

**PLANNING COMMISSION – DECEMBER 12, 2022**  
**STAFF REPORT**

<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Final Plat		Final Plat of Fort Concho Addition, Block 116, Lots 1 & 2 (W. Ave L & Randolph Street)	
<b>SYNOPSIS:</b>			
A request for approval of a final plat of the Fort Concho Addition, Block 116, Lots 1 & 2, a subdivision, being 12,065 sq. ft. located on the southwest corner of W. Ave. L and Randolph St. This subdivision combines half of lot 1 and all of lot 2 into one lot for the development of a small multi-family complex.			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
Located at the southwest corner of W. Ave. L and Randolph St.		Replat of the Fort Concho Addition Block 16, North 87 Feet of Lot 1 & all of Lot 2	
<b>SM DISTRICT / NEIGHBORHOOD:</b>		<b>ZONING:</b>	<b>FUTURE LAND USE:</b>
SM District: SMD 3 - Thomas Neighborhood: Ft. Concho		Low Rise Multi-Family (RM-1)	Neighborhood
			<b>SIZE:</b>
			12,065 sq. ft.
<b>THOROUGHFARE PLAN:</b>			
Randolph St is an existing Urban Local Street. W. Ave L is an existing Minor Arterial			
<b>STAFF RECOMMENDATION:</b>			
Staff recommends <b>APPROVAL</b> of the final plat of the Fort Concho Addition Block 116, the north 87 feet of Lot 1, and all of Lot 2.			
<b>PROPERTY OWNER/PETITIONER:</b>			
<b>Petitioner:</b> Erica Carter, Carter-Fentress Engineering			
<b>STAFF CONTACT:</b>			
Sherry L. Bailey Senior Planner (325) 657-4210, Extension 1546 <a href="mailto:Sherry.bailey@cosatx.us">Sherry.bailey@cosatx.us</a>			



**Conformity with Comprehensive Plan and Intent of Purpose Statements:** The proposed final plat will be consistent with the Land Use in the City's Comprehensive Plan, 2009 Strategic Plan update. A small multi-family in this area between two General Commercial (CG) zoned areas is a reasonable placement.

**Recommendation:** Staff recommends APPROVAL of the final plat of Fort Concho Addition, Block 16, North 87 Feet of Lot 1 & all of Lot 2, subject to the following condition:

1. Prior to plat recordation, change the wording on the plat to say 1 lot instead of 2.

**Attachments:**


Aerial Map

Plat



**Aerial**  
**Ft. Concho Addition Block 116 1 & 2**  
 Council District SMD #3 Thomas  
 Neighborhood: Ft. Concho  
 Scale: 0.000006 0.012 0.018 0.024 Miles

Subject Properties: —  
 200' Buffer: —  
 Notified Properties: —

N  


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 plot is filed in Cabinet \_\_\_\_\_, Slide \_\_\_\_\_, Plat Records of Tom Green County, Texas.

**LEGEND**

- FOUND IRON PIPE
- ⊙ FOUND RAILROAD SPIKE
- SET 1/2" IRON ROD CAPPED "MO"
- SUBJECT PROPERTY BOUNDARY
- - - ADJACENT PROPERTY LINE
- - - EASEMENT/BUILDING SET-BACK LINE
- B.S. BUILDING SETBACK
- R.O.W. RIGHT-OF-WAY

**CITY PLANNING COMMISSION**  
 Approved for recording this \_\_\_\_\_ day  
 of \_\_\_\_\_, 20\_\_\_\_  
 City Planning Commission of San Angelo, Texas.

By: \_\_\_\_\_  
 Chairman

By: \_\_\_\_\_  
 Secretary

**2 SINGLE FAMILY LOTS**  
**0.277 ACERS OVERALL**  
**1 0.200 ACRES SINGLE FAMILY LOT**  
**1 0.077 ACRES SINGLE FAMILY LOT**

**NOTES:**

1. SURVEY COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THERE MAY BE EASEMENTS AND/OR COVENANTS AFFECTING THIS PROPERTY NOT SHOWN HEREON.
2. 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, 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 26th day of October, 2022.

**DEDICATION / ACKNOWLEDGEMENT**

I, Zone Willard, 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.

Zone Willard

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: JF  
 Office: JF  
 Job # 22100020

MCMILLAN AND QUINN, INC. FIRM NO. 10194241 P.O. BOX 3506 SAN ANGELO, TEXAS PHONE: (325) 939-0043 EMAIL: info@mqjbc.com Copyright 2022 All Rights Reserved

**PLANNING COMMISSION – December 12, 2022  
STAFF REPORT**



<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Preliminary/Final Plat		Leal Addition Preliminary Plat/Final Plat	
<b>SYNOPSIS:</b>			
<p>The applicant has applied for a preliminary plat that includes all of his property and a final plat that will allow his son to rebuild his home that burned recently. At this point in time the applicant has no plans to sell his property or to divide it except for Lot 1 which is his son’s home site. This property is east of Armstrong Street at the intersection of E 24<sup>th</sup> Street. It is an area that has not seen much development so this is an opportunity for the city to set some requirements on future development.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
Generally located east of Armstrong Street at the intersection of E. 24 <sup>th</sup> Street.		Being 8.601 acres of land out of the R. B. Longbotham Survey No. 27 Abstract No. 5735	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
SMD District #4 – Lucy Gonzales Paulann Neighborhood	Single-Family Residential (RS-1)	Neighborhood	8.601 Acres
<b>THOROUGHFARE PLAN:</b>			
<i>Armstrong Street</i> – Minor Collector Street, Required 48’ min. ROW (88’ provided),			
<b>NOTIFICATIONS:</b>			
N/A			
<b>STAFF RECOMMENDATION:</b>			
Staff recommends <b>APPROVAL</b> of the preliminary plat of Leal Addition <b>subject to four conditions</b> ; Staff recommends <b>APPROVAL</b> of the final plat Leal Addition, Lot 1 <b>subject to one condition</b> .			
<b>PROPERTY OWNER/PETITIONER:</b>			
<u>Property Owner</u> Juan Leal Jr. <u>Representative</u> SKG Engineering			
<b>to the following STAFF CONTACT:</b>			
Sherry Bailey Principal Planner (325) 657-4210, Ext. 1546 <a href="mailto:sherry.bailey@cosatx.us">sherry.bailey@cosatx.us</a>			

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

The subject property is designated “Neighborhood” in the City’s Comprehensive Plan. The proposed preliminary plat and subsequent final plat of Section One is in keeping with the neighborhood concept. Lot 1, Leal Addition Final Plat is the site where Mr. Leal wanted to originally add on to his home. The house caught fire, and burned beyond repair, so now he has cleaned up the site and wants to rebuild at the site where his original home was. The rest of the land owned by Mr. Leal and his father is property that they do not have any development plans at this time.

**Recommendation: Preliminary Plat**

In reviewing the Preliminary Plat and the Final Plat the normal conditions reasonably pertain to the development of the larger development piece of property rather than the original home site.

Staff recommends that the Planning Commission **APPROVE** the preliminary plat of Leal Addition. subject to the following conditions;

1. Prior to the development of Lot 2, prepare and submit plans for approval, illustrating the proposed installation of water and sewer mains with required service connections and completing 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] 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 the development of Lot 2, a drainage study shall be submitted. [Chapter 12, Planning and Development, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval [ including streets ]. [Chapter 12, Planning and Development, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] Alternatively, submit a request to the City Engineer for approval to defer the requirement to a later stage of development. [Chapter 12, Planning and Development, Sec. 12.05.004] Said deferral may be until such time as the property is further subdivided or prior to the issuance of a building permit in which construction results in more than a 5% increase of impervious area.
3. Prior to the development of Lot 2, prepare and submit plans for approval, illustrating the required construction of E 24th St, meeting the requirements for a local roadway with a minimum 40 feet wide pavement with no sidewalk, or 36 feet of pavement width with a sidewalk complying with the ordinance on one side. [Land Development and Subdivision Ordinance, Chapter 10]. Once plans are approved, construct street to City specifications [Land Development and Subdivision Ordinance, Chapter 10]. Alternatively, submit a financial guarantee ensuring the completion of these improvements within a 36 month period [Land Development and Subdivision Ordinance, Chapter 6]. A second alternative would be to obtain approval of a variance from the Planning Commission [Land Development and

Subdivision Ordinance, Chapter 1.IV]

4. Prior to the development of Lot 2, submit a revised plat, on which is illustrated the dedication of 50 feet of right-of-way (total) for East 24<sup>th</sup> Street classified as local (Land Development and Subdivision Ordinance. Chapter 10 III A 1)

**Recommendation: Final Plat**

Street improvements will not be required along Armstrong which is a state highway. Utilities are present. Staff recommends **APPROVAL** of the final plat subject to one condition.;

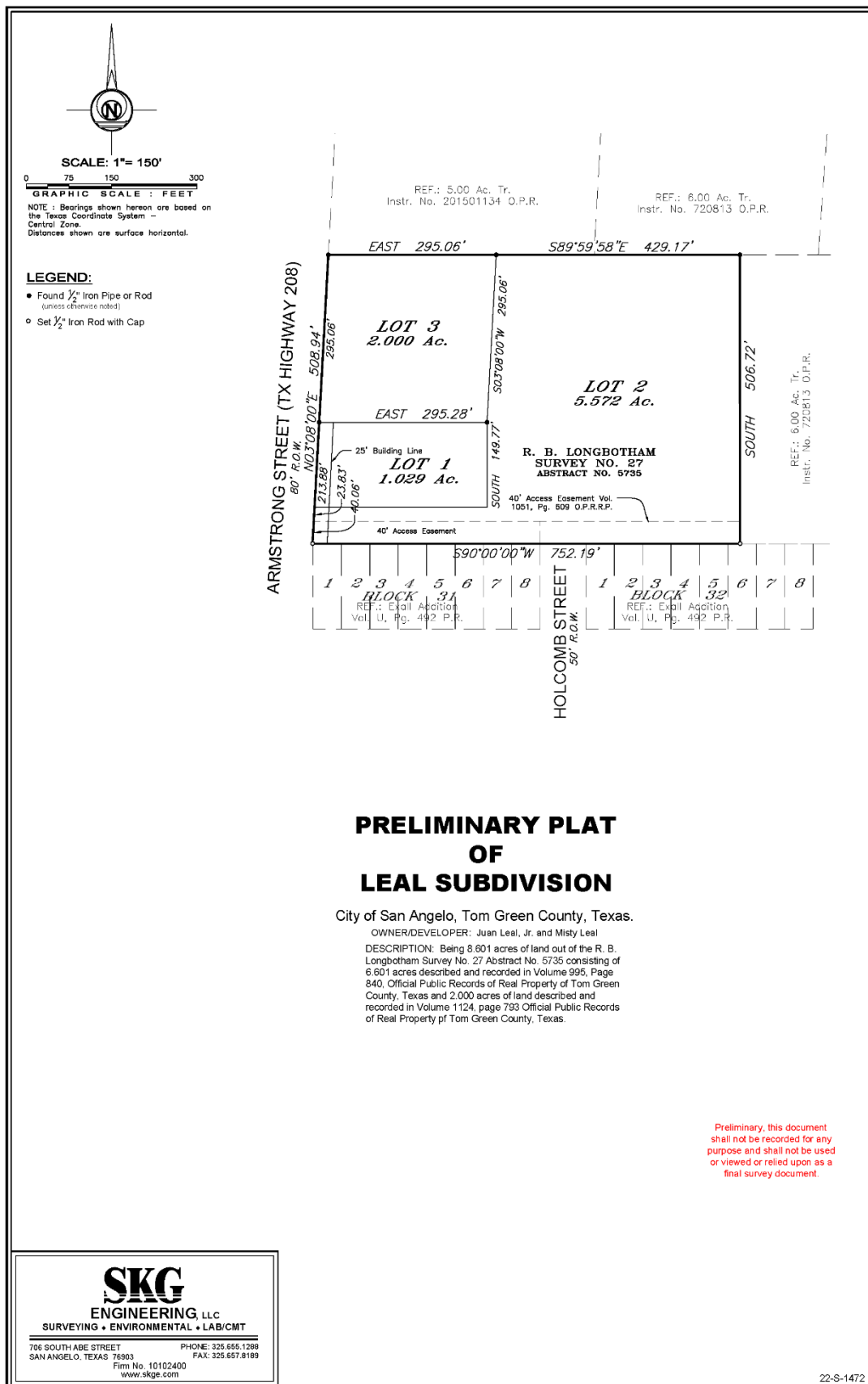
1. Prior to plat recordation, provide a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision. [Land Development and Subdivision Ordinance, Chapter 7.II.A]

Note:

1. Fire hydrants and fire department access may need to be provided, depending upon the proposed layout of buildings, and should be addressed as part of the site plan review process. [2015 International Fire Code, Section 507.5, and Appendix D]

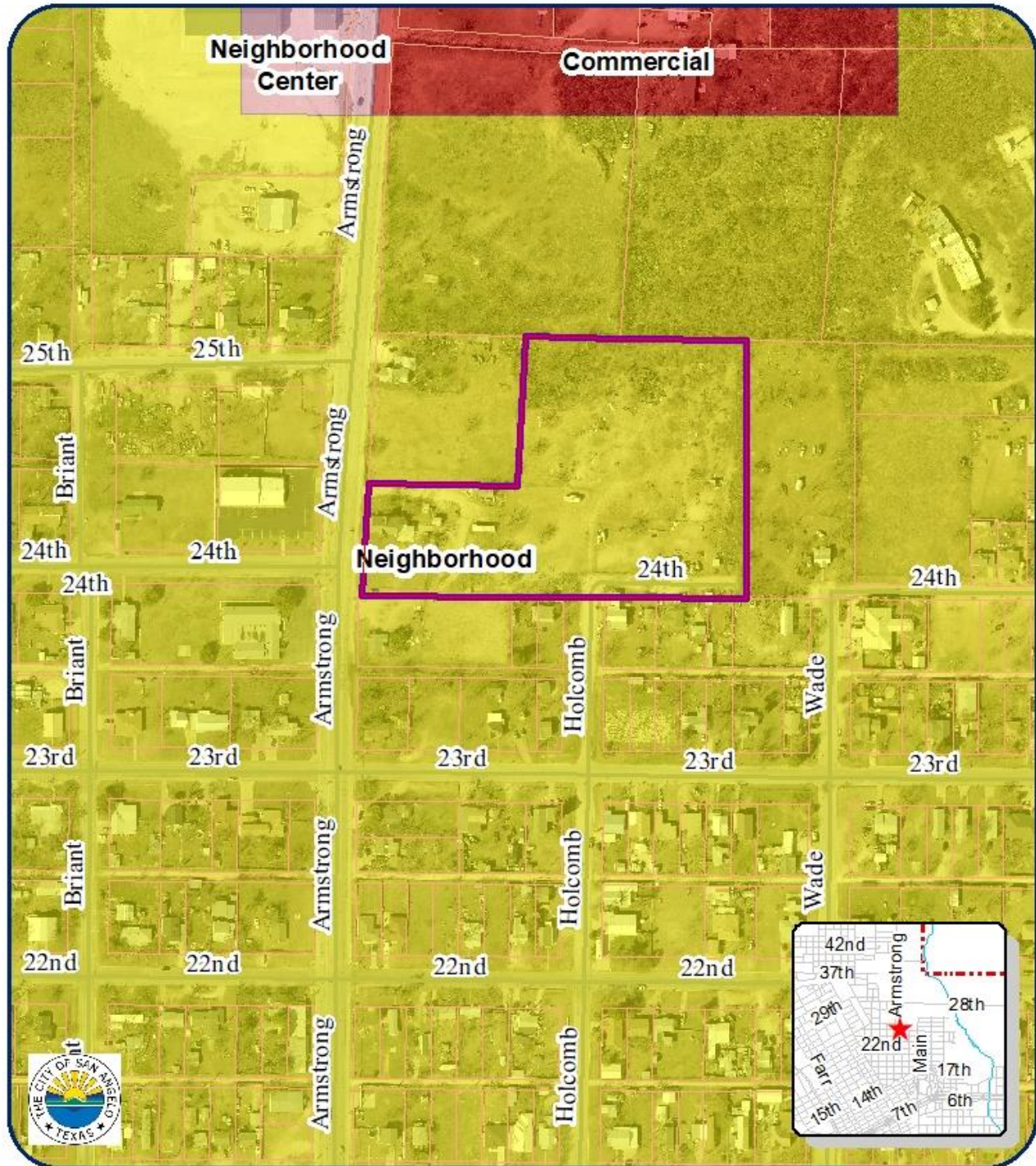
**Attachments:**

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





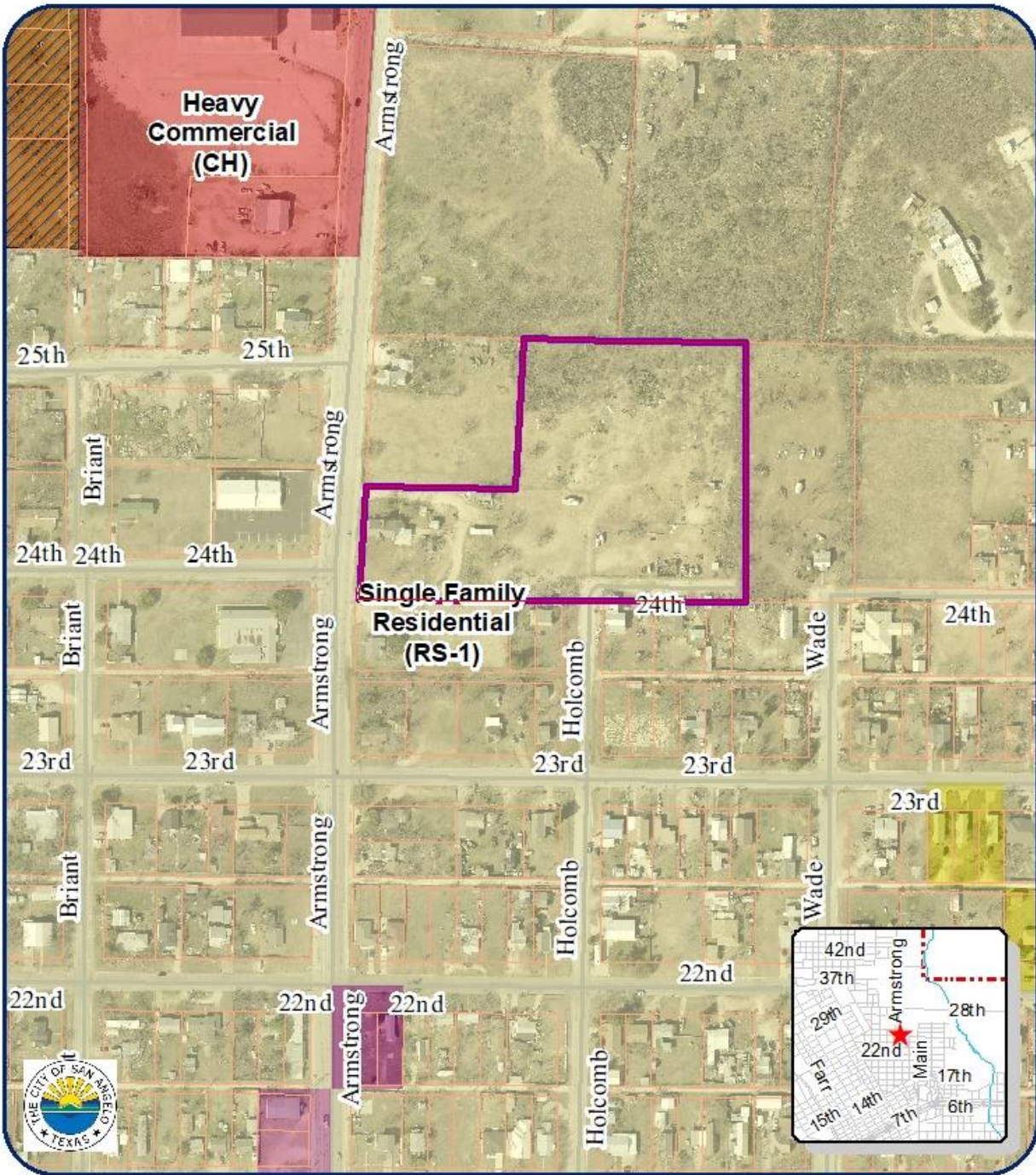




**Future Land Use**  
**Leal Subdivision**  
 Council District SMD #4 Gonzales  
 Neighborhood: Paulann  
 Scale: 0.01 0.025 0.05 0.075 0.1 Miles

Subject Properties: —  
 200' Buffer: —  
 Notified Properties: —

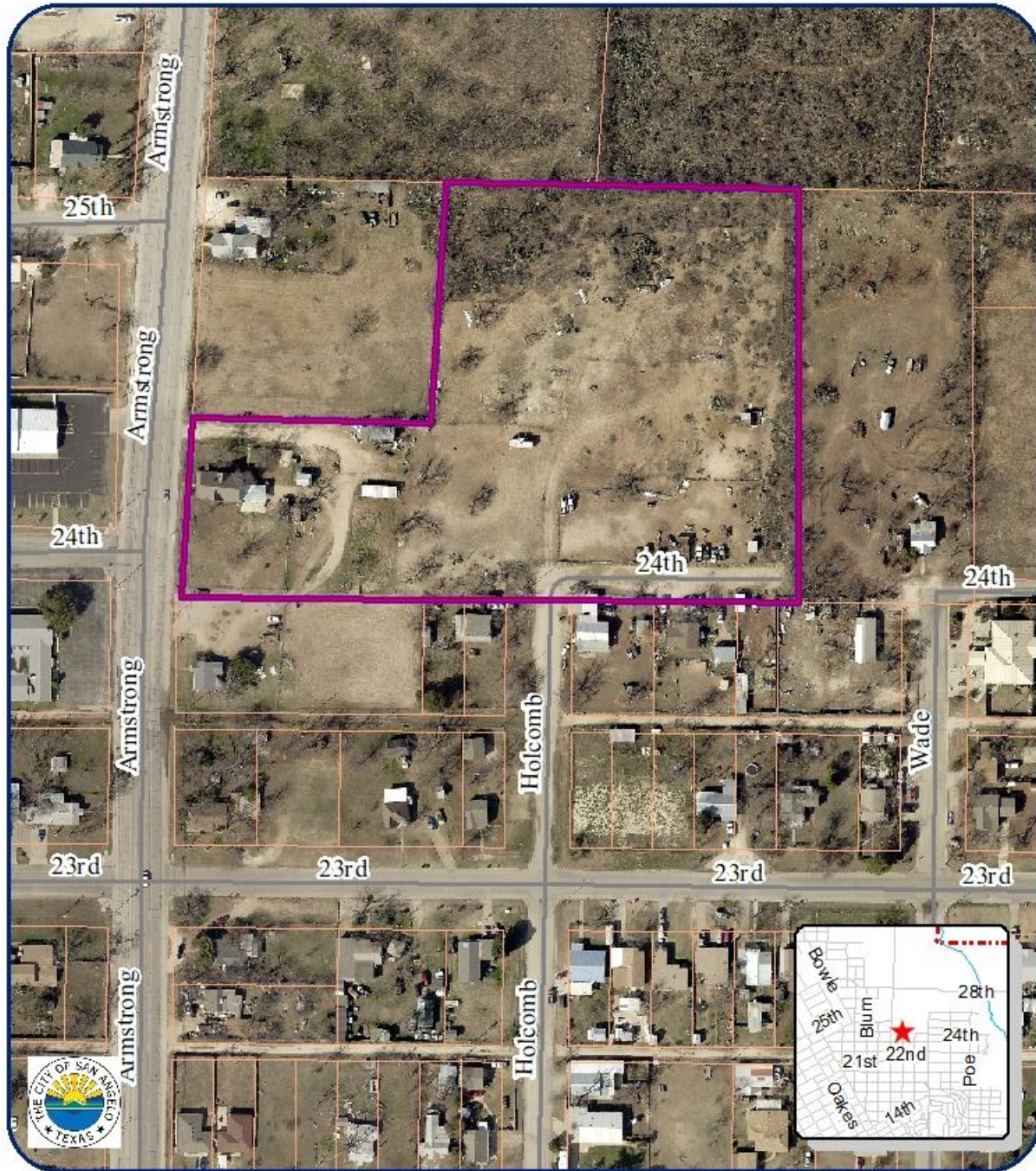
N



**Zoning**  
**Leal Subdivision**  
 Council District SMD #4 Gonzales  
 Neighborhood: Paulann  
 Scale: 0 0.0125 0.05 0.075 0.1 Miles

