

MEMO

**Meeting**

Date: June 20, 2022

To: Planning Commission

From: Kyle Warren
Planner, City of San Angelo

Request: Approval of a revised preliminary plat of Riverwood West.

Background: A request for approval of a revised preliminary plat of Riverview West.

Notification:

No notification is required by State or local codes.

Conditions of Approval:

1. 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].

Planning Commission Requested Action:

Staff recommends **APPROVAL** of a request for a revised preliminary plat of Riverwood West Section 4 with 1 condition of approval.

Attachments:

Plat

MEMO

**Meeting**

Date: June 20, 2022

To: Planning Commission

From: Kyle Warren
Planner, City of San Angelo

Request: Approval of a final plat of Riverwood West Section 4.

Background: A request for approval of a final plat of Riverview West Section 4, being 8.727 acres comprised of 2.951 acres out of Julius Wagner Survey 162, Abstract No. 3961, Tom Green County, Texas and 5.776 acres out of Julius Wagner Survey 161, abstract 1553, Tom Green County, Texas and being out of a 74.08 acre tract as described in Deed from Suez Temple Building Company, Inc. to Erwin A. Wilde and wife, Clarice M. Wilde dated November 24, 2009 and recorded as instrument # 678914 of the Official Public Records of Tom Green County, Texas.

Notification:

No notification is required by State or local codes.

Conditions of Approval:

1. 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].
2. Prior to plat recordation, prepare and submit plans for approval, illustrating the required construction of all internal streets meeting the requirements for a minor collector roadway with a minimum 48 feet of pavement with no sidewalk, or 40 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].
3. Prior to plat recordation, prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections [Land Development and Subdivision Ordinance, Chapter 11.I.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]

- 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.
- Prior to plat recordation, provide a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision. [Land Development and Subdivision Ordinance, Chapter 7].

Note: Addressing will fall under the jurisdiction of CVCOG unless annexed into the City.

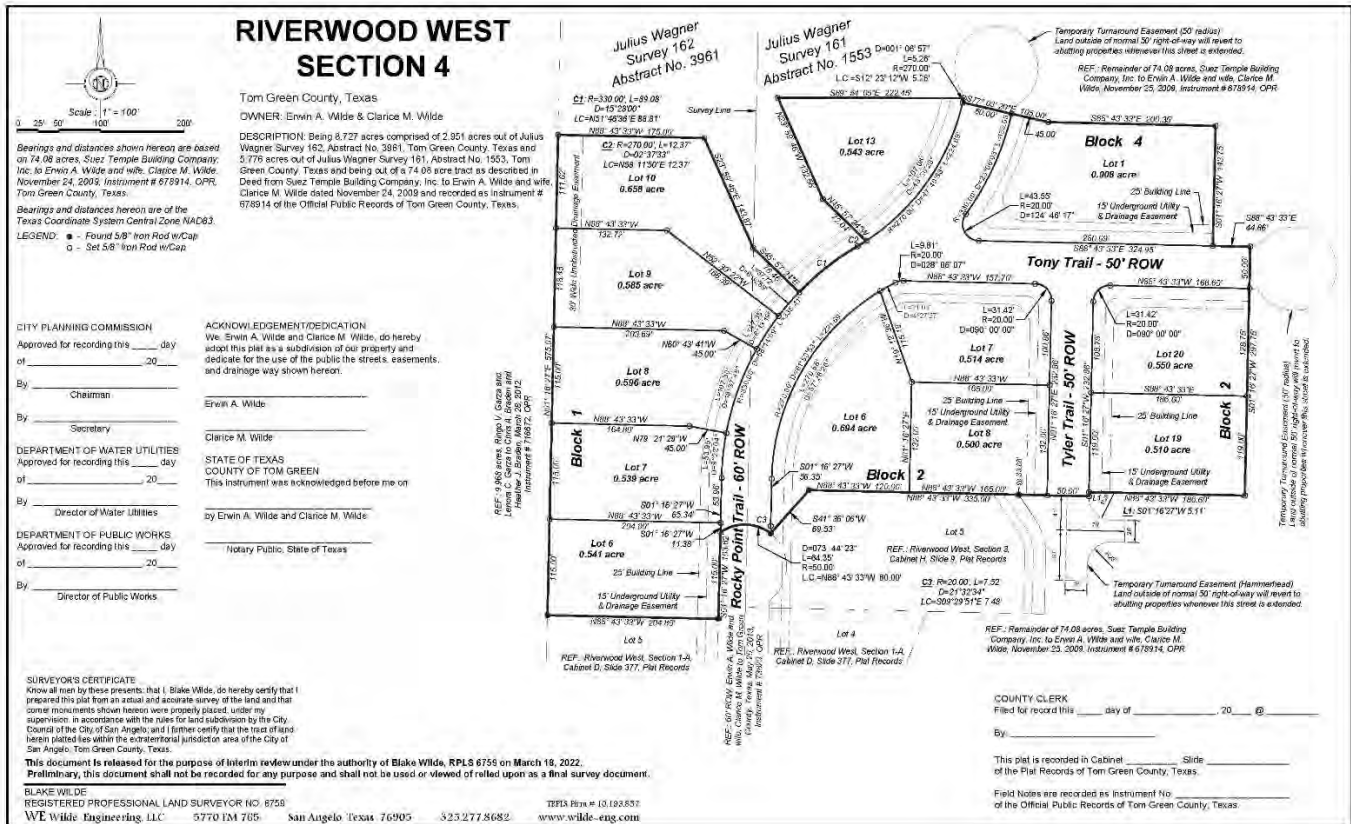
* A Tyler Ter already exists proximal to this location. It is recommended the street name be changed per the Addressing Guide for Local Governments

Planning Commission Requested Action:

Staff recommends **APPROVAL** of a request for a replat of Riverwood West Section 4 with 6 conditions of approval.

Attachments:

Plat



MEMO



Meeting

Date: June 20, 2022

To: Planning Commission

From: Kyle Warren
Planner, City of San Angelo

Request: Approval of a replat of Block 55 Section 11, Twin Oaks Addition.

Background: A request for approval of a replat being 7.291 acres of land and being all of Tract B and 4.823 acres of land out of Tract A, Block 55, Section Eleven, Twin Oaks Addition, City of San Angelo, Texas as per plat recorded in Cabinet D, Slide 391, Plat Records of Tom Green County, Texas.

Notification:

No notification is required by State or local codes.

Conditions of Approval:

1. Prior to plat recordation, install necessary water and wastewater service lines to each new lot (Tract E & F). [Land Development and Subdivision Ordinance, Chapter 11.I.B.2 & Chapter 12.I.A.1] Alternatively, request to the Department of Public Works the deferral of such requirement to a later stage of development. [Land Development and Subdivision Ordinance, Chapter 11.I.B.2] See NOTE: FLOODWAY. Utility service to Tracts B1 & B2 deferred to a later stage of development.
2. Tracts B1 & B2 are wholly contained within the FEMA defined floodway and no development may occur prior to securing an approved Floodplain Development Permit from the COSA Floodplain Manager - City Engineer's office.
3. Prior to plat recordation, provide a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision. [Land Development and Subdivision Ordinance, Chapter 7].

Planning Commission Requested Action:

Staff recommends **APPROVAL** of a request for a replat of Approval of Block 55 Section 11, Twin Oaks Addition with 3 conditions of approval.

Attachments:

Plat



SCALE: 1" = 60'
 GRAPHIC SCALE - FEET
 Note: Section lines shown are based on
 the Survey conducted between 1980 and
 1982.

LEGEND:
 * Front E, 101 Top or 804
 * Back E, 101 Top or 804
 * 804 West 40000 Cap

PLANNING COMMISSION
 Approved for recording this City
 Ordinance of San Angelo, Texas.
 City Clerk

DEPARTMENT OF WATER UTILITIES
 Approved for recording this City
 Ordinance of San Angelo, Texas.
 City Clerk

DEPARTMENT OF PUBLIC WORKS
 Approved for recording this City
 Ordinance of San Angelo, Texas.
 City Clerk

COUNTY CLERK
 This is a true and correct copy of
 the original of the instrument.
 County Clerk of Tom Green County, Texas

STATE OF TEXAS
 COUNTY OF TOM GREEN
 I, the undersigned, County Clerk of Tom Green County, Texas, do hereby certify that this is a true and correct copy of the original of the instrument.
 County Clerk of Tom Green County, Texas

This Plat is True and Correct
 as the same appears from the records of Tom Green County, Texas.

The original Tract B (now B1) and B2 is an access easement for Tract A and Tract C is dedicated for the use of the public as a drainage easement.

This plat and the documents herein are to be provided, deposited upon the proposed layout of the buildings, and should be addressed as part of the site plan review process.

SKG ENGINEERING LLC
 SURVEYING • ENVIRONMENTAL • LABORATORY
 10000 FINE STREET, SUITE 100, SAN ANGELO, TEXAS 76901
 PHONE: 325.421.1900 FAX: 325.421.1901
 WWW.SKG-ENG.COM



**SECOND REPLAT IN BLOCK 55
 SECTION ELEVEN
 TWIN OAKS ADDITION**

City of San Angelo, Tom Green County, Texas.

OWNER/DEVELOPER: LOOP PARTNERS, LLC
 OCCUPATION: being 7.231 acres of and being all of Tract B and 4.223 acres of and all of Tract A, Block 55, Section Eleven, Twp. 10N, R. 10E, S. 11E, Tom Green County, Texas, as more fully described in certain D. Title DRT Plat Records of Tom Green County, Texas.

ACKNOWLEDGMENT/OCCUPATION: We, Loop Partners, LLC, do hereby adopt this plat as the modification of our property and contribute to the use of the public the easements shown herein.

STATE OF KANSAS
 COUNTY OF OSAGE
 This instrument was acknowledged before me on _____ by _____ as _____ in the capacity shown.

Notary Public, State of Kansas

Signature: _____
 Notary Public

Exhibit to this document should be provided for the very reasons and shall be in case of record or otherwise as a true plat record.

SUBSCRIBER'S CERTIFICATE: Know all men by these presents that Russell T. Gully, District Surveyor, do hereby certify that I prepared this plat from the actual and accurate survey of the land and that the easements shown herein were properly adopted under my supervision. In accordance with the rules for land subdivision by the City, County or the City of San Angelo, and further certify that this plat, and upon proper use when the title of this plat of the City of San Angelo, Texas.

MEMO



Meeting

Date: June 20, 2022

To: Planning Commission

From: Kyle Warren
Planner, City of San Angelo

Request: Approval of the first replat in Lot 11 G. W. Snyder’s Addition.

Background: A request for approval of the first replat in Lot 11 G. W. Snyder’s Addition, being the west half of G. W. Snyder’s Addition as recorded in volume 24, page 75, deed records of Tom Green County, Texas.

Notification:

No notification is required by State or local codes.

Conditions of Approval:

1. Prior to plat recordation, provide a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision. [Land Development and Subdivision Ordinance, Chapter 7].
2. Prior to Building Permit issuance, prepare & submit plans for sidewalk construction (Chap 9 Sec V. Sidewalks as amended March 15, 2022) and once plans are approved, construct to City Specifications.
3. Prior to plat recordation, install necessary water and wastewater service lines to each new lot. [Land Development and Subdivision Ordinance, Chapter 11.I.B.2 & Chapter 12.I.A.1] Alternatively, request to the Department of Public Works the deferral of such requirement to a later stage of development. [Land Development and Subdivision Ordinance, Chapter 11.I.B.2]

Planning Commission Requested Action:

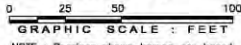
Staff recommends **APPROVAL** of a request for the first replat in Lot 11 G. W. Snyder’s Addition with 3 conditions of approval.

Attachments:

Plat



SCALE: 1"= 50'



NOTE: Bearings shown hereon are based upon the plot of record.

LEGEND:

- Found 1/2" Iron Pipe or Rod (unless otherwise noted)
- Set 1/2" Iron Rod with Cap

PLANNING COMMISSION
 Approved for recording this ___ day
 of _____, 20___, City Planning
 Commission of San Angelo, Texas.

By: _____
 Chairman

 Secretary

DEPARTMENT OF WATER UTILITIES
 Approved for recording this ___ day
 of _____, 20___.

By: _____
 Director of Water Utilities

DEPARTMENT OF PUBLIC WORKS
 Approved for recording this ___ day
 of _____, 20___.

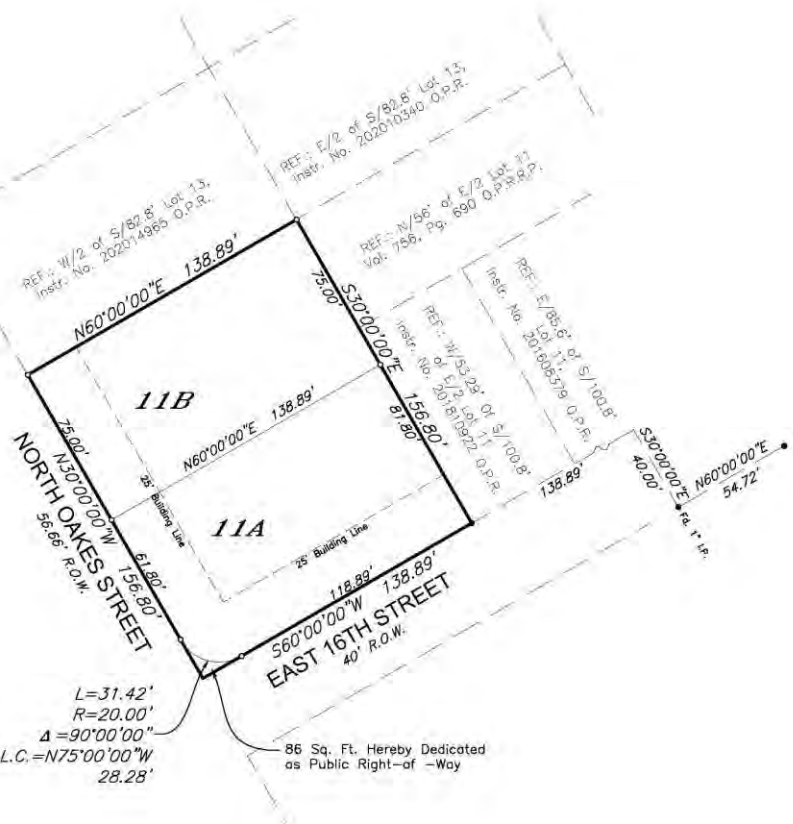
By: _____
 Director of Public Works

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.

COUNTY CLERK
 Filed for record this ___ day of
 _____, 20___ @ _____
 County Clerk of Tom Green Co., Tx.

By: _____

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



**FIRST REPLAT IN LOT 11
 G. W. SNYDER'S ADDITION**

City of San Angelo, Tom Green County, Texas.
 OWNERS/DEVELOPER: Eleuterio Cruz & Angelita L. Ramirez
 DESCRIPTION: Being the west one-half of lot 11, G. W.
 Snyder's Addition as recorded in Volume 24, Page 75, Deed
 Records of Tom Green County, Texas.

ACKNOWLEDGEMENT/DEDICATION
 We, Eleuterio Cruz and Angelita L. Ramirez, do hereby
 adopt this plat as the subdivision of our property and
 dedicate for the use of the Right-of-Way shown hereon.

 Eleuterio Cruz
 Owner

 Angelita L. Ramirez
 Owner

STATE OF TEXAS
 COUNTY OF TOM GREEN
 This instrument was acknowledged before
 me on _____
 by Eleuterio Cruz and Angelita L. Ramirez in the capacity shown.

 Notary Public, State of Texas

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

SURVEYOR'S CERTIFICATE
 Know all men by these presents that I,
 Russell T. Gully RPLS, do hereby
 certify that I prepared this plat from an
 actual and accurate survey of the land
 and that corner monuments shown
 hereon were properly placed, under my
 supervision, in accordance with the
 rules for land subdivision by the City
 Council of the City of San Angelo, and I
 further certify that the tract of land
 herein platted lies within the city limits
 of the City of San Angelo, Texas.

SKG
 ENGINEERING, LLC
 SURVEYING • ENVIRONMENTAL • LAB/CMT
 706 SOUTH ABE STREET PHONE: 325.655.1288
 SAN ANGELO, TEXAS 76903 FAX: 325.657.8189
 Firm No. 10102400
 www.skge.com

MEMO



Meeting

Date: June 20, 2022

To: Planning Commission

From: Kyle Warren
Planner, City of San Angelo

Request: Approval of the First Replat Lot 2, Block 5, Section 3, Central Plaza.

Background: A request for approval of First Replat Lot 2, Block 5, Section 3, Central Plaza, being 8588 square feet, described and recorded in Instrument No. 202117454, Official Public Records of Tom Green County, Texas.

Notification:

No notification is required by State or local codes.

