



# STAFF REPORT

Planning Commission: February 21<sup>st</sup>, 2022

|  |                       |                           |              |
|--|-----------------------|---------------------------|--------------|
| <b>APPLICATION TYPE:</b>   |                       | <b>CASE:</b>              |              |
| Land Subdivision: Preliminary Plat   |                       | Prestonwood Addition      |              |
| <b>SUMMARY:</b>  |                       |                           |              |
| A request for approval of a Preliminary Plat, the Prestonwood Addition, located South of Appaloosa Trail and Sherwood Way, being 67.392 acres. This Preliminary Plat is to be done in conjunction with a planned Annexation and a proposed Master Thoroughfare Plan Amendment. |                       |                           |              |
| <b>LOCATION:</b>   |                       | <b>LEGAL DESCRIPTION:</b> |              |
| South of Sherwood Way and Appaloosa Trail  |                       | N/A                       |              |
| <b>SM DISTRICT / NEIGHBORHOOD:</b>   | <b>ZONE DISTRICT:</b> | <b>VISION PLAN:</b>       | <b>SIZE:</b> |
| N/A  | N/A                   | Neighborhood              | 67.392 acres |
| <b>NOTIFICATIONS:</b>  |                       |                           |              |
| N/A  |                       |                           |              |
| <b>THOROUGHFARE PLAN</b>   |                       |                           |              |
| <p><b>Appaloosa Trail:</b> Future Minor Collector, 60' ROW required (60' Existing), 50' pavement required (50' Existing)</p> <p><b>Pinion Ridge:</b> Future Minor Collector, 60' ROW required (60' Existing), 50' pavement required (50' Existing)</p>                         |                       |                           |              |
| <b>STAFF RECOMMENDATION:</b>   |                       |                           |              |
| Staff recommends <b>approval</b> of PP-22-01, the Prestonwood Addition, being 67.392 acres, <b>subject to two conditions of approval.</b>  |                       |                           |              |
| <b>PROPERTY OWNER/PETITIONER:</b>  |                       |                           |              |
| Property Owner: <i>Mills Development</i><br>Petitioner: <i>SKG Engineering</i>   |                       |                           |              |
| <b>STAFF CONTACT:</b>  |                       |                           |              |
| Rafael Alvarado<br>Planner<br>(325) 657-4210, Extension 1533<br><a href="mailto:rafael.alvarado@cosatx.us">rafael.alvarado@cosatx.us</a>   |                       |                           |              |

**Purpose Statement**

The requirements in this Ordinance are adopted to achieve the following purposes:

- A. To provide developers and land subdividers with a guide to the development and subdivision of land within the jurisdiction of the City of San Angelo.
- B. To protect and provide for the public health, safety and general welfare of the City of San Angelo.
- C. To provide for the orderly, safe and efficient development of the City and surrounding area.
- D. To provide streets that insure safe, convenient and functional systems for vehicular and pedestrian circulation.
- E. To assist in guiding the future growth and development of the City in accordance with City plans and requirements.
- F. To provide for a systematic and accurate record of land development.
- G. To provide for the efficient use and extension of municipal utilities.
- H. To minimize damage due to flooding, stormwater runoff and other environmental constraints.
- I. To insure that every new subdivision is designed and constructed so that it becomes a permanent asset to the City.
- J. To provide for low city maintenance costs and a quality of development that will retain stable tax values.
- K. To insure that property boundaries created through the land subdivision and development process are accurately determined, marked on the land, and established on a recorded plat which is available for public inspection.
- L. To insure that easements and rights-of-way are provided for drainage, access, and all utilities.
- M. To prevent scattered or premature subdivision of land that would involve danger or injury to health, safety, or prosperity by reason of lack of water supply, drainage, transportation, or other public services; or necessitate an excessive expenditure of public funds for the supply of such services.
- N. To insure proper land development in the extraterritorial jurisdiction so the City can expand in an orderly and efficient manner.
- O. To insure the proper and efficient layout of lots and blocks to insure orderly and harmonious development.
- P. To provide for the extension of streets and highways, where necessary to insure the orderly growth of the City.

(1959 Code, title 9, ch. 4, ex. A)

Staff's review of this preliminary plat concludes that the proposal is in accordance with the Purpose Statement for all land subdivisions, as seen above.

**Recommendation:**

Staff's recommendation is for the Planning Commission to **recommend approval** of the Prestonwood Addition, a preliminary plat, **subject to two conditions of approval:**

1. The approval of this preliminary plat, lot sizes, and roadway configurations is subject to approval of the

requested annexation for this land subdivision and concurrent Master Thoroughfare Plan Amendment; which relates to minor collectors Appaloosa Trail and Pinion Ridge Dr.

2. Prior to final signatures, a preliminary drainage study shall be submitted. [Chapter 12, Planning and Development, Sec 12.05.004].

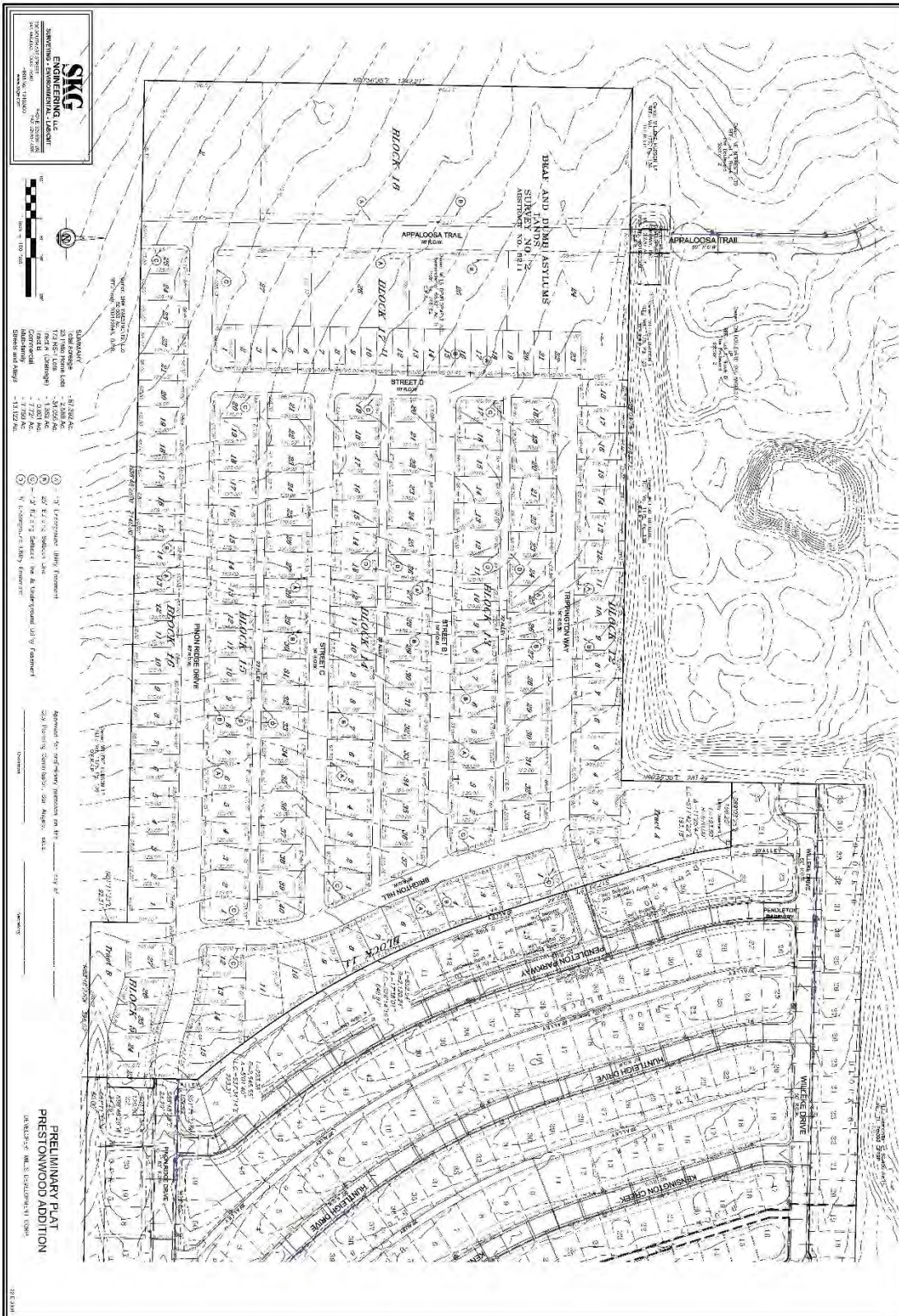
**Attachments:**

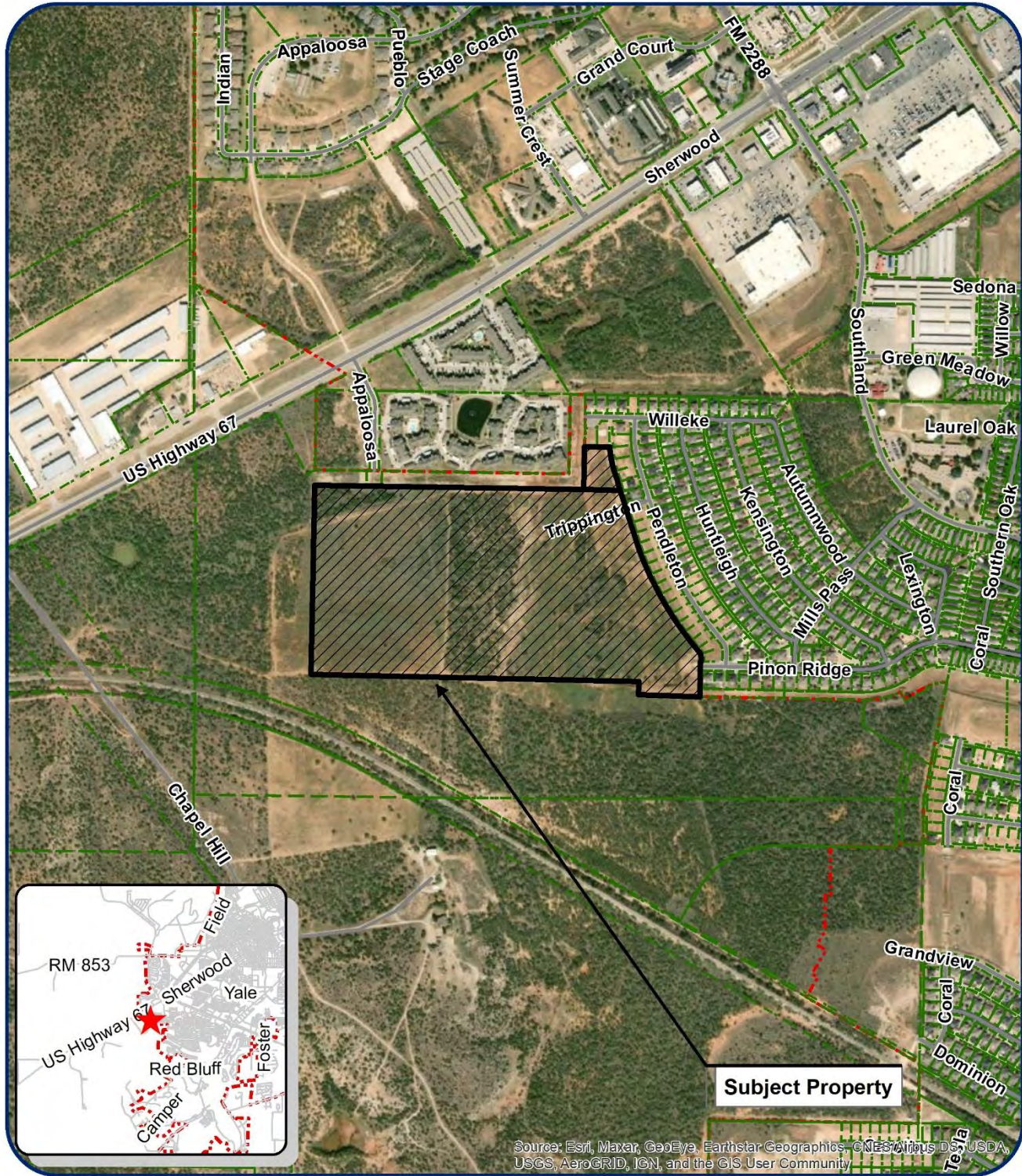
Land subdivision Plat drawing


Satellite map

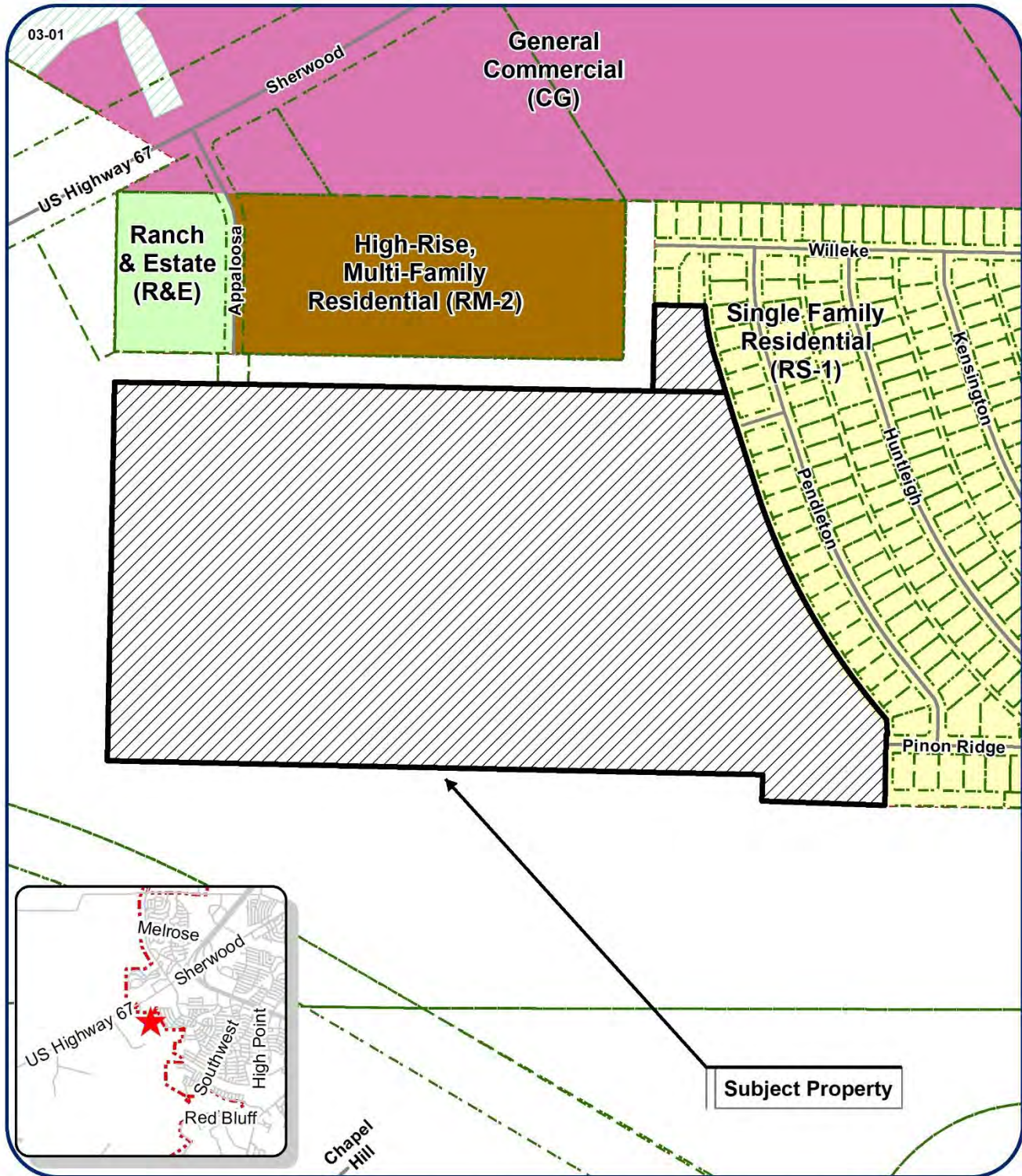
Zoning map

Vision Plan map

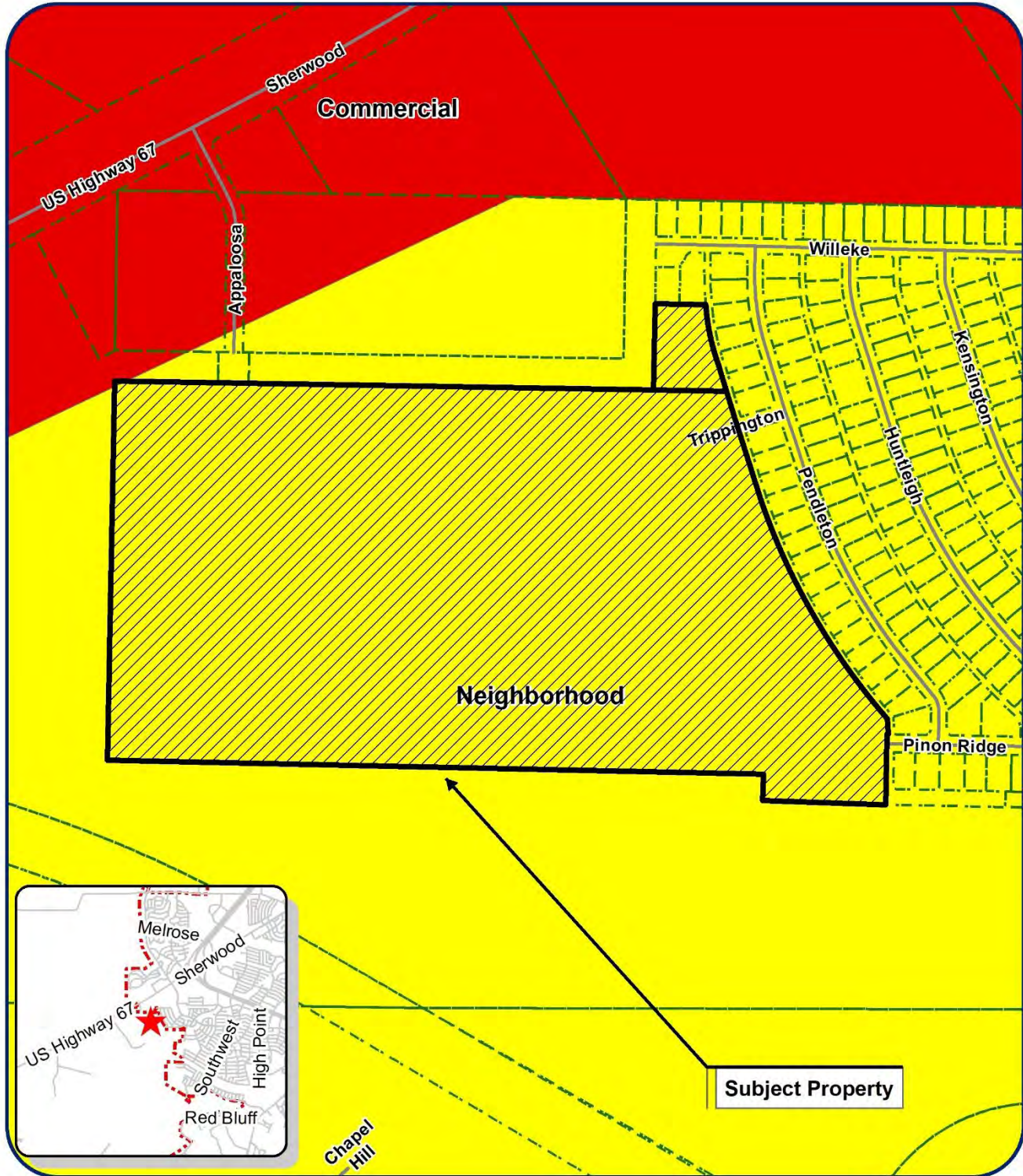




|  |  |  |  |
|--|--|--|--|
| <b>PP22-01: Satellite Imagery</b>  | <b>Legend</b>  |  |  |
| <b>Prestonwood Addition</b><br>Council District 6 - Larry Miller<br>Neighborhood: Bluffs<br>Scale: 1" approx. = 833 ft | Subject Properties: <br>Current Zone District: N/A<br>Requested Zone District: N/A<br>Vision Plan: Neighborhood |  |  |



|  |                                     |  |  |
|--|-------------------------------------|--|--|
| <p><b>PP22-01: Vision Plan</b></p>       | <p><b>Legend</b></p>                |  |  |
| <p><b>Prestonwood Addition</b></p>       | <p>Subject Properties: </p>         |  |  |
| <p>Council District 6 - Larry Miller</p> | <p>Current Zone District: N/A</p>   |  |  |
| <p>Neighborhood: Bluffs</p>              | <p>Requested Zone District: N/A</p> |  |  |
| <p>Scale: 1" approx. = 417 ft</p>        | <p>Vision Plan: Neighborhood</p>    |  |  |



|  |   |          |  |
|--|---|----------|--|
| <p><b>PP22-01: Vision Plan</b></p>       | <p><b>Legend</b></p>                    | <p>N</p> |  |
| <p><b>Prestonwood Addition</b></p>       | <p>Subject Properties: </p>             |          |  |
| <p>Council District 6 - Larry Miller</p> | <p>Current Zone District: N/A</p>       |          |  |
| <p>Neighborhood: Bluffs</p>              | <p>Requested Zone District: N/A</p>     |          |  |
| <p>Scale: 1" approx. = 417 ft</p>        | <p>Vision Plan: <b>Neighborhood</b></p> |          |  |

**PLANNING COMMISSION – FEBRUARY 21, 2021  
STAFF REPORT**



|  |  |   |                         |
|--|--|---|-------------------------|
| <b>APPLICATION TYPE:</b>   |  | <b>CASE:</b>  |                         |
| Preliminary Plat ( <b>REVISED</b> )  |  | Revised Preliminary Plat, Fairway Downs Subdivision           |                         |
| <b>SYNOPSIS:</b>   |  |   |                         |
| <p>In August 2021, the Planning Commission approved this plat but denied the variances for stub-outs and required that Rough Drive, one of the internal streets, be extended to the east boundary. The applicant has now submitted a revised version which provides the necessary stub-out of Rough Drive to the east. The maximum block length in the subdivision is now 1,744 feet between along Bunker Drive between Fairway Lane to the north and Rough Drive to the south in compliance with the subdivision ordinance.</p> |  |   |                         |
| <b>LOCATION:</b>   |  | <b>LEGAL DESCRIPTION:</b>                                     |                         |
| Southeast of the intersection of Country Club and S. Ratliff Roads   |  | Being 76.55 acres out of Block 9, UPTON & COLLINS SUBDIVISION |                         |
| <b>SM DISTRICT / NEIGHBORHOOD:</b>   |  | <b>ZONING:</b>  | <b>FUTURE LAND USE:</b> |
| SM District: SMD 1- Tommy Hiebert Neighborhood: Country Club   |  | ETJ (N/A)   | Rural                   |
|  |  |   | <b>SIZE:</b>            |
|  |  |   | 76.55 acres             |
| <b>THOROUGHFARE PLAN:</b>  |  |   |                         |
| Proposed local roads within the plat, and an adjacent minor arterial road.   |  |   |                         |
| <b>NOTIFICATIONS:</b>  |  |   |                         |
| N/A  |  |   |                         |
| <b>STAFF RECOMMENDATION:</b>   |  |   |                         |
| Staff recommends <b>APPROVAL</b> of the “Preliminary Plat of Fairway Downs” subdivision, subject to <b>five conditions of approval</b> .   |  |   |                         |
| <b>PROPERTY OWNER/PETITIONER:</b>  |  |   |                         |
| Owner: Casey Pornoy<br>Petitioner: Dorado Construction Group   |  |   |                         |
| <b>STAFF CONTACT:</b>  |  |   |                         |
| Jeff Fisher, AICP<br>Chief Planner<br>(325) 657-4210, Extension 1550<br><a href="mailto:jeff.fisher@cosatx.us">jeff.fisher@cosatx.us</a>   |  |   |                         |



**Conformity with Comprehensive Plan and Intent of Purpose Statements:** The proposed preliminary plat will be consistent with the Future Land Use in the City's Comprehensive Plan, which is shown as "rural". The proposed plat will be a large lot (1/2 acre min) residential subdivision in the Extra-Territorial Jurisdiction (ETJ) and the requirements of the Subdivision Ordinance have been met. Annexation will be required to allow future final plats to connect to city services including water and sewer. As part of this request, the applicant has shown a phasing plan.

