations.

Analysis:

The Parkway designation indicates a special class of roadway that serve public areas such as the Concho River corridor and areas around Lake Nasworthy. Although they are continuous in nature, they are not intended to provide major through-routes. Rather, they provide views of, and access and circulation to, these community assets. The cross-section established for the Parkway classification is identical to that of the minor collector because of the inherent flexibility for accommodating parking and turning movements on a two-lane roadway that is 40 ft. wide.

However, when a developing areas needs change and its traffic patterns change, that change necessitates revisions in the designation of the main street use to accommodate the development patterns. Additional intersecting streets occur that carry traffic from the developing areas. Additional demands are made on the traffic carriers that include more efficient traffic movement and multi-use accommodations.

Existing Country Club Road

The existing section of Country Club Road within the City is already designated as a major collector. Because of the nature of the terrain in the area and the development patters this road's function as a major collector is important to a wide developed and developing area. Continuing that designation around this finger of the lake and then connecting to Knickerbocker Road, a major arterial, will provide for a continuation of an efficient traffic movement as this area develops. Changing the designation will allow the City of require 60 ft. of right of way instead of the Parkway 50 ft. and transitioning to the 50 ft. of pavement width to accommodate the additional traffic movement and use demands on this section of the road. Country Club Road becomes South Country Club Road which becomes South Concho Drive that intersects with Knickerbocker Road. A continuous thru traffic accommodation for this area of San Angelo.

With each new request for development within this area, discussion among the City departments has been about meeting the growing needs of the area in a proactive rather than a reactive way.

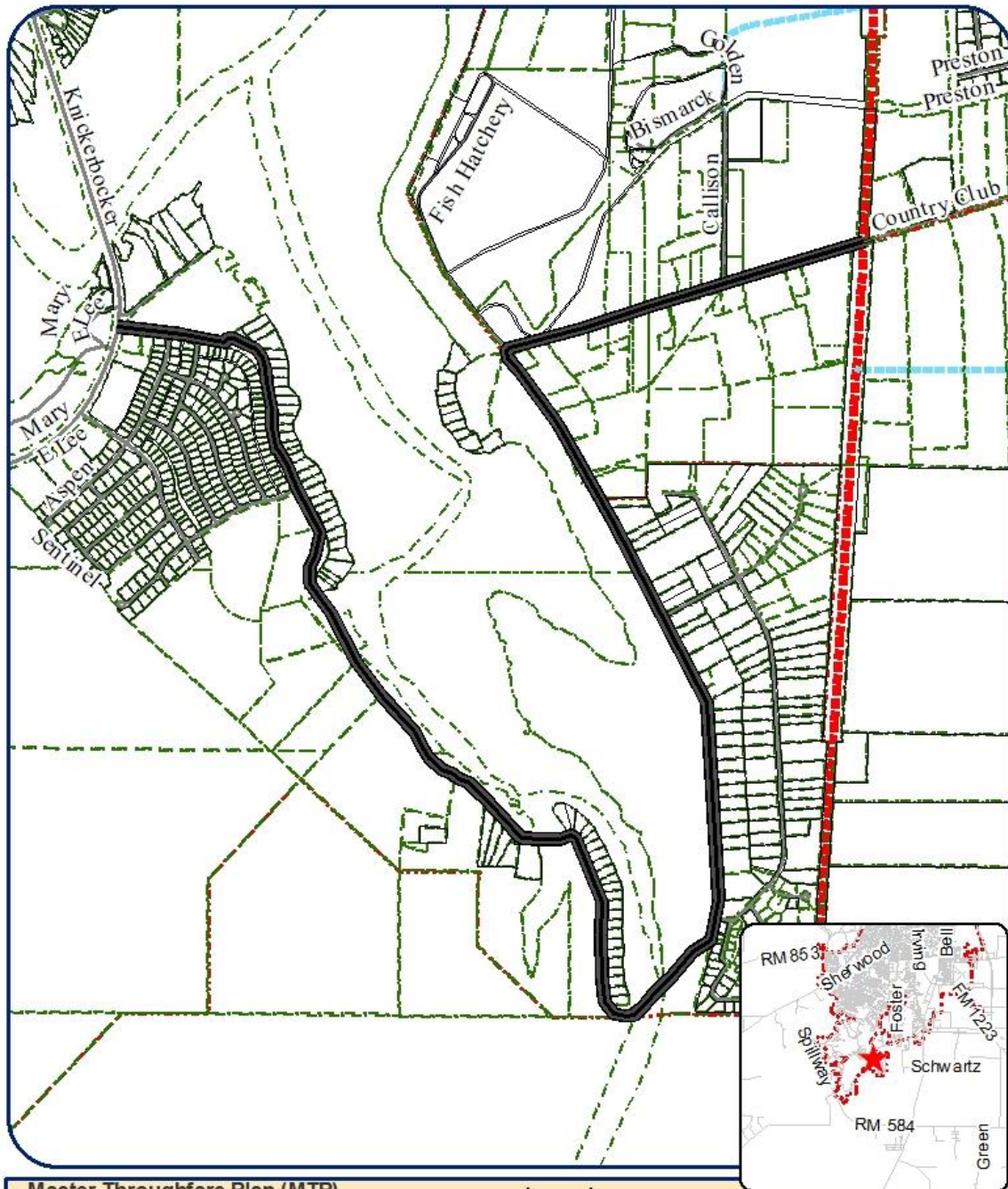
Recommendation:

Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of the proposed **Master Thoroughfare Plan Amendment**.

Attachments:

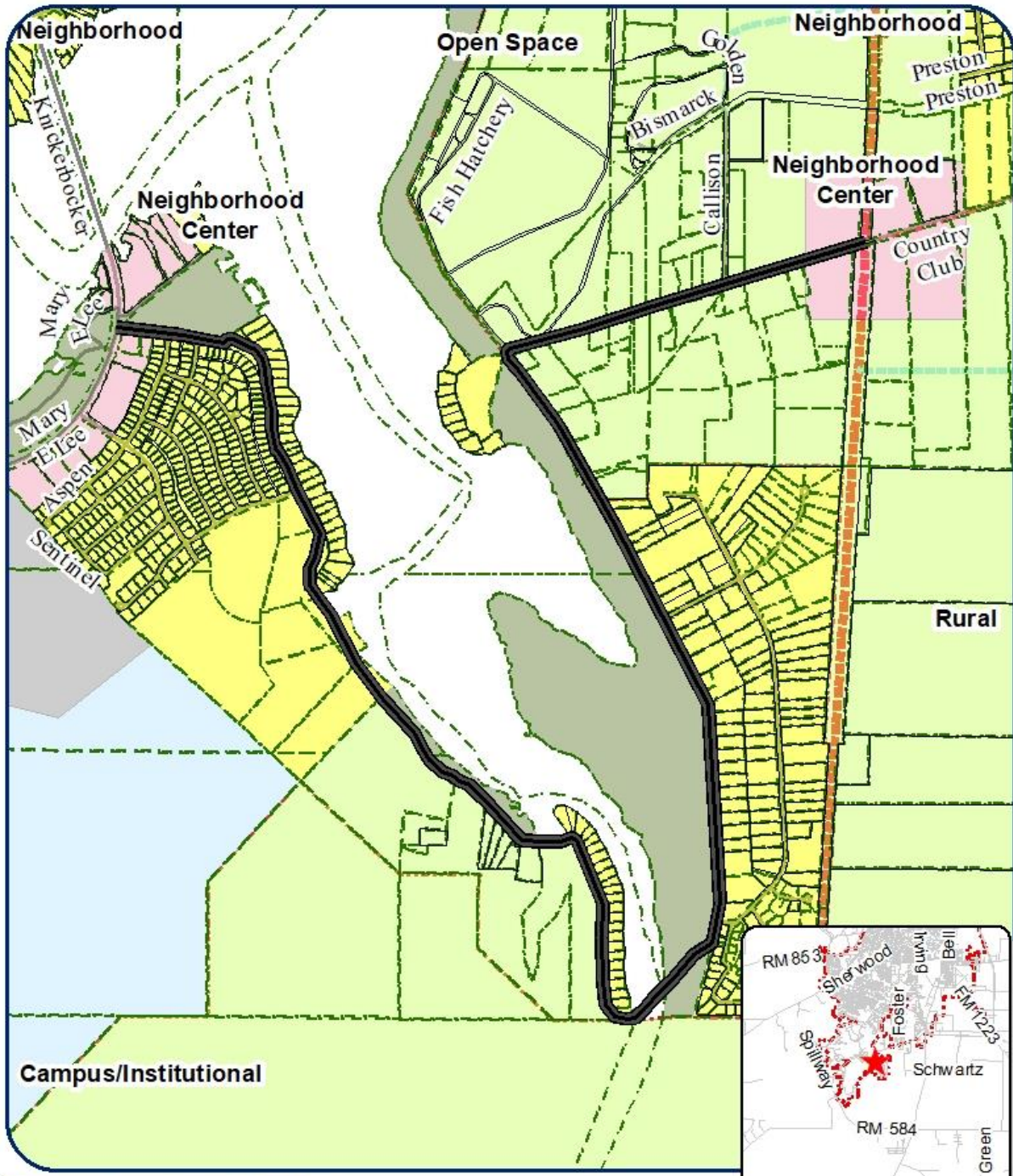
Proposed Major Thoroughfare Amendment Map
Future Land Use Map
Zoning Map