Conditions of Approval:

1. Prior to plat recordation, provide a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision. [Land Development and Subdivision Ordinance, Chapter 7].
2. Prior to plat recordation, install necessary water and wastewater service lines to each new lot. [Land Development and Subdivision Ordinance, Chapter 11.I.B.2 & Chapter 12.I.A.1] Alternatively, request to the Department of Public Works the deferral of such requirement to a later stage of development. [Land Development and Subdivision Ordinance, Chapter 11.I.B.2]

Planning Commission Requested Action:

Staff recommends **APPROVAL** of the First Replat Lot 2, Block 5, Section 3, Central Plaza with 2 condition of approval.

Attachments:

Plat

MEMO

**Meeting**

Date: June 20, 2022

To: Planning Commission

From: Kyle Warren
Planner, City of San Angelo

Request: Approval of a replat of Tract G, The Bluffs Addition, Section 27.

Background: A request for approval of a replat of Tract G, The Bluffs Addition, Section 27, City of San Angelo, Tome Green County, Texas.

Notification:

No notification is required by State or local codes.

Conditions of Approval:

1. Prior to plat recordation, provide a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision. [Land Development and Subdivision Ordinance, Chapter 7].
2. Prior to plat recordation, 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.
3. 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]
4. 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 wide sidewalk (minimum) on one side. [Land Development and Subdivision Ordinance, Chapter 10].
5. Prior to plat recordation, prepare and submit plans for approval, illustrating the proposed installation of water and sewer mains with required service connections and complete the installation in accordance with the approved version of these plans. [Land Development and Subdivision Ordinance Chapters 11.1.B and 12.1.B; respectively]
6. Indicate that Skyview Lane is going to connect directly to Stratford Avenue.

Planning Commission Requested Action:

Staff recommends **APPROVAL** of a request for a replat of Tract G, The Bluffs Addition, Section 27 with 6 conditions of approval.

Attachments:

Plat

**PLANNING COMMISSION – JUNE 20, 2022
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Preliminary and Final Plat		Preliminary Plat and Final Plat, Wall Volunteer Fire Dept.	
SYNOPSIS:			
<p>The first applicant recently purchased 1.5 acres of a 32.151-acre property from the other applicant, triggering the need to plat. The first applicant plans to erect a new volunteer fire station on the 1.5-acre property requiring a final plat, and leave the remainder for future development. Both properties are encompassed into the preliminary plat. Although the property is within the City’s Extra-Territorial Jurisdiction (ETJ), the City has the authority to enforce its subdivision standards including any required public street improvements. Fairway School Road, which abuts the large remainder property is designated as a major collector road in the City’s Master Thoroughfare Plan (MTP), and is required to have a minimum width of 36 feet and is only 24 feet. Prior to any development on the remainder property, that owner will require a final plat which will trigger widening the incremental half of this street, or seek a variance.</p>			
LOCATION:		LEGAL DESCRIPTION:	
Northwest of S. U.S. Highway 87 and S. Loop 306		30.98 acres out of the J. S. Stooksberry Survey No. 8, Abstract Nos. 8108 and 8238	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
N/A	N/A (ETJ)	R- Rural	Preliminary: 32.151 acres Final: 1.5 acres
THOROUGHFARE PLAN:			
<ul style="list-style-type: none"> • S. U.S. Highway 87 (Freeway TXDOT) – required: N/A; provided: 250’ ROW; 80’ paving width. • Fairway School Road (Major Collector Street) – required 70’ or min. 56’ ROW; 48’ paving width or min. 36’; provided: 70’ ROW; 24’ paving width. 			
STAFF RECOMMENDATION:			
<p>Staff recommends DENIAL of the Preliminary Plat; DENIAL of a variance from Chapter 9.II.B of the LSDO to not require a local street connection through the Preliminary Plat that would reduce the residential block length to less than 2,200 feet, and DENIAL of a Final Plat for Wall Volunteer Fire Department.</p>			
PROPERTY OWNER/PETITIONER:			
<p>Owners: Wall Volunteer Fire Department, Inc. and Frances Whittington Petitioner: Charles Michalewicz</p>			
STAFF CONTACT:			
<p>Jeff Fisher, AICP Chief Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us</p>			

Conformity with Comprehensive Plan and Intent of Purpose Statements: Chapter 5.III.A.3(c)(3) of the Land Development and Subdivision Ordinance states that the Planning Commission may “deny approval of the final plat, if the Planning Commission finds the final plat does not comply with requirements of this or other applicable municipal ordinances, or if in the Commission's opinion, the proposal would not be in conformance with the City's Comprehensive Plan and/or with the intent of purpose statements set forth in Chapter 2 of this Ordinance.” Lot 1 on the final plat matches the same boundary of the lot shown on the preliminary and conforms with the preliminary plat.

Variances: The applicant has submitted a variance request from Chapter 9.II.B of the Land Development and Subdivision Ordinance (LDSO) to not require a local street connection through the Preliminary Plat that would reduce the residential block length to less than 2,200 feet. The northeast end of the property is 2,660 feet from the nearest street to the west. Not including a north-south road through this property would result in the creation of a block that exceeds the maximum 2,200’ block length. From this point, the property is 5,122 feet from FM 1223 to the east. Establishing a local street connecting through the plat would provide better circulation through the area as it develops in the future. The owner of the property facing Fairway School Road is under no obligation to construct this road now, but only in the future as additional properties are platted and developed.

In accordance with Chapter 1, Section IV.A, the Planning Commission shall not approve a variance unless the request meets the four criteria below based upon the evidence that is presented:

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

The applicant believes no additional street should be required because there is no development designated for the remaining property. The area contains a mix of agricultural and residential uses, including a cluster of residential homes immediately to the east. The Future Land Use is “Rural” for this area which supports future zoning to Ranch and Estate (R&E), allowing homes to be built on one acre lots if annexed into the City. Staff believes as development intensifies over time, an additional street would protect the public safety, health and welfare of residents, providing more connectivity through the area and reducing congestion on the major roadways. For this reason, Staff recommends denial of the variance and requests that the road be designated on the preliminary plat as required by ordinance.

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

The applicant indicates that the lots will likely become industrial or commercial in future. Staff disagrees given the Future Land Use Plan designation of “Rural” mentioned above applies to this property and would not allow commercial or residential development. Even so, a change to the Future Land Use Plan would be necessary to re-designate this area as “Commercial”.

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.**

All Variances: Staff does not believe there are any topographical conditions that would prevent adding the street connection through the property.

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

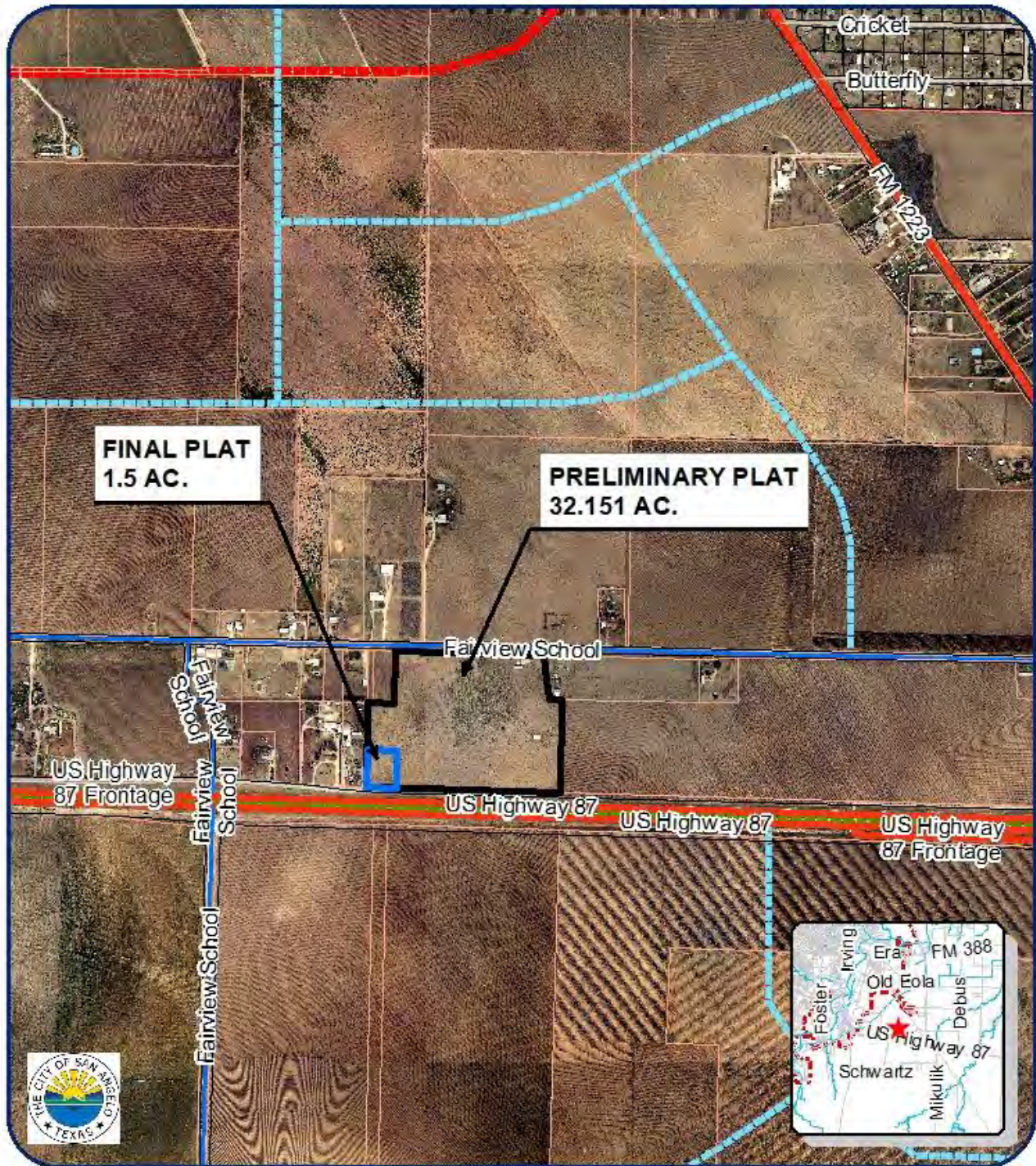
All Variances: Not providing the additional street connection impedes adequate traffic flow and circulation, particularly as future development occurs. By approving a Preliminary Plat without this road, the City would lose the ability to require this in the future as the area develops. Staff believes approval of this variance would vary the applicable ordinances and set a negative precedent.

Recommendations:

Staff recommends **DENIAL** of the Preliminary Plat; **DENIAL** of a variance from Chapter 9.II.B of the LSDO to not require a local street connection through the Preliminary Plat that would reduce the residential block length to less than 2,200 feet, and **DENIAL** of a Final Plat for Wall Volunteer Fire Department.

Attachments:

Aerial Map
Preliminary Plat
Final Plat
Applications




**Preliminary and Final Plats
 Wall Volunteer Fire Dept.**

Council District - N/A
 Neighborhood: N/A
 Scale: 1" approx. = 1,000 ft

NW of S. U.S. Highway 87 & S. Loop 306



Legend

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

Final Plat

Bearing Basis hereon is Texas State Plane Coordinate System, Reference Frame North American Datum 1983 (2011) (EPOCH 2010.0000), as determined from Global Navigation Satellite System (GNSS) survey equipment by Static, Virtual Reference System (VRS) network and or Real Time Kinematic (RTK).
 Distances shown hereon are shown as grid Texas State Plane Coordinate System distances.

This plat is filed in Cabinet _____ Slide _____
 Plat Records of Tom Green County, Texas.

LEGEND

- SET 1/2" IRON ROD
- SUBJECT PROPERTY BOUNDARY
- - - ADJACENT PROPERTY LINE
- SURVEY LINE
- D.R., T.G.Co., TX DEED RECORDS OF TOM GREEN COUNTY, TEXAS
- O.P.R.R.P., T.G.Co., TX OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF TOM GREEN COUNTY, TEXAS

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

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

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

COUNTY CLERK
 Approved for recording this ____ day
 of ____ 20____
 County Clerk of Tom Green County, Texas
 By: _____

WALL VOLUNTEER FIRE DEPARTMENT, CITY OF SAN ANGELO, TEXAS

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

I, Wesley Ray Quinn, Registered Professional Land Surveyor of Texas, do hereby state that this plat represents an actual survey made under my direction to the best of my knowledge and ability, this the 16th day of February, 2022.

OWNER: WALL VOLUNTEER FIRE DEPARTMENT, INC.

1.500 ACRES OF LAND CONTAINING 0.508 ACRES OUT OF S.P.R.R. Co. SURVEY No. 75, ABSTRACT No. 1975 AND 0.992 ACRES OUT OF JIM FARR SURVEY No. 74, ABSTRACT No. 8013, BEING A PORTION OF A 32.15 ACRE TRACT DESCRIBED IN AN EXCHANGE GENERAL WARRANTY DEED RECORDED IN VOLUME 894, PAGE 548, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, TOM GREEN COUNTY, TEXAS.

DEDICATION / ACKNOWLEDGEMENT
 We, Wall Volunteer Fire Department, Inc., do hereby adopt this plat as the subdivision of my property and dedicate for the use to the public the streets, alleys and easements as shown.

David McEntire
 STATE OF TEXAS
 COUNTY OF TOM GREEN
 This instrument was acknowledged before me on the ____ day of ____, 20____
 By: _____
 Notary Public in and for the State of Texas

**PRELIMINARY
 NOT TO BE RECORDED
 FOR ANY PUPPOSE**

Field: HB
 Office: HB, WQ
 Job # 22020031
 Registered Prof. Land Surveyor
 Texas Registration No. 6625
 MCMILLAN AND QUINN, INC. FIRM NO. 10194241 P.O. BOX 3506 SAN ANGELO, TEXAS PHONE: (325) 939-0043 EMAIL: info@mqitx.com Copyright 2022 All Rights Reserved



City of San Angelo, Texas - Planning
Land Subdivision Application



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

Section 1: Basic Information

NA Whittington Estates, Section One

Proposed Subdivision Name

ABST A-8013 S-0074, Survey: J FARR, 2 AC OUT OF A 32.15 AC TRACT BEING 31.01 AC AB-8013 ANF 1.14 AC AB 1972 ACRES

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

R000047224

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

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

Authorized Representative: Tenant Property Owner Contractor Engineer

Tenant:

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

Property Owner: Frances Whittington

325-651-6200

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

Architect/Engineer/Design Professional:

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

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

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

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

Section 2: Utility & Easement Information

Water: City - requesting new services Proposed size? _____
 City - utilizing existing services Existing size? _____
 Other Please specify: No utilities needed at this time

Sewer: City - requesting new services Proposed size? _____
 City - utilizing existing services Existing size? _____
 Other Please specify: No utilities needed at this time
 Septic System Lot size? _____

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

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

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

Section 3: Property Characteristics

Remainder 30.65 AC 1
 Total Acreage of Proposed Subdivision/Resubdivision Total Number of Lots Proposed

Existing Zoning:

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

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

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

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

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

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

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

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

Are there existing deed restrictions? Yes No
 If yes, provide deed reference information: _____

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

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

If yes, provide all of the following information:

Request 1: Full ordinance citation from Subdivision Ordinance standard from which variance is requested: Chapter 9.J.I.B of the subdivision requiring that block lengths should not exceed 2200 ft. in residential areas

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

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

The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property.
There is no development designation for the remaining property in the near future. No buildings to be built. Long Term Agricultural use.

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.
No designated development planned. It cannot be determined at this time that the property will be residential. It will likely be industrial or commercial as it fronts the future planned interstate highway. At this time it remains agricultural.

(Section 4 continues on next page)

Section 4, continued

Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out. There is not desire to develop this property at this time.