**Variations:** *As indicated, variations are no longer required as the applicant has provided stub-outs both east and west to address Staff and Planning Commission requirements, and block length is now under 2,200 feet as required.*

**Recommendation:** Staff recommends **APPROVAL** of the "Preliminary Plat of Fairway Downs" subdivision, subject to **five conditions of approval:**

1. Prior to plat signatures, submit a revised plat with the full name identifying as a preliminary plat, i.e. "Preliminary Plat, Fairway Downs" [Land Development and Subdivision Ordinance, Chapter 7.I].
2. Prior to plat signatures, per the CVCOG, change "Ratliff Road to S. Ratliff Road" on the plat [Land Development and Subdivision Ordinance, Chapter 7.I].
3. Prior to plat signatures, per City 9-1-1 Addressing, change "Fairway Ln to a different street name as a Fairway Dr. is in use and will cause confusion for emergency services.
4. Prior to plat signatures, label on the plat the following: "NOTE: Prior to any final platting, the properties must be annexed into the City Limits with appropriate zoning based on lot sizes being under 1 acre to allow city services" [Zoning Ordinance, Section 302, 501.A, 502.B].
5. Prior to final signatures, a preliminary drainage study shall be submitted. [Chapter 12, Planning and Development, Sec 12.05.001]

Note:

1. In addition to annexation, a Comprehensive Plan Amendment and new zoning will be required to facilitate future development. The proposed future land use and zoning should reflect proposed type of development (i.e. commercial, residential, etc.) [Zoning Ordinance, Section 302, 501.A, 502.B].

**Attachments:**

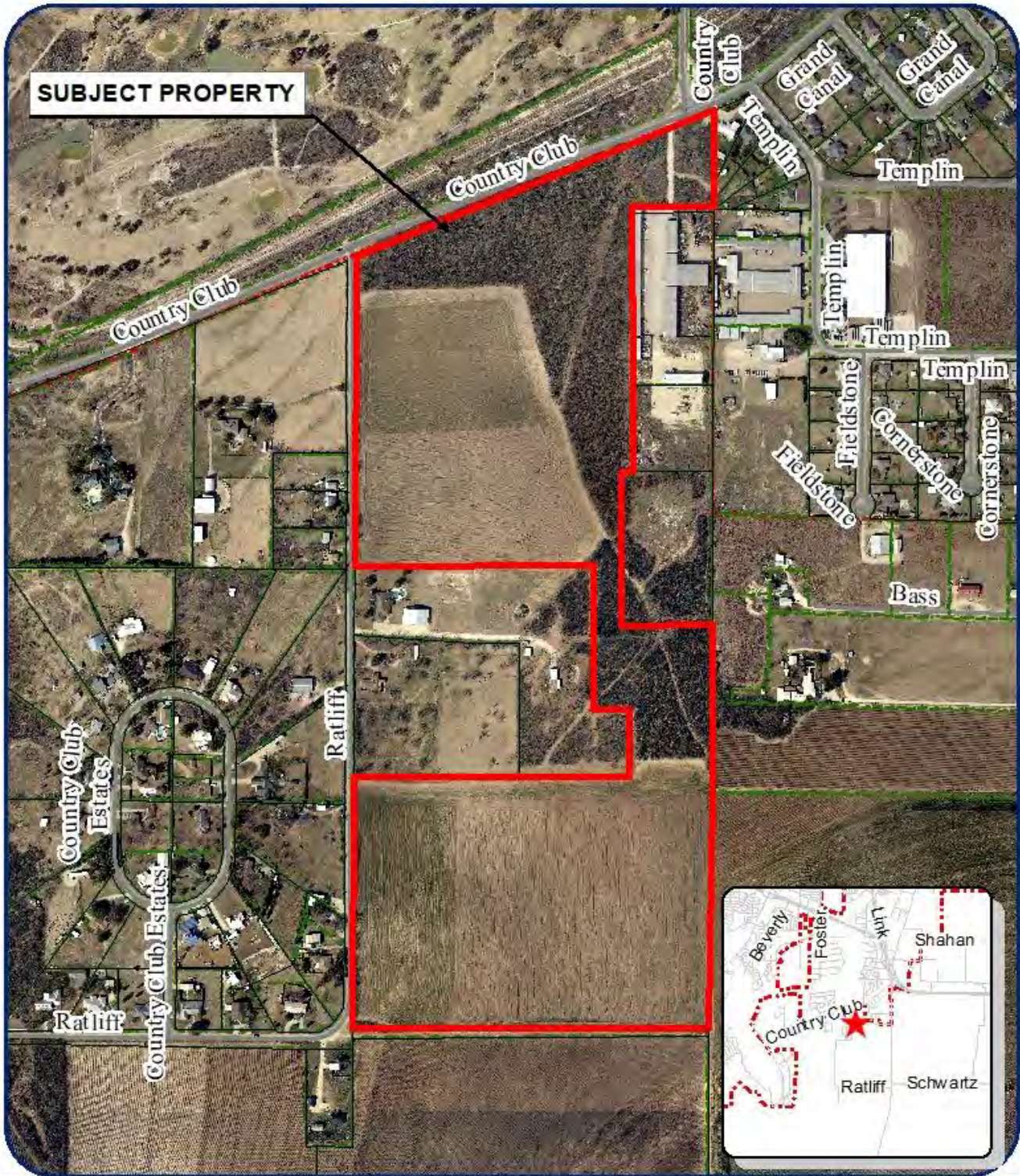
Aerial Map

**3<sup>rd</sup> (Final) Revised Preliminary Plat**

2<sup>nd</sup> Submission Preliminary Plat

Original Preliminary Plat

Application with variance requests




**Preliminary Plat**

**Fairway Downs**

Council District: Tommy Hiebert - District 1  
Neighborhood: Country Club  
Scale: 1" approx. = 500 ft

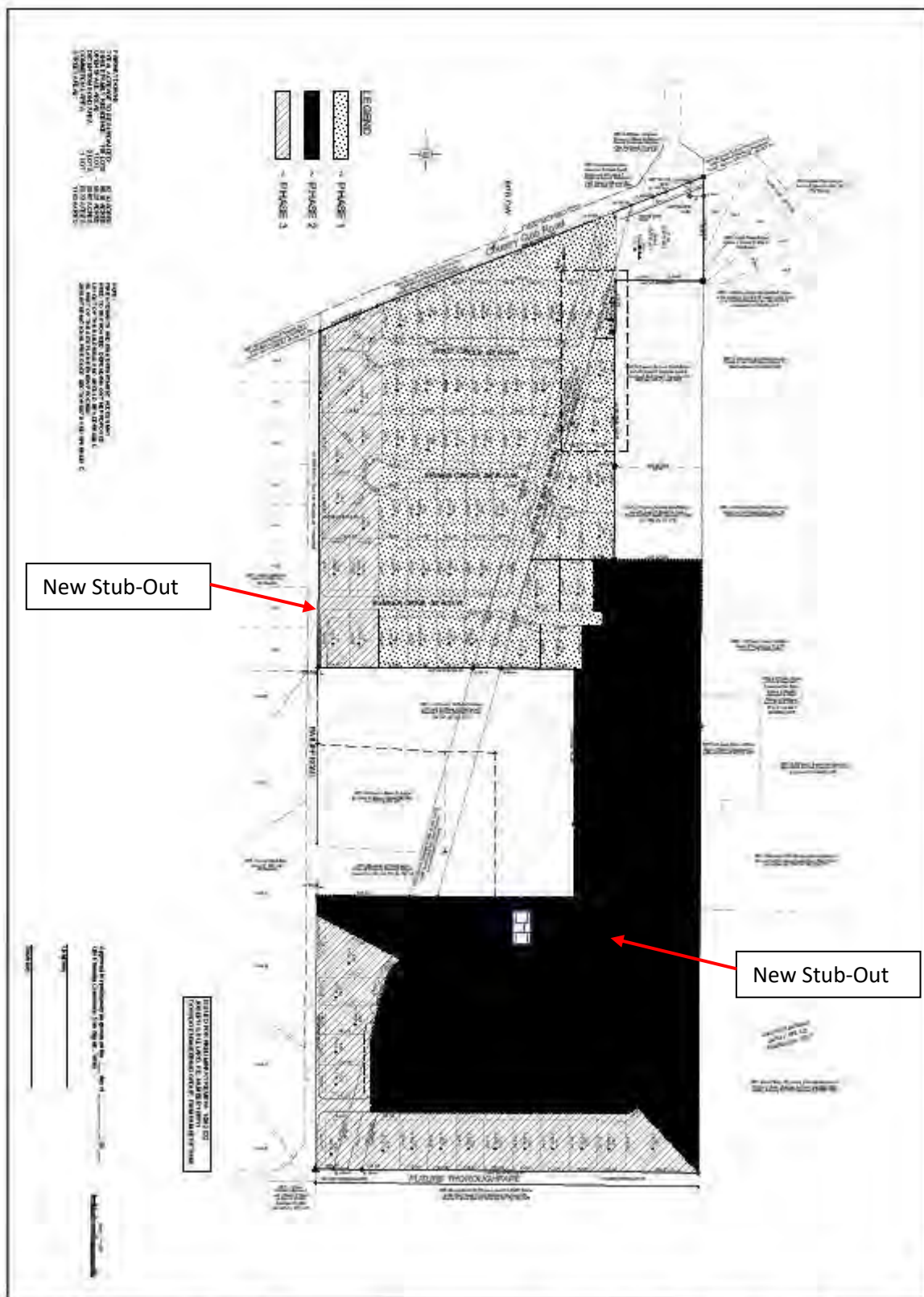
SW of Country Club Rd/Templin Rd.

**Legend**

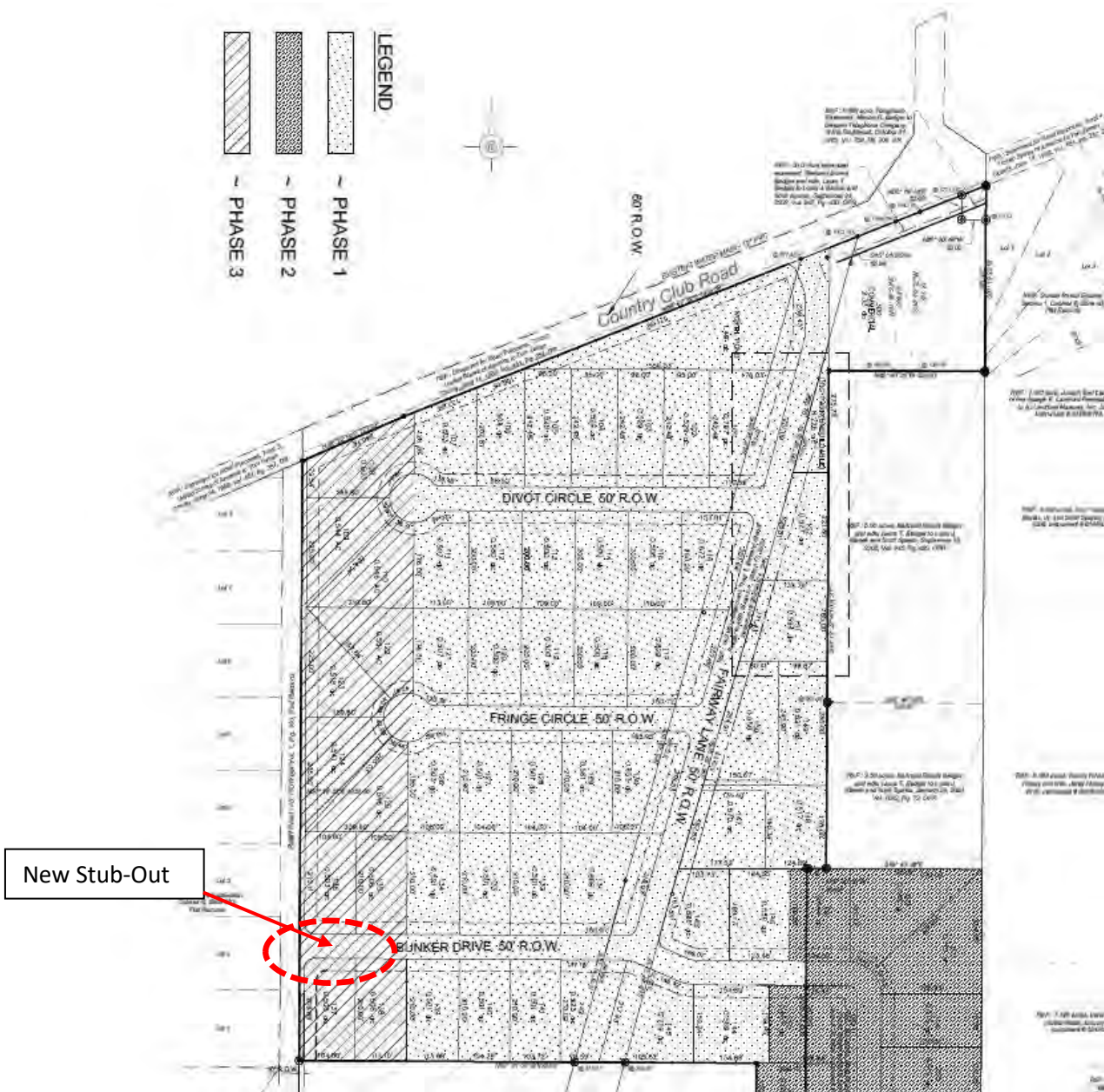
- Subject Properties: 
- Current Zoning: N/A
- Requested Zoning Change: N/A
- Vision: Rural



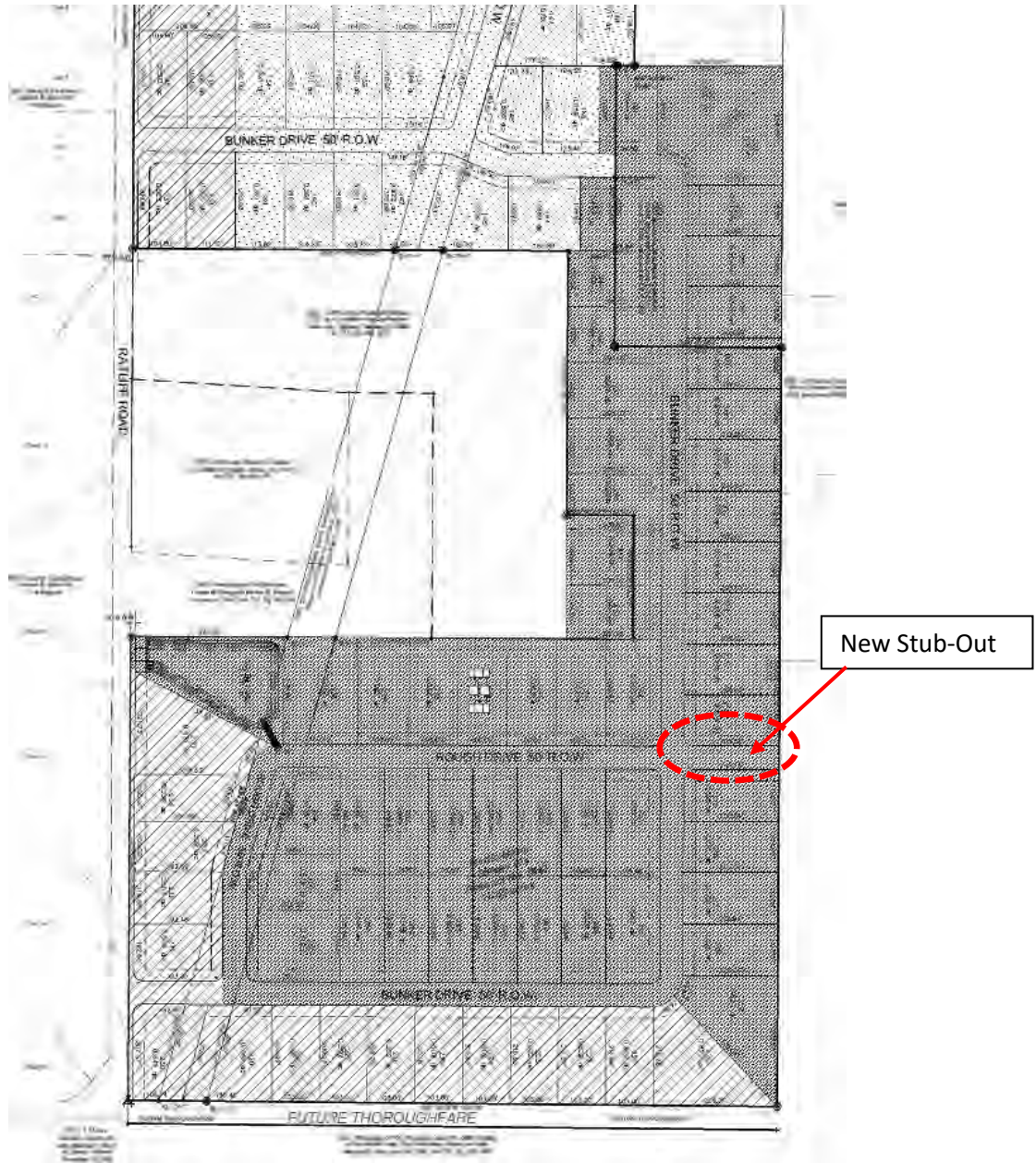
FINAL REVISED Preliminary Plat



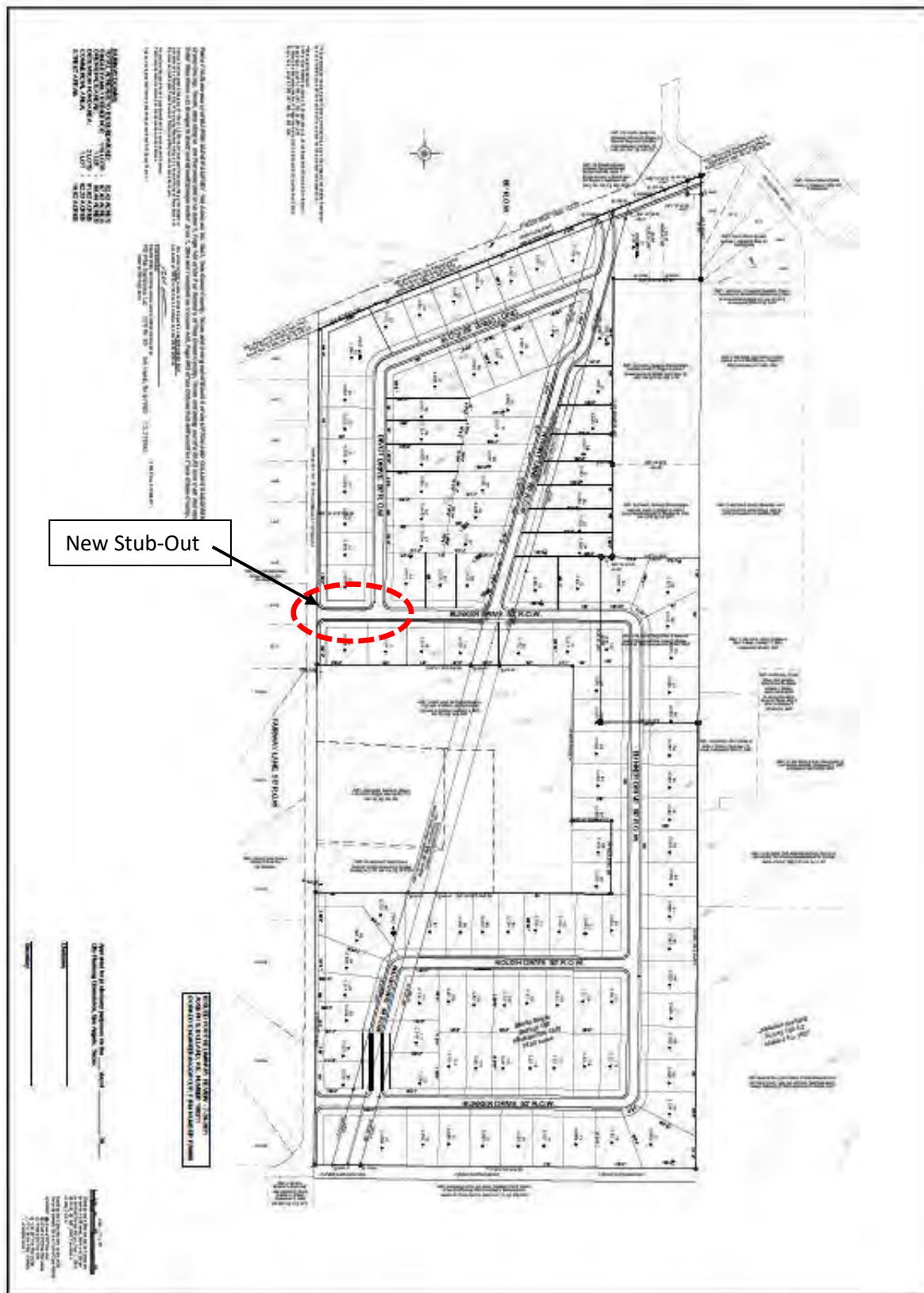
FINAL REVISED Preliminary Plat (NORTH)



FINAL REVISED Preliminary Plat (SOUTH)



2<sup>nd</sup> Submission Preliminary Plat



New Stub-Out

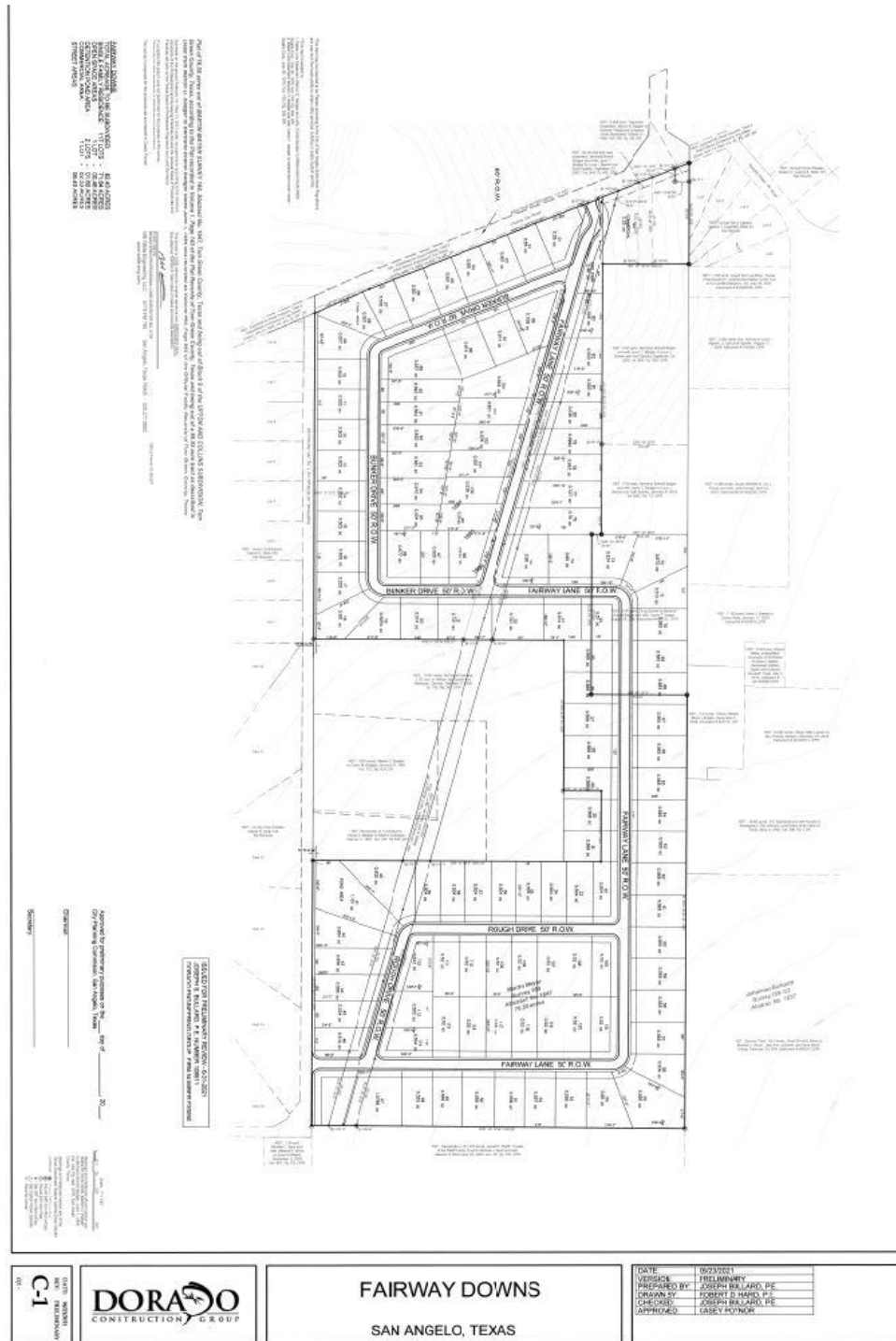
100  
 C-1  
 100

**DORA DO**  
 CONSTRUCTION OF DUE

**FAIRWAY DOWNS**  
 SAN ANGELO, TEXAS

|              |              |
|--------------|--------------|
| DATE:        | APPROVED:    |
| PREPARED BY: | APPROVED BY: |
| DESIGNED BY: | APPROVED BY: |
| APPROVED:    | APPROVED BY: |

