

**PLANNING COMMISSION – FEBRUARY 20, 2023**  
**STAFF REPORT**



<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Final Plat		Crosswinds Subdivision, Section 1	
<b>SYNOPSIS:</b>			
<p>The applicant is seeking approval for a Final Plat of Section 1, Crosswinds Subdivision, intended to subdivide the subject property into 54 lots. Concurrently, the applicant has submitted associated Comprehensive Plan amendment and rezoning applications to rezone an associated 15+acre piece of property from General Commercial to Planned Development (PD) to encompass RS-3 (Zero Lot Line, Twinhome and Townhome Residential) Zoning District with an underlying RS-1(Single Family Residential) Zoning District, and leaving the remaining acreage as one large lot along the northern boundary of the property, to be heard at the February 21, 2023 City Council Meeting. The Preliminary Plat for this Final Plat was approved by PC on January 23, 2023.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
Generally located northeast of the intersection of Montague Avenue and the Veck Street extension, being 12.379 acres.		Being 12.379 acres of land out of that certain 30.53 acre tract described and recorded in Instrument No. 202216963, Official Public Records of Tom Green County, Texas.	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
SMD District – Lucy Gonzales Neighborhood: Paul Ann	General Commercial (GC) Zoning District	Commercial	12.379 Acres
<b>THOROUGHFARE PLAN:</b>			
<p><i>Montague Ave.: Required 50' min. ROW (30'+/- provided), 40' or 36' with a 4' sidewalk min. pavement</i></p> <p><i>Other internal streets: Required 50' min. ROW (50' provided), 40' or 36' with a 4' sidewalk min. pavement width (0' existing)</i></p>			
<b>NOTIFICATIONS:</b>			
N/A			
<b>STAFF RECOMMENDATION:</b>			
Staff recommends <b>APPROVAL</b> of the Crosswinds Subdivision, Section 1, subject to <b>Four conditions of approval</b> .			
<b>PROPERTY OWNER/PETITIONER:</b>			
<u>Property Owner</u> Mission Land Company, LLC.			
<u>Representative</u> Russell Gulley , SKG Engineering			
<b>STAFF CONTACT:</b>			
Zack Rainbow (325) 657-4210, Ext. 1547 <a href="mailto:zachary.rainbow@cosatx.us">zachary.rainbow@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 “Commercial” in the City’s Comprehensive Plan which intends to “to provide opportunities for development of commercial establishments of higher intensity, with larger trade area, floor area and traffic generation than Neighborhood Commercial uses. Limited outdoor storage, screened from adjacent residential uses, may be appropriate.” The purpose of the Final Plat is to facilitate construction of a variety of housing options in the Paul Ann area of town. The proposed Plat would allow the future 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:

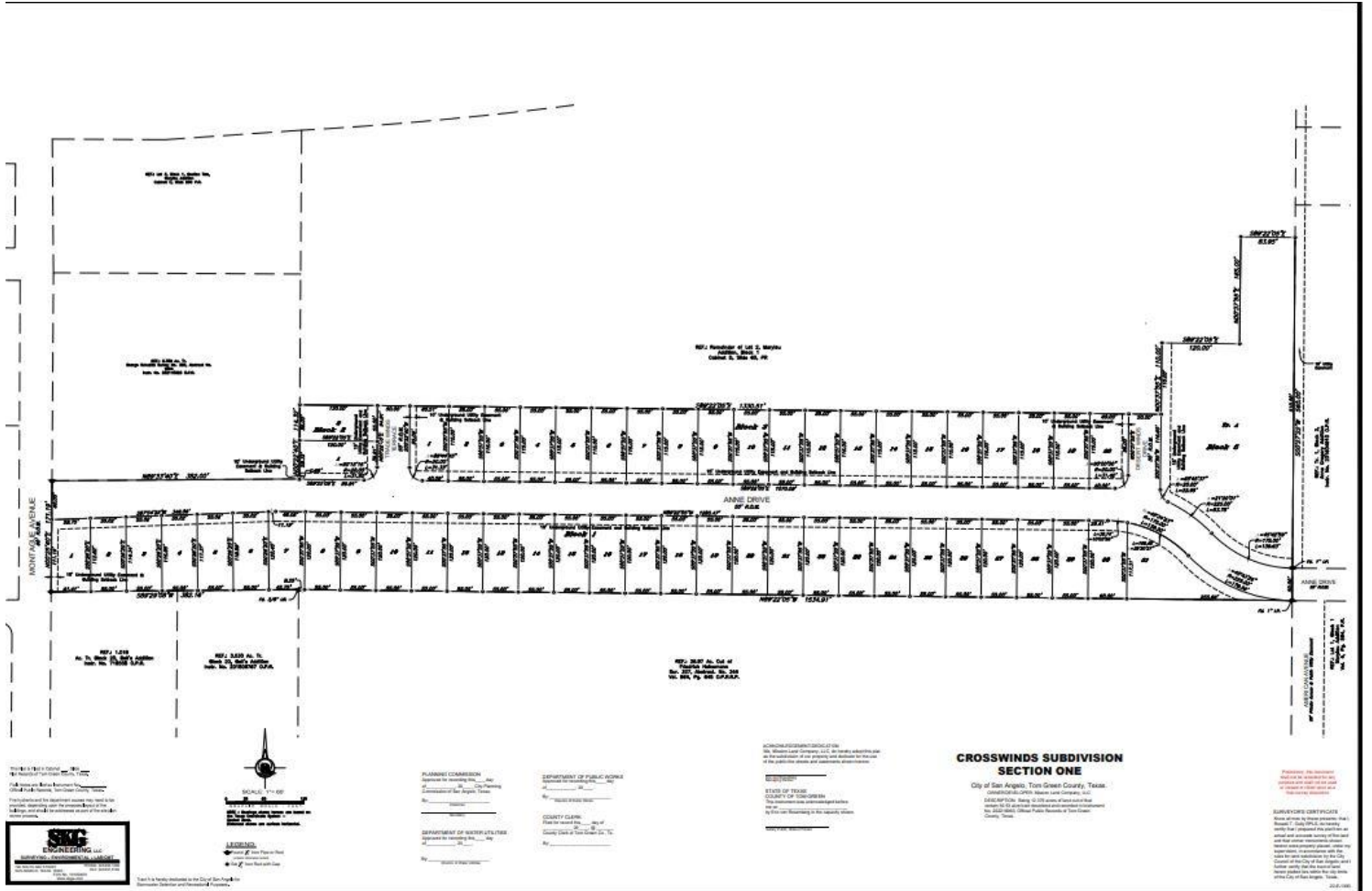
**APPROVE** the Final Plat of Crosswinds Subdivision, Sect. 1, subject to **Four (4) conditions of approval.**

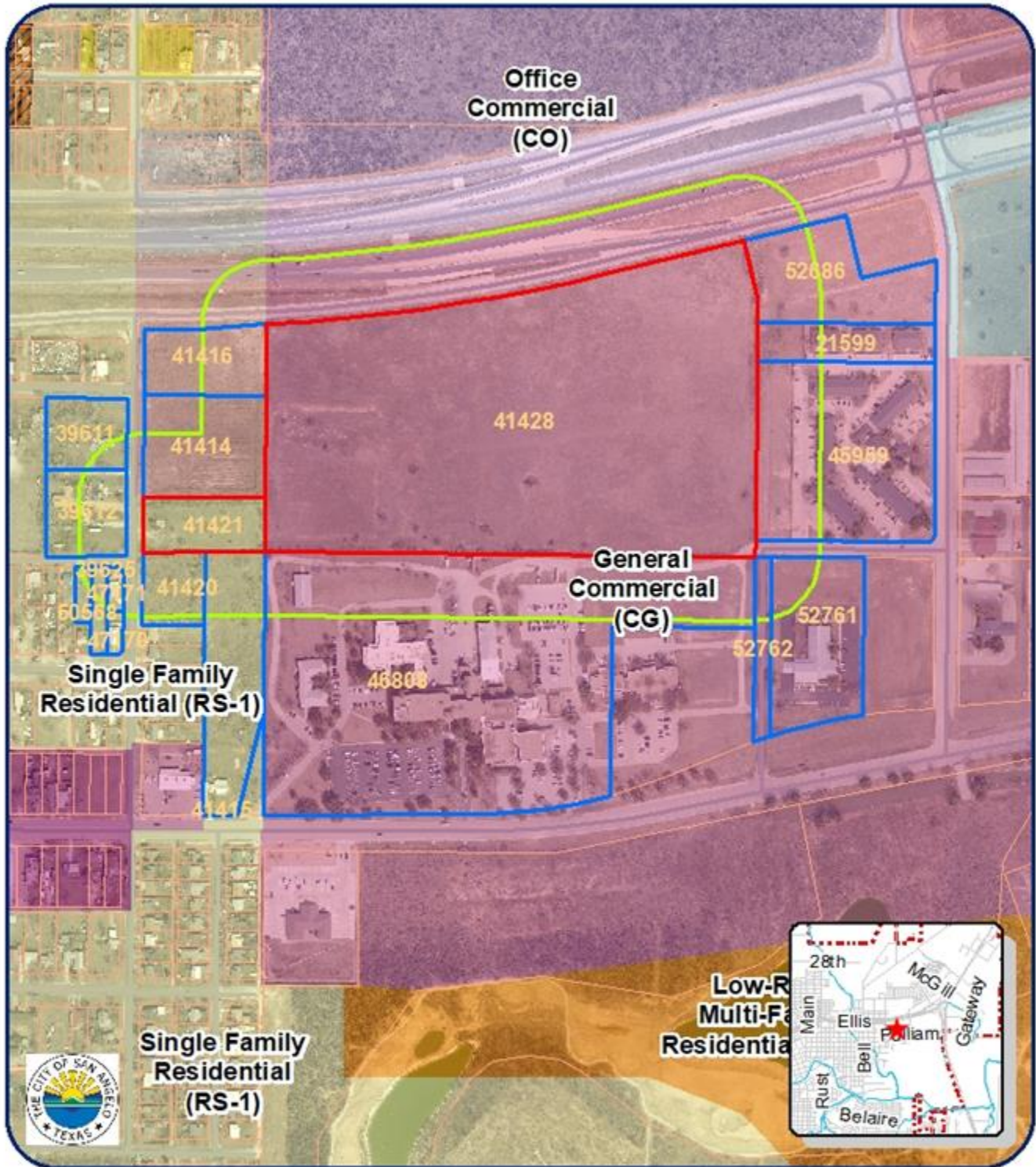
1. Streets to be built to City Standards-per the City Engineer. PRIOR TO PLAT RECORDATION SUBMIT INFRASTRUCTURE PLANS AND DRAINAGE STUDY, CONSTRUCT INFRASTRUCTURE AS APPROVED OR SUBMIT FINANACIAL GUARANTEE SAID CONSTRUCTION WILL BE COMPLETE WITHIN 36 MONTHS.
2. Prior to final signature, the associated Comp Plan amendment and rezoning must be approved by the City Council.
3. If the City accepts the dedication of land- labeled as Tract A, Block 5, put a note for the tract of land stating what its used for (drainage, detention, etc.)
4. Provide a tax certificate from the Tom Green CAD showing that there are no delinquent taxes.