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

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

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

Frances Whittington
 Owner's Signature

Charles Michalewicz
 Representative's Signature

June 7, 2022
 Date

June 7, 2022
 Date

FOR OFFICE USE ONLY:

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

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

Completeness review passed? Yes _____ Date _____ No _____ Date _____

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

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

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

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

Yes _____ Date _____ No _____ Date _____

Approvals required for this application:

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

Date of Approval Expiration: _____

Date Recorded: _____



STAFF REPORT - Z22-12

Scheduled Hearings:

Planning Commission: June 20th, 2022

City Council 1st reading: July 19th, 2022

City Council 2nd reading: August 2nd, 2022

APPLICATION TYPE:		CASES:	
Rezoning		Z22-12: Bentwood/Enclave Court	
SYNOPSIS:			
A request for approval of a rezoning from the Multi-Family Residential (RM-1) and the General Commercial (CG) zoning districts to the Single Family Residential (RS-1) Zoning District, being 25 undeveloped acres located near Enclave CT and Crystal Point Drive.			
LOCATION:		LEGAL DESCRIPTION:	
Near Enclave Court, Crystal Point Drive and Wolf Creek Drive		Acres: 22.542, Abst: A-0052 S-0177, Survey: C BERBERICH, 22.542 ACRES IN ABST 4210 & ABST 52 & Abst: A-0052 S-0177, Survey: C BERBERICK, 15.060 ACRES**AB RR ROW	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #1 – Tommy Hiebert Country Club Neighborhood	RM-1/CG	N – Neighborhood	25.061 acres
NOTIFICATIONS:			
38 notifications for Z22-12 were mailed within a 200-foot radius on June 2, 2022.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Multi-Family Residential (RM-1) and the General Commercial zoning districts to the Single-Family Residential (RS-1) zoning district, being 25.061 acres, located near Enclave CT and Crystal Point Drive.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner and Applicant:</i> Bentwood Country Club LLC			
STAFF CONTACT:			
Kyle Warren Planner (325) 657-4210, Extension 1546 Kyle.warren@cosatx.us			

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

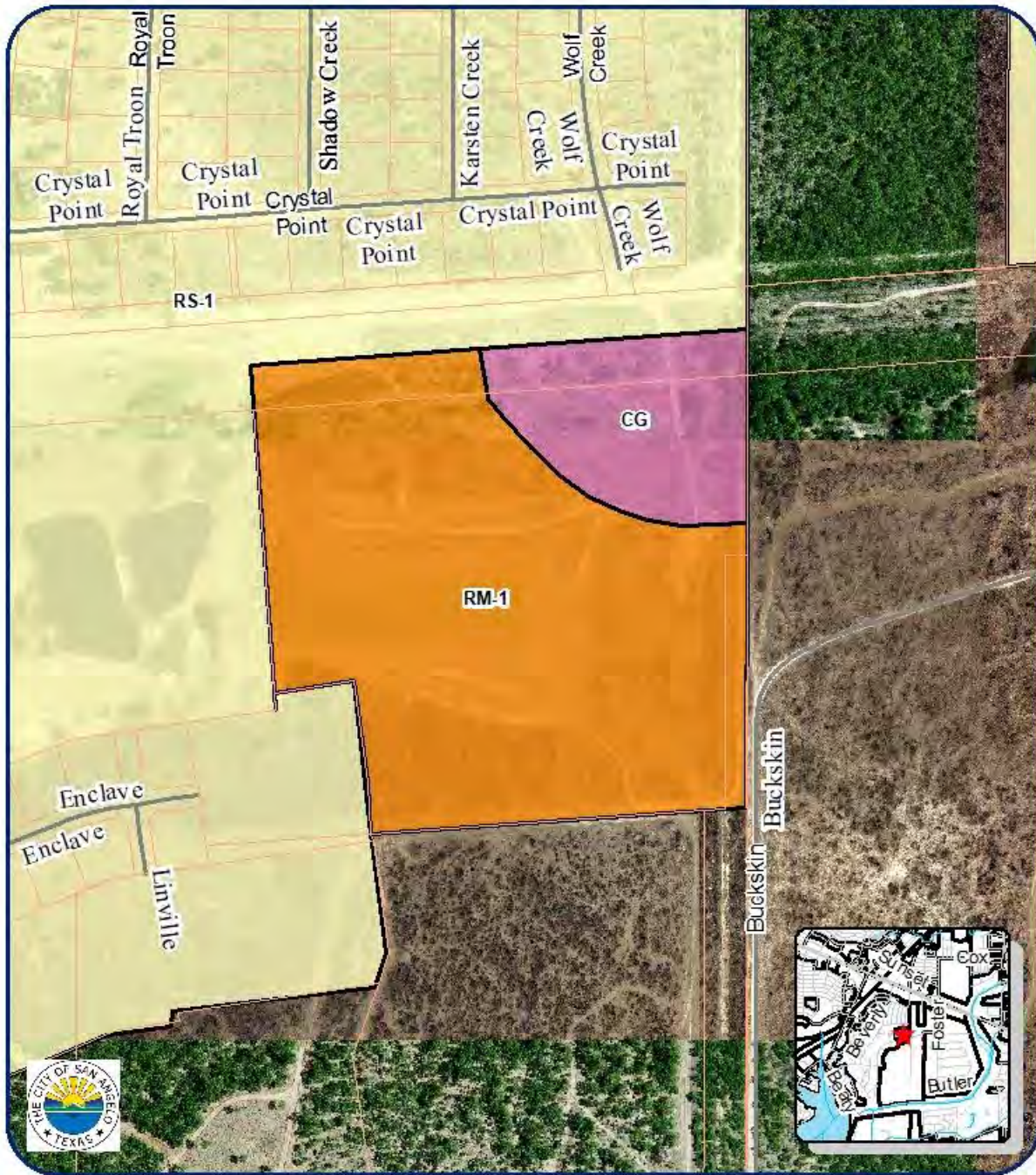
1. **Compatible with Plans and Policies.** *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.* The Bentwood neighborhood has a future land use of neighborhood. The zoning from RM-1 and CG to RS-1 zoning would bring the zoning in compatibility with the future land use.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* The RS-1 zoning requires a minimum 5,000 sq. ft. lot area, a 50-foot lot frontage, and a 100-foot lot depth for a single family unit. The already approved plat for this location more than meets these dimension and size requirements.
3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* The surrounding area is residential with similar housing styles and lot sizes. The zoning would remain a residential use and would not vary with the surrounding area/zoning to any extent.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The property owners want the amendment to change to RS-1 to be able to build single family housing in this undeveloped area, which given the current zoning of RM-1 and CG, they cannot do.
5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* Staff does not anticipate any adverse environmental affects at this time. The area in question is raw land adjacent to Bentwood Country Club.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The raw land in question logically makes sense to be developed as RS-1 lots as that is what completely surrounds the area.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* This zone change will be in keeping with the overall development of Bentwood Country Club.

Recommendation:

Staff recommends **APPROVAL** of a rezoning from the Multi-Family Residential (RM-1) and General Commercial (CG) Zoning Districts to the Single-Family Residential (RS-1) Zoning District.

Attachments:

Aerial/ Zoning Map
Future Land Use Map
Notification Map
Photographs



Zoning Map

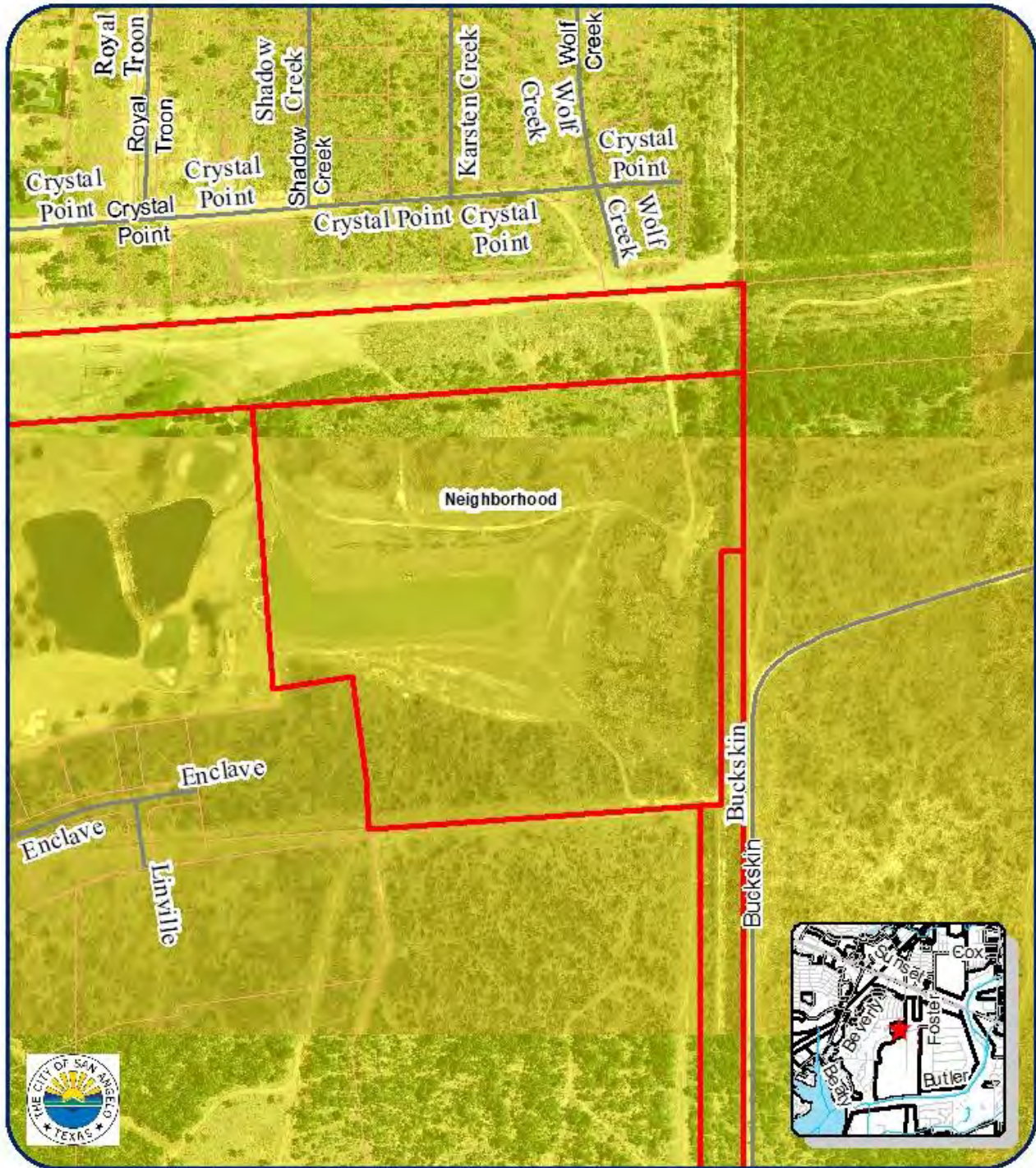
Z22-12

Council District: 1 Hiebert

Neighborhood: Country Club

Scale: 0.01 0.03 0.06 0.09 0.12
Miles





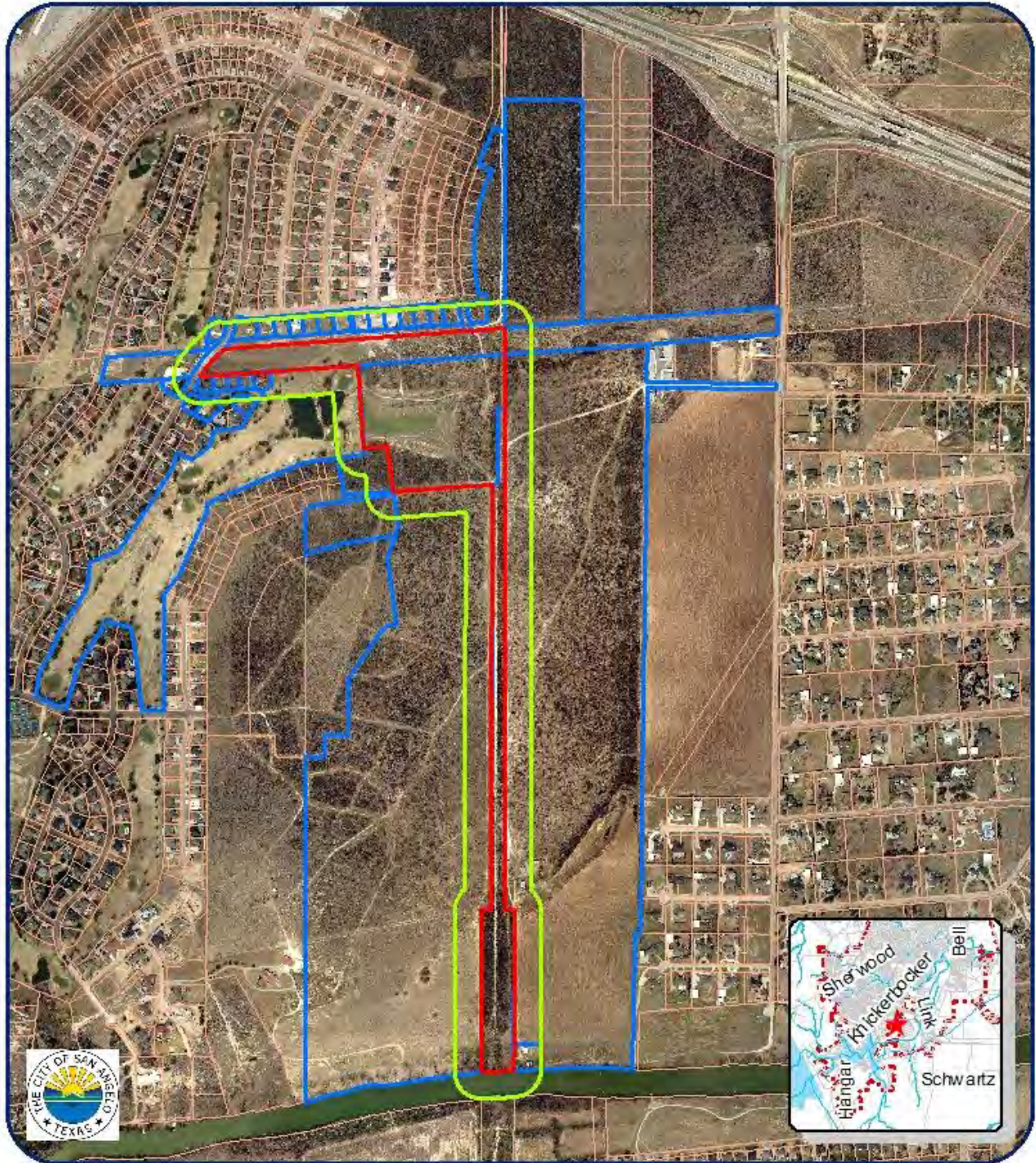
Vision Plan

Z22-12




Council District: 1 Hiebert
Neighborhood: Country Club


Scale: 0.01 0.03 0.06 0.09 0.12
Miles





200' Notification Map
Z22-12
Council District: 1 Hiebert
Neighborhood: Country Club
Scale: 0 0.05 0.1 0.2 0.3 0.4 Miles

Subject Properties: 
200' Buffer: 
Notified Properties: 

N



Photos of Site and Surrounding Area





STAFF REPORT - Z22-13

Scheduled Hearings:
 Planning Commission: June 20, 2022
 City Council 1st reading: July 19, 2022
 City Council 2nd reading: August 2, 2022

APPLICATION TYPE:		CASES:	
Rezoning		Z22-13: Part of 300 Blks. Of W. Avenue A and W. Avenue B	
SYNOPSIS:			
<p>The owners of 308 W. Avenue B approached Planning and Permitting Staff to legalize a third residential unit located to the rear of the property. The Appraisal District identifies the primary home and a detached accessory apartment, but does not identify that the structure has been used for residential purposes. This led the owners to apply for a zone change from RS-2 to RM-1 to allow a third unit. The City has joined the owners by requesting that the remaining RS-2 properties on the block also be rezoned to RM-1, except for Lot 13 which would be rezoned to CG to allow it to continue to be used as a parking lot for Crockett National Bank.</p>			
LOCATION:		LEGAL DESCRIPTION:	
Southeast of S. Koenigheim St. and W. Ave. A		East half of Lots 6 and 13, and all of Lots 7-12 in Block 6, Park Heights Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Fort Concho	RS-2	D- Downtown	1.08 acres
NOTIFICATIONS:			
22 notifications for Z22-04 were mailed within a 200-foot radius on May 6, 2022. No responses have been received to date.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Two-Family Residential (RS-2) to the Low Rise Multifamily Residential (RM-1) on 0.943 acres, and General Commercial (CG) Zoning District on the remaining 0.137 acres being Lot 13 in Block 6 of the Park Place Addition, located southeast of S. Koenigheim St. and W. Ave. A.			
PROPERTY OWNER/PETITIONER:			
<i>Applicants:</i> Brent and Teri Kolster and City of San Angelo			
STAFF CONTACT:			
Jeff Fisher, AICP Chief Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: On April 27, 2022, the owners of 308 W. Avenue B obtained a permit (#22-1964) to remove the third structure which needed repair. The structure is now back on the property and will require a new permit as well as a change of occupancy to allow it be used for a residence should the rezoning be approved.

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any rezoning request as outlined in #1 through #7 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.** The properties is located within the City’s “Downtown” Future Land Use in the Comprehensive Plan. Rezoning to RM-1 would be consistent with the Downtown policies which support residential development, and would provide an effective transition between the bank zoned CG to the west and the residential RS-2 neighborhood to the east and south.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The requested RM-1 and CG would allow the current uses and comply with the applicable development standards for this zone districts. The third unit at W. Ave B would require a 20-foot rear yard setback and 5-foot side yard setback as required for single-family structures in RM-1 zoning districts. There are 5 paved parking spaces on the property to accommodate the 1.75 spaces required for the 2-bedroom house, and 1.5 spaces for each of the two, one-bedroom structures.
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 properties are located between commercial uses to the west along S. Koenigheim St. and mainly single-family residences to the south and east. Staff believes the rezoning allowing RM-1 is an effective transition between higher density commercial and lower density single-family homes.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** When the applicants came in to discuss repairing the third unit, it was determined this was not a legal dwelling unit.
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.** There are no anticipated adverse effects on neighboring properties. No additional paving would be required and the applicants have not indicated intent to enlarge the existing third structure.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Staff believes there is a community need for more residential living in this location, consistent with the Downtown policies of the City’s Comprehensive Plan.

