PLANNING COMMISSION – APRIL 18, 2022 STAFF REPORT



APPLICATION TYPE:	CASE:
Preliminary and Final Plat	Preliminary Plat and Final Plat, Sagewood Estates, Section One

SYNOPSIS:

The applicants own a 6-acre unplatted tract of land zoned Single-Family Residential (RS-1). They have submitted preliminary and final plats to subdivide the land into lots for single-family homes. The preliminary plat consists of 31 lots and the final plat of 16 lots. The final plat once approved and recorded will allow building permits for homes. The southerly portion of the preliminary plat not part of this final plat will have to be final platted at a later date to allow building permits for new homes on these lots as well.

LOCATION:	LEGAL DESCRIP	PTION:	
Northwest of Armstrong St. and E. 25 th Street	30.98 acres out 8108 and 8238	t of the J. S. Stooksberry Su	rvey No. 8, Abstract Nos.
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #4 – Lucy Gonzales Neighborhood: Paulann	RS-1	N – Neighborhood and C- Commercial	Preliminary: 6.0 acres Final: 3.03 acres

THOROUGHFARE PLAN:

- Armstrong Street (TXDOT) required: N/A; provided: 84' ROW; 66' paving width.
- Sagewood Circle (New Local Street) required 50' or min. 40' ROW; 40' or 36' with a sidewalk; provided: 50' ROW; 40' paving width.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of a Preliminary Plat, Sagewood Estates, subject to **two conditions of approval**, and **APPROVAL** of a final plat of Sagewood Estates, Section One, subject to **seven conditions of approval**.

PROPERTY OWNER/PETITIONER:

Owner: Bruce Hitt

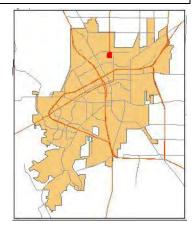
Petitioner: Erica Carter, P.E. Carter-Fentress Engineering, LLC

STAFF CONTACT:

Jeff Fisher, AICP Chief Planner

(325) 657-4210, Extension 1550

jeff.fisher@cosatx.us



PLANNING COMMISSION
Preliminary Plat and Final Plat, Sagewood Estates, Section One Addition, Section One April 18, 2022

Recommendations:

Staff recommends **APPROVAL** of a Preliminary Plat, Sagewood Estates, subject to **two conditions of approval**:

- 1. Prior to plat signatures, a drainage study shall be submitted. [Chapter 12, Planning and Development, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval [including streets]. [Chapter 12, Planning and Development, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] Alternatively, submit a request for approval to the City Engineer for a deferral of the requirement to a later stage of development. [Chapter 12, Planning and Development, Sec. 12.05.004].
- 2. Prior to plat signatures, please note on the plat the following statement: Fire hydrants and fire department access may need to be provided, depending upon the proposed layout of the buildings, and should be addressed as part of the site plan review process. 2015 International Fire Code, Section 507.5, and Appendix D.

Staff recommends **APPROVAL** of a final plat of Sagewood Estates, Section One, subject to **seven** conditions of approval:

- 1. Prior to plat recordation, per Land Development and Subdivision Ordinance, Chapter 7, provide a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision.
- 2. Prior to approval and plat recordation, per Land Development and Subdivision Ordinance, Chapter 5.III.A.3, obtain approval and required signatures of approved preliminary plat.
- 3. Prior to plat recordation, prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections [Land Development and Subdivision Ordinance] and complete the installation in accordance with the approved version of these plans [Land Development and Subdivision Ordinance, Chapter 11.I.B]. Alternatively, submit a financial guarantee ensuring the completion of these improvements within a 36 month period [Land Development and Subdivision Ordinance, Chapter 6].
- 4. 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].
- 5. Prior to plat recordation, a drainage study shall be submitted. [Chapter 12, Planning and Development, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] If public improvements are

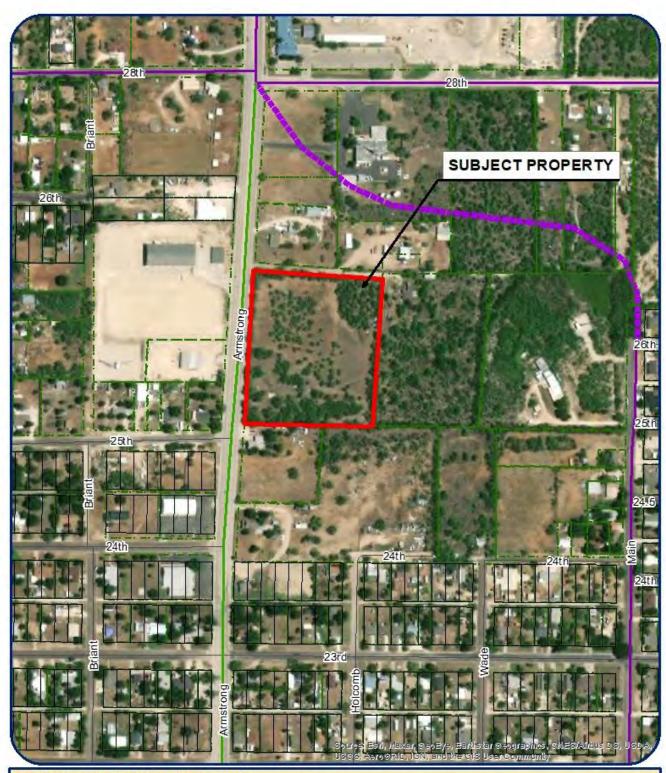
PLANNING COMMISSION Preliminary Plat and Final Plat, Sagewood Estates, Section One Addition, Section One April 18, 2022

deemed necessary by this study, submit construction plan and profile sheets for approval [including streets]. [Chapter 12, Planning and Development, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] Alternatively, submit a request for approval to the City Engineer for a deferral of the requirement to a later stage of development. [Chapter 12, Planning and Development, Sec. 12.05.004].

- 6. Prior to plat recordation, prepare and submit plans for approval, illustrating the required construction of all internal streets, meeting the requirements for a local roadway with a minimum 40 feet of pavement with no sidewalk, or 36 feet of pavement width with a 4 foot sidewalk on one side. [Land Development and Subdivision Ordinance, Chapter 10]. Once plans are approved, construct street to City specifications [Land Development and Subdivision Ordinance, Chapter 10]. Alternatively, submit a financial guarantee ensuring the completion of these improvements within 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.V]. PEDESTRIAN ELEMENTS TO BE IN ACCORDANCE WITH TDLR STANDARDS PROWAG.
- 7. Prior to plat recordation, please note on the plat the following statement: Fire hydrants and fire department access may need to be provided, depending upon the proposed layout of the buildings, and should be addressed as part of the site plan review process. 2015 International Fire Code, Section 507.5, and Appendix D.

Attachments:

Aerial Map Preliminary Plat Final Plat Applications



Preliminary Plat and Final Plat

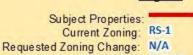
Sagewood Estates

Council District: Lucy Gonzales - District 4 Neighborhood: Paulann

1" approx. = 300 ft

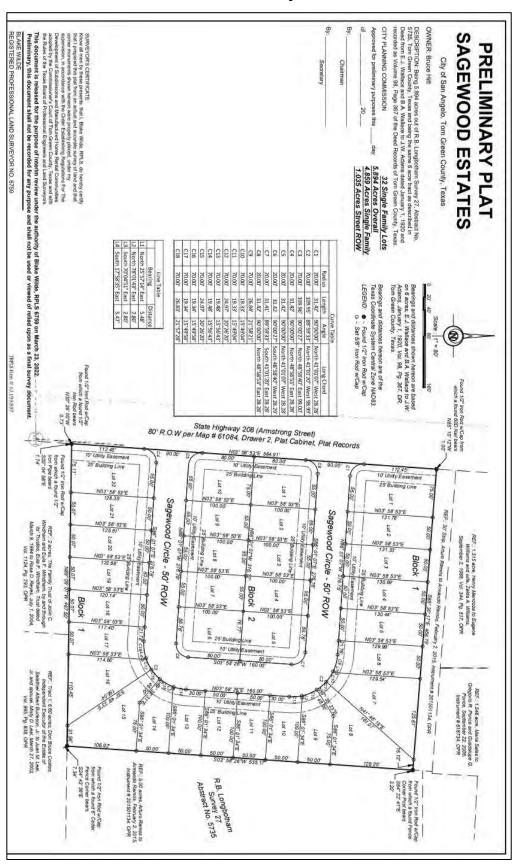
6.0 acres NE of Armstrong St. and E. 25th St.

Legend

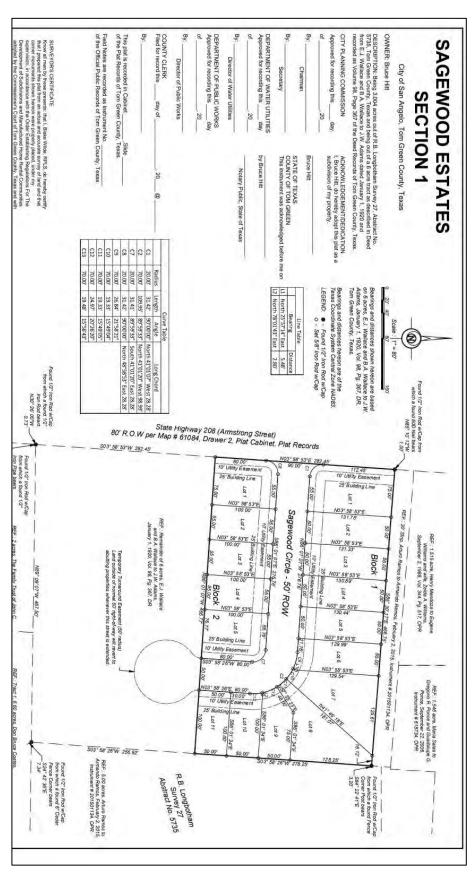




Preliminary Plat



Final Plat





City of San Angelo, Texas - Planning Land Subdivision Application



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

Preliminary Plat S Proposed Subdivision		outeo .						
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Architect/Engineer/De	nales Denfonsi	Erica Ca	rter. P.E.		325-716-3013	ec	arter@fentresseng.com	n
irchitect/Engineer/De	rsign Professi	Name			Phone Number	-	Email Addre	_
Subdivision Type:	П	Final Plat	☐ Replat - reg	uiring Planning Com	mission approval	П	Plat Vacation	
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scheduled	for hearing by	Planning Comn	nission according t	o the adopted COSA	A submittal schedule.	or met,	outerwise, the application v	WIII AUG
	Includes no	more than four r	new lots or tracts;					
	no dedicatio	n of land (includ	ing right-of-way, ri	ght-of-way expansion	n, corner clip dedicat	ion, etc) is required;	
	all new lots	or tracts front on	to an existing pub	lic street right-of-way	which is fully improv	red to C	ity specifications;	
	no extension	n of water or sev	ver mains are requ	ired to furnish servic	e to the new lots or to	racts;		
	there is an a	bsence of need	for a detailed drai	nage plan;				
,	existing easi	ement(s) for utili formalized releas	ties are not remov se of said easeme	ed or realigned without nt(s); and,	out the express writte	n perm	ssion from each utility serv	ice, c
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PLANNING COMMISSION

Preliminary Plat and Final Plat, Sagewood Estates, Section One Addition, Section One April 18, 2022

Total Acreage of Proposed Subdivision/Resubdivision Existing Zoning: X RS-1	MH No tail
Existing Zoning: RS-1	MH No tail
RS-1	MH No tail
R&E CN CO CG CG/CH CBD OW ML Has the zoning or deed restrictions for this property limited each lot to no more than two dwelling units?* Yes " **NOTE: if so, notification is required, and an additional notification fee is required.* Existing Land Use (include the number of acres devoted to this use): Vacant 6.00 Single-Family Residential Office Multi-Family Residential Industrial/Manufacturing Commercial/Ref Proposed Land Use (Include the number of acres devoted to this use): Vacant Single-Family Residential 6.00 Office Multi-Family Residential Industrial/Manufacturing Commercial/Ref Are there existing structures on the property? Yes No If yes, how many structures exist? What type of structures exist currently?	MH No tail
Has the zoning or deed restrictions for this property limited each lot to no more than two dwelling units?* Yes NOTE: if so, notification is required, and an additional notification fee is required. Existing Land Use (Include the number of acres devoted to this use): Vacant 6.00	No tail
*NOTE: if so, notification is required, and an additional notification fee is required. Existing Land Use (Include the number of acres devoted to this use): Vacant 6.00 Single-Family Residential Office Office Multi-Family Residential Industrial/Manufacturing Commercial/Ret Proposed Land Use (Include the number of acres devoted to this use): Vacant	tail
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Multi-Family Residential	taif
Proposed Land Use (Include the number of acres devoted to this use): Vacant	taif
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☐ Multi-Family Residential ☐ Industrial/Manufacturing ☐ Commercial/Ref Are there existing structures on the property? ☐ Yes ☐ No If yes, how many structures exist? What type of structures exist currently?	1955 - 19
☐ Multi-Family Residential ☐ Industrial/Manufacturing ☐ Commercial/Ref Are there existing structures on the property? ☐ Yes ☐ No If yes, how many structures exist? What type of structures exist currently?	1955 - 19
Are there existing structures on the property? Yes No If yes, how many structures exist? What type of structures exist currently?	1955 - 19
If yes, how many structures exist? What type of structures exist currently?	100
If yes, are any of the structures planned to remain? Yes (NOTE: requires one copy of proposed plat showing	
NOTÉ: The ETJ (Extra-Territorial Jurisdiction) is an area outside the City limits but encompassing all land within 3 ½ miles of 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:	29920
☐ Full variance requested ☐ Partial variance requested (proposed variation from standard):	
Check which of the following criteria apply, & include a detailed explanation of how each item applies to this reque	est. Attach additional sher
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	
The conditions upon which the request for a variance is based are unique to the property for which the variance applicable generally to other property.	iance is sought and are n

PLANNING COMMISSION Preliminary Plat and Final Plat, Sagewood Estates, Section One Addition, Section One April 18, 2022

Section 4, continued

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City of San Angelo, Texas - Planning Land Subdivision Application



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

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	Name				Phone	Number			Email Address
roperty Owner:	-								
	Name				Phone	Number			Email Address
Architect/Enginee	er/Design Pr	ofessiona	Erica Ca	rter, P.E.			325-716-3013	е	carter@fentresseng.com
			Name				Phone Number		Email Address
Subdivision Type	2	Fina	al Plat	☐ Replat - r	equiring Pl	anning Comr	nission approval		Plat Vacation
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PLANNING COMMISSION

Date Recorded: _

Preliminary Plat and Final Plat, Sagewood Estates, Section One Addition, Section One April 18, 2022

	☐ Because of the particular ph	visical surroundings shape of	or topographical conditions of	the specific property in	wolved a narticular bardeb
	to the owner would result, as dis				
	-				
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	☐ The variance will not, in any	significant way, vary the prov	visions of applicable ordinanc	es.	
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he own	er understands that upon approval	of this submitted plat, certain:	site improvements may be re-	quired and that no plats	will be released for recording
r buildi	ng permits issued until such impro	vements are installed and acc	cepted by the City or a suitab	ole performance quaran	tee is/has been accepted b
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entities	that the information contained on t	this application is true and acc	urate to the best of my know	ledge.	
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Meeting

Date: April 18, 2022

To: Planning Commission

From: Kyle Warren

Planner, City of San Angelo

Request: Approval of a replat of Riverview Estates.

