



The City Of

San Angelo, Texas

Planning Division

52 West College Avenue, 76903

NOTICE OF A PUBLIC MEETING

**AN AGENDA FOR REGULAR MEETING
OF THE PLANNING COMMISSION FOR
THE CITY OF SAN ANGELO, TEXAS
Monday, October 20 of 2014 at 9:00 a.m.
COUNCIL CHAMBERS
McNEASE CONVENTION CENTER
501 RIO CONCHO DRIVE**

THE McNEASE CONVENTION CENTER IS ACCESSIBLE TO PEOPLE WITH DISABILITIES. ACCESSIBLE ENTRIES AND SPECIALLY-MARKED PARKING SPACES ARE AVAILABLE AT MAIN ENTRANCES ON BOTH SURBER DRIVE AND RIO CONCHO DRIVE. IF YOU NEED ADDITIONAL ASSISTANCE TO OBSERVE OR COMMENT, PLEASE NOTIFY THE PLANNING DIVISION STAFF AT (325) 657-4210.

In an effort to keep the public better informed about various municipal boards and commissions, this meeting will be recorded and broadcast on Local Government Channel 17 Saturday afternoons beginning at 3 PM. For a schedule of all broadcasts, please contact the City's Public Information Office at (325) 481-2727 or visit the City's website at www.cosatx.us.

As a courtesy to those in attendance, please place your phone on "Silent" or "Vibrate"
Thank you!

ALL MATTERS LISTED ON THE AGENDA ARE SUBJECT TO INDIVIDUAL DISCUSSION AND ACTION BY THE PLANNING COMMISSION.

I. Open Session:

- A. Call to order and establish that a quorum is present.
- B. Prayer and Pledge.

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

II. Consent Agenda:

The Commission may request for a Consent Agenda item to be moved to the Regular Agenda for presentation and public comment. Otherwise the consent agenda will be considered in one vote.

- A. Consideration of approving the September 15, 2014, Planning Commission meeting minutes.
- B. Requests to approve with conditions, the subdivisions of land inside of the City of San Angelo. **[Planning Commission has authority for final approval; appeals may be directed to City Council.]**

a. First Replat, Miles Addition, Block 33

Proponents: Marc Clingaman, Owner
Representative: SKG Engineering, Representative
Size and location: Unaddressed tracts of land located at the northeast corner of North Bryant Boulevard and West 9th Street; more specifically occupying 1.877 acres out of the Miles Addition, Block 33, Lots 3-10 and 11-17, in central San Angelo.

b. Final Plat, Red Arroyo Hills Addition, Section 12

Proponents: WVE San Angelo Investments, Owner
Representative: SKG Engineering, Representative
Size and location: An unaddressed tract of land located at the southeast corner of the Houston Harte Expressway and Arden Road; more specifically being 6.9040 acres out of the A.E. White Survey, in west San Angelo.

c. Final Plat, Baker Ranch, Section 3

Proponents: Vista Del Sol Ventures, LLC, Owner
Representative: SKG Engineering, Representative
Size and location: Unaddressed tracts, located 2,500 feet northwest of the intersection of Twin Mountain Drive and Southwest Boulevard totaling 17.16 acres; more specifically being 8.580 acres and 7.824 acres respectively out of the G. Maurer Survey, and 0.756 acres out of the A. E. White Survey, in southwest San Angelo.

d. Second Replat in Tract 12, Forest Park Addition

Proponents: Angelica Ruegza, Owner
Representative: SKG Engineering, Representative
Size and location: 2600 Forest Park Avenue, located at the northwest corner of Forest Park Avenue and Childress Street; more specifically being 0.78 acres out of East 170 feet of Tract 12, Forest Park Addition, in northwest San Angelo.

e. First Replat of Lots 5 and 6 in Block 7, Bryant Park Addition

Proponents: Joe L. Carter, Jr. Owner
Representative: Will Barnes, Representative
Size and location: 2209 and 2211 South Johnson Street, located 1,130 feet northwest of South Johnson Street and University Avenue; more specifically being the Bryant Park Addition, Block 7, Lots 5 and 6, in central San Angelo. A Variance from Chapter 10, Section III.A.2. to allow for a 54-foot paving width in lieu of 64 feet for South Johnson Street, a Major Arterial Road, is also being requested.

III. Regular Agenda:

I. Requests for Conditional Uses, Special Uses, Zone Changes and Amendments of the Comprehensive Plan. [Planning Commission makes recommendation; City Council has final authority for approval.]

A. Z14-32: Max Jacobs

CMD # 3 Johnny Silvas

A request for approval of a zone change from Single-Family Residential (RS-1) to Neighborhood Commercial (CN) on the following properties:

Eighteen (18) tracts located approximately 945 feet north of the intersection of South Bryant Boulevard and Town and Country Road, between South Bryant Boulevard and Ben Ficklin Road; more specifically occupying the Monterrey Addition, Block 2, Lot 5; Block 3, the North 89 feet of Lots 5 and 6, an unaddressed parcel approximately 0.08 acres being Part of Lot 7, an unaddressed parcel approximately 0.05 acres being Part of Lot 22, Lots 23 and 25; Block 4, Lot 4 and Part of Lot 5, an unaddressed parcel approximately 0.02 acres being Part of Lot 8, the North 134 feet of Lots 9, 10, 11 and 12, Part of Lot 21 and all of Lot 22, Lot 23; Block 5, Lot 4, and Part of Lot 5, in south San Angelo.

B. CU14-12: Falcon Transit, Inc.

CMD # 3 Johnny Silvas

A request for approval of a Conditional Use to allow for a metal salvage and recycling facility in a Light Manufacturing (ML) zoning district, on the following property:


1000 and 1008 Upton Street, located at the northeast corner of Upton Street and North Baze Street, more specifically occupying the South ½ of the North ½ of Block C, Baze Addition; Lots 1-8, Malones Subdivision; and the J.P. Holmes Resubdivision of Blocks A and B, Lots 20-27 and 29-31; in east San Angelo.

IV. Future meeting agenda and announcements.

The next regular meeting of the Planning Commission is scheduled to begin at 9:00 a.m. on Monday, November 17 of 2014, in Council Chambers (South Meeting Room) of McNease Convention Center at 501 Rio Concho Drive.

V. Adjournment.

This notice of meeting was posted on the bulletin board at the City Hall for the City of San Angelo before 9:00 a.m. on Thursday, September 16 of 2014, in accordance with Chapter 551 in the Government Code for the State of Texas.



Rebeca Guerra, AICP, Secretary
to the Planning Commission

STAFF REPORT



Meeting: October 20, 2014

To: Planning Commission

From: Patrick B. Howard, AICP
Director

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Request: A request for approval of a Replat of Lots 3-10 & 11-17, Block 33, Miles Addition

Location: Unaddressed tracts, generally located at the northeast corner of North Bryant Boulevard and West 9th Street

Legal Description: 1.877 acres out of the Miles Addition, Block 33, Lots 3-10 and 11-17, in central San Angelo

Size: 1.877 acres

General Information

Future Land Use: Neighborhood Center

Zoning: General Commercial (CG)

Existing Land Use: Vacant

Surrounding Zoning / Land Use:

North:	RS-2	10 th Street & Single-Family
West:	CG	Bryant Boulevard & Vacant & Commercial
South:	RS-2	9 th Street & Learning Center
East:	CG	Single-Family & Martin Luther King Drive

District: SMD #4 Don Vardeman

Neighborhood: Blackshear

Recommendation:

The Planning Division recommends **APPROVAL** of this request **subject to the four (4) Conditions of Approval** listed below.

Background:

An application for a Replat was submitted to the Planning Division on September 15, 2014. It is the applicant's intent to combine fifteen (15) existing parcels into one unified lot. The applicant has indicated that it is his desire to utilize the site for commercial development. Utility improvements and extensions are proposed.

Proposed Conditions:

1. Provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there to be no delinquent taxes on the subject property of this subdivision.
2. A drainage study shall be submitted. If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval.
3. Providing the Engineering Services Division staff with written confirmation from TxDOT stating their approval and any conditions thereof, if drainage is planned to be directed to the right-of-way for US Hwy 87.
4. Submitting one of the two documents to Water Utilities staff for their review prior to approval, due to the presence of both a 6-inch sewer and a 2-inch water main installed throughout the length of this alley.

Option 1: Provide utility plans showing the sewer main being maintained but redirected for Lots 1, 2, 18, 19, & 20. They must provide plans showing how the existing services of the homes on the northeast side of the block will be addressed. On their utility plans, they must also show the water line being maintained for Lots 1, 2, 18, 19, & 20. If this option is chosen, the abandonment can only be from Lots 10 & 11 to Lots 4 & 17.

Option 2: Owner must provide a 20-foot utility easement for the full extent of the alley.

Proposed Notes:

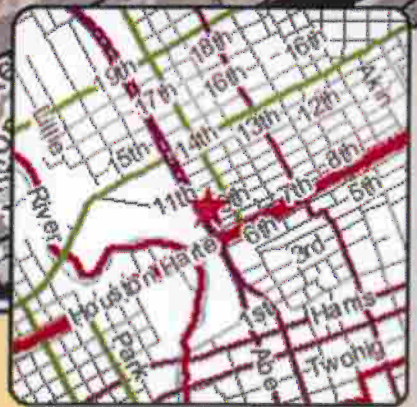
1. Since site is over 1 acre, additional requirements for reporting are required by TCEQ.
2. Aerial cable and poles in the alley from Martin Luther King to just behind 331 West 10th Street must remain in easement or coordinate removal of cable with Verizon. For more information, please contact Brenda McWilliams at brenda.mcwilliams.verizon.com.
3. All sites have construction requirements under 12.05.009.
4. Fulfillment of all conditions of abandonment - and finalization of abandonment - is required, including payment of \$1,962.00 for right-of-way.
5. If the main is intended to be extended to West 10th Street as an approach to satisfying Condition #4 above, Plat approval would no longer be administrative in nature, but require approval of the Planning Commission.

Action Requested:

The action requested is for the Planning Commission to **APPROVE** the Replat of Lots 3-10 & 11-17, Block 33, Miles Addition, **subject to four (4) Conditions of Approval.**

Attachments:


Aerial Map
Zoning Map
Proposed Plat
Application



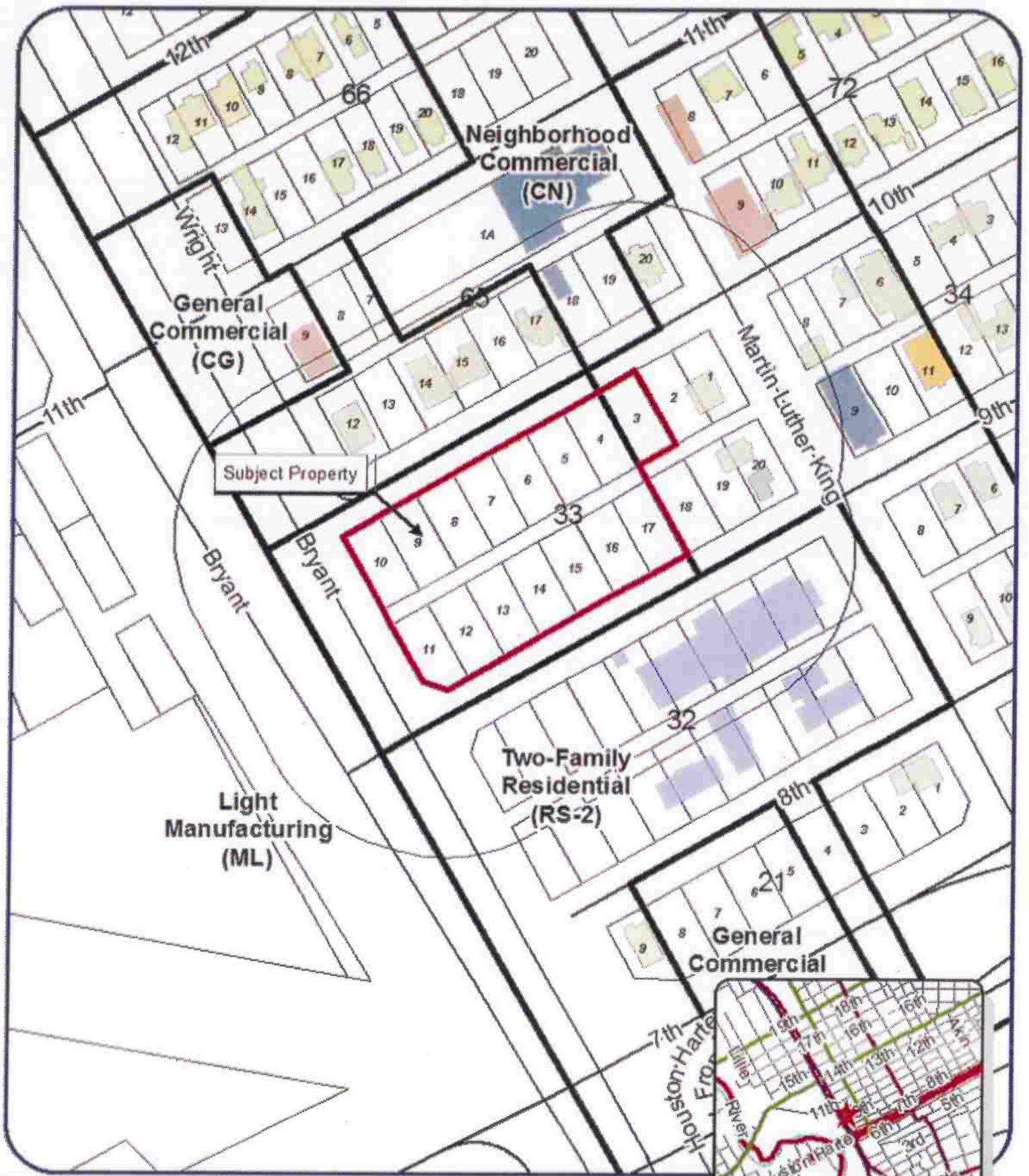
Zoning Case File
Miles Addition, Blk 33

Council District: Don Vardeman
 Neighborhood: Blackshear
 Scale: 1" approx. = 150 ft
 Subject Property: N/A

Legend

Subject Properties: 
 Current Zoning: CG
 Requested Zoning Change: N/A
 Vision: Neighborhood Center



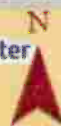
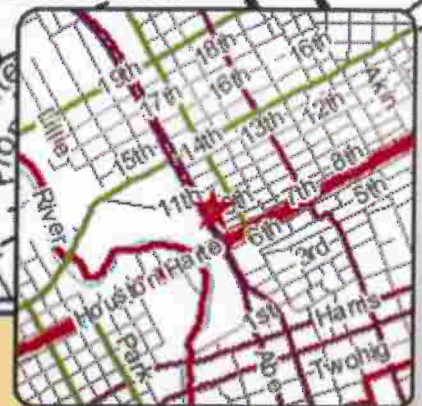


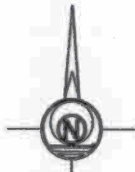
Zoning Case File
Miles Addition, Blk 33

Council District: Don Vardeman
 Neighborhood: Blackshear
 Scale: 1" approx. = 150 ft
 Subject Property: N/A

Legend

- Subject Properties: —
- Current Zoning: CG
- Requested Zoning Change: N/A
- Vision: Neighborhood Center





SCALE: 1" = 60'

0 30 60 120

GRAPHIC SCALE : FEET

NOTE : Bearings shown hereon are based on the Texas Coordinate System - Central Zone. Distances shown are surface horizontal.