7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The property will have continue to have access from W. Avenue B. Parking will be shared on the existing driveway that fronts this street. A replat will be required to combine Lot 12 with the west ½ of Lot 11 for W. Avenue B which has been communicated to the applicant.

Recommendation:

Staff recommends **APPROVAL** of a rezoning from the Two-Family Residential (RS-2) to the Low Rise Multifamily Residential (RM-1) on 0.943 acres, and General Commercial (CG) Zoning District on the remaining 0.137 acres being Lot 13 in Block 6 of the Park Place Addition, located southeast of S. Koenigheim St. and W. Ave. A.

Note: The applicants of 308 W. Avenue B will be required to replat this property which includes Lot 12 and the west ½ of Lot 11 prior to permitting.

Attachments:

- Aerial Map
- Future Land Use Map
- Zoning Map
- Close-Up of Block including 308 W. Avenue B
- Application



Rezoning

Z22-13: Part of 300 Blks. of W. Avenue A & B

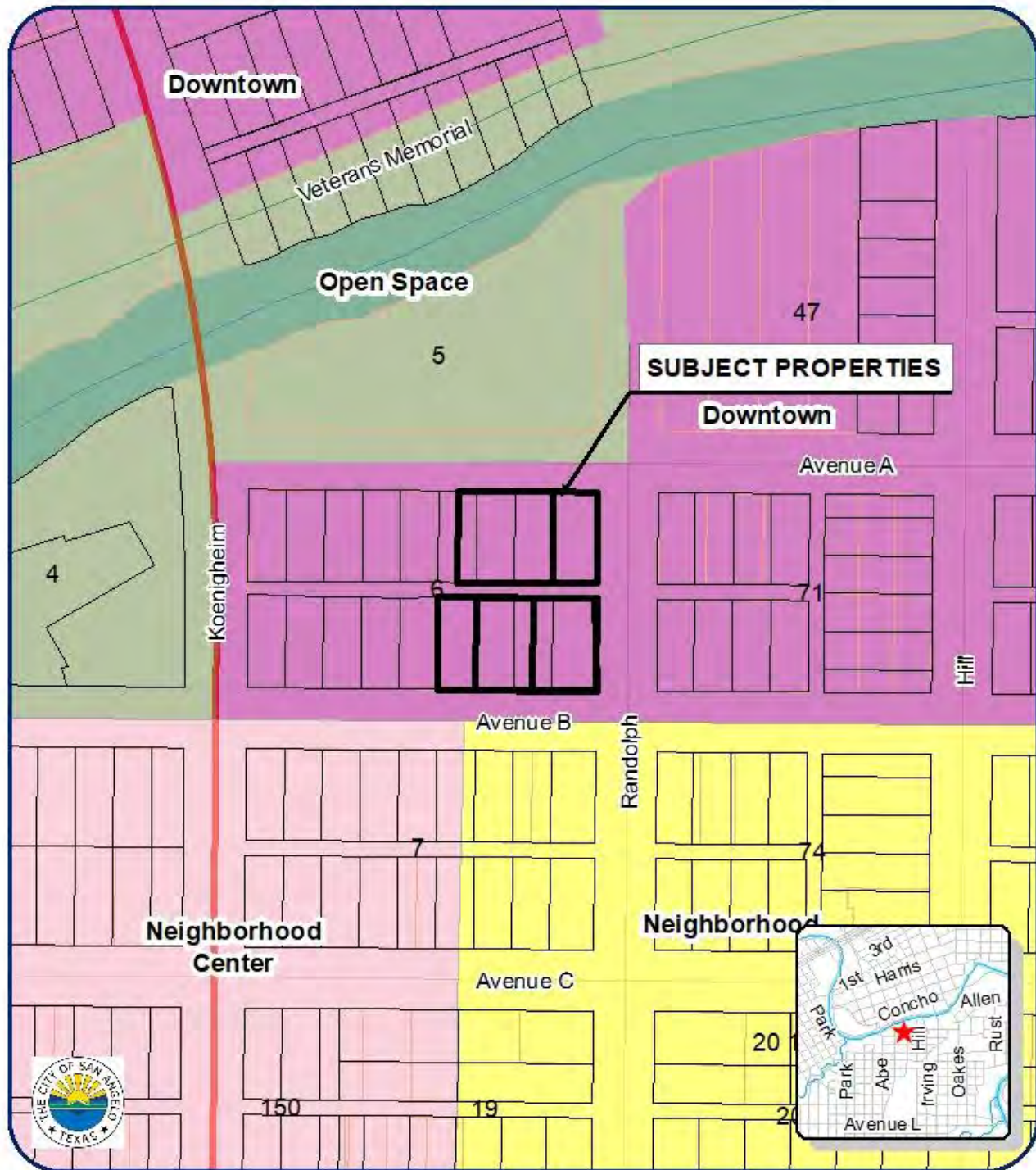
Council District 3 - Harry Thomas
 Neighborhood: Fort Concho
 Scale: 1" approx. = 175 ft

SE of S. Koenigheim St. and W. Ave. A



Legend

- Subject Properties:
- Current Zoning: **RS-2**
- Requested Zoning Change: **RM-1 and CG**
- Vision: **Downtown**



Rezoning

Z22-13: Part of 300 Blks. of W. Avenue A & B

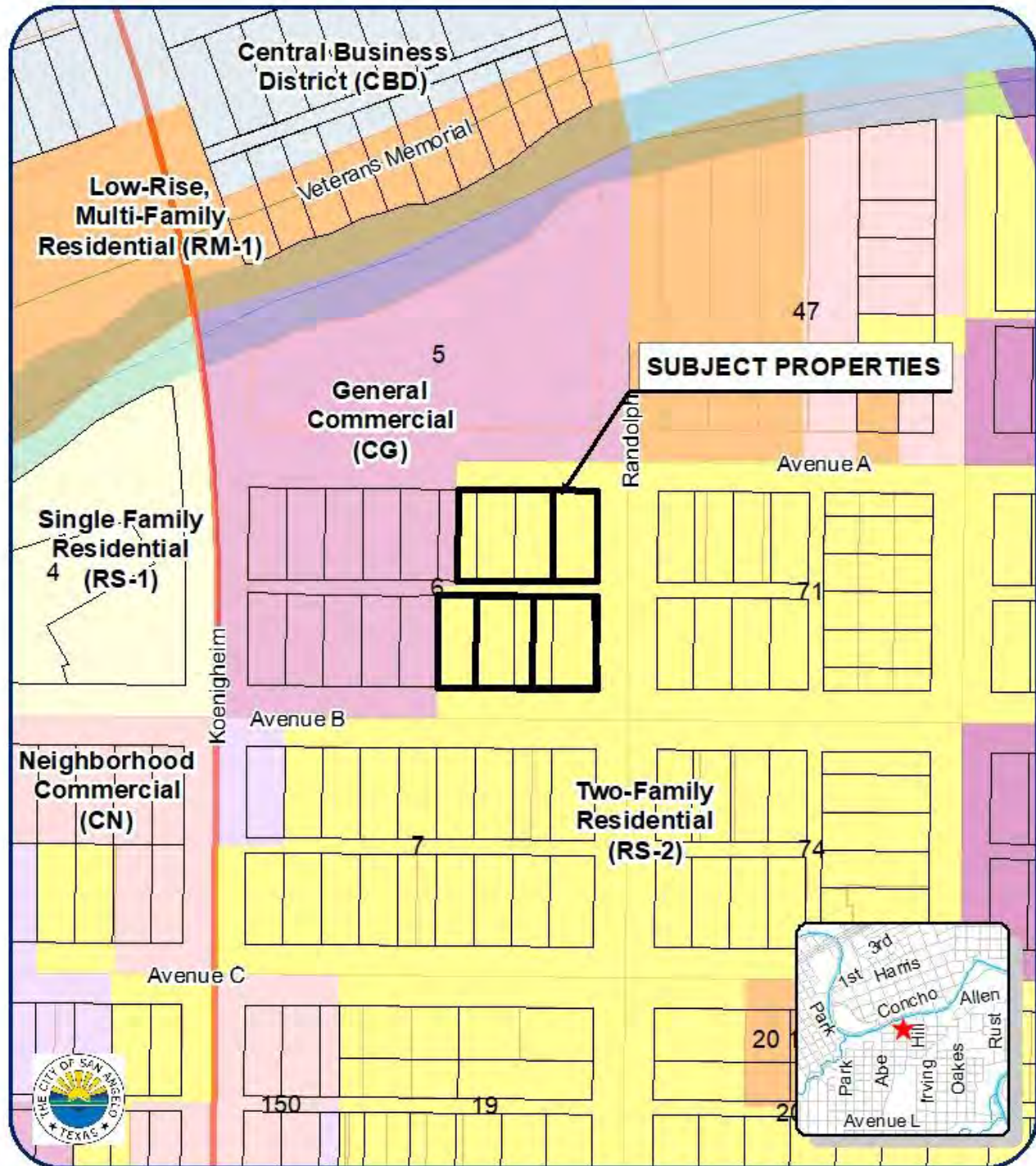
Council District 3 - Harry Thomas
 Neighborhood: Fort Concho
 Scale: 1" approx. = 175 ft

SE of S. Koenigheim St. and W. Ave. A



Legend

- Subject Properties:
- Current Zoning: **RS-2**
- Requested Zoning Change: **RM-1 and CG**
- Vision: **Downtown**



Rezoning


Z22-13: Part of 300 Blks. of W. Avenue A & B

Council District 3 - Harry Thomas
 Neighborhood: Fort Concho
 Scale: 1" approx. = 175 ft

SE of S. Koenigheim St. and W. Ave. A



Legend

Subject Properties: 
 Current Zoning: **RS-2**
 Requested Zoning Change: **RM-1 and CG**
 Vision: **Downtown**

Close-Up of Block including 308 W. Avenue B



Jeff

Effective January 3, 2017



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



Section 1: Basic Information

Name of Applicant(s): Brent & Teri Koester

<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Representative (Notarized Affidavit Required)
11461 Twin Lakes Lane	San Angelo TX 76904
Mailing Address	City State Zip Code
503-999-9862	terjoyk@gmail.com
Contact Phone Number	Contact E-mail Address
308 W. Avenue B	San Angelo TX 76903
Subject Property Address	City State Zip Code

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

Property ID: R000010336 Geo ID: 21-38100-0006-010-00

Existing Zoning: RS2 Proposed Zoning: RM1 Lot size: _____

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

Section 2: Site Specific Details

Existing Use of Property: 2 rental units

*Proposed Use of Property: 3 rental units

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Brent Koester *Brent Koester* Teri Koester *Teri Koester* 5/19/2022
 Owner Name (Print) Signature Company/Organization (If Applicable) Date

Representative Name (Print) Signature Company/Organization Date

FOR OFFICE USE ONLY:

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

Case No.: Z 22-13 Fully-dimensioned site plan:

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

Sign Deposit \$37.50 Receipt #: _____ Date paid: ____/____/____

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

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

River Corridor Commission? Yes No If yes, RCC meeting date: ____/____/____

Planning Commission hearing date: ____/____/____ Date notifications due: ____/____/____

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

Publication date: ____/____/____

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



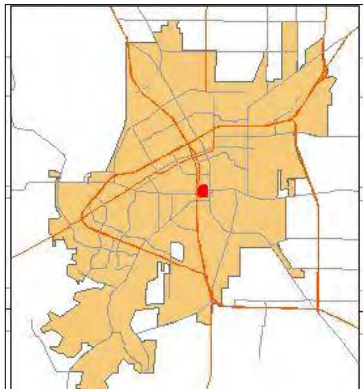
STAFF REPORT - Z22-14

Scheduled Hearings:

Planning Commission: June 20, 2022

City Council 1st reading: July 19, 2022

City Council 2nd reading: August 2, 2022

APPLICATION TYPE:		CASES:	
Rezoning		Z22-14: 200 Blk. Of W. Avenue L	
SYNOPSIS:			
<p>The new owner of 213 and 223 W. Avenue L at the southeast corner of W. Avenue L and S. Randolph Street has requested to rezone these properties to RM-1 to allow four apartment units. Given that the entire block is zoned General Commercial/Heavy Commercial (CG/CH) but almost all properties have residential dwellings, the City has joined this request to also rezone 209 and 211 W. Avenue L to RM-1, and rezone 205 & 207 W. Avenue L and 1601-1607 Hill Street to CG. This would allow the owner of 207 and 209 W. Avenue L, and 1601-1607 Hill Street to have commercial zoning as he requested (and not RM-1), and remove the heavy commercial component from this area.</p>			
LOCATION:		LEGAL DESCRIPTION:	
Southeast of S. Koenigheim St. and W. Ave. A		East half of Lots 6 and 13, and all of Lots 7-12 in Block 6, Park Heights Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Fort Concho	CG/CH	N- Neighborhood	1.24 acres
NOTIFICATIONS:			
28 notifications for Z22-04 were mailed within a 200-foot radius on May 6, 2022. No responses have been received to date.			
STAFF RECOMMENDATION:			
<p>Staff recommends APPROVAL of a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Low Rise Multifamily Residential (RM-1) on 1610 S. Randolph Street, and 213 and 223 W. Avenue L being 0.53 acres, and General Commercial (CG) Zoning District on 207 and 209 W. Avenue L, and 1601-1607 Hill Street being 0.71 acres, located southeast of W. Avenue L and S. Randolph Street.</p>			
PROPERTY OWNER/PETITIONER:			
<p><i>Applicants:</i> Zill Properties and Investments LLC (Zane Willard) and City of San Angelo</p>			
STAFF CONTACT:			
<p>Jeff Fisher, AICP Chief Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us</p>			

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any rezoning request as outlined in #1 through #7 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.** The properties are located within the City’s “Neighborhood” Future Land Use in the Comprehensive Plan. Rezoning to RM-1 would be consistent with these policies which call to “promote neighborhood diversity and security by encouraging a mix of age, income, and housing choices within San Angelo’s neighborhoods.” The applicant of rezoning 213 and 223 W. Avenue L if approved would allow four new residential units, consistent with the above policy to provide more housing. The residential properties to be rezoned RM-1 while currently used for single-family homes, would be allowed to be used for two-unit dwellings (duplexes), zero lot line homes, or townhomes in future based on their lot sizes. Or, they could be combined to allow multifamily housing which is what the applicant of 213 and 223 W. Avenue L intends to do. Rezoning the other lots to CG would remove the heavy commercial designation (currently CG/”CH”) that allows incompatible uses such as industrial storage, and allow the existing restaurant to continue.
- 2. Consistent with Zoning Ordinance. Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The requested RM-1 and CG would allow the current uses and comply with the applicable development standards for these districts. The applicant has expressed interest in replatting 213 and 223 W. Avenue into a single lot in an east-west orientation, and expand the lot depth of 1610 S. Randolph Street in the same orientation. This would bring both lots into compliance with RM-1 zoning (minimum 60’ x 100’ for apartment living which would allow all other housing types also).
- 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.** Rezoning the properties to RM-1 would be compatible with the surrounding area which contains CG/CH zoning to the west, and RS-2 zoning with mainly single-family homes to the northeast, east, and south. There is an industrial ML zoned vacant property to the north but this is intended for commercial uses in future per the Comprehensive Plan’s Commercial designation. Rezoning the subject properties to RM-1 would provide an effective transition between this future commercial area, and low-density single-family area to the east and south.
- 4. Changed Conditions. Whether and the extent to which there are changed conditions that require an amendment.** The new owner of 213 and 223 W. Avenue L is seeking to rezone these properties for apartment living which triggered the City to consider expanding this zoning to include the entire block north of the alley.

5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* There are no anticipated adverse effects on neighboring properties. Any future development would require a review of grading, drainage, and stormwater runoff at that time.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Staff believes there is a community need for more residential living in this location, consistent with the Neighborhood policies of the City's Comprehensive Plan.
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.* All properties will continue to have access from the adjoining streets, S. Randolph Street, W. Avenue L, and Hill Street.

Recommendation:

Staff recommends **APPROVAL** of a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Low Rise Multifamily Residential (RM-1) on 1610 S. Randolph Street, and 213 and 223 W. Avenue L being 0.53 acres, and General Commercial (CG) Zoning District on 207 and 209 W. Avenue L, and 1601-1607 Hill Street being 0.71 acres, located southeast of W. Avenue L and S. Randolph Street.