Original 1<sup>st</sup> Submission Preliminary Plat



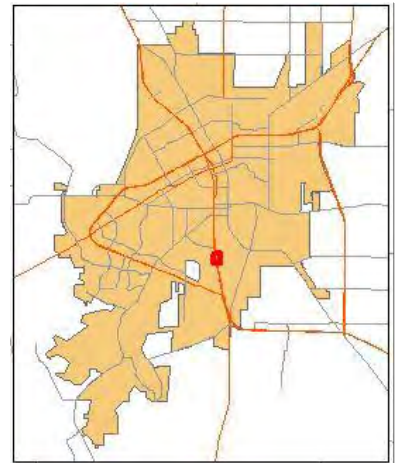


# STAFF REPORT

## PLANNING COMMISSION – FEBRUARY 21, 2022



|   |  |   |                         |
|---|--|---|-------------------------|
| <b>APPLICATION TYPE:</b>  |  | <b>CASE:</b>  |                         |
| Replat  |  | Replat of Tract A-2, Section Two, T.J.A.K. Addition           |                         |
| <b>SYNOPSIS:</b>  |  |   |                         |
| The applicant intends to subdivide the existing property into two lots for new commercial development. Weinerschnitzel restaurant would remain on the south lot, Section 1-B, allowing new commercial development on Section 1-A. The south lot will be 0.262 acres and the north lot will be 0.752 acres. The north lot will maintain driveway access to West Avenue N to the north. |  |   |                         |
| <b>LOCATION:</b>  |  | <b>LEGAL DESCRIPTION:</b>                                     |                         |
| Southwest of S. Bryant Blvd./W. Avenue N  |  | 4.351 acres in the E. Hermes Survey No. 174, Abstract No. 349 |                         |
| <b>SM DISTRICT / NEIGHBORHOOD:</b>  |  | <b>ZONING:</b>  | <b>FUTURE LAND USE:</b> |
| SMD District #3 – Harry Thomas<br>Rio Vista Neighborhood  |  | ML and CG/CH  | C- Commercial           |
|   |  |   | <b>SIZE:</b>            |
|   |  |   | 1.01 acres              |
| <b>THOROUGHFARE PLAN:</b>   |  |   |                         |
| <p><b>S. Bryant Blvd. (TXDOT Arterial Road):</b> Required: N/A; Provided: 150' right-of-way; 80' pavement.</p> <p><b>W. Avenue N (Urban Arterial Road):</b> Required: 80' right-of-way, 64' paving; provided: 90' right-of-way, 52' paving (<b>variance requested</b>)</p>  |  |   |                         |
| <b>STAFF RECOMMENDATION:</b>  |  |   |                         |
| Staff recommends <b>APPROVAL</b> of a "Replat of Tract A-2, Section Two, T.J.A.K. Addition" <b>including a sidewalk adjacent to South Bryant Boulevard as outlined in the note below, and APPROVAL</b> of a variance request from Chapter 10.III.A.2 to maintain a 52' wide pavement width for West Avenue N, subject to <b>four conditions of approval.</b>                          |  |   |                         |
| <b>PROPERTY OWNER/PETITIONER:</b>   |  |   |                         |
| Owner: Flight 4 Investments Inc.<br>Petitioner: Ms. Erica Carter, P.E.<br>Carter-Fentress Engineering   |  |   |                         |
| <b>STAFF CONTACT:</b>   |  |   |                         |
| Jeff Fisher, AICP<br>Chief Planner<br>(325) 657-4210, Extension 1550<br><a href="mailto:jeff.fisher@cosatx.us">jeff.fisher@cosatx.us</a>  |  |   |                         |



**Conformity with Comprehensive Plan and Purpose Statements:** The proposed replat will be consistent with the “Commercial” Future Land Use policies in the 2009 Update to the City’s Comprehensive Plan. The property is located within the S. Bryant Blvd. commercial corridor that “seeks visibility and convenient access offered by frontage on the major street network.” The plat will conform to the intent of purpose statements outlined in Chapter 2 of the Land Development and Subdivision Ordinance (LDSO).

**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 West Avenue N to maintain a 52-foot pavement width in lieu of the required 64 feet. In accordance with Chapter 1, Section IV.A, the Planning Commission shall not approve a variance unless the request meets the four criteria below based upon the evidence that is presented:

1. **The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property.** West Avenue N in this location functions adequately at its current pavement width of 52 feet. The street maintains this width for 2.7 miles between Sherwood Way to the west and Chadbourne Street to the east, and is already curbed. The proposed street standards that were presented to the Planning Commission and recommended for approval by them were to reduce a major arterial road to 56 feet in width. If approved by City Council, this would bring the current width closer to this new standard.
2. **The conditions upon which the request for a Variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.** The property is unique because there the variance would be for only 30 feet width along the flag portion of the lot facing W. Avenue N. This area is already part of the driveway entrance to the site.
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.** Adding an additional 6 feet of pavement would require tearing up the curb, a part of the driveway, and create an irregular jog in the street.
4. **The Variance will not, in any significant way, vary the provisions of applicable ordinances.** The applicant believes that the proposed variance would not vary in a significant way applicable ordinances. Planning and Engineering agree that the existing street is currently sufficient as is. The long driveway within the flag from W. Avenue N provides safe traffic flow in and out of the property without the need to widen the street.

**Recommendation:** Staff recommends **APPROVAL** of a “Replat of Tract A-2, Section Two, T.J.A.K. Addition” including a sidewalk adjacent to South Bryant Boulevard as outlined in the note below, and **APPROVAL** of a variance request from Chapter 10.III.A.2 to maintain a 52’ wide pavement width for West Avenue N, subject to four 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].

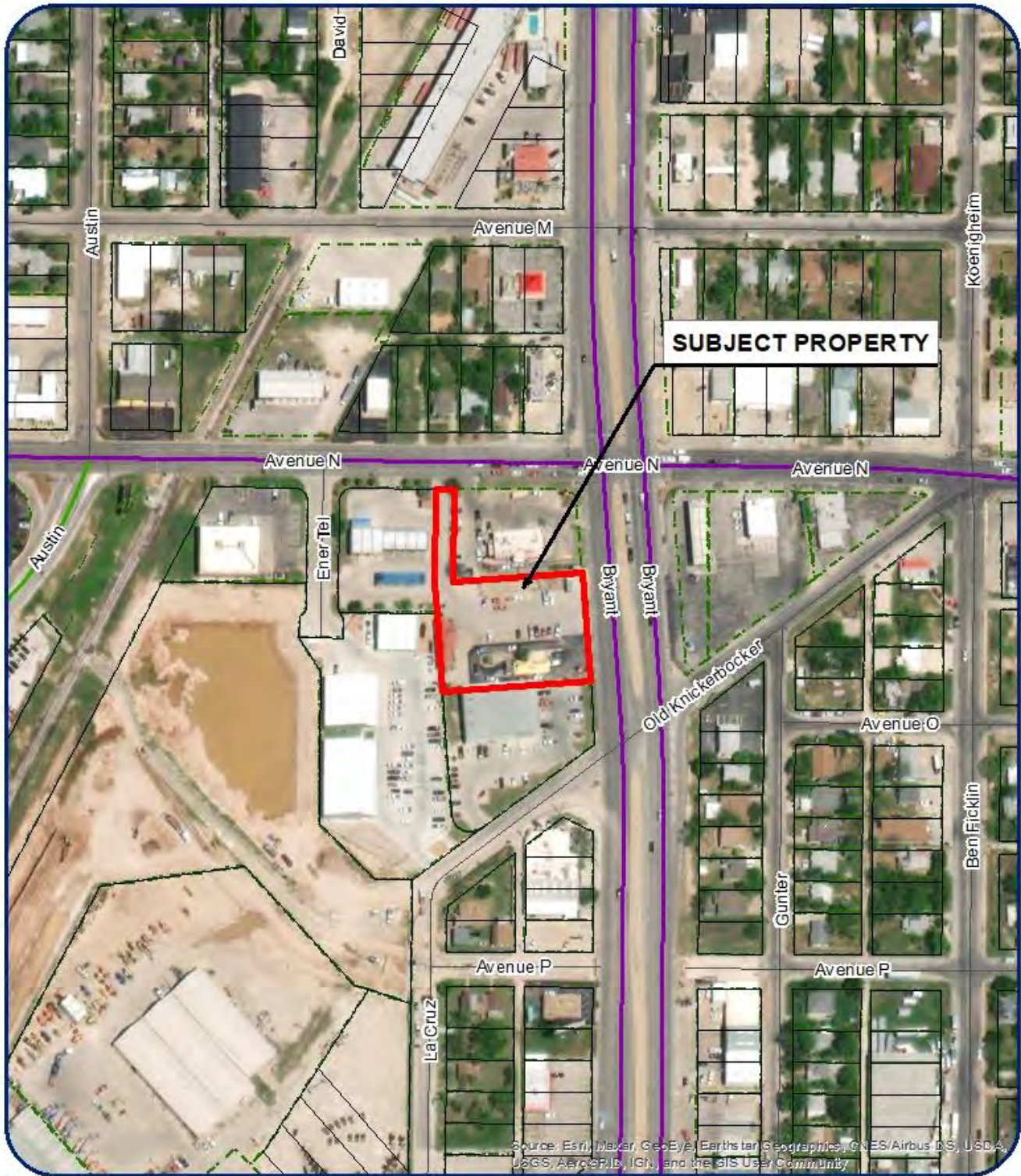
2. Prior to plat recordation, submit a revised plat titled "4th Replat in Section Two, T.J.A.K. Addition", consistent with past naming conventions [Land Development and Subdivision Ordinance, Chapter 7.II].
3. Prior to plat recordation, prepare and submit plans for approval, illustrating the proposed installation of a sewer main and required service connections [Land Development and Subdivision Ordinance, Chapter 12.I.A, City of San Angelo Standards & Specifications] and complete the installation in accordance with the approved version of these plans [Land Development and Subdivision Ordinance, Chapter 12.I.B]. Alternatively, submit a financial guarantee ensuring the completion of these improvements within a 36-month period [Land Development and Subdivision Ordinance, Chapter 6]. A second alternative would be to dedicate a 10' private sewer easement across Tract A-2 Section 1-A to serve Section 1-B [City of San Angelo Design Standards for Water and Sewer Section 2.4.C]
4. Prior to plat recordation, prepare and submit plans for required improvements to W. Avenue N by half the additional increment necessary to comprise the minimum paving width. [Land Development and Subdivision Ordinance, Chapter 10]. For W. Avenue N, the minimum width is 64 feet (in this case, requiring 6 additional feet). Alternatively, submit a financial guarantee ensuring the completion of these improvements within a 36 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].

Note:

1. Prior to final occupancy, the applicant shall provide written verification from a TAS inspector or City Engineer that they may utilize the existing asphalt adjacent to the S. Bryant Blvd. right-of-way for purposes of a sidewalk. Alternatively, per Subdivision Ordinance, Chapter 9.V and City of San Angelo Standard Specifications and Details for Construction, Detail S-FF-1, prepare and submit a sidewalk construction plan for approval, illustrating the proposed installation of a sidewalk adjacent to the S. Bryant Blvd. right-of-way, and prior to final occupancy, complete the installation of the sidewalk in accordance with the approved version of the sidewalk construction plan. If placement of sidewalks is not feasible within the public right-of-way, easement(s) shall be provided & illustrated on the site plan.

**Attachments:**

Aerial Map  
Future Land Use Map  
Zoning Map  
Replat  
Photos  
Variance request



**Replat of Tract A-2, Section Two**

**T.J.A.K. Addition**


Council District: Harry Thomas - District 3

Neighborhood: Rio Vista

Scale: 1" approx. = 200 ft

**1.01 ac. SW of S. Bryant Blvd/W. Avenue N**

**Legend**

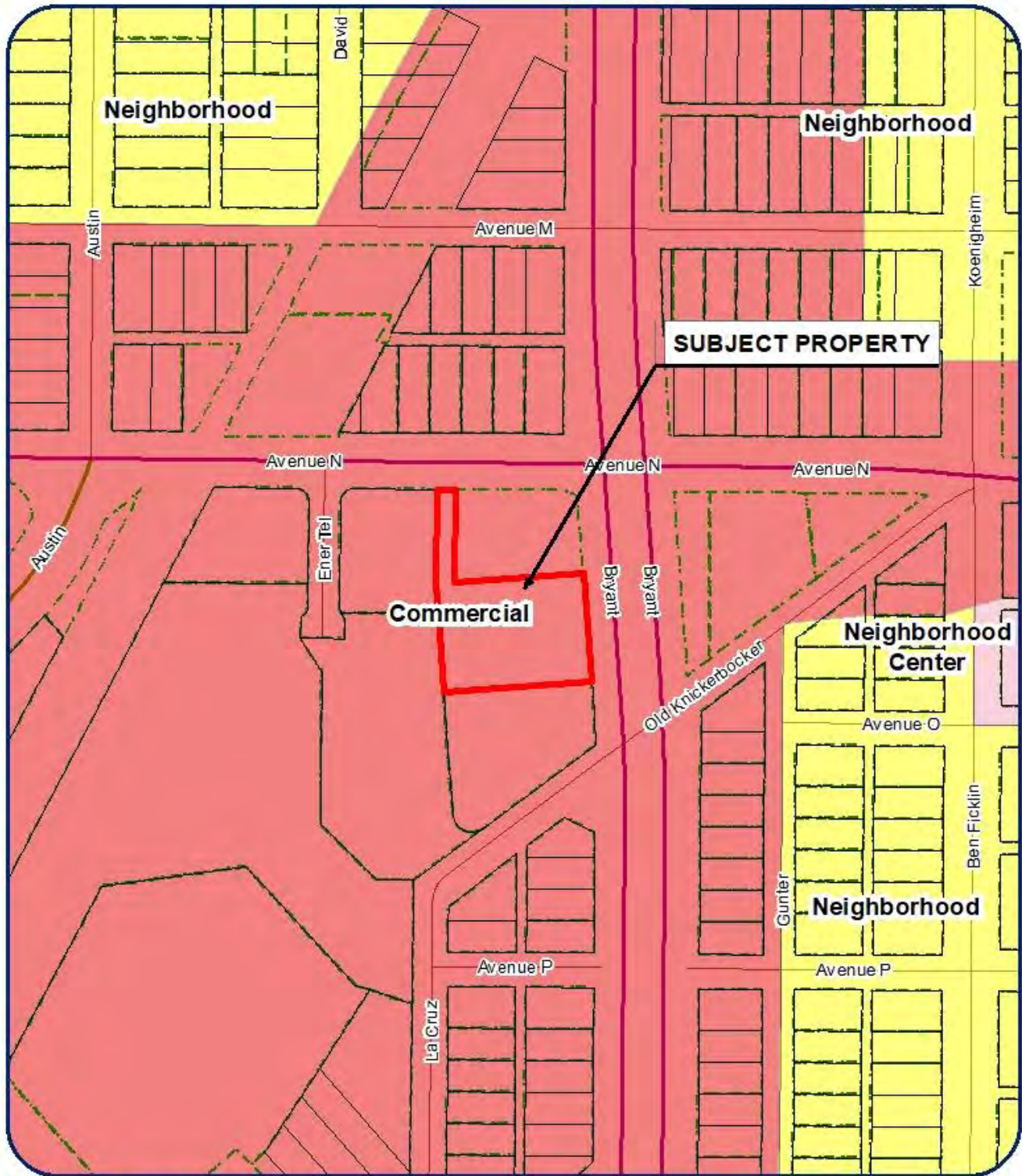
Subject Properties: 

Current Zoning: **ML and CG**

Requested Zoning Change: **N/A**



Vision: **Commercial**

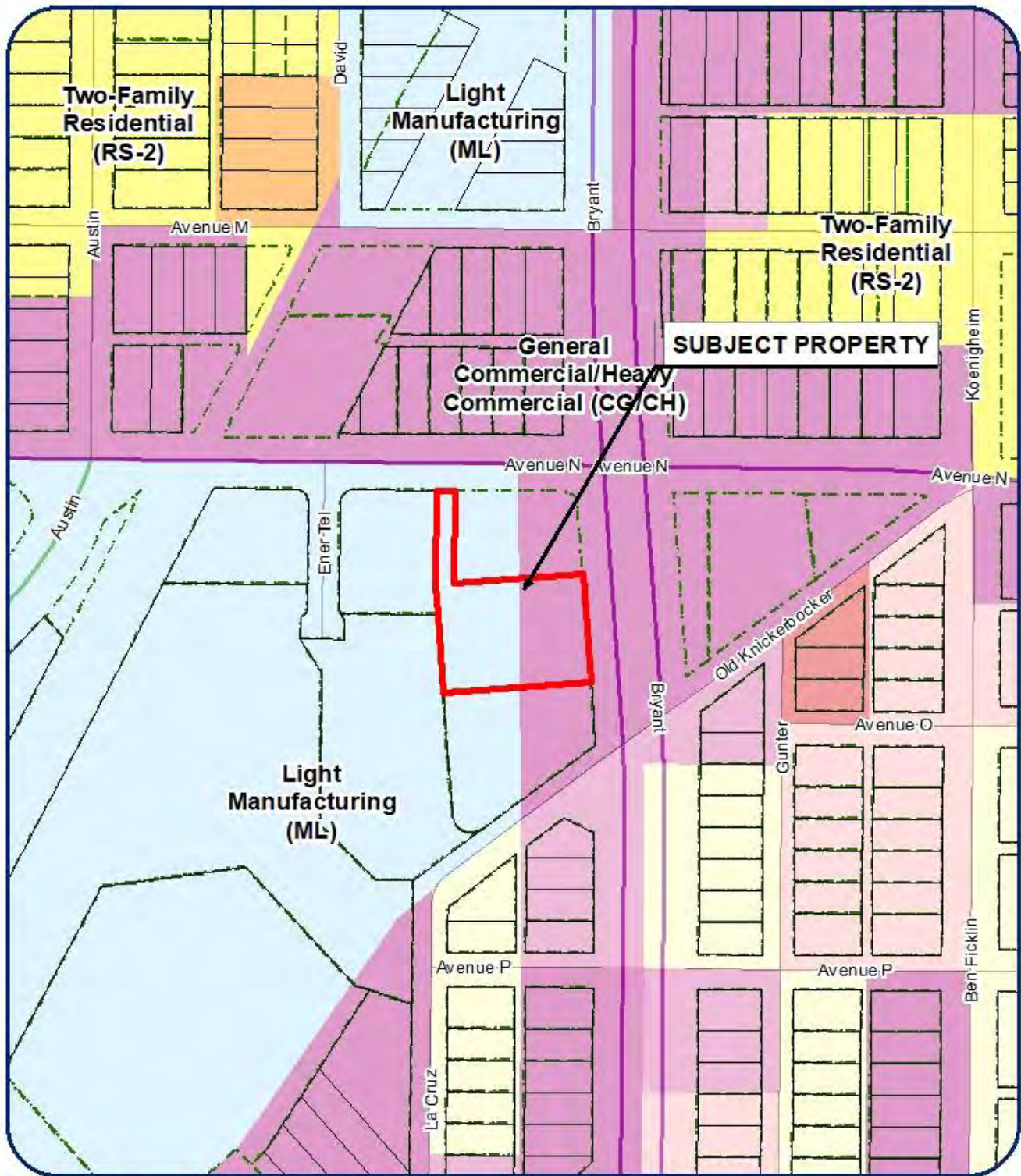




**Replat of Tract A-2, Section Two**  
**T.J.A.K. Addition**  
 Council District: Harry Thomas - District 3  
 Neighborhood: Rio Vista  
 Scale: 1" approx. = 200 ft  
**1.01 ac. SW of S. Bryant Blvd/W. Avenue N**

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




**Replat of Tract A-2, Section Two**

**T.J.A.K. Addition**

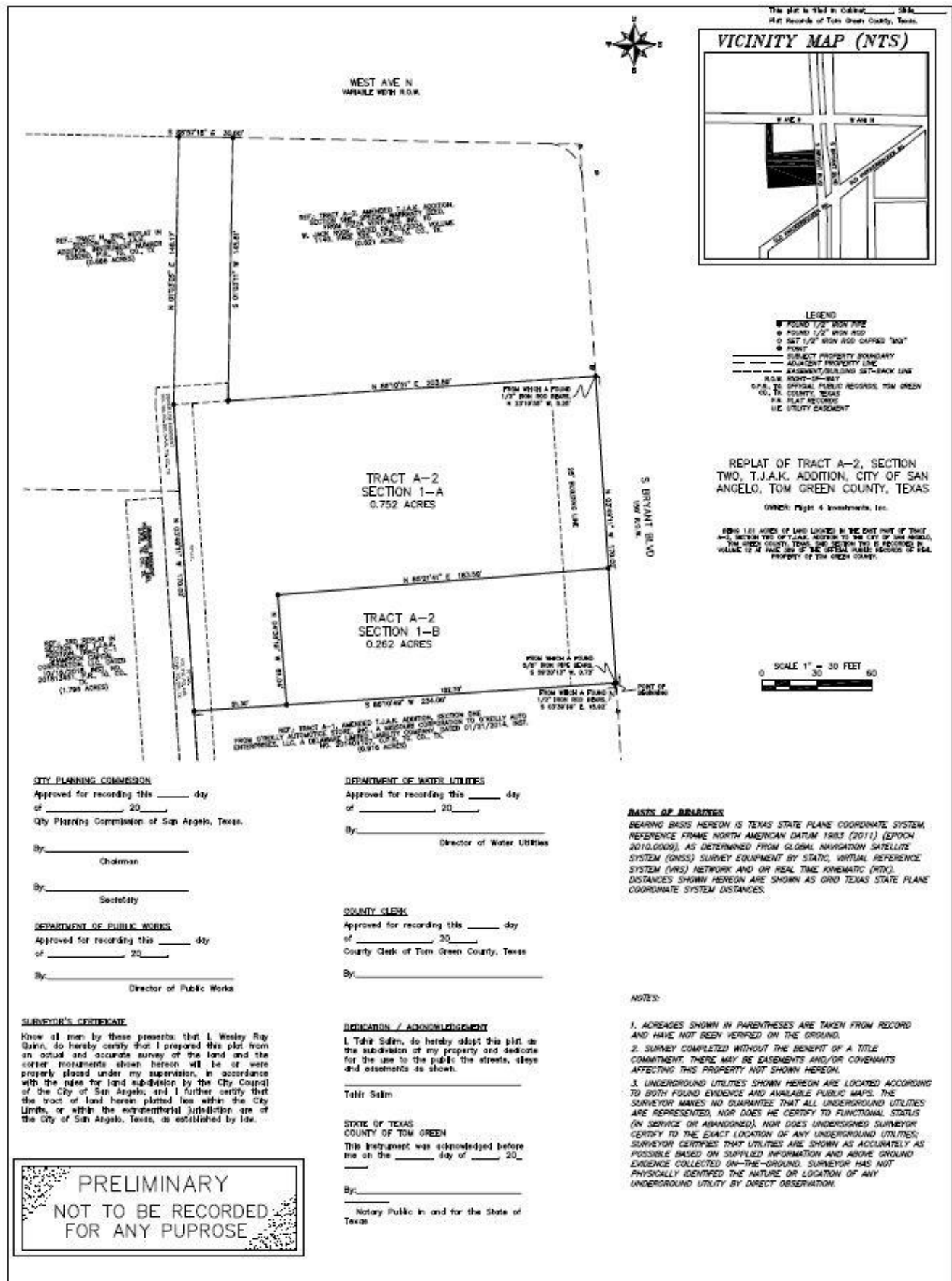
Council District: Harry Thomas - District 3  
Neighborhood: Rio Vista  
Scale: 1" approx. = 200 ft

**1.01 ac. SW of S. Bryant Blvd/W. Avenue N**

**Legend**

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





**CITY PLANNING COMMISSION**  
 Approved for recording this \_\_\_\_ day  
 of \_\_\_\_ 20\_\_  
 City Planning Commission of San Angelo, Texas.  
 By: \_\_\_\_\_  
 Chairman  
 By: \_\_\_\_\_  
 Secretary  
**DEPARTMENT OF PUBLIC WORKS**  
 Approved for recording this \_\_\_\_ day  
 of \_\_\_\_ 20\_\_  
 By: \_\_\_\_\_  
 Director of Public Works

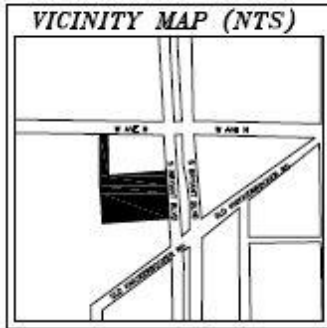
**DEPARTMENT OF WATER UTILITIES**  
 Approved for recording this \_\_\_\_ day  
 of \_\_\_\_ 20\_\_  
 By: \_\_\_\_\_  
 Director of Water Utilities

**COUNTY CLERK**  
 Approved for recording this \_\_\_\_ day  
 of \_\_\_\_ 20\_\_  
 County Clerk of Tom Green County, Texas  
 By: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**  
 Know all men by these presents that I, Wesley Ray Quinn, do hereby certify that I prepared this plat from an actual and accurate survey of the land and the corner monuments shown herein will be or were properly placed under my supervision, in accordance with the rules for land subdivision by the City Council of the City of San Angelo, and I further certify that the tract of land herein plotted lies within the City Limits, or within the extrajurisdictional jurisdiction area of the City of San Angelo, Texas, as established by law.