LEGEND:

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

DEPARTMENT OF WATER UTILITIES

Approved for recording this ___ day of _____, 20__.

By: _____
Director of Water Utilities

DEPARTMENT OF PUBLIC WORKS

Approved for recording this ___ day of _____, 20__.

By: _____
Director of Public Works

DEPARTMENT OF PLANNING

Approved for recording this ___ day of _____, 20__.

By: _____
Director of Planning

COUNTY CLERK

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

By: _____

STATE OF TEXAS

COUNTY OF TOM GREEN
This instrument was acknowledged before me on _____ by _____ in the capacity shown.

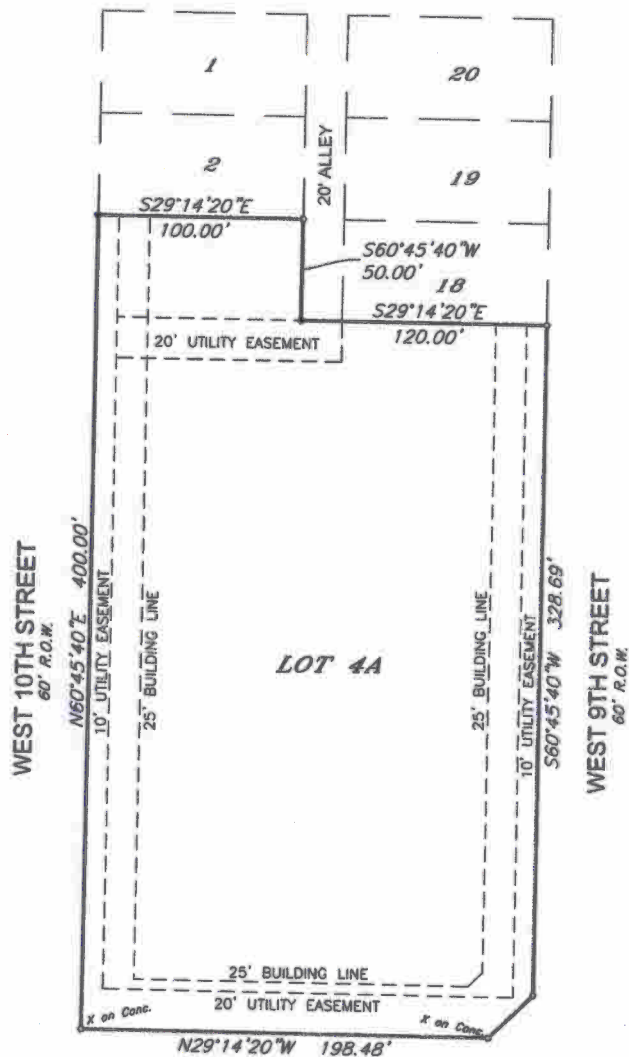
Notary Public, State of Texas

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

SKG
ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/CMT

706 SOUTH ABE STREET PHONE: 325.655.1288
SAN ANGELO, TEXAS 76903 FAX: 325.657.8198
Firm No. 10102400
www.skge.com

MARTIN LUTHER KING DRIVE



US HIGHWAY 87 (NORTH BRYANT BOULEVARD)

**FIRST REPLAT IN
BLOCK 33
MILES ADDITION**

City of San Angelo, Tom Green County, Texas.
OWNER/DEVELOPER: MARK CLINGAMAN

DESCRIPTION : Being 1.877 acres out of Lots 3-10 & 11-17, Block 33, Miles Addition, City of San Angelo described and recorded in Volume X, Page 334, Deed Records, Tom Green County, Texas, and that abandoned alley segment in Block 33 being evidenced by a quit claim deed found on Instrument No. ____ Official Public Records, all within the City of San Angelo, Tom Green County, Texas.

ACKNOWLEDGEMENT/DEDICATION

I, Mark Clingaman, do hereby adopt this plat as the subdivision of my property and dedicate for the use of the public the easements shown hereon.

Mark Clingaman

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

SURVEYOR'S CERTIFICATE

Know all men by these presents: that I, Russell T. Gully RPLS, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that corner monuments shown hereon were properly placed, under my supervision, in accordance with the rules for land subdivision by the City Council of the City of San Angelo; and I further certify that the tract of land herein platted lies within the city limits of the City of San Angelo, Texas.

City of San Angelo, Texas
Planning Division

Application for Approval of a SUBDIVISION

Proposed Name of Subdivision: Replat of Lots 3-10 & 11-17, Block 33, Miles Addn

Location: North Bryant Blvd, W. 9th & W. 10th

Proposed Request Type: Preliminary Final Replat
 Amended Vacation Revised

Owner Authorized Representative (Affidavit required)

Owner(s) of Subdivision: Marc Clingaman

Mailing Address: 4225 South Jackson, Suite 832C **Telephone:** 414.698.6632

City/State/Zip: San Angelo, Texas 76903 **Total Acreage:** 1.877 Acres

Existing Land Use: Vacant

Proposed Land Use: Commercial

Existing Structures on Property: No

Number of Residential Lots: Single-Family Two-Family Townhouse
 Zero Lot Line Other

Acres of: Multi-Family 1.877 Commercial Industrial
 Open Other

Proposed Source of Water: City Individual Well Other

Proposed Sewage Disposal: City Individual Septic Private Septic

Are there existing deed restrictions? Yes No

Deed Reference Information (required): _____

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

If yes, explain: _____

Are any exemptions or variances from regulations or policies requested? Yes No

If yes, explain: _____

The owner hereby designates: SKG Engineering as the official representative(s).

Address: 706 South Abe Street, San Angelo, Tx Phone: 655-1288

All correspondence including billings are to be sent to: Owner Representative

The owner understands that upon approval of this submitted plat, certain site improvements may be required and that no plats will be released for recording or building permits issued until such improvements are installed and accepted by the City or a suitable performance guarantee accepted by the City. Furthermore, the owner is aware of all fees and costs involved in applying for subdivision approval and that the subdivision processing fee is payable to the City regardless of the outcome of this request.

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

Man S. Cf.
Owner's Signature

9/15/14
Date

[Signature]
Representative's Signature

9.15.14
Date

OFFICE USE ONLY

Date of application: 9/16

Received by: Kevin

walk-in by mail

Nonrefundable application fee: \$ 212.50

Planning Commission? yes no

River Corridor Commission? yes no

Planning Commission hearing date: _____

If yes, RCC meeting date: _____

Notifications Required? yes no

Notification fee: \$ _____

STAFF REPORT



Meeting: October 20, 2014

To: Planning Commission

From: Patrick B. Howard, AICP
Director

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Request: A request for approval of the Final Plat of Red Arroyo Hills Addition, Section 12

Location: An unaddressed tract, generally located at the southeast corner of the Houston Harte Expressway and Arden Road

Legal Description: 6.9040 acres out of the A.E. White Survey

Size: 6.9040 acres

General Information

Future Land Use: Commercial & Neighborhood

Zoning: Two-Family Residential (RS-2) &
General Commercial (CG)

Existing Land Use: Vacant

Surrounding Zoning / Land Use:

North:	CG/CH	Arden Road & Vacant
West:	CG	Houston Harte & Commercial
South:	CG & RS-1 & RS-2	Commercial & Single-Family
East:	RS-1	Multi-Family & Single-Family

District: SMD #6 Charlotte Farmer

Neighborhood: The Bluffs

Recommendation:

The Planning Division recommends **APPROVAL** of this request **subject to the six (6) Conditions of Approval** listed below.

Background:

An application for a Final Plat was submitted to the Planning Division on September 15, 2014. It is the applicant's intent to subdivide the property into two (2) commercial tracts and three (3) residential tracts. The three RS-2 zoned tracts are proposed to be developed as residences. Lot 13, a 2.390-acre tract, is tentatively planned to be a hotel. Improvements to Amistad Road are proposed which are anticipated to facilitate access for Fire Department personnel in case of emergencies. Utility improvements and extensions are also proposed.

Proposed Conditions:

1. Provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Prepare and submit plans for required improvements to street (illustrated terminus of Amistad Road). Once plans are approved, construct street to City specifications.
3. A drainage study shall be submitted, as the site is over 1 acre. If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval.
4. Provide the Engineering Services Division staff with written confirmation from TxDOT stating their approval and any conditions thereof, if drainage is planned to be directed to the right-of-way for Houston Harte Expressway.

5. Prepare and submit plans for approval, illustrating the proposed installation of a sewer main and required service connections and complete the installation in accordance with the approved version of these plans. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.
6. Prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections and hydrants and complete the installation in accordance with the approved version of these plans. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.

Proposed Notes:

1. Since site is over 1 acre, additional requirements for reporting are required by TCEQ.
2. Designate a rear unobstructed easement of 20 feet for electrical utility maintenance and access. For more information contact Robbie Baxter at 674-7552.


Action Requested:

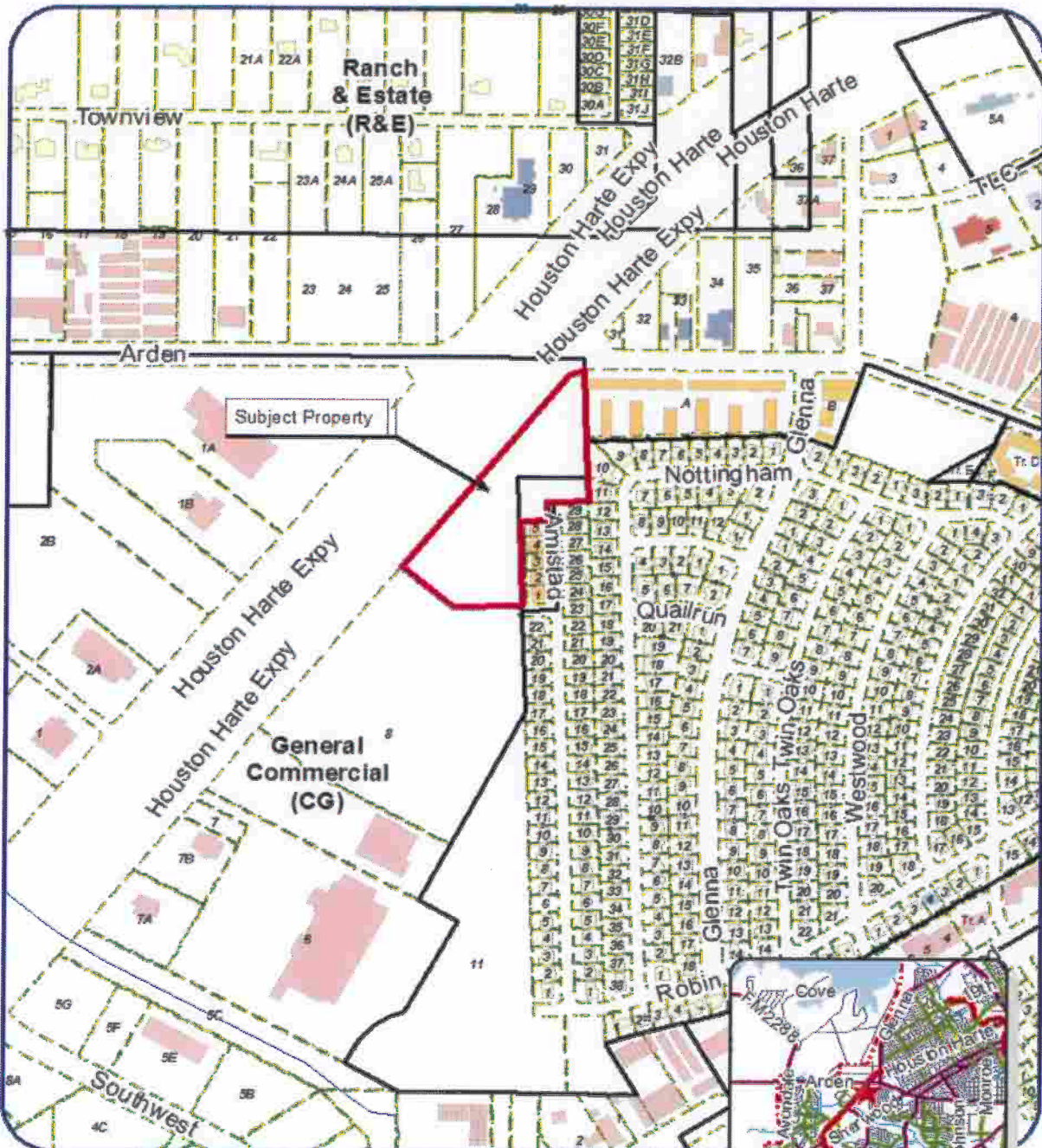
The action requested is for the Planning Commission to **APPROVE** the Final Plat of Red Arroyo Hills Addition, Section 12, **subject to six (6) Conditions of Approval.**

Attachments:

Aerial Map
Zoning Map
Proposed Plat
Application



Subdivision Case File		Legend	
Red Arroyo Hills Addition, Sec 12		Subject Properties: 	
Council District: Charlotte Farmer	Current Zoning: CG	Requested Zoning Change: N/A	
Neighborhood: Bluffs	Vision: Commercial		
Scale: 1" approx. = 600 ft			
Subject Property: Unaddressed tract 6.904 acres, SW corner H. Harte/Arden Rd			



Subdivision Case File
Red Arroyo Hills Addition, Sec 12
 Council District: Charlotte Farmer
 Neighborhood: Bluffs
 Scale: 1" approx. = 500 ft
 Subject Property: Unaddressed tract 6.904 acres, SW corner H. Harte/Arden Rd

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

City of San Diego
 Department of Planning & Economic Development





SCALE: 1" = 60'

GRAPHIC SCALE: FEET
0 20 40 60 80 100
Note: Distances shown herein are based on the Texas Coordinate System - NAD83 datum. Distances shown are subject to adjustment.

LEGEND:

- Point of Intersection of Block Lines
- Point of Intersection of Block with City

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

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

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

COUNTY CLERK
Filed for record this _____ day of _____, 20____
County Clerk of Tom Green County, TX.
By: _____

This Plan is filed in Volume _____ Book _____ Plat Records of Tom Green County, Texas.
Filed Notice are filed on Instrument No. _____
Official Public Records of Tom Green County, Texas.