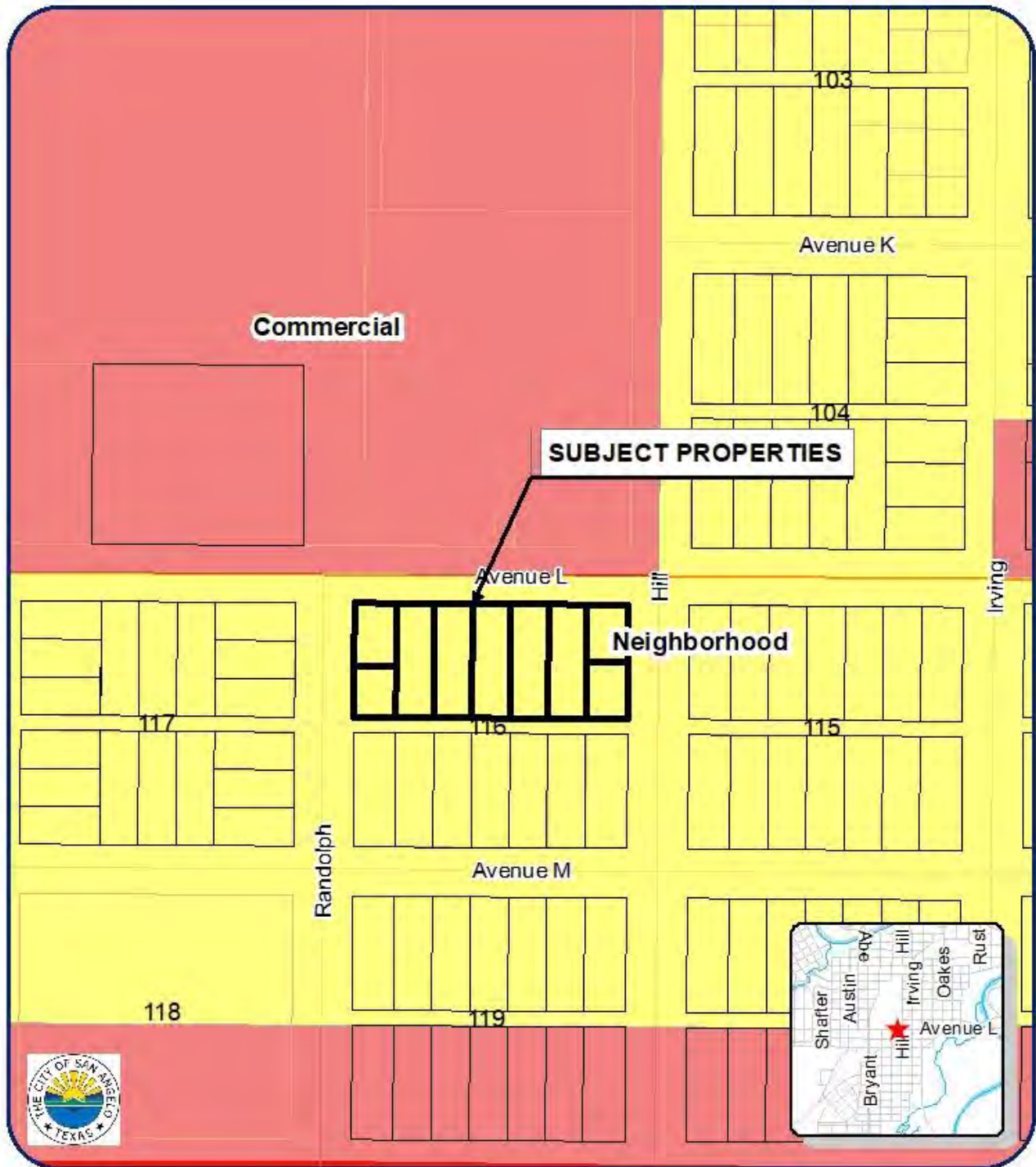
Note: A replat is required prior to any future development on 223 W. Avenue L and 1610 S. Randolph Street, both of which are currently substandard lot fragments.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Close-up of block to be rezoned
Application



<p>Rezoning Z22-14: 200 Blk. of W. Avenue L Council District 3 - Harry Thomas Neighborhood: Fort Concho Scale: 1" approx. = 175 ft</p>	<p>N</p>	<p>Legend Subject Properties: Current Zoning: CG/CH Requested Zoning Change: RM-1 and CG Vision: Neighborhood</p>
<p>SE of S. Randolph St/W. Ave. L</p>		



Rezoning


Z22-14: 200 Blk. of W. Avenue L

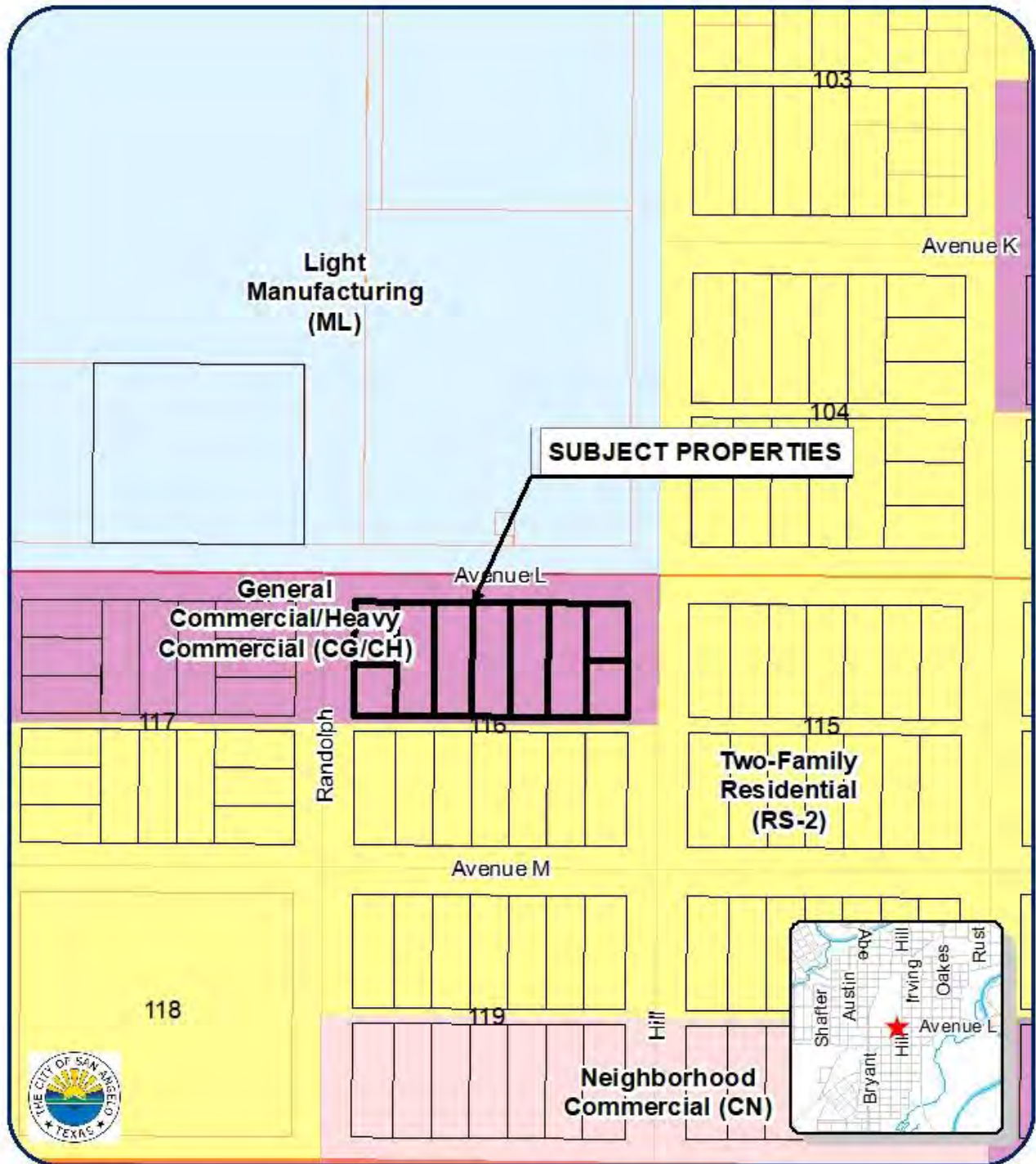
Council District 3 - Harry Thomas
 Neighborhood: Fort Concho
 Scale: 1" approx. = 175 ft

SE of S. Randolph St/W. Ave. L



Legend

Subject Properties: 
 Current Zoning: **CG/CH**
 Requested Zoning Change: **RM-1 and CG**
 Vision: **Neighborhood**




Rezoning
Z22-14: 200 Blk. of W. Avenue L

Council District 3 - Harry Thomas
 Neighborhood: Fort Concho
 Scale: 1" approx. = 175 ft

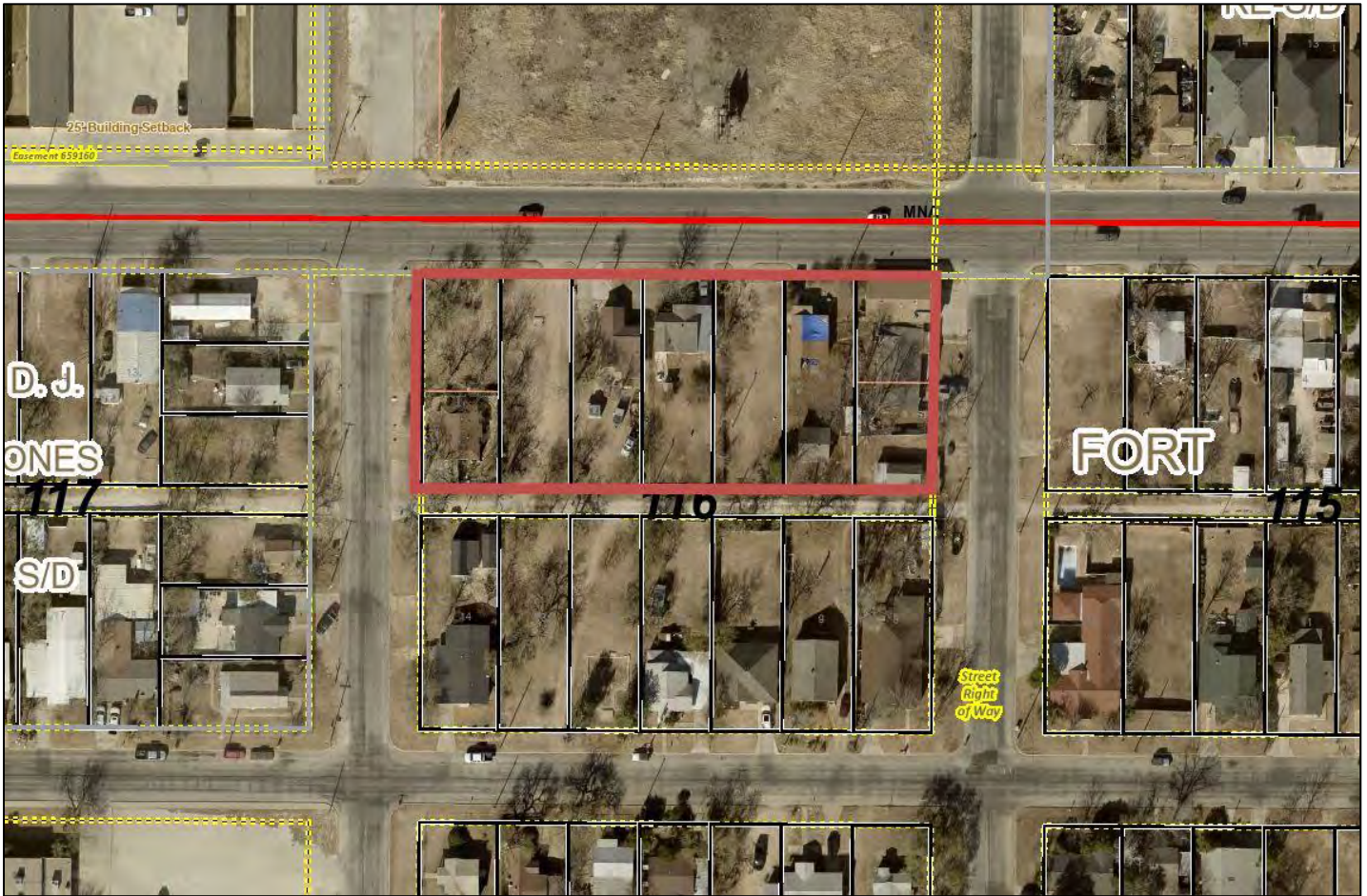
SE of S. Randolph St/W. Ave. L



Legend

Subject Properties: 
 Current Zoning: **CG/CH**
 Requested Zoning Change: **RM-1 and CG**
 Vision: **Neighborhood**

Close-up of block to be rezoned



Jeff

Effective January 3, 2017



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



Application for Approval of a Zone Change

Section 1: Basic Information

Name of Applicant(s): Zill Properties & Investments - Zane Willard

Owner Representative (Notarized Affidavit Required)

<u>6451 Fish Hatchery Rd.</u>	<u>San Angelo</u>	<u>TX</u>	<u>76904</u>
Mailing Address	City	State	Zip Code
<u>325-656-2625</u>	<u>conchovalleyconstruction@gmail.com</u>		
Contact Phone Number	Contact E-mail Address		
<u>213 W Ave L</u>	<u>San Angelo</u>	<u>TX</u>	<u>76904</u>
Subject Property Address	City	State	Zip Code

Fort Concho Addition, Block 116, Lot 2, Tom Green County

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

Existing Zoning: R51 Proposed Zoning: Rm1 Lot size: _____

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

Section 2: Site Specific Details

Existing Use of Property: Vacant lot

*Proposed Use of Property: Multi Unit Residential Affordable Housing

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement
 (By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)

An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner;

No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.

If approved, a zone change is applied to the property, not the property owner.

The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.

If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.

Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.

One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.


If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a non-refundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Zane Willard  Zill Properties & Investments 05-20-2022
 Owner Name (Print) Signature Company/Organization (If Applicable) Date

Representative Name (Print) Signature Company/Organization Date

FOR OFFICE USE ONLY:

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

Case No.: Z 22 - 14 Fully-dimensional site plan:

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

Sign Deposit \$37.50 Receipt #: _____ Date paid: ____/____/____

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

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

River Corridor Commission? Yes No If yes, RCC meeting date: ____/____/____

Planning Commission hearing date: ____/____/____ Date notifications due: ____/____/____

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

Publication date: ____/____/____

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



STAFF REPORT - Z22-15

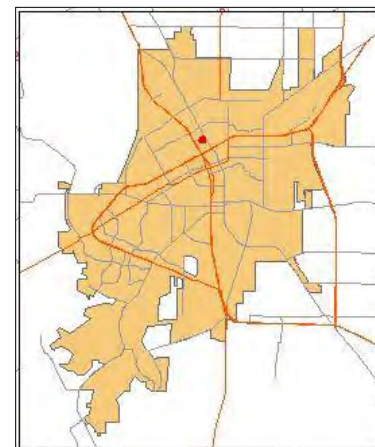
Scheduled Hearings:

Planning Commission: June 20, 2022

City Council 1st reading: July 19, 2022

City Council 2nd reading: August 2, 2022

APPLICATION TYPE:		CASES:	
Rezoning		Z22-15: 103 & 107 W. 14 th St.	
SYNOPSIS:			
On January 24, 2022, the applicants request for a rezoning from RS-2 to CN on the property was denied by the Planning Commission. They appealed to City Council where City Council upheld the Planning Commission denial and the rezoning was not approved. The applicants have an existing church and are looking at adding a retail component. They have now returned with this rezoning from RS-2 to CO which allows less intense uses than CN. If approved, the applicants intend to apply for an amendment to their existing Conditional Use for a church to allow the additional use of a faith-based bookstore.			
LOCATION:		LEGAL DESCRIPTION:	
Southwest corner of N. Irving St./W. 14 th St.		East half of Lots 6 and 13, and all of Lots 7-12 in Block 6, Park Heights Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #4 – Lucy Gonzales Blackshear Neighborhood	RS-2	N – Neighborhood	0.23 acres
NOTIFICATIONS:			
23 notifications for Z22-15 were mailed within a 200-foot radius on May 6, 2022. No responses have been received to date.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Two-Family Residential (RS-2) Zoning District to the Office Commercial (CO) Zoning District; being 0.23 acres, located at 103 & 107 W. 14 th Street.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owners and Applicants:</i> Edward and Linda Gonzales			
STAFF CONTACT:			
Jeff Fisher, AICP Chief Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			



Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any rezoning request as outlined in #1 through #7 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.** The property is located within a “Neighborhood” Future Land Use designation in the City’s Comprehensive Plan, updated in 2009. The neighborhood policies call to “promote an appropriate balance of use within each neighborhood” and that there should be a “neighborhood commercial center within walking distance of all homes within the defined neighborhood boundary.” Rezoning to Office Commercial (CO) is consistent with these policies. CO zoning would allow the existing church to serve the surrounding residential neighborhood, and require an amendment to the existing Conditional Use (CU) for the faith-based bookstore. The CU amendment would allow the Commission to require certain conditions to ensure compatibility with the neighborhood, and ensure no other incompatible retail uses would be allowed, as it would be exclusively for the bookstore.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The combined lots will have a lot area of 10,000-sq. ft. in compliance with CO zoning. There are currently two parking spaces on the property for the church as required. Any portion of the building used for a bookstore will require a change of occupancy permit and additional parking at 1 space per 200 sq. ft. of floor area accessible to the public. Staff measured the remaining concrete area on the property and the applicant can stripe at least four more parking spaces if needed.
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 CO zoning is compatible with the surrounding area which contains other commercial and institutional uses. These include The Church of the Bread of Life to the west approved by the Planning Commission on December 17, 2018 (CU18-24), a funeral home approved in 1954 by a Special Permit (SP153), and commercial zoning and uses along the Martin Luther King Drive and N. Chadbourne Street corridors nearby.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The applicants and operators of the church wish to add a faith-based bookstore which is not allowed in the RS-2 zoning or the approved Conditional Use which only allows the church.
5. **Effect on Natural Environment.** **Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Staff does not anticipate any adverse

environmental affects at this time. If additional parking is required at time of permitting, a review of drainage, grading, and stormwater will be conducted by Engineering Services to address any environmental issues.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Staff believes there is a need for small-scale, office commercial zoning in this area. A faith-based bookstore should generate less traffic than a retail use such as a coffee shop, and is compatible with the existing church.