**Attachments:**

Aerial Map  
Zoning Map  
Preliminary Plat

**PLANNING COMMISSION**  
**Staff Report – Crosswinds Subdivision**  
**February 20, 2023**





**Zoning Map**  
**222-27 2102-2298 E Houston Harte**

Council District: 4 Gonzales  
 Neighborhood: PaulAnn

Scale: 0 0.02 0.04 0.08 0.12 0.16 Miles

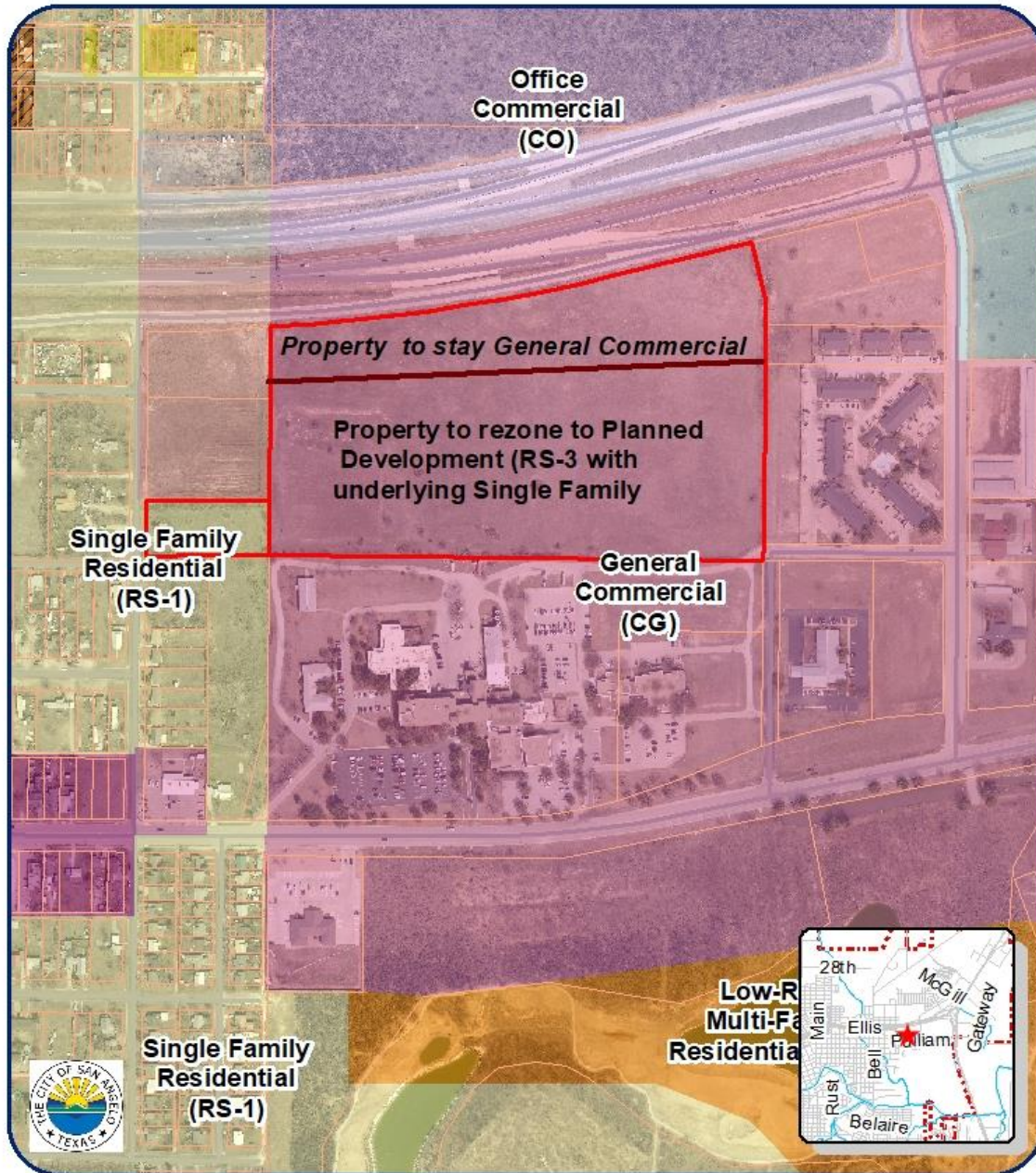
Subject Properties: —

200' Buffer: —

Notified Properties: —







**ZONING MAP**  
**Z22-27 2102-2298 E Houston Harte**  
 Council District: 4 Gonzales  
 Neighborhood: PaulAnn

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

Scale: 0 0.02 0.04 0.08 0.12 0.16 Miles

N



# STAFF REPORT –Z23-01

Scheduled Hearings:

City Council 1<sup>st</sup> reading: March 21, 2023,

City Council 2<sup>nd</sup> reading: April 4, 2023

<b>APPLICATION TYPE:</b>		<b>CASES:</b>	
Rezoning		Z23-01: Lots 17-40, Block 108, Section 45, Bentwood Country Club Estates	
<b>SYNOPSIS:</b>			
<p>The applicant has requested to rezone a 9.595 acre piece of property from Single-Family Residential (RS-1) to RS-3 (Zero Lot Line, Twinhome and Townhome Residential) Residential Zoning District. The majority of lots platted currently average 60-feet (w) by 120-feet (d) (7,200 square feet in area), approximately 55% smaller in lot area than adjacent Bentwood subdivisions. The original zoning to RS-1 was approved in December of 2020. If approved, the rezoning will allow for a replat of the existing lots into smaller sizes (to be a minimum of 25' (d) x 75' (w)). This will allow for the applicant to provide more housing choices on different sized lots consistent with the above policy. Having mixed housing types in one development to address a variety of needs as families mature.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
Located along Riviera Court, South of Club House Lane		Lots 17-40, Block 108, Section 45, Bentwood Country Club Estates	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
SM District: SMD 1- Hiebert Neighborhood: Country Club	RS-1 to RS-3	N-Neighborhood	9.6+/- acres
<b>NOTIFICATIONS:</b>			
<p>Notifications for Z23-01 were mailed within a 200-foot radius on February 1, 2023. No responses received in favor or opposition to date.</p>			
<b>STAFF RECOMMENDATION:</b>			
<p>Staff recommends <b>APPROVAL</b> of rezoning from Single-Family Residential (RS-1) to RS-3 (Zero Lot Line, Twinhome and Townhome Residential) Residential Zoning District. Changing 9.6+/- acres in Bentwood Country Club Estates, Sect. 45, to RS-3 Residential Zoning District.</p>			
<b>PROPERTY OWNER/PETITIONER:</b>			
<p><i>Applicants:</i> Bentwood C.C. L.L.C., Kevin Collins SKG Engineering, LLC</p>			
<b>STAFF CONTACT:</b>			
<p>Zack Rainbow Planning Manager (325) 657-4210 <a href="mailto:zachary.rainbow@cosatx.us">zachary.rainbow@cosatx.us</a></p>			

**Additional Information:** The proposed rezoning and any subsequent replatting of the lots will be consistent with the Neighborhood Future Land Use in the City’s Comprehensive Plan, 2009 Strategic Plan update. The Neighborhood policies call to “promote neighborhood diversity and security by encouraging a mix of age, income, and housing choices within San Angelo neighborhoods.” Any reconfiguration/replatting of the lots will require a public hearing at a future Planning Commission Meeting, which will require 200’ notifications to be sent to surrounding property owners. At that time, additional conditions may be placed upon approval of a replat.

**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 zoning designation from RS-1 to RS-3 is consistent with the policies stated in the Plan. The intent of the land use slated for this property is such that they will benefit from the different land uses and complement those uses. The applicant wants to provide a mixed-use, housing development that can provide for generational housing needs in close proximity to each other. This zoning would also give them the flexibility to meet the needs of the market as it evolves.
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 Residential (RS-1) to RS-3, with varying residential types is designed to provide for a comprehensive approach for both the residential uses as varying lot sizes.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** The RS-3 zoning will act as a transitional zone of a variety of residential uses adjacent to the larger lots in the Bentwood Country Club neighborhood, 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 more varied residential opportunities for a variety of people with a variety of needs.
5. **Effect on Natural Environment.** **Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** The area is currently vacant, but the infrastructure, to include the fully improved streets within the Bentwood CC, Section 45. The surrounding sections of

the Bentwood Neighborhood, have almost been built out with larger home sites. Rezoning a portion of the neighborhood to RS-3, provides for a transitional mix of residential housing types.

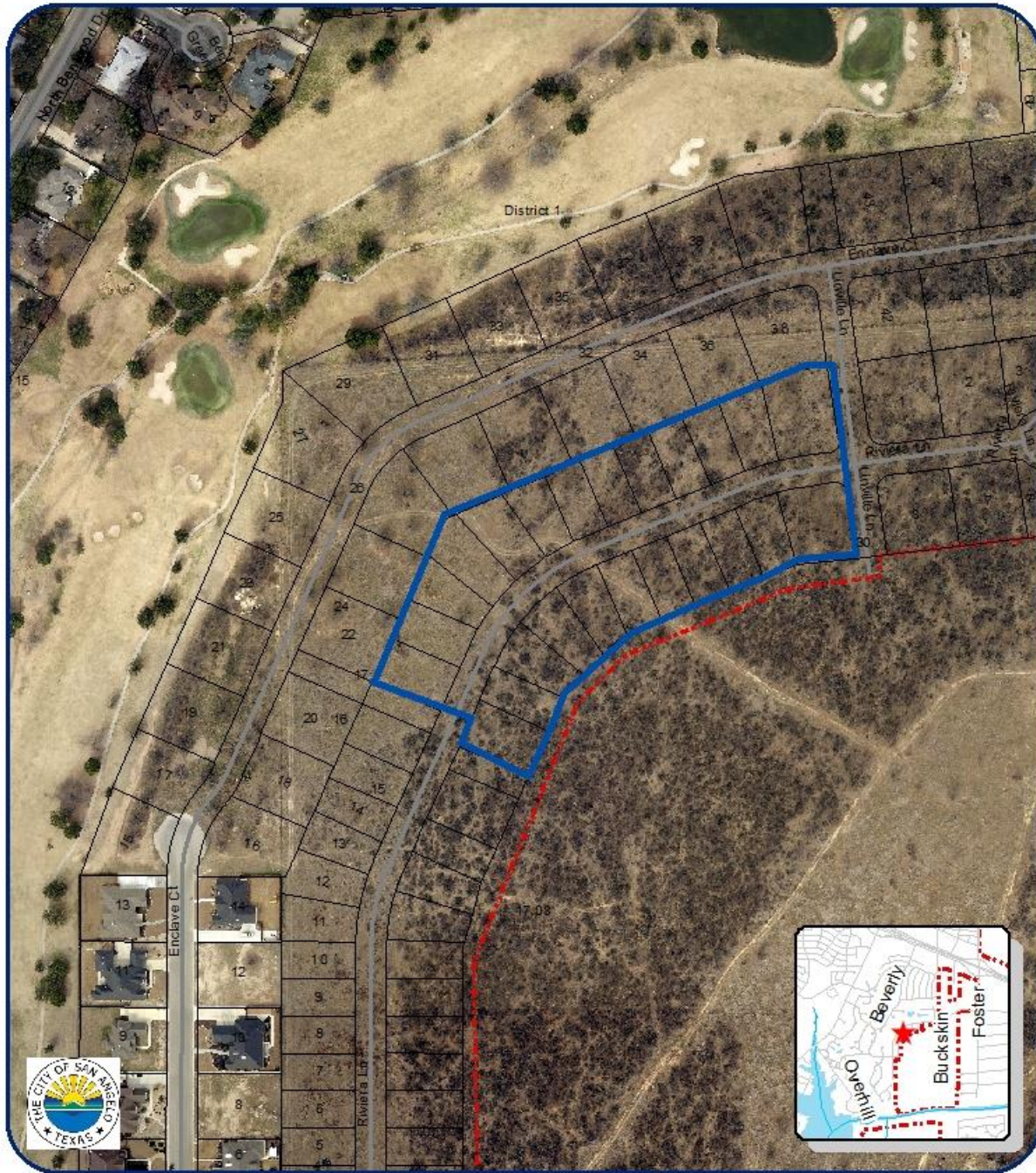
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The proposed preliminary plat will be consistent with the Neighborhood Future Land Use in the City’s Comprehensive Plan, 2009 Strategic Plan update. The Neighborhood policies call to “promote neighborhood diversity and security by encouraging a mix of age, income, and housing choices within San Angelo neighborhoods.”
  