**INDICATION / ACKNOWLEDGMENT**  
 I, Tahir Salim, do hereby adopt this plat as the subdivision of my property and dedicate the same to the public for the streets, alleys and easements as shown.  
 Tahir Salim

STATE OF TEXAS  
 COUNTY OF TOM GREEN  
 This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_ 20\_\_  
 By: \_\_\_\_\_  
 Notary Public in and for the State of Texas

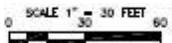


**LEGEND**  
 ■ FOUND 1/2" IRON PIPE  
 ● FOUND 1/2" IRON ROD  
 ○ SET 1/2" IRON ROD CAPPED 'MAY'  
 ● POINT  
 --- SUBJECT PROPERTY BOUNDARY  
 - - - ADJACENT PROPERTY LINE  
 - - - EASEMENT/BUILDING SET-BACK LINE  
 --- R.O.W. RIGHT-OF-WAY  
 D.P.S. TO OFFICIAL PUBLIC RECORDS, TOM GREEN CO., TX, COUNTY, TEXAS  
 U.S. PLAT RECORDING  
 U.E. UTILITY EASEMENT

REPLAT OF TRACT A-2, SECTION TWO, T.J.A.K. ADDITION, CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS

DRAWN: Page 4 Insetments, Inc.

BEING THE UNDIVIDED INTERESTS IN THE DISTRICT OF TRACT A-2, SECTION TWO, T.J.A.K. ADDITION TO THE CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS, AS SHOWN ON PLAT RECORDING NUMBER 124,848, BEING THE UNDIVIDED INTERESTS OF THE PROPERTY OF THE TOM GREEN COUNTY.



**BASIS OF BEARINGS**  
 BEARING BASIS HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, BEARING BASIS HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCE FRAME NORTH AMERICAN DATUM 1983 (2011) (EPOCH 2010.0000), AS DETERMINED FROM GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) SURVEY EQUIPMENT BY STATIC, VIRTUAL REFERENCE SYSTEM (VRS) NETWORK AND OR REAL TIME KINEMATIC (RTK). DISTANCES SHOWN HEREON ARE SHOWN AS GRID TEXAS STATE PLANE COORDINATE SYSTEM DISTANCES.

**NOTES:**  
 1. ACRES SHOWN IN PARENTHESES ARE TAKEN FROM RECORD AND HAVE NOT BEEN VERIFIED ON THE GROUND.  
 2. SURVEY COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT; THERE MAY BE EASEMENTS AND/OR COVENANTS AFFECTING THIS PROPERTY NOT SHOWN HEREON.  
 3. UNDERGROUND UTILITIES SHOWN HEREON ARE LOCATED ACCORDING TO BOTH FOUND EVIDENCE AND AVAILABLE PUBLIC MAPS. THE SURVEYOR MAKES NO GUARANTEE THAT ALL UNDERGROUND UTILITIES ARE REPRESENTED, NOR DOES HE CERTIFY TO FUNCTIONAL STATUS (IN SERVICE OR ABANDONED). NOR DOES UNDESIGNED SURVEYOR CERTIFY TO THE EXACT LOCATION OF ANY UNDERGROUND UTILITIES. SURVEYOR CERTIFIES THAT UTILITIES ARE SHOWN AS ACCURATELY AS POSSIBLE BASED ON SUPPLIED INFORMATION AND ABOVE GROUND EVIDENCE COLLECTED ON-THE-GROUND. SURVEYOR HAS NOT PHYSICALLY IDENTIFIED THE NATURE OR LOCATION OF ANY UNDERGROUND UTILITY BY DIRECT OBSERVATION.

PRELIMINARY  
 NOT TO BE RECORDED  
 FOR ANY PURPOSE

**Photos of Site and Surrounding Area**

EXISTING SITE



EXISTING SITE



WEST AVENUE N



LOOKING NORTH ON S. BRYANT BLVD



LOOKING NORTH ON S. BRYANT BLVD





**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: Chap. 10.III.A.2  
Arterial Street Paving Width-64'

Full variance requested  Partial variance requested (*proposed variation from standard*): Applicant requests a variance  
for Ave. N from required 64' pavement width to current 52' pavement width

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

The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property.  
The granting of this variance will not be detrimental to the public safety, health or welfare, or be injurious to other property.  
It is out belief that this if this variance is not granted, that would be detrimental to the public safety, health or welfare, or  
be injurious to the other property due to the length that would be required to widen and it's proximity to a busy intersection.

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 location of which the widening would be required is in close proximity to a busy intersection. The addition of a 30'  
strip of widening in this busy intersection could cause more confusion to drivers in an intersection that is already a bit  
confusing and very busy. The safe way for this to be done would be for the whole roadway to be widened rather than a 30' strip.

(Section 4 continues on next page)

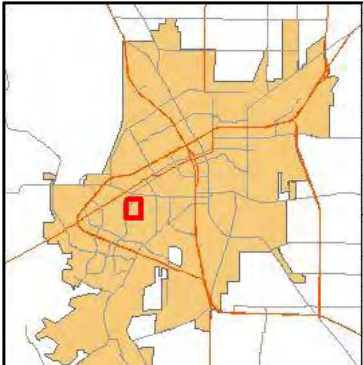
**Section 4, continued**

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.  
Due to this street being heavily traveled and the proximity of not only the intersection, but of the surrounding existing  
driveway entrances, it would be difficult to maintain traffic control safety during the construction of a 30' road widening.

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

**PLANNING COMMISSION – FEBRUARY 21, 2022  
STAFF REPORT**



|   |                |   |              |
|---|----------------|---|--------------|
| <b>APPLICATION TYPE:</b>  |                | <b>CASE:</b>  |              |
| Conditional Use   |                | Amendment to CU16-04: 2309, 2315, and 2317 S. A & M. Avenue                           |              |
| <b>SYNOPSIS:</b>  |                |   |              |
| <p>On April 18, 2016, the Planning Commission approved a Conditional Use on the property to recognize the existing religious institution and school on the property, Holy Angels Catholic Church and Angelo Catholic School. The approval allowed the applicant to build a new 4,990-square foot school building on the property. One of the approval conditions was that any new development be consistent with the approved site plan, and that any future expansions not shown on this plan require Planning Commission approval. The applicant now wants to erect a 1,100-square foot bus barn on the property to park a school bus. This will require amending the Conditional Use to allow the bus barn on a revised site plan.</p> |                |   |              |
| <b>LOCATION:</b>  |                | <b>LEGAL DESCRIPTION:</b>   |              |
| 2309, 2315, and 2317 S. A & M. Avenue   |                | Being Lot 12 in Block 43, College Hills Addition, Section 13                          |              |
| <b>SM DISTRICT / NEIGHBORHOOD:</b>  | <b>ZONING:</b> | <b>FUTURE LAND USE:</b>   | <b>SIZE:</b> |
| SMD District #5 – Lane Carter<br>College Hills Neighborhood   | RS-1           | N – Neighborhood  | 9.633 acres  |
| <b>THOROUGHFARE PLAN:</b>   |                |   |              |
| <p><b>S. A&amp;M Avenue &amp; Oxford Avenue (collector streets)</b> – Required: 50’ right-of-way; Paving: 40’;<br/>         Provided: S. A&amp;M Avenue: 60’ right-of-way, 36’ paving (pre-existing); Oxford Ave: 50’ right-of-way, 36’ paving (pre-existing)</p> <p><b>SAC Avenue (local street)</b> – Required: 50’ right-of-way; Paving: 40’ or 36’ with a 4’ sidewalk;<br/>         Provided: 50’ right-of-way, 30’ paving (pre-existing)</p>   |                |   |              |
| <b>NOTIFICATIONS:</b>   |                |   |              |
| 64 notifications mailed within 200-foot radius on February 9, 2022. No responses have been received to date.  |                |   |              |
| <b>STAFF RECOMMENDATION:</b>  |                |   |              |
| Staff recommends <b>APPROVAL</b> of an Amendment to CU16-04, <b>subject to five Conditions of Approval.</b>   |                |   |              |
| <b>PROPERTY OWNER/PETITIONER:</b>   |                |  |              |
| Roman Catholic Diocese of San Angelo<br>(Holy Angels Church, Michael Wyse)  |                |   |              |
| <b>STAFF CONTACT:</b>   |                |   |              |
| Jeff Fisher, AICP<br>Chief Planner<br>(325) 657-4210, Ext. 1550<br><a href="mailto:jeff.fisher@cosatx.us">jeff.fisher@cosatx.us</a>   |                |   |              |

**Additional Information:** The applicant is proposing three location options for the new bus barn per the attached plans:

- 1) Install along the west side of the property with access from the existing internal driveway to Oxford Avenue (west) or S. A & M Avenue (east), relocating an existing tree to the south;
- 2) Same as 1) except maintain tree location and add a 80 square-foot portable building to store equipment immediately west of building;
- 3) Install at the south end of the property with a new driveway and curb cuts at Oxford Avenue and S. A & M Avenue for access.

Staff is in support of Option 1 or 2 as recommended below but not in support of Option 3.

**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. Staff believes Option 1 or 2 is a sufficient location for the new bus barn and equipment storage building. This location utilizes the existing driveway which connects to Oxford Avenue and S. A & M Avenue. The buildings would not be very visible from S. A & M Avenue, the collector street which has more traffic and where homes face the street. Locating the buildings along the west side would be less intrusive and will blend into the existing campus. Condition #3 of the original CU required installation of a 6-foot tall privacy fence for any development adjacent to the west property line. Staff would be comfortable with extending the proposed cedar gate along the west side of the portable in Option 1 north to block the view of most of the bus barn. Staff believes this would satisfy the intent of Condition #3.
2. **Consistent with Zoning Ordinance.** Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance. The new structures comply with all zoning standards. The structures will not block any driveways or fire lanes.
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 Option 1 and 2 locations are most appropriate. The buildings in these locations face the rear yard of surrounding homes as opposed to the front yards of homes under Option 3. Even though in Option 3 the building is behind the existing 6-foot cedar fence, its height is still visible above the fence and the additional driveways needed create safety issues being so close to the corner of the intersection.
4. **Effect on Natural Environment.** Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment. Planning Staff does not anticipate any adverse impacts on the natural environment.
5. **Community Need.** Whether and the extent to which the proposed conditional use addresses a

**demonstrated community need.** The bus barn will provide shelter from the elements and vandalism for the school’s new bus purchased in 2020.

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 is in support of Option 1 which allows the structures to be parked within the existing parking area on site. Staff is not in support of Option 3 which would create a new driveway dangerously close to the sharp corner of Oxford Avenue and S. A & M Avenue and would be more intrusive to residents who have front yards facing A & M and can see the new metal building.

**Recommendation:**

Staff recommends **APPROVAL** of an Amendment to CU16-04, **subject to five Conditions of Approval:**

1. Any future development shall be subject to the Single-Family Residence (RS-1) development standards, as per Section 501.A. of the Zoning Ordinance.
2. Overall site use shall be in accordance with the approved Concept Plan, as revised. Major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director.
3. Any future development adjacent to the west side property line shall install a 6-foot high opaque solid screen privacy fence along this property line, adjacent to the residential zoning district boundary or residential uses, in accordance with the fencing requirements of Section 509 of the Zoning Ordinance. The new structures on the revised concept plan may erect the 6-foot high opaque fence along their west side and not adjacent to the west property line.
4. All new exterior lighting shall be shielded and positioned in such a matter so as to not spill over onto any adjacent property.
5. The applicant shall obtain a Building Permit from the Permits and Inspections Division for the new structures.

**Note:**




1. Prior to building permit issuance, per Section 422 of the Zoning Ordinance, the applicant shall submit to the Planning Director samples of materials and colors for approval. Materials and colors for all new construction shall be of high quality and generally consistent with any existing buildings on the property.

**Attachments:**

Aerial Map  
Future Land Use Map  
Zoning Map  
Plans  
Photos  
Application



Source: Esri, DeLorme, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

|  |  |   |   |   |
|--|--|---|---|---|
| <b>Conditional Use Amendment</b>                       |  | <b>Legend</b>   |  |  |
| <b>CU16-04: 2309, 2315, and 2317 S. A &amp; M Ave.</b> |  | Subject Properties:  |   |   |
| Council District: Lane Carter - District 5             |  | Current Zoning: <b>RS-1</b>   |   |   |
| Neighborhood: College Hills Neighborhood               |  | Requested Zoning Change: <b>N/A</b>   |   |   |
| Scale: 1" approx. = 250 ft                             |  | Vision: <b>Neighborhood</b>   |   |   |
| <b>2309, 2315, 2317 S. A &amp; M Ave. 9.633 ac.</b>    |  |   |   |   |



**Conditional Use Amendment**

**CU16-04: 2309, 2315, and 2317 S. A & M Ave.**

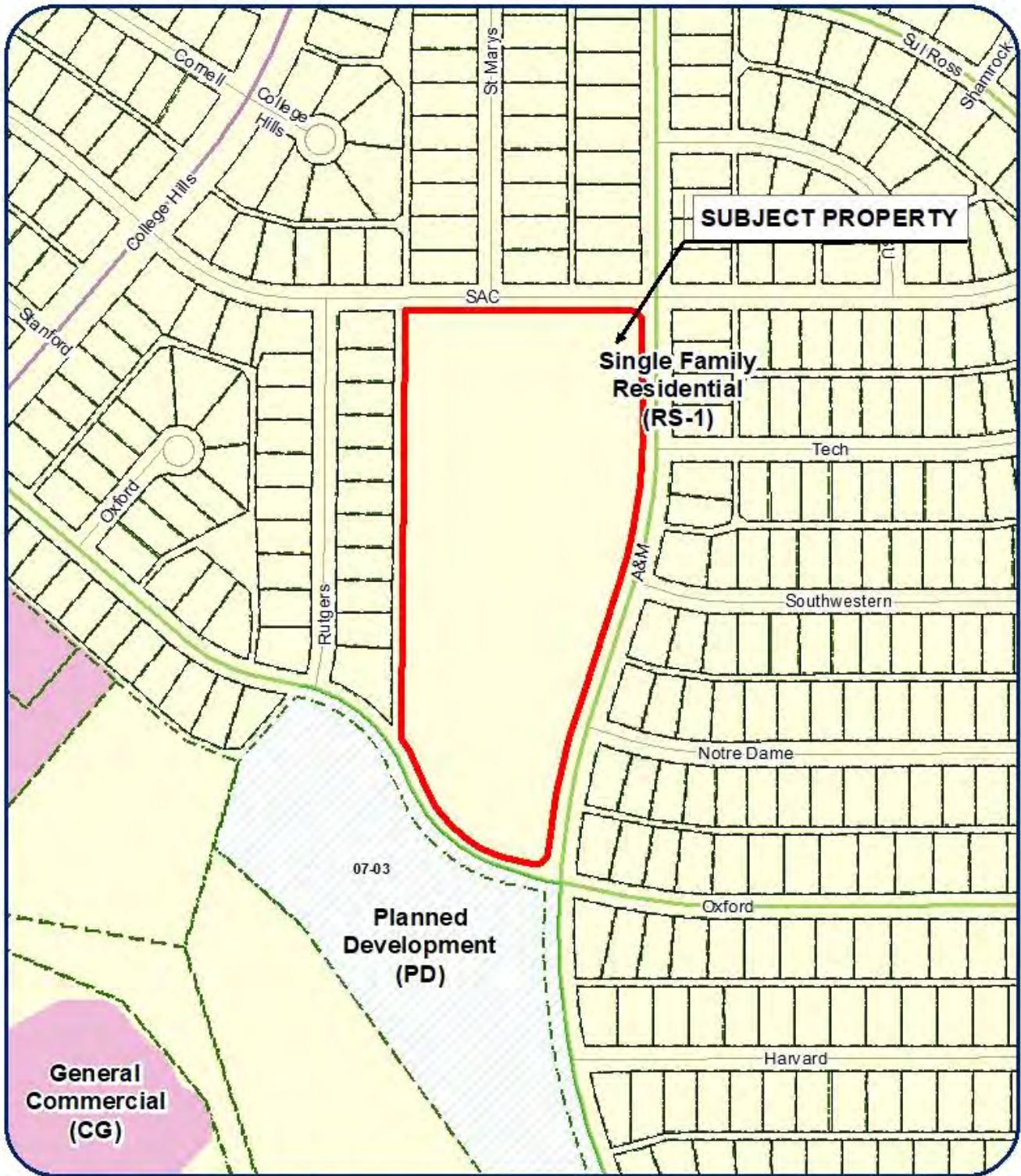
Council District: Lane Carter - District 5  
Neighborhood: College Hills Neighborhood  
Scale: 1" approx. = 250 ft

**2309, 2315, 2317 S. A & M Ave. 9.633 ac.**

**Legend**

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



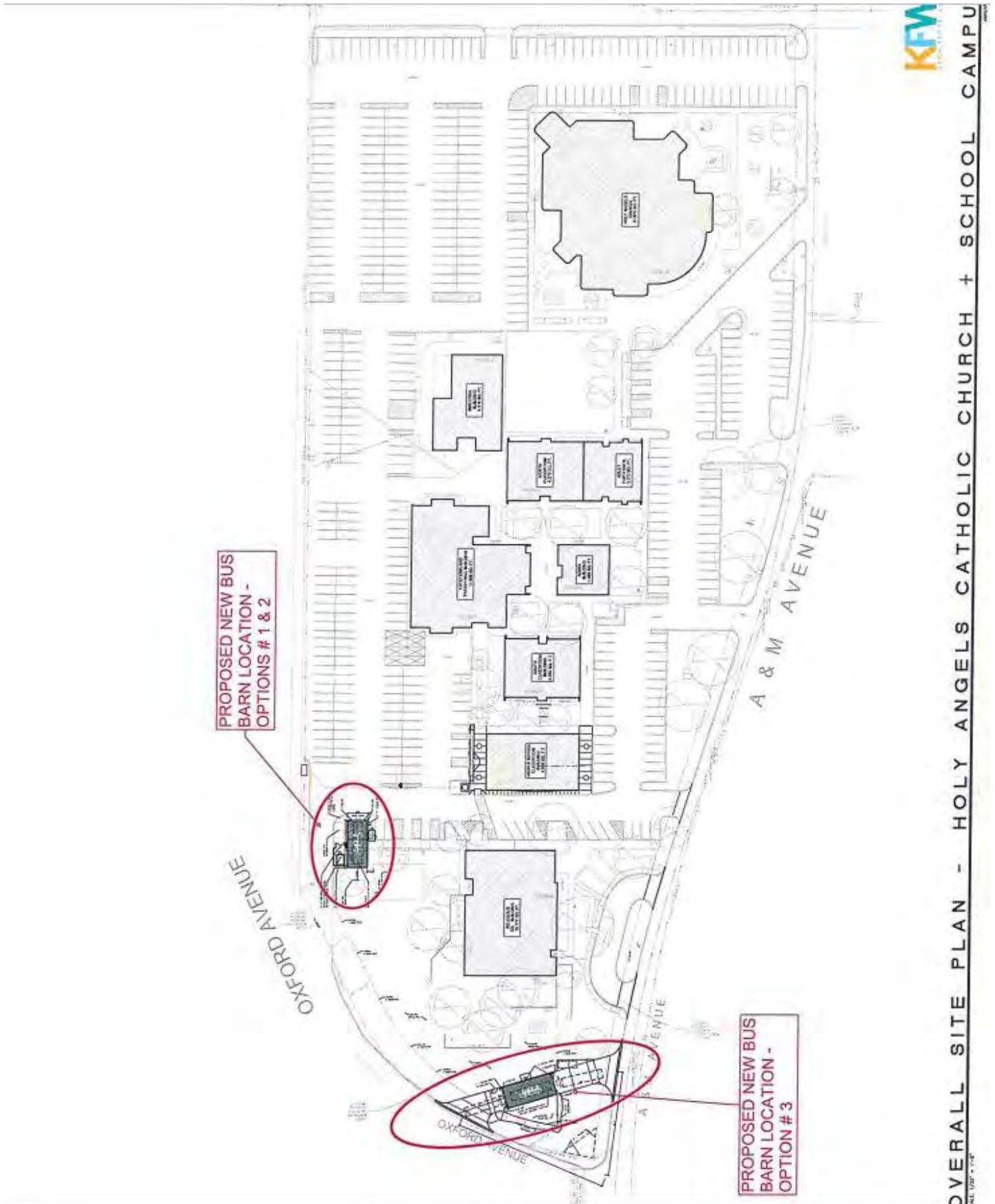


**Conditional Use Amendment**  
**CU16-04: 2309, 2315, and 2317 S. A & M Ave.**  
 Council District: Lane Carter - District 5  
 Neighborhood: College Hills Neighborhood  
 Scale: 1" approx. = 250 ft  
**2309, 2315, 2317 S. A & M Ave. 9.633 ac.**