LOCATION MAP



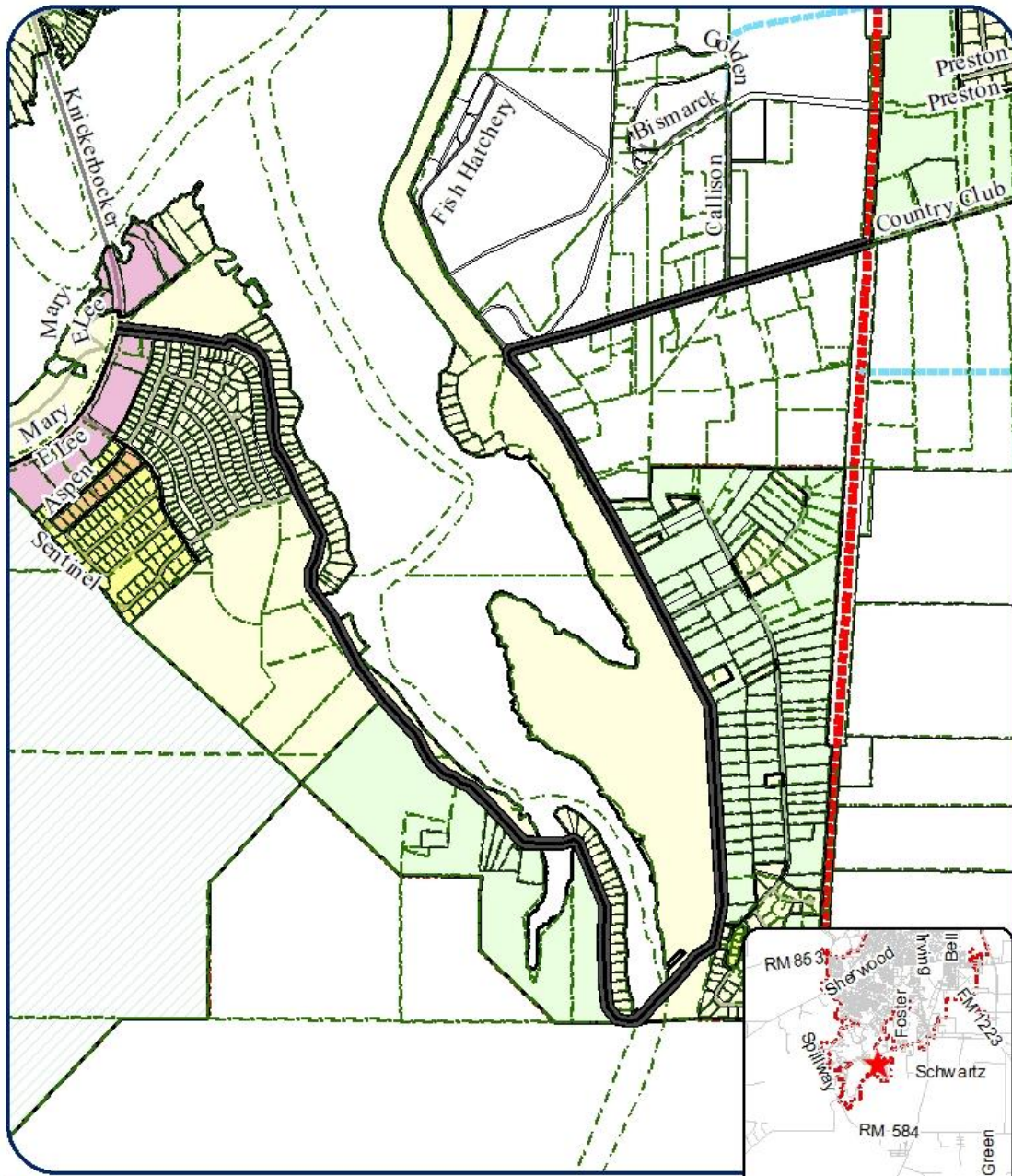
Master Thoroughfare Plan (MTP)		Legend		N ▲	
S. Concho Dr./S. Country Club Rd.		Subject Properties:			
Country Club Rd.		Current Zoning: Multiple			
Council District 1 - Tommy Hiebert		Requested Thoroughfare change: Major Collector Rd.			
Neighborhood: Nasworthy		Vision: Multiple			
Scale: 1" approx. = 1,320 ft					