<u>Background:</u> A request for approval of a replat of Riverview Estates, containing 69 RM-1 zoned lots. Lot: A BEING 14.530 ACRES, subd: PARK PLACE

Notification:

No notification is required by State or local codes.

Conditions of Approval:

- 1. Prior to plat recordation, prepare and submit plans for required improvements to S CONCHO PARK DR by half the additional increment necessary to comprise the minimum paving width.
- 2. Prior to plat recordation, prepare and submit plans for approval, illustrating the required construction of all internal streets, meeting the requirements for a local roadway with a minimum 40 feet of pavement with no sidewalk, or 36 feet of pavement width with a 4 foot sidewalk on one side
- 3. Prior to plat recordation, prepare and submit plans for approval, illustrating the required construction of all internal streets, meeting the requirements for a local roadway with a minimum 40 feet of pavement with no sidewalk, or 36 feet of pavement width with a 4 foot sidewalk on one side
- 4. Prior to plat recordation, prepare and submit plans for approval, illustrating the proposed installation of a sewer main and required service connections
- 5. Prior to plat recordation, prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections
- 6. Prior to plat recordation, a drainage study shall be submitted.
- 7. 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.
- 8. Prior to plat recordation, please note on the plat the following statement: Fire hydrants and fire department access may need to be provided, depending upon the proposed layout of the buildings, and should be addressed as part of the site plan review process.



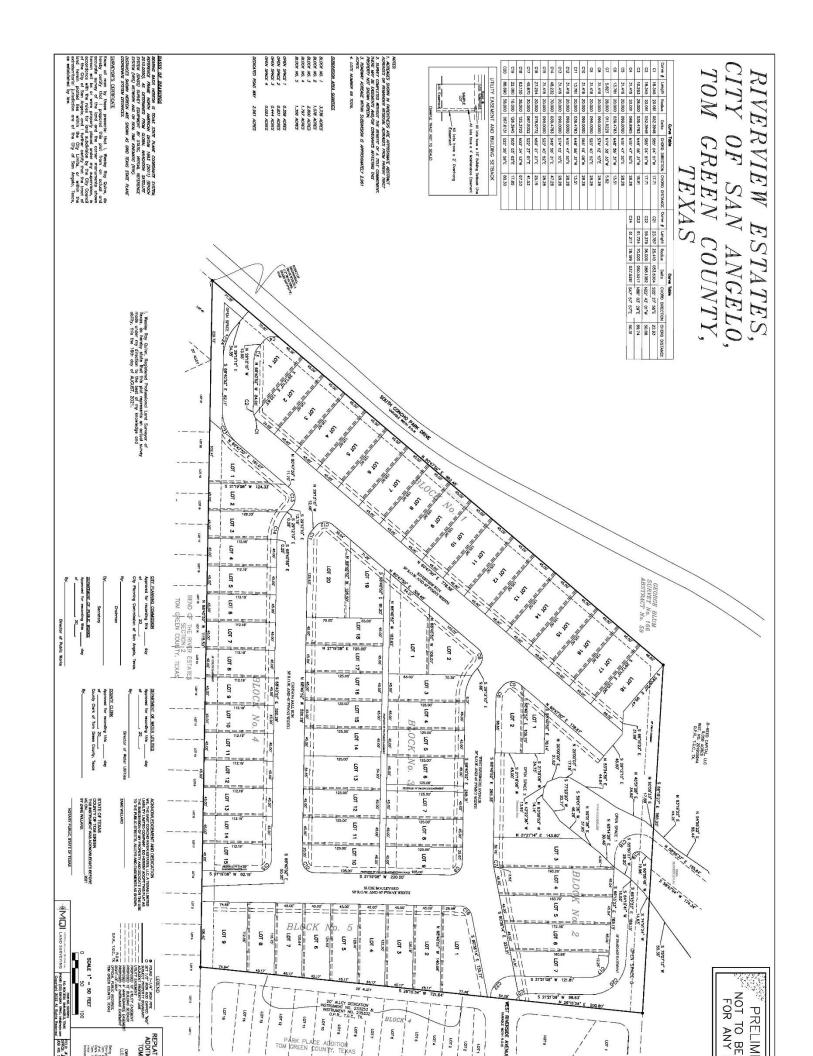
- 9. The majority of this property is Rs (Rio Concho & spur) soil that has a "very limited" soil rating. Future permit applications for new construction within this soil type will need to include either an engineered foundation plan or soil testing that indicates a plasticity index of less than 25
- 10. Provide a temporary turnaround for Riverview Run.

Planning Commission Requested Action:

Staff recommends **APPROVAL** of a request for a replat of Riverview Estates with 10 conditions of approval.

Attachments:

Plat



PLANNING COMMISSION – APRIL 18, 2022 STAFF REPORT



APPLICATION TYPE:	CASE:
Final Plat	FP22-09: Phase 1, Fairway Downs

SYNOPSIS:

The applicant has submitted this final plat for Phases 1 and 3 of the associated preliminary plat which was approved by the Planning Commission on February 21, 2022. The final plat is for 52 single-family residential lots at least 0.5-acre each, and includes a detention pond, dog park, and future commercial development, for a total of 55 lots. The final plat generally conforms to the preliminary plat as required by the Subdivision Ordinance. All the lot sizes are identical except the final plat has a smaller detention pond, thereby extending Lots 103-105 to Country Club Road. An associated annexation for this final plat area, along with a Comprehensive Plan Amendment and Zone Change has been submitted to allow these lots to be incorporated into the City Limits (currently in the City's ETJ).

LOCATION:	LEGAL DESCRIPTION:		
Southeast of the intersection of Country Club and S. Ratliff Roads	Being 37.98 acres in M	. Mayer Survey 169, Abs	tract No. 1647
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
Future - SMD 1- Tommy Hiebert) Future - Neighborhood: Country Club	ETJ (N/A)	Rural	37.98 acres

THOROUGHFARE PLAN:

- Country Club Road (Major Collector Street) ROW required 70' or min. 56'; Paving 48' or 36' min.; provided: 60' ROW (allowed per preliminary plat); 24' paving width (variance requested).
- S. Ratliff Road (Minor Collector Street) ROW required 60' or min. 52'; Paving 48' or 40' with sidewalk, or 36' min. paving width; provided: 50' ROW after 10' incremental dedication as required, 20' paving width (variance requested).
- New local streets: Fairway Lane, Divot Circle, Fringe Circle, Bunker Drive, required: 50' ROW; 40', or 36' paving width with a 4' sidewalk; to be provided: 50' ROW; 40' paving

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of "Phase 1 – Final Plat, Fairway Downs" subdivision; **APPROVAL** of a variance to allow Country Club Road to maintain a minimum 24' paving width; and a **PARTIAL VARIANCE** requiring an additional 8 feet of paving for S. Ratliff Road for a total of 28' paving width, subject to **eleven conditions of approval.**

PROPERTY OWNER/PETITIONER:

Owner: Casey Poynor

Petitioner: Joey Bullard, Dorado

Construction Group

STAFF CONTACT:

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



<u>Sidewalk</u>: Chapter 9.V.D.1 of the Land Development and Subdivision Ordinance (LDSO), as amended on March 15, 2022, requires a sidewalk to be constructed with new development on major collector streets. However, the applicant's preliminary plat was approved on February 22, 2022 before the new ordinance amendment, allowing the applicant to be reviewed under the previous standards in place. The previous standards on required a sidewalk "if deemed necessary for safety reasons, such as in association with a school route plan, or in areas where heavy pedestrian and vehicular traffic is anticipated (such as major shopping areas or recreation sites)." Staff believes a sidewalk would not be required for Ratliff Rd under that criteria and therefore, the applicant is **exempt** from constructing one.

Variances: As indicated above, the applicant has submitted a variance from Chapter 10.III.A.2 of the LDSO to allow Country Club Road, a major collector street, and S. Ratliff Road, a minor collector street to maintain 24' and 20' paving widths respectively. Similar to the above request for sidewalk exemption, the applicant will be considered under the previous standards for street construction since their preliminary plat for this area was approved prior to new street standards. Both streets require a minimum 50-foot paving width under the previous LDSO standards. In accordance with Chapter 1, Section IV.A, the Planning Commission shall not approve a variance unless the request meets the four criteria below based upon the evidence that is presented:

- 1. The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property. Country Club Road, although a major collector road was recently reconstructed by the City with laydown curbs on both sides. The Planning Commission approved variances from any improvements on Country Club Road for two plats to the west, Country Club West Estates, Section One (August 2019) and Section Two (July 2020) based on the City's reconstruction project. Therefore, Staff recommends approval of the variance to maintain 24 feet of paving width for Country Club Estates.

 South Ratliff Road serves as a minor collector street designed to carry traffic from Country Club Road to U.S. Highway 277. Staff believes the additional paving width is important to accommodate this area as it continues to develop over time with more homes. Therefore, Staff recommends the applicant install their incremental half of what the new street standard would
- 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. Staff is comfortable with the variance request on Country Club Road given the City rebuilt this road recently.

be, a minimum required width of 36 feet, in this case, 8 additional feet for a total of 28 feet.

Staff does not believe there are unique circumstances that would support a full variance on Ratliff Road. The topography is relatively flat and there are no known encumbrances on this side of S. Ratliff Road. The LDSO requires a minimum of 26 feet (6 additional feet) for fire and emergency vehicles, and in this case, staff recommends 8 additional feet, their incremental half of the minimum required 36 feet of the new street standard.

- 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. Requiring additional paving after the City already reconstructed Country Club road to its current width would create a hardship for the applicant as they would have to remove the laydown curbing as well as creating an irregular jog in the street with additional pavement. Staff does not believe there is a hardship to install the additional paving width for S. Ratliff Road. This street is expected to carry large volumes of traffic in future and the incremental half would assist in achieving this objective.
- 4. The variance will not, in any significant way, vary the provisions of applicable ordinances.

 The applicant believes that the proposed variance for Country Club Road would not vary in a significant way applicable ordinances. However, Staff believes granting a full variance on S. Ratliff Road would create a negative precedent, contravening the purpose statements in the LDSO to provide streets that insure safe, convenient access.

Recommendation: Staff recommends **APPROVAL** of "Phase 1 – Final Plat, Fairway Downs" subdivision; **APPROVAL** of a variance to allow Country Club Road to maintain a minimum 24' paving width; and a **PARTIAL VARIANCE** requiring an additional 8 feet of paving for S. Ratliff Road for a total of 28' paving width, subject to **eleven 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 recordation, submit a revised plat with the following:
 - a) Change name of plat (i.e. Fairway Downs, Section One);
 - b) Change Ratliff Road to "South Ratliff Road" per the CVCOG;
 - c) Fix scale to match plat dimensions
 - [Land Development and Subdivision Ordinance, Chapter 7.II].
- 3. Prior to plat recordation, the properties must be annexed into the City Limits with appropriate zoning to allow city services and label this note on the plat [Zoning Ordinance, Section 302, 501.A, 502.B].
- 4. Prior to plat recordation, per Land Development and Subdivision Ordinance, Chapter 11.I.A, prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections and per Land Development and Subdivision Ordinance, Chapter 11.I.B, complete the installation in accordance with the approved version of these plans Alternatively, per Land Development and Subdivision Ordinance, Chapter 6, submit a financial guarantee ensuring the completion of these improvements within a 36 month period.

- 5. Prior to plat recordation, provide a site plan showing existing structures and existing septic systems, and specifying the water source, to the Tom Green County Environmental Health Department. A suitability study must also be submitted. For more information, contact Pam Weishuhn at 325-658-1038. Provide City staff with approval. [Title 30 TAC Chapter 285, Health and Safety Code Chapter 366].
- 6. Prior to plat recordation, a drainage study shall be submitted. [Chapter 12, Planning and Development, Sec 12.05.001; Stormwater Design Manual, Sec 2.13]. If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval. [Chapter 12, Planning and Development, Sec 12.05.001; Stormwater Design Manual, Sec 2.13]. Alternatively, submit a request for approval to the City Engineer for a deferral of the requirement to a later stage of development. [Chapter 12, Planning and Development, Sec. 12.05.004]
- 7. Prior to plat recordation, prepare and submit plans for required improvements to COUNTRY CLUB ROAD by half the additional increment necessary to comprise the minimum paving width. [Land Development and Subdivision Ordinance, Chapter 10]. For COUNTRY CLUB ROAD, a collector street, the minimum width is 50 feet (in this case requiring an additional 13 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].
- 8. Prior to plat recordation, prepare and submit plans for required improvements to S RATLIFF RD by half the additional increment necessary to comprise the minimum paving width. [Land Development and Subdivision Ordinance, Chapter 10]. For S RATLIFF RD, a collector street, the minimum width is 50 feet (in this case requiring an additional 15 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].
- 9. Prior to plat recordation, prepare and submit plans for approval, illustrating the required construction of FAIRWAY LANE, DIVOT CIRCLE, FRINGE CIRCLE AND BUNKER DRIVE, meeting the requirements for a LOCAL roadway with a minimum 40 feet of pavement with no sidewalk, or 36 feet of pavement width with a 4 foot sidewalk on one side. [Land Development and Subdivision Ordinance, Chapter 10]. Once plans are approved, construct street to City specifications [Land Development and Subdivision Ordinance, Chapter 10]. Alternatively, submit a financial guarantee ensuring the completion of these improvements within 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].

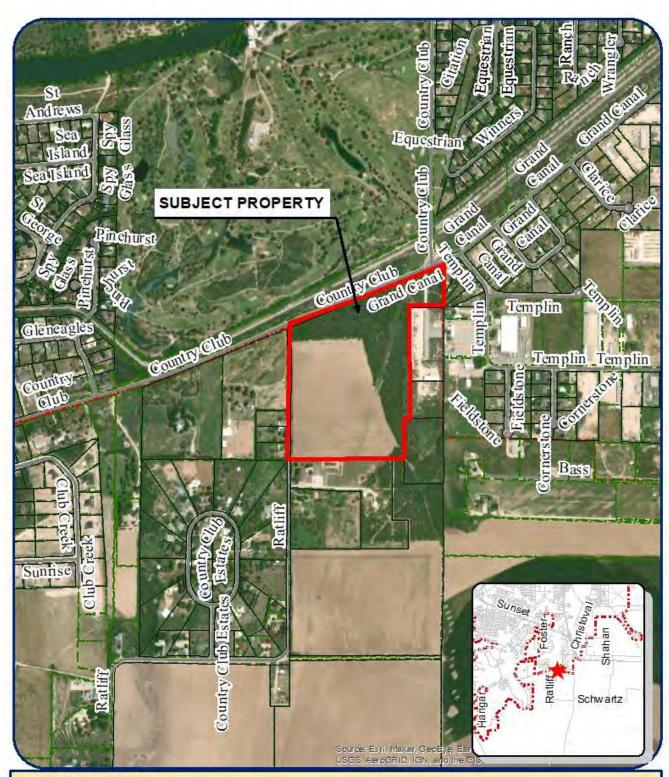
- 10. Prior to plat recordation, per City 9-1-1 Addressing, change "Fairway Ln to a different street name as a Fairway Dr. is in use and will cause confusion and potential delay for emergency service personnel.
- 11. Prior to plat recordation, please note on the plat the following statement: Fire hydrants and fire department access may need to be provided, depending upon the proposed layout of the buildings, and should be addressed as part of the site plan review process. [2015 International Fire Code, Section 507.5, and Appendix D].