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

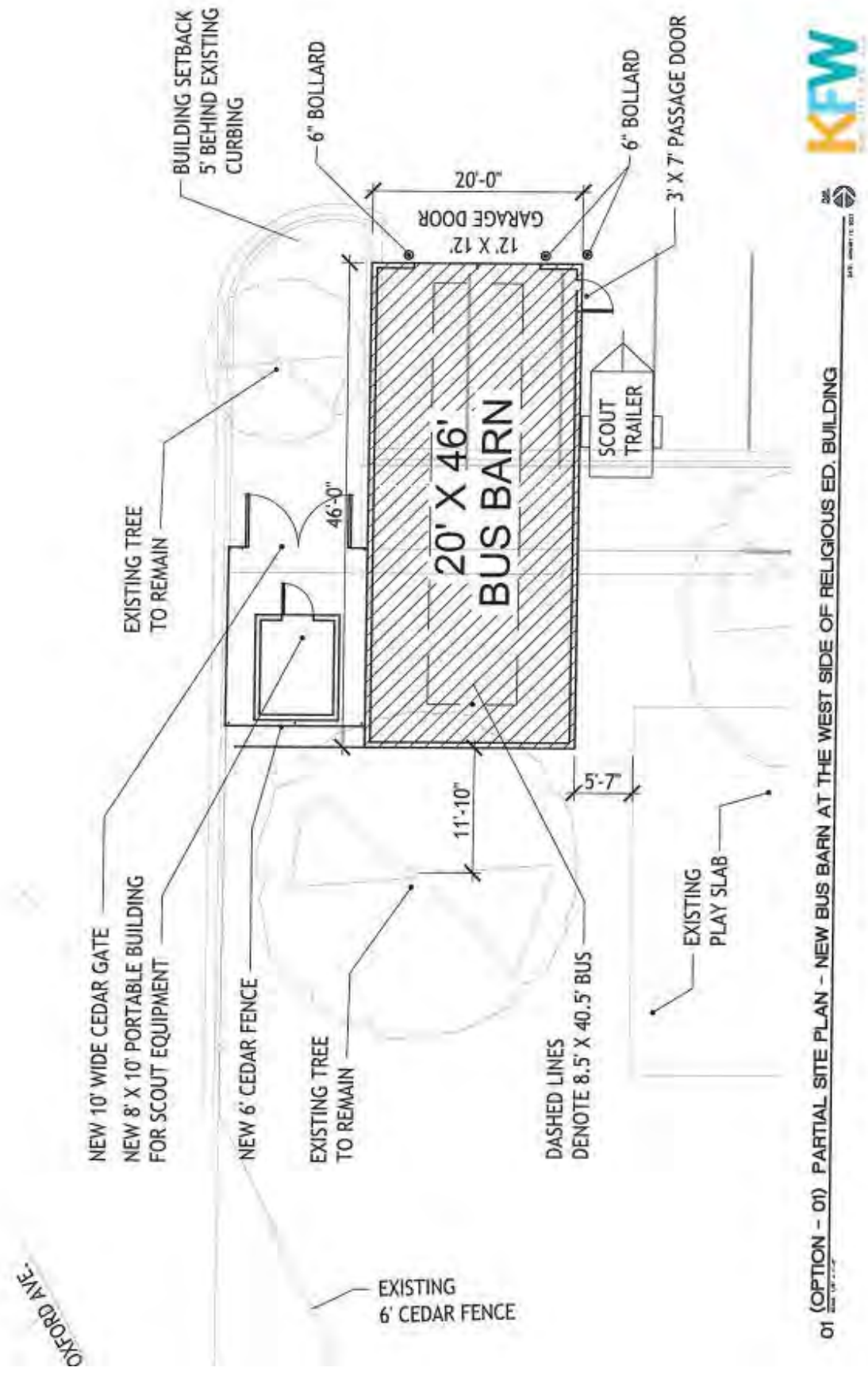
N

FULL CONCEPT PLAN



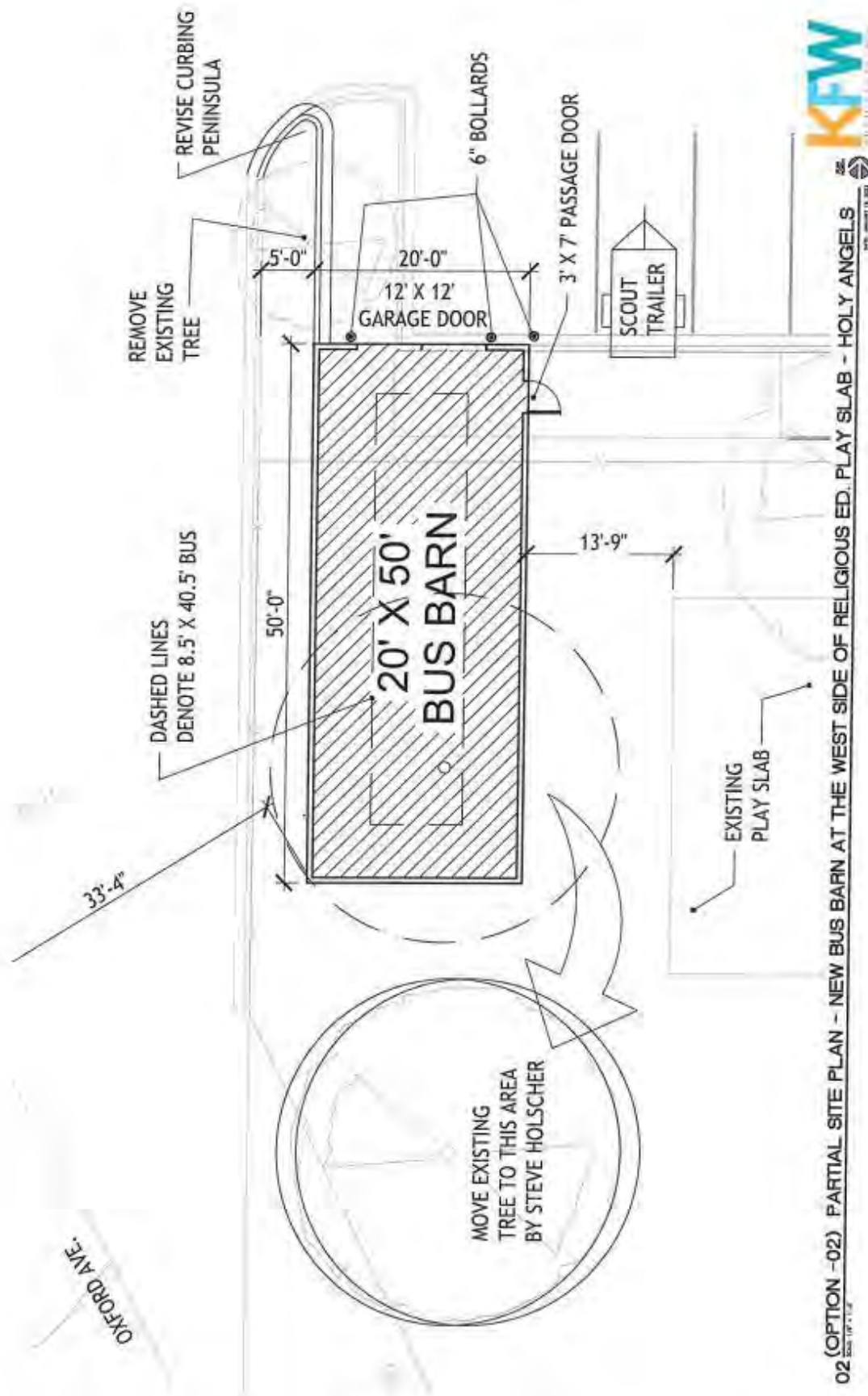


OPTION 1

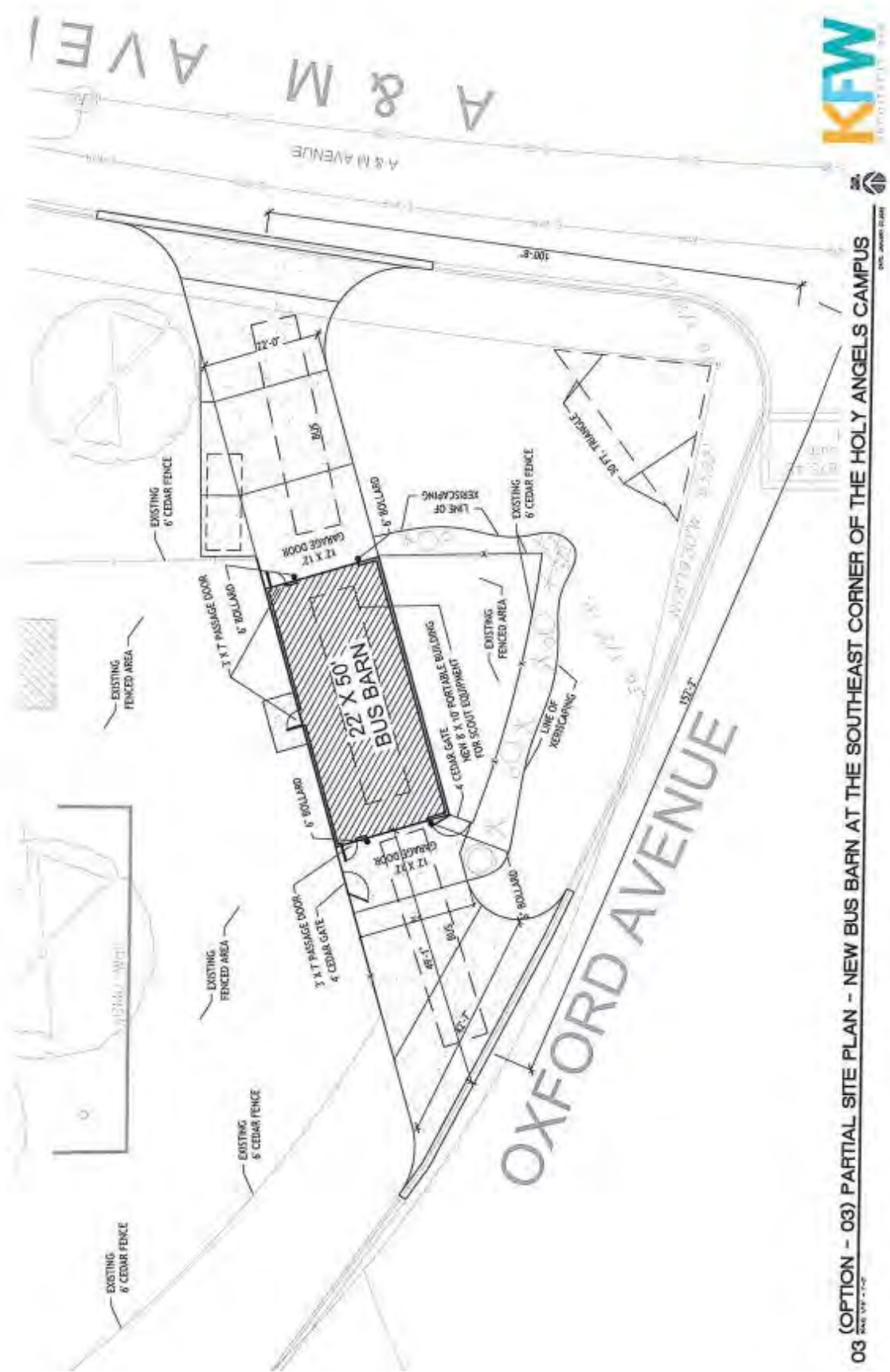


01 (OPTION - 01) PARTIAL SITE PLAN - NEW BUS BARN AT THE WEST SIDE OF RELIGIOUS ED. BUILDING

OPTION 2



OPTION 3



(OPTION - 03) PARTIAL SITE PLAN - NEW BUS BARN AT THE SOUTHEAST CORNER OF THE HOLY ANGELS CAMPUS

**DIOCESE OF SAN ANGELO  
– PROPOSED LOCATION  
FOR HOLY ANGELS  
SCHOOL BUS BARN**

JANUARY 21, 2022

**CONDITIONAL USE AMENDMENT REQUEST**

**PICTURES OF SOUTHWEST SIDE OF CAMPUS  
– LOCATION OPTIONS #S 1 & 2**



Southwest Location – Looking towards Oxford Avenue



Southwest Location – Looking towards Oxford Avenue



Southwest Location – Standing Near Oxford Avenue and Looking East



Southwest Location – view inside the fenced yard



Southwest Location – Standing Near Oxford Avenue and Looking North

# DIOCESE OF SAN ANGELO – PROPOSED LOCATION FOR HOLY ANGELS SCHOOL BUS BARN

JANUARY 21, 2022

## CONDITIONAL USE AMENDMENT REQUEST

PICTURES OF SOUTHEAST SIDE OF CAMPUS –  
LOCATION OPTION # 3



Southeast Location – Looking South towards  
Corner of A&M Avenue & Oxford Avenue



Southeast Location – Looking South towards  
Corner of A&M Avenue & Oxford Avenue



Southeast Location – Looking North Standing at  
the Corner of A&M Avenue & Oxford Ave.



Southeast Location – Looking North  
Standing at the Corner of A&M Avenue  
& Oxford Avenue



Southeast Location – Looking North towards  
Corner of A&M Avenue & Oxford Avenue

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): The Roman Catholic Diocese of San Angelo - Holy Angels Church (Amendment for CU 16-04)

Owner       Representative (Affidavit Required)

P.O. Box 1829      San Angelo      Texas      76902

Mailing Address      City      State      Zip Code

325-651-7500      mwyse@sanangelodiocese.org

Contact Phone Number      Contact E-mail Address

2309 and 2315 South A&M Avenue, San Angelo, Texas 76904

Subject Property Address      City      State      Zip Code

9.633 acres in the College Hills Addition, Section 13, Block 43, Lot 12

Legal Description (can be found on property tax statement or at [www.tamgreenacad.com](http://www.tamgreenacad.com))

Lot Size: 9.633 Acres      Zoning: RS-1

**Section 2: Site Specific Details**

\*Use attachment if necessary.

Existing Use of Property: Property is used for a Religious Institution with a School

Proposed Use/Size: Property is to remain as a Religious Institution with a School on the 9.633 Acres

Proposed Conditional Use (from Section 309): Request to remain as a Conditional Use as a Religious Institution with a School.

This application is to add a 1,100 s.f. (single bus) Bus Barn on the Holy Angels Campus. Houses a single bus - no maintenance to be performed.

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: The proposed bus barn is to be a pre-engineered metal building - colors to match existing adjacent buildings.

The bus barn has a very limited traffic pattern interruption in either location on the site.

**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: There are 3 proposed locations for the new bldg. Two of them are on the west side of the South Existing Building.

The third option is on the south side of the property. The existing (south)Travis Elementary property has a similar existing metal building facing A&M Avenue.

**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 very little impact on the natural environment. Option 1&2 yield a 1.14% impact on the pervious surfaces.

Option 3 yields a 4.14% impact on the existing pervious surfaces. There is no additional sound pollution from this building addition.

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 catholic school purchased a new bus in 2020. The bus is currently parked on the A&M side of the school campus. The intent will be to have an enclosed building in-which to park and protect the bus from the elements and vandalism.

**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: As noted above, the building would match in color with the adjacent structures. The project would include some xeriscape landscaping to camouflage the building if installed at option 3. The existing privacy fence would remain in place on this option 3 as well.

**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.

+MJS  
 \_\_\_\_\_  
 Signature of licensee or authorized representative

1-20-22  
 \_\_\_\_\_  
 Date

Moss Rev. Michael J. Sij  
 \_\_\_\_\_  
 Printed name of licensee or authorized representative

Holy Angels Church/Angelo Chiodone Sclba  
 \_\_\_\_\_  
 Name of business/Entity of representative

**FOR OFFICE USE ONLY:**

Case No.: CU: 22 - 07

Planning Commission date: 2, 21, 22

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

Reviewed/Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

**PLANNING COMMISSION – December 13, 2021  
STAFF REPORT**



|  |  |   |                         |
|--|--|---|-------------------------|
| <b>APPLICATION TYPE:</b>   |  | <b>CASE:</b>                              |                         |
| Conditional Use  |  | CU22-02: 130 Greer Street                 |                         |
| <b>SYNOPSIS:</b>   |  |   |                         |
| <p>A request for approval of a Conditional Use to allow a short term rental as defined in Sec. 406 the Zoning Ordinance in RS-1 (Residential Single-Family) zoning, located at 130 Greer Street.</p> |  |   |                         |
| <b>LOCATION:</b>   |  | <b>LEGAL DESCRIPTION:</b>                 |                         |
| 130 Greer Street   |  | Lot: 8, Blk: 6, Subd: RIVER OAKS ADDITION |                         |
| <b>SM DISTRICT / NEIGHBORHOOD:</b>   |  | <b>ZONING:</b>                            | <b>FUTURE LAND USE:</b> |
| SMD District #1 – Tommy Hiebert<br>Glenmore Neighborhood   |  | RS1- Residential                          | N- Neighborhood         |
|  |  |   | <b>SIZE:</b>            |
|  |  |   | 0.23 acres              |
| <b>THOROUGHFARE PLAN:</b>  |  |   |                         |
| <p><b>Greer Street</b> – Urban Local Street, <u>Required</u>: 50’ right-of-way, 40’ pavement or 36’ pavement with a 4-foot sidewalk, <u>Provided</u>: 50’ ROW with 30’ pavement</p>                  |  |   |                         |
| <b>NOTIFICATIONS:</b>  |  |   |                         |
| 19 notifications mailed within 200-foot radius on February 7 <sup>th</sup>   |  |   |                         |
| <b>STAFF RECOMMENDATION:</b>   |  |   |                         |
| <p>Staff’s recommendation is for the Planning Commission to <b>APPROVE</b> the proposed Conditional Use to allow a short term rental at this location.</p>   |  |   |                         |
| <b>PROPERTY OWNER/PETITIONER:</b>  |  |   |                         |
| <p><b>Property Owner:</b><br/>Blue &amp; Taylor Investments LLC</p> <p><b>Applicant:</b><br/>Quentin Taylor and Randall Blue</p>   |  |   |                         |
| <b>STAFF CONTACT:</b>  |  |   |                         |
| <p>Kyle Warren<br/>Planner I<br/>(325) 657-4210, Extension 1546<br/><a href="mailto:Kyle.warren@cosatx.us">Kyle.warren@cosatx.us</a></p>   |  |   |                         |



**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. No, the applicant plans to make no changes to existing structures on the lot. This property has been a short term rental previously.
2. **Consistent with Zoning Ordinance.** Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance. No, a short term rental has been permitted at this location before, a residential RS-1 zone.
3. **Compatible with Surrounding Area.** Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land. The rental would be a residential property on Greer Street surrounded by other residential properties. The vision plan is also for neighborhood future use.
4. **Effect on Natural Environment.** Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment. Staff does not believe that rental will have any adverse effects on the environment.
5. **Community Need.** Whether and the extent to which the proposed conditional use addresses a demonstrated community need. The short term rental will address a need for rentals near Goodfellow Air Force Base as there are none close (data on this found per our planning map).
6. **Development Patterns.** Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community. The applicant does not plan to alter any of the existing structures or add on to them and adequate parking is provided. The use will remain residential.

**Recommendation:**

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

1. The owner shall maintain all off-street parking on the premises in a manner consistent with Section 406 & 511 of the Zoning Ordinance.

2. The property owner shall maintain the Short Term Rental operation in a manner consistent with Section 406 of the Zoning Ordinance including a required renewal in one year, with subsequent renewals every two years.
3. The property owner is required to have a Fire Marshal inspection and a building inspection for a change of occupancy to ensure compliance with the requirements for the Conditional Use.

**Attachments:**

Zoning Map

Notification Map

Site Images



Source: Esri, Maxar, © GeoEye, Earthstar, AeroGRID, IGN, and the GIS User Community

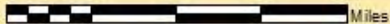
**CU22-02 200' zoning map**

**134 Greer St**


Council District: Tommy Hiebert- District 1

Neighborhood: Glenmore

Scale: 0 0.005 0.01 0.02 0.03 0.04



**Legend**

Subject Property: 

Current Zoning: **RS-1**





**CU22-02 200' notification buffer**

**130 Greer St**

Council District: Tommy Hiebert- District 1

Neighborhood: Glenmore

Scale: 0 0.005 0.01 0.02 0.03 0.04



**Legend**

Subject Property:

Current Zoning: **RS-1**





Existing home




Street view looking west



Street view looking east

**PLANNING COMMISSION – FEBRUARY 21, 2022  
STAFF REPORT**



|   |  |   |                         |
|---|--|---|-------------------------|
| <b>APPLICATION TYPE:</b>  |  | <b>CASE:</b>  |                         |
| Conditional Use   |  | CU22-03: 3029 W. Beauregard Avenue  |                         |
| <b>SYNOPSIS:</b>  |  |   |                         |
| The applicant is a technology company that provides wireless internet services to San Angelo businesses and residents. They have applied for a Conditional Use to allow a 60-foot telecommunication tower on the property to serve the local community. |  |   |                         |
| <b>LOCATION:</b>  |  | <b>LEGAL DESCRIPTION:</b>   |                         |
| 3029 W. Beauregard Avenue   |  | West ½ of Lot 6, Lots 7 & 8 in the J. M. Allen Addition                               |                         |
| <b>SM DISTRICT / NEIGHBORHOOD:</b>  |  | <b>ZONING:</b>  | <b>FUTURE LAND USE:</b> |
| SMD District #5 – Karen Hesse Smith<br>Santa Rita Neighborhood  |  | CN  | N – Neighborhood Center |
|   |  |   | <b>SIZE:</b>            |
|   |  |   | 0.463 acres             |
| <b>THOROUGHFARE PLAN:</b>   |  |   |                         |
| <b>W. Avenue N (arterial street)</b> – Required: 80’ right-of-way; Paving: 64’; Provided: 70’ right-of-way, 64’ paving (pre-existing)   |  |   |                         |
| <b>W. Beauregard Ave (arterial street)</b> – Required: 80’ right-of-way; Paving: 64’; Provided: 60’ right-of-way, 52’ paving (pre-existing)   |  |   |                         |
| <b>NOTIFICATIONS:</b>   |  |   |                         |
| 25 notifications mailed within 200-foot radius on February 9, 2022. No responses have been received to date.  |  |   |                         |
| <b>STAFF RECOMMENDATION:</b>  |  |   |                         |
| Staff recommends <b>APPROVAL</b> of CU22-03, <b>subject to five Conditions of Approval.</b>   |  |   |                         |
| <b>PROPERTY OWNER/PETITIONER:</b>   |  |  |                         |
| Owner: Michael Strain<br>Petitioner: Power Systems Computers  |  |   |                         |
| <b>STAFF CONTACT:</b>   |  |   |                         |
| Jeff Fisher, AICP<br>Chief Planner<br>(325) 657-4210, Ext. 1550<br><a href="mailto:jeff.fisher@cosatx.us">jeff.fisher@cosatx.us</a>   |  |   |                         |

**Additional Information:** The applicant erected a similar tower in 2021 without a conditional use or permit. Permits and Inspections sent a notice of violation. The applicant has now submitted this Conditional Use for a new tower replacing the previous tower. The new tower will be of steel construction at a height of 60 feet, as compared to the existing tower which is 58 feet in height.