Subject Properties: —  
 200' Buffer: —  
 Notified Properties: —

N




**AERIAL**


**Leal Subdivision**


Council District SMD #4 Gonzales

Neighborhood: Paulann

Scale: 0 0.0075 0.015 0.03 0.045 0.06 Miles

Subject Properties: 

200' Buffer: 

Notified Properties: 



**PLANNING COMMISSION – December 12, 2022  
STAFF REPORT (PP22-12 & FP22-22)**



<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Preliminary and Final Plat		Naumann Addition	
<b>SYNOPSIS:</b>			
The applicant is seeking approval for a Preliminary Plat that shows the layout of the subject property into two lots, and a Final Plat of one of those lots.			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
Generally located at 1226 E 28th St; on the north side of 28th Street and east about 2,500ft from Armstrong Street		NAUMANN ADDITION, 11.824 ACRES BEING ALL OF TRACT 2.	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND</b>	<b>SIZE:</b>
SMD# 4: Lucy Gonzales Neighborhood: Paul Ann	ML – Light Manufacturing	N - Neighborhood	Preliminary: 11.824 acres Final: .2634 acres
<b>THOROUGHFARE PLAN:</b>			
<ul style="list-style-type: none"> <li>• 28th Street (Minor Arterial) – 56 feet of paving required; 25 feet currently provided</li> <li>• Future Unnamed Street (local street) – 45 feet of paving required; none provided (not yet constructed)</li> </ul>			
<b>STAFF RECOMMENDATION:</b>			
Staff recommends <b>APPROVAL</b> of the preliminary plat of Naumann Addition, subject to <b>Two (2) Conditions of Approval</b> ; and <b>APPROVAL</b> of the Final Plat, subject to <b>Two (2) Conditions of Approval</b> ; and <b>APPROVAL</b> of variances from the Land Development and Subdivision Ordinance, Chapter 10.III.A.1 to allow a deficient right-of-way width and from Chapter 10.III.A.2 to allow a deficient paving width for East 28 <sup>th</sup> Street, a minor arterial street.			
<b>PROPERTY OWNER/PETITIONER:</b>			
Owner: Yardco, LLC Agent: Core Land Surveying, Naomi Strauss			
<b>STAFF CONTACT:</b>			
Rae Lineberry Planner (325) 657-4210, Extension 1533 <a href="mailto:rae.lineberry@cosatx.us">rae.lineberry@cosatx.us</a>			

**Conformity with Comprehensive Plan and Purpose Statements:**

The proposed plat conforms with Chapter 2 of the Subdivision Ordinance. The plat will provide for the orderly, safe and efficient development (Statement C) and will assist in guiding the future growth and development of the City in accordance with City plans and requirements (Statement E). This plat will also provide for a systematic and accurate record of land development (Statement F).

**Recommendation:** Staff recommends that the Planning Commission: **APPROVE** the preliminary plat of Naumann Addition, subject to **Two (2) Conditions of Approval**.

1. Submit a revised plat, on which is illustrated the dedication of 25' of right-of-way for an as-of-yet unnamed local street, meeting the requirements for a "local" minor collector [*Land Development and Subdivision Ordinance, Chapter 9.III.B, & Chapter 10.III*].
2. Submit a revised plat, on which is illustrated the dedication of the required additional right-of-way for 28th Street, meeting the requirements for an "urban" minor arterial [*Land Development and Subdivision Ordinance, Chapter 9.III.B, & Chapter 10.III*].

**Recommendation:** Staff recommends that the Planning Commission **APPROVE** the final plat of Naumann Addition, subject to **Two (2) Conditions of Approval**.

1. Prepare and submit plans for approval, illustrating the required construction of the aforementioned, as-of-yet unnamed minor collector street, meeting the requirements for a "rural" minor collector. [*Land Development and Subdivision Ordinance, Chapter 10*]. Once plans are approved, construct street to City specifications [*Land Development and Subdivision Ordinance, Chapter 10*].

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

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

2. Prepare and submit plans for required improvements to streets (adjacent segments of 28th Street) by half the additional increment necessary to comprise the minimum paving width. [*Land Development and Subdivision Ordinance, Chapter 10*]

Alternatively, submit a financial guarantee ensuring the completion of these improvements within a 3-year period [*Land Development and Subdivision Ordinance, Chapter 6*].

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

Notes:

1. Before submitting mylar copies of Plat for signatures, verify and correct if needed, name of subdivision (Naumann Acres vs Naumann Addition).
2. Before submitting mylar copies of Plat for signatures, verify the year can be written in or is the correct date.

The following requirements are being deferred and may be required when subsequent final plat(s) are submitted for the remainder of the Preliminary Plat:

1. Prepare and submit plans for approval, illustrating the proposed installation of a sewer main and required service connections [*Land Development and Subdivision Ordinance, Chapter 12.1.A, City of San Angelo Standards & Specifications*] and complete the installation in accordance with the approved version of these plans [*Land Development and Subdivision Ordinance, Chapter 12.1.B*].

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

2. Prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections and hydrants [*Land Development and Subdivision Ordinance, Chapter 11.1.A, 2009 International Fire Code, Sec. 507.5.1, Exception 1*] and complete the installation in accordance with the approved version of these plans [*Land Development and Subdivision Ordinance, Chapter 11.1.B*].

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

3. Prepare and submit plans for approval, illustrating the required construction of the aforementioned, as-of-yet unnamed minor collector street, meeting the requirements for a "rural" minor collector. [*Land Development and Subdivision Ordinance, Chapter 10*]. Once plans are approved, construct street to City specifications [*Land Development and Subdivision Ordinance, Chapter 10*].

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

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

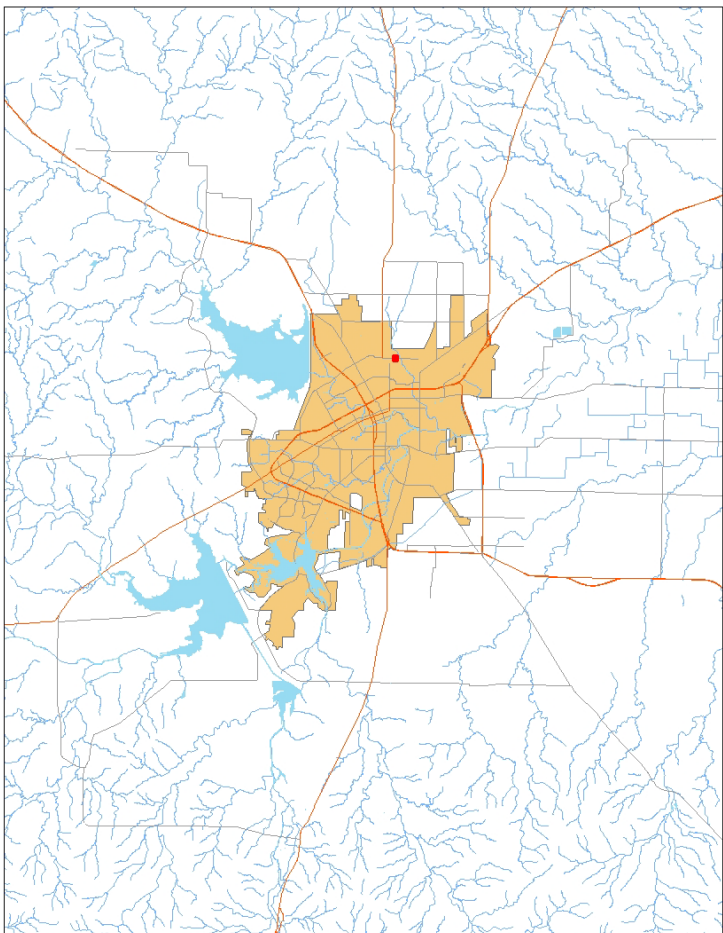
4. Prepare and submit plans for required improvements to streets (adjacent segments of 28th Street) by half the additional increment necessary to comprise the minimum paving width of 48 feet, requiring an additional 15.5 feet (half the total required) [*Land Development and Subdivision Ordinance, Chapter 10*].

Alternatively, submit a financial guarantee ensuring the completion of these improvements within a 3-year period [*Land Development and Subdivision Ordinance, Chapter 6*].

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

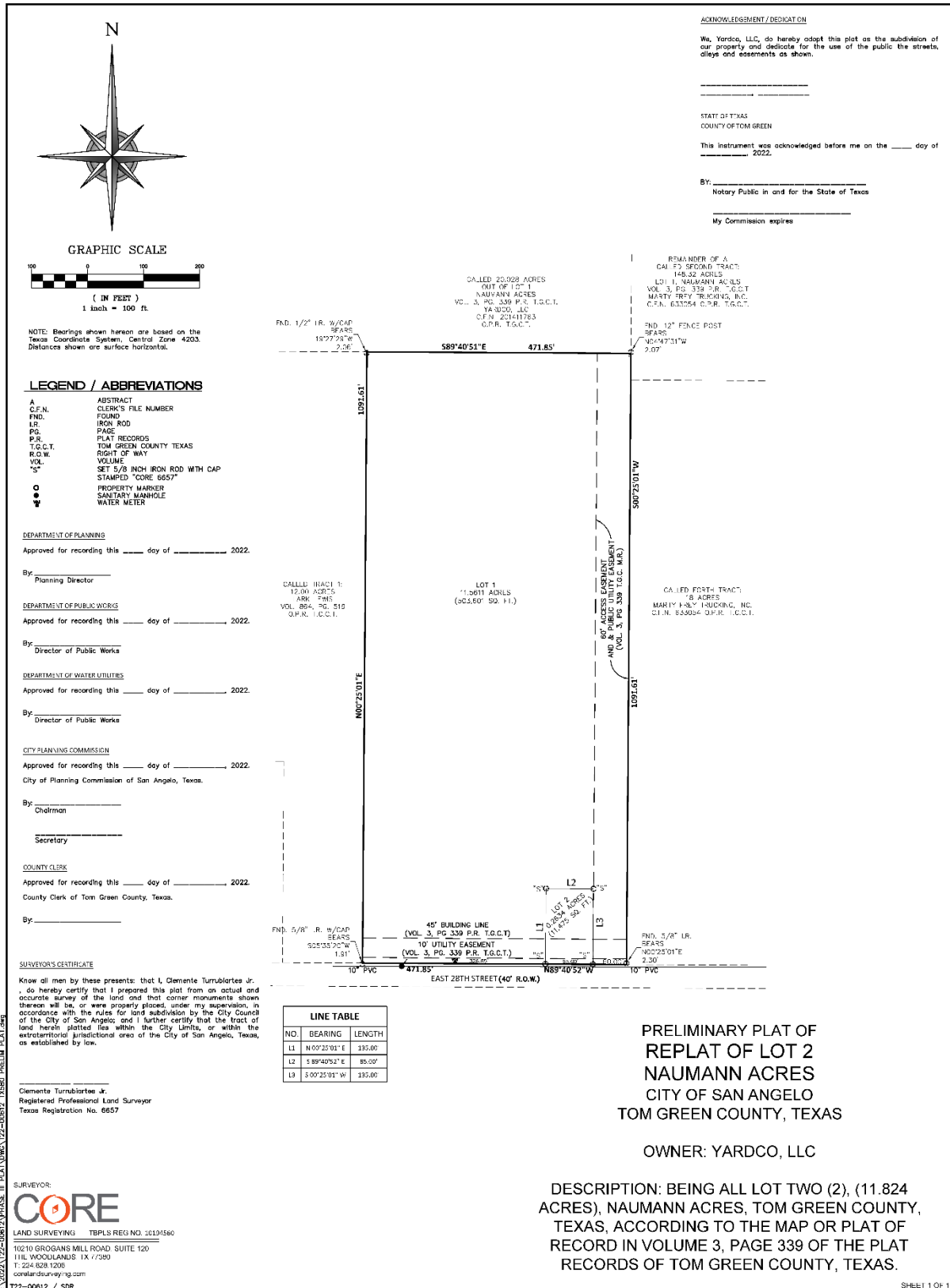
**Attachments:**

Aerial Map  
Zoning Map  
Proposed Preliminary Plat  
Proposed Final Plat

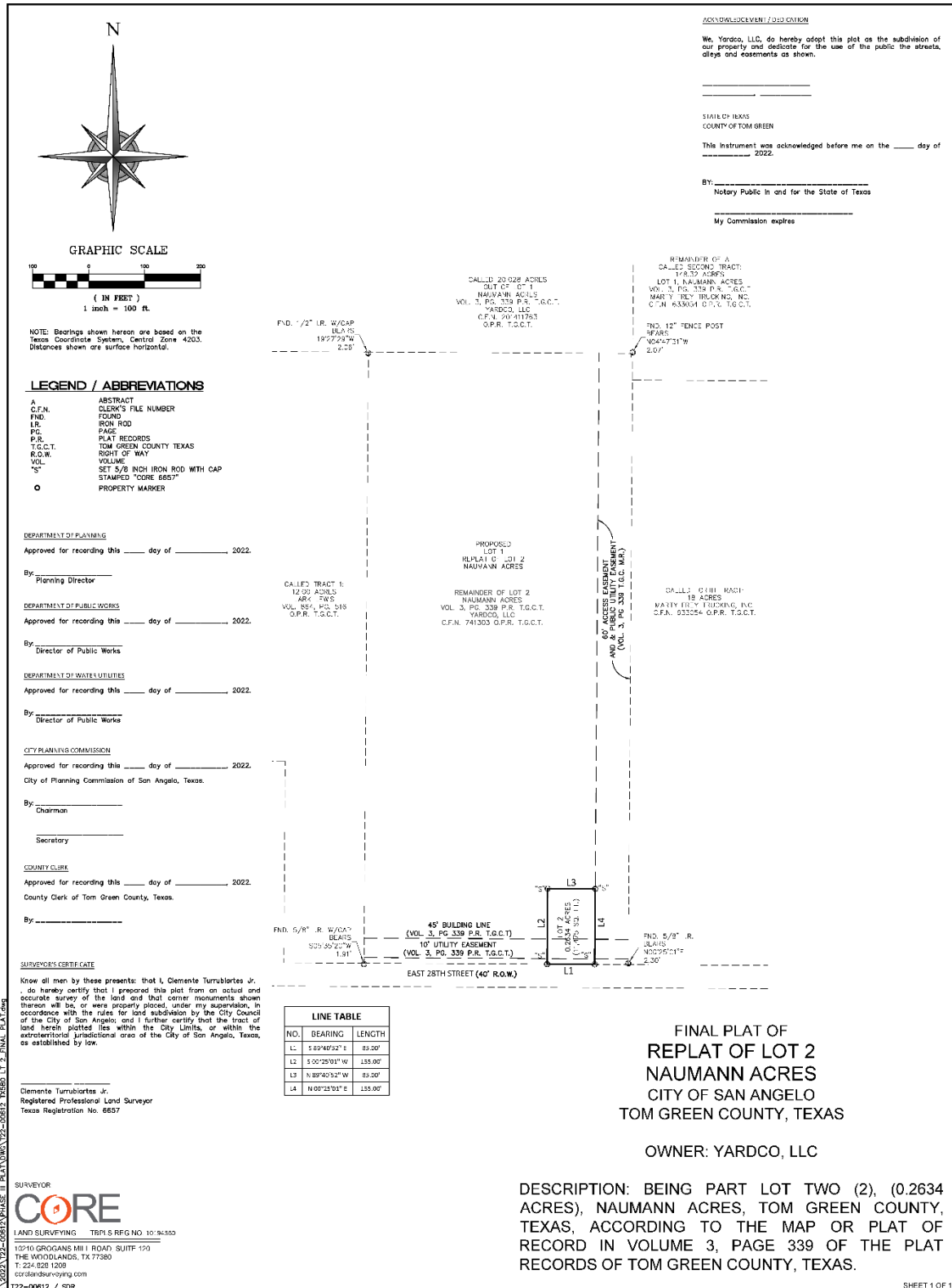




Preliminary Plat



Final Plat



Z:\2022\122-00612\PHASE III PLAT\DWG\122-00612\_FINAL\_PLAT.dwg

SURVEYOR  
**CORE**  
 LAND SURVEYING TRM 5 RFG NO 10 94350  
 10210 GROGAN'S MILL ROAD SUITE 120  
 THE WOODLANDS, TX 77380  
 T: 281.628.1209  
 corelandsurveying.com  
 122-00612 / SUR

**PLANNING COMMISSION – DECEMBER 12, 2022**  
**STAFF REPORT**



<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Preliminary Plat		Shriner’s Point Subdivision PP22-11	
<b>SYNOPSIS:</b>			
The applicant is seeking approval for a preliminary plat, intended to subdivide the subject property into 137 lots.			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
Generally located between E 40 <sup>th</sup> Street and E 39 <sup>th</sup> Street along Blum Street		Being 27.237 acres out of Washington County Railroad Company Survey 182, Abstract No. 7985; comprised of Block 1, Debbie's Way Addition, and 23.237 acres recorded as Instrument # 201906978 of the Official Public Records of Tom Green County, Texas.	
<b>SM DISTRICT / NEIGHBORHOOD:</b>		<b>ZONING:</b>	<b>FUTURE LAND USE:</b>
SMD District #2 – Tom Thompson Neighborhood: Lake View		High-Rise Multifamily Residential (RM-2) Zoning District	Neighborhood
<b>SIZE:</b>			
27.237 Acres			
<b>THOROUGHFARE PLAN:</b>			
<p><u>East 40<sup>th</sup> Street</u> – Urban Local Street, Required 50’ min. ROW (60’ existing), 40’ or 36’ with a 4’ sidewalk min. pavement width (36’ existing).</p> <p><u>East 39<sup>th</sup> Street</u> – Urban Local Street, Required 50’ min. ROW (50’ provided), 40’ or 36’ with a 4’ sidewalk min. pavement width (24’ existing).</p> <p><u>Blum Street/East 38<sup>th</sup> Street/other internal streets</u> – Urban Local Street, Required 50’ min. ROW (50’ provided), 40’ or 36’ with a 4’ sidewalk min. pavement width (0’ existing).</p>			
<b>NOTIFICATIONS:</b>			
N/A			
<b>STAFF RECOMMENDATION:</b>			
Staff recommends <b>APPROVAL</b> of the preliminary plat of Shriner’s Point Subdivision, subject to <b>Four Conditions of Approval</b> .			
<b>PROPERTY OWNER/PETITIONER:</b>			
<u>Representative</u> Erica Carter, Carter-Fentress Engineering			
<b>STAFF CONTACT:</b>			
Sherry Bailey (325) 657-4210, Ext. 1546 <a href="mailto:sherry.bailey@cosatx.us">sherry.bailey@cosatx.us</a>			

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

The subject property is designated “Neighborhood” in the City’s Comprehensive Plan which intends to “promote vibrant and viable neighborhoods and improve relationship between adjacent commercial and residential land use adjacencies.” The purpose of the replat is to facilitate construction of a variety of housing options in the Lake View area of town. The proposed plat would allow the property owners to make improvements to their land consistent with the above policy.

The proposed plat will also conform to the Purpose Statements of Chapter 2 of the Subdivision Ordinance. The plat will provide for the orderly, safe and efficient development (Statement C) and will assist in guiding the future growth and development of the City in accordance with City plans and requirements (Statement E). This plat will also provide for a systematic and accurate record of land development (Statement F).