Note:

1. Any future annexation shall require an accompanying Comprehensive Plan Amendment and new Zoning 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
Final Plat
Approved Preliminary Plat
Application with variance requests



Final Plat, Phase 1

Fairway Downs

Council District: Tommy Hiebert - District 1 Neighborhood: Country Club Scale: 1" approx. = 750 ft

SW of Country Club Rd/Templin Rd.

Legend

Subject Properties:

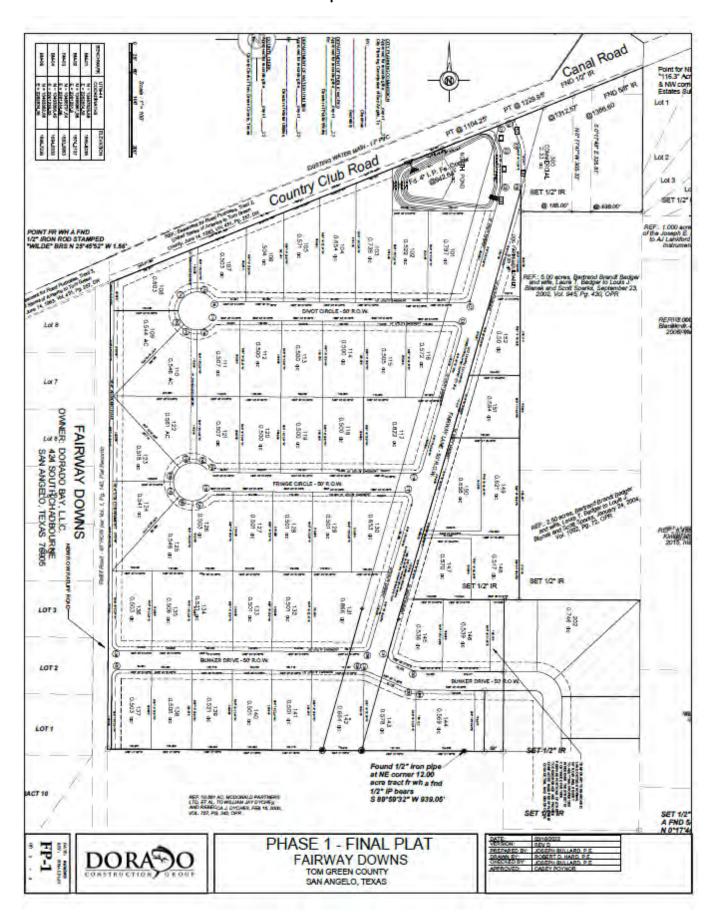
Current Zoning: N/A

Requested Zoning Change: N/A

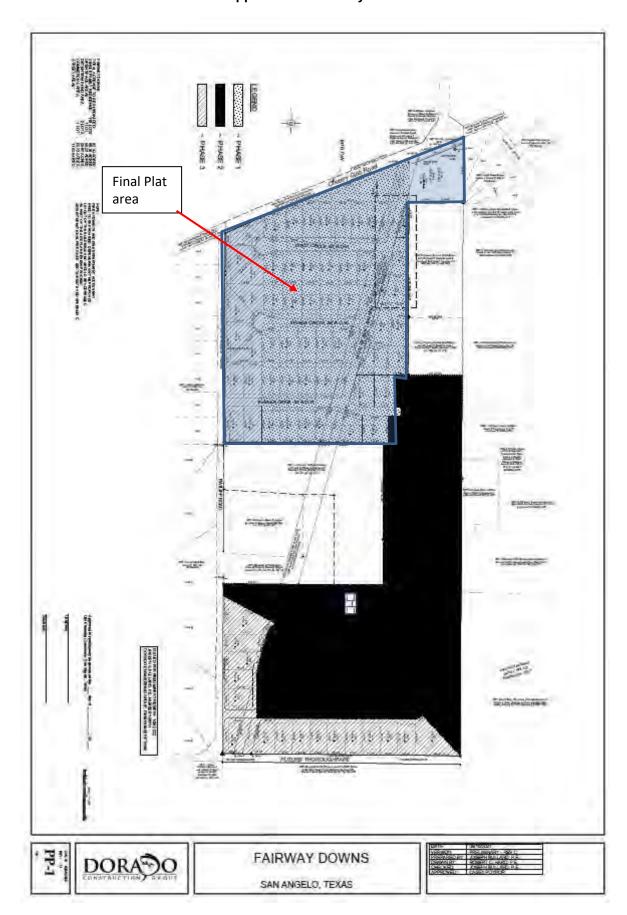




Proposed Final Plat



Approved Preliminary Plat





City of San Angelo, Texas - Planning Land Subdivision Application



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

Proposed Subdivi	sion Name							
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Current Legal Des	cription (can b	e found on pr	operty tax st	atement or at	www.tomgreencad.	com)		
R000093574								
Tax ID Number(s)	(can be found	on property to	ax statement	or at www.to	mgreencad.com und	der Geographic ID)	
One Authorized	Representativ	e <u>must</u> be se	lected below	w. All comm	unications regardin	ng this applicatio	n will t	e conducted with this individua
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Tenant:								
	Name			-	Phone Number			Email Address
Property Owner:	Territoria.							
	Name	1800			Phone Number	4000		Email Address
Architect/Enginee	//Design Profes	ssional: Jose Name	ph Bullard		361-720-0954	Joey.bull Phone Number	lard@	doradoconstructiongroup.com Email Address
						Phone Number		Email Address
Subdivision Type:	•	Final Plat		teplat - requir	ing Planning Commi	ssion approval		Plat Vacation
		Preliminary	Plat F	teplat - admin	istratively eligible*			Amended Plat
					that all of the follow the adopted COSA s			otherwise, the application will be
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	no dedica	ation of land (i	ncluding righ	it-of-way, righ	t-of-way expansion.	comer clip dedica	tion, et	c) is required;
	all new to	ots or tracts fro	nt onto an e	xisting public	street right-of-way w	hich is fully impro	ved to	City specifications;
	no extens	sion of water o	r sewer mai	ns are require	ed to furnish service	to the new lots or	tracts;	
	■ there is a	n absence of	need for a d	etailed draina	ge plan;			
		easement(s) fo				t the express writt	en pem	nission from each utility service, o
	■ in the cas	se of replats in	equiring notif	ication, no wr	itten opposition is re	ceived before the	close o	f the public hearing.
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Section 4, continued

 Because of the particular physical sur to the owner would result, as distinguished 				
☐ The variance will not, in any significant	t way, vary the provis	sions of applicable ordinar	ices.	
		-		
The owner understands that upon approval of this sub- ir building permits issued until such improvements a ne City. Furthermore, the owner is aware of all fee ayable to the City regardless of the outcome of this rithin seven calendar days, as required by Chapter 7 the undersigned hereby applies for subdivision plat- ertifies that the information contained on this applica-	are installed and access and costs involved request. Lastly, the of 7.Il of the Subdivision approval in accordal	epted by the City or a suit, in applying for subdivision owner/representative agree of Ordinance.	able performance gi n approval and that e to provide recordin clicies and regulation	usrantee is/has been accepted the subdivision processing fe ing Information of the plat in wri
Owner's Signature	_	Date		
JOSEPH S BULLARD (Signally signed by JOSEPH S SULLARS)	D			
Representative's Signature		Date		
FOR OFFICE USE ONLY:				
Submitted to front desk: Dr.	eemed preliminary co	nmalate!		
Date	consci prominary o	Date	Time	Initials
Received by Development Services Technician for co	ompleteness review.	Date	Time	Initials
Completeness review passed? Yes	Date	□ No Date		
If yes, when was application scheduled for staff	review, if applicable		1-10-1-	
		Date	Initials	
If no, when was rejection & list of deficiencies (attach copy) sent to i	Authorized Representative	Date	Initials
Resubmittal received by Development Sen	vices Technician for	completeness review:	Date	Initials
Completeness review passed? (I Representative.)	Note: If resubmittal	still incomplete after a se		
☐ Yes		Date		
Approvals required for this application:	Approval Date	Case Number		Notes
Administrative Approval	-		-	
Planning Commission			-	
PROPERTY AND LOSS AND				
City Council (cases with appeal)				
Date of Approval Expiration:				

PLANNING COMMISSION
Phase 1 – Final Plat, Fairway Downs
April 18, 2022

PLANNING COMMISSION – APRIL 18, 2022 STAFF REPORT



APPLICATION TYPE:	CASE:
Final Plat	FP22-12: Moeller Subdivision

SYNOPSIS:

The applicant owns two unplatted, surveyed parcels with a single-family home on each. The applicant has submitted a final plat to divide the two parcels into three platted lots. This will allow a new home to be built on the middle lot. All lots comply with the minimum lot area, lot frontage, and lot depth of the RS-1 zoning per the attached plat drawing. The existing homes will comply with all applicable zoning setbacks created through the subdivision of land. The home on the west lot is less than 25 feet from the front yard setback but there is an established building line on E. 20th Street allowing a 21.4-foot setback and the home will comply with this setback. The plat will comply with the City's Comprehensive Plan and Purpose Statements in the Subdivision Ordinance.

LOCATION:	LEGAL DESCRIPTION	ON:	
Southwest corner of E. 20 th St. and Pecan St.	Being 0.741 acres Abstract No. 5670	in the J. Williams Surv	ey No. 121 1/2,
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD# 3: Harry Thomas Neighborhood: Reagan	RS-1	Neighborhood	0.741 acres

THOROUGHFARE PLAN:

- E. 20th St. (Local Street) required 50' or min. 40' ROW; 40' or 36' with a sidewalk, or 26' min. paving width; provided: 40' ROW; 30' paving width.
- Pecan Street (Local Street) required 50' or min. 40' ROW; 40' or 36' with a sidewalk, or 26' min. paving width; provided: 40' ROW; 30' paving width.
- E. 19.5 St. (Local Street) required 50' or min. 40' ROW; 40' or 36' with a sidewalk, or 26' min. paving width; provided: 50' ROW; 20' paving width (variance requested).

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the Moeller Subdivision, and **APPROVAL** of a **PARTIAL VARIANCE** to allow a 23-foot paving width for E. 19.5 Street, **REQUIRING** an additional 3 feet of paving width, subject to **three conditions** of **approval**.

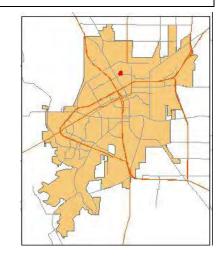
PROPERTY OWNER/PETITIONER:

Owner: Galen Moeller

Petitioner: Jack Downey, SKG Engineering, LLC

STAFF CONTACT:

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



<u>Variance</u>: As indicated above, the applicant has submitted a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance to allow E. 19.5 Street, a local street, to maintain a street width of 20 feet in lieu of the minimum required 26 feet in the LDSO. In accordance with Chapter 1, Section IV.A, the Planning Commission <u>shall not approve</u> a variance unless the request meets the four criteria below based upon the evidence that is presented:

- 1. The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property. The LDSO requires a minimum of 26 feet of street width for public safety and to ensure adequate access for fire and emergency vehicles. The Fire Marshal's Office is comfortable with less than 26 feet, however, Staff recommend that the applicant pave an additional 3 feet of pavement, the incremental half of the remaining pavement width, to improve access through this street to service the owners on both sides. To the south, a restaurant and landscape business have rear driveway access to this street. To the north, several homes have rear driveways and openable gates to E. 19.5 Street. Staff believes requiring an additional 3 feet of paving to 23 feet is equitable and reasonable in this case. When owners to the south go to replat, they would provide the remaining 3 feet of incremental width to get the street to 26 feet as required.
- 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. Staff believes this street is unique as it only extends 1,132 feet or two street blocks between Volney Street and Pecan Street and is 20 feet wide along this entire distance. In this block, it serves exclusively as rear access and does not have front driveways, similar to an alley. Finally, the proposed plat is only to create one additional lot only as a small infill project. For these reasons, Staff supports the partial variance.
- 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. Requiring all 6 feet of remaining paving on the applicant's side of the street would place the burden on the applicant and remove responsibility from the owners to the south to pay for the remaining improvements when they go to replat. While Staff does not believe there is a hardship to support a full variance, Staff is in support of a partial variance requiring only 3 feet of additional pavement instead of the full 6 feet.
- 4. The Variance will not, in any significant way, vary the provisions of applicable ordinances.

 The applicant believes that the proposed variance for Country Club Road would not vary in a significant way applicable ordinances provided the additional 3 feet of pavement is provided.

Recommendation: Staff recommends **APPROVAL** of the Moeller Subdivision, and **APPROVAL** of a **PARTIAL VARIANCE** to allow a 23-foot paving width for E. 19.5 Street, **REQUIRING** an additional 3 feet of paving width, subject to **three conditions of approval:**

- 1. Prior to plat recordation, per Land Development and Subdivision Ordinance, Chapter 7, provide a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision.
- 2. Prior to plat recordation, remove second driveway or submit a revised plat delineating a common access easement for this driveway between Lots 1 and 2 [Section 4.08.237, City Code of Ordinances].
- 3. Prior to plat recordation, prepare and submit plans for required improvements to E. 19 1/2 Street by half the additional increment necessary to comprise the minimum paving width. [Land Development and Subdivision Ordinance, Chapter 10.III.A.2]. For E. 19 1/2 Street (a local street), the minimum width is 26 feet (in this case requiring 3 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] or an administrative variance [Land Development and Subdivision Ordinance, Chapter 10.III.C].

Attachments:

Aerial Map
Final Plat
Final Plat with Structures
Application with variance requests



Final Plat

Moeller Subdivision

Council District: Harry Thomas - District 3 Neighborhood: Reagan 1" approx. = 125 ft

0.741 ac. SW corner E. 20th St/Pecan St.