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

- 1. Impacts Minimized. Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** The property is located in a CN zoning district which allows a variety of retail commercial uses. It is also close to the Sherwood Way corridor which contains other towers and equipment. The tower will be located on the east side of the property furthest away from the abutting streets as possible to minimize impact.
- 2. Consistent with Zoning Ordinance. Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** The tower will comply with all required setbacks under Section 426 of the Zoning Ordinance, and will be at least 50 feet from the nearest property line facing a street (W. Avenue N).
- 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, there are other towers in the area and this property is located on a corner site adjacent to a commercial corridor. Staff believes it is compatible with the surrounding area.
- 4. Effect on Natural Environment. Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Planning Staff does not anticipate any 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 applicant indicates that the tower will provide needed internet service to 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.** Development patterns will not change if this application is approved. The tower will locate on an existing developed site which has the main business building.



**Recommendation:**

Staff recommends **APPROVAL** of CU22-03, **subject to five conditions of approval:**


1. No more than one telecommunication tower shall be permitted on the subject property. The tower shall not exceed a height of 60 feet, including any apparatus attached to the tower itself.
2. The proposed telecommunication facility shall comply with all applicable standards set forth in Section 426 of the Zoning Ordinance.
3. The Petitioner shall indicate the final latitudinal and longitudinal coordinates related to the set placement of the telecommunication tower on the Building Permit for GIS tracking purposes.
4. The tower shall be co-locatable which can support a minimum of two antenna arrays from two separate wireless communication system providers or users.
5. The applicant shall provide the Planning Director and Airport Director with a signed approval from the Federal Aviation Administration (FAA) if necessary.



**Attachments:**

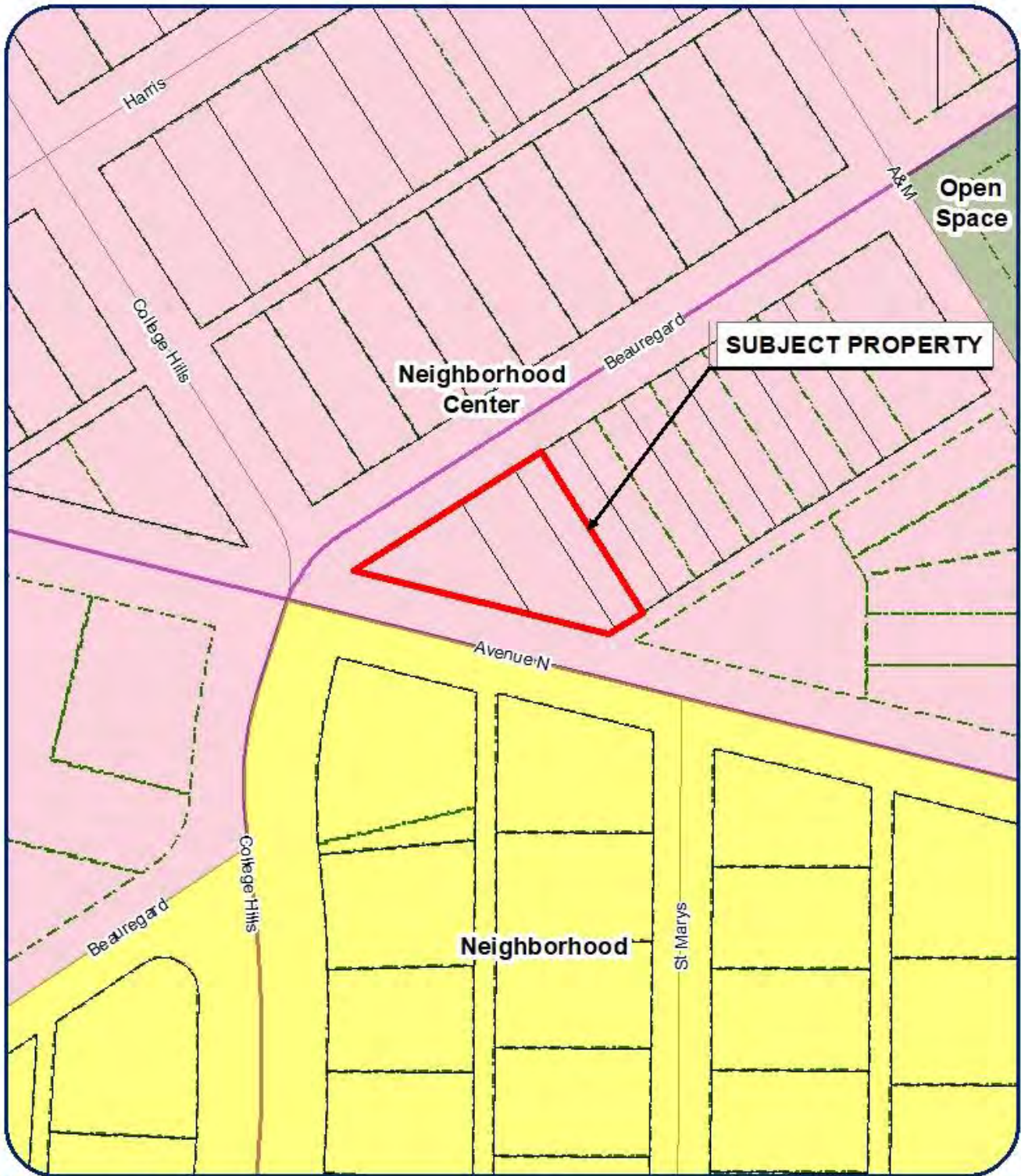
Aerial Map  
Future Land Use Map  
Zoning Map  
Plans  
Application



**Conditional Use**  
**CU22-03: 3029 W. Beauregard Avenue**  
Council District: Karen Hesse Smith - District 5  
Neighborhood: Santa Rita Neighborhood  
Scale: 1" approx. = 100 ft  
**3029 W. Beauregard Ave. 0.463 ac.**

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

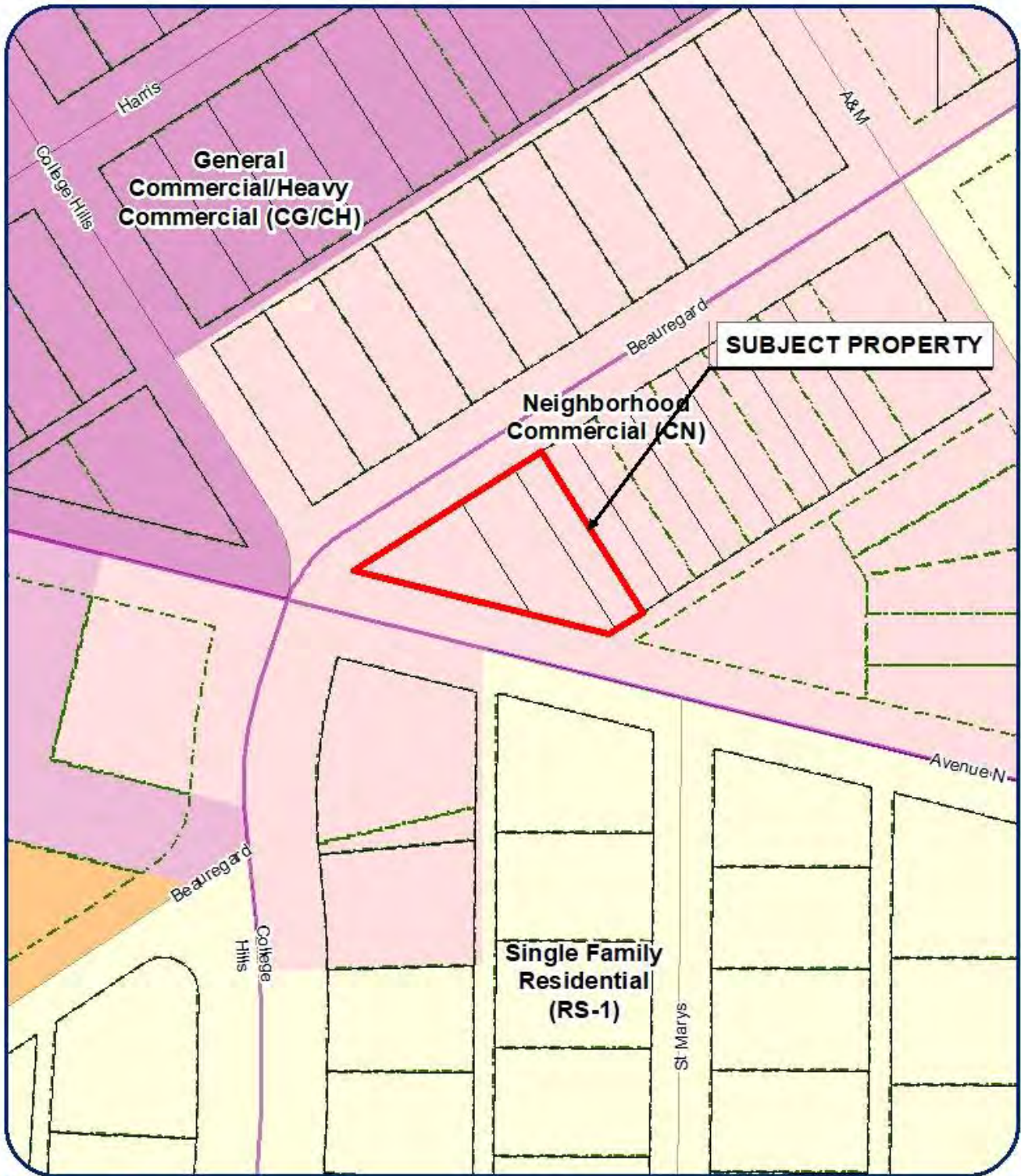
  




**Conditional Use**  
**CU22-03: 3029 W. Beauregard Avenue**  
Council District: Karen Hesse Smith - District 5  
Neighborhood: Santa Rita Neighborhood  
Scale: 1" approx. = 100 ft  
**3029 W. Beauregard Ave. 0.463 ac.**

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

**Conditional Use**  
**CU22-03: 3029 W. Beauregard Avenue**  
Council District: Karen Hesse Smith - District 5  
Neighborhood: Santa Rita Neighborhood  
Scale: 1" approx. = 100 ft  
**3029 W. Beauregard Ave. 0.463 ac.**

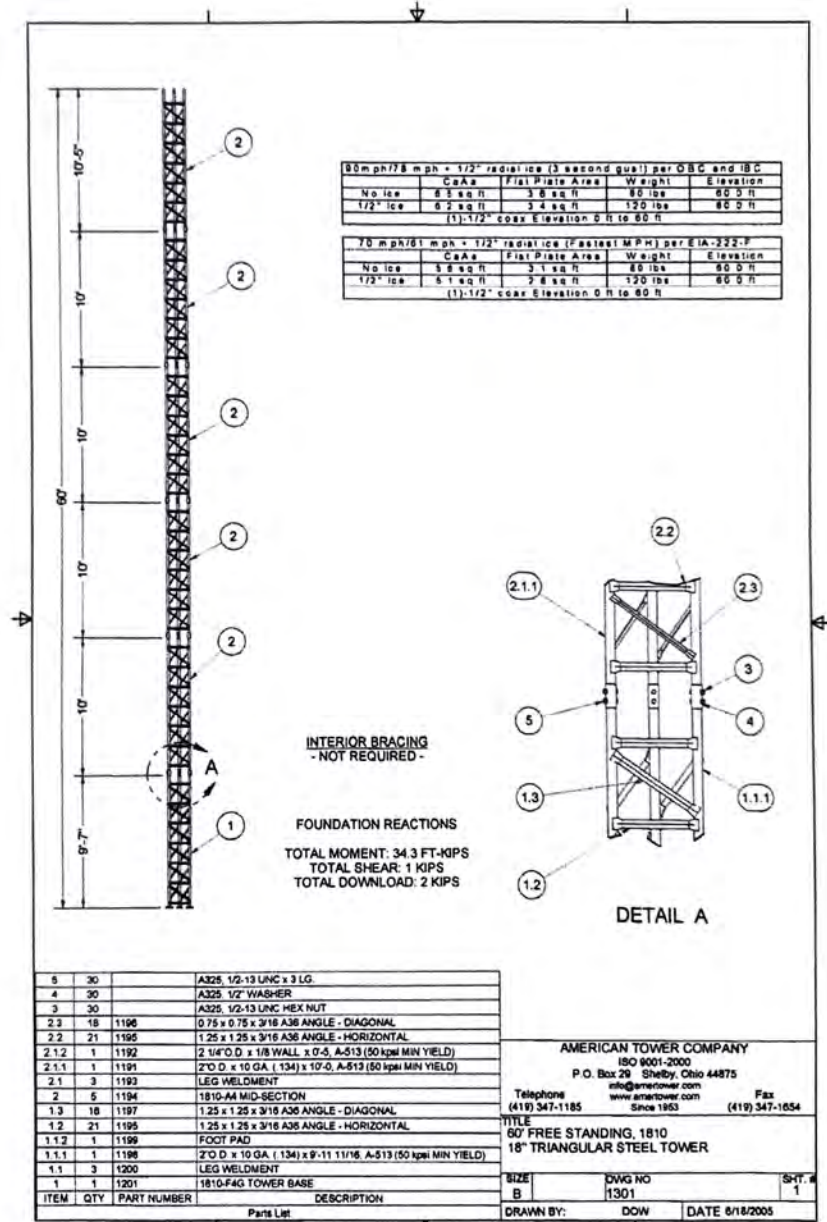
**Legend**  
Subject Properties:   
Current Zoning: **CN**  
Requested Zoning Change: **N/A**  
Vision: **Neighborhood Center**



CONCEPT PLAN



ELEVATION




L:\COURT\COMPL\11-2017



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

### Application for Approval of a Conditional Use



Jeff

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**Section 1: Basic Information**

Name of Applicant(s): Power Systems  
 Owner     Representative (Affidavit Required)

3029 W. Beauregard Ave                      San Angelo    TX                      76901  
Mailing Address                                      City                      State                      Zip Code

325-944-7777                      corey.peddy@powersystemscomputers.com  
Contact Phone Number                                      Contact E-mail Address

Same as above  
Subject Property Address                                      City                      State                      Zip Code

Lot: 7 & 8 & WEST 1/2 OF LOT 6, Blk: 7, Subd: ALLEN J M ADDITION  
Legal Description (can be found on property tax statement or at [www.tomgreenad.com](http://www.tomgreenad.com))

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Lot Size: .46 Acres                                      Zoning: CN Neighborhood Commercial

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**Section 2: Site Specific Details**

\*Use attachment if necessary.

Existing Use of Property: Power Systems - technology company and Powernet Wireless internet  
Proposed Use/Size: 60 foot tower, self supporting tower to be used to transport our services all over the Concho Valley  
Proposed Conditional Use (from Section 309): \_\_\_\_\_

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: None

**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: There are towers all over San Angelo and this is a much shorter tower being placed on the property.

**Effect on Natural Environment.** Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to, adverse impacts on water and air quality, noise, storm-water management, wildlife, vegetation, wetlands and the practical function of the natural environment.  
Explanation: None

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Hours of Operation: 8 AM -12 PM & 1PM – 5 PM 325-657-4210, #2 [www.cosatx.us/planning](http://www.cosatx.us/planning)

REVISED JANUARY 3, 2011

**Section 2 continued: Site Specific Details**

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

Explanation: This community needs alternatives in internet service. This tower allows us to service the community better

**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: none

**Section 3: Applicant(s) Acknowledgement**

Please initial the following:

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

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

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

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

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

\_\_\_\_\_  
 Signature of licensee or authorized representative

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Printed name of licensee or authorized representative

\_\_\_\_\_  
 Name of business/Entity of representative

**FOR OFFICE USE ONLY:**

Case No.: CU: \_\_\_\_\_

Planning Commission date: 21, 21, 22

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

Reviewed/Accepted by: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_





# STAFF REPORT

Planning Commission: February 21<sup>st</sup>, 2022

|   |                       |  |              |
|---|-----------------------|--|--------------|
| <b>APPLICATION TYPE:</b>  |                       | <b>CASE:</b>                                 |              |
| Conditional Use   |                       | CU22-04: 224 W. Ave B                        |              |
| <b>SUMMARY:</b>   |                       |  |              |
| A request for approval of a Conditional Use to allow a short-term rental (STR) in an RS-2 zoning district, located at 224 W. Ave B, being 0.14 acres. There are no other STR's within 500-feet. |                       |  |              |
| <b>LOCATION:</b>  |                       | <b>LEGAL DESCRIPTION:</b>                    |              |
| 224 W Avenue B, San Angelo, TX, 76903, USA  |                       | Lot: 15, Blk: 71, Subd: FORT CONCHO ADDITION |              |
| <b>SM DISTRICT / NEIGHBORHOOD:</b>  | <b>ZONE DISTRICT:</b> | <b>VISION PLAN:</b>                          | <b>SIZE:</b> |
| District 3: Harry Thomas Fort Concho Neighborhood   | RS-2                  | Downtown                                     | 0.138 acres  |
| <b>NOTIFICATIONS:</b>   |                       |  |              |
| 21 notification letters were mailed out to the property owners within a 200-foot buffer of the subject property.  |                       |  |              |
| <b>THOROUGHFARE PLAN</b>  |                       |  |              |
| Avenue B: Local Road, 50' ROW required (82' Existing), 40' pavement required (52' Existing)   |                       |  |              |
| <b>STAFF RECOMMENDATION:</b>  |                       |  |              |
| Staff recommends <b>approval</b> of CU22-04: 224 W. Ave B, being 0.138 acres, <b>subject to three conditions of approval.</b>   |                       |  |              |
| <b>PROPERTY OWNER/PETITIONER:</b>   |                       |  |              |
| Property Owner: Dave Levesque   |                       |  |              |
| <b>STAFF CONTACT:</b>   |                       |  |              |
| Rafael Alvarado<br>Planner<br>(325) 657-4210, Extension 1533<br><a href="mailto:rafael.alvarado@cosatx.us">rafael.alvarado@cosatx.us</a>  |                       |  |              |

**Conditional Use:** 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, as outlined in num. 1-6 below.

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

- i. The proposed use of the property in the RS-2 zone district as short-term use will not have any adverse impacts on the neighborhood. The function of a short-term rental is no different from that of a residence since the building cannot be inhabited by the owners during its short term rental period.

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

- i. There are no resulting conflicts with the zoning ordinance that are caused by the proposed conditional use.

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.

- i. The residential land uses that surround the property in question are perfect for the intended use of the property as a short term (<30 days) residence.

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

- i. Additional environmental effects due to parking are negligible at best. There will be no expansion of parking area at the property to warrant an increase in traffic.

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

- i. The residence is in near proximity to the Downtown San Angelo area, being walking distance (0.25 miles) from the Concho River Walk. This is an excellent area for a STR and will be served adequately by nearby commercial and public amenities.

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.

- i. There will be no disordered development patterns that come from this conditional use since there is no intended construction.

**Recommendation:** Staff's recommendation is for the Planning Commission to **approve** the Conditional Use for a Short-Term-Rental, located at 224 W. Ave B, being 0.138 acres, **subject to three conditions of approval:**

1. The owner shall obtain a Certificate of Occupancy for the Short Term Rental from the Permits and Inspections Division.
2. The owner shall obtain and comply with an annual fire safety inspection by the City Fire Marshal's office.

3. The property owner shall maintain the short-term rental operation in a manner consistent with Section 406 of the Zoning Ordinance, to include adherence to required periodic reviews, and any subsequent permit renewals.

**Attachments:**

Notification Map  
Satellite Map  
Zoning Map  
Vision Plan Map




**CU22-04: Satellite Imagery**

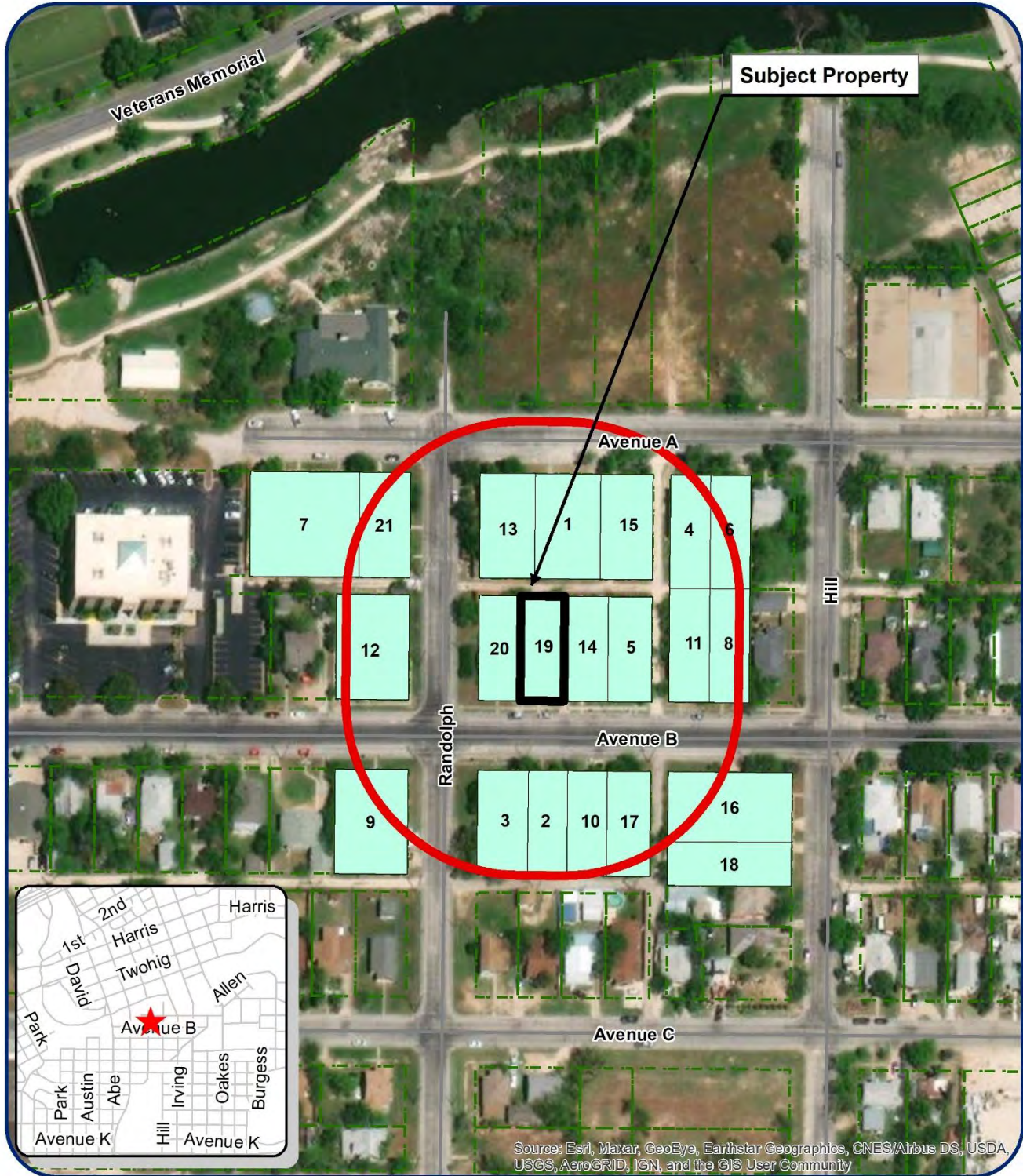
**224 W. Avenue B**

Council District 3 - Harry Thomas  
 Neighborhood: Fort Concho  
 Scale: 1" approx. = 146 ft