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 established residentially zoned lots, and the rezoning is designed to be responsive to whenever a variety of housing needs may surface.

**Recommendation:**

Staff recommends **APPROVAL** of a rezoning from Single-Family Residential (RS-1) to RS-3 (Zero Lot Line, Twinhome and Townhome Residential) Residential Zoning District. Changing 9.6+/- acres in Bentwood Country Club Estates, Sect. 45, to RS-3 Residential Zoning District.

Existing Plat Map  
Zoning Map  
Applications





**200' Notification Map – RS-1 to RS-3**  
**Z23-01 Riviera Lane**  
Council District: #1 Tommy Hiebert  
Neighborhood: Country Club

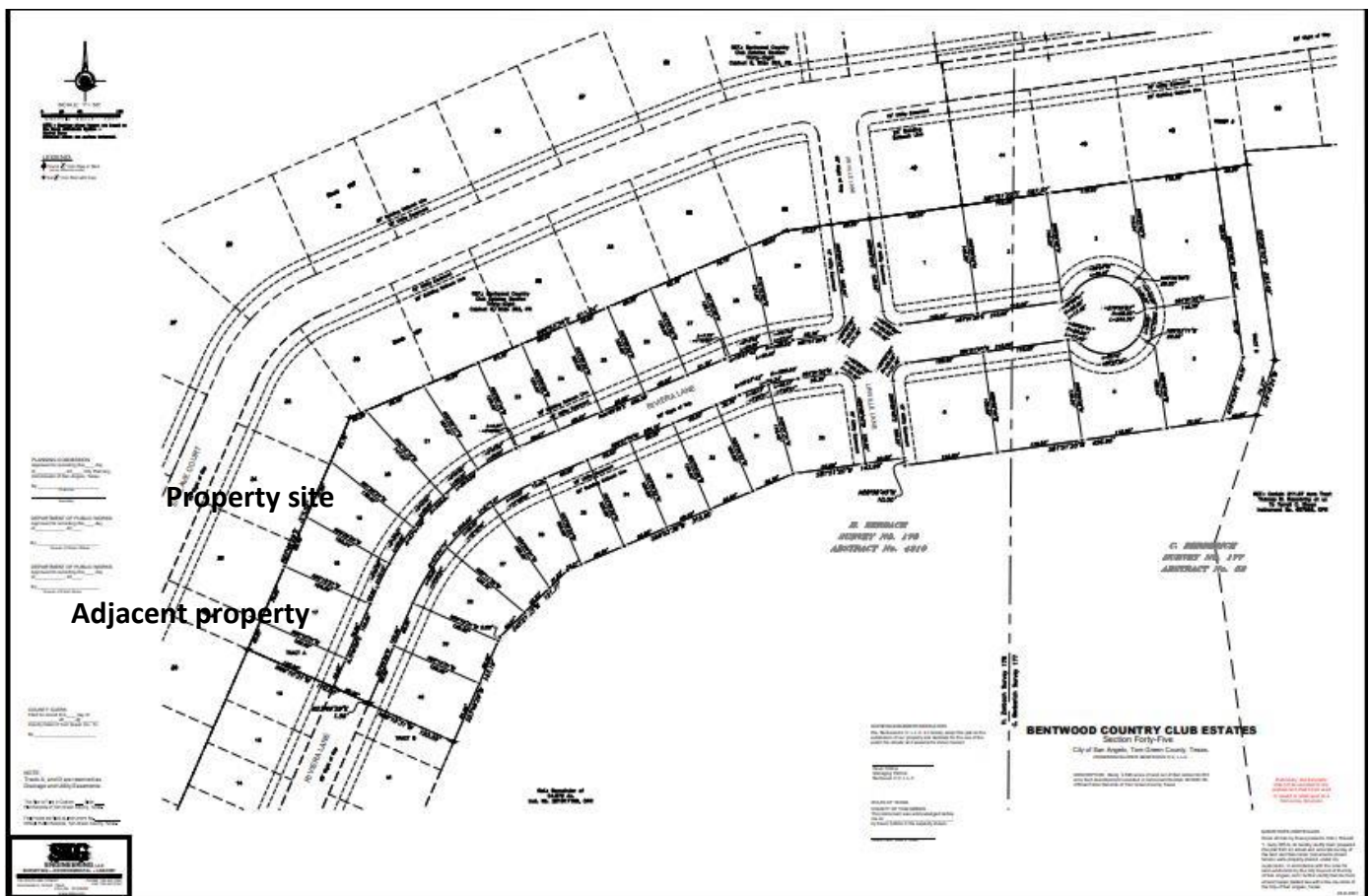
Scale: 0 0.01 0.02 0.04 0.06 0.08 Miles

Subject Properties: ———— (blue line)

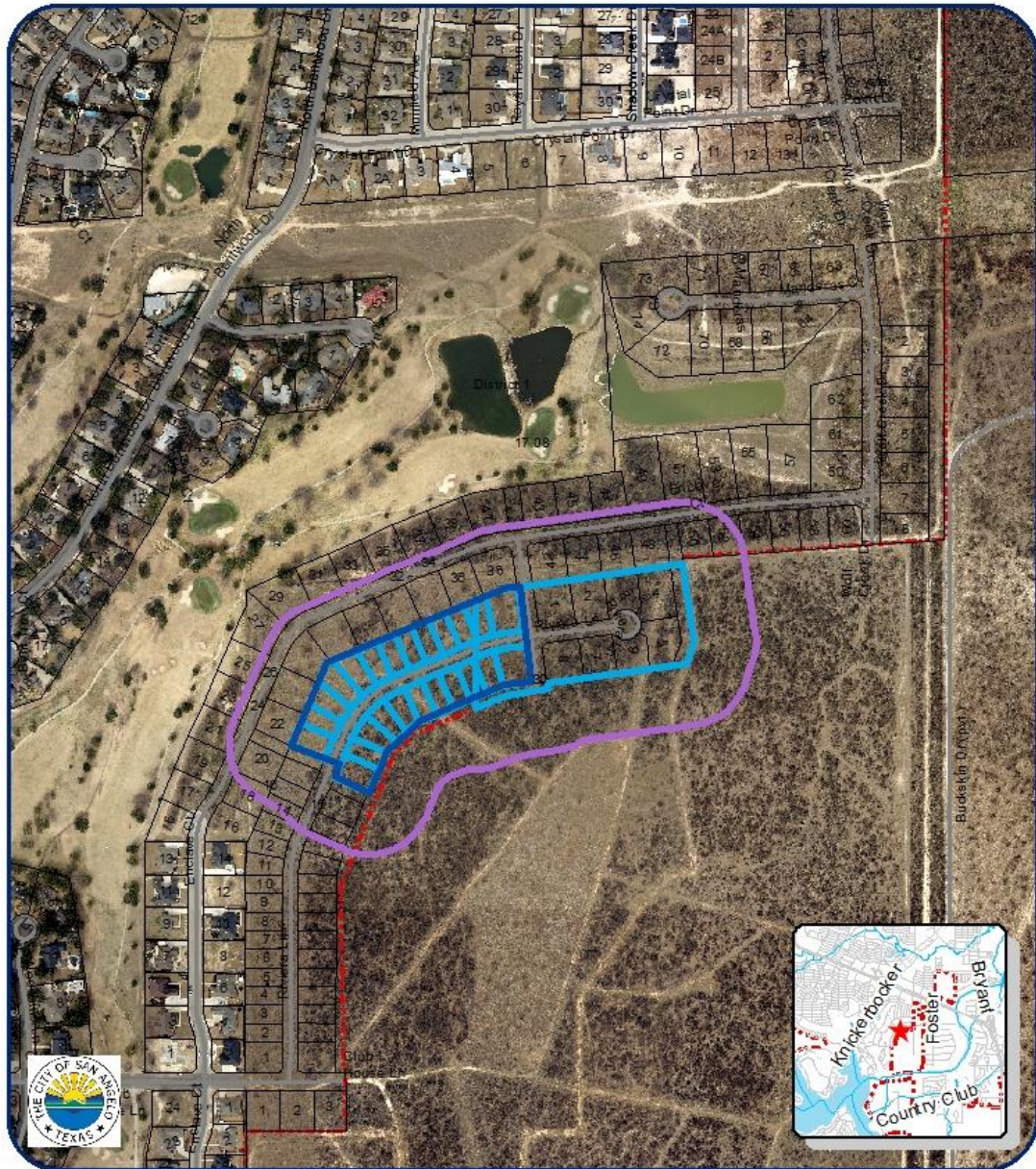
Notified Properties: ———— (red dashed line)

N



### Bentwood CC Estates, Sect 45 (existing plat)








**200' Notification Map – RS-1 to RS-3**  
**Z23-01 Riviera Lane**  
Council District: #1 Tommy Hiebert  
Neighborhood: Country Club  
Scale: 0 0.02 0.04 0.08 0.12 0.16 Miles

Subject Properties:   
Notified Properties: 