FUTURE LAND USE



Master Thoroughfare Plan (MTP)		Legend	
S. Concho Dr./S. Country Club Rd.		Subject Properties:	
Country Club Rd.		Current Zoning:	Multiple
Council District 1 - Tommy Hiebert	Requested Thoroughfare change:	Requested Thoroughfare change:	Major Collector Rd.
Neighborhood: Nasworthy	Scale: 1" approx. = 1,320 ft	Vision:	Multiple
Future Land Use Map			

EXISTING ZONING



Master Thoroughfare Plan (MTP)		Legend		 
S. Concho Dr./S. Country Club Rd.		Subject Properties: 	Current Zoning: Multiple	
Country Club Rd.		Requested Thoroughfare change: Major Collector Rd.	Vision: Multiple	
Council District 1 - Tommy Hiebert		Zoning Map		
Neighborhood: Nasworthy				
Scale: 1" approx. = 1,320 ft				

MEMO



Meeting

Date: August 17, 2020

To: Planning Commission

From: Sherry Bailey
Principal Planner

Agenda Item: Text Amendment to the City of San Angelo Code of Ordinances Sec. 5.01.F Additional standards for manufactured homes in the RS-1, RS-2, R&E, CG, CN & ML Zoning Districts.

Background:

The Planning Staff was asked to look at the Texas State Law to make sure our approach to manufactured housing met the state requirements. In reviewing the state law changes made in 2017 and in 2019 there are some changes we feel need to be made for the City to come into compliance with state law. Most of the changes are where an existing mobile home of manufactured home is located and the owner wants to replace that home.

Under Texas State Law – Texas Occupations Code – OCC §1201.008 Regulations by Municipality the state law draws a line between replacing an existing mobile or manufactured home and a city’s ability to govern where a new home can be placed. The corrections we are bringing forward for discussion specifically deal with the replacement of an existing home and the owner’s ability to do that without additional encumbrances and the City’s process.

Exhibit “A” accompanying this memo would add a statement that would allow any mobile home, by State and Federal definition, to be replaced by a manufactured home having to only apply for and receive a moving permit and meeting the zoning setbacks. It would also allow an existing manufactured home to be replaced as long as they meet the value equal to or greater than the median taxable value for each single family dwelling within 500 feet of the outer boundaries of the lot on which the manufactured is to be replaced. This needs to occur in any zone where an existing mobile or manufactured home might be found. The proposed change also removes the requirement for a Special Use Permit since that does not comply with state law.