**Recommendation:** Staff recommends that the Planning Commission:

**APPROVE** the preliminary plat of Shriner’s Point Subdivision, subject to **Four Conditions of Approval**.

1. Prior to final signature, please correct the right-of-way widths on adjoining roads [Land Development and Subdivision Ordinance, Chapter 7]
2. Prior to final plat, correct proposed lot widths or submit lot width variance requests [Land Development and Subdivision Ordinance, Chapter 7]
3. Prior to final signature, submit revised preliminary plat, illustrating contours sufficient to accurately show the existing topography. [Land Development and Subdivision Ordinance, Chapter 7, Section 7.1]
4. Prior to final signature, the developer shall provide the correct street name as required. [Land Development and Subdivision Ordinance, Chapter 7]

Notes:

1. Paved roads, water mains and fire hydrants are required for residential development. Please see these code sections for additional information. [2015 International Fire Code Section 503 and 507]
2. Future final platting will have additional infrastructure requirements

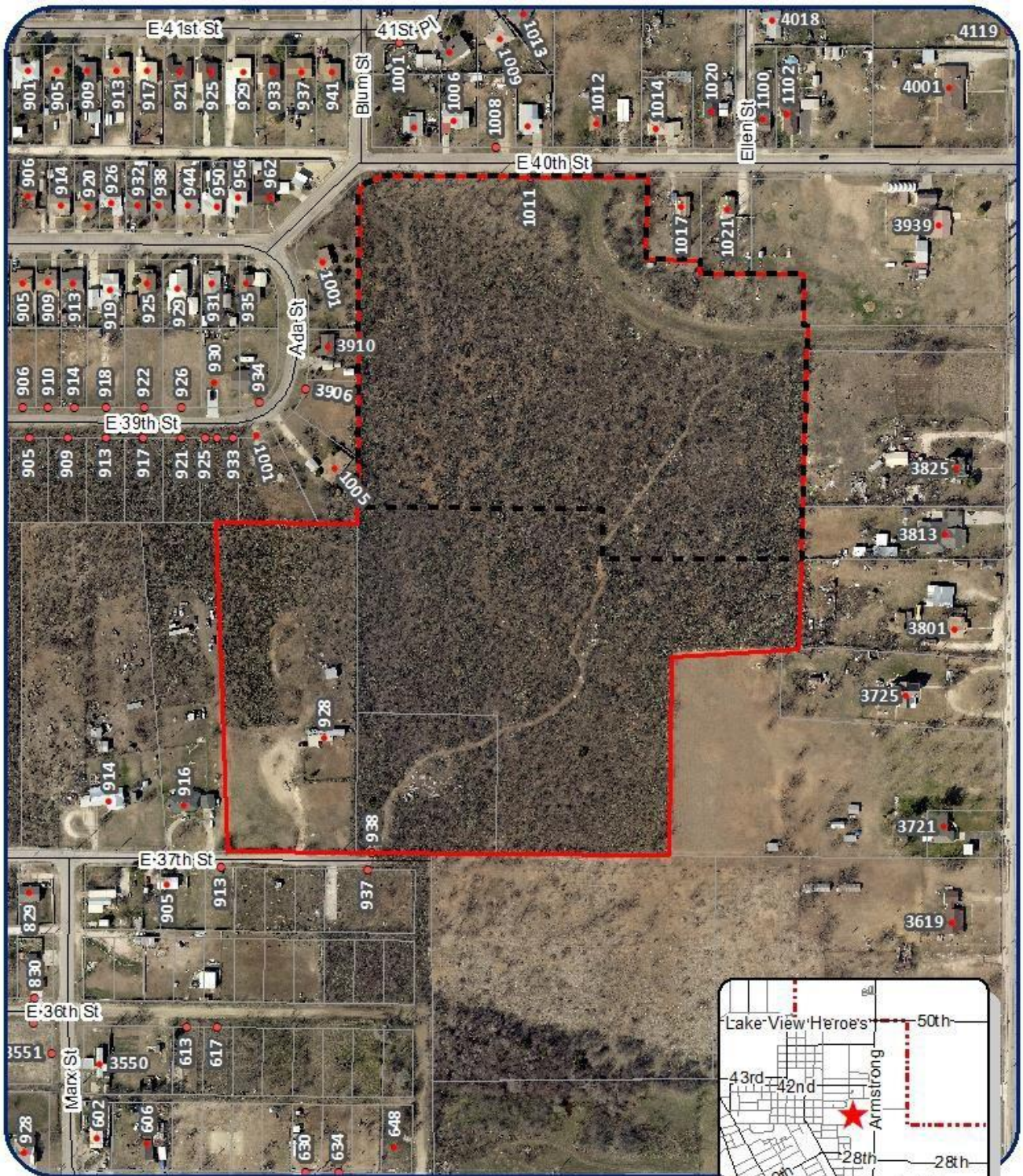
**Attachments:**

Aerial Map

Future Land Use Map

Zoning Map

Proposed Preliminary Plat



**Subdivision Plat**  
**Shriner's Point Subdivision**

Council District: SMD #2 - Tom Thompson  
 Neighborhood: Lake View  
 Scale: 1" approx. = 250 ft

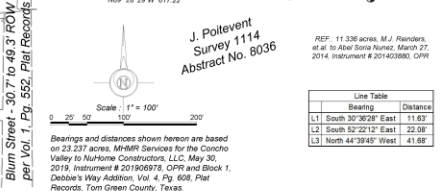
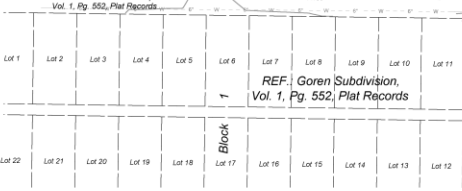
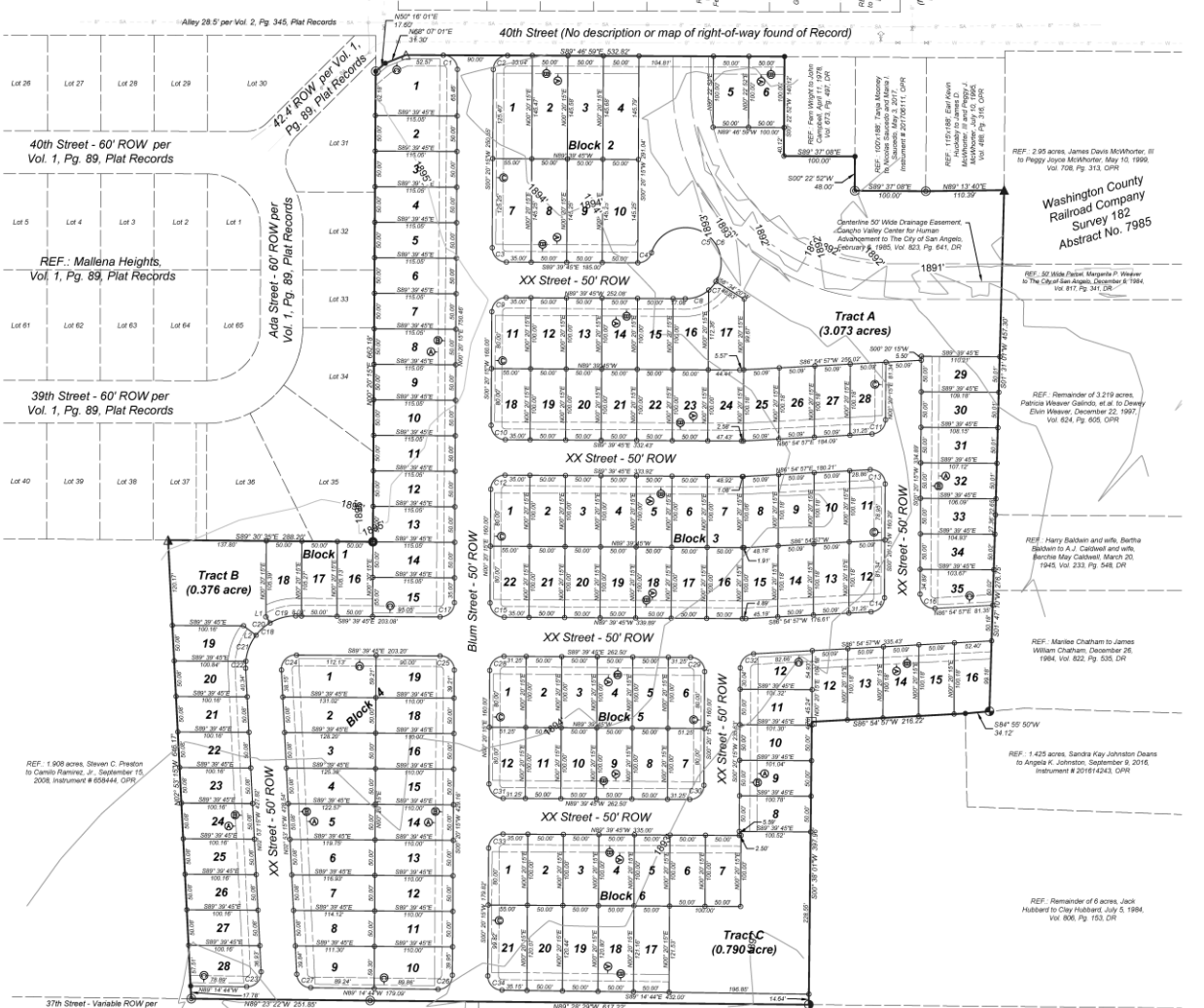
**Legend**

- Preliminary Plat: ———
- Final Plat:
- Current Zoning: **RS-1**
- Vision: **Neighborhood**



**SHRINER'S POINT**  
**REVISED PRELIMINARY PLAT**

City of San Angelo, Tom Green County, Texas  
 OWNER: Mission Land Company, LLC  
 DESCRIPTION: Being 27,237 acres out of Washington County Railroad Company Survey 152, Abstract No. 7985, Tom Green County, Texas and being comprised of Block 1, Debbie's Way Addition, City of San Angelo, Tom Green County, Texas, according to the Plat recorded in Volume 4, Page 608 of the Plat Records of Tom Green County, Texas and 23,237 acres as described in Deed from MINKR Services for the Concho Valley to NuHome Constructors, LLC dated May 30, 2019 and recorded as Instrument # 201906978 of the Official Public Records of Tom Green County, Texas.



Curve Table

Radius	Length	Angle	Long Chord
C1	20.00	31.48°	90°07'14" North 44°43'22" West 28.31'
C2	20.00	31.37°	89°52'48" South 40°16'50" West 28.29'
C3	20.00	31.42°	90°00'00" North 44°39'42" East 28.28'
C4	20.00	25.62°	73°23'54" North 53°38'18" East 23.60'
C5	50.00	221.12°	253°23'54" South 30°21'41" East 86.18'
C6	50.00	168.71°	184°28'18" South 48°49'00" East 86.20'
C7	50.00	15.48°	17°44'00" South 40°17'43" West 15.41'
C8	50.00	35.93°	41°10'29" South 69°45'00" West 35.16'
C9	20.00	31.42°	90°00'00" South 45°20'12" West 28.28'
C10	20.00	31.42°	90°00'00" North 44°39'42" East 28.28'
C11	20.00	30.22°	86°34'42" North 43°37'38" East 27.43'
C12	20.00	31.42°	90°00'00" North 45°20'12" East 28.28'
C13	20.00	32.61°	90°25'18" South 48°22'24" East 28.12'
C14	20.00	20.22°	86°34'42" South 43°37'38" East 27.43'
C15	20.00	31.42°	90°00'00" North 44°39'42" West 28.28'
C16	20.00	32.61°	90°25'18" North 43°37'38" West 27.43'
C17	20.00	31.42°	90°00'00" North 45°20'12" East 28.28'
C18	70.00	113.90°	93°13'30" North 43°43'30" East 101.74'
C19	70.00	37.81°	30°59'43" North 74°51'50" East 37.39'
C20	70.00	78.59°	21°45'43" North 48°20'42" East 23.42'
C21	20.00	30.78°	32°32'53" North 21°12'22" East 30.22'
C22	70.00	9.74°	7°58'11" North 01°05'00" East 9.72'
C23	20.00	32.69°	93°38'11" North 43°56'00" East 28.17'
C24	20.00	32.64°	89°13'00" North 43°45'00" East 28.27'
C25	20.00	31.42°	90°00'00" South 44°39'42" East 28.28'
C26	20.00	31.56°	90°25'12" South 45°32'42" West 28.39'
C27	20.00	35.14°	86°21'38" North 48°04'00" East 23.27'
C28	20.00	31.42°	90°00'00" North 45°20'12" East 28.28'
C29	20.00	31.42°	90°00'00" South 44°39'42" East 28.28'
C30	20.00	31.42°	90°00'00" North 45°20'12" East 28.28'
C31	20.00	31.42°	90°00'00" North 44°39'42" West 28.28'
C32	20.00	30.22°	86°34'42" North 43°37'38" East 27.43'
C33	20.00	31.42°	90°00'00" North 45°20'12" East 28.28'
C34	20.00	31.27°	89°34'38" North 44°21'30" West 28.18'

Line Table

Line	Bearing	Distance
L1	South 30°30'28" East	11.83'
L2	South 52°20'12" East	22.08'
L3	North 44°39'42" West	41.68'

**137 Single Family Lots**  
**27,237 Acres Overall**  
**17,249 Acres Single Family**  
**5,749 Acres Street Row**  
**4,239 acres Tract A, B, and C (Drainage & Utility Easement)**

CITY PLANNING COMMISSION  
 Approved for preliminary purpose this \_\_\_\_ day  
 of \_\_\_\_ 20\_\_\_\_  
 By: \_\_\_\_\_ Chairman  
 By: \_\_\_\_\_ Secretary

Bearings and distances shown herein are based on 2011 datum. MINKR Services for the Concho Valley to NuHome Constructors, LLC, May 30, 2019, Instrument # 201906978, OPR and Block 1, Debbie's Way Addition, Vol. 4, Pg. 608, Plat Records, Tom Green County, Texas.

Bearings and distances shown herein are of the Texas Coordinate System Central Zone NAD83

**LEGEND:**

- ▲ Found 1/2" Iron Rod
- Found 1/2" Iron Rod w/Cap
- Found 5/8" Iron Rod
- Set 5/8" Iron Rod w/Cap
- Found 3/4" Iron Pipe
- Found 1-1/2" Iron Pipe
- Found 2-1/2" Flange Corner Post
- Found 4"x4" Wood Post
- Found Nail
- Found Railroad Tie
- 25' Building Line
- 15' Utility Easement
- 5' Building Line

\*\*Notes: Tract A, B, and C are a Drainage and Utility Easement.

Scale: 1" = 100'

Blum Street - 30.7 to 48.3' ROW per Vol. 1, Pg. 552, Plat Records

37th Street - Variable ROW per Vol. 1, Pg. 552, Plat Records

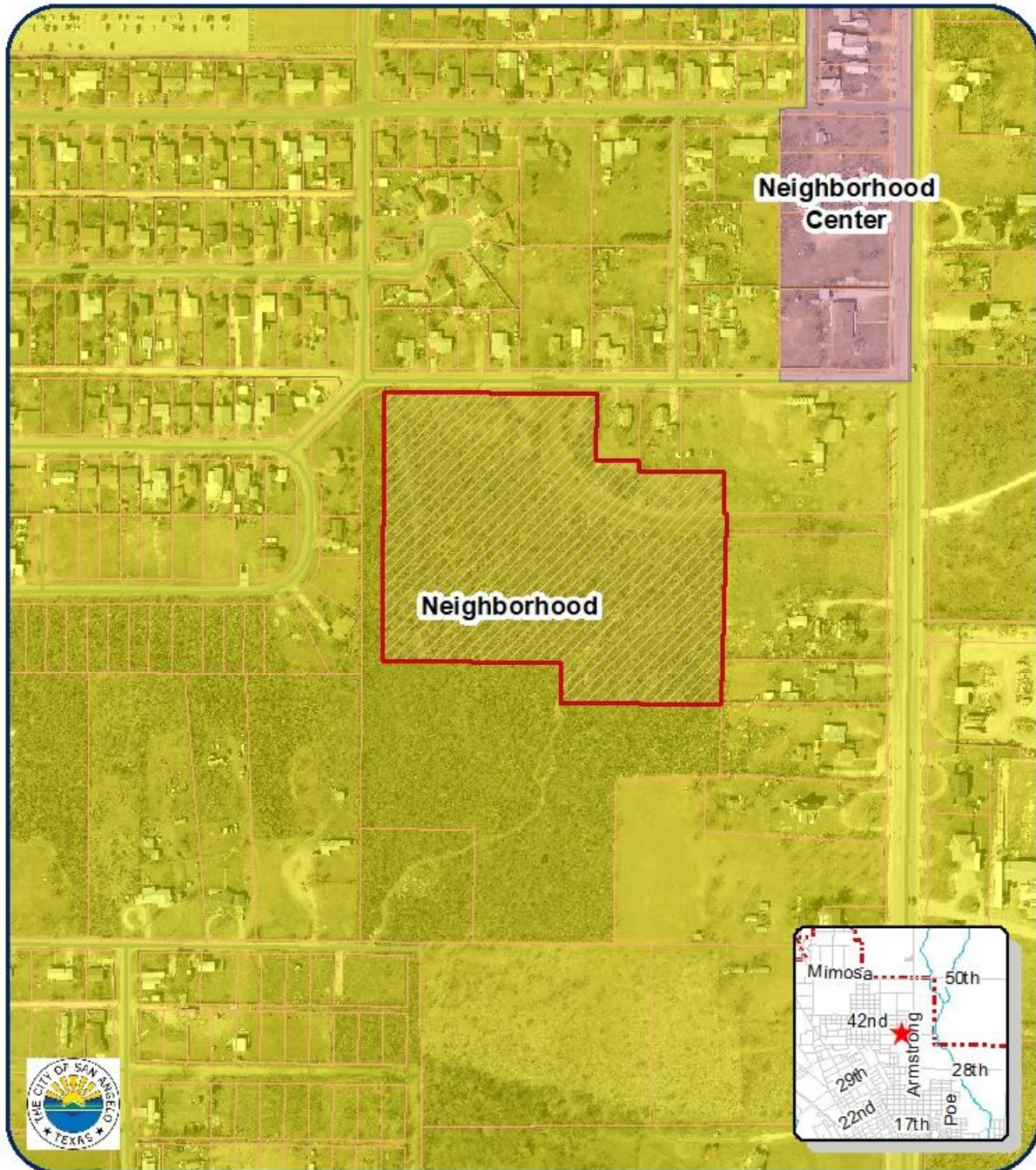
39th Street - 60' ROW per Vol. 1, Pg. 89, Plat Records

40th Street - 60' ROW per Vol. 1, Pg. 89, Plat Records

Ada Street - 60' ROW per Vol. 1, Pg. 89, Plat Records

42.4' ROW per Vol. 1, Pg. 89, Plat Records

Alley 28.5' per Vol. 2, Pg. 345, Plat Records




**Future Land Use**


**Shriner's Point**


Council District: #2 Tom Thompson

Neighborhood: Lake View

Scale: 0.00 0.01 0.03 0.06 0.09 0.12 Miles

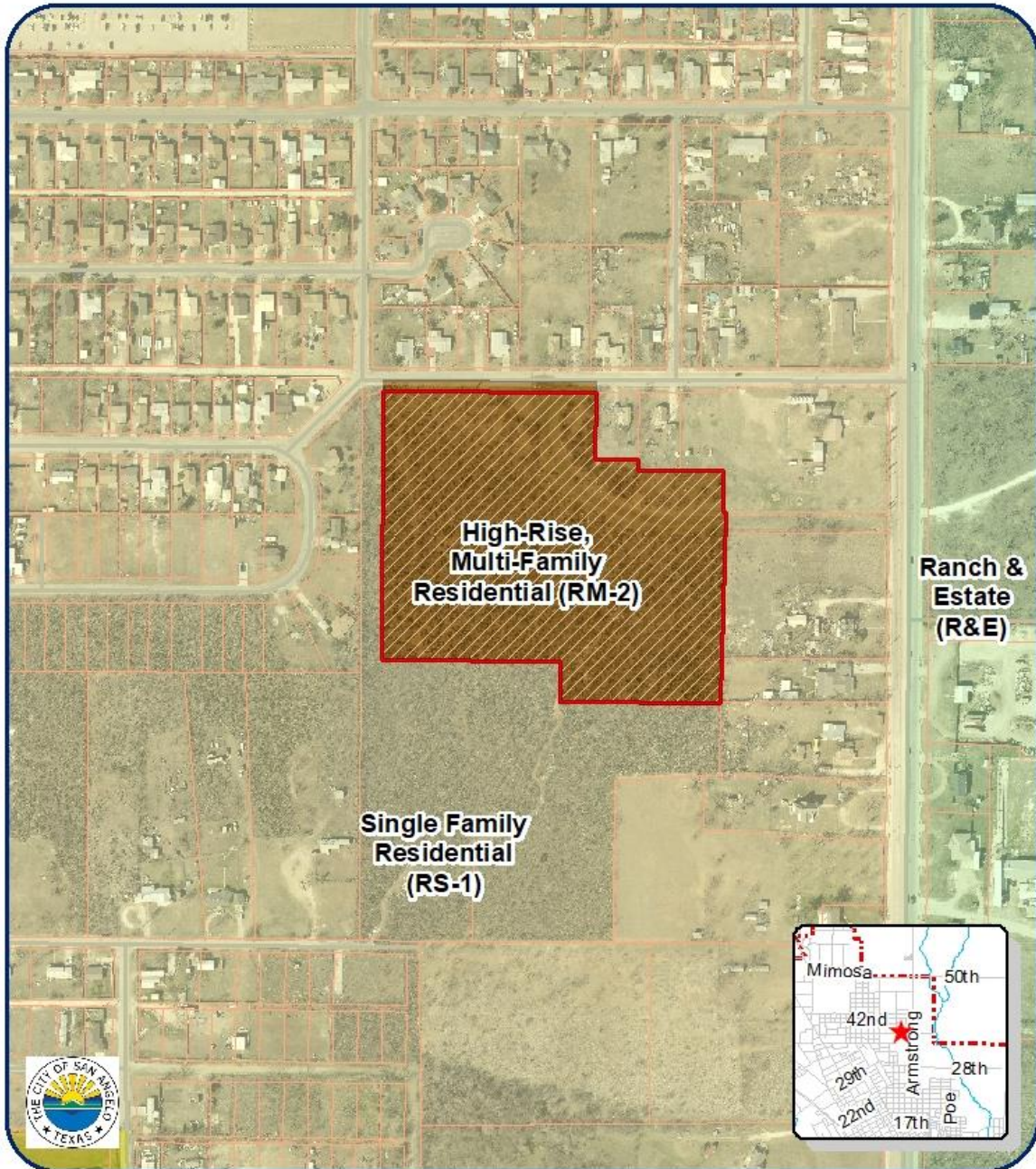
Subject Properties: 

200' Buffer: 

Notified Properties: 







**Zoning Map RM-2 to RS-1**  
**Shriner's Point**  
Council District: #2 Tom Thompson  
Neighborhood: Lake View  
Scale: 0.01 0.03 0.06 0.09 0.12 Miles

Subject Properties:   
200' Buffer:   
Notified Properties: 


N  




# STAFF REPORT - Z22-23

City Council 1<sup>st</sup> reading: January 17, 2023

City Council 2<sup>nd</sup> reading: February 7, 2023

<b>APPLICATION TYPE:</b>		<b>CASES:</b>	
Rezoning		Z22-23: 3061 Travis Street (Day Addition, Section One, Lots 1-11)	
<b>SYNOPSIS:</b>			
<p>The representative for the owner of the property 3061 Travis Street (Day Addition, Section One, Lots 1 -11 Final Plat) submitted a request to the Planning Staff for a rezoning from Single-Family Residential (RS-1) to Two-Family Residential District (RS-2). This property is presently zoned RS-1 Single-Family Residential, the applicant is asking to rezone to RS-2, Two-Family Residential in order to build duplexes. In this area, there is a mix of housing types and uses from RS-3 to RS-2 to Manufactured Housing subdivisions to CO Commercial Office. The existing Vision Plan identifies this area as Neighborhood. Therefore, the rezoning to RS-2 is in keeping with the future land use.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
West of the intersection of Travis Street and E. 30 <sup>th</sup> Ave.		Day Addition, Section One, Lots 1 – 11—plat (proposed).	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
SMD District #2 – Tom Thompson Lake View Neighborhood	RS-1: Single-Family Residential	Neighborhood	2.129
<b>NOTIFICATIONS:</b>			
16 notifications for Z22-23 were mailed within a 200-foot radius on November 21, 2022. No responses in favor and two (2) responses against have been received.			
<b>STAFF RECOMMENDATION:</b>			
Staff recommends <b>APPROVAL</b> of a rezoning from the Single-Family Residential (RS-1) to Two-Family Residential (RS-2), for the property located at 3061 Travis Street and in Day Addition, Section One, Lots 1 - 11; southwest corner and west along E. 30 <sup>th</sup> Street and Travis Street.			
<b>PROPERTY OWNER/PETITIONER:</b>			
<p><i>Applicants:</i>            Erica Carter - Carter Fentress Eng. For            Concho Villa Holdings, LLC. – Donald Sinclair</p>			
<b>STAFF CONTACT:</b>			
Sherry L Bailey Senior Planner (325) 657-4210, Extension 1546 <a href="mailto:Sherry.bailey@cosatx.us">Sherry.bailey@cosatx.us</a>			

**Additional Information:** Staff met with the applicant’s representative concerning the proposed rezoning and the accompanying plat map. The owner would like to develop 11 duplexes on these lots. The property is next door to the Day Elementary School, and the need for rental property close to schools is a demonstrated need. This area is a mix of residential zonings with RS-3, RS-2 and Manufactured Home Subdivisions within the area. Commercially zoned property is within three blocks of this property which contributes to the transitional nature of the neighborhood and the affordable opportunities that are available in this area.