N 



# STAFF REPORT - Z23-02

City Council 1<sup>st</sup> reading: March 21, 2023

City Council 2<sup>nd</sup> reading: April 4, 2023

<b>APPLICATION TYPE:</b>		<b>CASES:</b>	
Rezoning		Z23-02: 402 N Bryant Blvd.	
<b>SYNOPSIS:</b>			
<p>The representative for the owner of the property at 402 N Bryant Blvd. has submitted a request to the Planning Staff for a rezoning from Light Manufacturing (ML) to General Commercial (CG). In this area, there is a mix of commercial uses and businesses. The applicant indicates that the property to the south is a drive-through burrito restaurant with a very similar use. The existing Vision Plan identifies this area as Commercial. The rezoning to CG- is in keeping with the future land use. The Central Business District (CBD) extends to N Bryant Blvd. and 3<sup>rd</sup> St., General Commercial is between W. 3<sup>rd</sup> St. and W. 4<sup>th</sup> St. Extending General Commercial along N. Bryant Blvd. is a reasonable extension of the commercial zoning expected along a highly traveled state highway.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
Northwest of the intersection of W.4 <sup>th</sup> St. and N Bryant Blvd.		MILES ADDITION Lot 1, being a replat of Block L	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
SMD District #3 – Harry Thomas Downtown Neighborhood	Light Manufacturing (ML)	Commercial	0.951 ac
<b>NOTIFICATIONS:</b>			
<p>17 notifications for Z23-02 were mailed within a 200-foot radius on January 30, 2023. No responses in favor or against have been received.</p>			
<b>STAFF RECOMMENDATION:</b>			
<p>Staff recommends <b>APPROVAL</b> of a rezoning from the Light Manufacturing (ML) to General Commercial (CG) for the property located at 402 N Bryant Blvd., located in the Miles Addition, Lot 1, Being a Replat of Block L; northeast corner of W. 4<sup>th</sup> St. and N. Bryant Blvd.</p>			
<b>PROPERTY OWNER/PETITIONER:</b>			
<p><i>Applicants:</i> Michael Allen and Patricia Trtee <i>Representative:</i> Russell Gulley - SKG</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:** Staff met with the applicant’s representative concerning the proposed rezoning, and the accompanying development meeting. The owner would like to develop a drive-through Coffee Café with small food items on one side of the new structure, and an express oil change facility on the other side of the structure. This type of combined-use facility has a long successful history in other communities. The applicant is familiar with that approach and is anticipating similar success with this site. The existing Medical Office facility will be demolished, and a new structure built in its place.

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 Commercial. 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.** The proposed rezoning 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 uses. 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 type of use has a history of success. Quick, concise, meeting multiple needs in one place seems to be filling a need. This project is consistent with that business type.
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 well suited for the proposed project and will meet the development needs.

**Recommendation:**

Staff recommends **APPROVAL** of a rezoning from the Light Manufacturing (ML) to General Commercial (CG) for the property located at 402 N Bryant Blvd., and located in the Miles Addition, Lot 1, Being a Replat of Block L; northeast corner of W. 4<sup>th</sup> St. and N. Bryant Blvd.

**Attachments:**

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



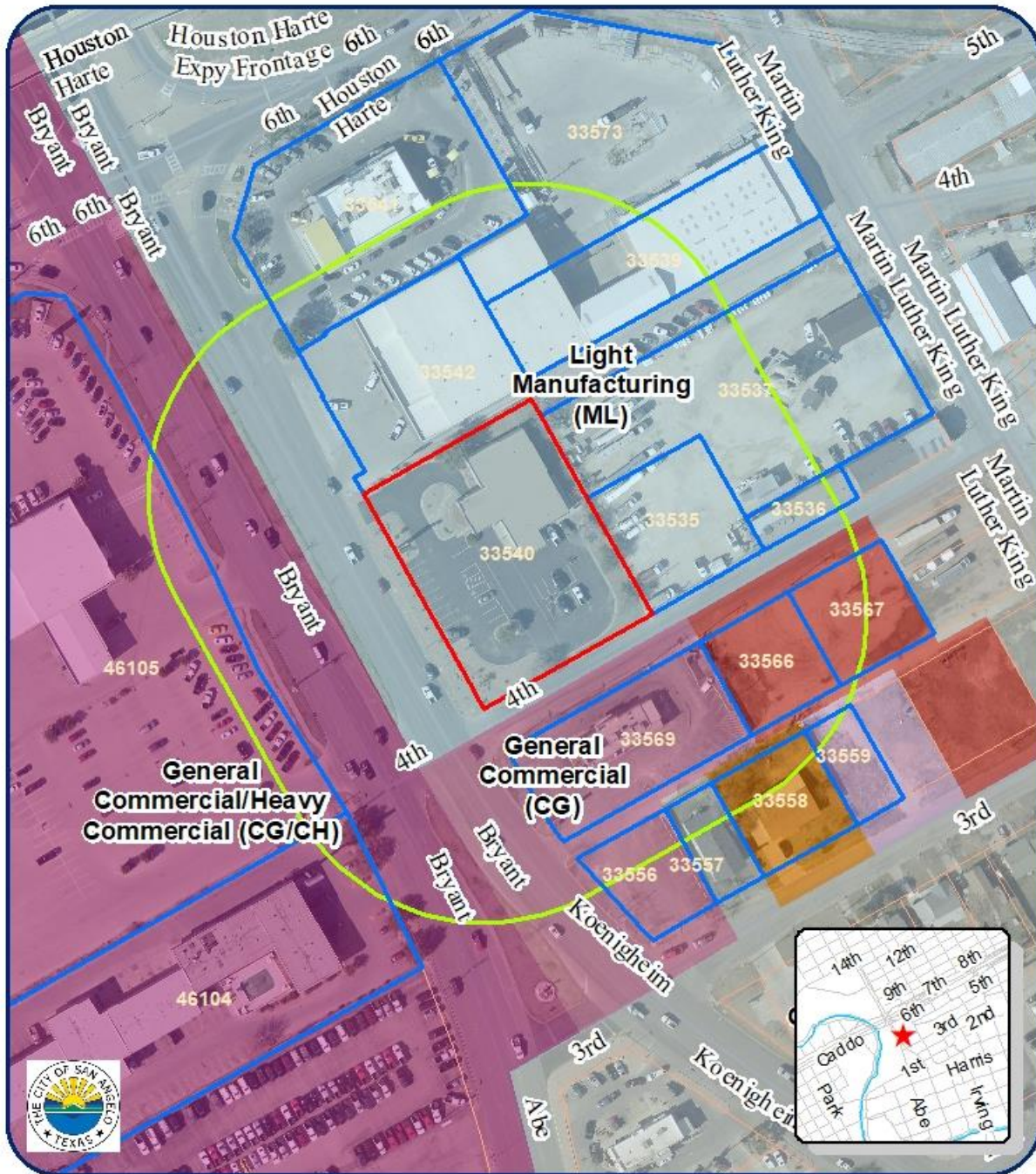


**Drive-thru restaurant across the street from this property.**



**Proposed Site**



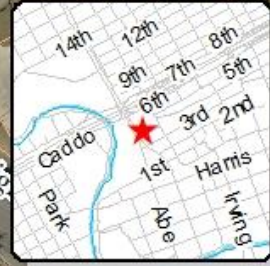
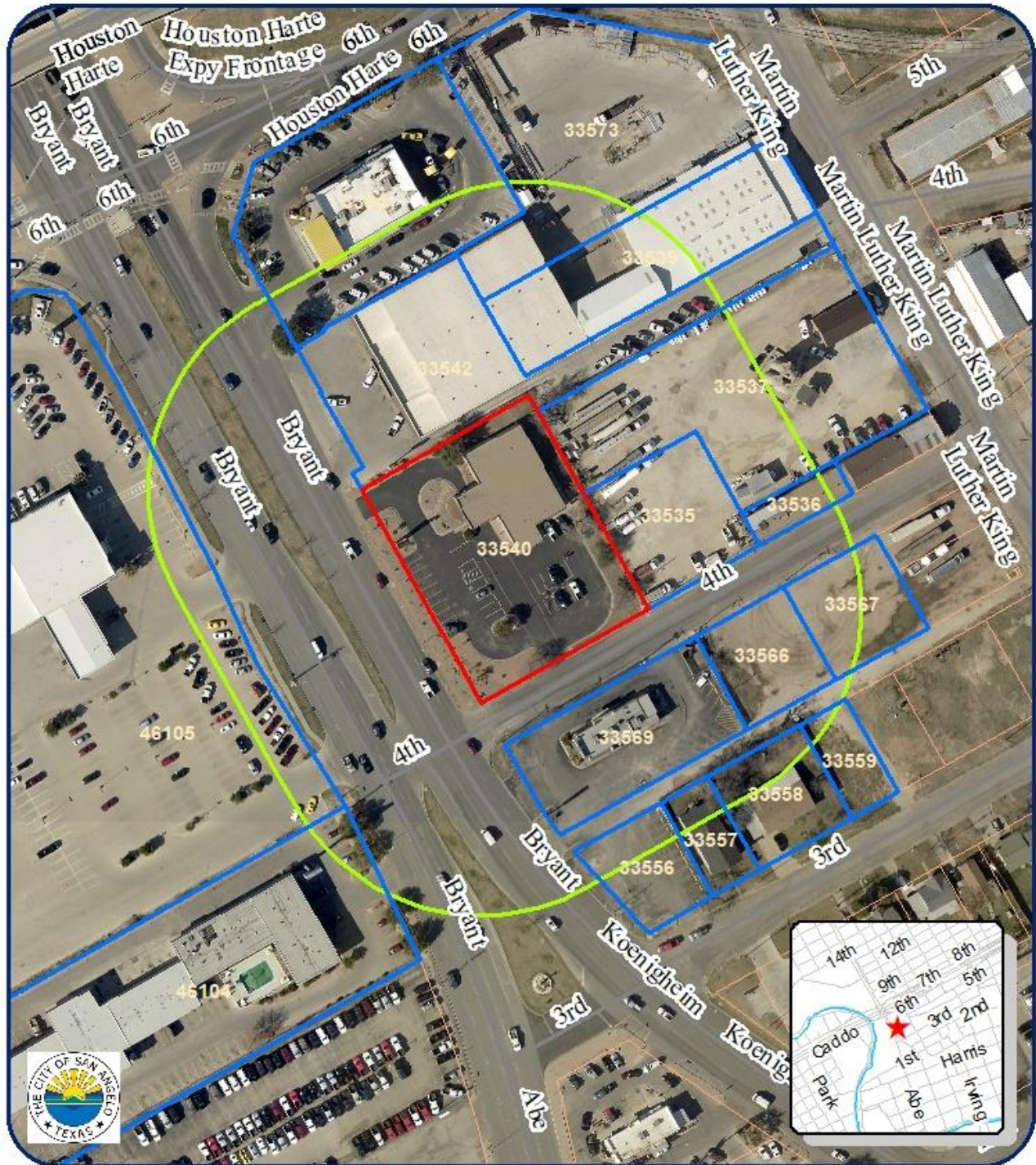


**Zoning Map**  
**Z23-02 402 N Bryant Blvd**  
 Council District: #3 Harry Thomas  
 Neighborhood: Downtown  
 Scale: 0.00501 0.02 0.03 0.04 Miles