7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The property is located on a corner property fronting a collector road (14th Street) and not in the middle of residential homes, respecting the existing land use pattern already established.



Recommendation:

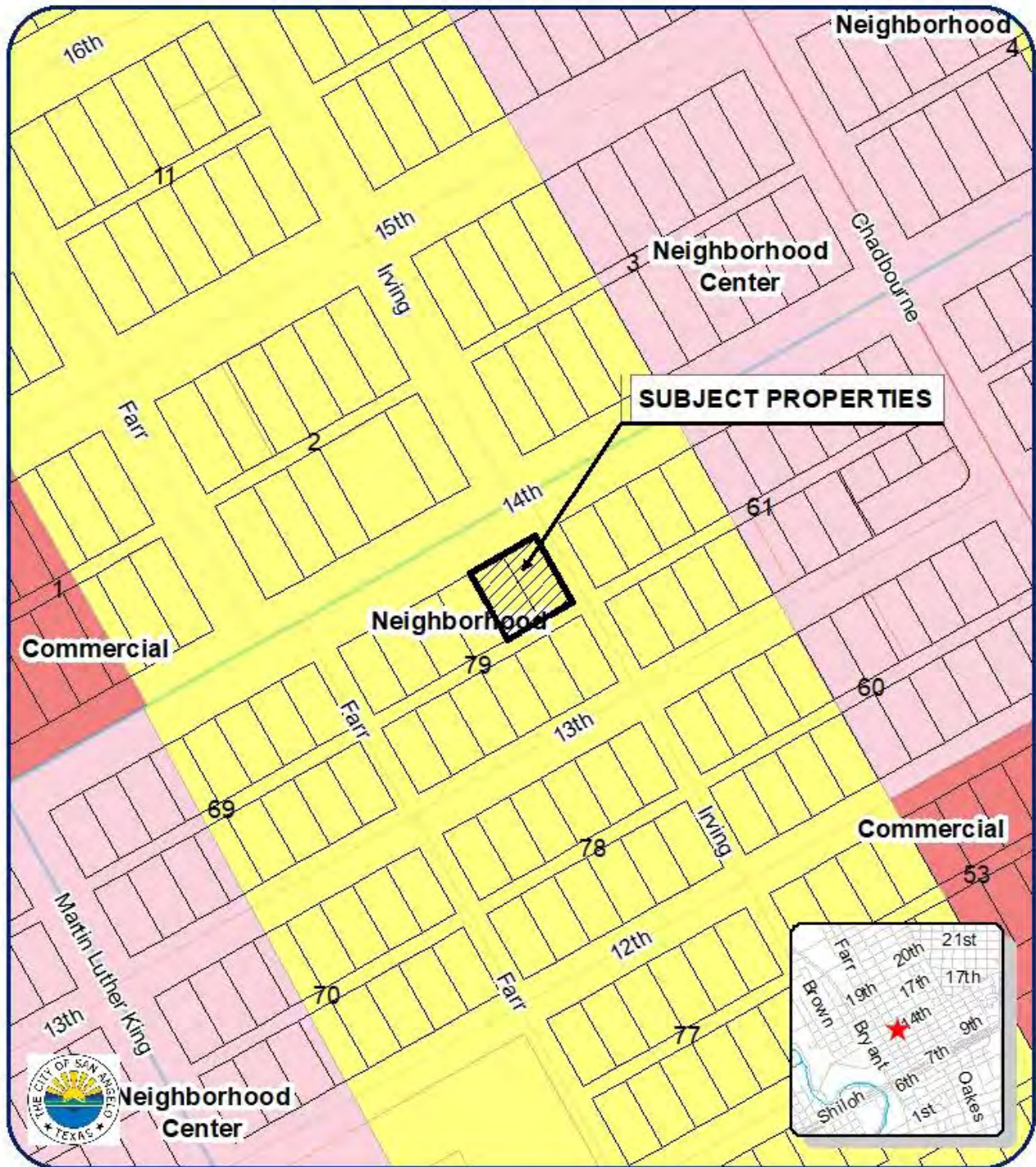
Staff recommends **APPROVAL** of a rezoning from the Two-Family Residential (RS-2) Zoning District to the Office Commercial (CO) Zoning District; being 0.23 acres, located at 103 & 107 W. 14th Street.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Application



<p>Rezoning Z22-15: 103 & 107 W. 14th St. Council District 4 - Lucy Gonzales Neighborhood: Blackshear Scale: 1" approx. = 175 ft</p>	<p>N</p> 	<p>Legend Subject Properties:  Current Zoning: RS-2 Requested Zoning Change: CO Vision: Neighborhood</p>
<p>SW of N. Irving St. and W. 14th St.</p>		



Rezoning


Z22-15: 103 & 107 W. 14th St.

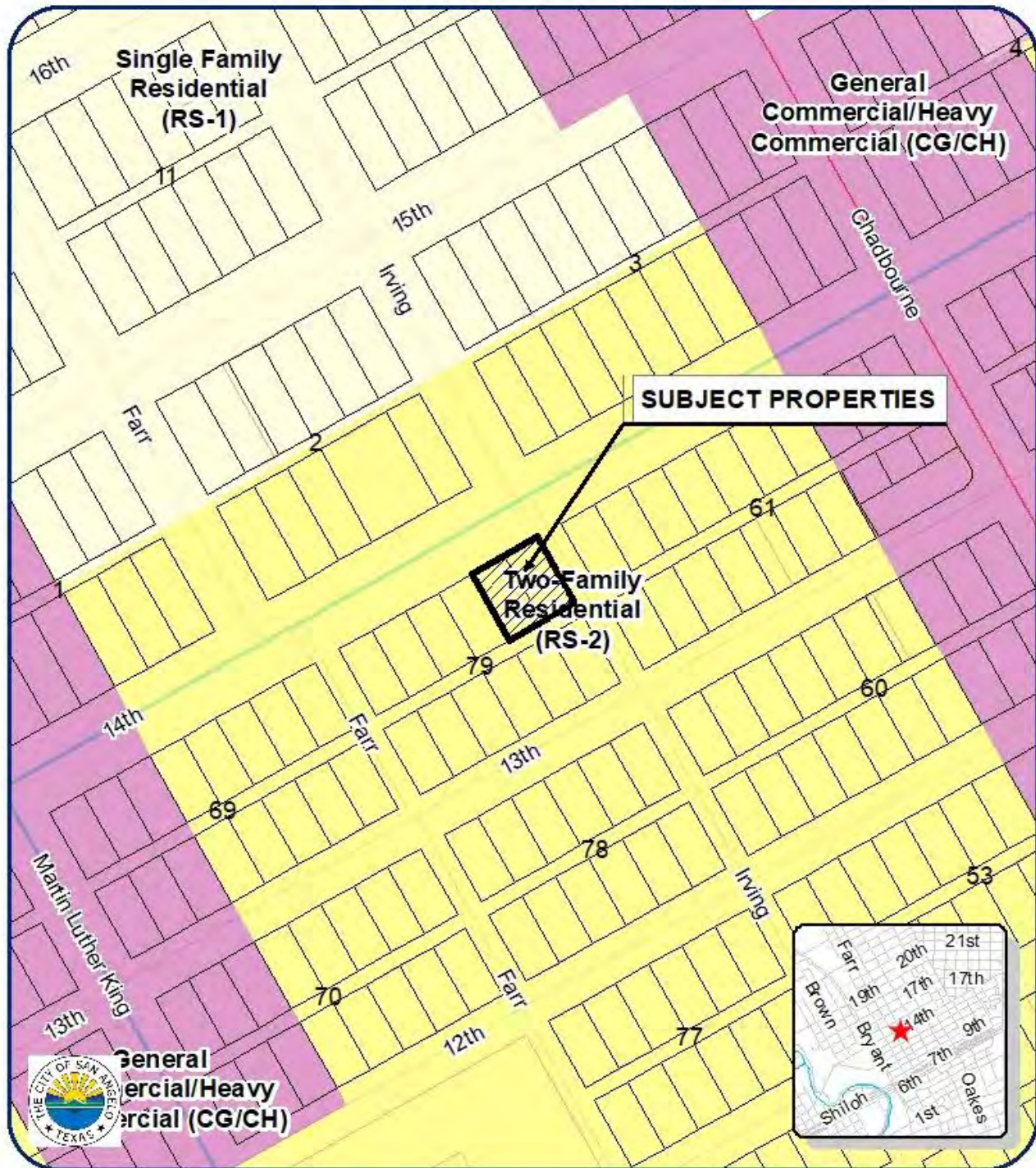
Council District 4 - Lucy Gonzales
Neighborhood: Blackshear
Scale: 1" approx. = 175 ft

SW of N. Irving St. and W. 14th St.



Legend

Subject Properties: 
Current Zoning: **RS-2**
Requested Zoning Change: **CO**
Vision: **Neighborhood**



Rezoning

Z22-15: 103 & 107 W. 14th St.

Council District 4 - Lucy Gonzales
 Neighborhood: Blackshear
 Scale: 1" approx. = 175 ft

SW of N. Irving St. and W. 14th St.



Legend

Subject Properties:
 Current Zoning: **RS-2**
 Requested Zoning Change: **CO**
 Vision: **Neighborhood**

Jeff

Effective January 3, 2017



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



Section 1: Basic Information

Name of Applicant(s): Edward and Linda Gonzales

Owner Representative (Notarized Affidavit Required)

Po Box 3485 San Angelo Texas 76902

Mailing Address City State Zip Code

(325) 245-6485 gonza.32@hotmail.com

Contact Phone Number Contact E-mail Address

103 & 107 W. 14th San Angelo Texas 76903

Subject Property Address City State Zip Code

Lot 1 & 2, Blk:79, Subd: Miles Addition

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

Existing Zoning: RS2 Proposed Zoning: CO Lot size: 0.23 acres

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

Section 2: Site Specific Details

Existing Use of Property: Church

*Proposed Use of Property: Church and/or other permitted uses

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement
 (By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)

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

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Edward Gonzales/Linda Gonzales	<i>Edward Gonzales</i>		05-25-22
Owner Name (Print)	Signature	Company/Organization (If Applicable)	Date
_____ Representative Name (Print)	_____ Signature	_____ Company/Organization	_____ Date

FOR OFFICE USE ONLY:

Verified Complete Verified Incomplete Date of Application: 5, 25, 22

Case No.: Z 22-15 Fully-dimensioned site plan:

Nonrefundable fee: \$ 645 Receipt #: 0288401 Date paid: 5, 25, 22

Sign Deposit \$37.50 20.00 Receipt #: _____ Date paid: ____/____/____

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

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

River Corridor Commission? Yes No If yes, RCC meeting date: ____/____/____

Planning Commission hearing date: 6, 20, 22 Date notifications due: ____/____/____


City Council hearing date: 7, 19, 22 Packets due date: ____/____/____

Publication date: 8, 2, 22

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

**PLANNING COMMISSION – JUNE 20, 2022
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Conditional Use		CU22-12: 24 W. College Avenue	
SYNOPSIS:			
<p>On May 19, 2022, the applicant received approval from the Design and Historic Review Commission (DHRC) for a Downtown District Overlay Zone approval for a new 115-foot tall, high grade steel monopole telecommunication tower with related equipment. They now require a Conditional Use (CU) from the Planning Commission to facilitate construction as a tower is not permitted without a CU in the CBD Zoning District. The tower will be a light gray color to blend in with surrounding buildings and the sky. It will be co-locatable. The applicant also plans to erect a 7' brick masonry fence around the tower for screening and security. All structures will be located within a 907-sq. ft. leased area at the northeast corner of the property which is being used as a parking lot for First Christian Church.</p>			
LOCATION:		LEGAL DESCRIPTION:	
Northeast of N. Chadbourne St. and E. College Ave.		San Angelo Addition, Block 43, Lots 4-6 and the west 25' of Lots 1-3; and Miles Acre Lots Addition, the south 100' of Block 8 and 8 ¼ and the south 100' of the east part of Lot 7	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FUTURE LAND USE:
SMD District #3 – Harry Thomas Downtown Neighborhood		CBD	D - Downtown
SIZE:			
0.828 acres			
THOROUGHFARE PLAN:			
<i>E. College Avenue</i> – Urban Local Street, required: 50' ROW, 40 paved or 36' paved with a 4' sidewalk; provided: 56' ROW, 50 paved with 4' sidewalks on both sides of street.			
NOTIFICATIONS:			
13 notifications mailed within 200-foot radius on June 7, 2022. No responses have been received to date.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a monopole tower and related equipment for CU22-12, subject to six Conditions of Approval.			
PROPERTY OWNER/PETITIONER:			
<p><i>Owner:</i> First Christian Church <i>Petitioner:</i> Mr. Dane Wilkins, Vincent Gerard & Associates</p>			
STAFF CONTACT:			
<p>Jeff Fisher, AICP Chief Planner (325) 657-4210, Ext. 1550 jeff.fisher@cosatx.us</p>			

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

1. **Impacts Minimized.** *Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.* The property is located in a CBD zoning district which allows a variety of retail commercial uses. Staff believes that the proposed 7' brick masonry fence around the tower for screening and security will minimize impacts on adjacent properties.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.* The tower is exempt from the Section 426 policies of the Zoning Ordinance for telecommunication towers being in the CBD Zoning District. The tower is however subject to the setbacks and standards of 502.B pertaining to structures in the CBD Zoning District. CBD Zoning requires a 25-foot front yard setback and the proposed tower is 194.6 feet from the front property line facing E. College Avenue. There are no side or rear yard setbacks required for the property abutting other non-residential uses. Nonetheless, the tower is at least 15 feet from the nearest rear and east side yard property line in compliance.
3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.* The tower is compatible with the surrounding area which includes a wide range of commercial and institutional uses.
4. **Effect on Natural Environment.** *Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* Planning Staff does not anticipate any adverse impacts on the natural environment.
5. **Community Need.** *Whether and the extent to which the proposed conditional use addresses a demonstrated community need.* The applicant indicates that the tower will provide needed wireless telecommunication services to the community.
6. **Development Patterns.** *Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.* Development patterns will not change if approved. The tower will be located on the site of an existing parking lot.

Recommendation:

Staff recommends **APPROVAL** of a monopole tower and related equipment for CU22-12, **subject to six Conditions of Approval:**

1. No more than one telecommunication tower shall be permitted on the subject property. The tower shall be a monopole design and not exceed a height of 115 feet, including any apparatus attached to the tower itself.
2. The applicant shall obtain a building permit for the new tower from the Permits and Inspections Division.
3. The tower and any associated equipment shall be screened with a minimum 7-foot tall opaque fence as approved by the Design and Historic Review Commission (DHRC).
4. The Petitioner shall indicate the final latitudinal and longitudinal coordinates related to the set placement of the telecommunication tower on the Building Permit for GIS tracking purposes.
5. The tower shall be co-locatable which can support a minimum of two antenna arrays from two separate wireless communication system providers or users.
6. The applicant shall submit Form 7460 to the Federal Aviation Administration (FAA) for notice of proposed construction or alteration, and obtain approval if necessary.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Plans
Application




Conditional Use
CU22-12: 24 E. College Ave.