Legend

Subject Properties:
Current Zoning:
Requested Zoning Change:
Vision: Neighborhood

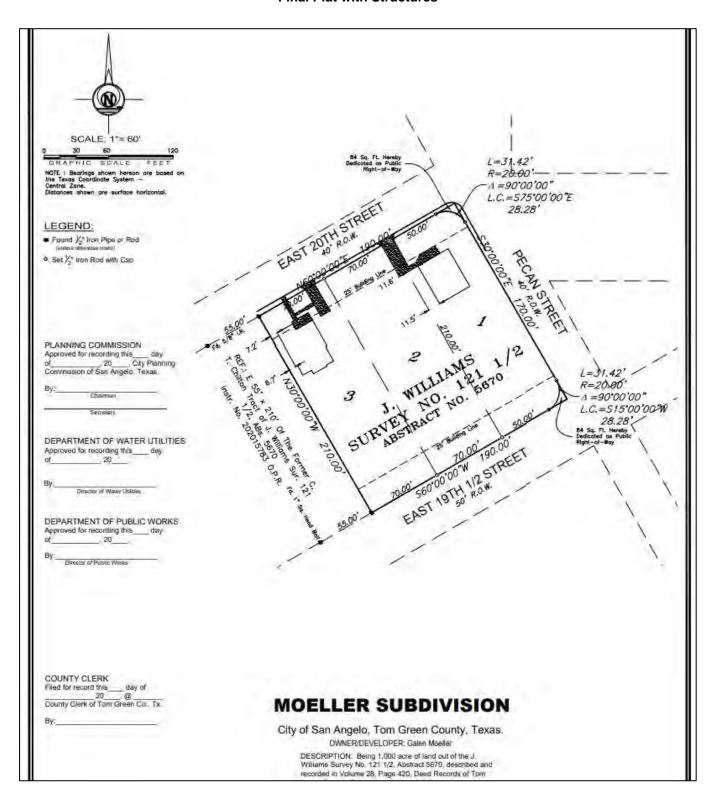




Proposed Final Plat



Final Plat with Structures





City of San Angelo, Texas - Planning Land Subdivision Application



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

roposed Subdivision	n Name				
1.00 Ac. Tr. O	ut of J. Williams	Survey No. 12	21 1/2, Abstract 56	70.	
All of the Control of			ent or at www.tomgreenca		
	0-000-00; 38-056				
Tax ID Number(s) (d	an be found on property	tax statement or at	l www.tomgreencad.com u	nder Geographic ID)	
One Authorized Re	presentative must be	selected helow Al	Il communications repare	ting this application	will be conducted with this individua
Authorized Represe	\$0.000 (0	☐ Property Ow	n managaran mare-presenta son	700 M	. An Do conducted that the marriage
	N/A	☐ Property Ow	wher Contractor	Engineer	
Tenant:	Name		Phone Number		Email Address
5 Y1920	Galen Moeller		(325) 655-418	7	gmoe48@aol.com
roperty Owner:	Name		Phone Number		Email Address
A cabita at (Facia)	esign Professional: Sh	(G Engineerin		5-655-1288	jack@skge.cor
vronkect/Engineer/L	lesign Professional: Or Nar	ne	9 020	Phone Number	Email Address
Subdivision Type:	Final Plat	□ Bealet	t - requiring Planning Comr		☐ Plat Vacation
rubulvision Type.	20.75	\$570			
***			t - administratively eligible*		☐ Amended Plat
	for hearing by Planning	Commission accor	rding to the adopted COSA		pe met; otherwise, the application will be
	 includes no more that 				
	 no dedication of land 	(including right-of-v	way, right-of-way expansion	n, corner clip dedicat	ion, etc) is required;
	all new lots or tracts	front onto an existin	g public street right-of-way	which is fully improve	ved to City specifications;
	no extension of wate	r or sewer mains an	e required to furnish servic	e to the new lots or t	racts;
	there is an absence	of need for a detaile	d drainage plan;		
	 existing easement(s) without the formalize 			out the express writte	en permission from each utility service, o
	 in the case of replats 	requiring notificatio	on, no written opposition is	received before the	close of the public hearing.
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Section 4, continued

Due to th	e physical surroundings and shape of the subject properly including the presence of the existing street and util
	ar hardship to the owner would result.
The va	riance will not, in any significant way, vary the provisions of applicable ordinances.
	riance will not, in any significant way, vary the provisions of applicable ordinances. of this variance would not, in any significant way, vary the provisions of the applicable ordinances as these

The owner understands that upon approval of this submitted plat, cenain site improvements may be required and that no plats will be released for recording or building permits issued until such improvements are installed and accepted by the City or a suitable performance guarantee is/has been accepted by the City. Furthermore, the owner is aware of all fees and costs involved in applying for subdivision approval and that the subdivision processing fee is payable to the City regardless of the outcome of this request. Lastly, the owner/representative agree to provide recording information of the plat in writing within seven calendar days, as required by Chapter 7.II of the Subdivision Ordinance.

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

FOR OFFICE USE ONLY: Submitted to front desk: Deemed preliminary complete; Date Initials Received by Development Services Technician for completeness review; Date Completeness review passed? □ No If yes, when was application scheduled for staff review, if applicable? Date Initials If no, when was rejection & list of deficiencies (attach copy) sent to Authorized Representative? mitials Resubmittal received by Development Services Technician for completeness review: Initials Completeness review passed? (Note: If resubmittal still incomplete after a second review, schedule ☐ No Date Approvals required for this application. Approval Date Case Number Motes Administrative Approval Planning Commission City Council (cases with appeal) Date of Approval Expiration: Date Recorded

PLANNING COMMISSION – APRIL 18, 2022 STAFF REPORT



APPLICATION TYPE:	CASE:
Final Plat	FP22-12: Moore Subdivision, Section One-B

SYNOPSIS:

The applicants own two platted and two unplatted lots and are requesting that these four properties be replatted into five new lots. The five lots will exceed 1 acre in size as required in the Zoning Ordinance for R&E zoned properties. Three of the lots have existing single-family homes. If approved, the replat will allow new homes on the remaining lots, identified as 6 and 7 on the replat. As part of the request, the applicants are seeking a variance to allow Lake Drive, a local street, to remain at 22' wide in lieu of the required minimum width of 26'.

LOCATION:	LEGAL DESCRIPTION	N:	
Northeast corner of Lake Drive/West 48 th St.		100re Subdivision, and 9 urvey No. 11, Abstract 1	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD# 2: Tom Thompson Neighborhood: Riverside	R&E	Commercial and Rural	11.539 acres

THOROUGHFARE PLAN:

- Lake Drive (Local Street) required 50' or min. 40' ROW; 40' or 36' with a sidewalk, or 26' min. paving width; provided: 60' ROW (dedicating 15' through plat); **22' paving width (variance requested).**
- W. 48th St. (Local Street) required 50' or min. 40' ROW; 40' or 36' with a sidewalk, or 26' min. paving width; provided: 50'-60' ROW; 34' paving width.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the Moore Subdivision, Section One-B and **APPROVAL of a PARTIAL VARIANCE** to allow a 24-foot paving width for Lake Drive, **REQUIRING** an additional 2 feet of paving width, subject to **six conditions of approval.**

PROPERTY OWNER/PETITIONER:

Owners: Sandra Moore, Donna Colley,

Sharon Hicks

Petitioner: Jack Downey, SKG Engineering, LLC

STAFF CONTACT:

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



<u>Variance</u>: As indicated above, the applicant has submitted a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance to allow Lake Drive a local street, to maintain a street width of 22 feet in lieu of the minimum required 26 feet in the LDSO. In accordance with Chapter 1, Section IV.A, the Planning Commission <u>shall not approve</u> a variance unless the request meets the four criteria below based upon the evidence that is presented:

- 1. The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property. The LDSO requires a minimum of 26 feet of street width for public safety and ensure adequate access for fire and emergency vehicles. The Fire Marshal's Office is comfortable with less than 26 feet, however, Staff recommend that the applicant pave an additional 2 feet of pavement, the incremental half of the remaining pavement width, to improve access through this street to service the owners on both sides. This is the northerly end of Lake Drive which contains several unplatted commercial properties on the west side of Lake Drive that could be platted into smaller properties in future, adding traffic to Lake Drive. Therefore, Staff requests the additional 2 feet of paving to bring the street closer to the required minimum.
 - 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. Staff believes this street is unique as it only extends 2,062 feet between W. 48th Street and Cauley Lane. Nevertheless, despite this being an infill development an additional lot is being created and further develop could occur and likely will in future. Therefore, Staff supports only a partial variance and requires the additional 2 feet of pavement width for Lake Drive.
 - 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. Requiring all 4 feet of remaining paving on the applicant's side of the street would place the burden on the applicant and remove responsibility from the owners to the west to pay for the remaining improvements when they go to replat. While Staff does not believe there is a hardship to support a full variance, Staff is in support of a partial variance requiring only 2 feet of additional pavement instead of the full 4 feet.
 - 4. The Variance will not, in any significant way, vary the provisions of applicable ordinances.

 The applicant believes that the proposed variance for Lake Drive would not vary in a significant way applicable ordinances provided the additional 2 feet of pavement is provided.

Recommendation: Staff recommends **APPROVAL** of the Moore Subdivision, Section One-B and **APPROVAL of a PARTIAL VARIANCE** to allow a 24-foot paving width for Lake Drive, **REQUIRING** an additional 2 feet of paving width, subject to **six conditions of approval:**

1. Prior to plat recordation, per Land Development and Subdivision Ordinance, Chapter 7, provide

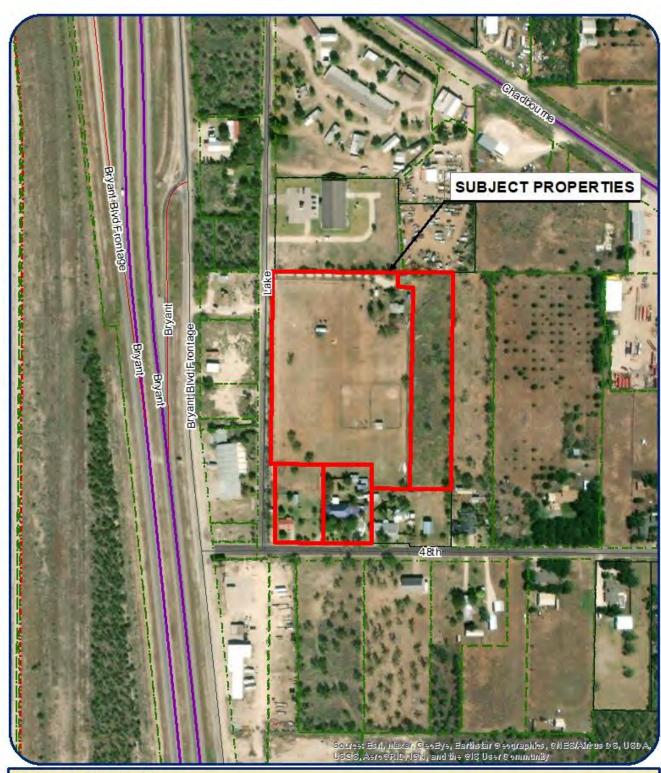
- a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision.
- 2. Prior to plat recordation, submit a revised plat delineating:
 - a) required 40-foot front yard setbacks for all lots;
 - b) minimum size of 1.0 acre for each lot [Zoning Ordinance, Section 501.A].
 - c) add third owner beside "Owner/Developer";
 - d) add acknowledgement title block for third owner
 - e) the variable right-of-width, a minimum width of 50 feet. [Land Development and Subdivision Ordinance, Chapter 7.III].
- 3. Prior to plat recordation, submit a revised structures plan showing all encroaching structures located in city right-of-way and adjacent property have been removed or relocated onto private property in compliance with required zoning setbacks. R&E zoning requires for accessory structures minimum 5-foot side yard setbacks; 10 foot rear yard setbacks; and 40-foot front yard and located behind the principal building [Zoning Ordinance, Section 501.A and 402.B].
- 4. Prior to plat recordation, a drainage study shall be submitted. [Chapter 12, Planning and Development, Sec 12.05.001; Stormwater Design Manual, Sec 2.13]. If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval, including streets [Chapter 12, Planning and Development, Sec 12.05.001; Stormwater Design Manual, Sec 2.13]. Alternatively, submit a request for approval to the City Engineer for a deferral of the requirement to a later stage of development. [Chapter 12, Planning and Development, Sec. 12.05.004].
- 5. Prior to plat recordation, prepare and submit plans for required improvements to LAKE DR by half the additional increment necessary to comprise the minimum paving width [Land Development and Subdivision Ordinance, Chapter 10]. For LAKE DR, a local street, the minimum width is 26 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].
- 6. Prior to plat recordation, the existing buildings that will not meet fire separation distance requirements will need permits to be relocated or removed.

Note:

1. If structures are built on the southern portion of Lot 8, or any structure on lot 6 exceeds the 600 ft. distance from hydrant requirement, an additional hydrant will need to be provided to ensure the lot has appropriate coverage.

Attachments:

Aerial Map Replat Replat with Structures Application with variance request



Moore Subdivision

Section One-B

Council District: Tom Thompson - District 2 Neighborhood: Riverside 1" approx. = 275 ft

11.539 ac. NE of Lake Dr/W. 48th St.