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

N





**200' Notification Map**  
**Z23-02 402 N Bryant Blvd**

Council District: #3 Harry Thomas  
 Neighborhood: Downtown

Scale: 0.00 0.01 0.02 0.03 0.04  
 Miles

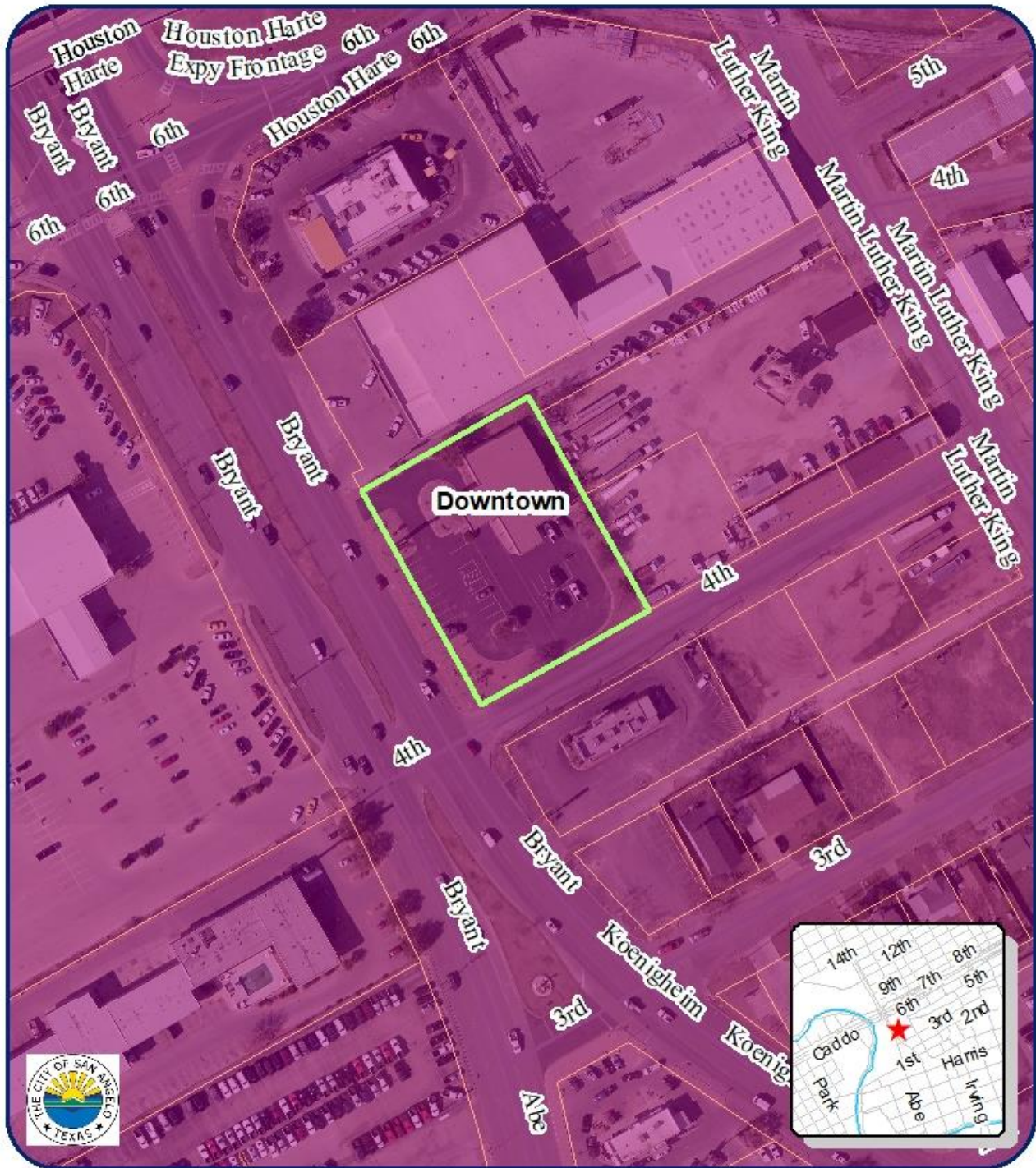
Subject Properties: —

200' Buffer: —

Notified Properties: —







### Future Land Use - Commercial-Downtown

#### Z23-02 402 N Bryant Blvd

Council District: #3 Harry Thomas

Neighborhood: Downtown

Scale: 00.000501 0.02 0.03 0.04

Miles

Subject Properties:



# PLANNING COMMISSION – February 20, 2023

## STAFF REPORT

City Council 1<sup>st</sup> reading: March 21<sup>st</sup>, 2023

City Council 2<sup>nd</sup> reading April 4<sup>th</sup>, 2023



<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Alley Right-of-Way Abandonment		Miles Addition, Blocks 39 & 40 Alley Abandonment	
<b>SYNOPSIS:</b>			
<p>The applicant has requested the abandonment of all public alleys within Blocks 39 &amp; 40 of the Miles Addition. The applicant owns most of the property within both blocks. The State of Texas, on behalf of the railroad, owns the rest of the property, except for a sign site. The applicant’s properties currently have no structures. In neither block has the alley been identified as “improved” even with caliche. The existing railroad tracks are well north of the alley property. By abandoning the alleys, it would allow the applicant to consolidate the unused property and offer it for development.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
Miles Addition Blocks 39 and 40, between 4 <sup>th</sup> and 5 <sup>th</sup> Streets and N. Oakes Street and N. Magdalen Street and Pecan Street		Being all public alleys located within Blocks 39 & 40, Miles Addition	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
District #3 – Harry Thomas Downtown Neighborhood	ML – Light Manufacturing	Downtown	0.232 acres (10,140 sq. ft.)
<b>THOROUGHFARE PLAN:</b>			
<p>Alleys were approved as part of the Miles Addition, filed for record March 10, 1887, with the Tom Green County Clerk.</p>			
<b>NOTIFICATIONS:</b>			
<p>37 notifications mailed on February 1, 2023. One received in support and zero in opposition.</p>			
<b>STAFF RECOMMENDATION:</b>			
<p>Staff recommends <b>APPROVAL</b> of the Alley Right-of-Way Abandonment request, subject to <b>Three conditions of approval.</b></p>			
<b>PROPERTY OWNER/PETITIONER:</b>			
Lee Pfluger – Southwest Orient Properties			
<b>STAFF CONTACT:</b>			
<p>Sherry Bailey Senior Planner (325) 657-4210, Ext. 1546 <a href="mailto:sherry.bailey@cosatx.us">sherry.bailey@cosatx.us</a></p>			



**Additional Information:**

City Staff circulated all relevant municipal departments, as well as public and private utility companies. There are no existing City services within the alley area to be abandoned. City departments expressed their support for the alley abandonment subject to conditions three conditions of approval. There were no other responses.

**Rationale:**

Planning Staff reviewed all relevant history, ordinances, policies, and conducted a site visit to the property on February 12, 2023, to determine the appropriateness of abandoning this public alley right-of-way.

- *Traffic patterns:* Planning Staff believes that existing or anticipated traffic patterns would not be negatively affected if the alley was abandoned and incorporated into adjacent properties. A site visit confirms that the alley is non-existent.
- *Utilities:* There are no existing City utilities in the alley. Water and sewer lines are in the streets adjacent to the property.
- *Community Impact:* Planning staff has sent adjacent owners public notice of the meeting. As a condition of approval, Planning Staff recommends that all abutting owners comply with the abandonment requirements within 24 months of approval.
- *Public Benefit:* The Planning Division recommends approval only for an entire alley to “allow that space to be more effectively integrated with adjoining private property owners, in a way which would enhance the long-term upkeep and appearance of this space. Closing the entire alley would benefit all owners and not only one or a few.
- *The State owns the land adjacent to the north on which the railroad has tracks that still service the railroad.* The abandonment of the alleys would not affect the existing tracks. Only the north railroad track line is still in existence, which is well out of the area to be abandoned.

**Recommendation:**

Staff recommends **APPROVAL** of the proposed abandonment and vacation of all public alleys within Blocks 39 & 40, of the Miles Addition, **subject to three conditions of approval:**

1. Per the Code of Ordinances, Section A9.008, payment per the assessment formula outlined in the fee schedule shall be remitted for all of the abandoned alley right-of-way, should the vacation and abandonment be approved.
2. Verification of the recordation of deed(s) officially abandoning the City's claim to the entirety of the abandoned alley(s) shall be provided.
3. Submit, obtain approval, 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 within 24 months of City Council’s decision.