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 Comprehensive Plan identifies this area as Neighborhood. Given the existing mix of uses, the proposal is in keeping with that use.
2. **Consistent with Zoning Ordinance. *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.*** RS-1 and the proposed RS-2 are very similar in requirements and use. The proposal will not conflict with the Zoning Ordinance.
3. **Compatible with Surrounding Area. *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.*** As noted above, the properties in this area are a mix of zoning districts, from single-family to two-family to townhome development. In surveying the area, the one thing that all uses have in common is they are all smaller in scale. As such, they complement the area and the various uses.
4. **Changed Conditions. *Whether and the extent to which there are changed conditions that require an amendment.*** This area is constantly changing. That is part of what keeps it a vital alive area.
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.
6. **Community Need. *Whether and the extent to which the proposed amendment addresses a demonstrated community need.*** Staff believes that this residential area meets an identified need for family housing in smaller development sites, that are affordable. Recent studies have born this out. The duplex development meets that target audience.
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 in question is an infill project in an older part of town. The proposed lots are 50 ft. wide, and duplex development benefits both the Applicant and the Community while utilizing previous unused property.

**Recommendation:**

Staff recommends **APPROVAL** of a rezoning from Single-Family Residential Zone (RS-1) to Two-Family Residential Zone (RS-2) on the property listed as 3061 Travis Street – Day Addition, Section One, Lots 1 thru 11.

**Attachments:**

Site Photos  
Aerial/Notification Map  
Zoning Map  
Future Land Use Map

**Site Photos**



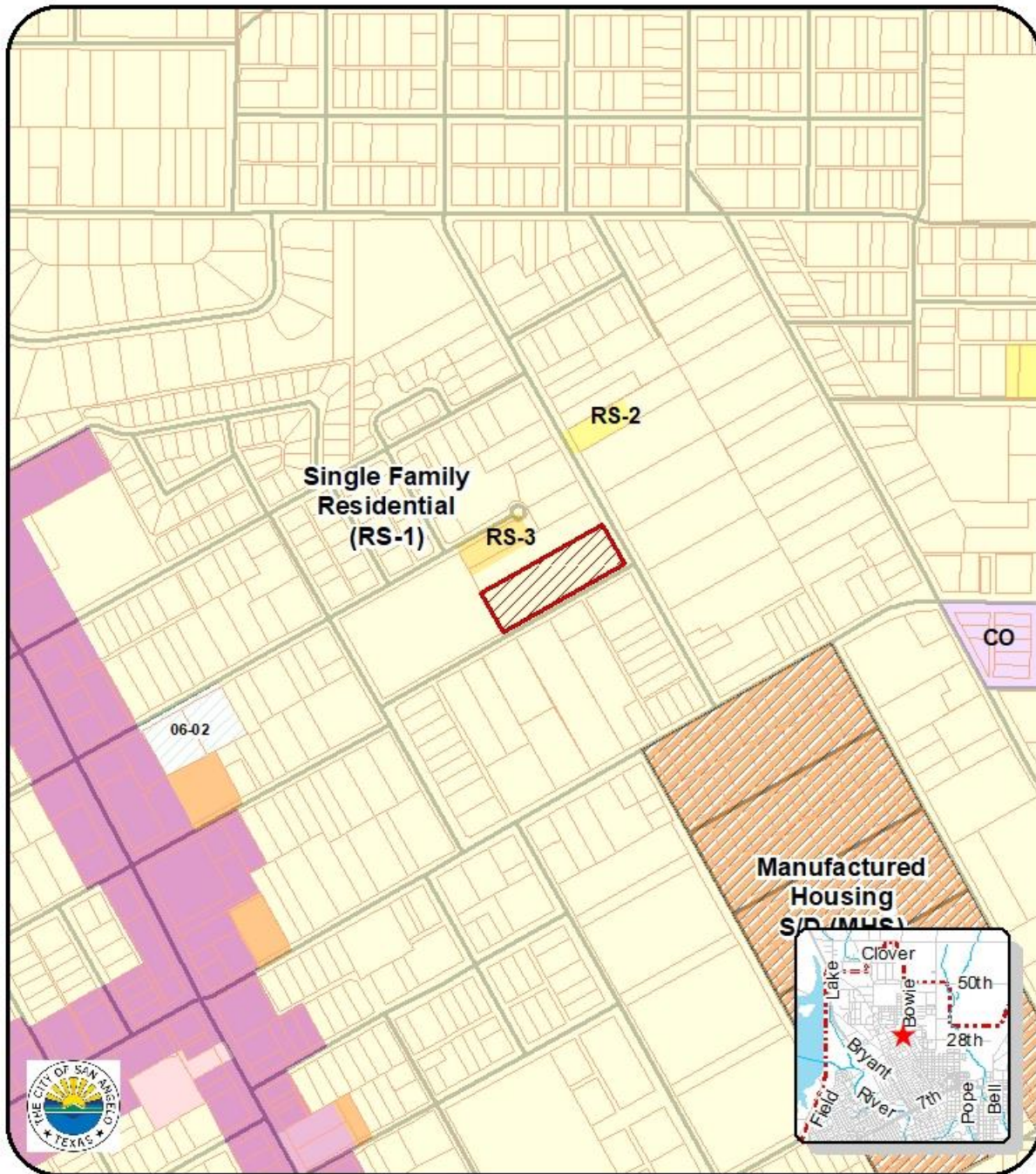
**INTERSECTION OF TRAVIS STREET AND E. 30<sup>TH</sup> STREET**



**E. 30<sup>TH</sup> STREET ON WHICH THE LOTS WILL FRONT**






**DAY ELEMENTARY SCHOOL- WHICH IS ADJACENT TO THE INTENDED DUPLEX LOTS**




**Proposed Zoning - RS-2 Two - Family Residential**  
**3061 Travis Street/Day Addition**

Council District: #2 Tom Thompson  
Neighborhood: Lake View

Scale: 0.0 0.02 0.05 0.1 0.15 0.2 Miles

Subject Properties:   
200' Buffer:   
Notified Properties: 

N 




**Future Land Use - Neighborhood**


**3061 Travis Street/Day Addition**


Council District: #2 Tom Thompson

Neighborhood: Lake View

Scale: 0.01 0.025 0.05 0.075 0.1 Miles

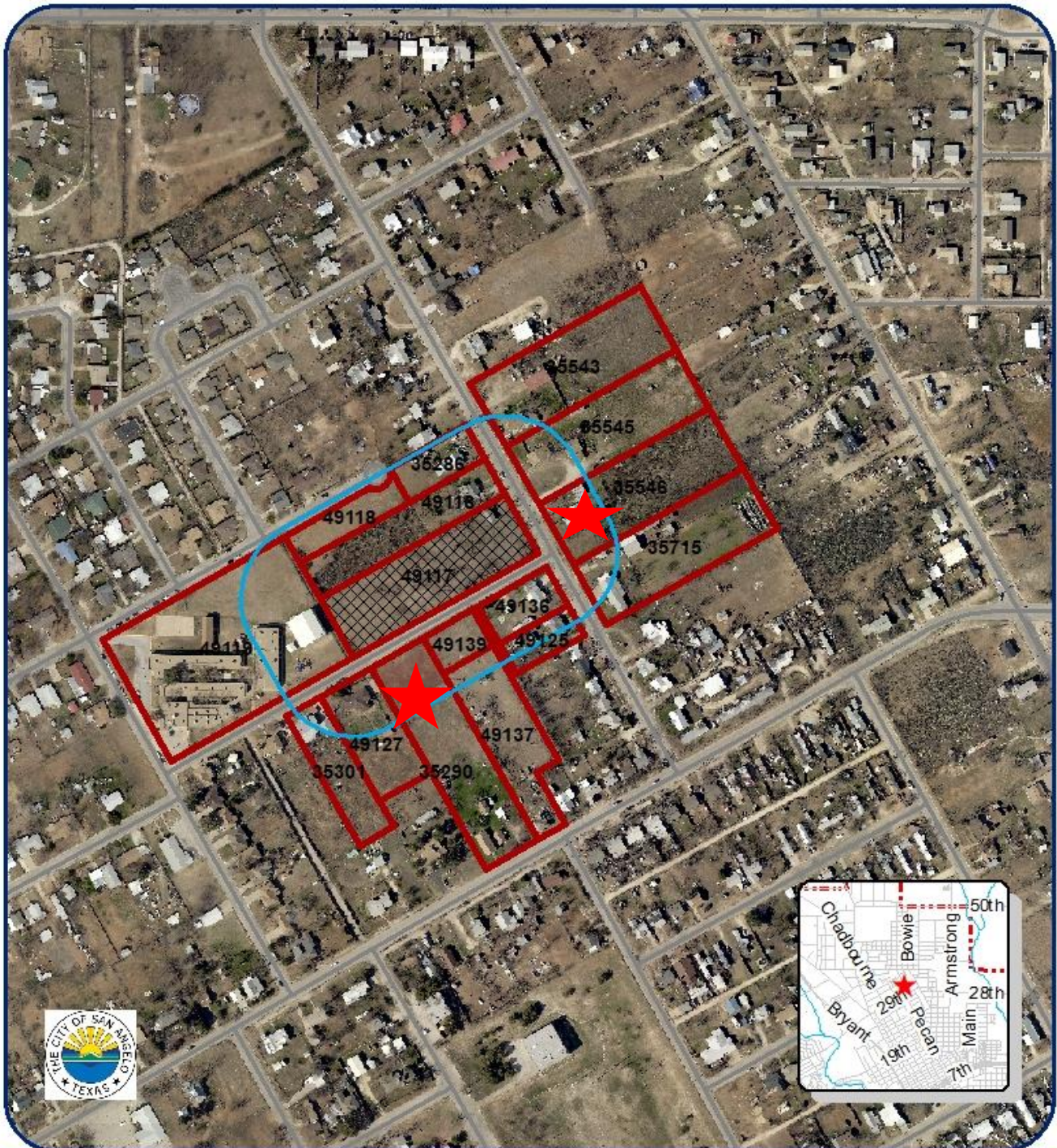
Subject Properties: 

200' Buffer: 

Notified Properties: 








**200' Notification Map**


**Z22-23 3061 Travis Street**


Council District: #2 Tom Thompson

Neighborhood: Lake View

Scale: 00.016.03 0.06 0.09 0.12 Miles

Subject Properties: 

200' Buffer: 

Notified Properties: 





**Proposed Zoning - RS-2 Two - Family Residential**


**3061 Travis Street/Day Addition**


Council District: #2 Tom Thompson

Neighborhood: Lake View

Scale: 0 0.0125 0.05 0.075 0.1 Miles

Subject Properties: 

200' Buffer: 

Notified Properties: 



**PLANNING COMMISSION – DECEMBER 12, 2022**  
**STAFF REPORT**

APPLICATION TYPE:	CASE:
Final Plat	Final Plat of Day Addition, Section One, Lots 1 thru 11; and a request for a variance from the street width for E. 30 <sup>th</sup> Street.

**SYNOPSIS:**  
 A request for approval of a final plat of Day Addition, Section One, Lots 1 thru 11, a subdivision being 2.129 acres located northwest of the corner of E. 30<sup>th</sup> Street and Travis Street. This subdivision was before the Planning Commission a year ago with a different orientation. The large lot 11, has been incorporated into the lots that front E. 30<sup>th</sup> Street with two lots being turned to have frontage on Travis Street.

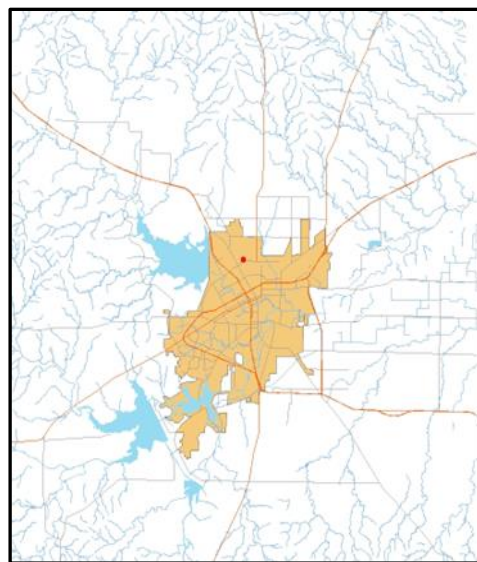
LOCATION:	LEGAL DESCRIPTION:
West of the intersection of E. 30 <sup>th</sup> Street and Travis Street.	Being 2.129 acres in the Day Addition, Section One Lots 1 - 11

SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SM District: SMD 2- Tom Thompson Neighborhood: Lake View	RS-2 Two Family Res.	Neighborhood	2.129 acres

**THOROUGHFARE PLAN:**  
 E.30<sup>th</sup> Street and Travis Street are Urban Local Streets.

**STAFF RECOMMENDATION:**  
 Staff recommends **APPROVAL** of the final plat of the Day Addition, Section One, Lots 1 thru 11, and **APPROVAL** of the variance request for maintaining the existing curb and guttered paved 36-foot street width for E. 30<sup>th</sup> Street.

PROPERTY OWNER/PETITIONER:
<b>Owner:</b> Concho Villa Holdings, LLC. – Donald Sinclair <b>Petitioner:</b> Erica Carter, Carter-Fentress Engineering
STAFF CONTACT:
Sherry L. Bailey Senior Planner (325) 657-4210, Extension 1546 <a href="mailto:Sherry.bailey@cosatx.us">Sherry.bailey@cosatx.us</a>



**Conformity with Comprehensive Plan and Intent of Purpose Statements:** The proposed final plat will be consistent with the Land Use in the City's Comprehensive Plan, 2009 Strategic Plan update.

**Recommendation:** Staff recommends APPROVAL of the final plat of Day Addition, Section One, Lots 1 – 11 subject to the following conditions:

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, a drainage study shall be submitted. Stormwater Design Manual, Sec 2.13] if public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval. [Chapter 12, Planning and Development, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] Alternatively, submit a request for approval to the City Engineer for a deferral of the requirement to a later stage of development. [Chapter 12, Planning and Development, Sec. 12.05.004]
3. Prior to plat recordation, prepare and submit plans for approval, illustrating the proposed installation of the required service connections [Land Development and Subdivision Ordinance] and complete the installation in accordance with the approved version of these plans [Land Development and Subdivision Ordinance, Chapter 11.I.B].
4. Prior to plat recordation, prepare and submit plans for approval, illustrating the proposed installation of the required service connections [Land Development and Subdivision Ordinance, Chapter 12.I.A, City of San Angelo Standards & Specifications] and complete the installation in accordance with the approved version of these plans [Land Development and Subdivision Ordinance, Chapter 12.I.B].
5. Prior to plat recordation, prepare and submit plans for required improvements to E 30th Street by half the additional increment necessary to comprise the minimum paving width. [Land Development and Subdivision Ordinance, Chapter 10]. For E 30th Street, the minimum width is 36 feet with a 4 foot sidewalk along one side, or 40 feet with no sidewalk (in this case, requiring either construction of a 4 foot sidewalk, or 2 additional feet).  
Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period [Land Development and Subdivision Ordinance, Chapter 6].  
A second alternative would be to obtain approval of a variance from the Planning Commission [Land Development and Subdivision Ordinance, Chapter 1.IV]
6. The approval of this plat is conditioned on City Council's approval of the associated zoning case that rezones the property allowing the proposed size and layout of lots. Should City Council deny the rezoning of the subject property, this subdivision plat will be deemed denied for noncompliance with the zoning ordinance.

**Notes:**

1. 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
2. Prior to plat submittal for recordation, please correct Lot 9 width. The frontage is listed as 50 feet and the back of the lot shows 57 feet.




**Proposed plat area**


**Day Addition, Section One**


Council District: #2 Tom Thompson

Neighborhood: Lake View

Scale: 0 0.015 0.03 0.045 0.06 Miles

Subject Properties: 

200' Buffer: 

Notified Properties: 








# STAFF REPORT – CP22-06/Z22-24

Scheduled Hearings:

Planning Commission: December 12, 2022

City Council 1<sup>st</sup> reading: January 17, 2023

City Council 2<sup>nd</sup> reading: February 7, 2023

<b>APPLICATION TYPE:</b>		<b>CASES:</b>	
Comprehensive Plan Amendment & Rezoning		CP22-06/Z22-24: 3707 N Chadbourne Street	
<b>SYNOPSIS:</b>			
<p>The applicant has submitted associated Comprehensive Plan Amendment (CPA) and Rezoning applications to rezone half a piece of property from Single Family Residence [RS-1] to General Commercial (CG) on the back half of an L shaped piece of property with General Commercial/Heavy Commercial on the front half with frontage at 3707 N. Chadbourne Street. The interior half of the property is zoned RS-1. The interior portion does not have frontage on a street and can only be accessed from the front half of the property that has access on N. Chadbourne. When this area of N. Chadbourne was rezoned years ago it was a straight line about so many feet from the street center line was zoned CG/CH. Many existing pieces of property along N. Chadbourne Street were divided into two zoning districts, The Vision Plan also bisected parcels so pieces of property were split without regard to ownership or actual boundaries.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
3707 N Chadbourne Street		Abst: A-1868 S-0316, Survey: C SANDER, 1.079 ACRES	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
SMD District #2 – Tom Thompson Riverside Neighborhood	RS-1 to CG	Neighborhood	0.58 Acres of a 1.079-acre piece
<b>NOTIFICATIONS:</b>			
<p>21 notifications for CP22-06 and Z22-24 were mailed within a 200-foot radius on November 22, 2022. Two responses have been submitted in support, but there have been no responses in opposition at this time.</p>			
<b>STAFF RECOMMENDATION:</b>			
<p>Staff recommends <b>APPROVAL</b> of an amendment to the City of San Angelo Comprehensive Plan, changing 0.58 acres from Neighborhood Land Use to Commercial Land Use; and <b>APPROVAL</b> of a rezoning on the Single-Family (RS-1) Zoning District to the General Commercial (CG) Zoning District.</p>			
<b>PROPERTY OWNER/PETITIONER:</b>			
<p><i>Applicants:</i> Carter-Fentress Engineering, LLC</p>			
<b>STAFF CONTACT:</b>			
<p>Sherry L. Bailey Senior Planner (325) 657-4210, Extension 1546 <a href="mailto:Sherry.bailey@cosatx.us">Sherry.bailey@cosatx.us</a></p>			



**Additional Information:** The applicant is wanting to construct a building for his garage door commercial business and then plans on building a storage building in the back for his inventory. The front half of the property is zoned CG/CH which meets his requirements for his main business building. The back half of the property is presently zoned RS-1. Rezoning it the General Commercial (CG) would allow the construction of a building in which to house his residential and commercial inventory securely. He does not want or need outdoor storage which the CG zoning would only allow 10 percent of the lot so it is very compatible with his needs. He is aware that the property will have to be fenced. This L shaped property (the rear half) is landlocked. The only access to the back property is off N. Chadbourne St. Using it as residential is not practical. CN, Neighborhood Commercial does not work well with the access or the front CG/CH zoning. CG seemed to meet the needs of the applicant and the neighborhood based on the limitations within the zoning ordinance.

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

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** Staff believes changing the Comprehensive Plan designation from Neighborhood to Commercial is not consistent with the policies stated in the Plan. Usually, when looking at an area that was part of a Comprehensive Plan Amendment the city looks at similar areas adjacent that have changed designation because of growth impacts. In this case, there was one directly north of this property. It was also zoned CG/CH. In this case, the CG zoning is more compatible with the residential adjoining properties.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The proposed zoning change from Single Family Residence to General Commercial would accommodate the owner's needs as well as the surrounding residential properties.
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 CG zoning is significantly smaller in size but will act as a buffer for the residential property uses.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The applicant is seeking to introduce meet his business needs while being aware of the close residentially zoned property and uses.
5. **Effect on Natural Environment.** **Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water**

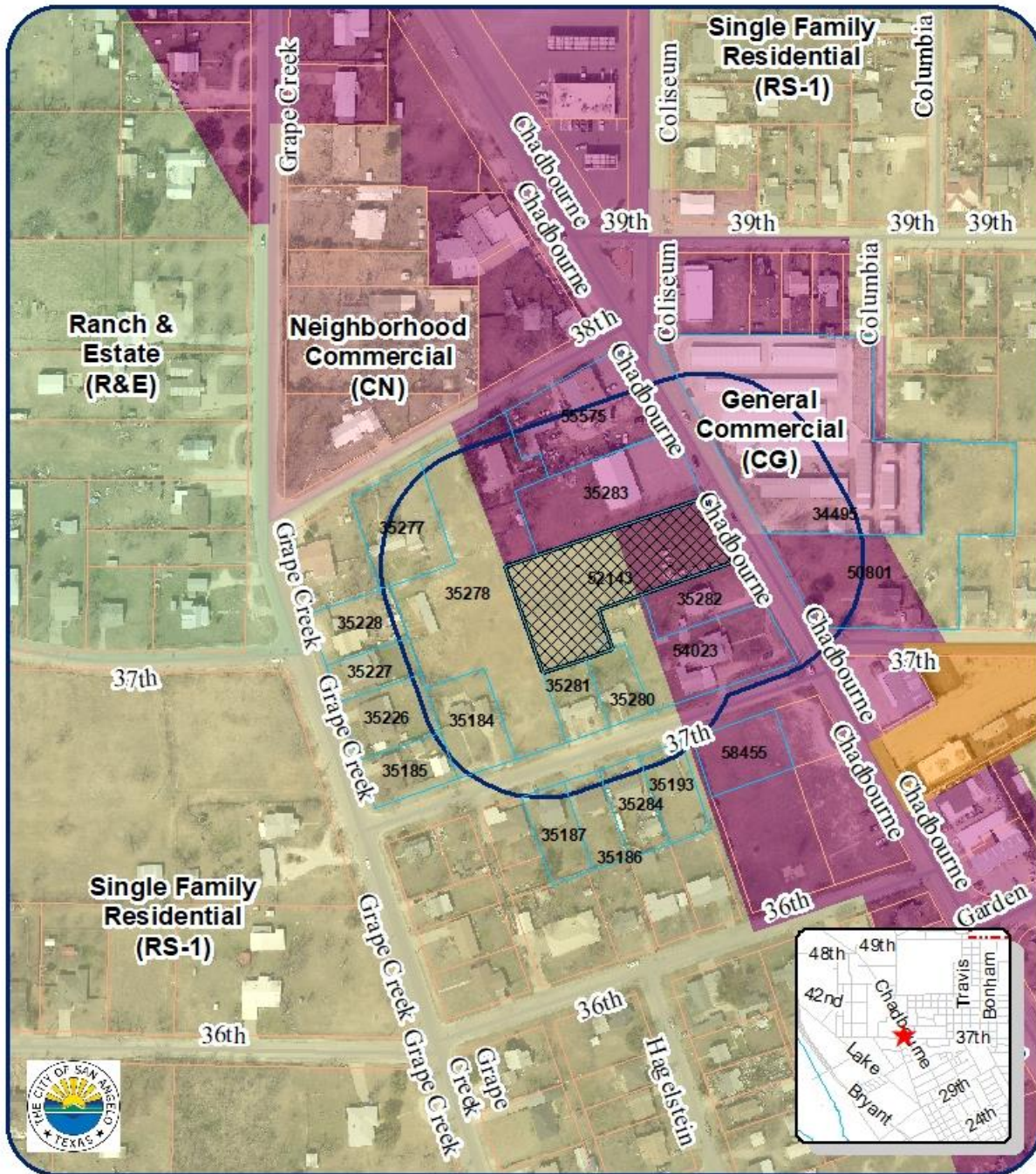
and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment. The area would be impacted by the commercial development but restrictions within the zoning requirements would work to mitigate the commercial use.

6. **Community Need.** Whether and the extent to which the proposed amendment addresses a demonstrated community need. Staff believes this is a small area with a one owner request. It has been demonstrated that there is an identified community need for his product and development in this 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. The development patterns for the area are well established large commercial use intended for this area. This proposal is an introduction into an area that will have a smaller impact.