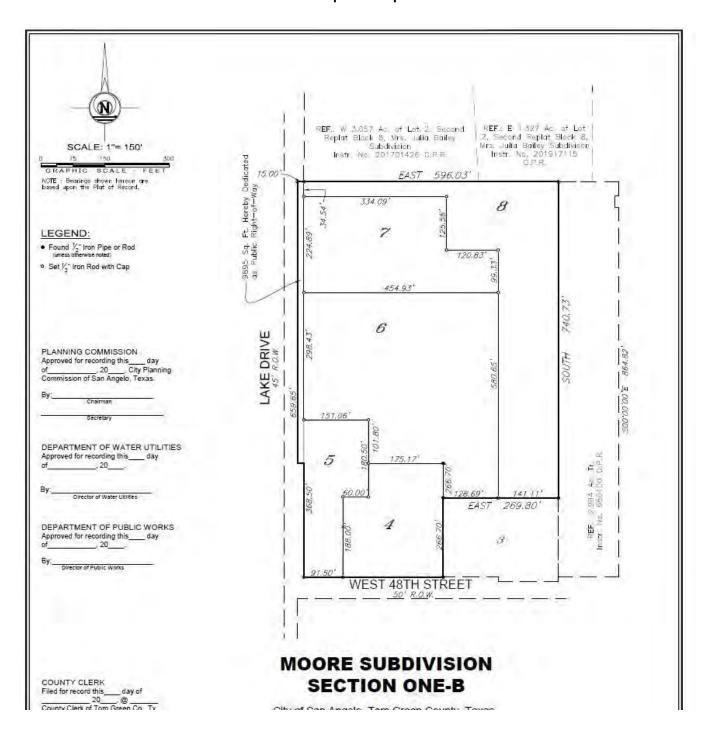
Legend

Subject Properties: Current Zoning: R&E Requested Zoning Change: N/A Vision: Commercial & Rural

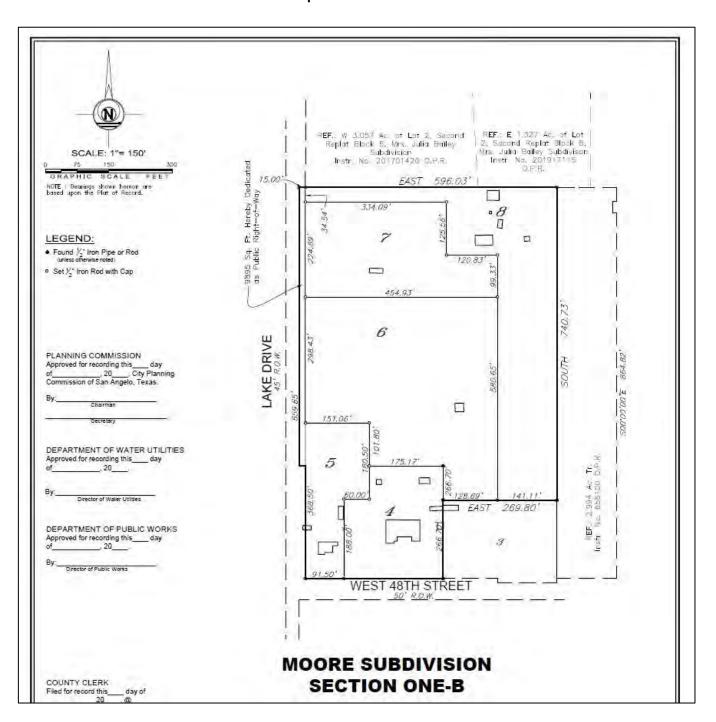




Proposed Replat



Replat with Structures





City of San Angelo, Texas - Planning Land Subdivision Application



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

Proposed Subdivision	n Name					
Lots 1A & 1B, Mod	re Subdivision S	ection One-	A, 3.00 Acre Tr.	Vol. 649, Pg. 799, OP	RRP, Remainde	er of 7.95 Ac. Tr. Vol. 386, Pg. 884, DR.
Current Legal Descr	iption (can be fou	nd on proper	ty tax statement o	or at <u>www.tomgreencad</u>	com)	
20-35700-000	1-001-00; 20	357000	-0001-002-0	0; 38-01954-007	7-000-00; 38	-01954-0009-000-00
Tax ID Number(s) (an be found on p	roperty tax st	atement or at www	w.tomgreencad.com un	der Geographic I	D)
One Authorized Re	presentative <u>mu</u>	st be select	ed below. All co	mmunications regard	ng this applicat	ion will be conducted with this individua
Authorized Represe	ntative: Te	nant 🗆	Property Owner	☐ Contractor	■ Engineer	
renant:	N/A					
enant.	Name		V	Phone Number		Email Address
Property Owner:	Sandra M	oore & D	onna Colley	(325) 656-2065		colleymoore@suddenlink.net
in the constant of the constant of	Name	Sanscoo		Phone Number		Email Address
Architect/Engineer/[esign Profession	al: SKG E	ngineering	325	-655-1288	jack@skge.con
100 mm - 100		Name			Phone Number	Email Address
Subdivision Type:	■ Fir	nal Plat	Replat - re	quiring Planning Comm	ission approval	☐ Plat Vacation
	☐ Pr	eliminary Pla	t 🗌 Replat - a	dministratively eligible*		Amended Plat
						st be met; otherwise, the application will be
schedule				g to the adopted COSA	submittal schedu	le.
	 includes no m 					
			The second of the second	right-of-way expansion		
						roved to City specifications;
				quired to furnish service	to the new lots o	r tracts;
	there is an ab:			1887 - T ERRE PER PER PER PER PER PER PER PER PER		
			lities are not rem ase of said easen		ut the express wr	itten permission from each utility service, o
	■ in the case of	replats requi	ring notification, r	o written opposition is r	eceived before th	e close of the public hearing.
Section 2: Utili	tv & Easemer	nt Informa	tion			
Water.	☐ City - reques	lina new sen	ices Prono	sed size?		
	City - reques					-
	Other	consulty self				
	- Other		Ficasi	aposity.		
Sewer:	☐ City - reques	ting new serv				
	City - utilizing	existing sen	vices Existin	ng size? 4"		_
	Other	20 E	Please	e specify:		
	☐ Septic System	m	Lot siz	:e?		
			an County Health	Department for Septic	System Permit 32	25-658-1024)
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11.539				-					5								
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roposed Lar	nd Use (in	clude t	he numb	er of a	acres dev	voted to	this use):									
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Section 4, continued

Due to the physical surroundings and shape of	the subject property inclu	ding the pres	sence of the exi	sting street and utilitie
a particular hardship to the owner would resu	lt.			
The variance will not, in any significant way, vary leading to this variance would not, in any significant way.			e applicable or	rdinances as these ar
conditions created as a result of prior plat app				
ne owner understands that upon approval of this submitted plat, building permits issued until such improvements are installed a City. Furthermore, the owner is aware of all fees and costs syable to the City regardless of the outcome of this request. Lathin seven calendar days, as required by Chapter 7.11 of the St	I and accepted by the City or s involved in applying for sub astly, the owner/representativ	a suitable per division appro-	formance guaran	tee is/has been accepte subdivision processing fe
ne undersigned hereby applies for subdivision plat approval in intifies that the information contained on this application is true wher's Signature	and accurate to the best of r	ny knowledge.	-1	f the City of San Angelo
rtifies that the information contained on this application is true	and accurate to the best of r	ny knawledge.	-1	the City of San Angelo
wher's Signature Accordance Signature Accordance Signature OR OFFICE USE ONLY:	Date	·23·24		
wher's Signature Description of the application is true presentative's Signature OR OFFICE USE ONLY: Definition to front desk: Date	Date	ny knawledge.	-1	the City of San Angelo
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Date

Case Number

Notes

Date

Approval Date

Approvals required for this application

Date of Approval Expiration:

Date Recorded:

Administrative Approval

Planning Commission

City Council (cases with appeal)

STAFF REPORT - CP22-02/Z22-08



Scheduled Hearings:

Planning Commission: April 18, 2022 City Council 1st reading: May 17, 2022 City Council 2nd reading: June 7, 2022

APPLICATION TYPE:	CASES:
Comprehensive Plan Amendment & Rezoning	CP22-02/Z22-08: 1701 S. Concho Drive

SYNOPSIS:

The applicant has submitted associated Comprehensive Plan Amendment (CPA) and Rezoning (RZ) applications to facilitate construction of new, single-family home subdivisions on this land. The entire 122.36 acres is designated "Rural" in the Comprehensive Plan but this area is immediately adjacent to residential zoning and requires connection to city water and sewer service along S. Concho Drive. The CPA and RZ would allow the future land use to change to Neighborhood in the Comprehensive Plan, which supports the associated RS-1 zoning. Several of the lots on the subdivision plats will have less than 150 feet of lot width which would be allowed in the RS-1 zoning but not the current R&E zoning.

LOCATION:	LEGAL DESCRIPTION:
1701 S. Concho Drive and an unplatted 92.09-acre tract immediately southwest	122.36 acres in the W. Spornhaun Survey No. 644, Abstract No. 1881

SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #1 – Tom Thompson Nasworthy Neighborhood	30.24 acres: RS-1 92.09 acres: N/A (in ETJ)	N – Neighborhood	122.36 acres

NOTIFICATIONS:

7 notifications for CP22-02 and Z22-08 were mailed within a 200-foot radius on April 6, 2022. No responses in support or in opposition.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of an amendment to the City of San Angelo Comprehensive Plan, changing all 122.36 acres from the "Rural" Future Land Use to the "Neighborhood" Future Land Use; and **APPROVAL** of a rezoning on the north 30.24 acres from the Ranch and Estate (R&E) Zoning District to the Single-Family Residential (RS-1) Zoning District.

PROPERTY OWNER/PETITIONER:
Property Owner and Applicant: Mr. Haden Burchard
STAFF CONTACT:
Jeff Fisher, AICP Chief Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us



August 16, 2021

<u>Comprehensive Plan Amendments and Rezonings</u>: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any rezoning request as outlined in #1 through #7 below. Comprehensive Plan Amendments are reviewed in the context of the San Angelo Strategic Plan, the 2009 Update to the Comprehensive Plan and outlined in #1 below:

- 1. Compatible with Plans and Policies. Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council. Staff believes changing the Comprehensive Plan designation from Rural to "Neighborhood" is consistent with the policies in the Plan. The Neighborhood policies seek to "Promote neighborhood diversity and security by encouraging a mix of age, income, and housing choices within San Angelo's neighborhoods." Changing the future land use and zoning to a more urban character is consistent with this policies. It is also functional given there is already RS-1 zoning with Neighborhood Future Land Use immediately to the north and that the property will be required to connect to city water and sewer along S. Concho Drive (R&E zoning is generally reserved for rural areas where no city services are available and where developments use private septic systems and private water supply or water wells).
- 2. Consistent with Zoning Ordinance. Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance. The proposed lots as shown on the associated subdivision plats would comply with RS-1 zoning. The RS-1 zoning district requires a minimum lot area of 5,000 sq. ft., minimum lot width of 50 feet, and minimum lot depth of 100 feet. All proposed lots will be at least 1 acre well above the lot area minimum, with lot widths at least 130 feet and lot depths at least 250 feet in compliance.
- 3. Compatible with Surrounding Area. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land. The RS-1 zoning is compatible with the surrounding area which contains large areas of RS-1 immediately north.
- 4. Changed Conditions. Whether and the extent to which there are changed conditions that require an amendment. The applicant is seeking to plat the properties for future single-family homes and requests this zone change to allow smaller lots than what the R&E district allows.
- 5. Effect on Natural Environment. Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment. While portions of the lots are within the floodplain, this can be address through the standard requirements of the platting and permitting process.
- 6. Community Need. <u>Whether and the extent to which the proposed amendment addresses a</u> <u>demonstrated community need.</u> Staff agrees with the applicant that the area is developing in a

Staff Report -CP21-06 & Z21-09: 1817 & 1819 Lillie Street

August 16, 2021

more urban fashion that rural, and the CPA and RZ will facilitate urban residential development.

7. Development Patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community. Current development patterns should not be negatively affected if the CPA and RZ are approved. The platting process will address appropriate lot configurations.

Recommendation:

Staff recommends **APPROVAL** of an amendment to the City of San Angelo Comprehensive Plan, changing all 122.36 acres from the "Rural" Future Land Use to the "Neighborhood" Future Land Use; and **APPROVAL** of a rezoning on the north 30.24 acres from the Ranch and Estate (R&E) Zoning District to the Single-Family Residential (RS-1) Zoning District.

Note:

1. Prior to development, subdivision replat(s) are required to be submitted, approved, and recorded.

<u>Attachments:</u>

Aerial Map Future Land Use Map Zoning Map Applications



Comprehensive Plan Amendment

CP22-02: 1701 S. Concho Drive

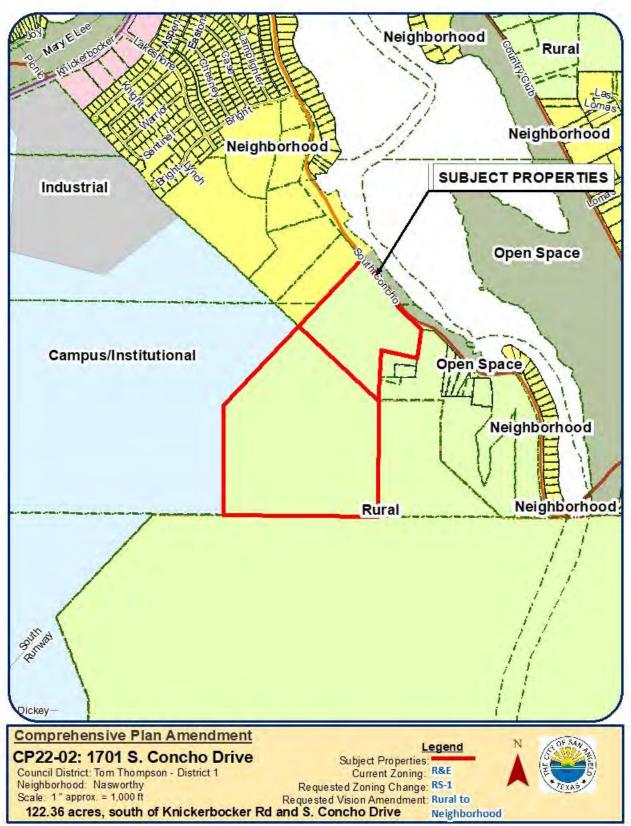
Council District: Tom Thompson - District 1 Neighborhood: Nasworthy Scale: 1" approx. = 1,000 ft

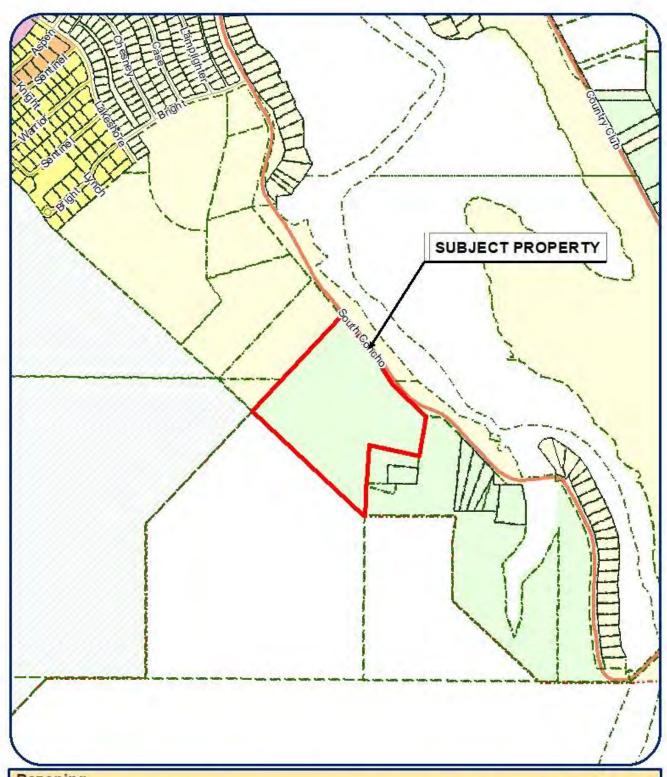
Legend Subject Properties: leighborhood: Nasworthy
Requested Zoning Change: RS-1
Requested Vision Amendment: Rural to
122.36 acres, south of Knickerbocker Rd and S. Concho Drive
Neighborhood: Nasworthy
Requested Vision Amendment: Rural to
Neighborhood: Neighborhood:











Rezoning

Z22-08: 1701 S. Concho Drive

Council District: Tom Thompson - District 1 Neighborhood: Nasworthy Scale: 1" approx. = 750 ft

Subject Properties: Current Zoning: R&E Requested Zoning Change: RS-1 Vision: Rural

Legend



30.24 acres, south of Knickerbocker Rd and S. Concho Drive

Effective January 3, 2017 City of San Angelo, Texas - Planning Division 52 West College Avenue Application for Request to Amend Comprehensive Plan Section 1: Basic Information Name of Applicant(s): Haden Burchard, Concho Lake Estates Trust Representative (Notarized Affidavit Required) □ Owner San Angelo Texas P.O. Box 62582 76906 Mailing Address State Zip Code 325-245-7517 hadenburchard@gmail.com Contact Phone Number Contact E-mail Address 1701 South Concho Drive San Angelo Texas 76904 Subject Property Address Zip Code Zoning: R&E Lot Size: 122.36 acres Section 2: Site Specific Details Existing Use of Property: Vacant Proposed Use of Property: Single Family Residential Existing Comprehensive Plan Land Use Designation: Rural Requested Comprehensive Plan Land Use Designation: Neighborhood Reason(s) and justification(s) for requesting Comprehensive Plan Amendment: This area is developing in a residential fashion more so than as rural. Residential seems to be the current greatest need for the City.