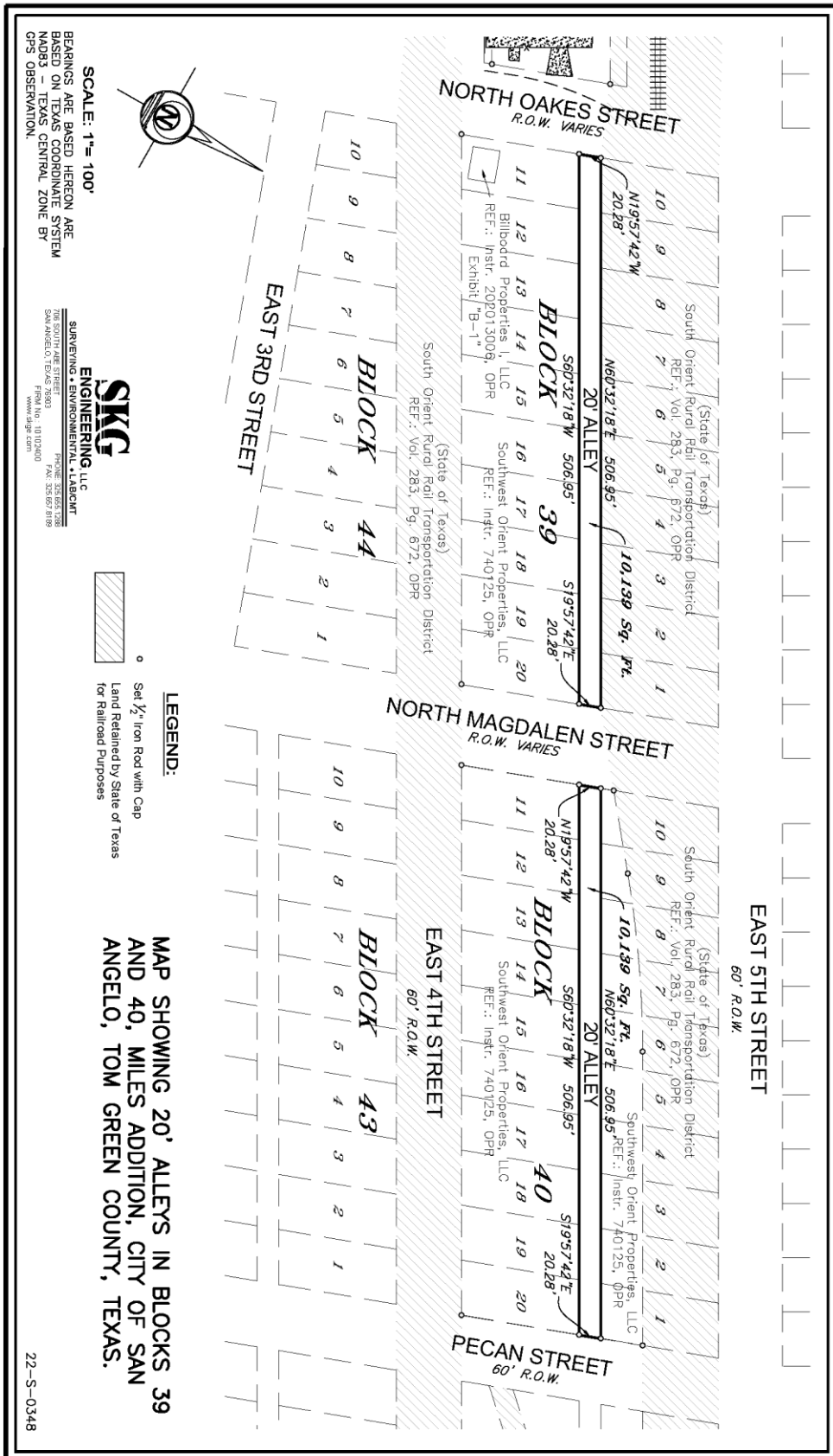
**Attachments:**

Alley Abandonment Exhibit

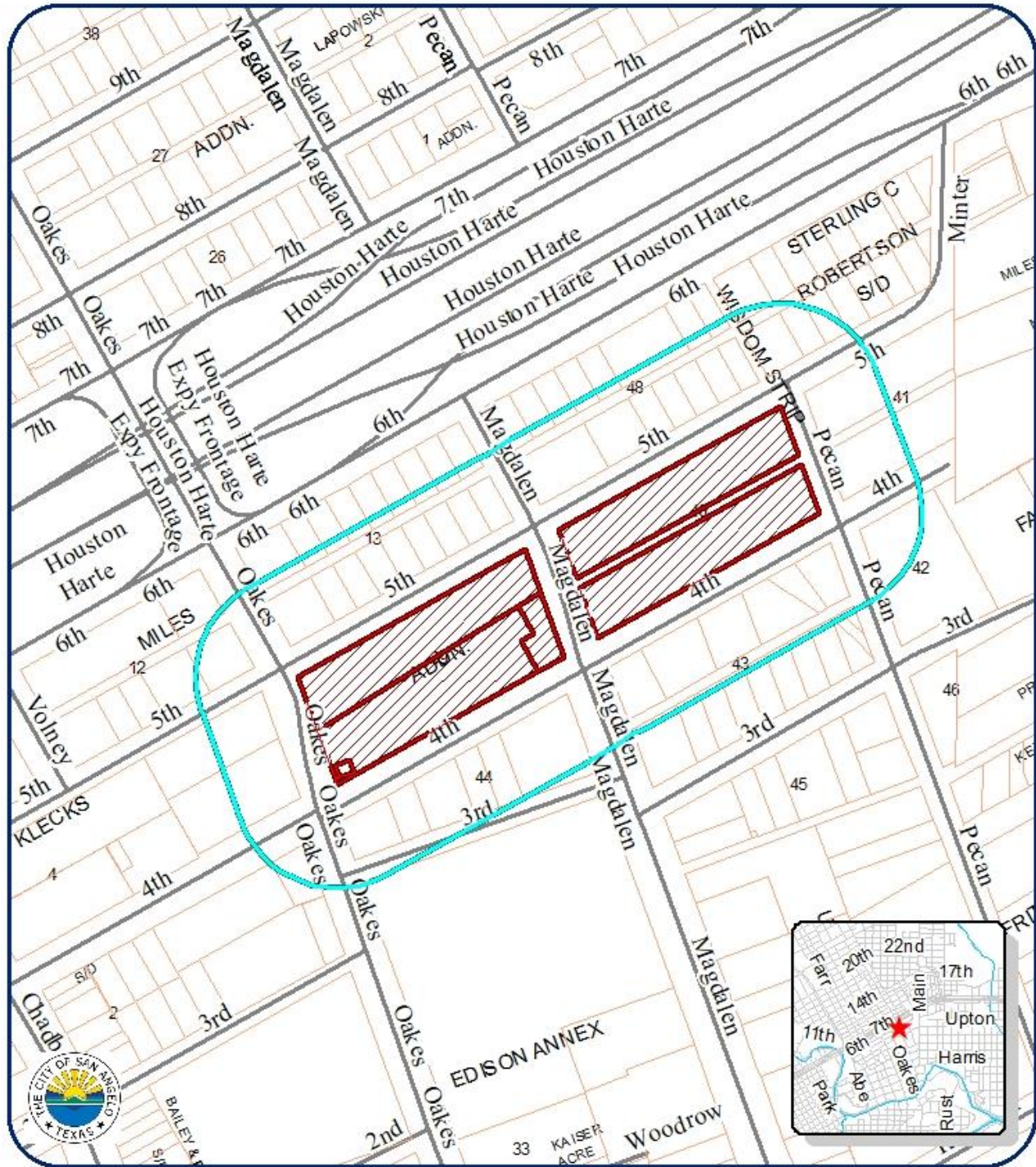
Notification Map

Zoning Map

Aerial Map





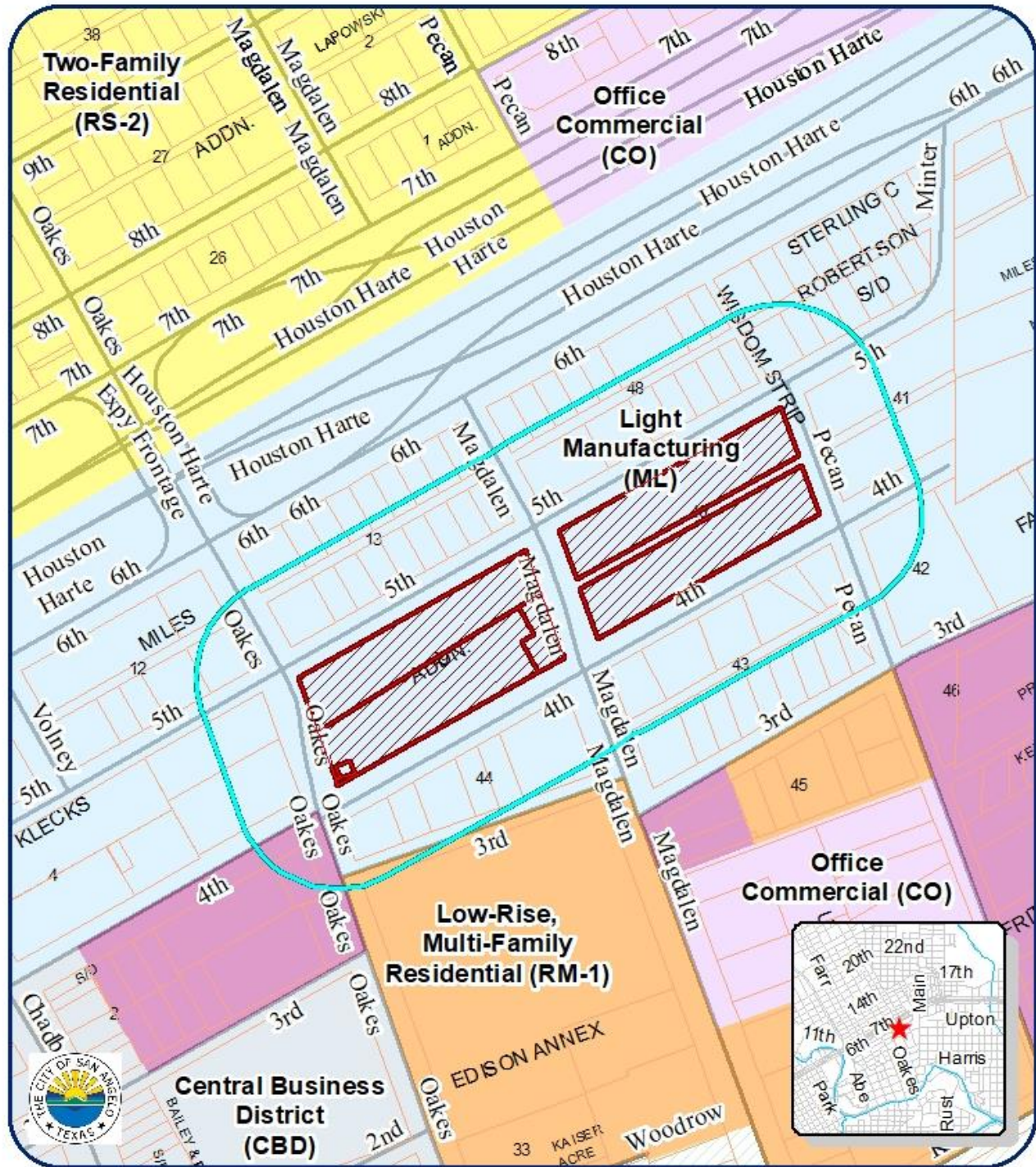


**Miles Add. Blk. 39 & 40**  
**Alley abandonment - 200' Notification Map**  
 Council District: #3 Harry Thomas  
 Neighborhood: Downtown  
 Scale: 0.01 0.025 0.05 0.075 0.1 Miles

**Subject Properties:** —  
**Notified Properties - 200':** —

N





**Miles Add. Blk. 39 & 40**  
**Alley abandonment - Zoning Map**

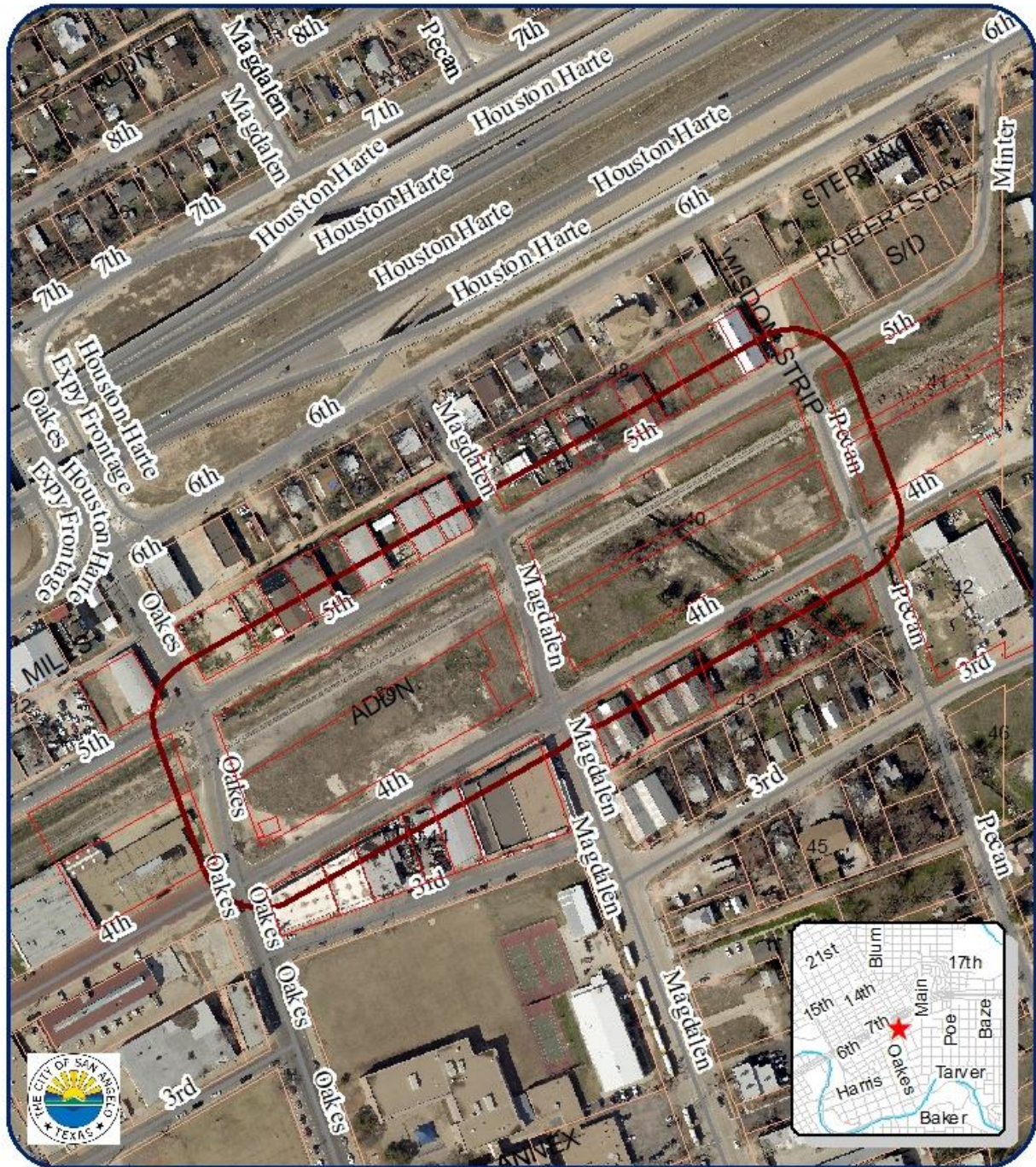
Council District: #3 Harry Thoomas  
 Neighborhood: Downtown