**Recommendation:**

Staff recommends **APPROVAL** of an amendment to the City of San Angelo Comprehensive Plan, changing 0.58 acres from the “Neighborhood” Future Land Use to the “Commercial” Future Land Use; and **APPROVAL** of a rezoning on the 0.58 acres from the Single Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District.

Future Land Use Map  
Zoning Map  
Applications

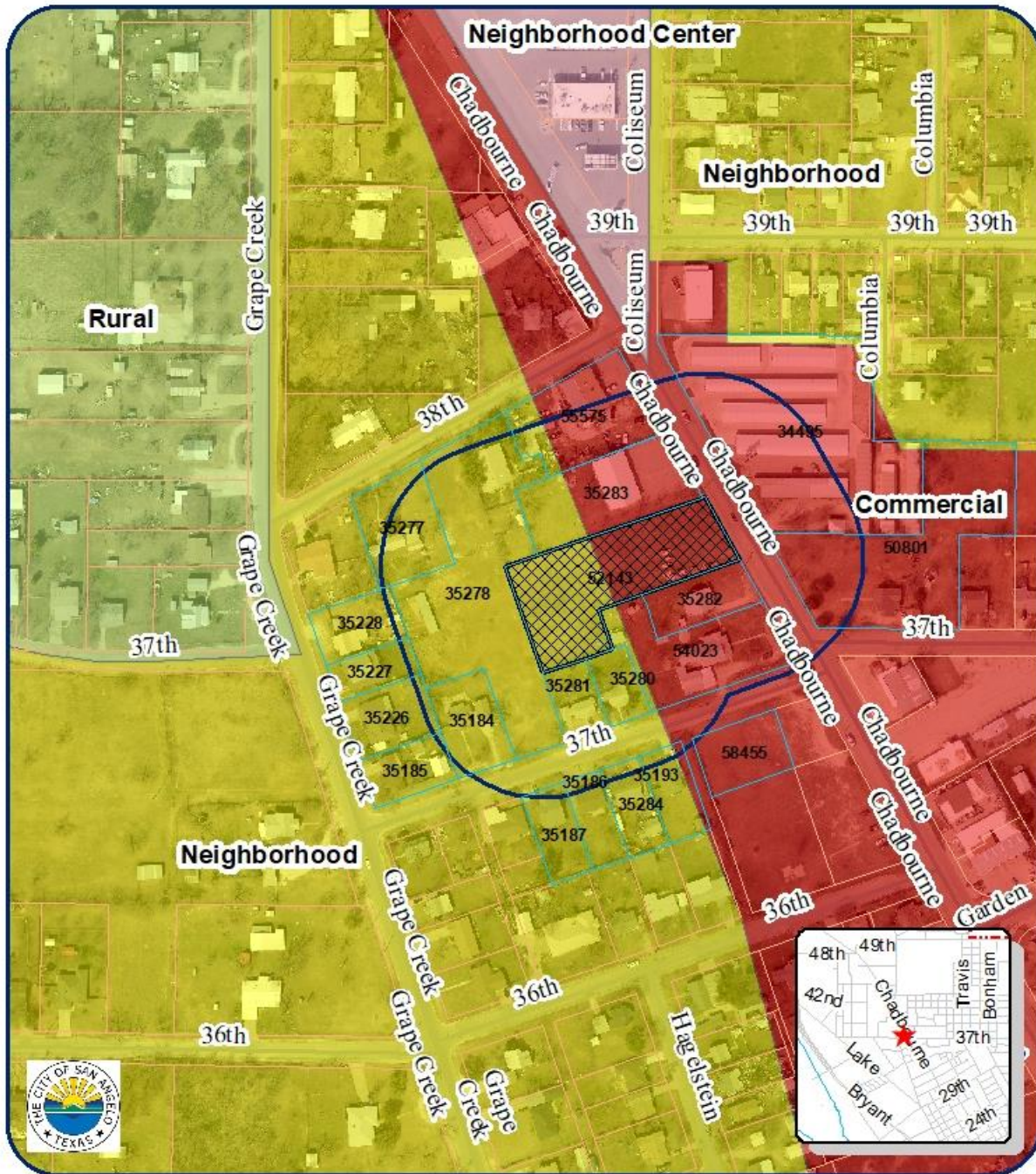


**Zoning Map**  
**CP22-06 & Z22-24**  
 Council District: #2 Tom Thompson  
 Neighborhood: Riverside




Scale: 0 0.01 0.02 0.04 0.06 0.08 Miles


Subject Properties:   
 200' Buffer:   
 Notified Properties:

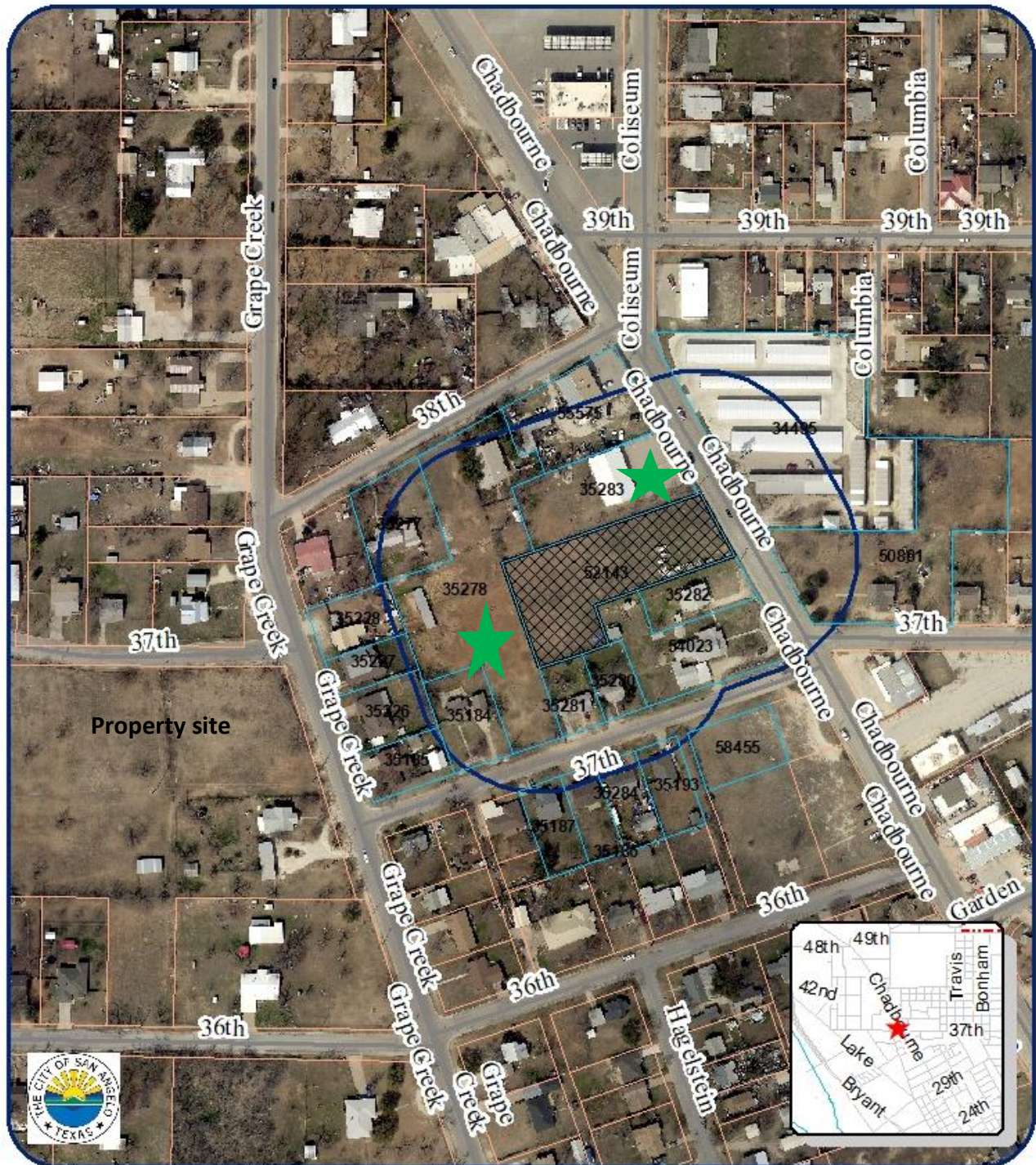
N



**Future Land Use Map**  
**CP22-06 & Z22-24**  
 Council District: #2 Tom Thompson  
 Neighborhood: Riverside  
 Scale: 0 0.01 0.02 0.04 0.06 0.08 Miles

Subject Properties:   
 200' Buffer:   
 Notified Properties: 

N  




**200' Notification Map**  
**CP22-06 & Z22-24**  
 Council District: #2 Tom Thompson  
 Neighborhood: Riverside

Scale: 0 0.01 0.02 0.04 0.06 0.08 Miles

Subject Properties: —  
 200' Buffer: —  
 Notified Properties: —

N



**Adjacent property**



Property in question

**STAFF REPORT**  
**PLANNING COMMISSION – December 12, 2022**



<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Street Right-of-Way Abandonment		Beginning near 1861 Cox Lane going west and south for approximately 4,060 feet	
<b>SYNOPSIS:</b>			
<p>The applicant has applied to abandon a portion of Cox Lane beginning near 1861 Cox Lane, going west and south for approximately 4,060 feet. The purpose of the abandonment is to allow for the repositioning and redevelopment of the Cox Lane right-of-way to address the disparity of Cox Lane and Foster Road and to allow for the development of the 30+ acres to the south. The applicant’s representative brought forth a proposal to the Planning Department to realign Cox Lane and reposition it to better address the elevation disparity between Foster Road and Cox Lane and to address the drainage in the area as well as the traffic movement issues. They are hoping to annex the area into the City of San Angelo and develop the large 30+ acre area into residential areas, and a commercial service area. Their plan would be to realign Cox lane and connect their new streets to the existing streets in the Trails Subdivision and the Capitol Heights Addition.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
South and east of the existing Cox Lane along Foster Road		Approximately 4,060 feet of the right-of-way of Cox Lane, beginning near 1861 Cox Lane and extending 2,330 feet to the west, then 1,730 feet south, ending approximately 320 feet north of the intersection of Sunset Drive and Foster Road.”	
<b>SM DISTRICT / NEIGHBORHOOD:</b>		<b>ZONING:</b>	<b>FUTURE LAND USE:</b>
SM District #1 – Tommy Hiebert Rio Vista Neighborhood		None	Neighborhood and possibly commercial
<b>SIZE:</b>			
4,060 feet in length			
<b>THOROUGHFARE PLAN:</b>			
<p><b>Foster Road</b> – Major Collector, 70 Feet in width/56 Feet Minimum  <b>Parkview Drive</b> – Minor Collector, 60 Feet in Width, 52 Feet Minimum</p>			
<b>NOTIFICATIONS:</b>			
<p>31 notifications were mailed within a 200-foot radius of the property on November 25, 2022.  Three (3) responses have been received in opposition to the proposal and none in favor at this time.</p>			
<b>STAFF RECOMMENDATION:</b>			
<p>If the Planning Commission recommends approval of the street right-of-way abandonment of 4,060 extending 2,330 feet to the west, then 1,730 feet south, ending approximately 320 feet north of the intersection of Sunset Drive and Foster Road, Staff has recommendations for <b>Conditions of Approval</b>.</p>			
<b>PROPERTY OWNER/PETITIONER:</b>			
Casey Poynor Cox Property Development, LLC			
<b>STAFF CONTACT:</b>			
Sherry Bailey Senior Planner (325) 657-4210, Ext. 1546 <a href="mailto:Sherry.bailey@cosatx.us">Sherry.bailey@cosatx.us</a>			



**Analysis:**

City Staff and relevant municipal departments have been involved in multiple discussions concerning the proposed development and the abandonment of this portion of Cox Lane. There are multiple reasons for realigning Cox Lane, connecting interior roads to the existing streets in the adjacent housing developments, correcting elevation issues and drainage issues. There are multiple steps that need to occur with this larger piece of property including annexation into the city. The developer is looking for direction and agreement from the city that the project is desired and can meet community needs.

If Cox Lane is to be abandoned there are conditions that must be accounted for, including when the road is removed, the design of the replacement solution, the timing of the replacement, and the access of the last large lot on the east/west stretch of Cox before Cox turns. That property only has access to the existing Cox Lane and would not have access to the proposed street orientation. An access solution will have to be provided.

The proposed abandonment would not contradict any applicable City Ordinance. The realignment of Cox Lane would have to be reconstructed to City standards. All connecting roads to Foster Road would also have to meet all City standards. Traffic studies and drainage studies would be part of the required information for this development as part of the development review process.

**Rationale:**

Planning Staff reviewed all relevant history, ordinances, policies, and as indicated above, conducted a site visit to the property to determine the appropriateness of abandoning this public right-of-way.

- *Traffic patterns:* Staff does not believe that traffic patterns would be negatively affected by the street abandonment. In fact, removal of the portion of Cox Lane that parallels Foster Rd would eliminate this duplication. A condition of approval will be that the applicant replat the abandoned area into the adjacent properties. Through the platting process, the applicant can dedicate required easements. Staff believes that construction of the new road and adjoining roads would have to be done before the Cox Lane abandonment could take effect. The logistics of that process would be part of the approval process of any proposed new development.
- *Utilities:* Utility providers with poles, lines, and equipment in the right-of-way (City of San Angelo, AEP and Altice) would have to be part of the abandonment if easements are provided.
- *Community Impact:* Staff sees no negative community impact if this street portion is abandoned, assuming that proposed new roads maintain adequate access to all existing and new properties. Any new development proposals will need to address timing of construction of the new roads as it relates to removal of the current roads.
- *Public Benefit:* Abandoning this street portion would meet the public need of correcting an existing traffic concern, addressing a drainage issue, and benefitting development in that area of the city.

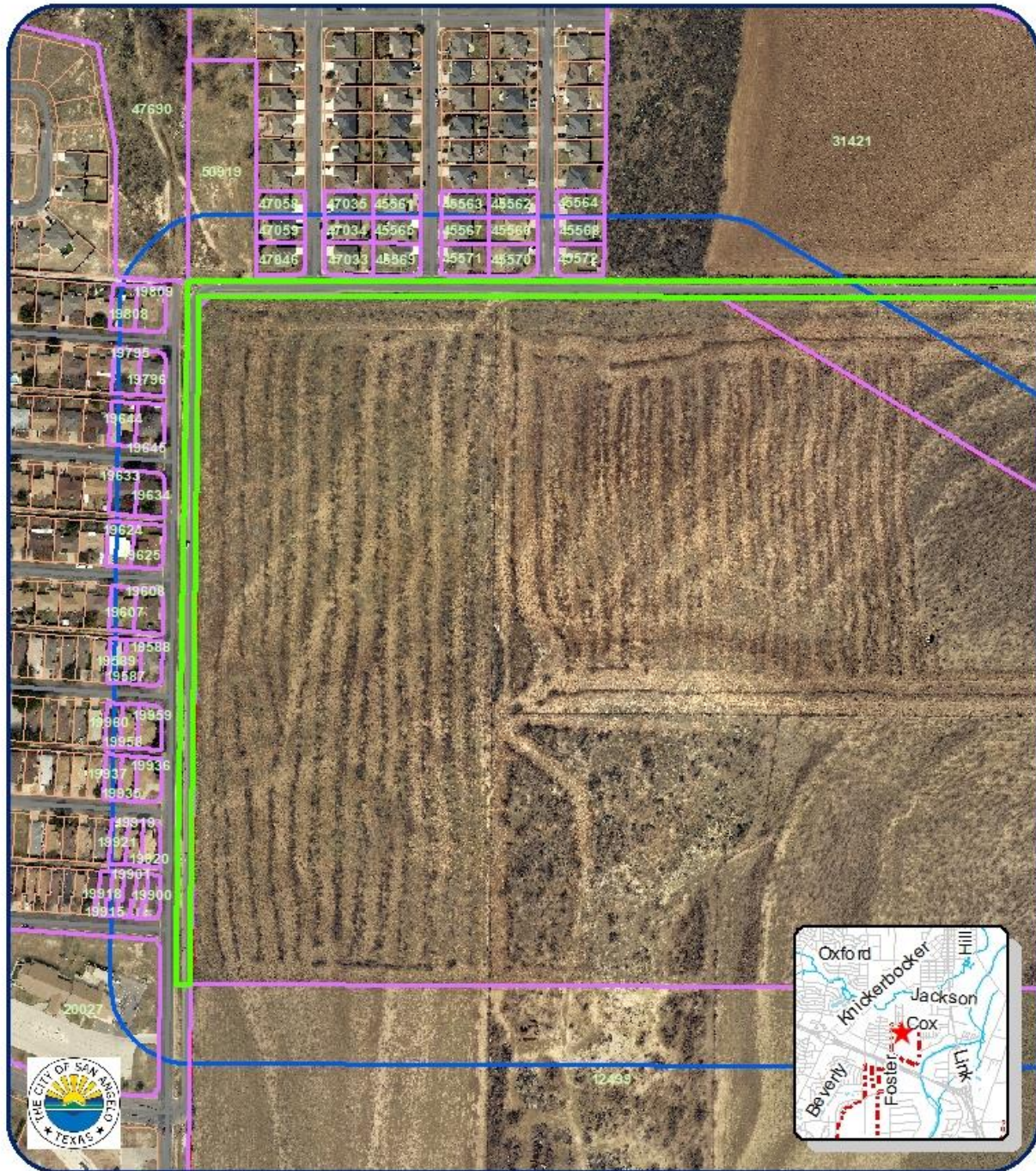
**Recommendation:**

Staff recommends **the following conditions** of the Right-of-Way Abandonment of 4,060 extending 2,330 feet to the west, then 1,730 feet south, ending approximately 320 feet north of the intersection of Sunset Drive and Foster Road if the Planning Commission recommends approval of the abandonment to City Council.

1. Per Land Development and Subdivision Ordinance, Chapter 1.V, submit, obtain approval of, and officially record a subdivision replat absorbing all of the abandoned right-of-way into adjacent lot(s) meeting all requirements of the Land Development and Subdivision Ordinance.
2. After approval of the associated plat and payment, verify the recordation of quitclaim deed(s) effectively completing the City's claim to the entirety of the abandoned alley(s) shall be provided.
3. The abandonment of Cox Lane shall not be in effect until connecting streets have been built to ensure access to all of the properties on the north side of the existing Cox Land and ensuring continued connectivity to Foster Road.
4. Ensuring continued access, consistent with Land Development and Subdivision Ordinance requirements, for the property at the end of the existing Cox Lane east/west portion identified as 2.146, Abst: A-1641 S-0176.25, Survey: J MC NEESE, 2.146 ACRES.

**Attachments:**


Aerial Map  
Abandonment Area Plan  
Concept Plan  
Application



**200' Notification Map**  
**Right-of-Way Abandonment-Cox Ln**

Council District: 1 Hiebert  
 Neighborhood: Rio Vista

Scale: 00.01 0.03 0.06 0.09 0.12 Miles

Subject Properties:   
 200' Buffer:   
 Notified Properties: 

N  




Effective January 3, 2017



City of San Angelo, Texas – Planning Division  
52 West College Avenue  
**Application to Abandon Right-of-way for  
Street(s) and/or Alley(s)**



**Section 1: Basic Information**

Name of Applicant(s): Cox Property Development, LLC  
 Owner     Representative (Affidavit Required)

4705 S. Chadbourne St.                      San Angelo TX                      76904  
Mailing Address                                      City                      State                      Zip Code

325-245-1500                                      hillary.bueker@doradoconstructiongroup.com  
Contact Phone Number                                      Contact E-mail Address

1861 Cox Ln.                                      San Angelo TX                      76904  
Subject Property Address                                      City                      State                      Zip Code

Abst: A-1648 S-0176, Survey: V MULLER, 84.7410 ACRES IN V MULLER SURVEY AND IN HARNBURG SURVEY # 175 &  
Legal Description (can be found on property tax statement or at [www.tomgreencad.com](http://www.tomgreencad.com))  
Abst: A-1648 S-0176, Survey: V MULLER, 6.5000 ACRES IN V MULLER SURVEY & IN HARNBURG SURVEY #175

Lot Size: 91.241                                      Zoning: R&E / Unzoned

**Section 2: Site Specific Details**

Subdivision Name: N/A

Lots and/or Blocks Affected\*: N/A

General Description of Location\*: Beginning near 1861 Cox Ln. and continuing approx. 2,330 ft to the west then 1,730 ft south, terminating at the Cox Property Development, LLC property line, approx. 320 ft north of the intersection of Sunset Dr. and Foster Rd.

Reason for Abandonment\*: This abandonment will allow reconfiguration of streets in this area to spur development.

\*Use attachment if necessary.

Effective January 3, 2017

**Section 3: Applicant's acknowledgement**

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

Casey Poynor  
Signature of licensee or authorized representative  
affirming the truth of the above statement.

11-10-2022  
Date

Casey Poynor  
Printed name of licensee or authorized representative  
Cox Property Development, LLC  
Name of business/Entity of representative

**FOR OFFICE USE ONLY:**

Date of Application: \_\_\_\_/\_\_\_\_/\_\_\_\_

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

Date of hearing by Planning Commission: \_\_\_\_/\_\_\_\_/\_\_\_\_ Date of hearing by City Council: \_\_\_\_/\_\_\_\_/\_\_\_\_

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



# STAFF REPORT

Planning Commission: December 12, 2022

<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Conditional Use: Short Term Rental		CU22-19: 2015 Beaty Circle	
<b>SUMMARY:</b>			
A request for approval of a Conditional Use to allow a Short-Term Rental (STR), as defined in Section 406 the Zoning Ordinance in the Single-Family Residential (RS-1) Zoning District, located at 2015 Beaty Circle.			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
2015 Beaty Circle, San Angelo, TX, 76904, USA		Lot 12-A, Section 1 Blk. 1, Lake Nasworthy, Group 1	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONE DISTRICT:</b>	<b>VISION PLAN:</b>	<b>SIZE:</b>
Council District #1: Tommy Heibert Neighborhood: <i>Nasworthy</i>	RS-1	Neighborhood	0.438 acres
<b>NOTIFICATIONS:</b>			
Eight (8) notification letters were mailed out to the relevant property owners within a 200-foot buffer, one (1) response for denial has been received at this time.			
<b>THOROUGHFARE PLAN</b>			
Beaty Circle: 24' -30' ROW provided, 13' pavement existing			
<b>STAFF RECOMMENDATION:</b>			
Staff recommends <b>APPROVAL</b> of CU22-19: 2015 Beaty Circle., being 0.438 acres, based on the requirements of the Zoning Ordinance [Sec. 406 A 4.]			
<b>PROPERTY OWNER/PETITIONER:</b>			
Owner: Patrick Lane and Virginia A. Granath			
<b>STAFF CONTACT:</b>			
Sherry L. Bailey Senior Planner (325) 657-4210, Extension 1533 <a href="mailto:sherry.bailey@cosatx.us">sherry.bailey@cosatx.us</a>			

**Conditional Use:** Section 208(F) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, six (6) factors in determining the appropriateness of any Conditional Use request, as outlined in num. 1-6 below.