SKG ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LABORS
1000 W. 2nd Street, Suite 200, San Angelo, TX 76901
Phone: 337-551-1100 Fax: 337-551-1101
www.skg.com

SEAL OF MICHIGAN
COUNTY OF ARDENT
This document was acknowledged before me on _____ day of _____, 20____
By _____

RED ARROYO HILLS ADDITION
SECTION TWELVE

City of San Angelo, Tom Green County, Texas.

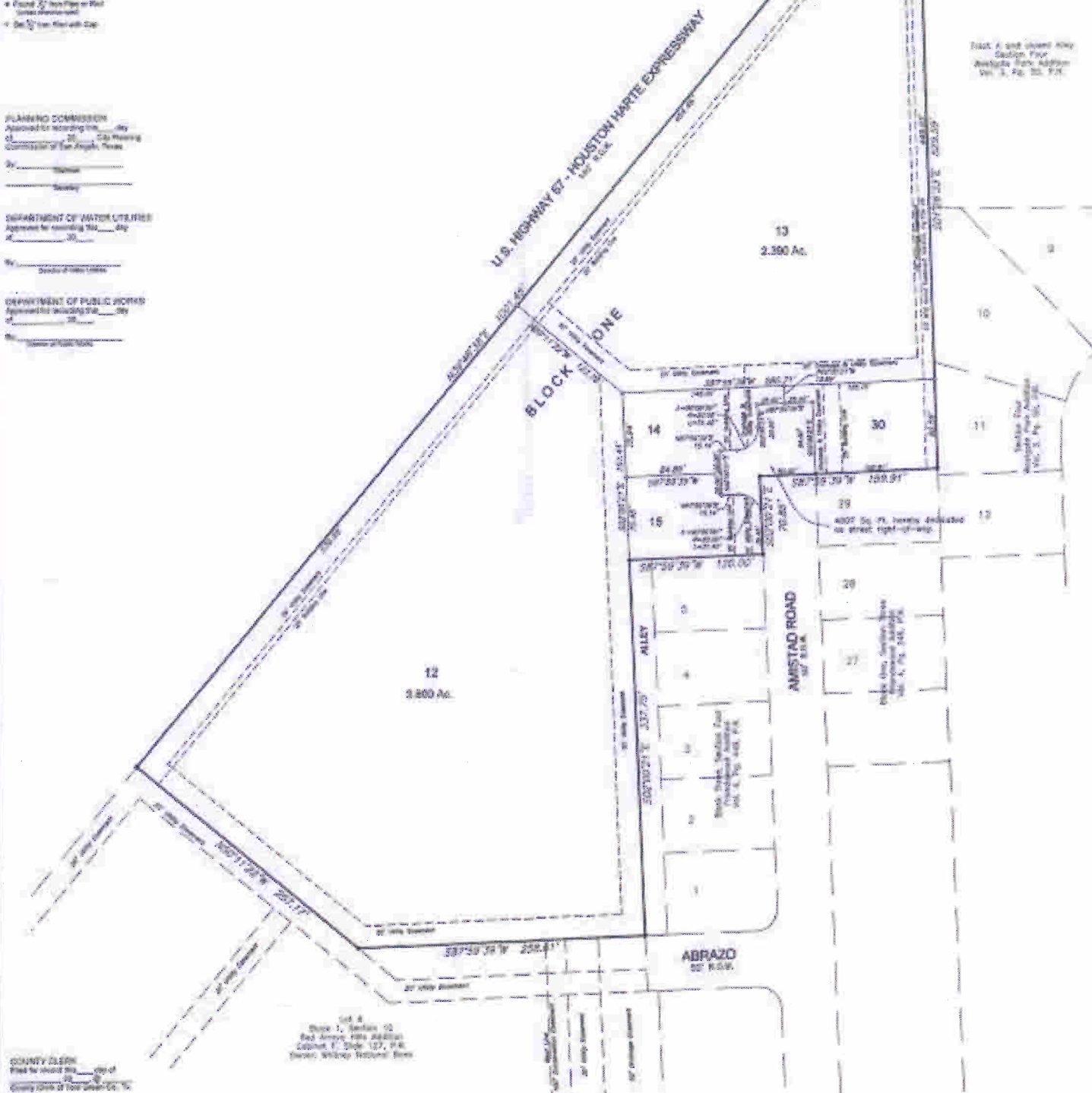
CONVEYANCE OF LAND WITH NECESSARY IMPROVEMENTS
SECTION TWELVE, Being 6.80 acres more or less, all of that certain 6.80 acre tract described and recorded in Instrument No. _____ Official Public Records of said Property of Tom Green County, Texas.

ACKNOWLEDGEMENT OF CONVEYANCE
W/ W/ W/ San Angelo Investment, LP, a Texas Limited Partnership, do hereby certify the plat as the subdivision of said property and approve for the use of the public the street and easements shown hereon.

KYLE P. WOOD
is Manager of San Angelo Investment, LP, a Texas Limited Partnership, do hereby certify the plat as the subdivision of said property and approve for the use of the public the street and easements shown hereon.

Therefore, the applicant shall not be required to pay special and local taxes or to obtain or record any other instrument.

SURVEYOR'S CERTIFICATE
This plat was filed for record on July 1, 2013, in compliance with the provisions of the City of San Angelo, Texas, Chapter 107, Article 1, Section 107.01, and I further certify that the 2000' of land herein created the plat, the City of San Angelo, Texas.



City of San Angelo, Texas
Planning Division

Application for Approval of a SUBDIVISION

Proposed Name of Subdivision: Red Arroyo Hills Addition, Section 12

Location: Houston Harte, Arden Road, & Amistad Road

Proposed Request Type: Preliminary Final Replat
 Amended Vacation Revised

Owner Authorized Representative (Affidavit required)

Owner(s) of Subdivision: WVE San Angelo

Mailing Address: 1207 S. Abe Street, Ste A

Telephone: 325.653.1489

City/State/Zip: San Angelo, Texas 76903

Total Acreage: 6.904 Acres

Existing Land Use: Vacant

Proposed Land Use: Commercial & Residential

Existing Structures on Property: No

Number of Residential Lots: Single-Family 3 Two-Family Townhouse
 Zero Lot Line Other

Acres of: 6.190 Multi-Family Commercial Industrial
 Open Other

Proposed Source of Water: City Individual Well Other

Proposed Sewage Disposal: City Individual Septic Private Septic

Are there existing deed restrictions? Yes No

Deed Reference Information (required): _____

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

If yes, explain: _____

Are any exemptions or variances from regulations or policies requested? Yes No

If yes, explain: _____

The owner hereby designates: SKG Engineering as the official representative(s).

Address: 706 South Abe Street, San Angelo, Tx Phone: 655-1288

All correspondence including billings are to be sent to: Owner Representative

The owner understands that upon approval of this submitted plat, certain site improvements may be required and that no plats will be released for recording or building permits issued until such improvements are installed and accepted by the City or a suitable performance guarantee accepted by the City. Furthermore, the owner is aware of all fees and costs involved in applying for subdivision approval and that the subdivision processing fee is payable to the City regardless of the outcome of this request.

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

NVE San Angelo Investments, LP
By: Keith P. Walker, its General Partner Keith P. Walker

9/15/2014

Owner's Signature

Date

Representative's Signature

9/15/20014

Date

OFFICE USE ONLY

Date of application: 9/16/14

Received by: Kevin

walk-in by mail

Nonrefundable application fee: \$ 80

Planning Commission? yes no

River Corridor Commission? yes no

Planning Commission hearing date: 10/20

If yes, RCC meeting date: _____

Notifications Required? yes no

Notification fee: \$ _____

STAFF REPORT



Meeting: October 20, 2014

To: Planning Commission

From: Patrick B. Howard, AICP
Director

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Request: A request for approval of a Final Plat, Baker Ranch, Section 3

Location: Unaddressed tracts, generally located 2,500 feet northwest of the intersection of Twin Mountain Drive and Southwest Boulevard

Legal Description: 8.580 acres and 7.824 acres, respectively, out of the G. Maurer Survey, and 0.756 acres out of the A.E. White Survey, in southwest San Angelo

Size: 17.16 acres

General Information

Future Land Use: Neighborhood

Zoning: Low Rise Multifamily Residential (RM-1) & Single-Family Residential (RS-1)

Existing Land Use: Vacant

Surrounding Zoning / Land Use:

North:	RS-1	Vacant
West:	RS-1 & R&E	Vacant
South:	RS-1 & R&E	Twin Mountain Drive & Vacant
East:	RS-1	Single-Family & Vacant

District: SMD #1 Rodney Fleming

Neighborhood: Country Club

Recommendation:

The Planning Division recommends **APPROVAL** of this request **subject to the eight (8) Conditions of Approval** listed below.

Background:

An application for a Final Plat was submitted to the Planning Division on September 16, 2014. It is the applicant's intent to plat the site in order to construct thirty-seven (37) single-family residences. The minimum lot size for each of the lots will be 7,440 square feet. The minimum lot size in the RS-1 Zoning District is 5,000 square feet. Consequently, this subdivision is exceeding the minimum requirements for lot sizes set forth in the Zoning Ordinance. Utility improvements and extensions are also being proposed.

Proposed Conditions:

1. Provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Prepare and submit plans for approval, illustrating the required construction of the proposed segments of Blair and Caroline Lane. Once plans are approved, construct street to City specifications.
3. Prepare and submit plans for approval, illustrating the proposed installation of fire hydrant(s) as necessary to serve this area, and complete the installation in accordance with the approved version of these plans.

4. A drainage study shall be submitted, as the site is over 1 acre in size. If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval.
5. Prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections and hydrants and complete the installation in accordance with the approved version of these plans. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.
6. Prepare and submit plans for approval, illustrating the proposed installation of a sewer main and required service connections and complete the installation in accordance with the approved version of these plans. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.
7. Reword easement language to read "30-Foot Unobstructed Easement for Fire Apparatus and Vehicular Access."
8. Correct lot numbering in Block 2 - draft plat Jumps from Lot 1 to Lot 3 and Lot 42 to Lot 44 in Block 2.

Proposed Note:

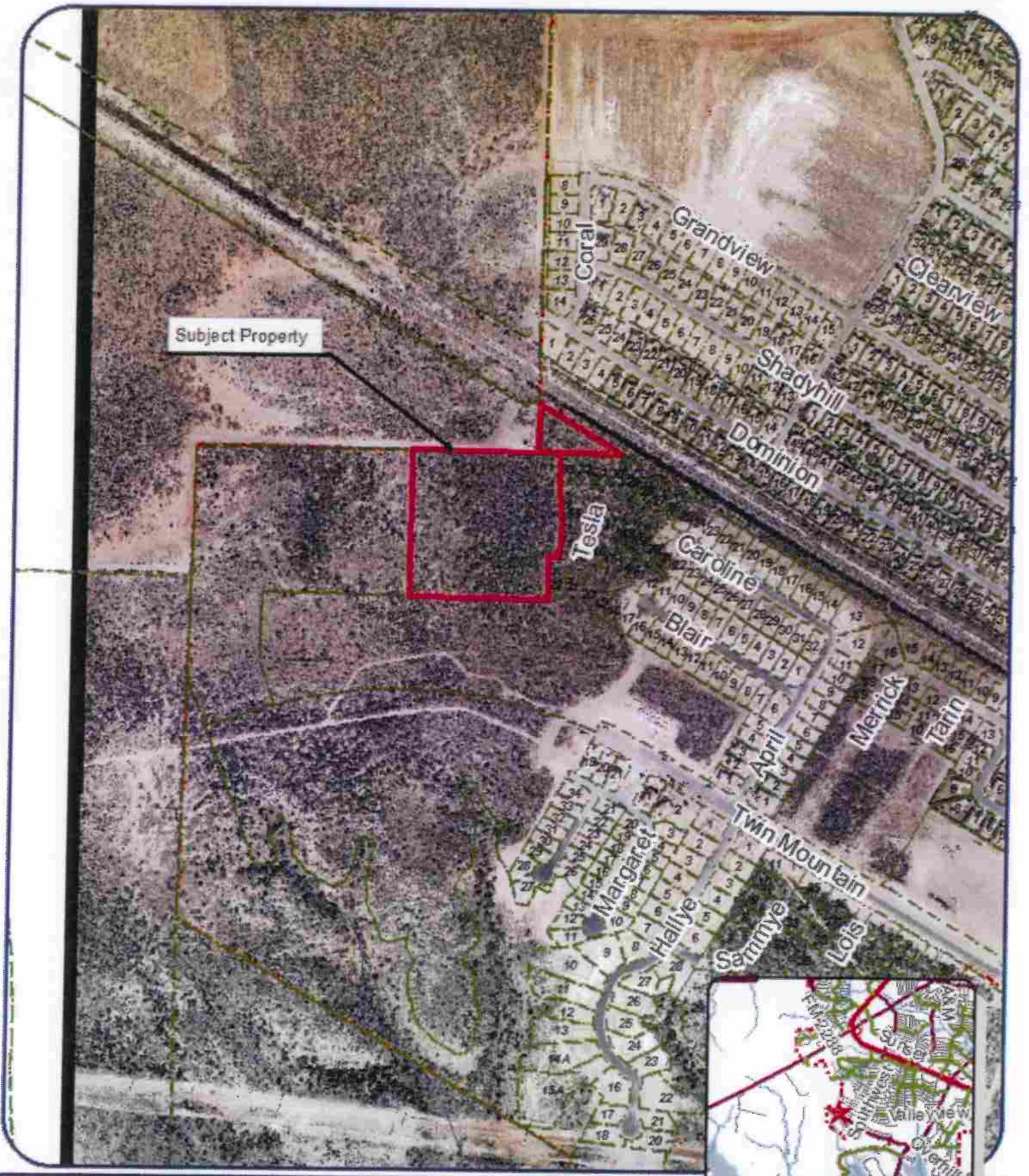
1. Since site is over 5 acres, additional requirements for reporting are required by TCEQ.

Action Requested:

The action requested is for the Planning Commission to **APPROVE** the Final Plat, Baker Ranch, Section 3, **subject to eight (8) Conditions of Approval**.