Scale: 0.0125 0.05 0.075 0.1 Miles

Subject Properties: —  
 Notified Properties - 200': —

N





**Miles Add. Blk. 39 & 40**  
**Alley abandonment - Aerial view**  
Council District: #3 Harry Thoomas  
Neighborhood: Downtown  
Scale: 0 0.01 0.02 0.04 0.06 0.08  
Miles

**Subject Properties:** ———

N  
▲



**PLANNING COMMISSION – February 20, 2023  
STAFF REPORT**



<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Conditional Use		CU23-01: 1601 Kansas Avenue	
<b>SYNOPSIS:</b>			
<p>A request for approval of a Conditional Use (CU) to allow a Short Term Rental (STR), as defined by Sec. 406 of the Zoning Ordinance in RS-1 residential zoning, located at 1601 Kansas Avenue.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
1601 Kansas Avenue		Legal: Acres: 0.161, Lot: 14 SEC 2, Blk: 7, Subd: CAPITOL HEIGHTS ADDITION	
<b>SM DISTRICT / NEIGHBORHOOD:</b>		<b>ZONING:</b>	<b>FUTURE LAND USE:</b>
SMD District #1 – Tommy Hiebert Rio Vista Neighborhood		RS1- Single Family Residential	N- Neighborhood
			<b>SIZE:</b> 0.161 acres
<b>THOROUGHFARE PLAN:</b>			
<p>Required: minimum 30' public street Existing- Kansas Ave: 50' width</p>			
<b>NOTIFICATIONS:</b>			
20 notifications mailed within 200-foot radius on 2/02/23. 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 1601 Kansas Avenue.</p>			
<b>PROPERTY OWNER/PETITIONER:</b>			
<p><i>Property Owner:</i> Trieu Huynh <i>Operator:</i> Khanh Nguyen</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 adverse effects anticipated. 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 zoning area, and higher density residential is more compatible with short term rentals.
  4. **Effect on Natural Environment.** **Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Staff does not believe that rental will have any adverse effects on the environment. The area infrastructure is already built to accommodate 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 Rio Vista 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 Conditions of Approval:**

1. The owners shall pave the required two 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.

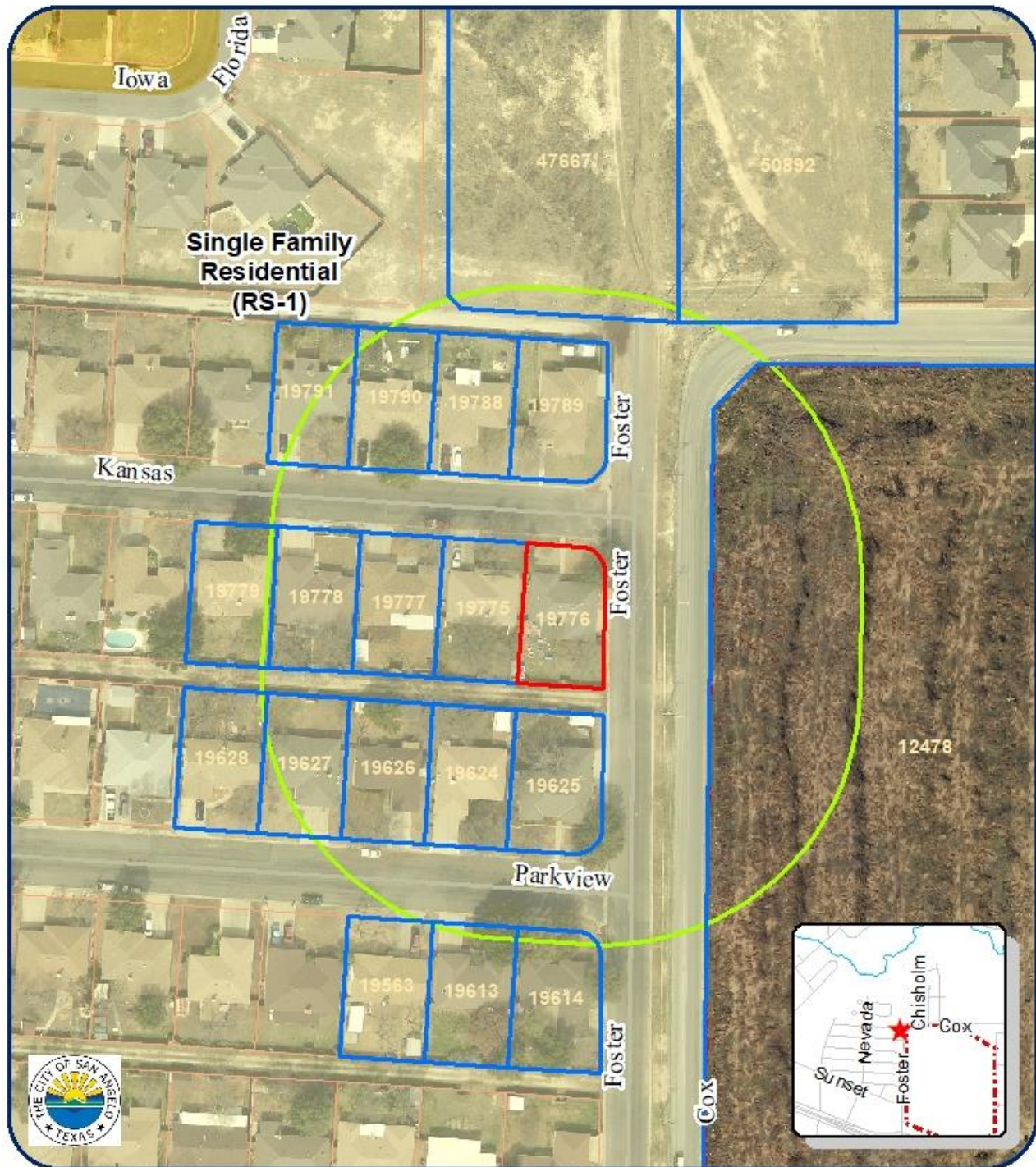
**Attachments:**

Zoning Map

Notification Map

Site Images





**Zoning Map**  
**CU23-01 1601 Kansas Ave (STR)**

Council District: #1 Tommy Hiebert  
Neighborhood: Rio Vista

Scale: 0.0000 0.01 0.02 0.03 0.04  
Miles

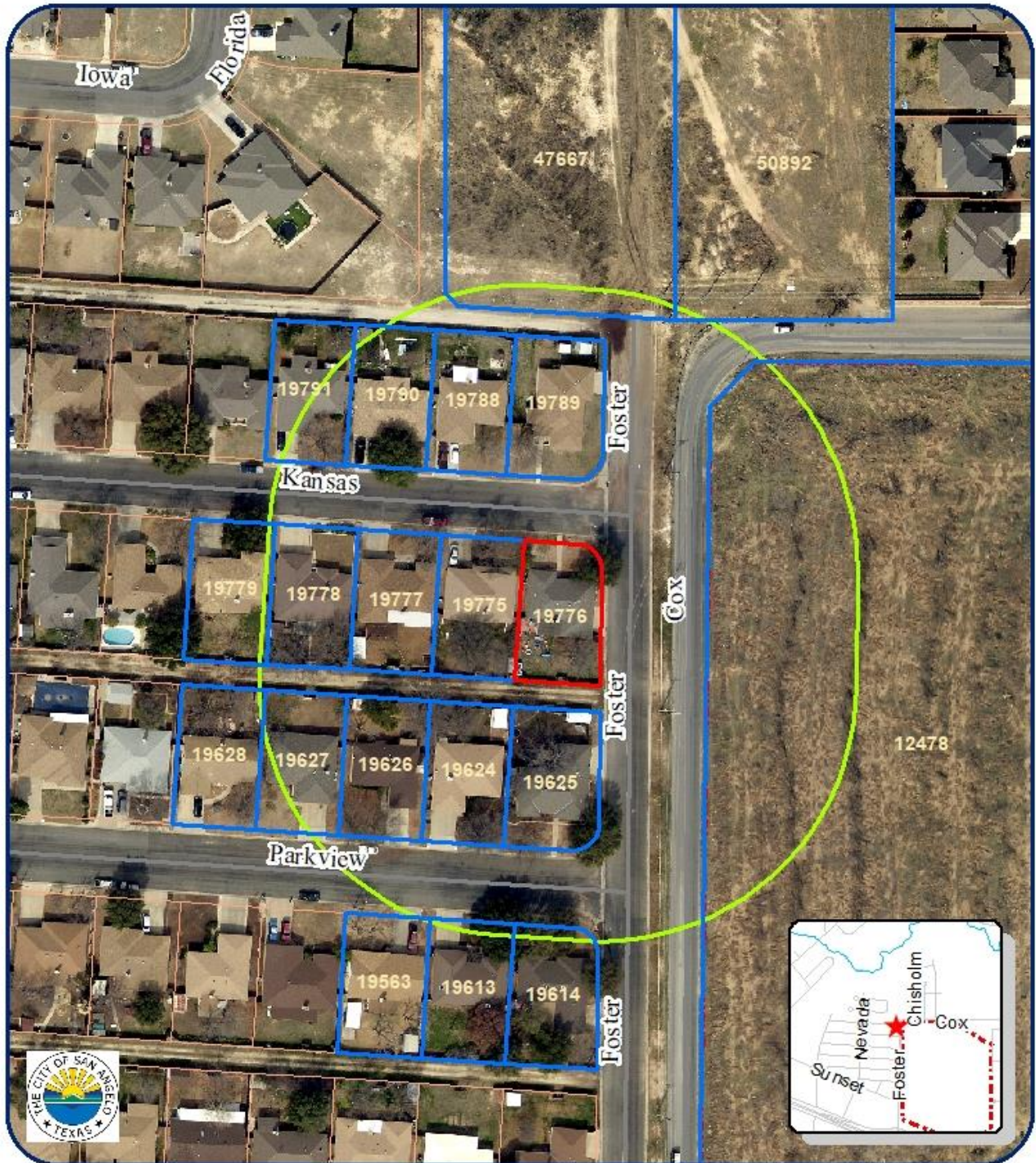
Subject Properties: 