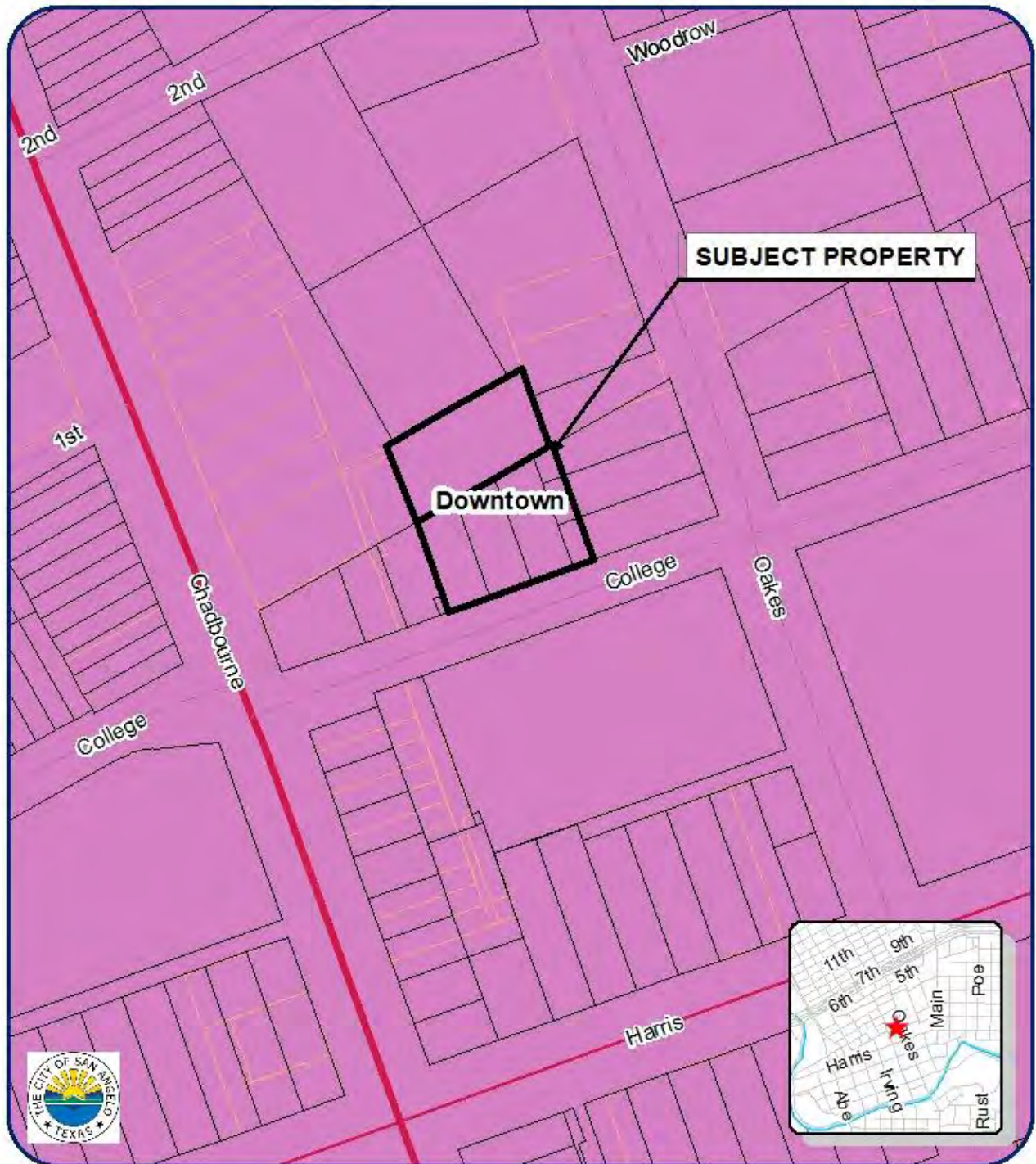
Council District 3 - Harry Thomas
Neighborhood: Downtown
Scale: 1" approx. = 150 ft

NE of Chadbourne St/E. College Ave.

Legend

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






Conditional Use
CU22-12: 24 E. College Ave.

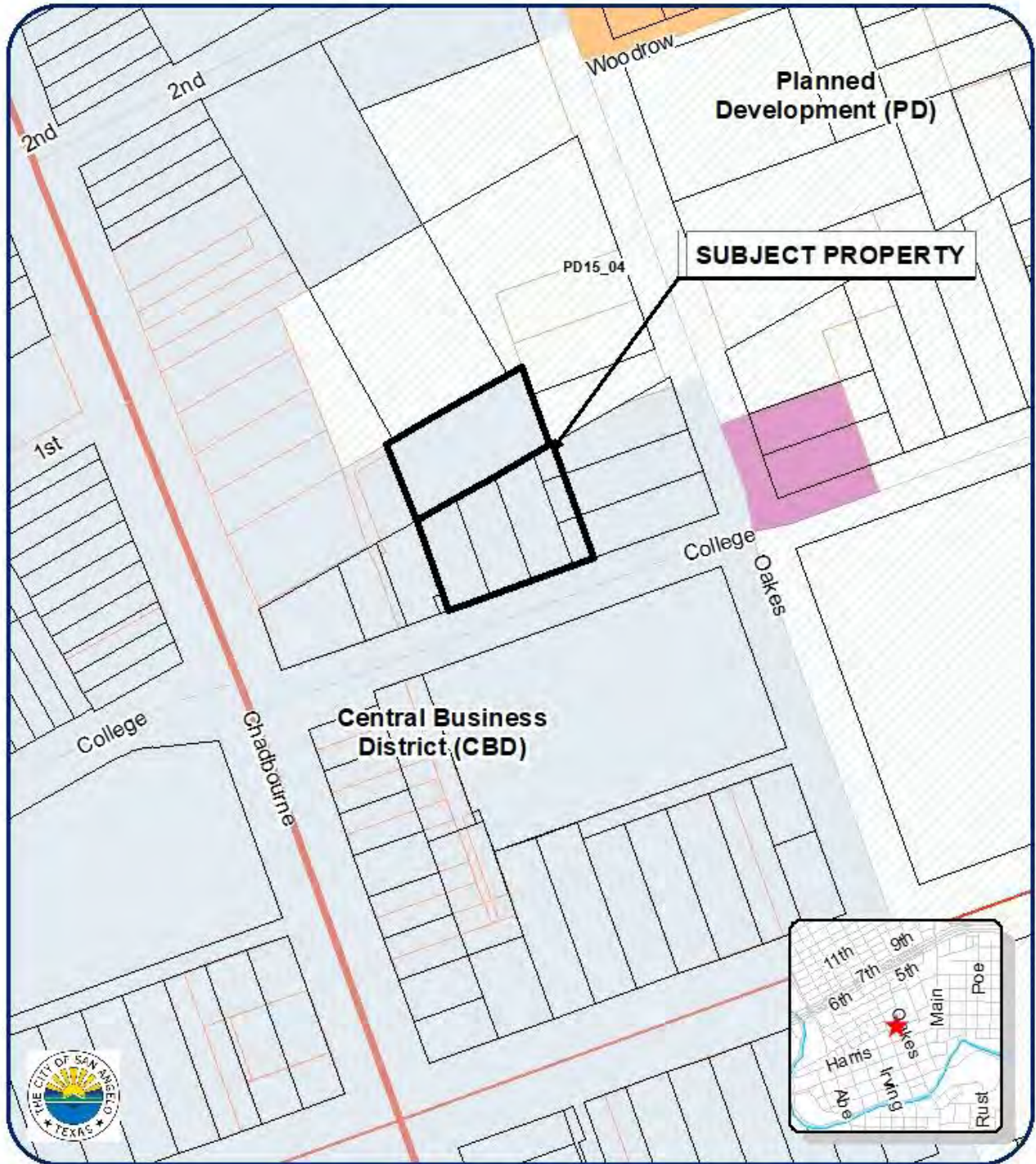
Council District 3 - Harry Thomas
Neighborhood: Downtown
Scale: 1 " approx. = 150 ft

NE of Chadbourne St/E. College Ave.

Legend

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






Conditional Use
CU22-12: 24 E. College Ave.

Council District 3 - Harry Thomas
Neighborhood: Downtown
Scale: 1 " approx. = 150 ft

NE of Chadbourne St/E. College Ave.

Legend

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



Photos of Site and Surrounding Area

LOOKING NORTH TOWARDS TOWER LOCATION



PROPOSED TOWER LOCATION TOWARDS OAKES ST.



LOOKING SOUTH TOWARDS COLLEGE AVE.



LOOKING WEST TOWARDS S. BELL ST.

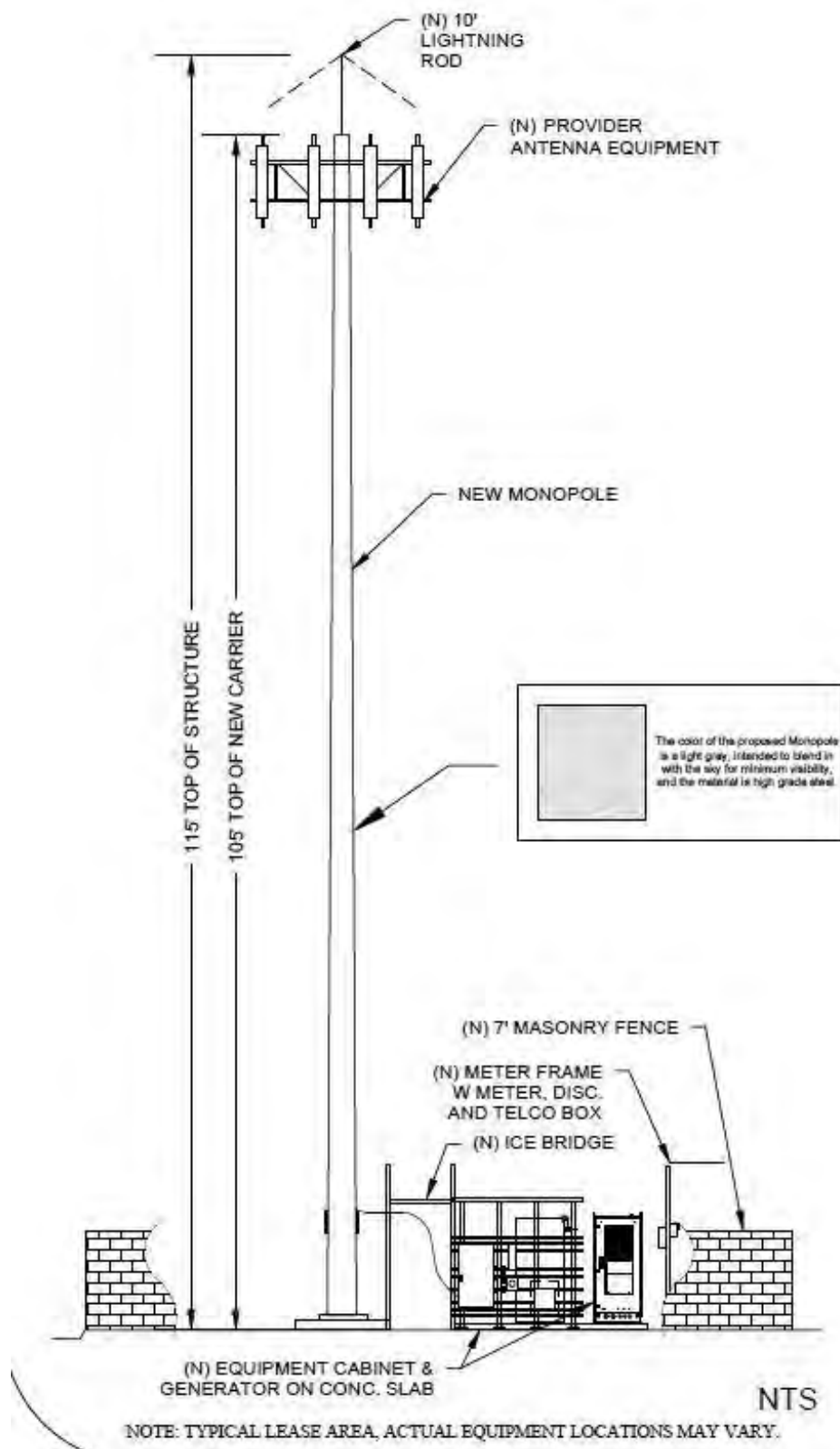


LOOKING SOUTH AT CHURCH



Tower Elevation

TOWER ELEVATION



Effective January 3, 2017

Section 2 continued: Site Specific Details

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

Explanation: As stated above, there is a need for stronger wireless coverage in the downtown area of San Angelo this is illustrated by the attached RF Maps. This will assist with emergency phone calls and other communication's that the community needs downtown.

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

Explanation: This project is not centered in downtown, it is north near highway 277/67 this preserves the historic downtown skyline while still providing the much needed coverage.

Section 3: Applicant(s) Acknowledgement

Please initial the following:

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

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

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

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

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

Dane Wilkins
Signature of licensee or authorized representative

05/20/2022
Date

Dane Wilkins (Agent)
Printed name of licensee or authorized representative

Vincent Gerard and Associates inc.
Name of business/Entity of representative

FOR OFFICE USE ONLY:

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

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

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

MEMO



Meeting

Date: June 16, 2022

To: Design and Historic Review Commission (DHRC)

From: Jeff Fisher, AICP
Chief Planner

Requests: Public Hearing and Consideration of the Following Items:

- 1) Z22-02: an Ordinance to adopt a new Historic District in Downtown San Angelo, generally located north of Concho River, east of N. Irving Street; south of E. 4th Street; and west of S. Oakes Street;
- 2) An Ordinance amending Chapter 12, Planning and Development of the City Code of Ordinances, Exhibit A – Zoning Ordinance, Section 211 “Historic Overlay Zone”, amending the criteria and process for a Certificate of Appropriateness and demolitions, and establishing an administrative process; and,
- 3) A resolution adopting the City’s Historic Preservation Design Guidelines for the Central Business District and expanding the boundary north to 4th Street.

Item 1: Creation of a New Historic District in Downtown San Angelo:

- On January 20, 2022, the DHRC recommended approval of this proposed historic district as shown on the **attached map**. However, State Law also requires that property owners are sent a statement of intent explaining the regulations, procedures, tax benefits, and rehabilitation options associated with the designation which are outlined in this report (see Item 2). Therefore, Staff re-notified all 144 affected property owners and included the statement of intent, as well as the 58 owners within 200’ of the affected properties.
- A three-fourths majority vote is required by the DHRC for property owners that do not consent to their property becoming historically designated. For all properties recommended to be approved historic by the DHRC, City Council action is required. This is scheduled for their June 21, 2022 City Council meeting.
- **If approved, a Certificate of Appropriateness would be required for exterior construction (see Item 2). However, underlying zoning would not be affected. If you are zoned CBD which allows a retail store, you would still be allowed to operate a retail store. Exterior construction however would be subject to a design review process.**

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 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.
- 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” to the historic significance and character of the district.

Recommended Action – Item 1:

Staff recommends **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.

Item 2: Amending the criteria for a Certificate of Appropriateness – CofA (required for exterior construction and demolitions on historic properties) and creating an administrative process:

- Historic properties currently require a “Certificate of Appropriateness” application for any exterior construction. This includes exterior reconstruction, alteration, rehabilitation, additions or relocation of buildings. Interior construction does not require an approval, although may still require a building permit.

Review Process for Certificate of Appropriateness (CofA) applications	
<i>Current</i>	<i>Proposed</i>
<ul style="list-style-type: none"> • no distinction between high, medium and low priority properties 	<ul style="list-style-type: none"> • Different process for high and medium versus low priority properties
<ul style="list-style-type: none"> • all properties require a CofA 	<ul style="list-style-type: none"> • high and medium properties and demolitions on all properties require a CofA; low priority require a Downtown District approval (lower standard)
<ul style="list-style-type: none"> • all properties subject to 10 criteria in the Zoning Ordinance from the <i>Secretary of the Interior’s Standards for the Rehabilitation of Historic Buildings.</i> 	<ul style="list-style-type: none"> • high and medium properties and demolitions subject to 10 criteria in Zoning Ordinance, and: <ul style="list-style-type: none"> • City’s Central Business District (CBD) Historic Guidelines; • Secretary of Interior’s Guidelines for Treatment of Historic Properties; • Historic surveys/other information indicating original building design • Low priority properties only subject to current guidelines in Downtown District
<ul style="list-style-type: none"> • All CofA requests must be approved by DHRC 	<ul style="list-style-type: none"> • New administrative process allowing the Planning Director to approve certain

	requests consistent with admin. process for Downtown Zone approvals (include signs under 50 sq. ft., fences or walls without messaging, exterior painting, etc. (see attached).
<ul style="list-style-type: none"> No provision specifying requirements for demolitions by willful act or negligence 	<ul style="list-style-type: none"> Provision added to require CofA's for demolitions by willful act or negligence, owner required to repair or restore the structure

Recommended Action – Item 2:

Staff recommends **APPROVAL** of an Ordinance amending Chapter 12, Planning and Development of the City Code of Ordinances, Exhibit A – Zoning Ordinance, Sections 211 “Historic Overlay Zone”, amending the criteria and process for a Certificate of Appropriateness and demolitions, and establishing an administrative process.

Item 3: Adopting the Historic Preservation Design Guidelines for the Central Business District (CBD) and expanding the boundary north to 4th Street

- Planning Staff have used these guidelines since 2010 when reviewing Certificate of Appropriateness requests, however, no formal action has been taken to officially adopt them. Given the new historic district (Item 1) which will encompass 144 properties and the increased need for historic preservation of San Angelo’s buildings, Staff recommends formally adopting these guidelines and expanding the boundary north to 4th Street to encompass all of the properties in the proposed Chadbourne Corridor Historic District **(See attached map in yellow)**. This will allow Staff to review these guidelines in addition to others when reviewing Certificate of Appropriateness requests. These can then be added to the City’s website and communicated to applicants so they full understand the process and what is being reviewed.