Attachments:

Aerial Map
Zoning Map
Proposed Plat
Application



Subject Property

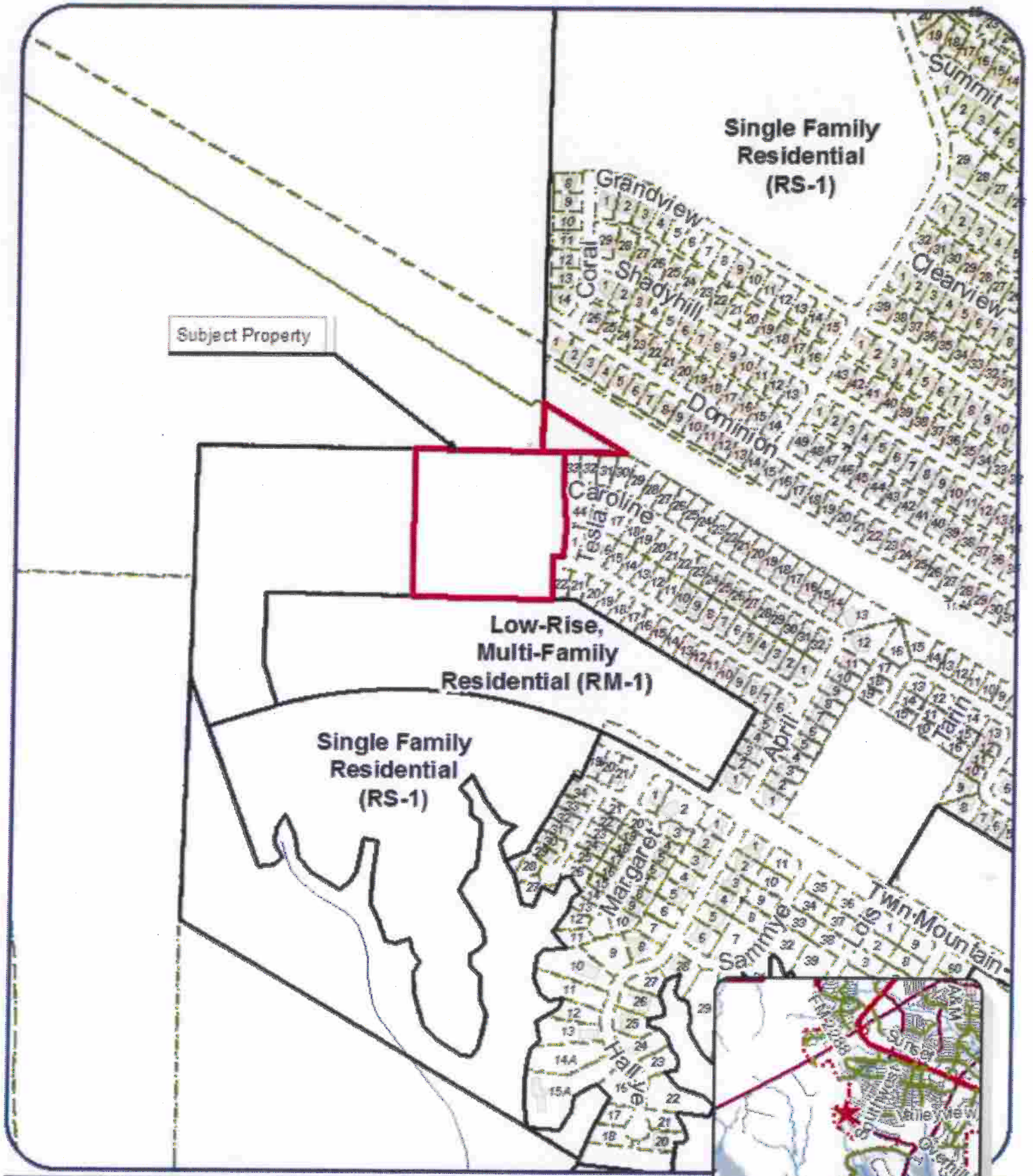


Subdivision Case File
Baker Ranch, Section 3

Council District: Rodney Fleming
 Neighborhood: Country Club
 Scale: 1" approx. = 500 ft
 Subject Property: Unaddressed Tracts 1716 acres, NW of Twin Mountain Dr/Southwest Blvd

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



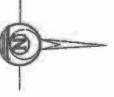


Subdivision Case File
Baker Ranch, Section 3

Council District: Rodney Fleming
 Neighborhood: Country Club
 Scale: 1" approx. = 500 ft
 Subject Property: Unaddressed Tracts 1716 acres, NW of Twin Mountain Dr/Southwest Blvd

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





SCALE: 1" = 60'

GRAPHIC SCALE: 1" = FEET
NOTE: Building dimensions are shown as
outside dimensions unless otherwise indicated.
Distances shown are unless otherwise indicated.

LEGEND:

- Found 1/2" Iron Pipe or Rod
- o Set 1/2" Iron Rod with Cap

PLANNING COMMISSION

Approved by recording this _____ day
of _____ 20____ City Planning
Commissioner of San Angelo, Texas.

By: _____
Secretary

DEPARTMENT OF WATER UTILITIES

Approved by recording this _____ day
of _____ 20____

By: _____
Director of Water Utilities

DEPARTMENT OF PUBLIC WORKS

Approved by recording this _____ day
of _____ 20____

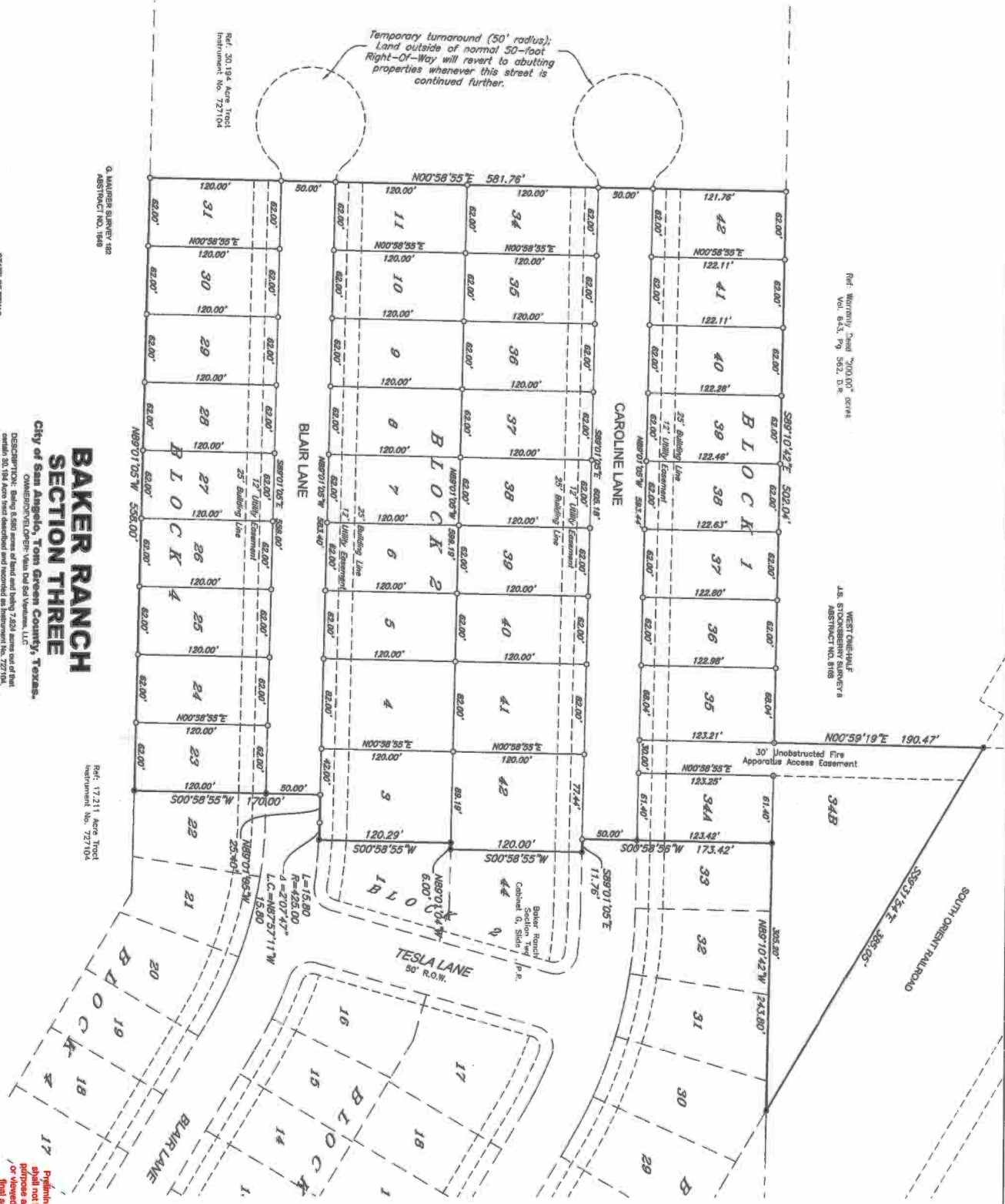
By: _____
Director of Public Works

COUNTY CLERK

Filed for record on _____ day of
_____ 20____ at _____
County Clerk of Tom Green Co., Tx.

This Plan is Filed in Public Office
of the County Clerk of Tom Green County, Texas.
Plan Records of Tom Green County, Texas.
Official Public Records of said Property, Tom Green
County, Texas.

SKG
SURVEYING & ENGINEERING, L.L.C.
LABORIT
700 SOUTH ASH STREET
SAN ANGELO, TEXAS 76901
PHONE: 337.906.1288
FAX: 337.906.1289
WWW.SKGSURVEYING.COM



BAKER RANCH SECTION THREE

City of San Angelo, Tom Green County, Texas.
OWNER: VENDOR: Vista Del Sol Ventures, LLC
DESCRIPTION: Being 8.500 acres of land and being 7.629 acres out of that
containing 31.184 Acres tract described and recorded as Instrument No. 727104
located in Baker Ranch Section Three, Tom Green County, Texas and 0.758
acres of land and being out of G. Maurice Survey 182 Abstract No. 1649, City of San
Angelo, Tom Green County, Texas.

STATE OF TEXAS
COUNTY OF TOM GREEN
This Instrument was acknowledged before
me, Notary Public, on this _____ day of _____
20____ at _____
By: David Darnell in the capacity of agent.

ACKNOWLEDGMENT

Vista Del Sol Ventures, LLC, do hereby adopt this plat
as the subdivision of our property and dedicate for the use
of the public the streets and easements shown hereon.

WARNING: This document
shall not be used for any
purpose and shall not be used
or relied upon as a
third survey document.

SURVEYOR'S CERTIFICATE

I, _____, Surveyor, do hereby certify that
I prepared this plat from an original and
correctly located and measured survey
instrument and that the same is a true and
correct copy of the original and that I am
a duly licensed and qualified Surveyor of
the State of Texas and that I am duly
qualified to perform the duties of a
Surveyor of the State of Texas.

Application for Approval of a SUBDIVISION

Proposed Name of Subdivision: Baker Ranch, Section Three

Location: Blair Lane & Caroline Lane

Proposed Request Type: Preliminary Final Replat
 Amended Vacation Revised

Owner Authorized Representative (Affidavit required)

Owner(s) of Subdivision: Vista Del Sol Ventures, LLC

Mailing Address: 6233 Hallye Court

Telephone: 325.656.2980

City/State/Zip: San Angelo, Texas 76904

Total Acreage: 8.580 Acres

Existing Land Use: Vacant

Proposed Land Use: Residential

Existing Structures on Property: No

Number of Residential Lots: 37 Single-Family Two-Family Townhouse

Zero Lot Line Other

Acres of: Multi-Family Commercial Industrial

Open Other

Proposed Source of Water: City Individual Well Other

Proposed Sewage Disposal: City Individual Septic Private Septic

Are there existing deed restrictions? Yes No

Deed Reference Information (required): _____

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

If yes, explain: _____

Are any exemptions or variances from regulations or policies requested? Yes No

If yes, explain: _____

... hereby designates: SKG Engineering

as the official representative(s).

Address: 706 South Abe Street, San Angelo, Tx

Phone: 655-1288

All correspondence including billings are to be sent to:

Owner

Representative

The owner understands that upon approval of this submitted plat, certain site improvements may be required and that no plats will be released for recording or building permits issued until such improvements are installed and accepted by the City or a suitable performance guarantee accepted by the City. Furthermore, the owner is aware of all fees and costs involved in applying for subdivision approval and that the subdivision processing fee is payable to the City regardless of the outcome of this request.

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

[Signature]
Owner's Signature

9/16/2014
Date

[Signature]
Representative's Signature

9/16/2014
Date

OFFICE USE ONLY

Date of application: 9/16

Received by: Kevin

walk-in by mail

Nonrefundable application fee: \$ 312

Planning Commission? yes no

River Corridor Commission? yes no

Planning Commission hearing date: 10/20

If yes, RCC meeting date: _____

Notifications Required? yes no

Notification fee: \$ _____

STAFF REPORT



Meeting: October 20, 2014

To: Planning Commission

From: Patrick B. Howard, AICP
Director

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Request: A request for approval of a Second Replat in Tract 12, Forest Park Addition

Location: 2600 Forest Park Avenue, generally located at the northwest corner of Forest Park Avenue and Childress Street

Legal Description: 0.78 acres out of East 170 feet of Tract 12, Forest Park Addition, in northwest San Angelo

Size: 0.78 acres

General Information

Future Land Use: Neighborhood

Zoning: Single-Family Residential (RS-1)

Existing Land Use: Single-Family Residence

Surrounding Zoning / Land Use:

North:	RS-1	Single-Family
West:	RS-1	Single-Family
South:	RS-1	Forest Park & Single-Family
East:	RS-1	Childress & Single-Family

District: SMD #2 Marty Self

Neighborhood: Angelo Heights

Recommendation:

The Planning Division recommends **APPROVAL** of this request **subject to the four (4) Conditions of Approval** listed below.

Background:

An application for a Second Replat was submitted to the Planning Division on August 28, 2014. It is the applicant's intent to replat the site from one (1) lot into three (3) separate parcels. There is an existing single-family residence on the proposed Lot 12C which appears to be vacant and boarded-up. As the property is zoned RS-1, and per the submitted application, it appears that an additional two (2) residences are planned for the remaining lots. Of note, Lot 12D has a 20-foot private sewer line easement running directly through the middle. All three lots will have a 25-foot front setback: Lots 12B and 12C from Forest Park Avenue and Lot 12D from Childress Street. The minimum lot size in the RS-1 Zoning District is 5,000 square feet. The three lots being created by this subdivision exceed the minimum requirements for lot sizes set forth in the Zoning Ordinance.

Proposed Conditions:

1. Provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Prepare and submit plans for required improvements to streets (adjacent segments of Forest Park Avenue and Childress Street) by half the additional increment necessary to comprise the minimum paving widths.
 - a. For Forest Park Ave, 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 2 additional feet and a 4-foot sidewalk, or 3 additional feet).

- b. For Childress 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 0 additional feet and a 4-foot sidewalk, or 2 additional feet).

Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.