Effective January 3, 2017

Manna initial the followings	
lease initial the following:	
	uture applications filed for zone change will be evaluated by comparing the reques required by the Local Government Code. This Code directs cities to make zonin
lanning Commission and City Council have the option to determine	g Commission consider an amendment to the Comprehensive Plan map. Both the ne no amendment is necessary, if amendment is deemed necessary, staff win accordance with the principles of the Comprehensive Plan adopted in 2009.
THE RESIDENCE OF THE PROPERTY	to the property and runs with the land, it does not apply to the property owner(s).
The Planning Commission makes recommendations to City Commendment request, the request must still go before City Council for fi	ouncil. If the Planning Commission recommends approval of a Comprehensive Pla inal action.
	City Council, a Zone Change application must still be filed to begin the rezonin a rezoning application fee is not possible; as such, it may be advisable to wait for ding with a rezoning request.
Comprehensive Plan Amendments are not done on a property and unintended consequences land uses have on their surroutudied by staff, the Planning Commission, and City Council.	y by property basis, since zoning is largely based upon anticipating & mitigating th undings. The neighborhood or area where your property lies will be evaluated an
Areas will be examined no more than once per calendar year north process; City Council must also adopt any changes.	r. The analysis, study, and evaluation by staff, the Planning Commission is a thre
The applicant or an authorized representative should attend p answer any relevant questions from Planning Commission or City C	public hearing(s) pertaining to his/her request, prepared to present his/her case an council members.
We the undersigned acknowledge that the informat	tion provided above is true and correct.
Haden Burchard	3-28-2022
ignature of licensee or authorized representative	Date 0
Haden Burchard rinted name of licensee or authorized representative	
Concho Lake Estates Trust	
lame of business/Entity of representative	
in apparent sing	
FOR OFFICE USE ONLY:	
Case No.: CPA.: Plannin	ng Commission Date:/
City Council Date(s): / /	
City Council Date(s):/	
City Council Date(s):/	Date paid:/
Non-Refundable Fee: \$ Receipt #:	

Effective January 3, 2017



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



Application for Approval of a Zone Change

	■ Owner	☐ Representative (Notarized	The second secon		
225 West Bea	uregard Avenue		San Angelo	Texas	76903
Mailing Address			City	State	Zip Code
325-245-7517			urchard@gmail.com		
Contact Phone Numb			E-mail Address		
1701 South Conch	a Drive	San Ar	ngelo	Texas	76904
Subject Property Addi	ess		City	State	Zip Code
Abst A-1881 S-064	44, Survey: W SPORM	HAUN, 30.2470 ACRES - BE	ING OUT OF SURVE	144 & SUR 645/AB	ST 4212/ZECH
Legal Description (car	n be found on property ta	x statement or at <u>lover temarana</u>	act.com/		
Tax ID: 38-01881-0	0004-000-00				
Existing Zoning: R8	E P	oposed Zoning: RS-1	Lot size. gre	ater than 1 acre	
Existing Zonling: R8		roposed Zoning: RS-1	Lot size: gre	ater than 1 acre	
	a on City Maos)	roposed Zoning: RS-1	Lot size: ^{gre}	ater than 1 acre	
(Zoning Map available	on <u>City Manus</u>	roposed Zoning: RS-1	Lot size: ^{gre}	ater than 1 acre	

Section 3: Applicant(s) Acknowledgement

(By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)

- An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidevit from the property owner,
- No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.
- If approved, a zone change is applied to the property, not the property owner.
- The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.
- if a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.
- Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are buildined in San Angelo's Zoning Ordinance, it is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.
- One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly. City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.
- If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing data. If Planning Commission's recommendation of denial is not appealed, if will be the final action on a request.

				Effective January 3, 2
Section 3 continued : Appl The applicant or an authorized renswer any relevant questions from	epresentative shou	uld attend public hearing	g(s) pertaining to his/her request, prepared embers.	to present his/her case and to
	viedge that the	iptormation provide	ed above is true and correct.	3-16-2022
Haden Burchard	1/2	1, 500	Concho Lake Estates Trust	THE PROPERTY OF STREET
Owner Name (Print)	Signature	on-Russell Gully, o. ou.	Company/Organization (If Applicable)	Date
Russell Gully	6034	0 email rgunkge.com. c-1 300 203.16 14:35:05-051	SKG Engineering	3-16-2022
Representative Name (Print)	Signature		Company/Organization	Date
OR OFFICE USE ONLY: Verified Complete Verif	Fied Incomplete		Date of Application:/_	
Case No.: Z	_	Fully	y-dimensioned site plan: 🗆	
Nonrefundable fee: \$	R	eceipt #:		
Sign Deposit \$37.50	Re	eceipt #:	Date paid:/_	
Affidavit attached?	es 🗆 No 🗆	IN/A Applicant's s	ignature on information sheet?	□ Yes □ No
Previous Zone Change Inquiry	? □Yes □	No If yes, ZCI car	se no.;	
tiver Corridor Commission?	□ Yes □	No If yes, RCC m	eeting date://	
			Date notifications due:	
City Council hearing date:		Paci	kets due date://	_
Publication date:/	1			
			B-141	
Reviewed/Accepted by:			Date;	

STAFF REPORT



Planning Commission: April 18th, 2022 City Council: 1st reading May 17th 2nd reading May 31st

APPLICATION TYPE: CASE:	
Zone Change	CP22-03 & Z22-09: 3202 & 3206 Abilene St.

SUMMARY:

- a) A request for approval of an amendment to the Comprehensive Plan, changing certain lands from the Neighborhood Center to the Residential Future Land Use, for the property located at 3202 & 3206 Abilene Street, lots 15 & 16 totaling to 0.322 acres.
- **b)** A request for approval of a zone change from the General Commercial (CG) to the Single-Family Residential (RS-1) zoning district, for a property located at 3202 & 3206 Abilene Street, being 0.322 acres.

LOCATION:	LEGAL DESCRIPTION:
1. 3202 Abilene St, San Angelo, TX, 76901, USA	1. Lot: 15, Blk: 47, Subd: HATCHER ADDITION
2. 3202 Abilene St, San Angelo, TX, 76901, USA	2. Lot: 16, Blk: 47, Subd: HATCHER ADDITION

SM DISTRICT / NEIGHBORHOOD:	ZONE DISTRICT:	VISION PLAN:	SIZE:
District	CG	Neighborhood Center	0.322 acres

NOTIFICATIONS:

22 notification letters were mailed out to the relevant property owners of land within a 200-foot buffer.

THOROUGHFARE PLAN

Abilene Street: Local Road 50' ROW required (60' Existing), 40' pavement required (29' Existing)

Alexander Street: Local Road, 50' ROW required (60' Existing), 40' pavement required (28' Existing)

STAFF RECOMMENDATION:

Staff recommends approval of CP22-03 & Z22-09: 3202 & 3206 Abilene St., being 0.322 acres.

	PROPERTY OWNER/PETITIONER:
•	Property Owner: Czech Homes, LLC
	STAFF CONTACT:
	Rafael Alvarado Planner

(325) 657-4210, Extension 1533 rafael.alvarado@cosatx.us

Comprehensive Plan Amendments and Zone Changes:

Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider at minimum seven (7) factors in determining the appropriateness of any rezoning request, as outlined in num. 1-7 below.

- 1) **Compatible with Plans and Policies**: <u>Whether the proposed amendment is compatible with the</u> Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.
 - a) The application received was for a comprehensive plan amendment and zone change to make changes to how the land is designated for current and future use. The proposal is a rational and practical adjustment to the existing designations for the subject property. The changes to the zoning and vision plan that occurred to these properties in the early 2000's has left the property vacant ever since. The applicant intends to create detached dwelling units for residential use, which would match the existing surrounding land uses.
- 2) **Consistent with Zoning Ordinance**: <u>Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance</u>.
 - a) The proposal would also require a comprehensive plan amendment, in addition to a zone change, in order to be consistent with the designation for future use. These two processes are set to be carried out in conjunction to become consistent with the zoning ordinance.
- 3) **Compatible with Surrounding Area:** <u>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.</u>
 - a) The surrounding area has been build up primarily as a single family residential (RS-1) neighborhood. There is a row of properties directly across the street to the North from the subject property that are being used as storage facilities, and have the requisite approvals to do so. Nevertheless, the majority of the surrounding land uses are residential and the position of this neighborhood with respect to the access from Houston Harte highway would make this a suitable and favorable place for residential development.
- 4) **Changed Conditions:** Whether and the extent to which there are changed conditions that require an amendment.
 - a) There was a zone change for these properties that abut the highway, about 20 years ago, that changed the zone district from RS-1 to CG (general commercial). The change in zoning could have been a major deterrent from development; and today we have received interest to develop residential, and not commercial as it currently stands.
- 5) **Effect on Natural Environment:** Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.
 - a) The proposal to construct residential development instead of commercial will significantly decrease the environmental impact that this area will receive. The establishment of these residences will fortify the neighborhood and add value to all its residents.
- 6) **Community Need:** Whether and the extent to which the proposed amendment addresses a demonstrated community need.

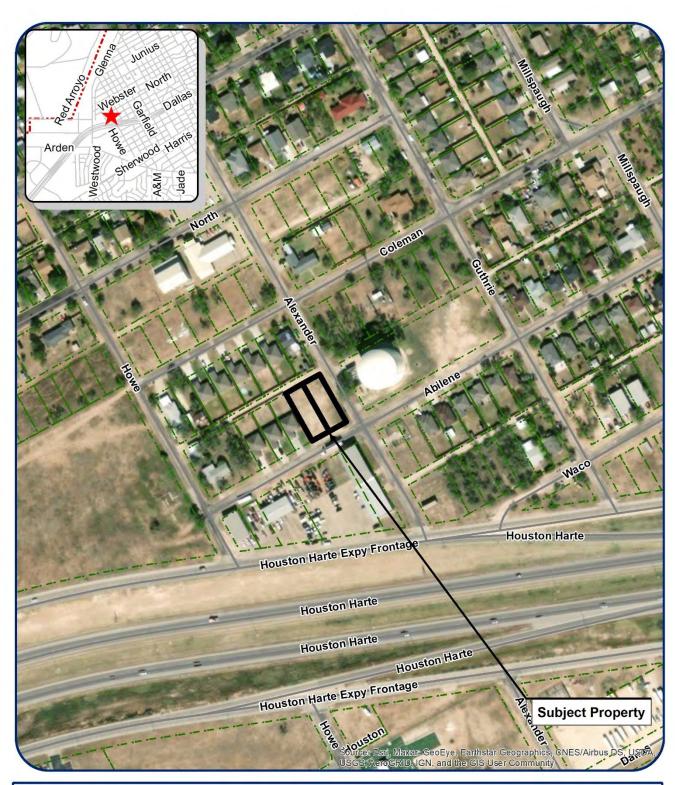
- a) The application for a zone change and comprehensive plan amendment that we received were with the intentions to construct single family detached dwelling units. The surrounding development would indicate the need to construct residential structures. The subject has sat vacant for 20 years with a commercial designation, so the community need points away from commercial development.
- 7) **Development Patterns:** Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.
 - a) There are no major intersections near the subject property, but there sufficient throughput from local roads and collectors. Yet there is high traffic due to its proximity to the Houston Harte Highway, the surrounding development is already primarily residential in nature, and thus extending residential uses would fortify this entire area along the highway corridor.

Recommendation:

Staff's recommendation is for the Planning Commission to <u>recommend approval</u> the proposed zone change and comprehensive plan amendment CP22-03/Z22-09: A request for approval of an amendment to the Comprehensive Plan, changing certain lands from the Neighborhood Center to the Residential Future Land Use, and a request for approval of a zone change from the General Commercial (CG) to the Single-Family Residential (RS-1) zoning district, for a property located at 3202 & 3206 Abilene Street, being 0.322 acres

Attachments:

Staellite, Zone, Vision, and Notification Maps



CP22-03: Satellite Imagery 3202 & 3206 Abilene St.

Council District 2 - Tom Thompson Neighborhood: Bluffs Scale:1 " approx. = 208 ft

Legend

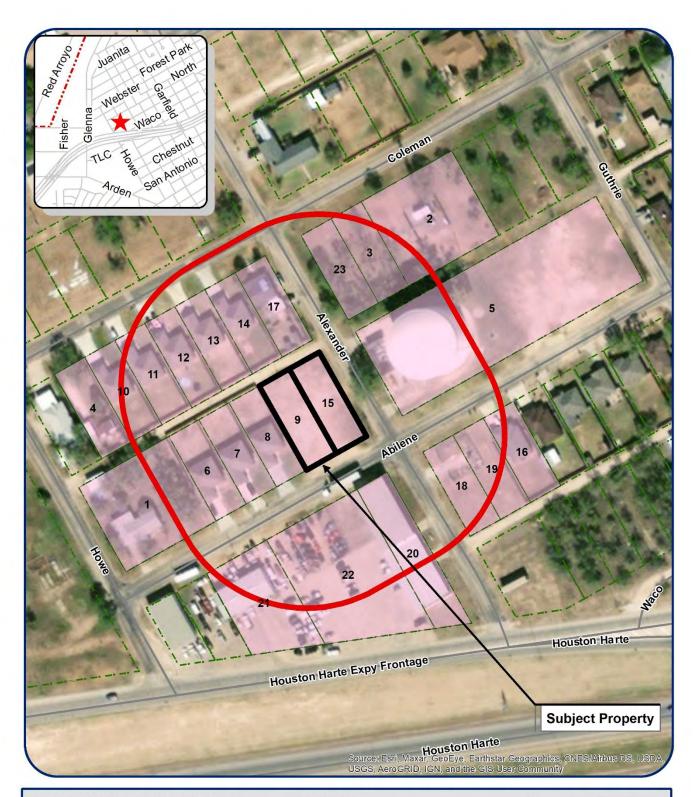
Subject Properties: Current Zone District: CG Requested Zone District: RS-1

Vision Plan: Neighborhood Center









CP22-03: Notification Map

3202 & 3206 Abilene St.