Discussion:

Staff would also like to have a discussion with Planning Commission about any changes that they might want in the ordinance to allow manufactured housing as an affordable housing option in different zoning districts with possible design, size or aesthetic modifications that would provide for a compatibility standard. State law is moving to a more inclusive approach to allowing manufactured housing as an affordable option.

Planning Commission Requested Action:

Staff is requesting that the Planning Commission recommend approval of the proposed changes to the City Council.

Attachment:

Exhibit A

Sec. 501. - Residential District Standards

F. *Additional standards for manufactured homes in the RS-1, RS-2, or R&E Zoning Districts after September 5, 2017:*

- (a) ~~Notwithstanding any previous Special Use or Special Permit approvals by Council, a~~ An applicant that seeks to place a manufactured home on ~~a property zoned RS-1, RS-2, or R&E after September 5, 2017, may do so provided that shall be required to obtain Special Use approval from City Council. Properties within these districts must have had a~~ previous mobile home or manufactured home existed on the premises within one year (365 days) of the date of the application. The applicant shall provide evidence satisfactory to the for a Special Use to the Planning Director, or his designee, that a previous mobile home or manufactured home existed on the premises within the one year period.
- (b) All manufactured homes shall comply with city building setbacks, subdivision control, square footage, and other site requirements applicable for the applicable Zoning District and housing type.
- (c) The owner of an existing manufactured home may remove the manufactured home from its location and place another manufactured home on the same property, provided that the replacement is a newer manufactured home and is at least as large in living space as the prior manufactured home. Any property owner or authorized agent who intends to construct, erect, install, or move a manufactured home onto a lot shall first receive Special Use approval from city council. Once Special Use approval has been granted, an application to the Building Official shall be made to obtain the required permits.
- (d) ~~If the manufactured home is the principal single family dwelling on a lot:~~
 - 1. ~~It shall have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the outer boundaries of the lot on which the manufactured home is proposed to be located, as determined by the most recent certified tax appraisal roll for the county. For purposes of this subsection, "value" shall mean the taxable value of the manufactured home and lot after installation of the home.~~
 - 2. ~~If no single-family dwellings exist within 500 feet of the outer boundaries of the lot, the property owner shall not be required to demonstrate comparable value.~~
 - 3. ~~If there are existing single-family dwellings, the Planning Director shall determine compliance with comparable value after the property owner has provided a list of the addresses and current tax valuations of all existing single-family dwellings within 500 feet of the lot on which the manufactured home will be located and a statement from the tax assessor or a competent appraiser of the taxable value that the lot and manufactured home will have after installation.~~

(Ordinance adopted 1-4-00; Ordinance adopted 4-18-06; Ordinance adopted 4-15-14; Ordinance adopted 5-2-17; Ordinance 2017-09-131, §§ 5, 6, adopted 9-5-17)

Sec. 501. - Residential District Standards

F. *Additional standards for manufactured homes in the RS-1, RS-2, or R&E Zoning Districts after September 5, 2017:*

- (a) An applicant that seeks to place a manufactured home on a property may do so provided that a previous mobile home or manufactured home existed on the premises within one year (365 days) of the date of the application. The applicant shall provide evidence satisfactory to the the Planning Director, or his designee, that a previous mobile home or manufactured home existed on the premises within the one year period.
- (b) All manufactured homes shall comply with city building setbacks, subdivision control, square footage, and other site requirements applicable for the applicable Zoning District and housing type.
- (c) **The owner of an existing manufactured home may remove the manufactured home from its location and place another manufactured home on the same property, provided that the replacement is a newer manufactured home and is at least as large in living space as the prior manufactured home.**

(Ordinance adopted 1-4-00; Ordinance adopted 4-18-06; Ordinance adopted 4-15-14; Ordinance adopted 5-2-17; Ordinance 2017-09-131, §§ 5, 6, adopted 9-5-17)