3. Prepare and submit plans for approval, illustrating the proposed installation of a sewer main and required service connections and complete the installation in accordance with the approved version of these plans. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.
4. Prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections and hydrants and complete the installation in accordance with the approved version of these plans. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.

Proposed Notes:

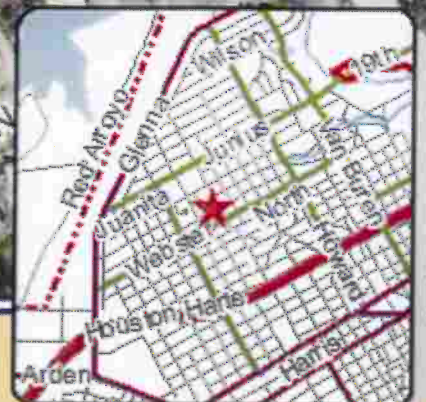
1. Since site is over 5 acres, additional requirements for reporting are required by TCEQ.
2. The dedication(s) required for streets (in this case, a corner clip) may only be approved by the Planning Commission. As such, this plat application will be scheduled for the next Planning Commission agenda on October 20th.
3. If a variance from the minimum required street improvements is desired, please submit a written request, to officially amend the application, to the Planning Division.

Action Requested:

The action requested is for the Planning Commission to **APPROVE** the Second Replat in Tract 12, Forest Park Addition, **subject to four (4) Conditions of Approval.**

Attachments:

Aerial Map
Zoning Map
Proposed Plat
Application




Subdivision Case File

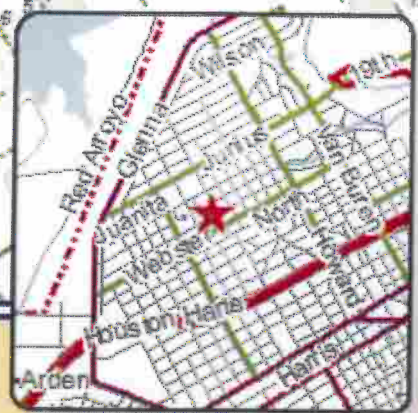
Forest Park Addition, 2nd replat Tract 12

Council District: Marty Self
 Neighborhood: Angelo Heights
 Scale: 1" approx. = 200 ft
 Subject Property: 2600 Forest Park Ave

Legend

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





Subdivision Case File

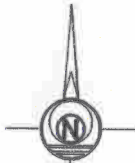
Forest Park Addition, 2nd replat Tract 12

Council District: Marty Self
 Neighborhood: Angelo Heights
 Scale: 1" approx. = 200 ft
 Subject Property: 2600 Forest Park Ave

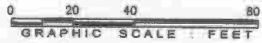
Legend

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





SCALE: 1" = 40'



NOTE: Bearings shown hereon are based on Forest Park Addition as per plat recorded in Cabinet C, Slide 87, Plat Records of Tom Green County, Texas. Distances are Surface Horizontal.

LEGEND:

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

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

Chairman

Secretary

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

By: _____
Director of Water Utilities

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

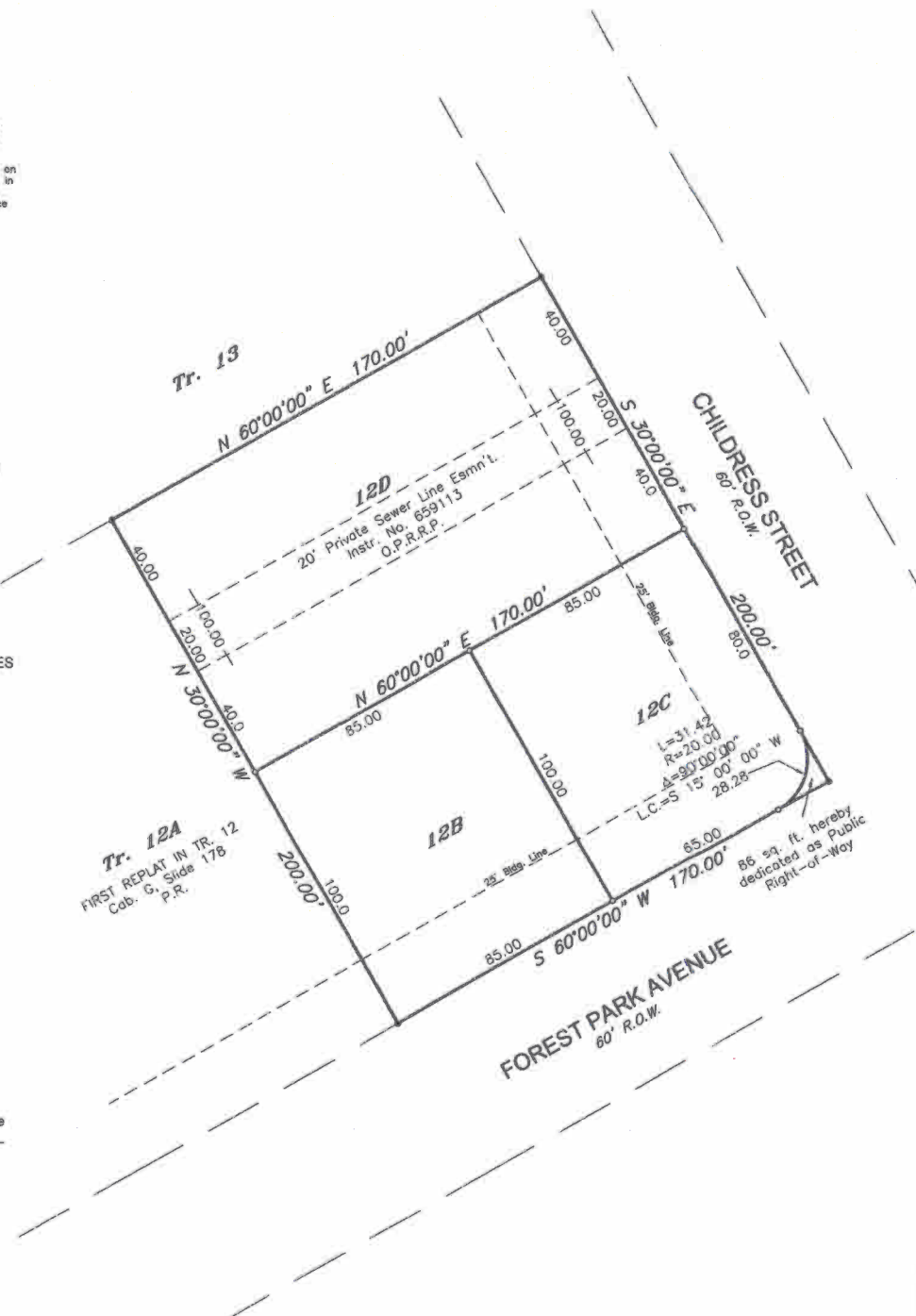
By: _____
Director of Public Works

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

By: _____

STATE OF TEXAS
COUNTY OF TOM GREEN
This instrument was acknowledged before
me on _____
by Angelica Ruezga.

Notary Public, State of Texas



Second Replat in Tract 12 FOREST PARK ADDITION

San Angelo, Tom Green County, Texas.

OWNER: Angelica Ruezga

DESCRIPTION: Being 0.78 acres of land out of Tract 12, Forest Park Addition as per plat of record in Cabinet C, Slide 87, Plat Records of Tom Green County, Texas and being that same tract described and recorded as instrument No. 646166 Official Public Records of Real Property, Tom Green County, Texas.

ACKNOWLEDGEMENT/DEDICATION

I, Angelica Ruezga, do hereby adopt this plat as the subdivision of my property and dedicate for the use of the public the right-of-way shown hereon.

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.

Angelica Ruezga

SURVEYOR'S CERTIFICATE

Know all men by these presents: that I, Russell T. Gully RPLS, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that corner monuments shown hereon were properly placed, under my supervision, in accordance with the rules for land subdivision by the City Council of the City of San Angelo; and I further certify that the tract of land herein platted lies within the city limits of the City of San Angelo, Texas.

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

SKG
ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/CMT

708 SOUTH ABE STREET PHONE: 325.655.1288
SAN ANGELO, TEXAS 76903 FAX: 325.657.8189

FIRM NO. 10102400
www.skge.com

City of San Angelo, Texas
Planning Division

Application for Approval of a SUBDIVISION

Proposed Name of Subdivision: SECOND REPLAT IN TRACT 12, FOREST PARK ADDN.

Location: NORTH of FOREST PARK AVE., WEST OF CHILDRESS ST.

Proposed Request Type: Preliminary Final Replat
 Amended Vacation Revised

Owner Authorized Representative (Affidavit required)

Owner(s) of Subdivision: ANGELICA RUEGZA

Mailing Address: P.O. Box 455 Telephone: 450-9927

City/State/Zip: ELDORADO, TX 76936 Total Acreage: 0.78

Existing Land Use: RESIDENTIAL

Proposed Land Use: SAME

Existing Structures on Property: YES

Number of Residential Lots: 3 Single-Family Two-Family Townhouse
 Zero Lot Line Other

Acres of: Multi-Family Commercial Industrial
 Open Other

Proposed Source of Water: City Individual Well Other

Proposed Sewage Disposal: City Individual Septic Private Septic

Are there existing deed restrictions? Yes No

Deed Reference Information (required): INST. NO. 735658 OPR

Are any off-site drainage, access or other easements necessary for this subdivision? Yes No
If yes, explain: _____

Are any exemptions or variances from regulations or policies requested? Yes No
If yes, explain: _____

The owner hereby designates: SKG ENGINEERING, LLC as the official representative(s).

Address: 706 S. ABE ST. SAN ANGELO, TX 76903 Phone: 655-1288

All correspondence including billings are to be sent to: Owner Representative

The owner understands that upon approval of this submitted plat, certain site improvements may be required and that no plats will be released for recording or building permits issued until such improvements are installed and accepted by the City or a suitable performance guarantee accepted by the City. Furthermore, the owner is aware of all fees and costs involved in applying for subdivision approval and that the subdivision processing fee is payable to the City regardless of the outcome of this request.

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

✓ Cecilia Ruzga
Owner's Signature

_____ Date

Hub Hooker
Representative's Signature

08/28/2014
Date

OFFICE USE ONLY

Date of application: 8/28/14

Received by: Kevin

walk-in by mail

Nonrefundable application fee: \$ 418.25

Planning Commission? yes no

River Corridor Commission? yes no

Planning Commission hearing date: 10/20

If yes, RCC meeting date: N/A

Notifications Required? yes no

Notification fee: \$ 106.25

STAFF REPORT



Meeting: October 20, 2014

To: Planning Commission

From: Patrick B. Howard, AICP
Director

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Request: A request for approval of the First Replat of Lots 5 and 6 in Block 7, Bryant Park Addition and a Variance from Chapter 10, Section III.A.2. to allow for a 54-foot paving width in lieu of 64 feet for South Johnson Street, a Major Arterial Road

Location: 2209 and 2211 South Johnson Street, generally located 1,130 feet northwest of South Johnson Street and University Avenue

Legal Description: Bryant Park Addition, Block 7, Lots 5 and 6, in central San Angelo

Size: 0.483 acres

General Information

Future Land Use: Neighborhood

Zoning: Single-Family Residential (RS-1)

Existing Land Use: Vacant

Surrounding Zoning / Land Use:

North:	RS-1	Single-Family
West:	RS-1	Single-Family & Delker Drive
South:	RS-1	Single-Family & Nastworthy Drive
East:	RS-1	Johnson Street & ASU & Churches

District: SMD #5 Elizabeth Grindstaff

Neighborhood: ASU – College Hills

Recommendation:

The Planning Division recommends **APPROVAL** of the First Replat of Lots 5 and 6 in Block 7, Bryant Park Addition, **subject to the four (4) Conditions of Approval** listed below, with the clarification that in order to satisfy Condition of Approval #2, Alternative #1 or Alternative #2 shall be applied and **DENIAL** of the Variance request.

Background:

An application for a First Replat was submitted to the Planning Division on September 16, 2014. It is the applicant's intent to replat the site from two (2) lots into three (3) separate parcels, all with frontage onto Johnson Street. The minimum lot size in the RS-1 Zoning District is 5,000 square feet. The three lots being created by this subdivision exceed the minimum requirements for lot sizes set forth in the Zoning Ordinance. All three lots would have a 25-foot front setback as they front a Major Arterial Road, in this case, Johnson Street. As part of the development of this site, water and wastewater service lines will need to be installed on each new lot being created.

Analysis:

Section 212(G) of the Zoning Ordinance requires that the Planning Commission consider, at minimum, four (4) factors in determining the appropriateness of any subdivision request.

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

Given the nature of this request, along with feedback from various City divisions and groups, staff recommends denial of the variance request. Identified as a

"Major Arterial Street" in the City's Major Thoroughfare Plan, Johnson Street has a paving width of approximately 54 feet, almost ten (10) feet less than the minimum pavement width for a major arterial street. Ordinarily, whenever a subdivision plat request is made, the owner or "developer" is responsible for dedications and/or street improvements for existing streets. The provision of the Subdivision Ordinance only requires the owner to dedicate or improve half of the total widths of the right-of-way and street. Alternatively, the owner also has the option to contribute to the City an amount of money equal to that necessary for completing the pavement and curbs required. The responsibility for construction, then, falls to the City, rather than the taxpayers of the City as would be the case if the variance were granted and improvements Johnson Street were ever required in the future.

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

Strict enforcement of the Subdivision Ordinance's paving width requirements will not appear to create a hardship for the applicant. Although development has taken shape in a different manner than anticipated, there is no evidence that any waivers from the minimum paving requirement of the street have ever been granted. While the site represents a minor subdivision that involves three lots and has roughly 175 feet of combined frontage along Johnson Street, requiring dedication and improvements as the Ordinance calls for is appropriate given the general characteristics of the area. The fact that one additional lot is being created as a result of this Replat, which in turns adds additional traffic onto Johnson Street, only substantiates the need to uphold the Subdivision Ordinance's requirement for right-of-way improvements.

- 3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.**

Consultation with the City Engineer further confirms that such an expansion is feasible and prudent. The Manual on Uniform Traffic Control Devices or MUTCD, a set of standards used by engineers nationwide, generally stipulates that an improved approach is installed within the identified area to accommodate increases in the existing pavement width. Given the required widths involved, an approved approach to allow for widening the street is feasible in this case. While none of the lots along the block meet the paving requirements of the current Ordinance, each will be required to meet said standards once developers or owners seek to redevelop the area, particularly on the undeveloped parcels along the eastern side of Johnson Road.