200' Buffer: 

Notified Properties: 







**200' Notification**  
**CU23-01 1601 Kansas Ave (STR)**

Council District: #1 Tommy Hiebert  
Neighborhood: Rio Vista

Scale: 0 0.0006 0.01 0.02 0.03 0.04  
Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —



**Existing Home**



**Parking & Street View**





**PLANNING COMMISSION – February 20, 2023  
STAFF REPORT**



<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Conditional Use		CU23-02: 225 Oakwood Street (STR)	
<b>SYNOPSIS:</b>			
A request for approval of a Conditional Use (CU) to allow a Short Term Rental (STR), as defined by Sec. 406 of the Zoning Ordinance in RS-1 residential zoning, and located at 225 Oakwood Street.			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
225 Oakwood Street		Legal: Legal: Acres: 0.180, Lot: 7, Blk: H, Subd: RIVER OAKS ANNEX	
<b>SM DISTRICT / NEIGHBORHOOD:</b>		<b>ZONING:</b>	<b>FUTURE LAND USE:</b>
SMD District #3 – Harry Thomas Glenmore Neighborhood		Single-Family Residential (RS-1)	N- Neighborhood
			<b>SIZE:</b>
			0.180 acres
<b>THOROUGHFARE PLAN:</b>			
Required: minimum 30' width Public Street Existing- Oakwood St: 50' width, 30' pavement width			
<b>NOTIFICATIONS:</b>			
14 notifications mailed within 200-foot radius on 2/02/23. 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 (CU) to allow a STR at 225 Oakwood Street.			
<b>PROPERTY OWNER/PETITIONER:</b>			
<i>Property Owner/Operator:</i> Tanner Hanisch			
<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>			

**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, from our records 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 zoning area, and higher density residential is more compatible with short term rentals.
4. **Effect on Natural Environment.** Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment. Staff does not believe that rental will have any adverse effects on the environment. The area infrastructure is already built to accommodate 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 Glenmore 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 (CU) 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 pave the required two 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 STR 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.

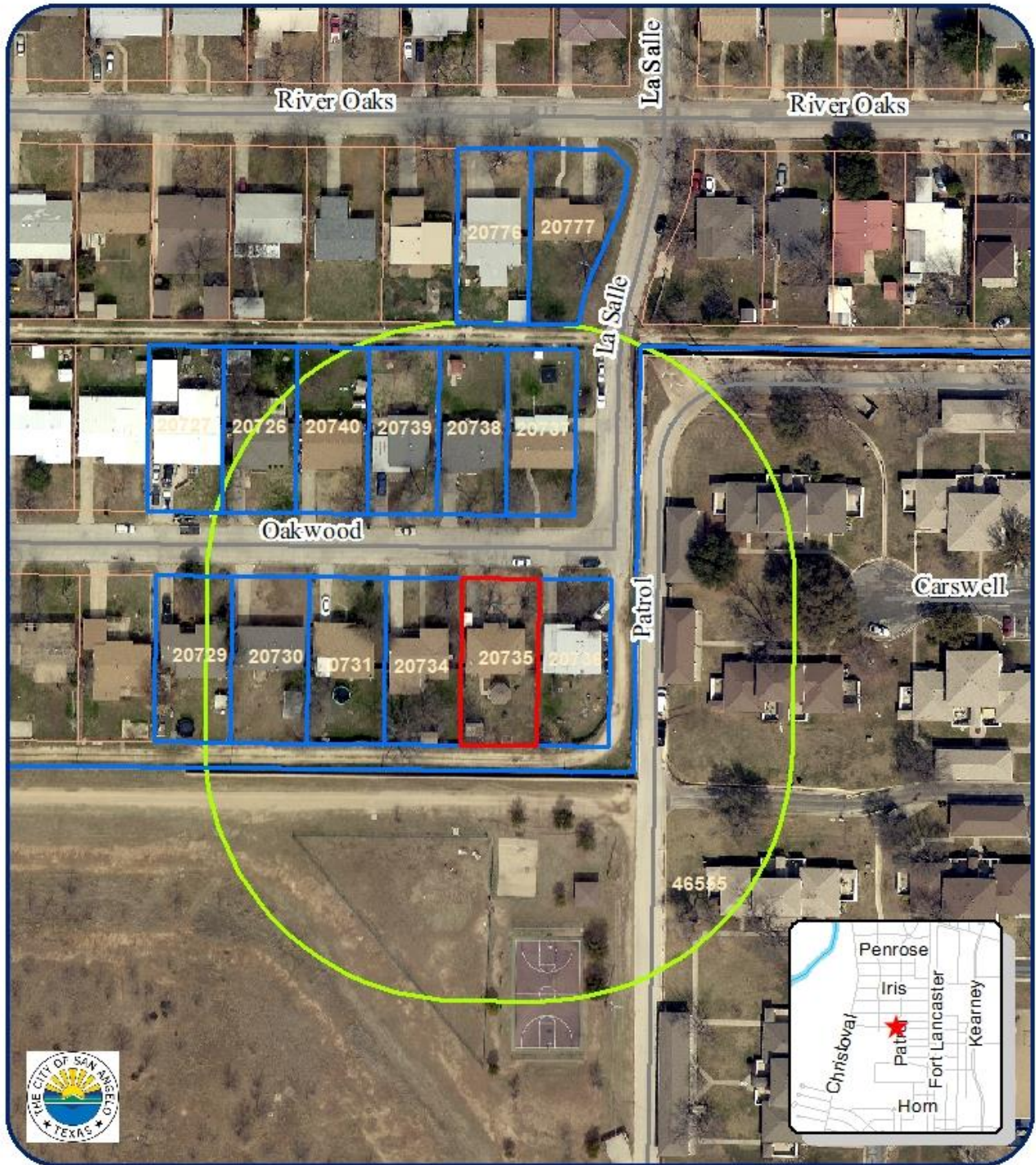
**Attachments:**

Notification Map

Zoning Map

Site Images





**200' Notification Map**  
**CU23-02 225 Oakwood**

Council District: #3 Harry Thomas  
Neighborhood: Glenmore

Scale: 0.0000 0.01 0.02 0.03 0.04  
Miles

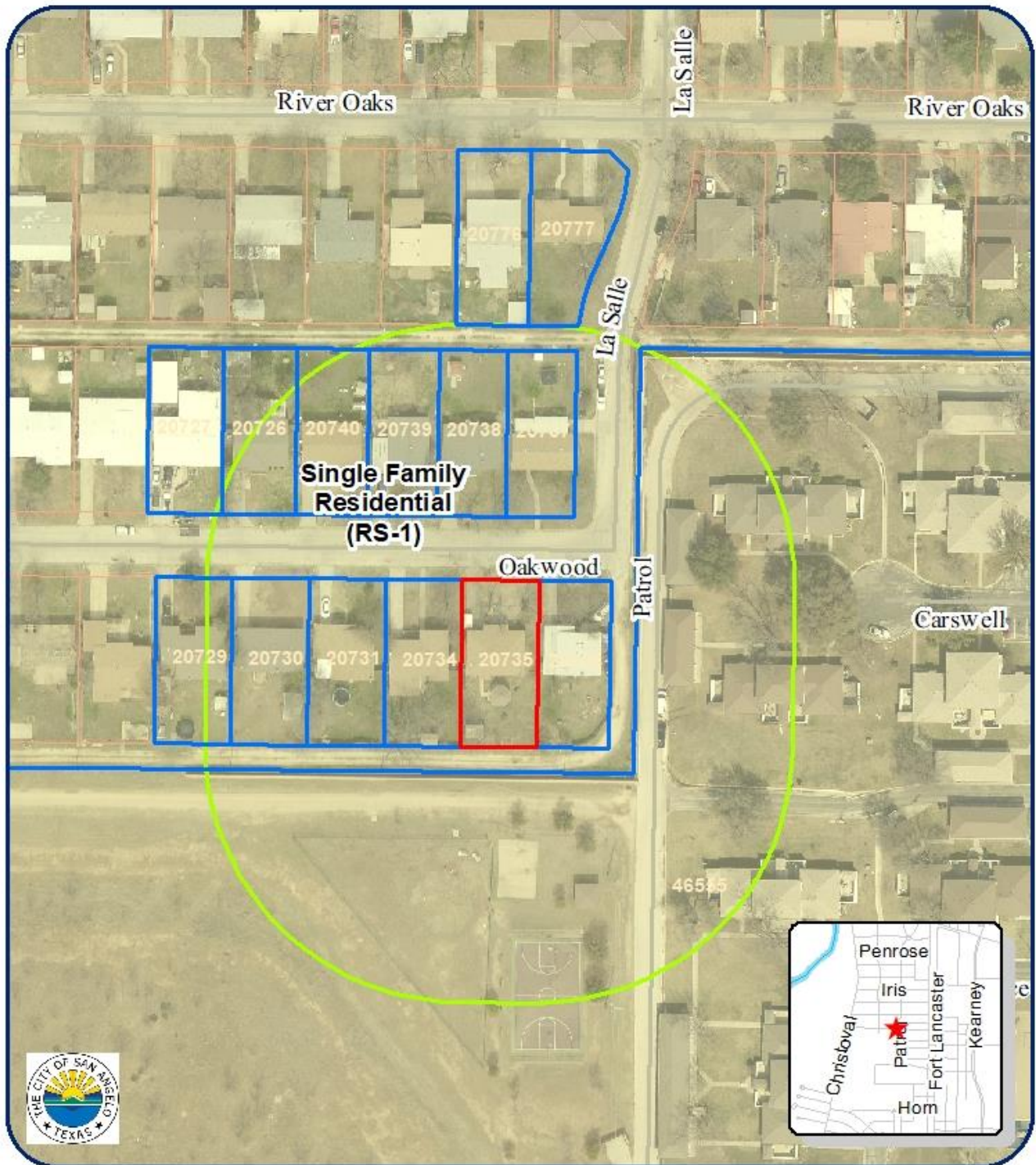
Subject Properties: —

200' Buffer: —

Notified Properties: —







**Zoning Map**  
**CU23-02 225 Oakwood**

Council District: #3 Harry Thomas  
Neighborhood: Glenmore

Scale: 0.0000.01 0.02 0.03 0.04  
Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —





**Existing Home**



**Parking & Street View**