Council District 2 - Tom Thompson Neighborhood: Bluffs Scale:1 " approx. = 118 ft

Legend

Subject Properties:

Current Zone District: CG

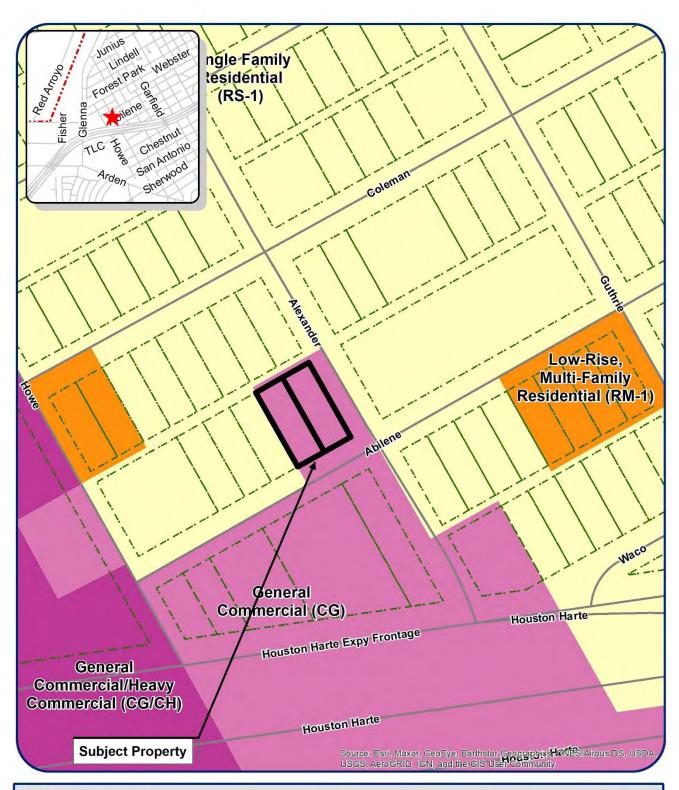
Requested Zone District: RS-1

Vision Plan: Neighborhood Center

Requested Vision Plan: Residential







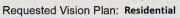
CP22-03: Zone Districts 3202 & 3206 Abilene St.

Council District 2 - Tom Thompson Neighborhood: Bluffs Scale:1 " approx. = 133 ft

Legend

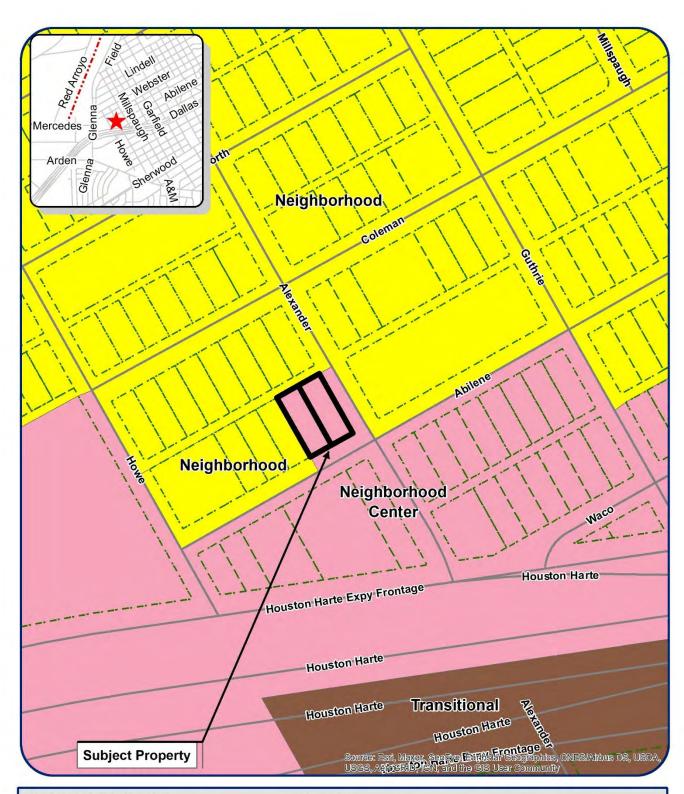
Subject Properties:
Current Zone District: CG
Requested Zone District: RS-1

Vision Plan: Neighborhood Center









<u>CP22-03: Vision Plan</u> 3202 & 3206 Abilene St.

Council District 2 - Tom Thompson Neighborhood: Bluffs Scale:1 " approx. = 167 ft

Legend

Subject Properties:
Current Zone District: CG
Requested Zone District: RS-1

Vision Plan: Neighborhood Center Requested Vision Plan: Residential





PLANNING COMMISSION – April 18, 2022 STAFF REPORT



APPLICATION TYPE:	CASE:
Conditional Use	CU22-08: 5046 Red Oak Ln.

SYNOPSIS:

A request for approval of a Conditional Use to allow a Bed and Breakfast in RS-1 residential zoning, located at 5046 Red Oak Ln.

LOCATION:	LEGAL DESCRIPTION	N:	
5046 Red Oak Ln.	Lot: 2, Blk: 66, Subd	: TWIN OAKS ADDN, SEC 2	7
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #6 – Larry Miller Bonham Neighborhood	RS1- Residential	N- Neighborhood	0.196 acres
THOROUGHFARE PLAN:	·	·	

Red Oak Ln. – Urban Local Street, <u>Required</u>: 50' right-of-way, 40' pavement or 36' pavement with a 4-foot sidewalk, <u>Provided</u>: 50' right-of-way, 40' pavement

NOTIFICATIONS:

23 notifications mailed within 200-foot radius on 4/4/22

STAFF RECOMMENDATION:

Staff's recommendation is for the Planning Commission to **APPROVE** the proposed Conditional Use to allow a Bed and Breakfast at 5046 Red Oak Ln.

PROPERTY OWNER/PETITIONER:

Property Owner:

Robin and Stephen Barry

Applicant:

Robin and Stephen Barry

STAFF CONTACT:

Kyle Warren Planner I (325) 657-4210, Extension 1546

Kyle.warren@cosatx.us

<u>Conditional Uses</u>: 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.

- Impacts Minimized. Whether and the extent to which the proposed conditional use creates adverse
 effects, including adverse visual impacts, on adjacent properties. The applicant plans to make no changes
 to existing structures on the lot.
- 2. Consistent with Zoning Ordinance. Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance. There are no short-term rentals or other bed and breakfast establishments active within 500' of this proposed location.
- 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 bed and breakfast would be in an RS-1 residential zoning area. The applicant is only using one bedroom in the house for this purpose, and therefore will stay.
- 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 the bed and breakfast will have any adverse effects on the environment. The area infrastructure is already built to accommodate residential zoning.
- 5. Community Need. Whether and the extent to which the proposed conditional use addresses a demonstrated community need. The bed and breakfast will address the need of short term stays in San Angelo that will provide an alternative to hotels or renting out an entire house.
- 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:

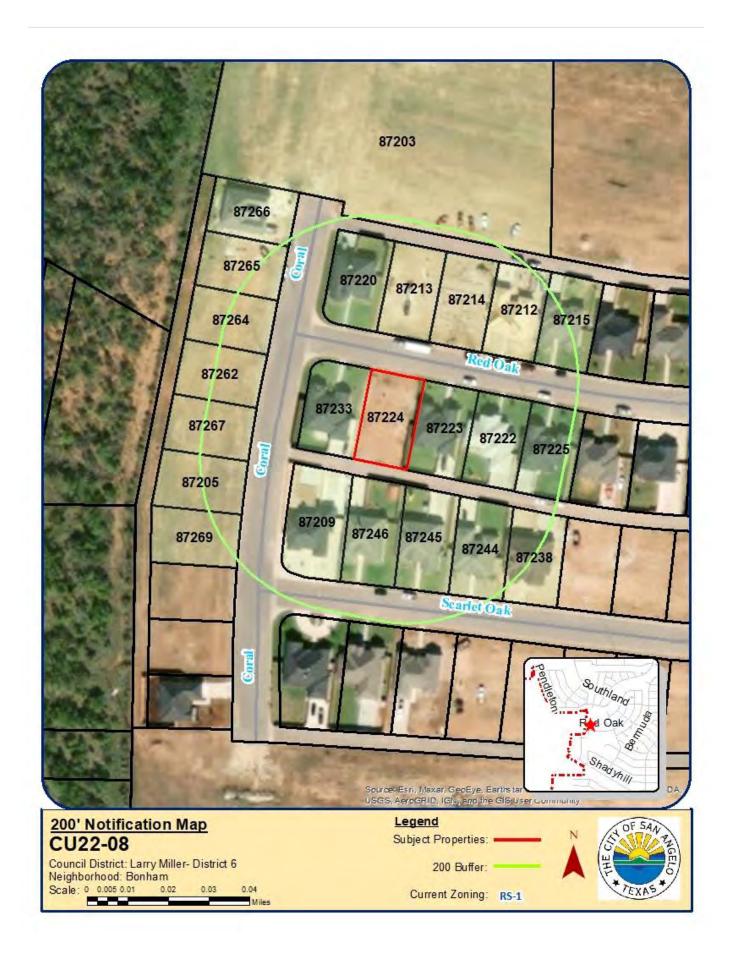
Staff's recommendation is for the Planning Commission to <u>APPROVE</u> a Conditional Use to allow for a Bed and Breakfast in the Single-Family Residential (RS-1) Zoning District, subject to the following three Conditions of **Approval**:

- 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 Bed and Breakfast 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 Marshall inspection and a Building inspection for a change of occupancy to meet the completion of the requirements for the Conditional Use.

Attachments:

Zoning Map Notification Map Site Images

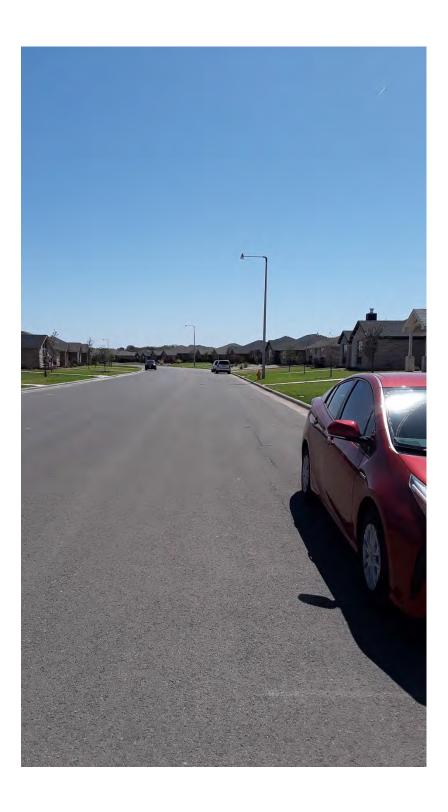




Existing home



Street view



PLANNING COMMISSION – April 18, 2022 **STAFF REPORT**



APPLICATION TYPE:	CASE:
Conditional Use	CU22-09: 1223 Dorchester Dr.

SYNOPSIS:

A request for approval of a Conditional Use to allow a Short Term Rental as defined in sec. 406 the Zoning Ordinance in RS-3 residential zoning, located at 1223 Dorchester Dr.

LOCATION:	LEGAL DESCRIPTION	l:	
1223 Dorchester Dr.	Lot: 3 SECTION 1, BII	k: 2, Subd: BLUFFS	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #6 – Larry Miller Bluffs Neighborhood	RS3- Residential	N- Neighborhood	0.149 acres
THOROUGHFARE PLAN:			

Dorchester Rd. – Urban Local Street, Required: 50' right-of-way, 40' pavement or 36' pavement with a 4-foot sidewalk, Provided: 50' right-of-way, 40' pavement

NOTIFICATIONS:

28 notifications mailed within 200-foot radius on 4/4/22

STAFF RECOMMENDATION:

Staff's recommendation is for the Planning Commission to APPROVE the proposed Conditional Use to allow a short term rental at 1223 Dorchester Dr.

L	
	PROPERTY OWNER/PETITIONER:
	Property Owner: Amy Harris Applicant: Amy Harris
	STAFF CONTACT:
	Kyle Warren Planner I

(325) 657-4210, Extension 1546 Kyle.warren@cosatx.us

<u>Conditional Uses</u>: 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.
- Consistent with Zoning Ordinance. Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance. No, there are no short term rentals active within 500' of this proposed location.
- 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 in an RS-3 multifamily zoning area, and higher density residential is more compatible with short term rentals.
- 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. The area infrastructure is already built to accommodate multifamily zoning.
- 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 more rentals in the Bluffs area/ western San Angelo.
- 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 <u>APPROVE</u> a Conditional Use to allow for a Short Term Rental in the Multi-Family Residential (RS-3) 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 Marshall inspection and a Building inspection for a change of occupancy to meet the completion of the requirements for the Conditional Use.

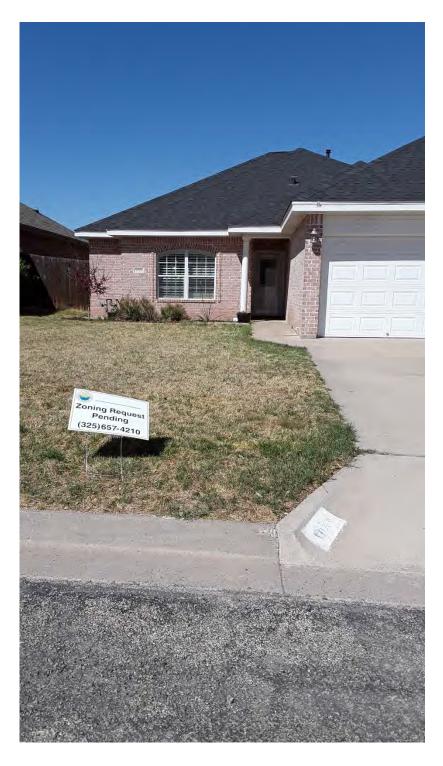
Attachments:

Zoning Map Notification Map Site Images





Existing home



Street view



STAFF REPORT

Planning Commission: April 18th, 2022



APPLICATION TYPE:	CASE:
Conditional Use: Short Term Rental	CU22-10: 418 S. Adams St.

SUMMARY:

A request for approval of a Conditional Use to allow a Short-Term Rental (STR) as defined in Section 406 the Zoning Ordinance in the Single-Family Residential (RS-1) Zoning District, located at 418 S. Adams Street.

LOCATION:	LEGAL DESCRIPTION:	
418 S Adams St, San Angelo, TX, 76901, USA	Blk: 75, Subd: ANGELO HEIGHTS ADDITION, NORTH 40 FEET OF LOT 8 & SOUTH 20 FEET OF LOT 9	

SM DISTRICT / NEIGHBORHOOD:	ZONE DISTRICT:	VISION PLAN:	SIZE:
Council District #5: <i>Karen Hesse Smith</i> Neighborhood: <i>Santa Rita</i>	RS-1	Neighborhood	0.193 acres

NOTIFICATIONS:

18 notification letters were mailed out to the relevant property owners within a 200-foot buffer.

THOROUGHFARE PLAN

South Adams Street: Local Road, 50' ROW required (60' Existing), 40' pavement required (38' Existing)

STAFF RECOMMENDATION:

Staff recommends approval of CU22-10: 418 S. Adams St., being 0.193 acres, subject to three conditions of approval.