1. **Impacts Minimized:** Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.
  - There is no indication that this proposed use will create adverse impacts on the area. Even though this is on a narrow road with a gravel turnaround, this has seemed to function with the existing single-family homes. Unless the short-term rental is anticipated to be operated differently than a typical single-family home, there should be minimal impacts. However, this is one of the reasons the City’s ordinance requires a renewal after one year – to give the property owner the opportunity to operate and see if any negative impacts arise. If so, the Commission could deny the subsequent renewal in one year.
2. **Consistent with Zoning Ordinance:** Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance, including the applicable zoning district intent statement.
  - There are no other short term rentals within a 500-foot buffer of the subject property.
3. **Compatible with Surrounding Area:** Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.
  - The surrounding land uses are all residential, the existing homes are all owner occupied with single family residences. The introduction of a STR into the mix is of concern to some of the neighbors.
4. **Effect on Natural Environment:** Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to, adverse impacts on water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.
  - The impact on the environment will not increase and will continue to be minimal.
5. **Community Need:** Whether and the extent to which the proposed conditional use addresses a demonstrated community need.
  - Market forces have continually indicated a desire for Short Term Rental (STR) property opportunities in suitable recreational neighborhoods in San Angelo. This property has accessibility to Lake Nasworthy.
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.
  - This property is located within a small tight neighborhood, with minimal parking and turn around areas. However, existing single-family homes in this area have not shown this to be a problem.





**Recommendation**

Staff's recommendation is for the Planning Commission to **APPROVE** the Conditional Use (CU) at the subject property, 2015 Beaty Circle, for a Short Term Rental (STR) **subject to the following conditions.**

1. The owner(s) shall maintain the required two off-street parking spaces and maintain them in a manner consistent with Section 511 of the Zoning Ordinance.
2. The owner(s) shall obtain a Certificate of Occupancy for the Short-Term Rental from the Permits and Inspections Division.
3. The owner(s) shall obtain and comply with an annual fire inspection from the Fire Marshal's office.

Note:

1. The property owner shall maintain the Short-Term Rental (STR) operation in a manner consistent with Section 406 of the Zoning Ordinance, including a required renewal in one year, with subsequent renewals every two years, and proof that hotel tax payment is not delinquent.

**Attachments:**

Satellite, Zone, Vision, and Notification map.

4. Neither a Bed and Breakfast nor a Short-Term Rental may be approved unless it adjoins a public street at least 30 feet in width. A Short-Term Rental use may not be located on a lot that is within 500 feet of a lot on which another Short-Term Rental use is located. The restrictions contained in this subsection 4 shall not affect any property which is registered with the State of Texas and the City of San Angelo for the purpose of Hotel Occupancy Tax on or before September 1, 2016.

Section 406 A 4.




**Property Review**

**CU20-19: 2015 Beaty Circle**

Council District: 1 Heibet

Neighborhood: Nasworthy

Scale: 00.0000006 0.012 0.018 0.024  
Miles

Subject Properties: 

200' Buffer:

Notified Properties:






**Zoning Map**


**CU20-19: 2015 Beaty Circle**

Council District: 1 Heibert

Neighborhood: Nasworthy

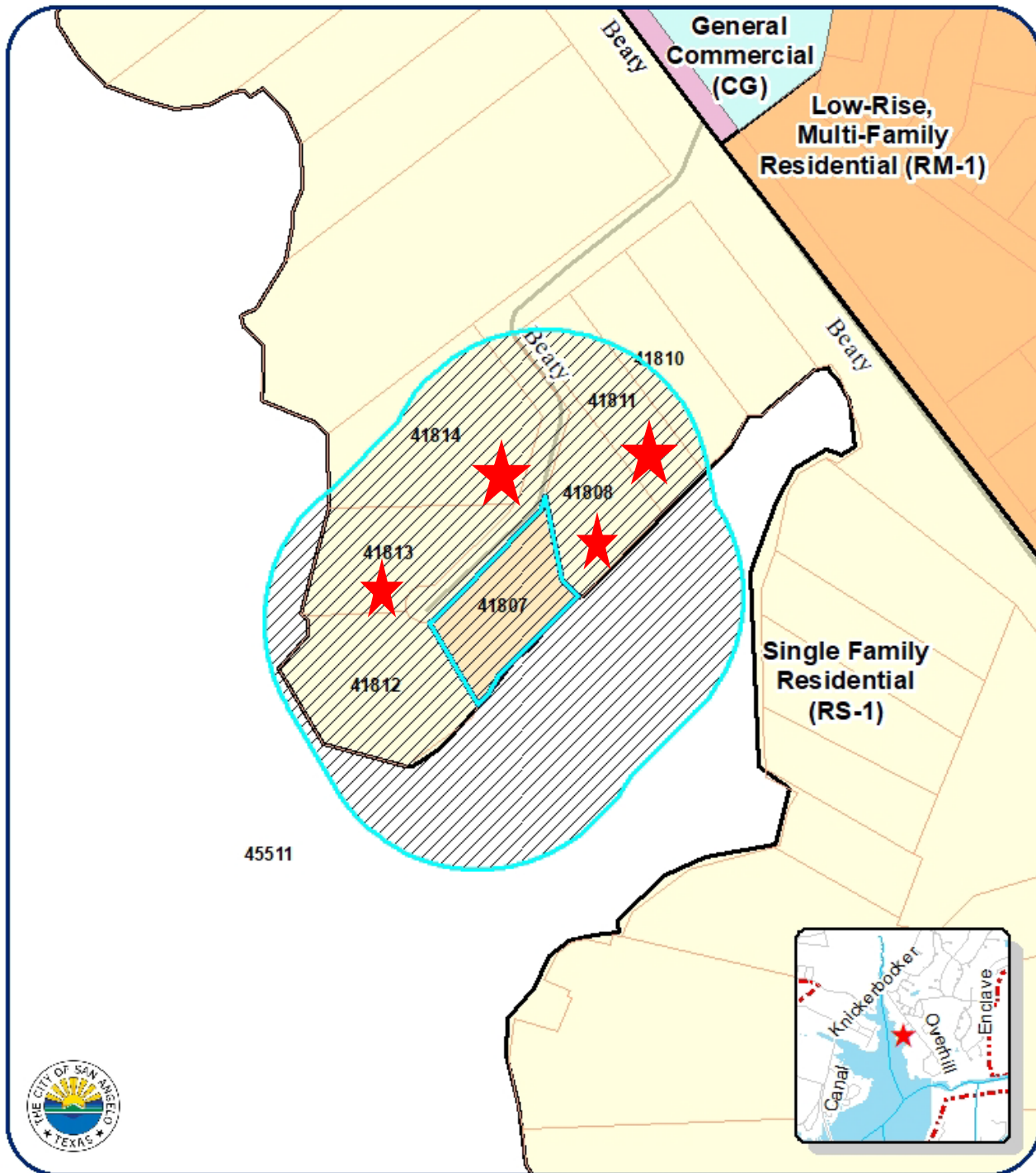
Scale: 0.0005 0.01 0.02 0.03 0.04  
Miles

Subject Properties: 

200' Buffer: 

Notified Properties: 






**200' Notification Map**


**2015 Beaty Circle: CU22-19**


Council District: 1 Hiebert

Neighborhood: Nasworthy

Scale: 0.0000 0.015 0.03 0.045 0.06  
Miles

Subject Properties: 




200' Buffer: 


Notified Properties: 





**Vision Plan**  
**CU20-19: 2015 Beaty Circle**  
Council District: 1 Heibert  
Neighborhood: Nasworthy  
Scale: 0.005 0.01 0.02 0.03 0.04 Miles

Subject Properties:   
200' Buffer:   
Notified Properties: 

N  


**PLANNING COMMISSION – December 12, 2022  
STAFF REPORT**



<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Conditional Use		CU22-26: 2542 Baylor Avenue	
<b>SYNOPSIS:</b>			
<p>A request for approval of a Conditional Use to allow a Short Term Rental (STR), as defined in Sec. 406 of the Zoning Ordinance in an RS-1 (Residential Single-Family) zoning district, located at 2542 Baylor Avenue.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
2542 Baylor Avenue		Lot: 8 SEC 1, Blk: 13, Subd: COLLEGE HILLS ADDITION	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
SMD District #5 – Karen Hesse-Smith ASU-College Hills Neighborhood	RS-1- Single Family Residential	N- Neighborhood	0.288 acres
<b>THOROUGHFARE PLAN:</b>			
<p>Required: minimum 30’ public street Existing: Width is 30’</p>			
<b>NOTIFICATIONS:</b>			
24 notifications mailed within 200-foot radius on 11/29/22. Received 0 responses in opposition, 0 in favor.			
<b>STAFF RECOMMENDATION:</b>			
<p>Staff’s recommendation is for the Planning Commission to <b>APPROVE</b> the proposed Conditional Use to allow a STR at 2542 Baylor Avenue.</p>			
<b>PROPERTY OWNER/PETITIONER:</b>			
<p><i>Property Owner:</i> Josh &amp; Arielle Pleasant <i>Applicant:</i> Josh &amp; Arielle Pleasant</p>			
<b>STAFF CONTACT:</b>			
<p>Rae Lineberry Planner I (325) 657-4210, Extension 1533 <a href="mailto:Rae.lineberry@cosatx.us">Rae.lineberry@cosatx.us</a></p>			

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

1. **Impacts Minimized.** **Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** No, the applicant plans to make no changes to existing structures on the lot.
  2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** No, there are no Short Term Rentals active within 500' of this proposed location.
  3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** The rental would be in a RS-1 (Single-Family) zoned area, and higher density residential is more compatible with short term rentals.
  4. **Effect on Natural Environment.** **Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Staff does not believe that rental will have any adverse effects on the environment. The area infrastructure is already built to accommodate single-family zoning.
  5. **Community Need.** **Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** The short term rental will address a need for more rentals in the ASU-College Hills area.
  6. **Development Patterns.** **Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.** The applicant does not plan to alter any of the existing structures or add on to them and adequate parking is provided. The use will remain residential.
-



**Recommendation:**

Staff's recommendation is for the Planning Commission to **APPROVE** a Conditional Use to allow for a Short Term Rental in the Single-Family Residential (RS-1) Zoning District, **subject to the following three (3) Conditions of Approval:**

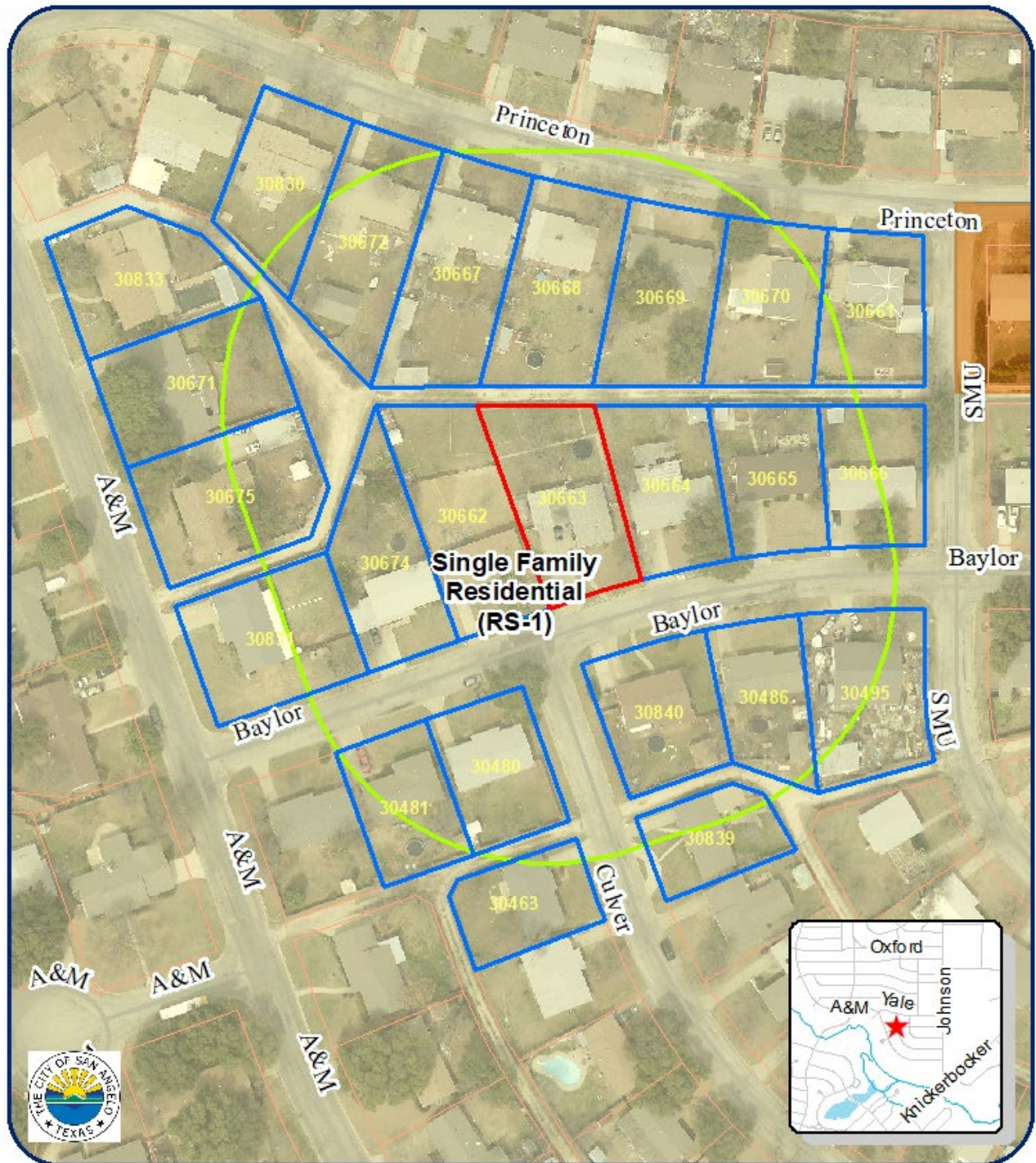
1. The owners shall maintain the required two (2) off-street parking spaces and maintain them in a manner consistent with Section 511 of the Zoning Ordinance.
2. The owners shall obtain a Certificate of Occupancy for the Short Term Rental from the Permits and Inspections Division.
3. The owners shall obtain and comply with an annual fire inspection from the Fire Marshal's office.

**Note:**

1. The property owner shall maintain the Short Term Rental operation in a manner consistent with Section 406 of the Zoning Ordinance, including a required renewal in one year, with subsequent renewals every two years, and proof that hotel tax payment is not delinquent.

**Attachments:**

Zoning Map  
Notification Map  
Site Images





**Zoning Map**


**CU22-26 2542 Baylor Ave**

Council District: 5 Hesse-Smith  
Neighborhood: ASU-College Hills

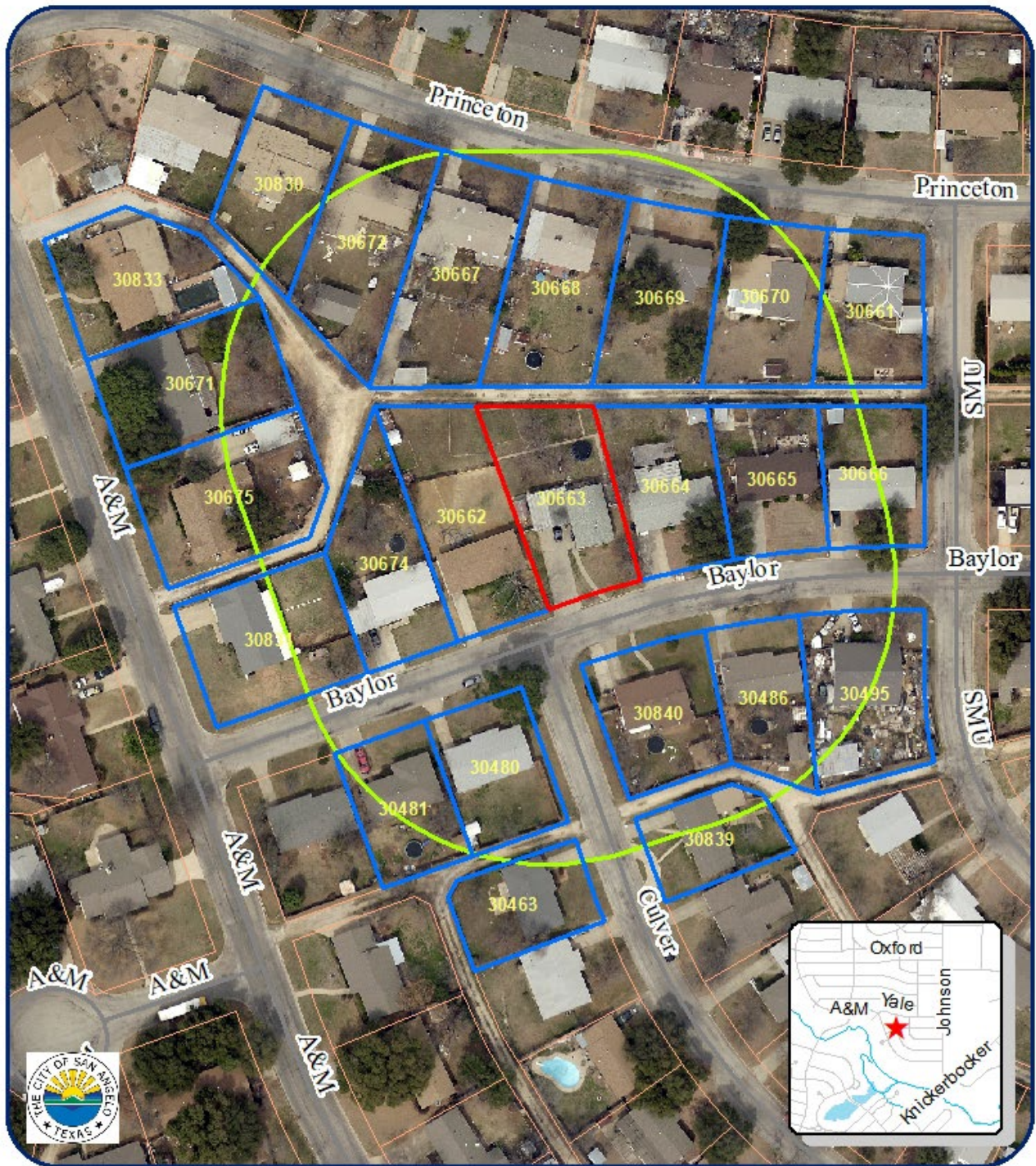
Scale: 0.0008 0.01 0.02 0.03 0.04 Miles

Subject Properties: 


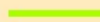

200' Buffer: 


Notified Properties: 





**200' Notification Map**  
**CU22-26 2542 Baylor Ave**  
Council District: 5 Hesse-Smith  
Neighborhood: ASU-College Hills  
Scale: 0.0008 0.01 0.02 0.03 0.04 Miles

Subject Properties:   
200' Buffer:   
Notified Properties: 

N  


Existing home



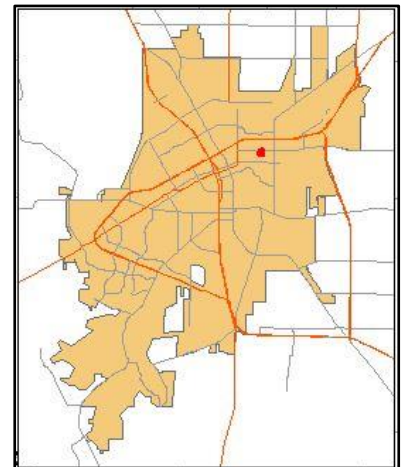
Street view



**PLANNING COMMISSION – DECEMBER 12, 2022  
STAFF REPORT**



<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Conditional Use		CU22-27: 222 W. 15 <sup>th</sup> Street	
<b>SYNOPSIS:</b>			
<p>The applicant has applied for a Conditional Use on this property to allow a new single-family home. The original single-family home had existed since 1954 according to the Appraisal District but was demolished in May 2022 (Building Permit No. 22-00002299). The applicant has applied for a new 2,552-sq. ft. single-family home building permit (Building Permit No. 22-00004987) and requires a Conditional Use because residential uses are not allowed by right in the General Commercial / Heavy Commercial (CG/CH) Zoning District on the property. The permit is on hold pending this approval.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
222 W. 15 <sup>th</sup> Street		Lasker Addition, Block 12, Lot 10	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
SMD District #4 – Lucy Gonzales Neighborhood – Reagan	CG/CH	C – Commercial	0.161 acres
<b>NOTIFICATIONS:</b>			
15 notifications were mailed out within a 200-foot radius on November 30, 2022. No responses have been received to date.			
<b>STREET REQUIREMENT:</b>			
Required: minimum 40' public street Existing: 40 feet width			
<b>STAFF RECOMMENDATION:</b>			
Staff recommends <b>APPROVAL</b> of a Conditional Use to allow Household Living (Single-Detached Dwelling) in the General Commercial/Heavy Commercial (CG/CH) on the subject property, <b>subject to two conditions of approval.</b>			
<b>PROPERTY OWNER/PETITIONER:</b>			
<i>Property Owner:</i> Alma Montemayor			
<b>STAFF CONTACT:</b>			
Jeff Fisher, AICP Chief Planner (325) 657-4210, Extension 1550 <a href="mailto:jeff.fisher@cosatx.us">jeff.fisher@cosatx.us</a>			



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

***No changes have been made to the property since the original short-term rental approval last year. Therefore, Staff comments remain unchanged.***

1. **Impacts Minimized.** **Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** As indicated, the original single-detached dwelling was on the property from at least 1954 until May 2022 when it was demolished. The original home was considered a lawful conditional use because it was there since 2000 had a Conditional Use option in the CG/CH zoning district. Re-establishing a home here would not create any adverse impacts for neighbors.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** Residential uses in non-residential districts are required to conform with the maximum floor area ratio (FAR), setbacks, and height associated with the proposed use which would be the RS-1 zoning provisions for single-family homes. The RS-1 district requires a FAR of 0.40 (house floor area divided by lot area) and the new house has a FAR of 0.36 in compliance. The house meets all RS-1 setbacks including a minimum 25-foot front yard, 20-foot rear yard, and 5-foot side yards. The house is only one story, well under the maximum 2 ½ story limit and 35 feet in height. Finally, there is sufficient space for four parking spaces on the driveway and two in the garage, for a total of 6. Only 2 spaces are required for single-family homes so the new home complies in this respect.
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.** Despite the first three lots inward on the east side of Martin Luther King Drive between W. 11<sup>th</sup> and W. 29<sup>th</sup> being zoned for commercial use, many single-family homes continue to exist within these lots and immediately east. For instance, within Block 12 where the subject property is located, there are two single-family homes to the north zoned CG-CH, and two homes in Block 1 to the south zoned CG/CH. Therefore, allowing the replacement of an existing home with a new home in this location would be compatible. There is an existing laundry facility to the west which has been a compatible neighbor with the previous house for many years. Any additional development on that property would trigger the requirement for a minimum 6-foot-high privacy fence to provide buffering from the home.
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. The new home will require two paved parking spaces and paved driveway and apron to the street. The Building Division will review the building permit and associated curb cut plans and ensure compliance with all city regulations.
5. **Community Need.** **Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** There is a demonstrated need for additional housing throughout the City, and in particular in this infill area of the Reagan Neighborhood. Despite this property being zoned commercial-zoned CG/CH, the fact that it has remained this way since at least the 1950s, and that there are other homes

to the north, east, and south, Staff is in support of this request.