**Legend**

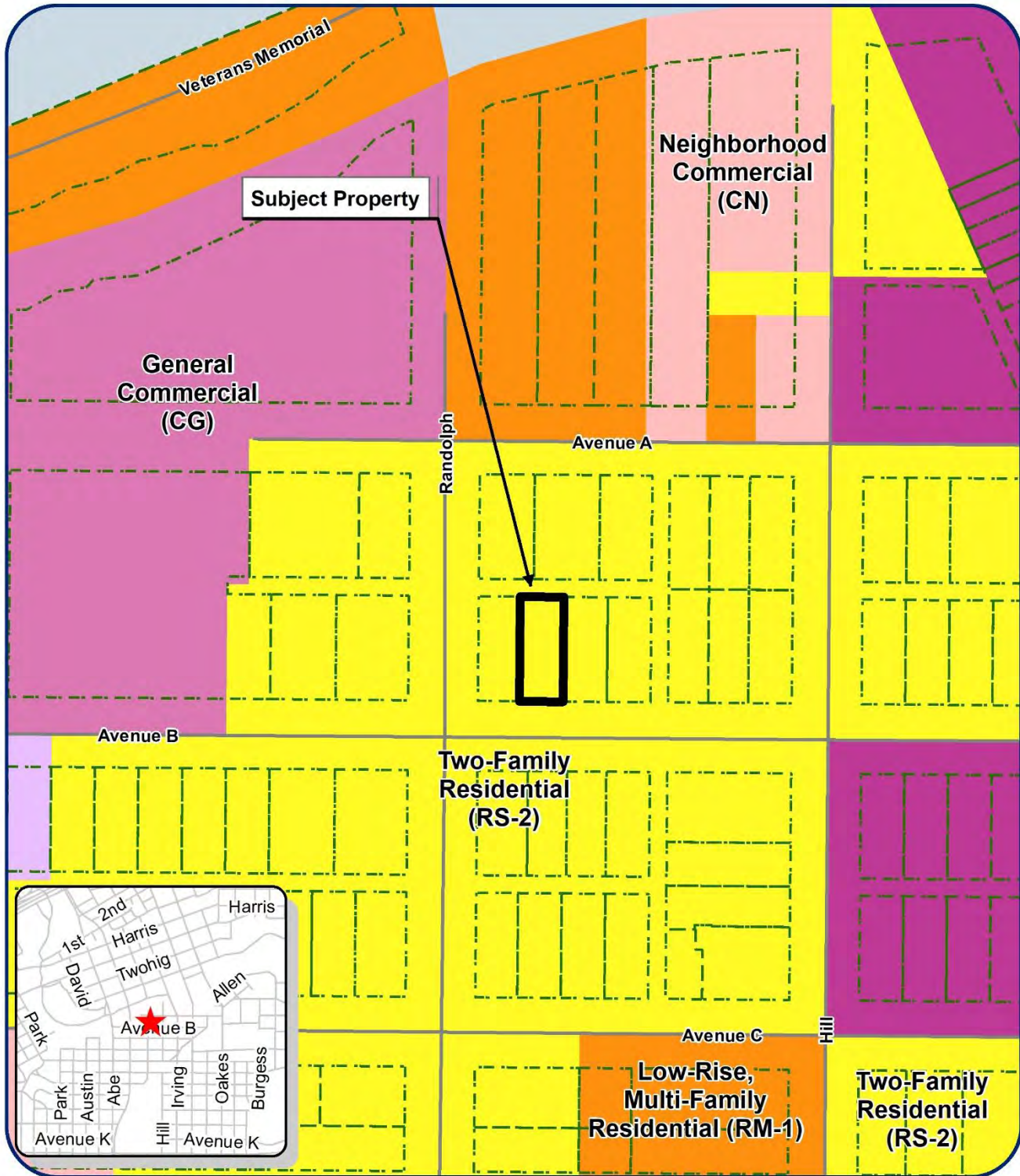
Subject Properties:   
 Current Zone District: RS-2  
 Requested Zone District: N/A  
 Vision Plan: Neighborhood





Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

|   |  |  |  |
|---|--|--|--|
| <p><b>Notification Map</b></p>  | <p><b>Legend</b></p>   |  |  |
| <p><b>224 W. Avenue B</b><br/>         Council District 3 - Harry Thomas<br/>         Neighborhood: Fort Concho<br/>         Scale: 1" approx. = 146 ft</p> | <p>Subject Properties:  —<br/>         Current Zone District: <b>RS-2</b><br/>         Requested Zone District: <b>N/A</b><br/>         Vision Plan: <b>Neighborhood</b></p> |  |  |




**CU22-04: Zone Districts**

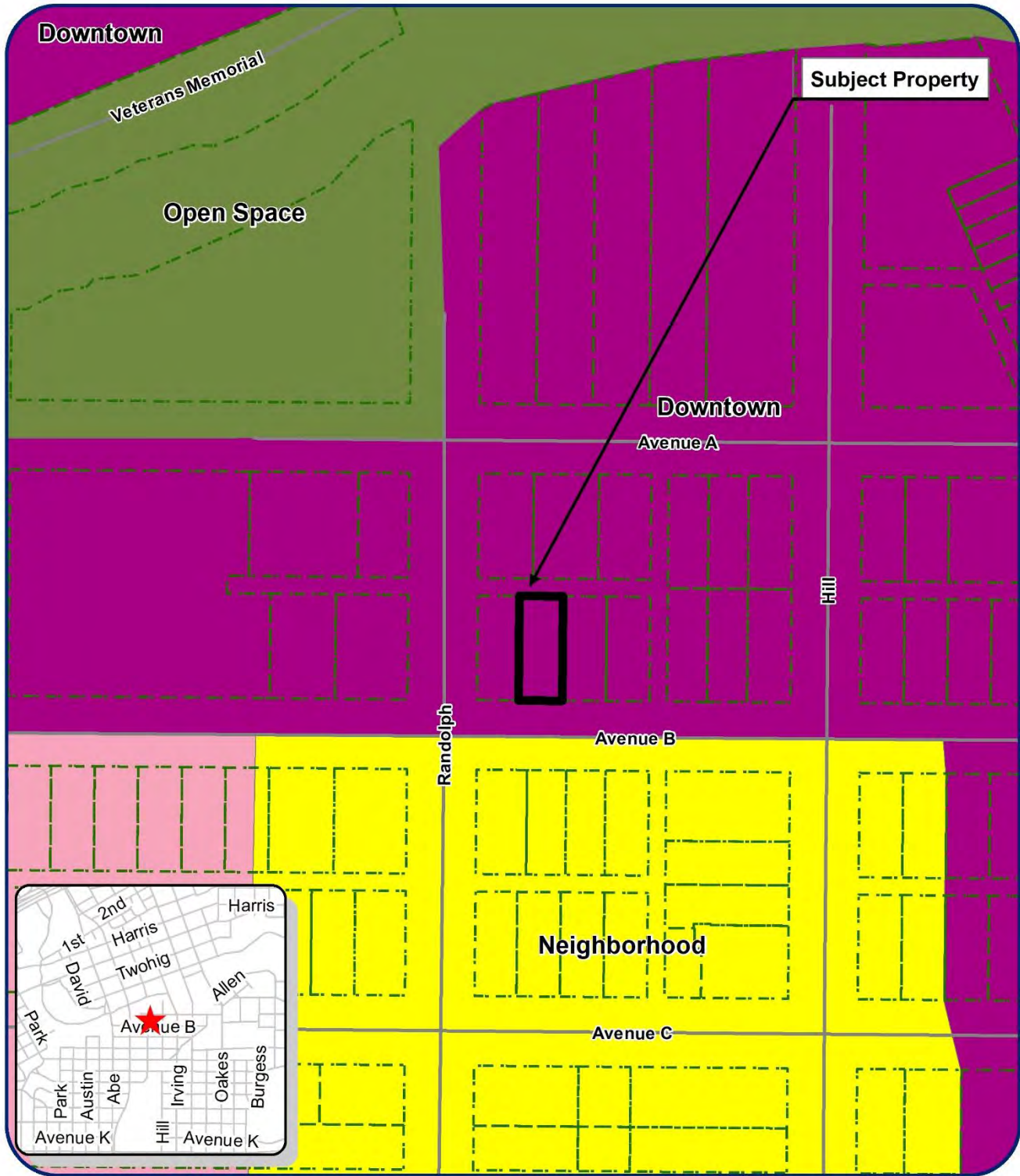
**224 W. Avenue B**

Council District 3 - Harry Thomas  
 Neighborhood: Fort Concho  
 Scale: 1" approx. = 146 ft

**Legend**

Subject Properties:   
 Current Zone District: RS-2  
 Requested Zone District: N/A  
 Vision Plan: Neighborhood






**CU22-04: Vision Plan**

**224 W. Avenue B**

Council District 3 - Harry Thomas  
Neighborhood: Fort Concho  
Scale: 1" approx. = 146 ft

**Legend**

- Subject Properties: 
- Current Zone District: RS-2
- Requested Zone District: N/A
- Vision Plan: Neighborhood








**PLANNING COMMISSION – FEBRUARY 21, 2022  
STAFF REPORT**



|   |  |   |                                      |
|---|--|---|--------------------------------------|
| <b>APPLICATION TYPE:</b>  |  | <b>CASE:</b>  |                                      |
| Conditional Use   |  | CU22-05: 3801 Green Meadow Drive (Short-Term Rental Renewal)                          |                                      |
| <b>SYNOPSIS:</b>  |  |   |                                      |
| On January 25, 2021, the applicant received approval from the Planning Commission for a Short-Term Rental (STR) on the property. Section 406.A.2 of the Zoning Ordinance requires that STRs are renewed within one year, and then every two years after that by receiving a new Conditional Use approval. The applicant has applied to renew her short-term rental for an additional two years. |  |   |                                      |
| <b>LOCATION:</b>  |  | <b>LEGAL DESCRIPTION:</b>   |                                      |
| 3801 Green Meadow Drive   |  | Lot 1-A in Block 45, Meadowcreek Addition   |                                      |
| <b>SM DISTRICT / NEIGHBORHOOD:</b>  |  | <b>ZONING:</b>  | <b>FUTURE LAND USE:</b> <b>SIZE:</b> |
| SMD District 6 – Larry Miller<br>Neighborhood – Bonham  |  | RM-1 – Low-Rise Multi-Family Residential  | Neighborhood    0.066 acres          |
| <b>THOROUGHFARE PLAN:</b>   |  |   |                                      |
| <i>Green Meadow Drive</i> – Urban Collector Street - 60' ROW required (60' existing), 50' pavement required (40' provided)  |  |   |                                      |
| <b>NOTIFICATIONS:</b>   |  |   |                                      |
| 22 notifications mailed within 200-foot radius on February 9, 2022; Zero received in support or opposition.   |  |   |                                      |
| <b>STAFF RECOMMENDATION:</b>  |  |   |                                      |
| Staff recommends <b>APPROVAL</b> of a Conditional Use to allow a renewal of a Short-Term Rental in the Low-Rise Multi-Family (RM-1) Zoning District, on the subject property, <b>subject to three Conditions of Approval</b> .  |  |   |                                      |
| <b>PROPERTY OWNER/PETITIONER:</b>   |  |  |                                      |
| <i>LoriAnn Padilla (JKLS Properties, LLC)</i>   |  |   |                                      |
| <b>STAFF CONTACT:</b>   |  |   |                                      |
| Jeff Fisher, AICP<br>Chief Planner<br>(325) 657-4210, Extension 1550<br><a href="mailto:jeff.fisher@cosatx.us">jeff.fisher@cosatx.us</a>  |  |   |                                      |

**Additional Information:** Staff have contacted Code Compliance and San Angelo Police (SAPD) to determine if there were any violations or incidents in the past year since the initial STR was approved. Staff found no significant violations or police incidents. A few false alarms were reported by SAPD, and a minor weed violation reported by Code Compliance was resolved.

**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 short term rental will be conducted inside the existing dwelling unit on the property and will not change the exterior character of the dwelling.
- 2. Consistent with Zoning Ordinance. Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** Two required parking spaces existing on the front driveway facing Green Meadow Drive. The RM-1 zoning allows the existing dwelling unit, and the STR with Conditional Use approval. Green Meadow Drive is 40 feet wide, greater than the minimum of 30 feet required and there are no other STRs within 500 feet as required.
- 3. Compatible with Surrounding Area. Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** The STR will be compatible with the surrounding area which includes multi-family residential living on both sides, and a proposed multifamily housing complex to the north (PD20-02).
- 4. Effect on Natural Environment. Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Planning Staff believes there have not been any adverse impacts on the natural environment. The subject use is located within an existing residential structure and maintains the existing building footprint on the property.
- 5. Community Need. Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** Staff believes there is a demonstrated community need for a Short Term Rental in this location given close proximity to Loop 306 and commercial amenities including Sunset Mall.
- 6. Development Patterns. Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.** The existing short-term rental is not anticipated to have any adverse effect on existing development patterns. The property has abutting access to Green Meadow Drive, a collector road which is a short drive to Loop 306 connecting visitors to various parts of the City.

**Recommendation:**

Staff recommends **APPROVAL** of a Conditional Use to allow a renewal of a Short-Term Rental in the Low-Rise Multi-Family (RM-1) Zoning District, on the subject property, **subject to three Conditions of Approval**.

1. The owner shall maintain the required two (2) off-street parking spaces and maintain them in a manner consistent with Section 511 of the Zoning Ordinance.
2. The owners shall obtain a Certificate of Occupancy for the Short Term Rental from the Permits and Inspections Division.
3. The applicant shall register with the State of Texas and City of San Angelo for the purpose of Hotel Occupancy Tax and forward copies of the tax registration documents to the Planning Division.

**Attachments:**




Property Location Map  
Aerial Map  
Future Land Use Map  
Zoning Map  
Application

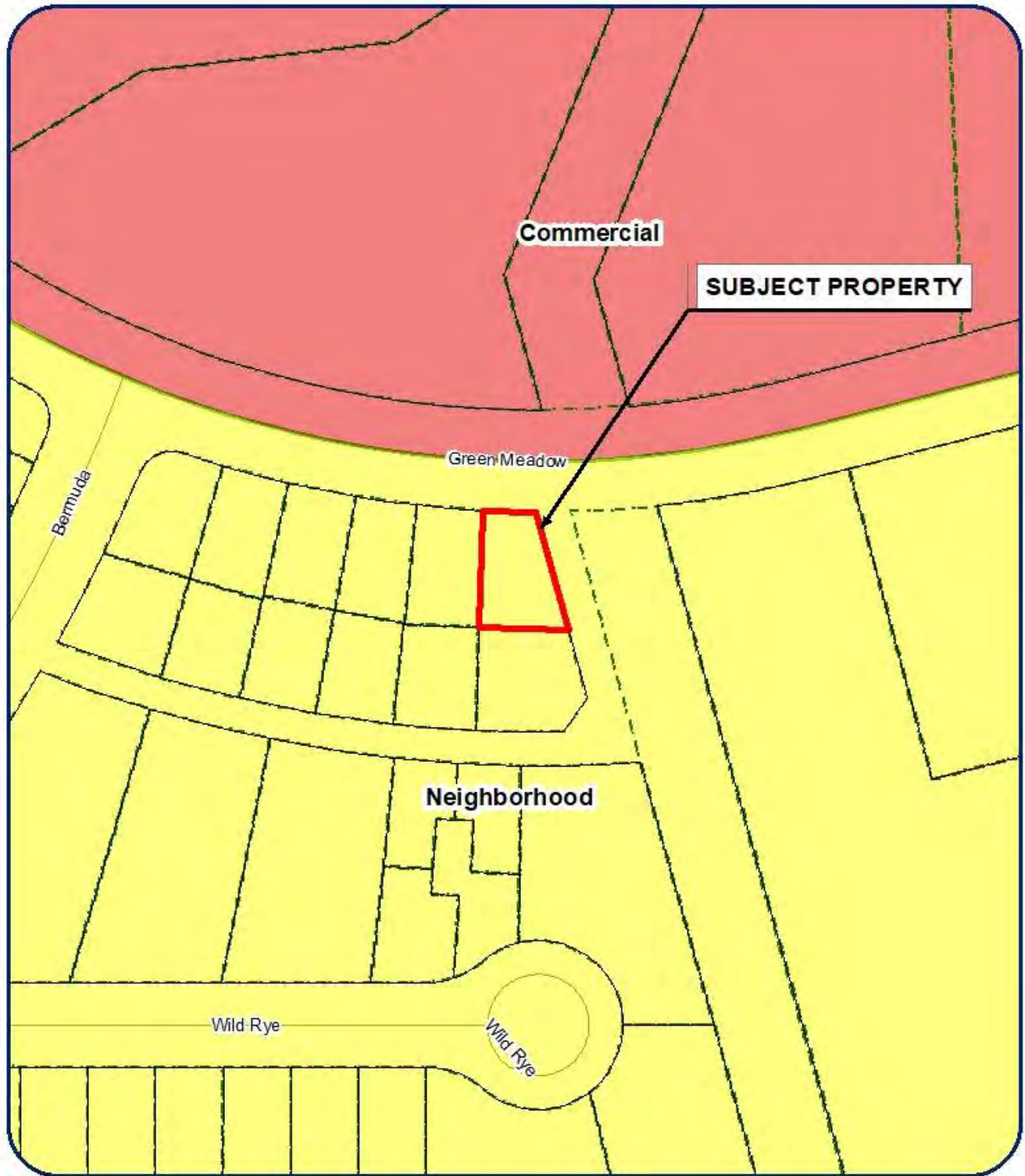
Property Location Map





Sources: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

|   |  |   |   |
|---|--|---|---|
| <p><b>Conditional Use</b></p> <p><b>CU22-05: 3801 Green Meadow Drive</b></p> <p>Council District: Larry Miller - District 6<br/>Neighborhood: Bonham Neighborhood<br/>Scale: 1" approx. = 75 ft</p> <p><b>3801 Green Meadow Drive</b></p> | <p><b>Legend</b></p> <p>Subject Properties: </p> <p>Current Zoning: <b>RM-1</b></p> <p>Requested Zoning Change: <b>N/A</b></p> <p>Vision: <b>Neighborhood</b></p> | <p><b>N</b></p>  |  |
|---|--|---|---|




**Conditional Use**

**CU22-05: 3801 Green Meadow Drive**

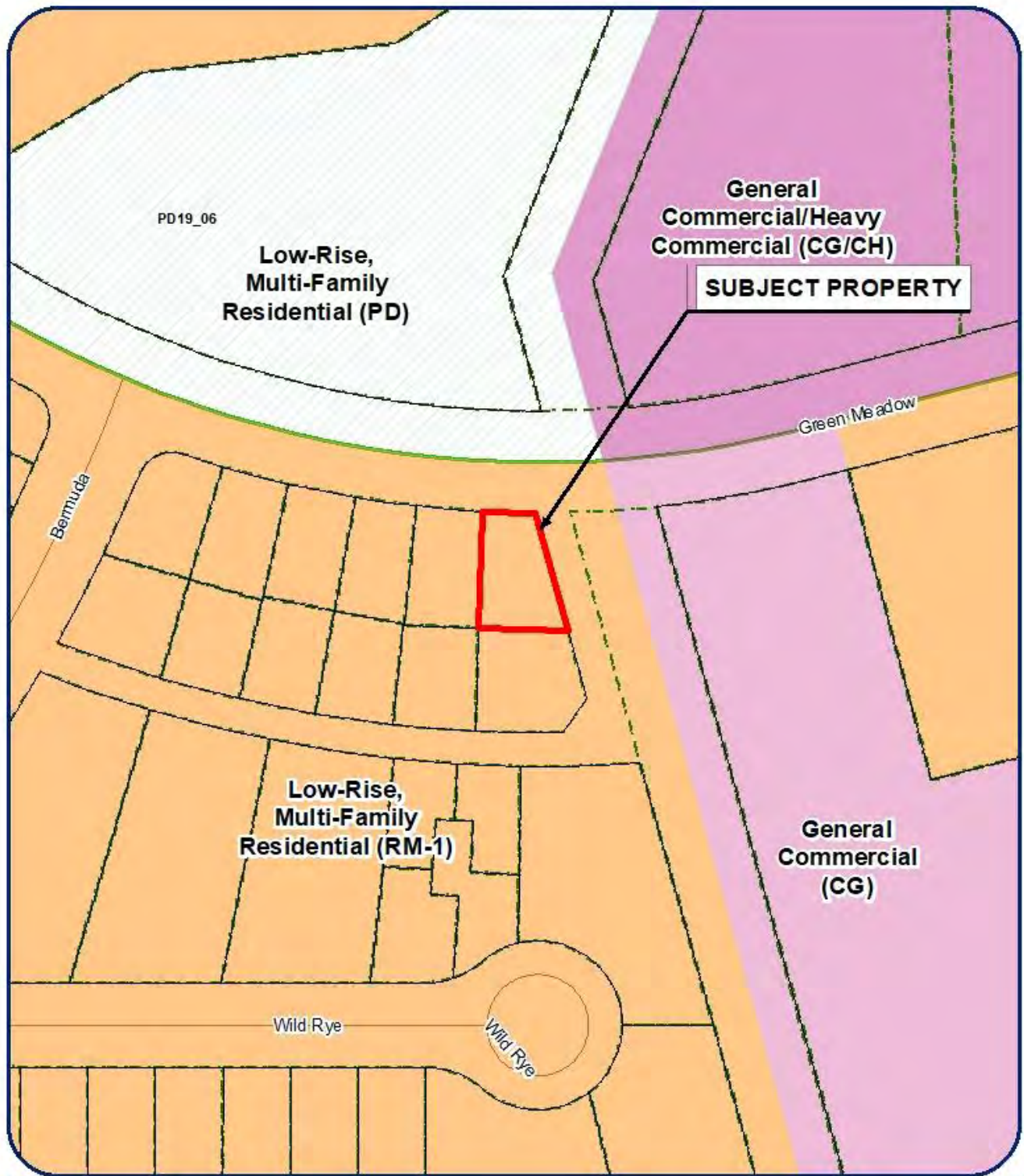
Council District: Larry Miller - District 6  
Neighborhood: Bonham Neighborhood  
Scale: 1" approx. = 75 ft

**3801 Green Meadow Drive**


**Legend**



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







**Conditional Use**  
**CU22-05: 3801 Green Meadow Drive**  
Council District: Larry Miller - District 6  
Neighborhood: Bonham Neighborhood  
Scale: 1" approx. = 75 ft  
**3801 Green Meadow Drive**

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

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

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

Jeff

Office Use Only - Date Accepted:

---

**Section 1: Basic Information**

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

**LoriAnn Padilla** **Jkls Properties LLC**

Name of Property Owner (s) Name of Operator (s)

**1608 S. Madison** **San Angelo Texas 76901**

Property Owner Mailing Address City State Zip Code

**325-213-5899** **jklsproperties@gmail.com**

Property Owner Contact Phone Number Property Owner Contact E-mail Address

---

Designated Operator Mailing Address City State Zip Code

---

Designated Operator Contact Phone Number Designated Operator Contact E-mail Address

**3801 Green Meadow Drive** **San Angelo Texas 76904**

Short Term Property Address City State Zip Code

Number of bedrooms: 3 Number of Off-street Parking Spaces: \_\_\_\_\_ Zoning: \_\_\_\_\_

---

**Section 2: Site Specific Details**

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

Please initial and provide explanations for the following:

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

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

Explanation: no adverse effects

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

Explanation: provides housing

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**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: no adverse effects

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

Explanation: visitors prefer to stay at a bed and breakfast

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**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: on average visitors will stay longer therefore spend more money when housed in a bed and breakfast



**Section 3: Applicant(s) Acknowledgement**

Please read and initial each of the following:

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

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

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

LOREAN FORTNA Loreann Fortna  
Printed name and Signature of Property Owner or Authorized Representative


01/10/2022  
Date

\_\_\_\_\_  
Printed name and Signature of Designated Operator

\_\_\_\_\_  
Date

**PLANNING COMMISSION – FEBRUARY 21, 2022  
STAFF REPORT**



|  |                |   |              |
|--|----------------|---|--------------|
| <b>APPLICATION TYPE:</b>   |                | <b>CASE:</b>  |              |
| Conditional Use  |                | CU22-06: 2701 Southwest Boulevard   |              |
| <b>SYNOPSIS:</b>   |                |   |              |
| <p>On November 29, 1994, the applicant, Tractor Supply, received a Special Permit 94-22 to allow the sale of farm and ranch supplies and parts, including limited outdoor storage and display of merchandise in the General Commercial (CG) Zoning District. The approval limited outdoor storage to a specific areas including not more than 20 feet from the front of the main building. The approval was only for the applicant’s (Tractor Supply) portion of the property, but not the entire 7.35-acre parcel which includes another retail store, Hobby Lobby. The applicant now intends to add additional outdoor storage and display in the front parking area facing Southwest Boulevard, which is not allowed by the Special Permit. Approval of this Conditional Use will allow the existing Tractor Supply (defined as wholesale trade), the new storage location, and extend the approval to the Hobby Lobby portion of the property.</p> |                |   |              |
| <b>LOCATION:</b>   |                | <b>LEGAL DESCRIPTION:</b>   |              |
| 2701 Southwest Boulevard   |                | Being Lot 1A in Block 1 of the Wal-Mart Addition, Section 1A                          |              |
| <b>SM DISTRICT / NEIGHBORHOOD:</b>   | <b>ZONING:</b> | <b>FUTURE LAND USE:</b>   | <b>SIZE:</b> |
| SMD District 6 – Larry Miller<br>Sunset Neighborhood   | CG             | C- Commercial   | 7.35 acres   |
| <b>THOROUGHFARE PLAN:</b>  |                |   |              |
| <p><b>Southwest Boulevard (arterial street)</b> – Required: 80’ right-of-way; Paving: 64’;<br/>Provided: 100’ right-of-way; Paving: 64’</p>  |                |   |              |
| <b>NOTIFICATIONS:</b>  |                |   |              |
| 18 notifications mailed within 200-foot radius on February 9, 2022. No responses have been received to date.   |                |   |              |
| <b>STAFF RECOMMENDATION:</b>   |                |   |              |
| Staff recommends <b>APPROVAL</b> of CU22-06, <b>subject to four Conditions of Approval.</b>  |                |   |              |
| <b>PROPERTY OWNER/PETITIONER:</b>  |                |  |              |
| Owner: Sunset Crossing, LLC<br>Petitioner: Justin Wood, Tractor Supply Co.   |                |   |              |
| <b>STAFF CONTACT:</b>  |                |   |              |
| Jeff Fisher, AICP<br>Chief Planner<br>(325) 657-4210, Ext. 1550<br><a href="mailto:jeff.fisher@cosatx.us">jeff.fisher@cosatx.us</a>  |                |   |              |

**Additional Information:** The original Special Permit 94-22 allowed a total of 20,524 square feet of outdoor storage and display shown in the ordinance on the approved site plan. Tractor supply now plans to remove 3,744 square feet of this area for a new greenhouse and add 15,000 square feet of outdoor storage and display for an increase of 11,256 square feet and a total of 31,780 square feet, just under 10% of the total site area.