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

This variance request varies from the pavement width provision outlined in the Ordinance. Future improvements of the street may be necessary to make navigating easier and provide sufficient passage of passing vehicular traffic along the Johnson Street, especially if the undeveloped parcels along the eastern side of Johnson Street are ever fully developed. Denying the variance of the paving requirement may result in a situation where the necessary improvements are never made to accommodate for future growth, undermining patterns whose result is logical and orderly development. Moreover, requiring the owner to contribute the equivalent funds for the future improvement by the City of Johnson Street, means that the burden of this expense does not fall to the taxpayers as would be the case if the variance were granted.

Proposed Conditions:

1. Provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Prepare and submit plans for required improvements to street (adjacent segment of Johnson Street) by half the additional increment necessary to comprise the minimum paving widths. For Johnson, the minimum width is 64 feet (in this case, requiring 4.75 additional feet).

Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.

A second alternative (reserved for improvement of street right-of-way beyond the perimeter of property to be subdivided) is to contribute to the City an amount of money equal to that necessary for completing the pavement and curbs required.

A third alternative would be to obtain approval of a variance from the Planning Commission.

3. Install necessary water and wastewater service lines to each new lot.
4. Prepare and submit plans for approval, illustrating the proposed installation of fire hydrant(s) as necessary to serve this area, and complete the installation in accordance with the approved version of these plans

Proposed Notes:

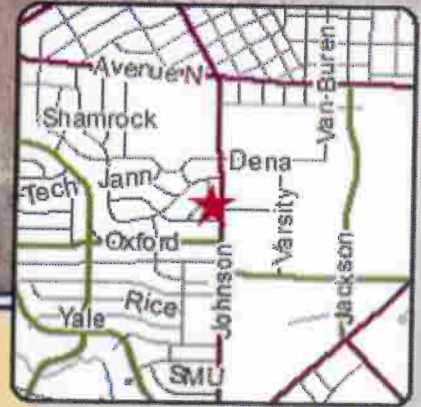
1. Atmos Energy has a 6-inch main in the City's right-of-way on Johnson and possible services to serve two (2) lots on Delker. For more information, contact Earla Ahrens with Atmos Energy at Earla.Ahrens@atmosenergy.com.
2. Regarding the second Condition, the City Engineer's recommendation is to not grant the Variance, but instead, apply Alternative #1 (financial guarantee to build within 18 months) or Alternative #2 (contribute funds to future construction by the City). Staff cannot support a Variance in this case as the criteria which must be met in order to grant such a Variance has not been provided to satisfy the requirements of the Subdivision Ordinance.
3. All sites have construction requirements under 12.05.009.

Action Requested:

The action requested is for the Planning Commission to **APPROVE** the First Replat of Lots 5 & 6 in Block 7, Bryant Park Addition, **subject to four (4) Conditions of Approval**, with the clarification that in order to satisfy Condition of Approval #2, Alternative #1 or Alternative #2 shall be applied and **DENY** the Variance request.

Attachments:

Aerial Map
Zoning Map
Proposed Plat
Application



Zoning Case File

Bryant Park Addn, Blk 7

Council District: Elizabeth Grindstaff

Neighborhood: ASU - College Hills

Scale: 1" approx. = 125 ft

Subject Property N/A

Legend

Subject Properties: **RS-1**

Current Zoning: **N/A**

Requested Zoning Change: **N/A**

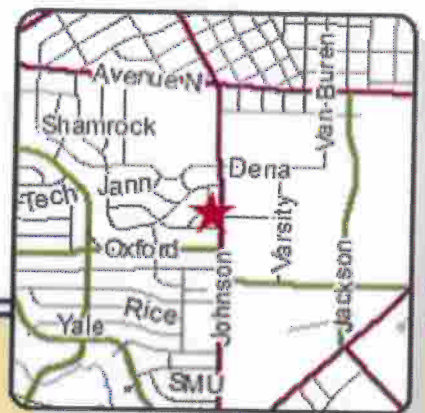
Vision: **Neighborhood**

N





Single Family Residential (RS-1)



Zoning Case File

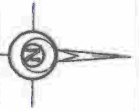
Bryant Park Addn, Blk 7

Council District: Elizabeth Grindstaff
 Neighborhood: ASU - College Hills
 Scale: 1" approx. = 125 ft
 Subject Property: N/A

Legend

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





Scale 1" = 30'

Bearings and distances shown hereon are based on Bryan Park Addition, Cabinet A, Slide 351, Plat Records, Tom Green County, Texas.

Bearings and distances hereon are of the Texas Central Zone Coordinate System NAD83.

- LEGEND:
- ⊙ - Found 3/4" Iron Pipe
 - - Found 1/2" Iron Rod w/Cap
 - ⊙ - Found 1-1/4" Iron Pipe
 - - Set 5/8" Iron Rod w/Cap

FIRST REPLAT OF LOTS 5 & 6, BLOCK 7, BRYANT PARK ADDITION

City of San Angelo, Tom Green County, Texas

OWNER: Joe L. Carter, Jr.
 DESCRIPTION: Being all of Lots 5 & 6 of Block 7 of Bryant Park Addition to the City of San Angelo, Tom Green County, Texas, according to the Plat recorded in Cabinet A, Slide 351, Plat Records, Tom Green County, Texas.

ACKNOWLEDGEMENT/DEDICATION
 I, Joe L. Carter, Jr., do hereby adopt this plat as the subdivision of my property.

By: _____
 Joe L. Carter, Jr.

STATE OF TEXAS
 COUNTY OF TOM GREEN
 This instrument was acknowledged before me on _____
 By: Joe L. Carter, Jr. _____

Notary Public, State of Texas

DEPARTMENT OF PLANNING
 Approved for recording this _____ 2014.
 day of _____

By: _____
 Planning Director

CITY PLANNING COMMISSION
 Approved for recording this _____ 2014.
 day of _____

By: _____
 Chairman of City Planning Commission

By: _____
 Secretary of City Planning Commission

DEPARTMENT OF PUBLIC WORKS
 Approved for recording this _____ 2014.
 day of _____

By: _____
 Director of Public Works

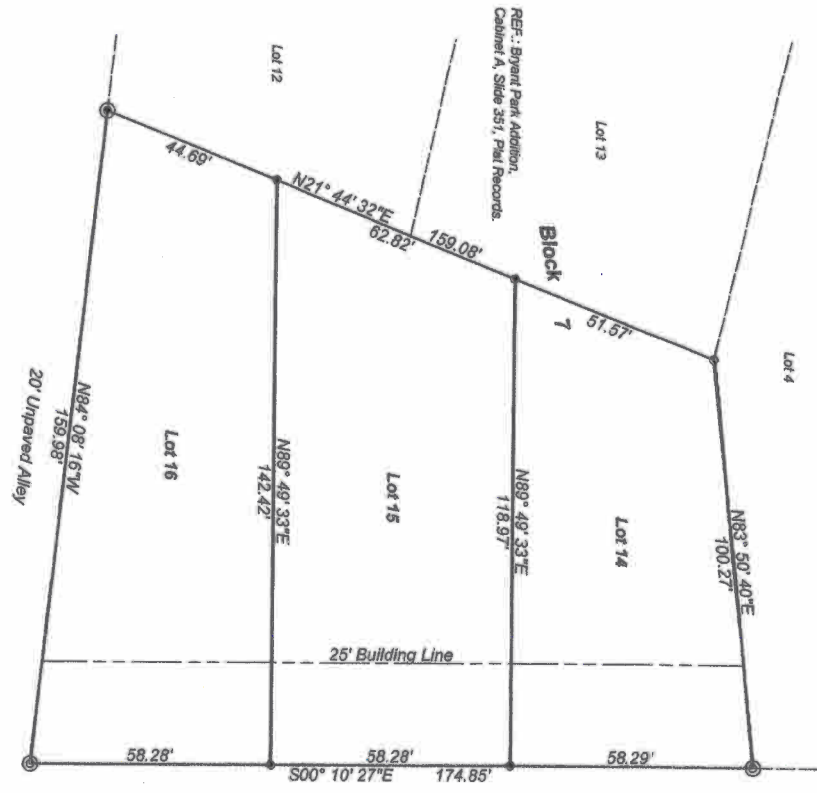
DEPARTMENT OF WATER UTILITIES
 Approved for recording this _____ 2014.
 day of _____

By: _____
 Director of Water Utilities

COUNTY CLERK
 Filed for record this _____ day of _____ 2014 @ _____

By: _____

This plat is filed in cabinet _____
 slide _____, plat cabinet records of Tom Green County, Texas



SURVEYOR'S CERTIFICATE
 Know all men by these presents, that I, W.H. Wilde, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the monuments shown hereon were properly placed, under my supervision. In accordance with the rules for land subdivision by the City Council of the City of San Angelo, and I further certify that the tract of land herein platted lies within the City Limits of the City of San Angelo, Tom Green County, Texas.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

W.H. WILDE
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4817

WE Wilde Engineering, LLC 5770 FM 765 San Angelo, Texas 76905 325.277.8682

TREAS Form #: 10.108.057
 www.wildc-eng.com

City of San Angelo, Texas
Planning Division

pc

Application for Approval of a SUBDIVISION

Proposed Name of Subdivision: 1st Replats, Bryant Park Addt.

Location: 2209 & 2211 Johnson St.

Proposed Request Type: Preliminary Final Replat
 Amended Vacation Revised

Owner Authorized Representative (Affidavit required)

Owner(s) of Subdivision: Joe Carter

Mailing Address: 4657 CI Business 1814 Telephone: (361) 318-1214

City/State/Zip: Beaville, TX 78102 Total Acreage: .483

Existing Land Use: SRI

Proposed Land Use: SRI

Existing Structures on Property: None

Number of Residential Lots: 3 Single-Family Two-Family Townhouse
 Zero Lot Line Other

Acres of: Multi-Family Commercial Industrial
 Open Other

Proposed Source of Water: City Individual Well Other
Proposed Sewage Disposal: City Individual Septic Private Septic

Are there existing deed restrictions? Yes No

Deed Reference Information (required): _____

Are any off-site drainage, access or other easements necessary for this subdivision? Yes No
If yes, explain: _____

Are any exemptions or variances from regulations or policies requested? Yes No

If yes, explain: Exemption from paving width requirement for Johnson St.

we want to make the 2 lots, 3 lots

The owner hereby designates: Will Barner as the official representative(s).

Address: 2012 Saddle Side Rd Phone: 325-450-7699

All correspondence including billings are to be sent to: Owner Representative

The owner understands that upon approval of this submitted plat, certain site improvements may be required and that no plats will be released for recording or building permits issued until such improvements are installed and accepted by the City or a suitable performance guarantee accepted by the City. Furthermore, the owner is aware of all fees and costs involved in applying for subdivision approval and that the subdivision processing fee is payable to the City regardless of the outcome of this request.

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

Will Barner
Owner's Signature

9/9/2014
Date

[Signature]
Representative's Signature

9-9-14
Date

OFFICE USE ONLY	
Date of application: <u>9/16/14</u>	Received by: <u>Kerrin</u>
<input checked="" type="checkbox"/> walk-in <input type="checkbox"/> by mail	Nonrefundable application fee: \$ <u>418.25</u>
Planning Commission? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no	River Corridor Commission? <input type="checkbox"/> yes <input type="checkbox"/> no
Planning Commission hearing date: <u>10/20</u>	If yes, RCC meeting date: _____
Notifications Required? <input type="checkbox"/> yes <input type="checkbox"/> no	Notification fee: \$ _____

STAFF REPORT



Meeting: October 20, 2014

To: Planning Commission

From: Patrick B. Howard, AICP
Director

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Staff Planner: Jeff Fisher
Planner

Case: Z14-32

Request: Rezoning from Single-Family Residential (RS-1) to
Neighborhood Commercial (CN)

Location: Eighteen (18) tracts located approximately 945 feet north of the
intersection of South Bryant Boulevard and Town and Country
Road, between South Bryant Boulevard and Ben Ficklin Road

**Legal
Description:** Monterrey Addition, Block 2, Lot 5; Block 3, the North 89 feet of
Lots 5 and 6, an unaddressed parcel approximately 0.08 acres
being Part of Lot 7, an unaddressed parcel approximately 0.05
acres being Part of Lot 22, Lots 23 and 25; Block 4, Lot 4 and
Part of Lot 5, an unaddressed parcel approximately 0.02 acres
being Part of Lot 8, the North 134 feet of Lots 9, 10, 11 and 12,
Part of Lot 21 and all of Lot 22, Lot 23; Block 5, Lot 4, and Part
of Lot 5CF Potter Survey 160, Abstract 7278

Size: 2.14 acres

General Information

Future Land Use: Blocks 2, 3, 4: Neighborhood Center
 Block 5: Commercial

Zoning: Single-Family Residential (RS-1)

Existing Land Use: Vacant residential land

Surrounding Zoning / Land Use:

North:	Single-Family Residential (RS-1)	Mix of single-family residences and vacant residential lots
West:	Single-Family Residential (RS-1), Low Rise Multifamily Residential (RM-1)	Mix of single-family residences and vacant residential lots
South:	General Commercial/Heavy Commercial (CG/CH) and Neighborhood Commercial (CN)	Vacant land, Open Space, Commercial properties
East:	General Commercial/Heavy Commercial (CG/CH)	San Angelo Southside Recreation Center, Open Space

District: CMD#3 – Johnny Silvas

Neighborhood: Rio Vista Neighborhood

Thoroughfares/Streets: Per the Master Thoroughfare Plan (MTP), South Bryant Boulevard is identified as an arterial street. An arterial street connects collector streets to freeways and other arterials carrying large volumes of traffic at high speeds, access is secondary and mobility is the primary function of these streets. Ben Ficklin Road, Avenue Y, Avenue Z and San Jacinto Street are classified as local streets. A local street carries light neighborhood traffic at low speeds. This request appears to be

consistent with the MTP, as no roads are being extended, widened, or proposed for abandonment in the immediate area.

Recommendation:

The Planning Division recommends **APPROVAL** of a Rezoning request for Neighborhood Commercial.

History and Background:

On September 16, 2014, the applicant Max Jacobs submitted an application for a Zone Change for eighteen properties in the Rio Vista Neighborhood of south San Angelo, bounded by Monterrey Street to the west, Avenue Y to the north, Ben Ficklin Road to the east, and San Jacinto Street to the south, for General Commercial (CG) Zoning. This is a transition area that contains residential and commercial properties including lands zoned Single-Family Residential (RS-1), Low Rise Multifamily Residential (RM-1), General Commercial (CG), and General Commercial/Heavy Commercial (CG/CH). All of the properties are within the Monterrey Addition Subdivision, approved by the Commissioners Court of Tom Green County on January 18, 1947.