PROPERTY OWNER/PETITIONER:

Owner: Latisha Kezer

STAFF CONTACT:

Rafael Alvarado Planner (325) 657-4210, Extension 1533 rafael.alvarado@cosatx.us <u>Conditional Use</u>: 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. <u>Impacts Minimized</u>: Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.
 - The proposed use of a short term rental would be of equal or less intensity than the current use. The property will continue to function as a residence and it will be subject to a higher standard than an ordinary residence; with the requirement for a building permit, fire inspection, and other requirements in the relevant code ordinances.
- 2. <u>Consistent with Zoning Ordinance</u>: 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.
 - There are no other short term rentals within a 500-foot buffer of the subject property. The proposition is in accordance with the zoning ordinance.
- 3. <u>Compatible with Surrounding Area</u>: Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.
 - The surrounding land uses are all residential and thus the proposed use of a short term rental is rational and practical. The proximity of the residence to the river makes it a great location for potential short term rental use.
- 4. <u>Effect on Natural Environment</u>: 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.
 - The impact on the environment will not increase and will continue to be minimal as the same as the rest of the residences.
- 5. <u>Community Need</u>: Whether and the extent to which the proposed conditional use addresses a demonstrated community need.
 - Market forces have continually indicated a desire for short term rental property opportunities in suitable residential neighborhoods in San Angelo. This property has multiple amenities within a walkable and otherwise accessible distance to it, including the Concho River.
- 6. <u>Development Patterns</u>: Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.
 - This property is located within the Santa Rita neighborhood, which is locally considered as a historic neighborhood. The proposed use of the property as a short term rental would facilitate an elevated level of review and inspection for the property, both by the City and the Owner. The proposition bodes well for the neighborhood and the subject property.

Recommendation

Staff's recommendation is for the Planning Commission to <u>approve</u> the Conditional Use (CU) at the subject property, 418 South Adams Street, for a Short Term Rental (STR) <u>subject to three conditions of approval</u>:

- 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:

Satellite, Zone, Vision, and Notification map.



CU22-10: Satellite Imagery

418 S. Adams St.

Council District 5 - Karen Hesse Smith Neighborhood: Santa Rita Scale:1 " approx. = 146 ft

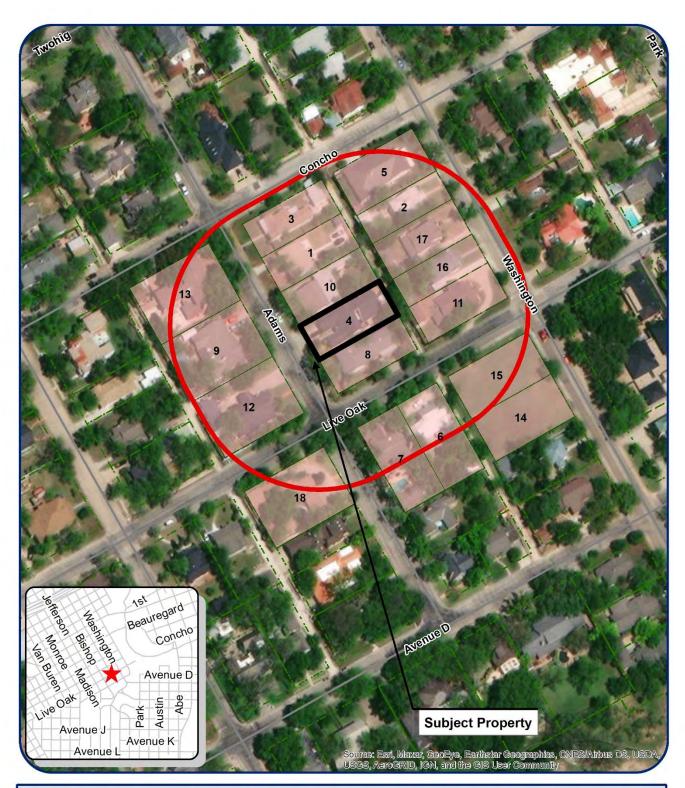
Legend

Subject Properties:
Current Zone District: RS-1
Requested Zone District: N/A

Cone District: N/A
Vision Plan: Neighborhood







CU22-10: Notification Map

418 S. Adams St.

Council District 5 - Karen Hesse Smith Neighborhood: Santa Rita Scale:1 " approx. = 125 ft

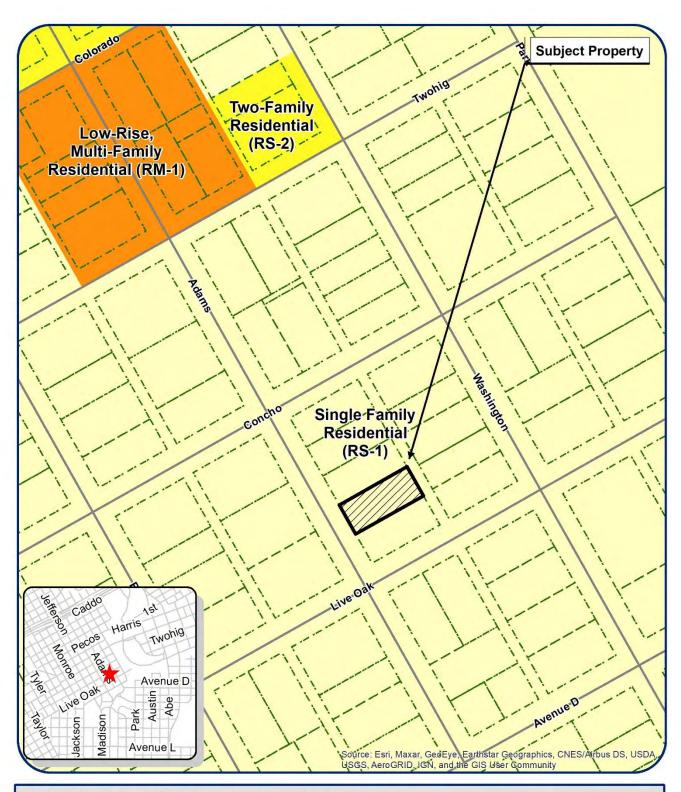
Legend

Subject Properties:
Current Zone District: RS-1
Requested Zone District: N/A

Vision Plan: Neighborhood







CU22-10: Zone District

418 S. Adams St.

Council District 5 - Karen Hesse Smith Neighborhood: Santa Rita Scale:1 " approx. = 146 ft

Legend

Subject Properties:

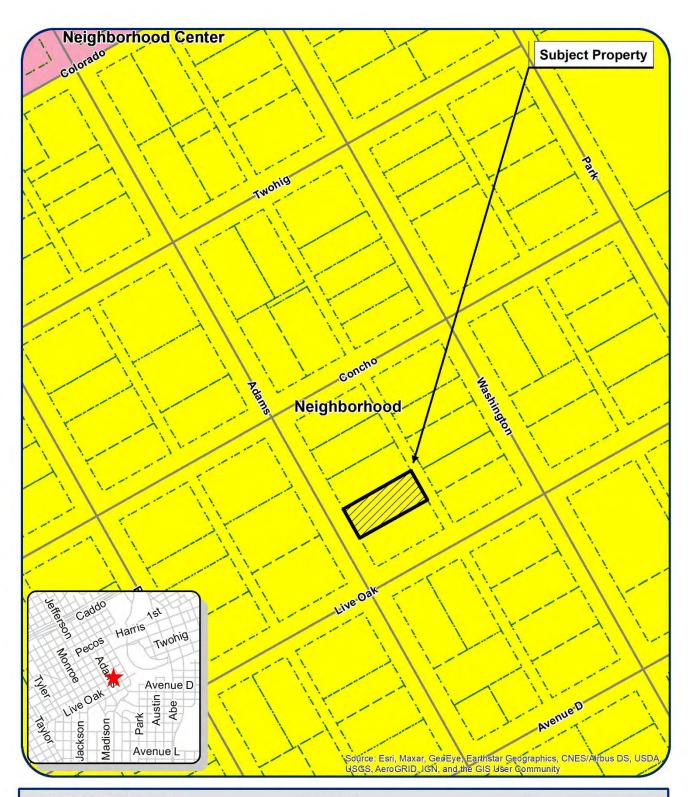
Current Zone District: RS-1

Requested Zone District: N/A

Vision Plan: Neighborhood







CU22-10: Vision Plan

418 S. Adams St.

Council District 5 - Karen Hesse Smith Neighborhood: Santa Rita Scale:1 " approx. = 146 ft

Legend

Subject Properties:

Current Zone District: RS-1

Requested Zone District: N/A

Vision Plan: Neighborhood







Meeting

Date: April 18, 2022

To: Planning Commission

From: Jeff Fisher, AICP

Chief Planner

Request: Z22-02: **Discussion** to adopt a new Downtown Historic Overlay Zone, generally

located north of Concho River, east of N. Irving Street; south of E. 4th Street; and

west of S. Oakes Street.

Background:

In September 2020, the City of San Angelo commissioned HHM & Associates, Inc. of Austin, Texas, to undertake a historic resources survey of downtown San Angelo. The project identified, documented, and evaluated all buildings, structures, sites, landscapes, and objects within the survey boundaries regardless of construction date. The Project was made possible with a grant from the Certified Local Government (CLG) Grant Program administered by the Texas Historical Commission (THC). The survey work was completed in November and December of 2020. The project was to gather information and make recommendations on possible historic districts, but will not change zoning or development regulations.

Each property surveyed received a ranking of high, medium, or low to be designated historic. High priority were determined to be "contributing" to the historic significance and character of the district and are eligible for listing in the National Registry of Historic Places (NRHP). Medium priority properties were those that were also contributing but ineligible for NRHP listing. Low priority properties were those that were "non-contributing" and ineligible for NHRP listing. Regardless, all of these properties if located within a historic district would require a Certificate of Appropriateness for "any exterior new construction, reconstruction, alteration, restoration; any exterior rehabilitation, including any addition to or expansion of an existing building; or, relocation of any historic landmark" per Section 211.E of the Zoning Ordinance. This would ensure all properties within a new historic district have a design review to protect their historic character.

The report recommended four Downtown Historic District options per the attached map. Planning Staff are recommending the first option "Chadbourne Corridor Commercial Historic District" being approximately 78 acres generally located north of Concho River, east of N. Irving Street; south of E. 4th Street; and west of S. Oakes Street.

The Historic Survey was presented to City Council at their meeting of January 4, 2022 and Council provided their support, as well as the Chamber of Commerce, COSADC, and Downtown San Angelo.



Downtown Overlay Zone versus Historic Overlay Zone

The proposed historic district is located within the recently expanded Downtown District Overlay Zone, approved by City Council on December 7, 2021. Exterior construction in the Downtown District is subject to review of applicable policies of the River Corridor Master Development Plan (RCMDP) until specific standards can be incorporated for the downtown area. Since the historic district policies are stricter, Staff policy is to only require one approval – a Certificate of Appropriateness – for historic preservation. 30 properties within the proposed historic district are already designated historic so they would not change.

Design and Historic Review Commission (DHRC):

On January 20, 2022, the DHRC **RECOMMEND APPROVAL** of the new Downtown Historic Overlay Zone, generally located north of Concho River, east of N. Irving Street; south of E. 4th Street; and west of S. Oakes Street, identified as the "Chadbourne Corridor Commercial Historic District" in the *San Angelo Downtown Historic Resources Survey*.

Town Hall Meeting

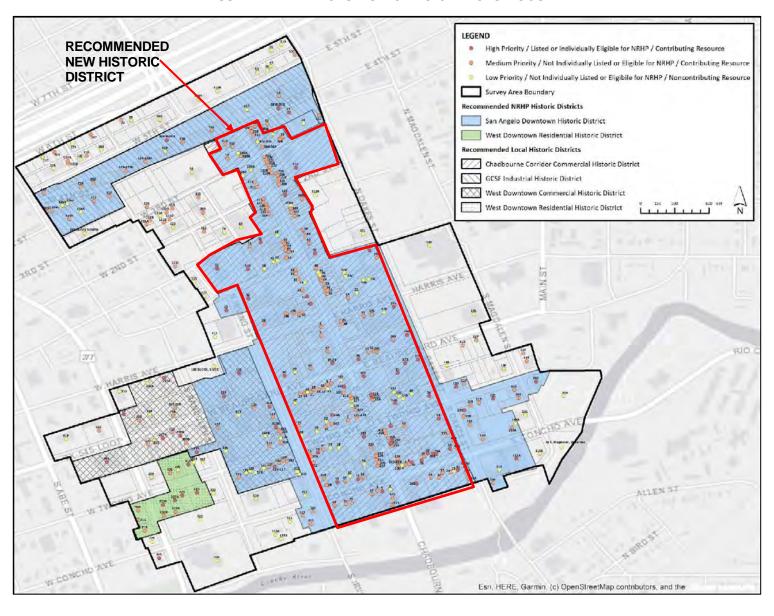
On March 2, 2022, Planning Staff held a Town Hall Meeting at the East Mezzanine of City Hall to discuss the proposed Historic District.

NO ACTION IS REQUIRED BUT STAFF IS REQUESTING ANY FEEDBACK OR SUGGESTIONS AND WILL BRING THIS ITEM BACK FOR A RECOMMENDATION AT A FUTURE PLANNING COMMISSION MEETING.

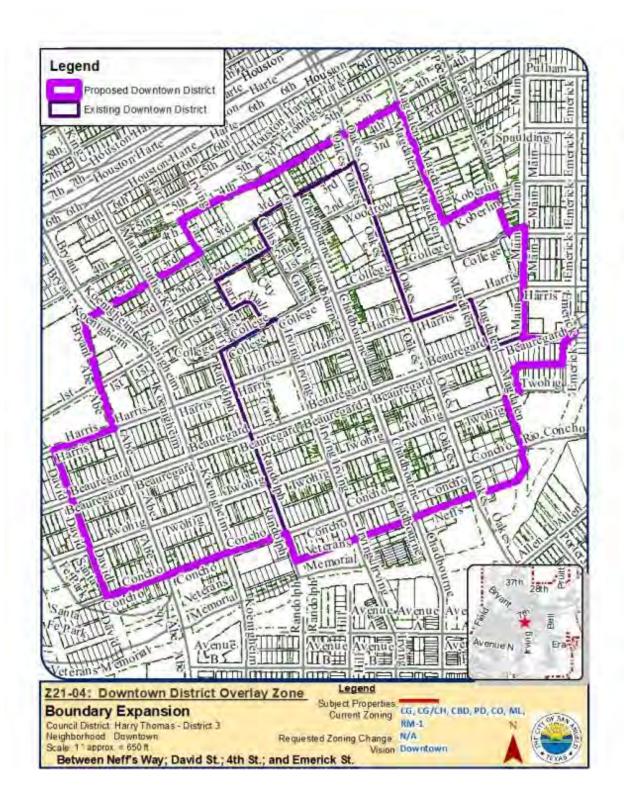
Attachments:

Recommended Historic District Downtown District Overlay Zone Existing Historic Properties

RECOMMENDED HISTORIC DISTRICTS – HISTORIC SURVEY



DOWNTOWN DISTRICT OVERLAY ZONE



EXISTING HISTORIC PROPERTIES IN SUBJECT AREA