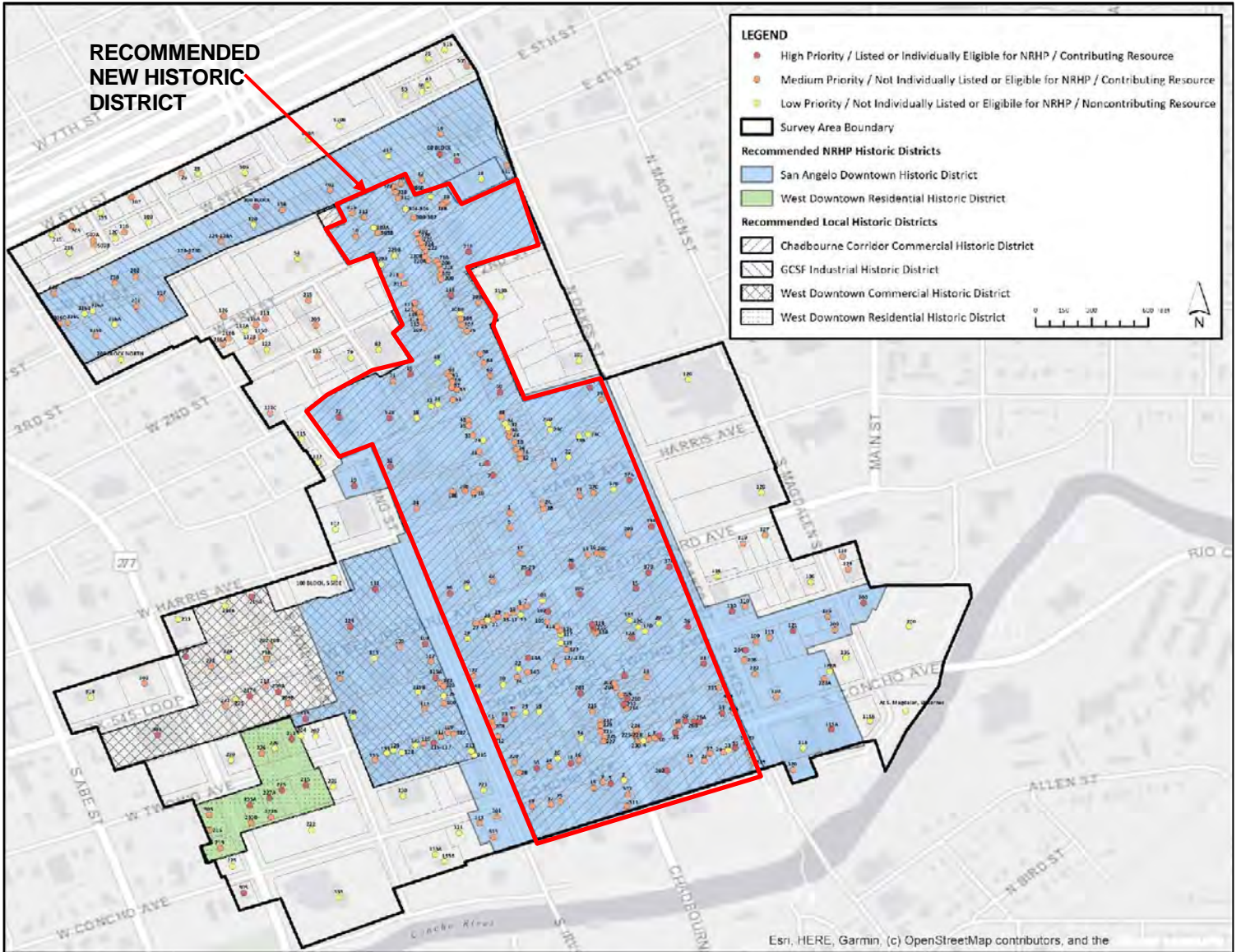
Recommended Action – Item 3:

Staff recommends **APPROVAL** of a resolution adopting the City’s Historic Preservation Design Guidelines for the Central Business District and expanding the boundary north to 4th Street.

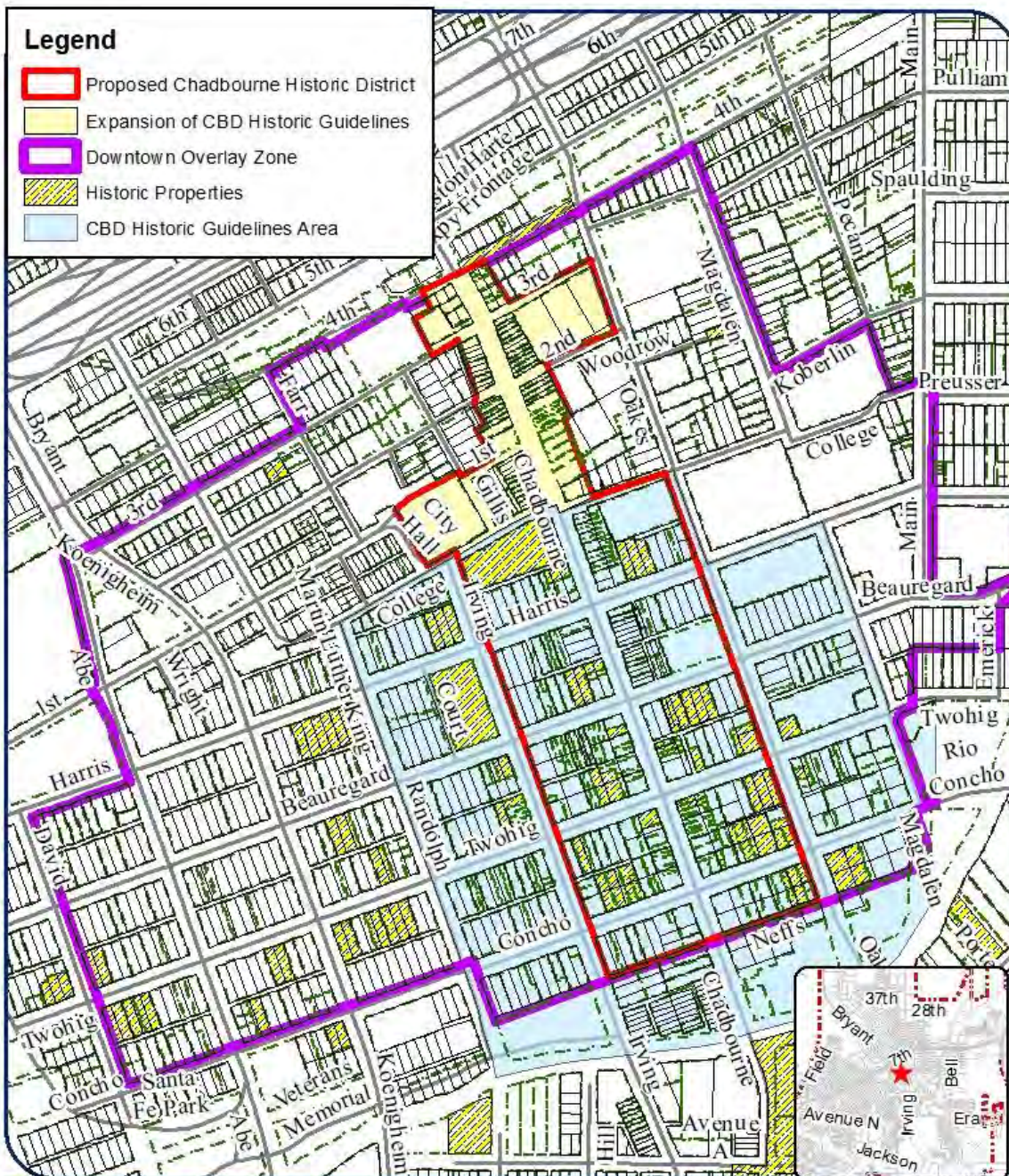
Attachments:

- Recommended Historic District
- Overall Map
- Notice Map – Property Owners
- Notice Map – Owners within 200 feet

RECOMMENDED HISTORIC DISTRICTS – HISTORIC SURVEY



OVERALL MAP



Legend

- Proposed Chadbourne Historic District
- Expansion of CBD Historic Guidelines
- Downtown Overlay Zone
- Historic Properties
- CBD Historic Guidelines Area



Z22-02: Historic Overlay Zone

Chadbourne Corridor Historic District

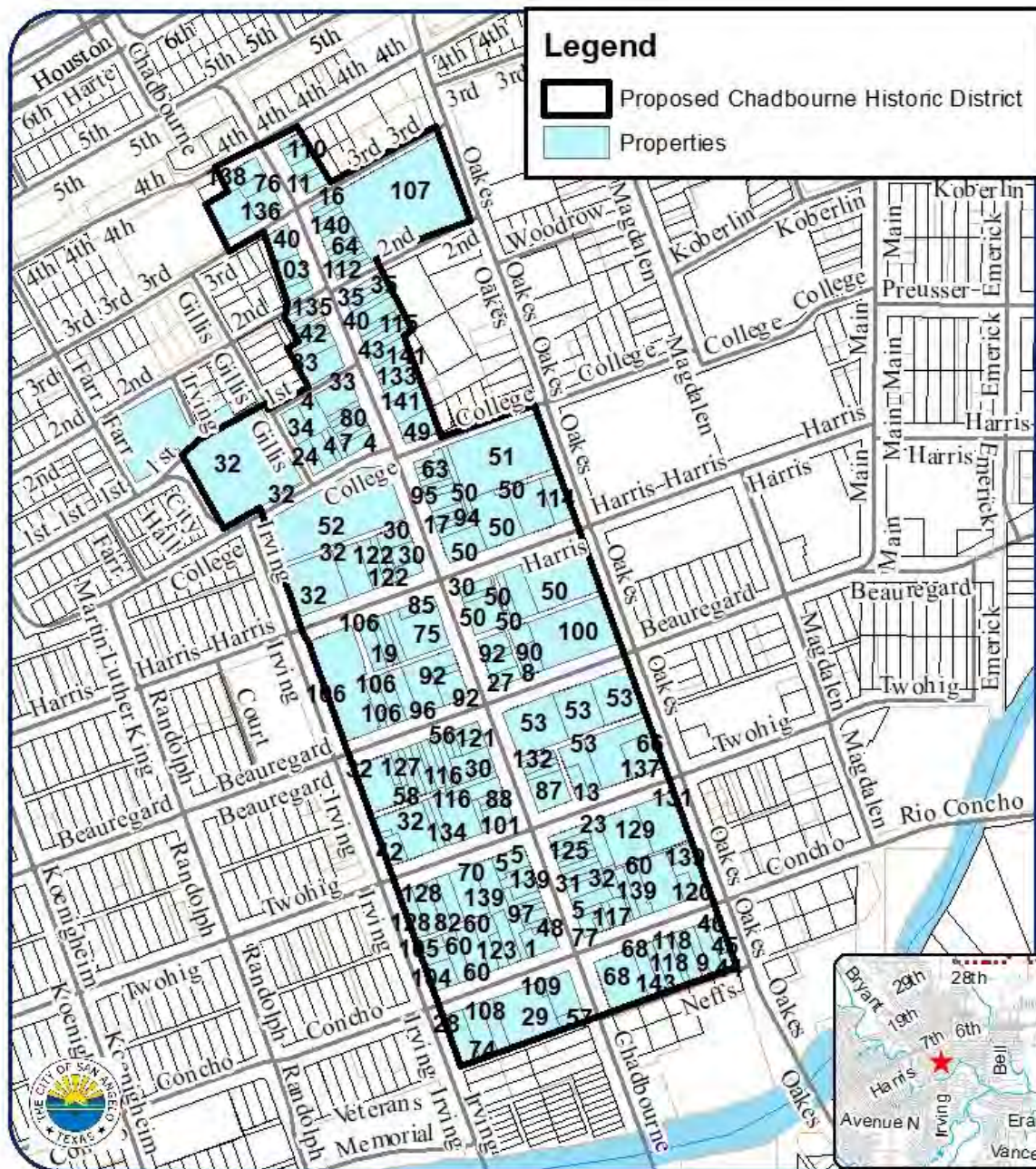
Council District: Harry Thomas - District 3
 Neighborhood: Downtown
 Scale: 1" approx. = 625 ft

Legend

Subject Properties: — CBD and CG/CH
 Current Zoning: N/A
 Requested Zoning Change: N/A
 Vision: — Downtown

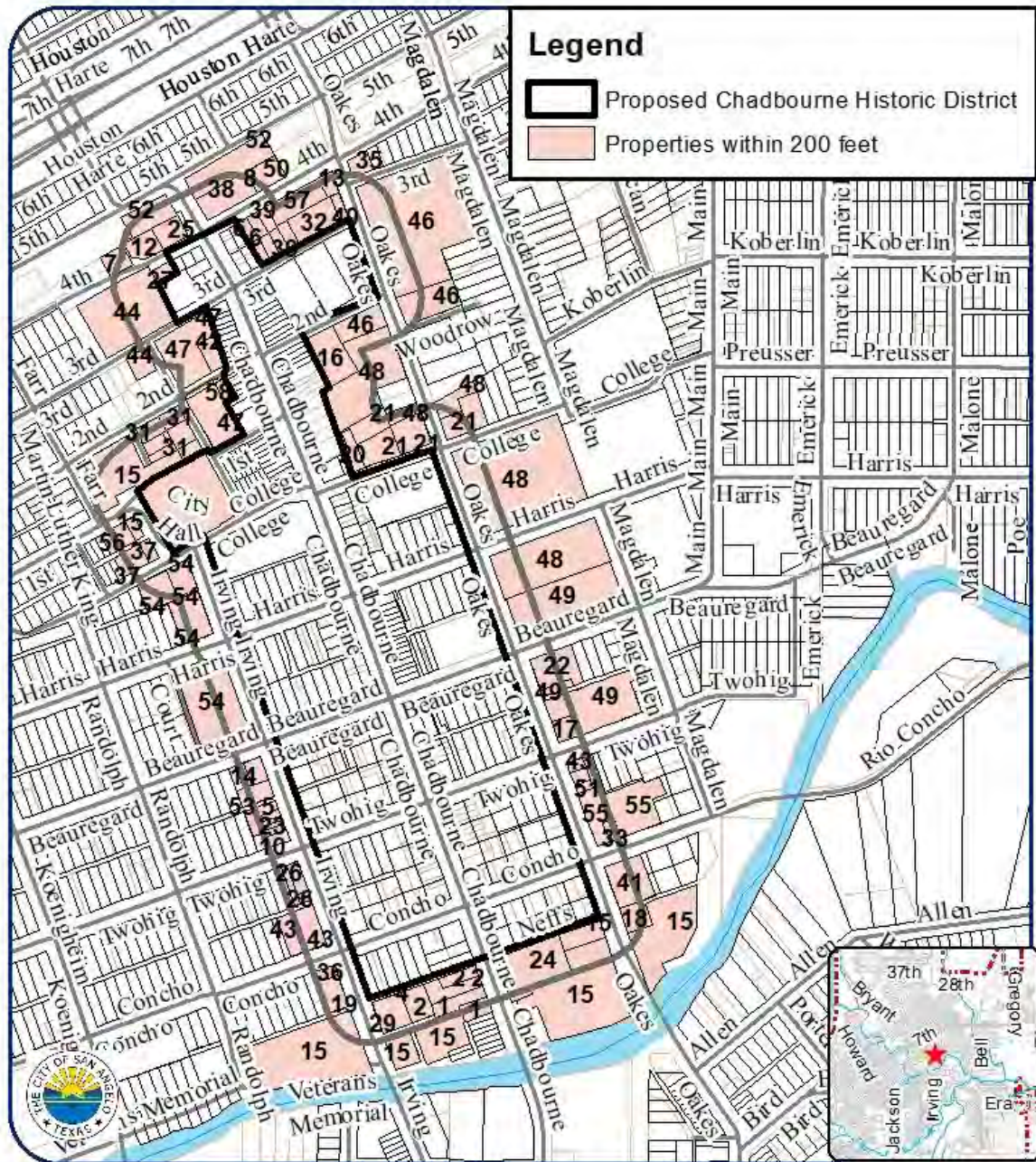
Between Concho River/N. Irving/E 4th St/S. Oakes St.

Notice Map – Property Owners



Z22-02: Historic Overlay Zone		Legend	
Chadbourne Corridor Historic District		Subject Properties:	CBD and CG/CH
Council District 3- Harry Thomas		Current Zoning:	N/A
Neighborhood: Downtown		Requested Zoning Change:	Downtown
Scale: 1" approx. = 500 ft		Vision:	Downtown
<p>Between Concho River/N. Irving/E. 4th St/S. Oakes St.</p>			

Notice Map – Owners within 200 feet



Z22-02: Historic Overlay Zone
Chadbourne Corridor Historic District
 Council District 3- Harry Thomas
 Neighborhood: Downtown
 Scale: 1" approx. = 600 ft

Legend

- Subject Properties: CBD and CG/CH
- Current Zoning: N/A
- Requested Zoning Change: N/A
- Vision: Downtown

Between Concho River/N. Irving/E. 4th St/S. Oakes St.