The Future Land Use (FLU) Map of the Comprehensive Plan has designates all of the properties in Blocks 2, 3 and 4 as "Neighborhood Center" which fits with a Neighborhood Commercial (CN) Zoning underlay, whereas the applicant initially requested General Commercial (CG) Zoning. The 2 lots in Block 5 furthest to the south are designated as "Commercial" in the FLU which allows for either CG or CN. The neighborhood is predominantly single-family residential to the west, north, and east and there is already a large strip about 200 feet wide of General Commercial/Heavy Commercial (CG/CH) with some General Commercial (CG) Zoning along the properties between South Bryant Boulevard and Ben Ficklin Road ending at Avenue Y to the north. To add more CG zoning into the entirely residential area to the west and north would appear to be inconsistent with the FLU. The major differences between the CG and CN is that CG zoning allows for more intense uses such as vehicle wash, limited vehicle service and repair, commercial parking lots, and self-service storage, as well as a floor area ratio of 2.0, over double what is allowed in the CN, and outdoor storage up to 10% of the lot whereas the CN zone only allows outdoor storage 5 feet from the building wall. CG uses typically generate more traffic and have a greater visible impact on adjacent residential uses than CN which limits the building size and outdoor storage.

Staff had recommended to the applicant to amend his application to a CN zoning district given that CN allows for a majority of the same uses as CG including retail

sales and service. On Thursday, October 9, 2014, the applicant amended his application for a rezoning request from CG to CN. If approved, all 18 lots would be rezoned to CN.

Analysis:

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. The following analysis has been done for a proposed Rezoning to "Neighborhood Commercial."

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.*

Sixteen of the properties are designated as "Neighborhood Center" in the Future Land Use (FLU) map which supports a CN Zoning underlay, and the two parcels in Block 5 to the south are designated as "Commercial." The Neighborhood Center policies in the Comprehensive Plan support "transition areas to better 'scale-down' intensity of use from commercial centers to neighborhoods." The CN zoning district appears to provide an adequate transitional buffer from the CG/CH zoning to the east and south of the properties, and the mainly residential RS-1 neighborhood to the west, north, and northeast. Furthermore, the Neighborhood Center policies in the Comprehensive Plan also recommend replacing "CG/CH zoning on all commercial corridors with better-specified zoning classifications that prohibit incompatible uses and focus on built form." The CN zoning district would be a better classification given that FLU designation of Neighborhood Center and its close proximity to residential areas. The two lots to the south on Block 5, if rezoned to CN, would still be compatible with the Commercial FLU designation "which seek[s] visibility and convenient access offered by frontage on the major street network."

2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.*

The CN zoning district requires a minimum lot frontage of 50 feet, a minimum lot depth of 80 feet, and a minimum lot area of 6,000 square feet. Of the eighteen properties, twelve of them meet the minimum development standards. The remaining six properties – portions of Lot 5, 6, 7 and 22 of Block 3, a portion of Lots 8 in Block 4, and a portion of Lot 5 in Block 5 of the Monterrey Addition – would be required to be replatted in the future in accordance with the City's Subdivision Ordinance. Given the front yard setback requirement of 25 feet for CN zoning districts and the Maximum Floor Area Ratio of 0.6, it is likely future commercial development would be required to be developed on multiple lots as opposed to a single lot in order to meet the minimum building setbacks and

provide sufficient parking and maneuvering. Section 509 of the Zoning Ordinance requires 6-foot opaque privacy fencing along the side and rear yards for properties that have these yards abutting existing residential zones and uses. From a recent site visit and more detailed research, privacy fencing will be required at the time of future development along both sides and the rear yard for Block 2, Lot 5; along the east side yard of a portion of Block 3, Lot 5; the rear yards of a portion of Lot 8 and all of Lots 9-12 in Block 4; and along the west side yard of Lot 12. Notwithstanding the remnant lots which will need to be replatted in future, it appears that all of the lots are compatible with the Zoning Ordinance in all other respects.

- 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 indicated, the surrounding area is predominantly Single-Family Residential (RS-1) to the west, north, and northeast. The CN zoning district would appear to provide an adequate buffer from the more intensive CG/CH zoning to the east and south, and the less intense abutting RS-1 zoning.

- 4. Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.*

All of the eighteen properties zoned RS-1 are vacant and are not presently being formally utilized. Given the large commercial area to the east and south, it appears that there are changing conditions in that this particular area is more suitable for commercial development than residential. However, being adjacent to a predominantly residential area to the north warrants a lower intensive commercial zone, and the CN district would appear to be appropriate in this regard.

- 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.*

CN zoning districts generally service local neighborhoods, limit outside storage to 5 feet from the building wall, and allow for a smaller Floor Area Ratio (FAR) of 0.6 than the more intensive CG zoning district at 2.0. Therefore, effects on the natural environment would appear to be minimal. Future commercial development will require building permits which would include a review of grading, drainage and stormwater runoff to further ensure there are no negative environmental impacts.

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

As mentioned, the properties are presently vacant and not being formally utilized. There appears to be a community need for more low intensive commercial development given the higher intensive commercial zoning to the south and east, and also to service the residential neighborhood to the west, north, and northeast.

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.*

North Bryant Boulevard is a major arterial road which can accommodate large volumes of traffic, and it is expected that most of the commercial traffic would use North Bryant Boulevard, thereby minimizing impacts on the adjacent residential areas. Most of the lots abut North Bryant Boulevard, so vehicles would not have to cross through other lots with residential homes.

Notification:

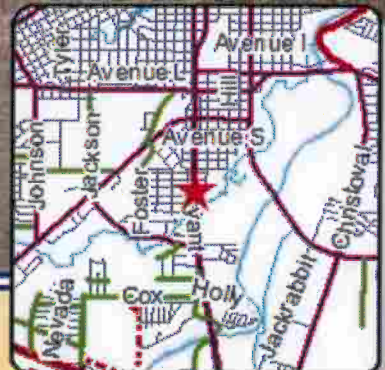
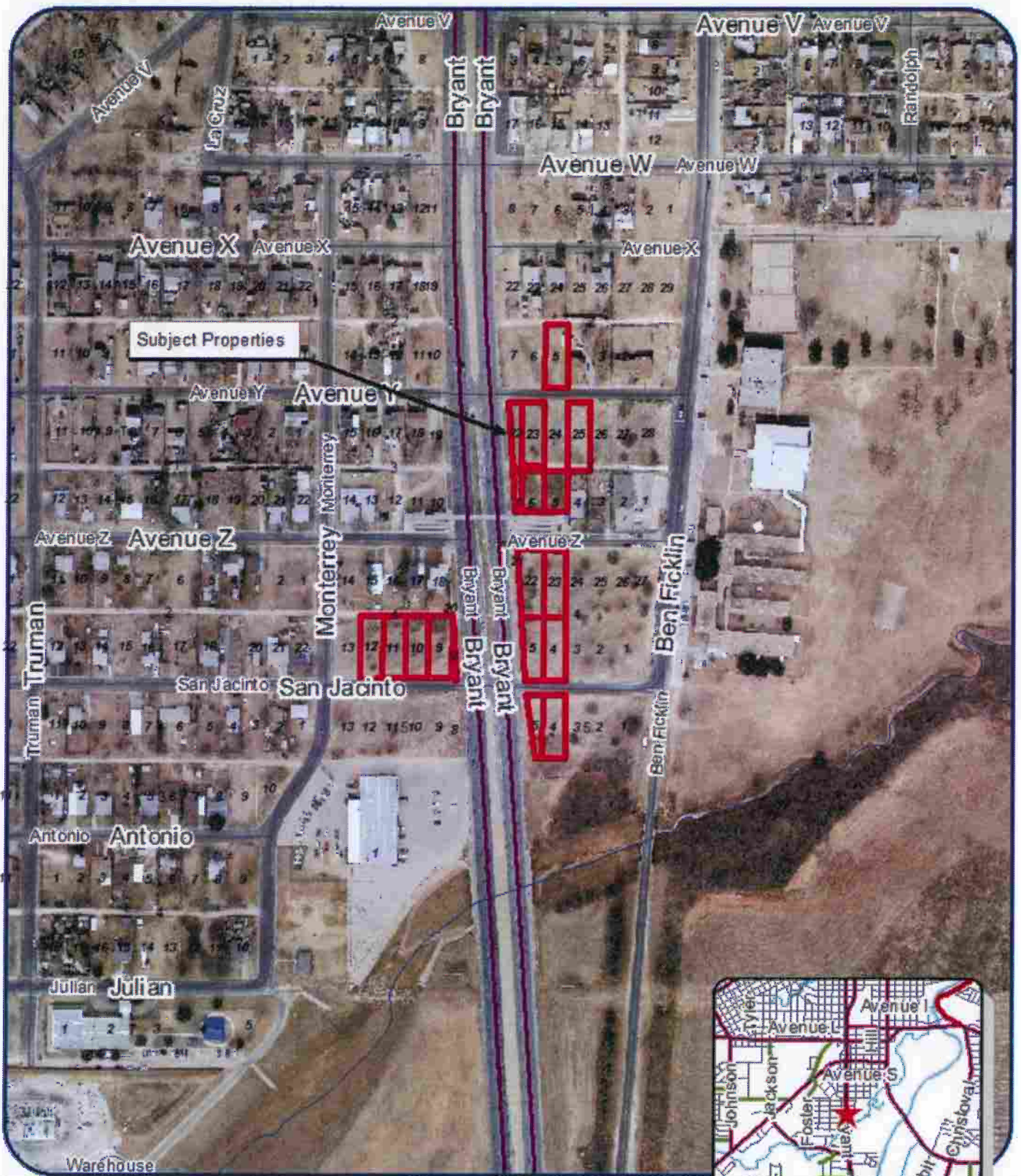
On October 10, 2014, 40 notifications were mailed out within a 200-foot radius of the subject site. As of October 17, 2014, there were 0 responses in favor and 0 responses in opposition of the request.

Action Requested:

The action requested is for the Planning Commission to recommend **APPROVAL** of Case Z14-32 for a Rezoning to the Neighborhood Commercial zoning district.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Major Thoroughfare Map
Notification Map

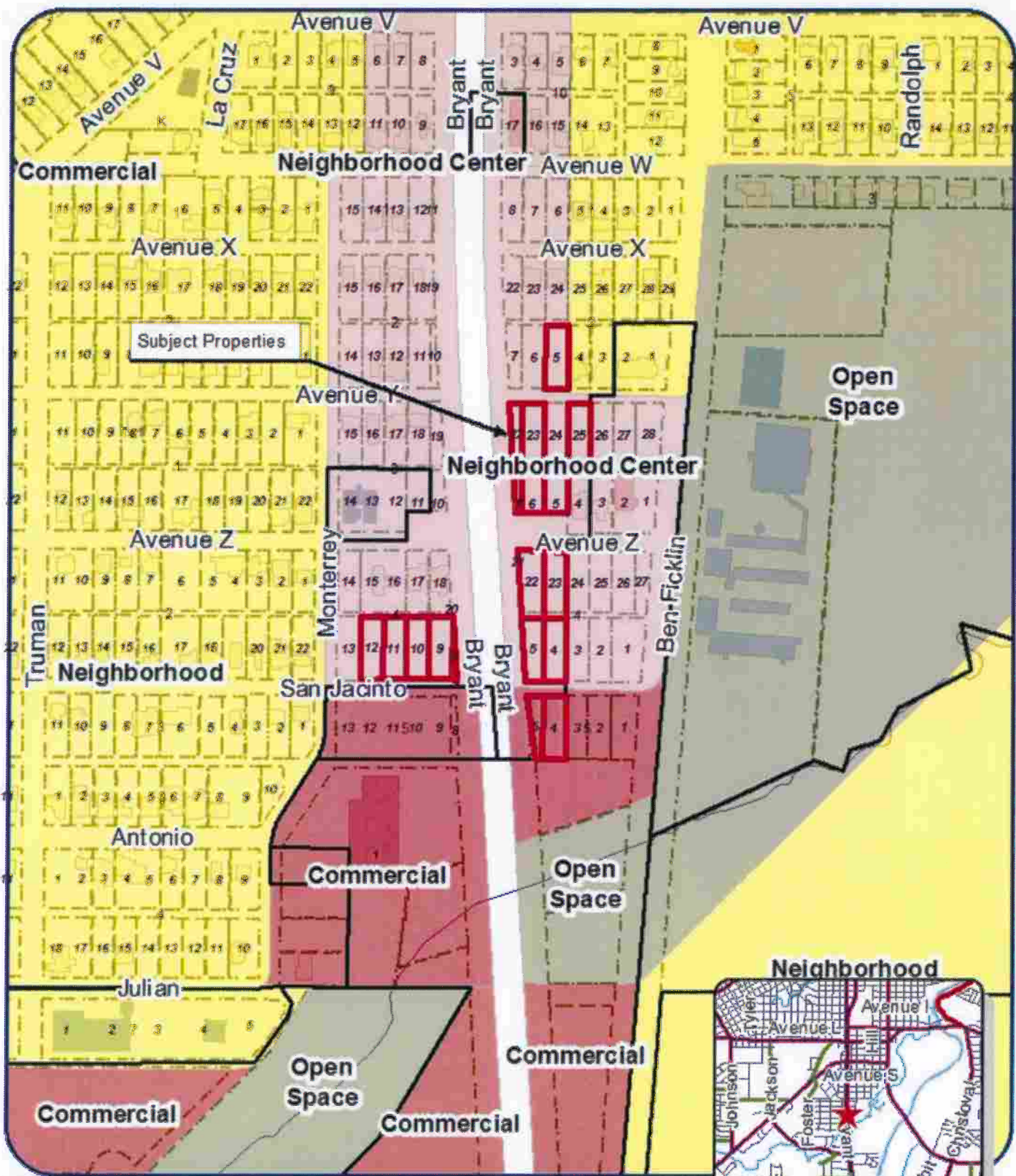


Zoning Case File
Case Z14-32 Max Jacobs

Council District: Johnny Silvas
 Neighborhood: Rio Vista
 Scale: 1" approx. = 275 ft
 Subject Property Legal Description(s): 16 unidentified tracts Monterrey Addition, Blocks 2, 3, 4, 5

Legend	
Subject Properties	RS 1
Current Zoning:	N/A
Requested Zoning Change:	Blocks 2, 3, 4: Neighborhood Center
Vision:	Block 5: Commercial