**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.** Staff believes that the additional outdoor storage will not create any adverse impacts on adjacent properties. The CG zoning allows up to 10% of the overall site area for outdoor storage and display. After expansion, the applicant's outdoor storage and display will remain within the maximum 10% of site area allowed. The new storage will be located safely behind a fenced area with an entrance facing the store for convenient access. Customers would be able to park in the nearby parking lot and drive into the fenced area to pick-up their product after purchase.
2. **Consistent with Zoning Ordinance. Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** The proposed changes will comply with all zoning requirements. The outdoor storage and display areas will be located outside of the 25' front yard setback facing Southwest Boulevard and not block any driveway or fire lanes. The overall property requires 360 parking spaces and after the new outdoor areas are added, a total of 375 parking spaces will remain in compliance.
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 request is compatible with the surrounding area. Tractor Supply has existed on the property for 28 years since 1994 and the only change is the additional outdoor storage which will remain within the maximum 10% of site area allowed. The property is located on the corner of the Sherwood Way/Southwest Boulevard commercial corridors and is compatible with other retail commercial developments.
4. **Effect on Natural Environment. Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Planning Staff does not anticipate any adverse impacts on the natural environment.
5. **Community Need. Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** The addition of the garden center in a portion of the old outdoor storage area, combined with increased sales projections, triggers the need for more outdoor storage.

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 that the expanded outdoor storage and display areas will not affect current development patterns. Fencing around the outdoor display will ensure safe traffic circulation, maintain minimum maneuvering clearances; and keep storage and display products off of driveways.

**Recommendation:**

Staff recommends **APPROVAL** of CU22-06, **subject to four Conditions of Approval:**

1. Except as otherwise specified or limited below, the development of the subject properties shall generally conform to the General Commercial (CG) Zoning District development standards.
2. All lighting, if provided, shall be fully shielded so as not to create any spillover glare onto adjacent properties or streets.
3. The applicant shall obtain all required permits from the Permits and Inspections Division.
4. Prior to new development, Council action is required to revoke Special Permit SP94-22.

**Attachments:**

Aerial Map  
Future Land Use Map  
Zoning Map  
Full Concept Plan  
Close-Up Concept Plan  
SP94-22 Site Plan  
Application




**Conditional Use**

**CU22-06: 2701 Southwest Blvd.**

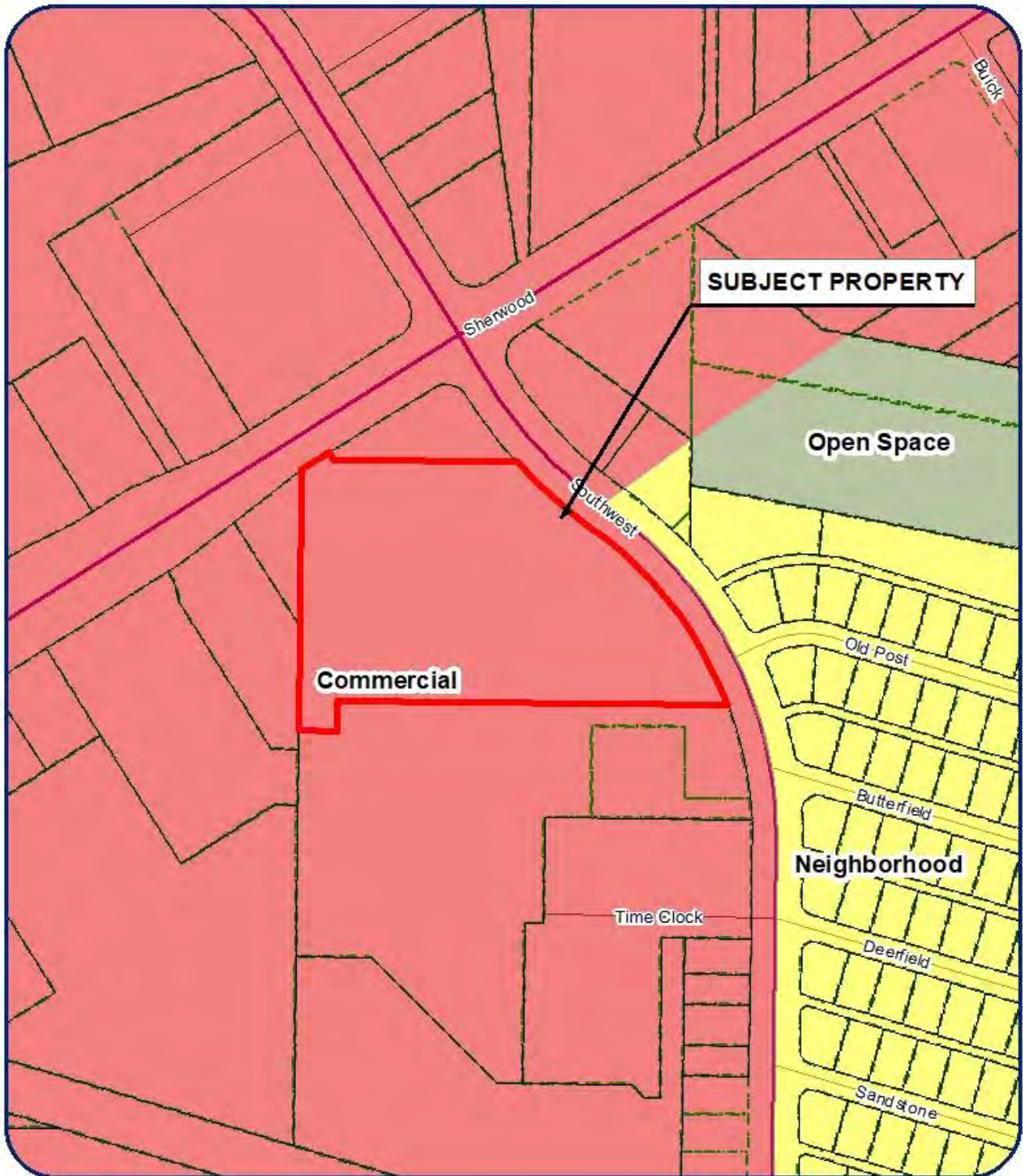
Council District: Larry Miller - District 6  
Neighborhood: Sunset Neighborhood  
Scale: 1" approx. = 250 ft

**2701 Southwest Blvd. 7.35 ac.**


**Legend**



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

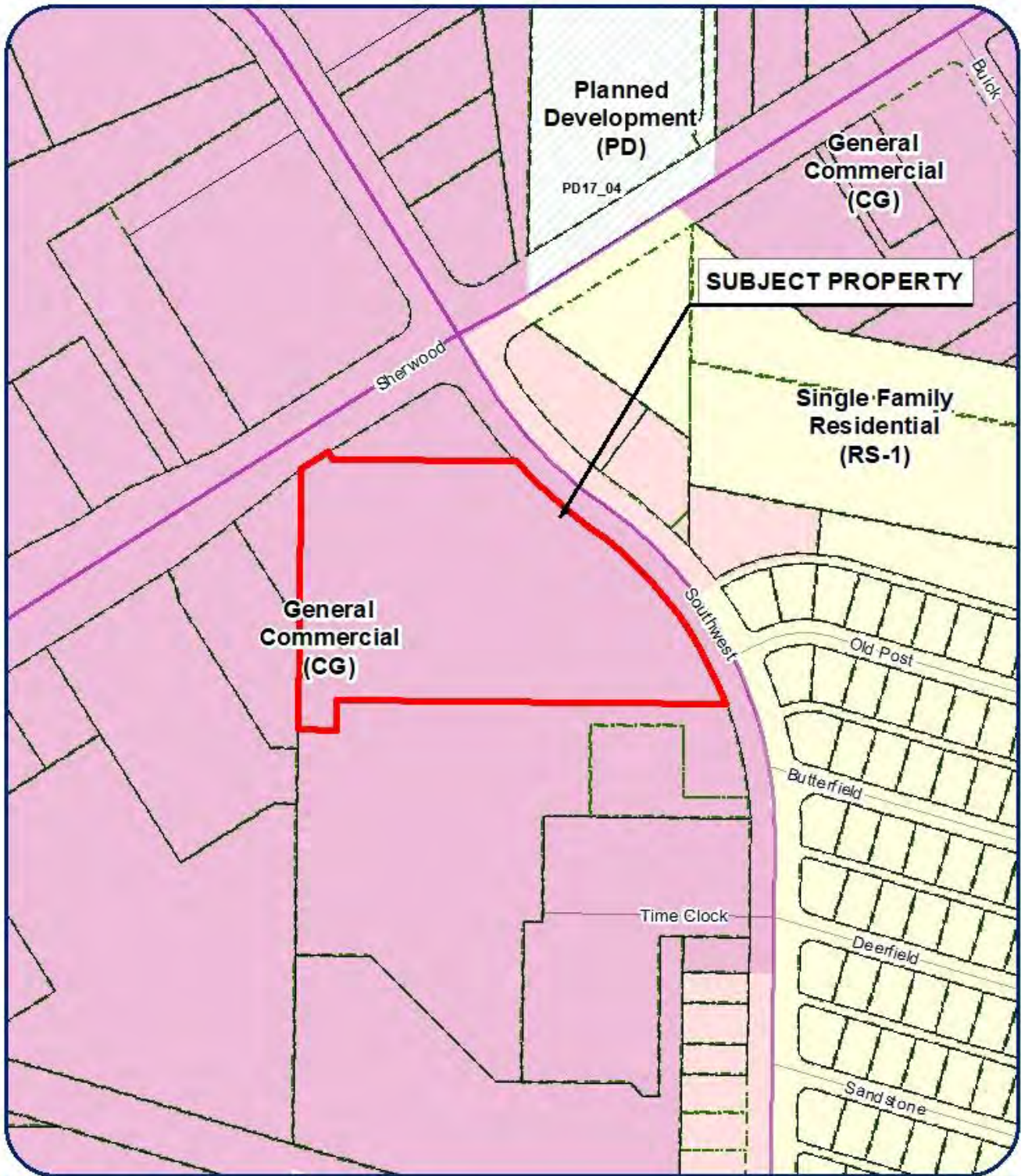





**Conditional Use**  
**CU22-06: 2701 Southwest Blvd.**  
Council District: Larry Miller - District 6  
Neighborhood: Sunset Neighborhood  
Scale: 1" approx. = 250 ft  
**2701 Southwest Blvd. 7.35 ac.**



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



**Conditional Use**  
**CU22-06: 2701 Southwest Blvd.**  
Council District: Larry Miller - District 6  
Neighborhood: Sunset Neighborhood  
Scale: 1" approx. = 250 ft  
**2701 Southwest Blvd. 7.35 ac.**

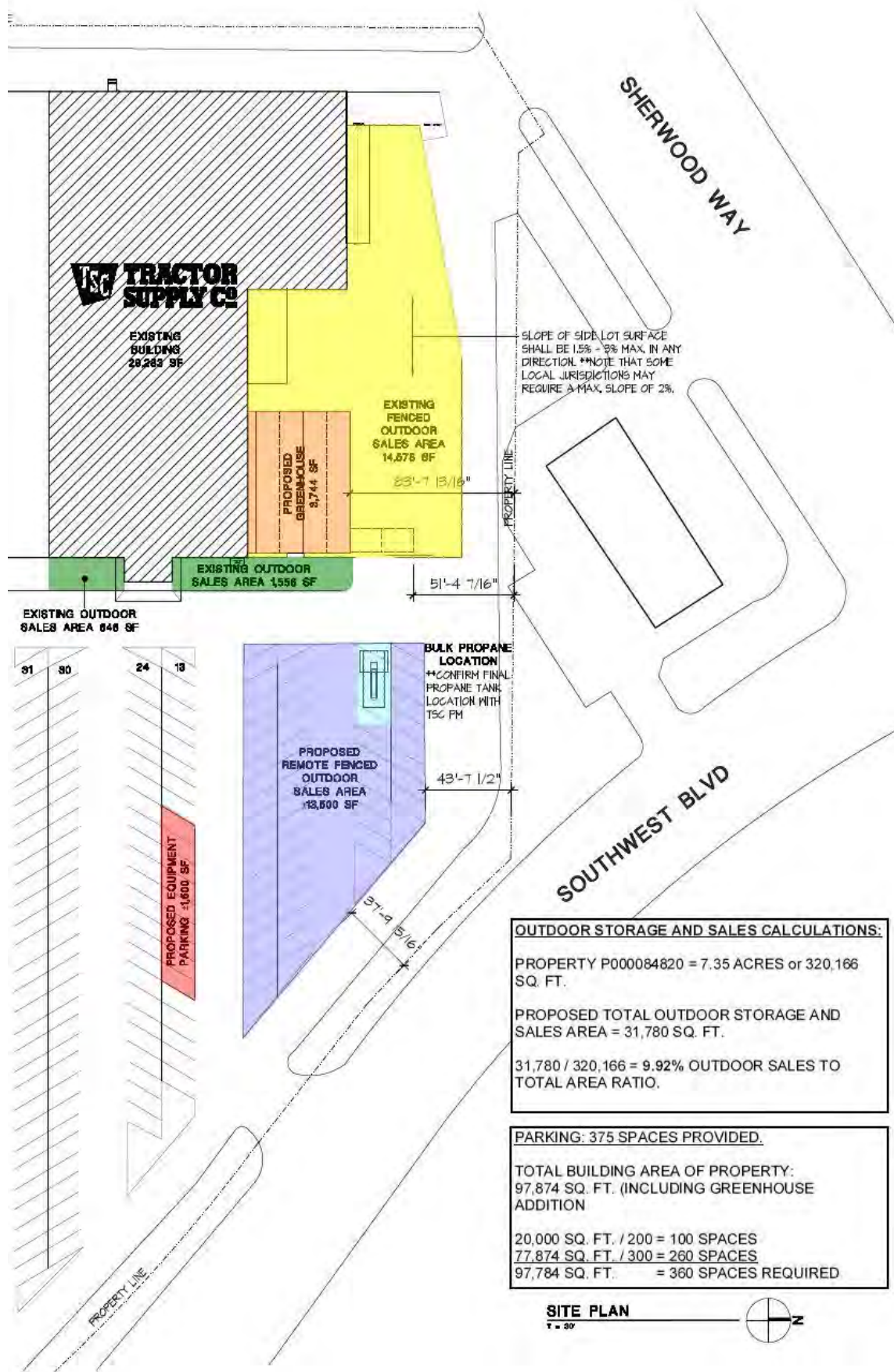
**Legend**  
Subject Properties:   
Current Zoning: **CG**  
Requested Zoning Change: **N/A**  
Vision: **Commercial**





CONCEPT PLAN CLOSE-UP



**OUTDOOR STORAGE AND SALES CALCULATIONS:**  
 PROPERTY P000084820 = 7.35 ACRES or 320,166 SQ. FT.  
 PROPOSED TOTAL OUTDOOR STORAGE AND SALES AREA = 31,780 SQ. FT.  
 $31,780 / 320,166 = 9.92\%$  OUTDOOR SALES TO TOTAL AREA RATIO.

**PARKING: 375 SPACES PROVIDED.**  
 TOTAL BUILDING AREA OF PROPERTY:  
 97,874 SQ. FT. (INCLUDING GREENHOUSE ADDITION)  
 $20,000 \text{ SQ. FT.} / 200 = 100 \text{ SPACES}$   
 $77,874 \text{ SQ. FT.} / 300 = 260 \text{ SPACES}$   
 $97,874 \text{ SQ. FT.} = 360 \text{ SPACES REQUIRED}$

SP94-22 SITE PLAN

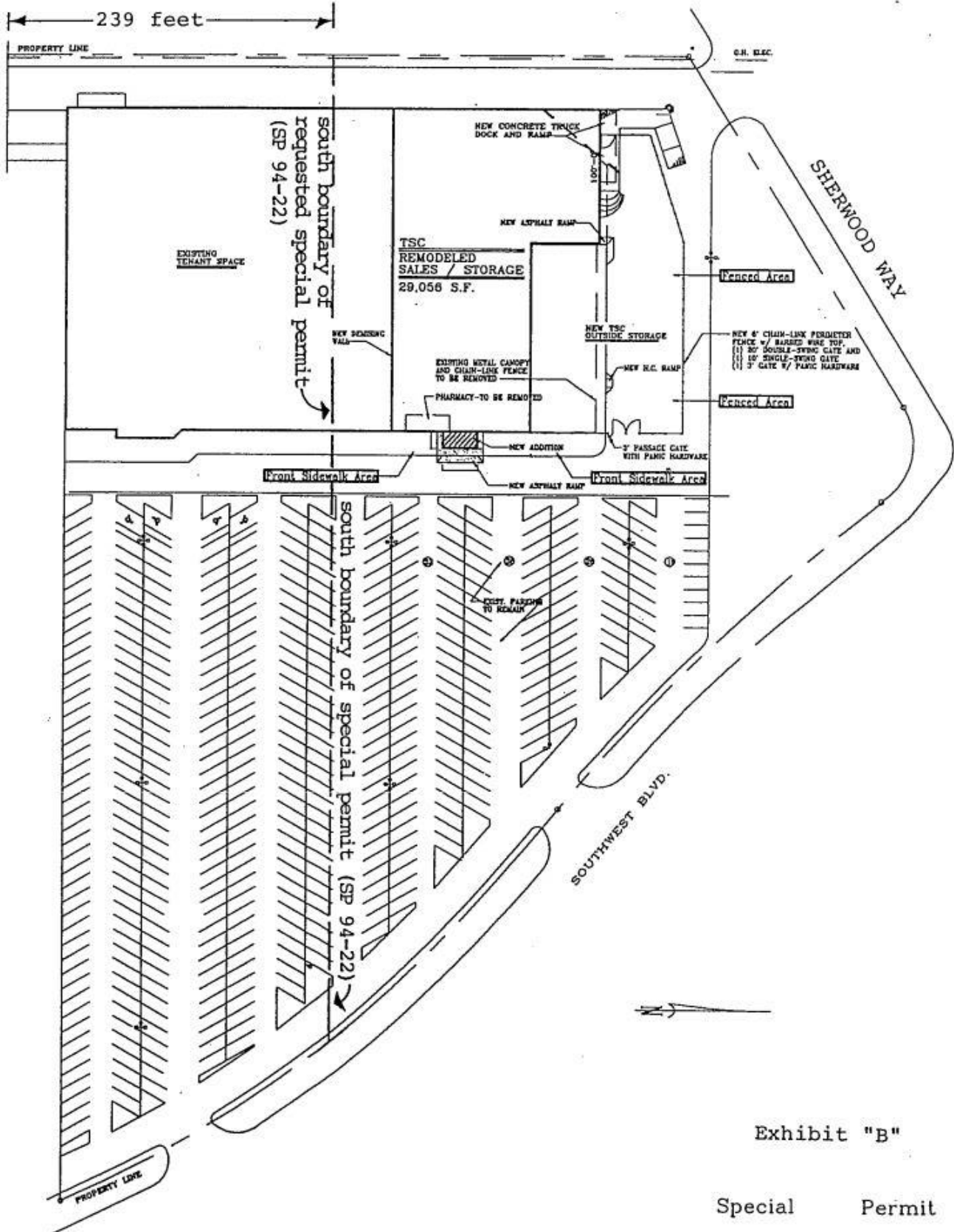


Exhibit "B"

Special Permit  
Wal\*Mart Stores, Inc.

*File*  
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): Tractor Supply Co.  
 Owner     Representative (Affidavit Required)

5401 Virginia Way                      Brentwood    TN                      37027  
Mailing Address                      City                      State                      Zip Code

615-427-1046                                      JWOOD@TRACTORSUPPLY.COM  
Contact Phone Number                      Contact E-mail Address

2701 Southwest Blvd                      San Angelo    TX                      76904  
Subject Property Address                      City                      State                      Zip Code

Business Personal Property SAISD P000084820 36-01996-0804-000-00  
Legal Description (can be found on property tax statement or at [www.tonguercad.com](http://www.tonguercad.com))

Lot Size: 7.35 Acres                                      Zoning: CG General Commercial

**Section 2: Site Specific Details**

\*Use attachment if necessary.

Existing Use of Property: Existing Tractor Supply Retail Store

Proposed Use/Size: Existing Tractor Supply as well as 31,741 SF of Outdoor storage and sales area which include a propane dispensing tank

Proposed Conditional Use (from Section 309): Outdoor Storage and Sales

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: Proposed will allow TSC the addition of a remote Fenced outdoor storage and sales area for TSC products and equipment.

**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 is consistent with surrounding area as the proposed is seeking additional outdoor sales and storage from the previously established C.U.P.

**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: Proposed will not have a negative impact/effect on natural environment. The proposed is located on existing pavement and does not change grading or drainage.

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: TSC expects there is a need for a Garden Center and their sales (past and projections) support the added outdoor storage and sales area.

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

Explanation: The proposed would not change any existing orderly pattern of Urban Development as subject site already consists of a TSC retail store and outdoor storage and sales area.

**Section 3: Applicant(s) Acknowledgement**

Please initial the following:

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

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

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

LAB 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.**

L. Blue  
Signature of licensee or authorized representative

1/21/2022  
Date

L. Aaron Blue  
Printed name of licensee or authorized representative

Onyx Creative, Inc.  
Name of business/Entity of representative

**FOR OFFICE USE ONLY:**

Case No.: CU: 22-06

Planning Commission date: \_\_\_/\_\_\_/\_\_\_

Nonrefundable application Fee: \$ \_\_\_\_\_

Receipt #: \_\_\_\_\_

Date paid: \_\_\_/\_\_\_/\_\_\_

Reviewed/Accepted by: \_\_\_\_\_

Date: \_\_\_/\_\_\_/\_\_\_