6. **Development Patterns.** *Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.* Development patterns will not change if this Conditional Use was approved. The property would have driveway access off W. 15<sup>th</sup> Street, as the previous home did. **A sidewalk is required per the subdivision ordinance adjacent to the property zoned CG/CH facing W. 15<sup>th</sup> Street.**

**Recommendation:**

Staff recommends **APPROVAL** of a Conditional Use to allow Household Living (Single-Detached Dwelling) in the General Commercial/Heavy Commercial (CG/CH) on the subject property, **subject to two conditions of approval:**

1. The owners shall obtain a Building Permit for the new single-family home from the Permits and Inspections Division and pave the two required parking spaces.
2. The applicant shall include a sidewalk construction plan as part of the Building Permit showing a sidewalk in front of the property adjacent to W. 15<sup>th</sup> Street, and construct the sidewalk prior to final occupancy. Alternatively, the applicant may apply for a waiver or deviation to the Planning Director and City Engineer for their consideration.

**Attachments:**

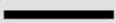
Aerial Map  
Future Land Use Map  
Zoning Map  
200-foot Notification Map  
Photographs



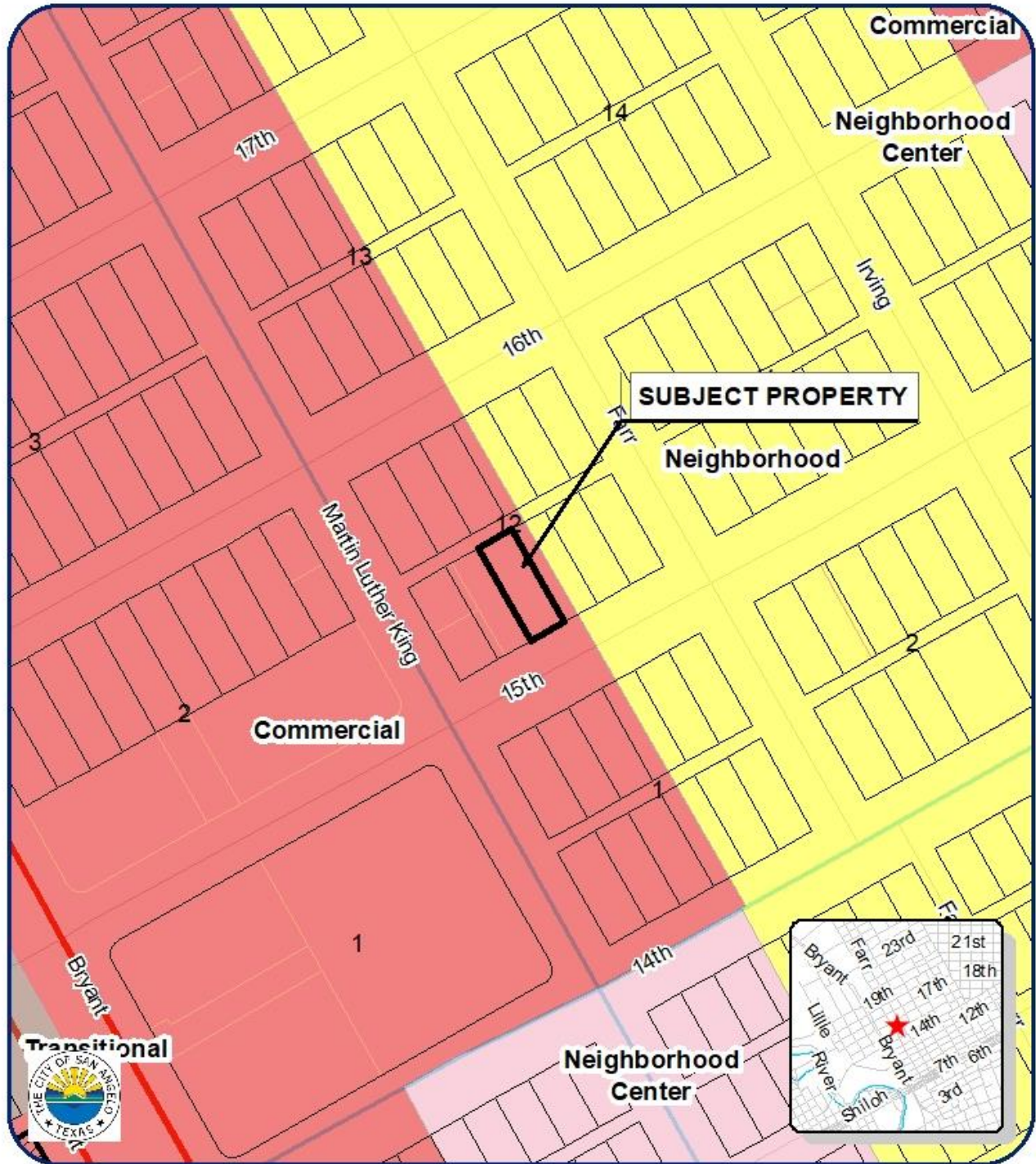
**Conditional Use**  
**CU22-27: 222 W. 15<sup>th</sup> St.**  
Council District 4 - Lucy Gonzales  
Neighborhood: Raegan  
Scale: 1" approx. = 175 ft

NE of Martin Luther King Dr/W 15<sup>th</sup> St.



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

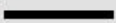


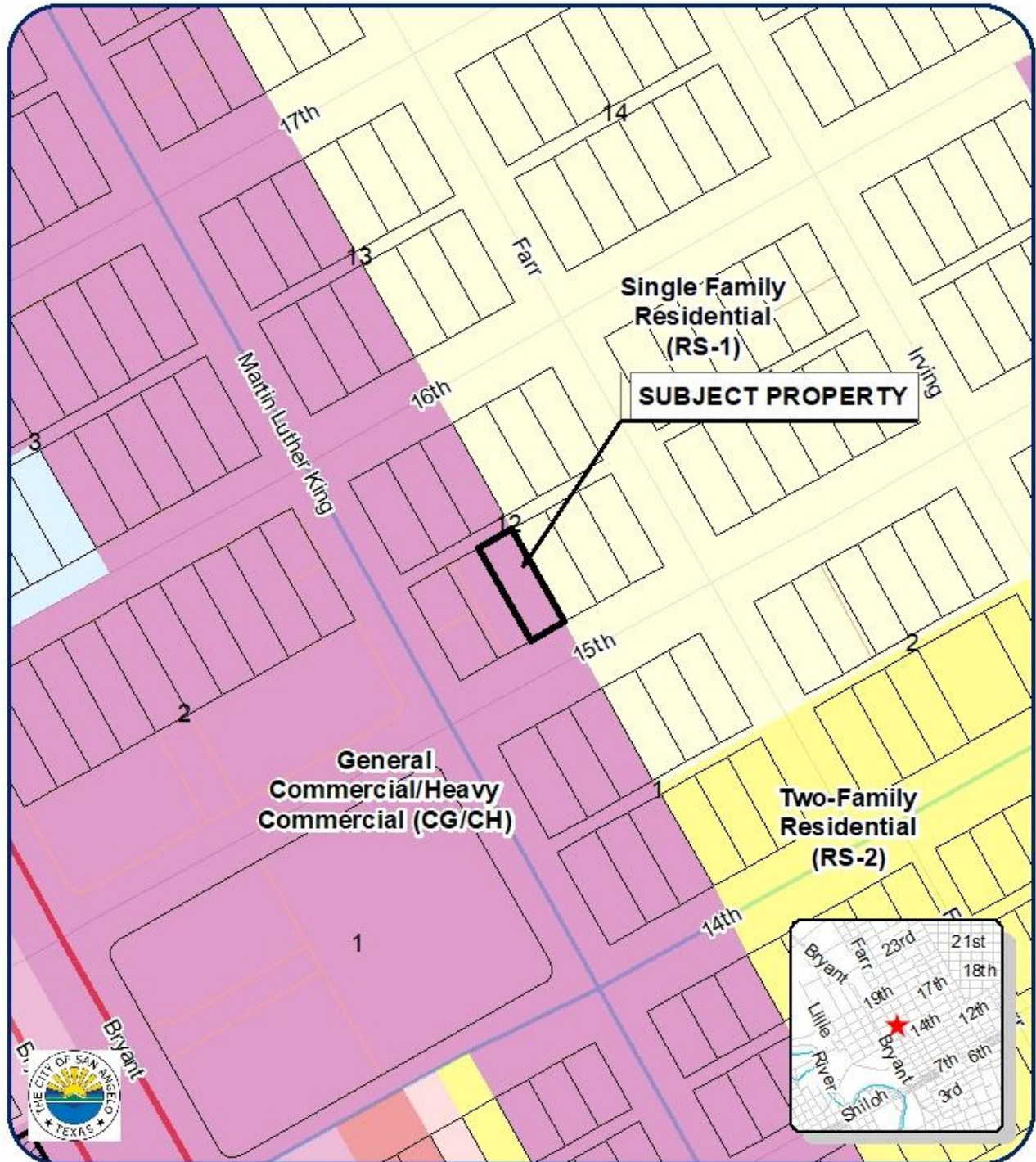


**Conditional Use**  
**CU22-27: 222 W. 15<sup>th</sup> St.**  
Council District 4 - Lucy Gonzales  
Neighborhood: Raegan  
Scale: 1" approx. = 175 ft

NE of Martin Luther King Dr/W 15<sup>th</sup> St.



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



**Conditional Use**


**CU22-27: 222 W. 15th St.**

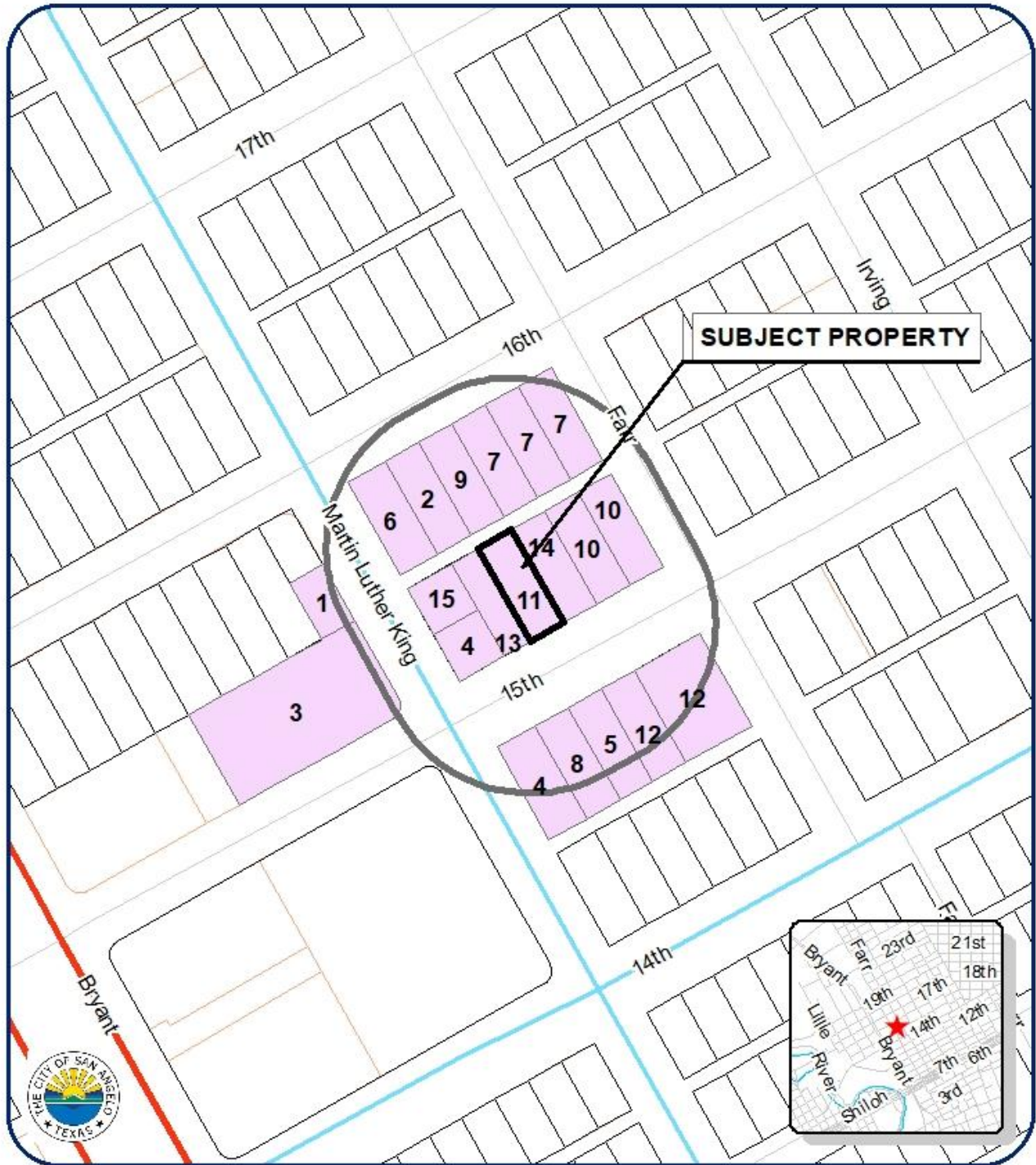
Council District 4 - Lucy Gonzales  
Neighborhood: Raegan  
Scale: 1" approx. = 175 ft


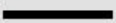
NE of Martin Luther King Dr/W 15th St.



**Legend**

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



<p><b>Conditional Use</b>  <b>CU22-27: 222 W. 15<sup>th</sup> St.</b>          Council District 4 - Lucy Gonzales          Neighborhood: Raegan          Scale: 1" approx. = 175 ft</p>	<p>N</p> 	<p><b>Legend</b>          Subject Properties:           Current Zoning: <b>CG/CH</b>          Requested Zoning Change: <b>N/A</b>          Vision: <b>Commercial</b></p>
<p><b>NE of Martin Luther King Dr/W15<sup>th</sup> St.</b></p>		

**Photos of Site and Surrounding Area**

WEST AT PROPERTY (VACANT)



EAST



SOUTH



WEST



**PLANNING COMMISSION – DECEMBER 12, 2022  
STAFF REPORT**



<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Conditional Use		CU22-29: 3, 5, & 9 W. Avenue J	
<b>SYNOPSIS:</b>			
<p>The applicant (Habitat for Humanity) has applied for a Conditional Use on three adjacent properties zoned General Commercial / Heavy Commercial (CG/CH), to allow single-family homes on each. The properties are currently vacant and aerial photography since 2008 have shown they have stayed vacant since that time. All three lots have been platted. The applicant has submitted a building permit (BP22-00005175) for 9 W. Avenue J, the property to the west. The permit is on hold pending this approval.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
3, 5, & 9 W. Avenue J		Lots 5A, 6A, and 7A, in Block 102, Fort Concho Addition	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
SMD District #3 – Harry Thomas Neighborhood – Fort Concho	5A- RS-2 and CG/CH; 6A and 7A – CG/CH	C – Commercial	0.7 acres
<b>NOTIFICATIONS:</b>			
12 notifications were mailed out within a 200-foot radius on November 30, 2022. No responses have been received to date.			
<b>STREET REQUIREMENT:</b>			
Required Arterial (Chadbourne St): minimum 56’ existing public street; Provided: 56’ Required Local (W. Avenue J): minimum 26’ existing public street; Provided: 36’			
<b>STAFF RECOMMENDATION:</b>			
Staff recommends <b>APPROVAL</b> of a Conditional Use to allow Household Living (Single-Detached Dwellings) in the General Commercial/Heavy Commercial (CG/CH) and Two-Family Residential (RS-2) Zoning Districts on the subject properties, <b>subject to two conditions of approval.</b>			
<b>PROPERTY OWNER/PETITIONER:</b>			
Property Owner: Habitat for Humanity			
<b>STAFF CONTACT:</b>			
Jeff Fisher, AICP Chief Planner (325) 657-4210, Extension 1550 <a href="mailto:jeff.fisher@cosatx.us">jeff.fisher@cosatx.us</a>			

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

1. **Impacts Minimized.** **Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** As indicated, the properties have remained vacant since at least 2008. The single-family homes will be located adjacent to an existing church which is compatible with the residential character of this block. At the request of Staff, the applicant has submitted associated Comprehensive Plan and Rezoning applications to change the commercial plan designation and zoning to residential. This will ensure after the first house gets built that the remaining two lots are rezoned to avoid them from building commercial or heavy commercial uses next to the home.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** All lots meet the minimum lot sizes for the zoning district and there is adequate front, side, and rear space, as well as sufficient space for new parking and driveways.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** As indicated, the homes will be located next to a church which is a compatible residential neighbor. The homes are close to the existing Fort Concho residential neighborhood to the west.
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. The new homes will require two paved parking spaces and paved driveway and apron to the street. The Building Division will review the building permit and associated curb cut plans and ensure compliance with all city regulations.
5. **Community Need.** **Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** There is a demonstrated for additional housing throughout the City, and in this infill area of the Fort Concho Neighborhood. Despite these properties having commercial-zoning CG/CH, the fact that they have remained vacant for many years, and that there are other homes close by, Staff is in support of this request.
6. **Development Patterns.** **Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.** Development patterns will not change if this Conditional Use is approved. The properties have access off W. Avenue J. **Per the land development and subdivision ordinance, a sidewalk is required adjacent to the property zoned CG/CH facing W. Avenue J. The associated subdivision approval also requires a sidewalk along Chadbourne Street prior to occupancy.**

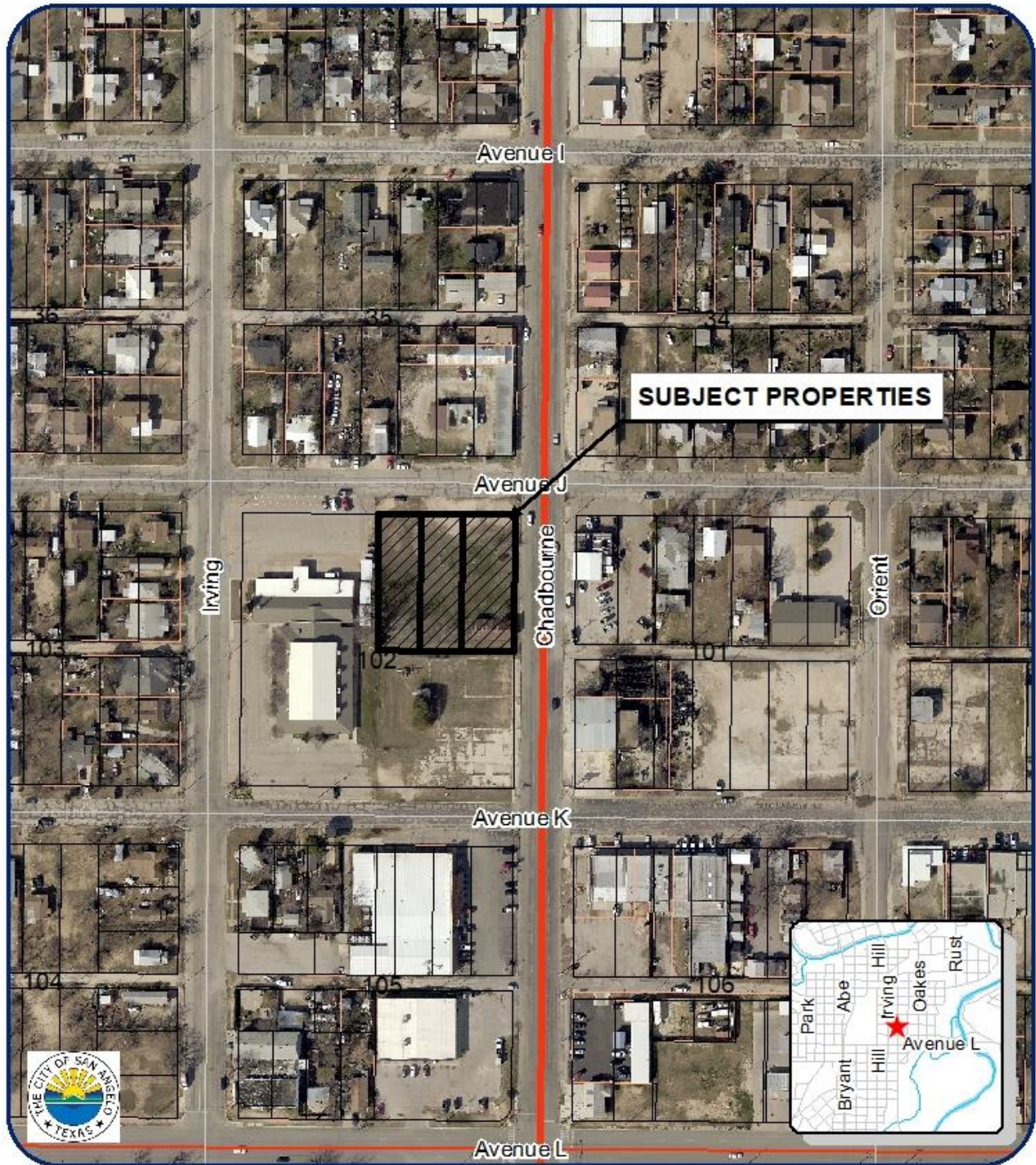
**Recommendation:**

Staff recommends **APPROVAL** of a Conditional Use to allow Household Living (Single-Detached Dwellings) in the General Commercial/Heavy Commercial (CG/CH) and Two-Family Residential (RS-2) Zoning Districts on the subject properties, **subject to two conditions of approval:**

1. The owners shall obtain Building Permits for the new single-family homes from the Permits and Inspections Division and pave the two required parking spaces.
2. The applicant shall include a sidewalk construction plan as part of the Building Permit showing sidewalks in front of the properties adjacent to W. Avenue J and Chadbourne Street and construct the sidewalks prior to final occupancy. Alternatively, the applicant may apply for a waiver or deviation to the Planning Director and City Engineer for their consideration.

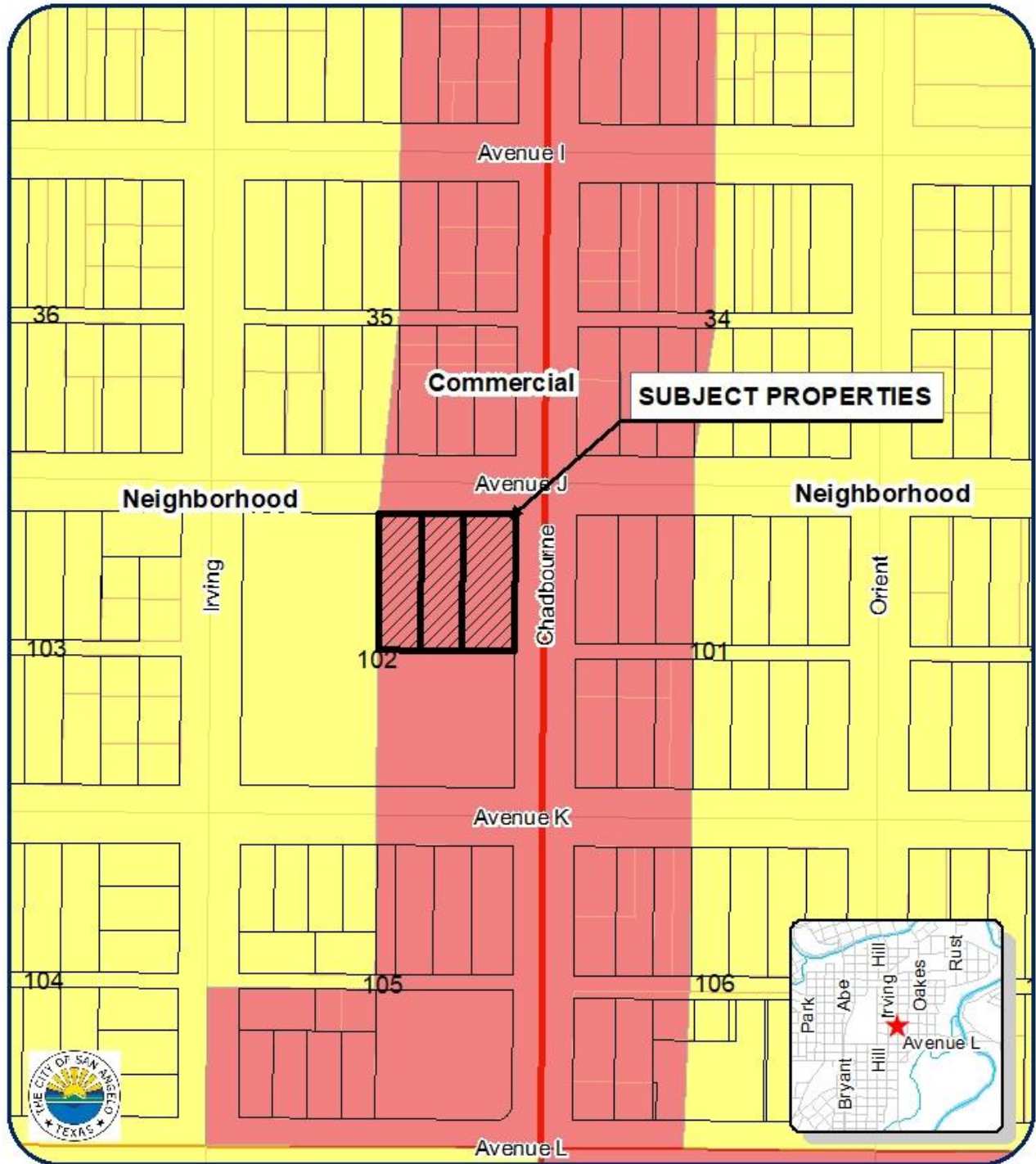
**Attachments:**

Aerial Map  
Future Land Use Map  
Zoning Map  
200-foot Notification Map  
Photographs



<p><b>Conditional Use</b>  <b>CU22-29: 3, 5, &amp; 9 W. Avenue J</b>          Council District 3 - Harry Thomas          Neighborhood: Fort Concho          Scale: 1" approx. = 175 ft</p> <p><b>SW of W. Avenue J and S. Chadbourne St., 0.743 ac.</b></p>	<p>N</p>	<p><b>Legend</b></p> <p>Subject Properties: </p> <p>Current Zoning: <b>CG/CH &amp; RS-2</b></p> <p>Requested Zoning Change: <b>N/A</b></p> <p>Vision: <b>Commercial</b></p>
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**Conditional Use**  
**CU22-29: 3, 5, & 9 W. Avenue J**

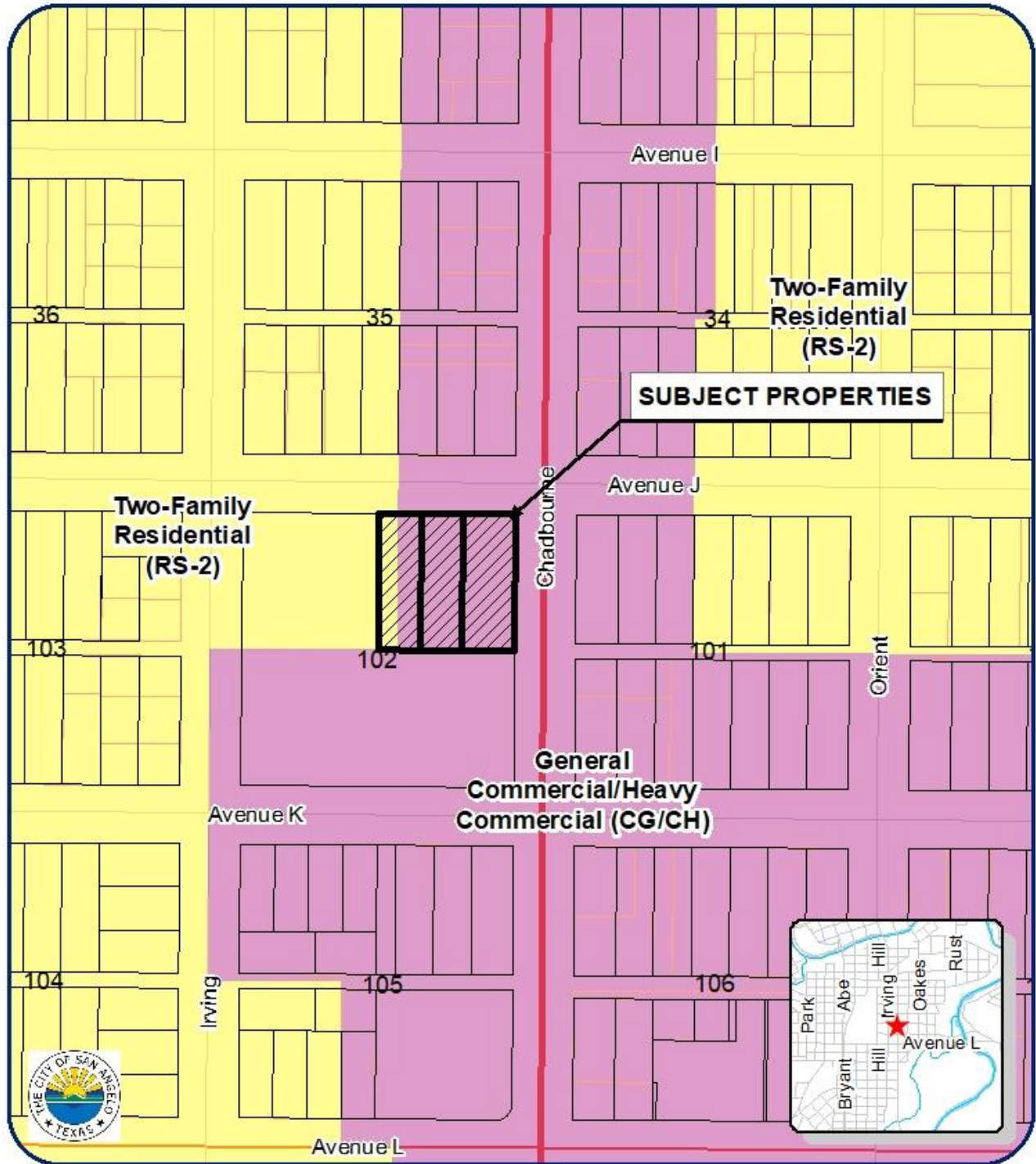
Council District 3 - Harry Thomas  
 Neighborhood: Fort Concho  
 Scale: 1" approx. = 175 ft

SW of W. Avenue J and S. Chadbourne St., 0.743 ac.



**Legend**

Subject Properties:   
 Current Zoning: **CG/CH & RS-2**  
 Requested Zoning Change: **N/A**  
 Vision: **Commercial**




**Conditional Use**  
**CU22-29: 3, 5, & 9 W. Avenue J**

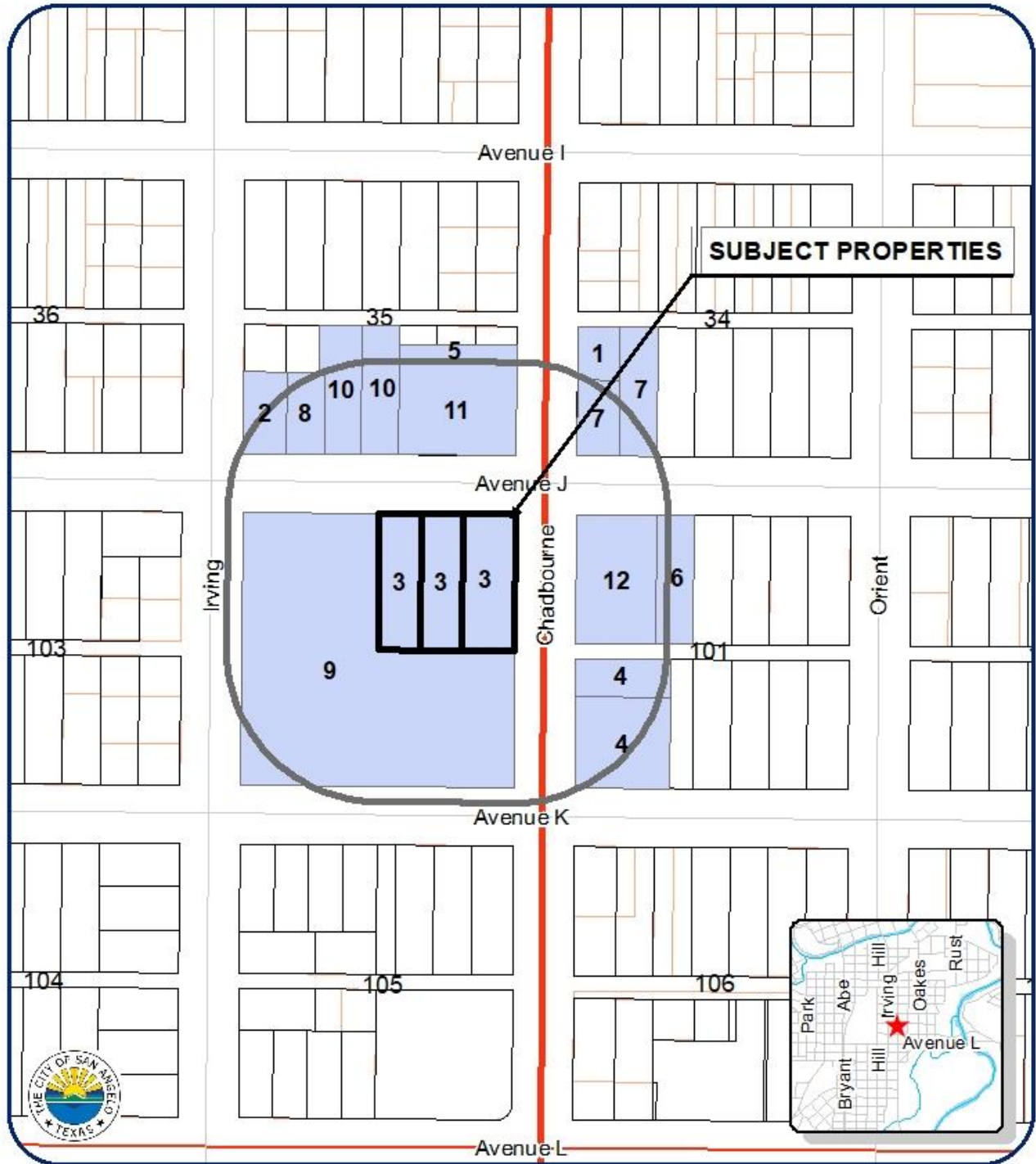
Council District 3 - Harry Thomas  
 Neighborhood: Fort Concho  
 Scale: 1" approx. = 175 ft

SW of W. Avenue J and S. Chadbourne St., 0.743 ac.



**Legend**

Subject Properties:   
 Current Zoning: **CG/CH & RS-2**  
 Requested Zoning Change: **N/A**  
 Vision: **Commercial**



**Conditional Use**

**CU22-29: 3, 5, & 9 W. Avenue J**

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

SW of W. Avenue J and S. Chadbourne St., 0.743 ac.



**Legend**

Subject Properties: **———**  
 Current Zoning: **CG/CH & RS-2**  
 Requested Zoning Change: **N/A**  
 Vision: **Commercial**

**Photos of Site and Surrounding Area**

SOUTH AT PROPERTY (VACANT)



NORTH



WEST



EAST



**PLANNING COMMISSION**

Staff Report – Short Term Rental 1802 Ave. I  
December 12, 2022

**PLANNING COMMISSION – December 12, 2022  
STAFF REPORT**



<b>APPLICATION TYPE:</b>		<b>CASE:</b>		
Conditional Use		CU22-30: 1802 Avenue I		
<b>SYNOPSIS:</b>				
A request for approval of a Conditional Use (CU) to allow a Short Term Rental (STR), as defined in Sec. 406 of the Zoning Ordinance, in RS-1 (Residential Single-Family) zoning, and located at 1802 Avenue I.				
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>		
1802 Avenue I		Blk: 7, Subd: SOUTH HEIGHTS ADDITION, E 50 FT OF LOTS 6 & 7		
<b>SM DISTRICT / NEIGHBORHOOD:</b>		<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
SMD District #5 – Karen Hesse-Smith Santa Rita Neighborhood		RS1- Single Family Residential	N- Neighborhood	0.121 acres
<b>THOROUGHFARE PLAN:</b>				
Required: minimum 30’ public street Existing: 35 feet width				
<b>NOTIFICATIONS:</b>				
26 notifications mailed within 200-foot radius on 11/29/22. Received 0 responses in opposition, 0 in favor.				
<b>STAFF RECOMMENDATION:</b>				
Staff’s recommendation is for the Planning Commission to <b>APPROVE</b> the proposed Conditional Use to allow a Short Term Rental (STR) at 1802 Avenue I.				
<b>PROPERTY OWNER/PETITIONER:</b>				
<i>Property Owner:</i> Doug & Laurie Properties LLC <i>Applicant:</i> Doug & Laurie Properties LLC				
<b>STAFF CONTACT:</b>				
Rae Lineberry Planner I (325) 657-4210, Extension 1533 <a href="mailto:Rae.lineberry@cosatx.us">Rae.lineberry@cosatx.us</a>				

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

1. **Impacts Minimized.** **Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** No, the applicant plans to make no changes to existing structures on the lot.
  2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** No, there are no short term rentals active within 500' of this proposed location.
  3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** The rental would be in a RS-1 (Single-Family Residential) Zoning district, and higher density residential is more compatible with Short Term Rentals.
  4. **Effect on Natural Environment.** **Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Staff does not believe that rental will have any adverse effects on the environment. The area infrastructure is already built to accommodate single-family zoning.
  5. **Community Need.** **Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** The STR will address a need for more rentals in the Santa Rita area.
  6. **Development Patterns.** **Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.** The applicant does not plan to alter any of the existing structures or add on to them and adequate parking is provided. The use will remain residential.
-

**Recommendation:**

Staff's recommendation is for the Planning Commission to **APPROVE** a Conditional Use to allow for a Short Term Rental (STR) in the Single-Family Residential (RS-1) Zoning District, **subject to the following three (3) Conditions of Approval:**

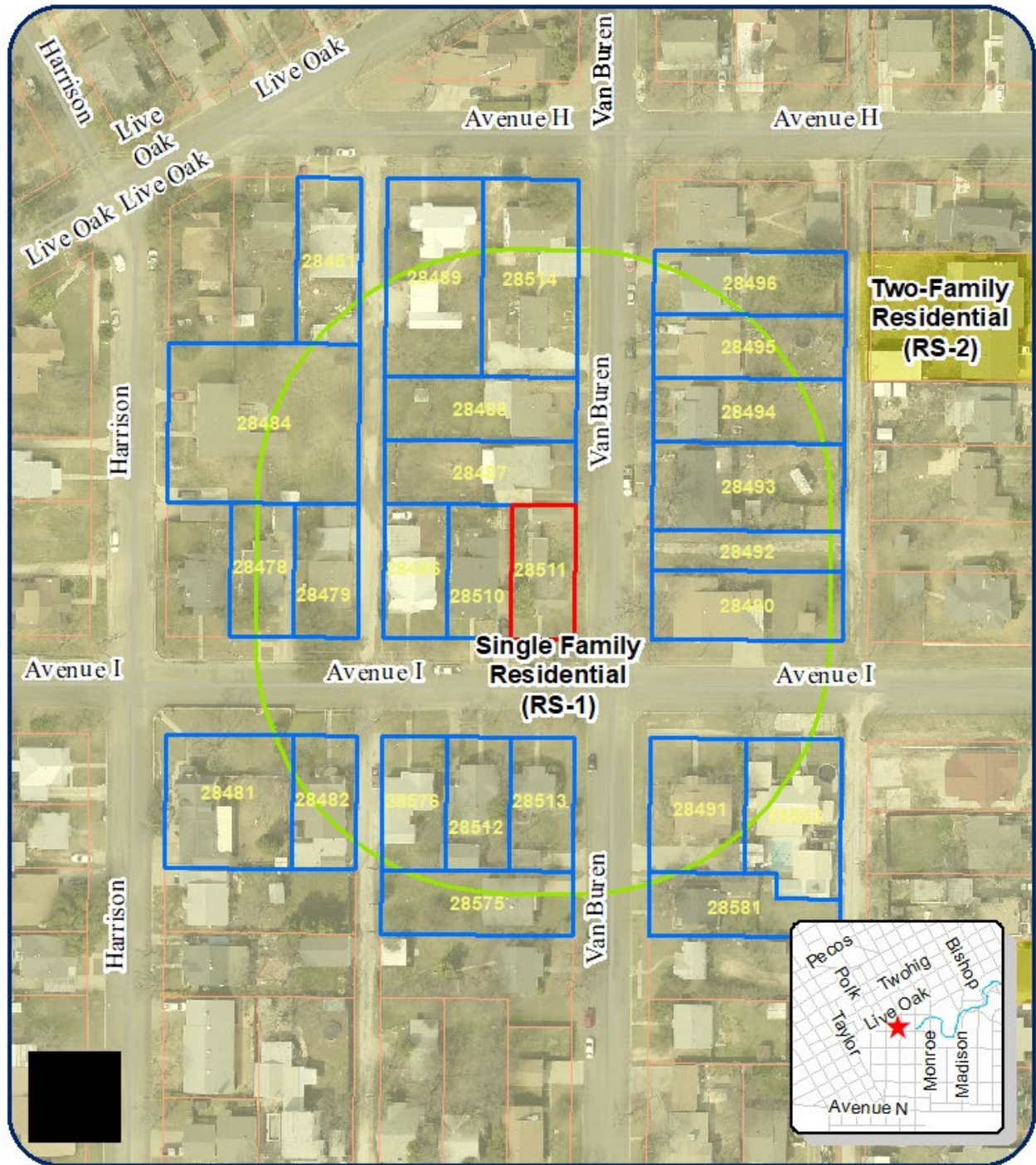
1. The owners shall construct the required two off-street paved parking spaces and maintain them in a manner consistent with Section 511 of the Zoning Ordinance.
2. The owners shall obtain a Certificate of Occupancy for the Short Term Rental from the Permits and Inspections Division.
3. The owner(s) shall obtain and comply with an annual fire inspection from the Fire Marshal's office.

**Note:**


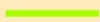

1. The property owner shall maintain the Short Term Rental operation in a manner consistent with Section 406 of the Zoning Ordinance, including a required renewal in one year, with subsequent renewals every two years, and proof that hotel tax payment is not delinquent.


**Attachments:**

Zoning Map  
Notification Map  
Site Images

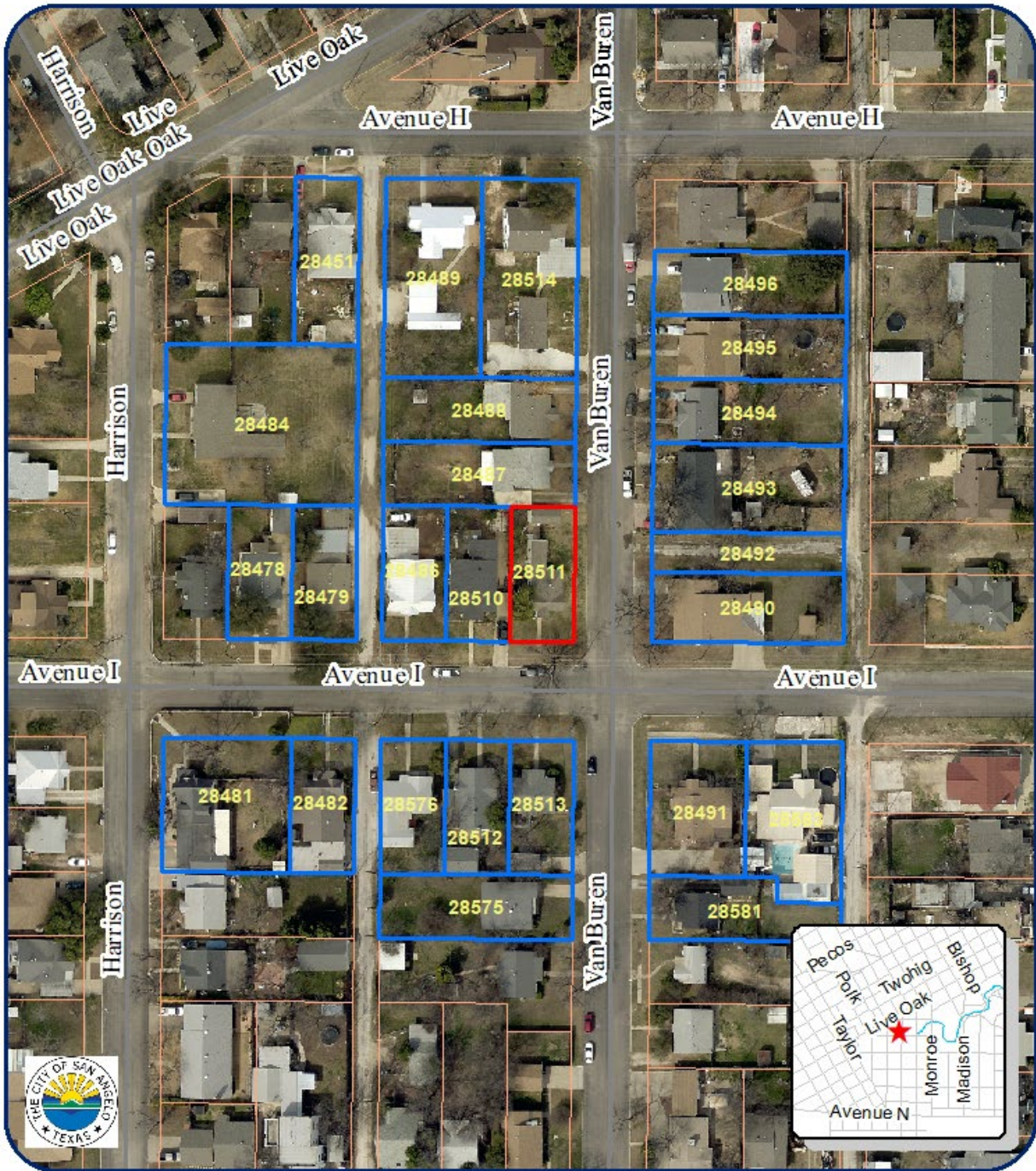


**Zoning Map**  
**CU22-26 1802 Avenue I**  
Council District: 5 Hesse-Smith  
Neighborhood: Santa Rita  
Scale: 0.0 0.008 0.01 0.02 0.03 0.04 Miles

Subject Properties:   
200' Buffer:   
Notified Properties: 




N 






**200' Notification Map**  
**CU22-30 1802 Avenue I**  
Council District: 5 Hesse-Smith  
Neighborhood: Santa Rita

Scale: 0.0006 0.01 0.02 0.03 0.04 Miles

Subject Properties:   
200' Buffer:   
Notified Properties: 

N 

Existing home



Street view