Zoning Case File

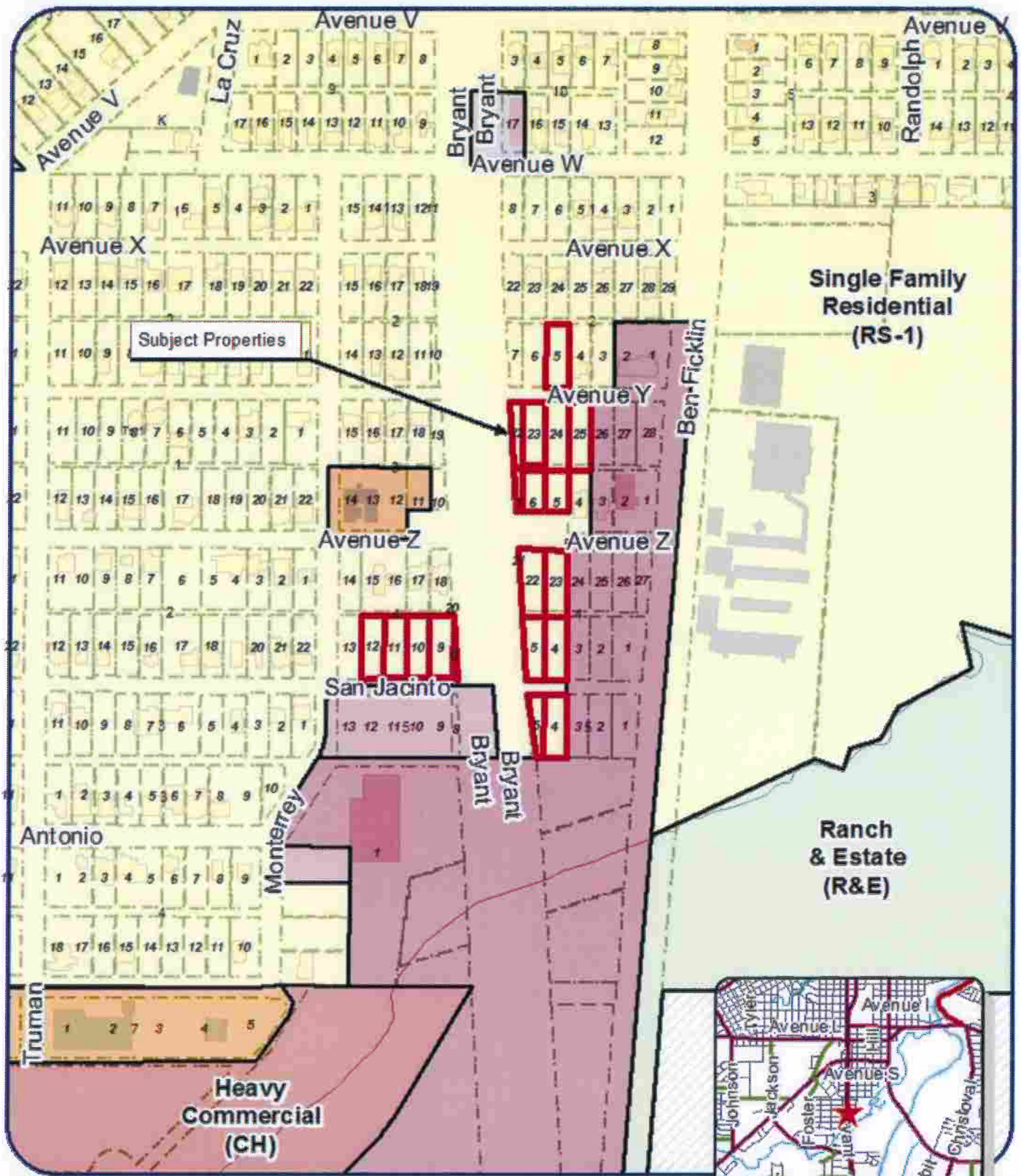
Case Z14-32 Max Jacobs

Council District: Johnny Silvas
 Neighborhood: Rio Vista
 Scale: 1" approx. = 275 ft
 Subject Property Legal Description(s): 16 unidentified tracts Monterrey Addition, Blocks 2, 3, 4, 5

Legend

- Subject Properties:
- Current Zoning: RS 1
- Requested Zoning Change: N/A
- Vision: Blocks 2, 3, 4: Neighborhood Center
- Block 5: Commercial





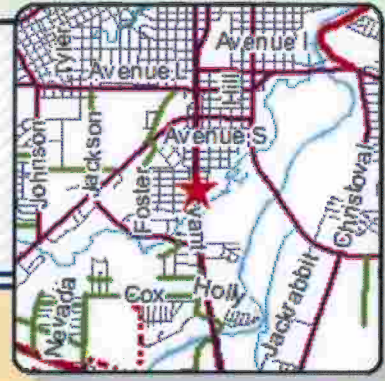
Zoning Case File

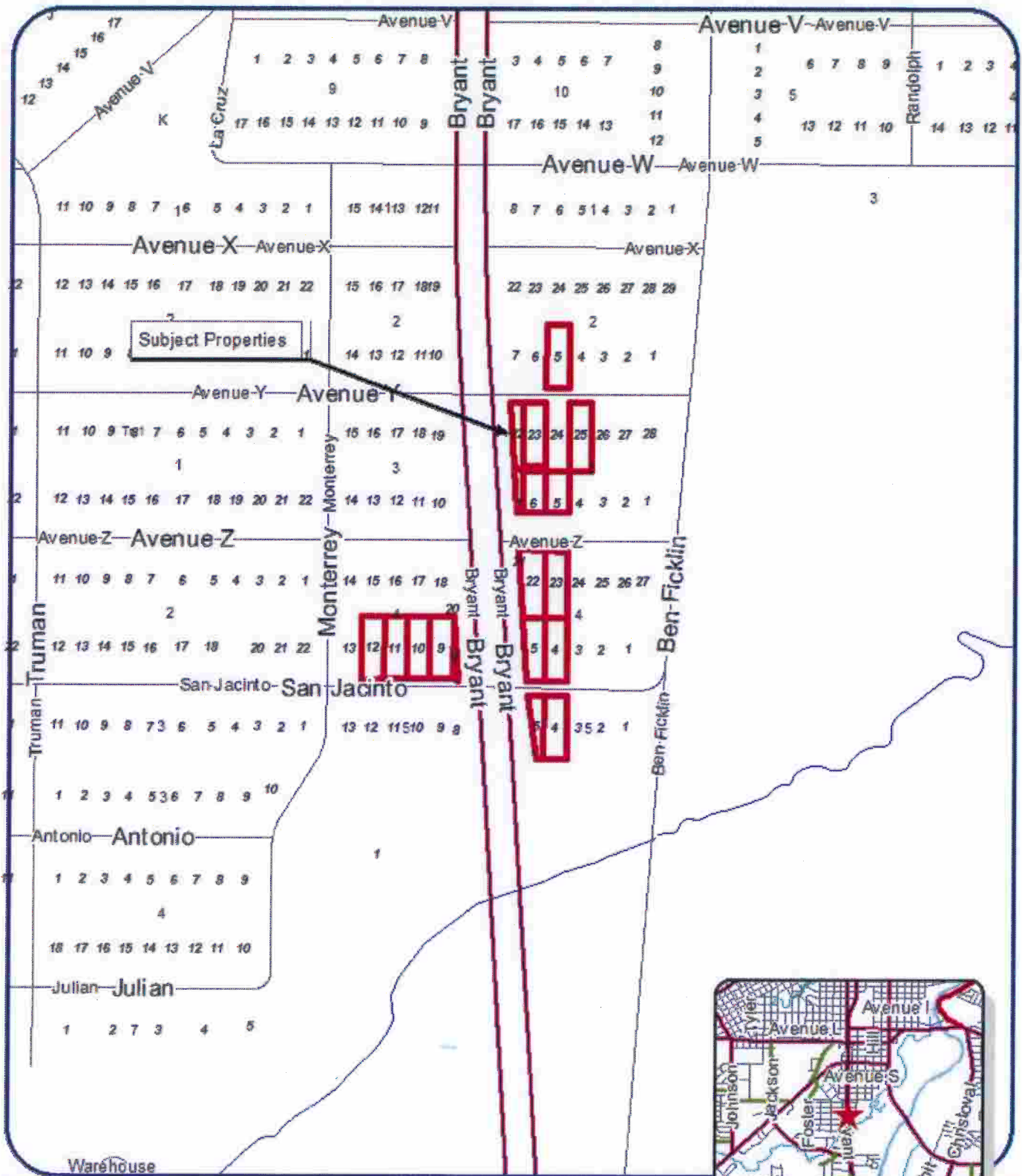
Case Z14-32 Max Jacobs

Council District: Johnny Silvas
 Neighborhood: Rio Vista
 Scale: 1" approx. = 275 ft
 Subject Property Legal Description(s): 16 unidentified tracts Monterrey Addition, blocks 2, 3, 4, 5

Legend

- Subject Properties: —
- Current Zoning: RS 1
- Requested Zoning Change: N/A
- Vision: Blocks 2, 3, 4: Neighborhood Center
- Block 5: Commercial





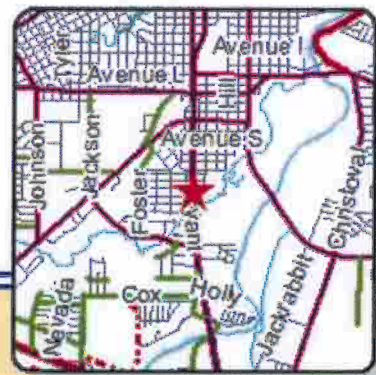
Zoning Case File

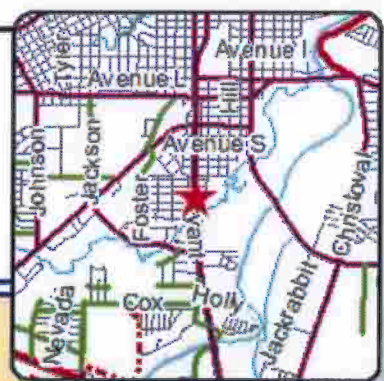
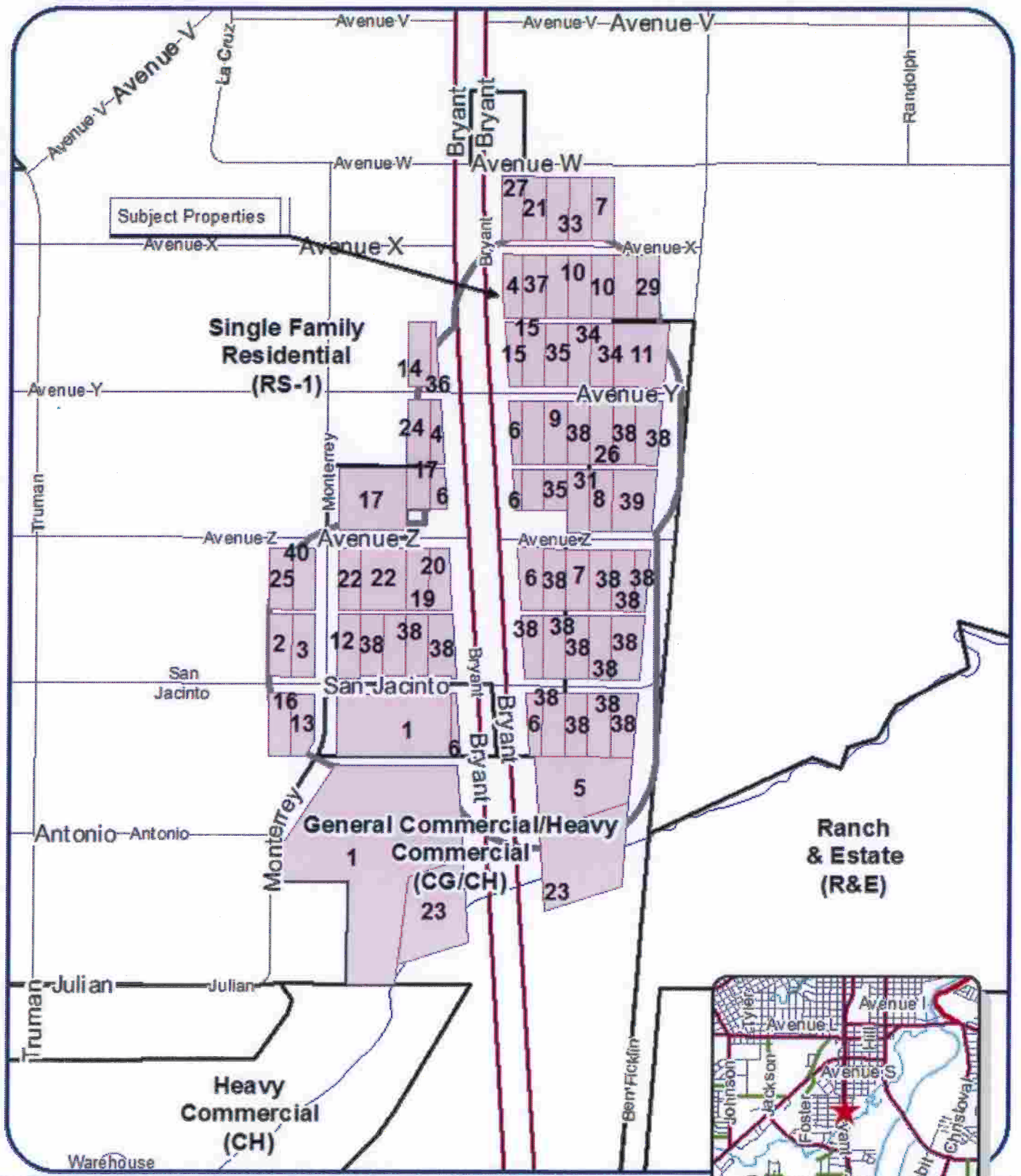
Case Z14-32 Max Jacobs

Council District: Johnny Silvas
 Neighborhood: Rio Vista
 Scale: 1" approx. = 275 ft
 Subject Property Legal Description(s): 16 unidentified tracts Monterrey Addition, Blocks 2, 3, 4, 5

Legend

- Subject Properties:
- Current Zoning: RS 1
- Requested Zoning Change: N/A
- Vision: Blocks 2, 3, 4: Neighborhood Center
- Block 5: Commercial





Zoning Case File
Case Z14-32 Max Jacobs

Council District: Johnny Silva
 Neighborhood: Rio Vista
 Scale: 1" approx. = 275 ft
 Subject Property Legal Description(s): 16 unidentified tracts Monterey Addition, blocks 2, 3, 4, 5

Legend	
Subject Properties	RS 1
Current Zoning:	N/A
Requested Zoning Change:	Blocks 2, 3, 4: Neighborhood Center
Vision:	Block 5: Commercial



STAFF REPORT



Meeting: October 20, 2014

To: Planning Commission

From: Patrick B. Howard, AICP
Director

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Staff Planner: Jeff Fisher
Planner

Case: CU14-12

Request: To allow a metal salvage and recycling facility in a Light Manufacturing (ML) zoning district, as defined in Section 316E.3 of the Zoning Ordinance

Location: 1000 and 1008 Upton Street, located at the northeast corner of Upton Street and North Baze Street

Legal Description: The South ½ of the North ½ of Block C, Baze Addition; Lots 1-8, Malones Subdivision; and the J.P. Holmes Resubdivision of Blocks A and B, Lots 20-27 and 29-31; in east San Angelo.

Size: 4.837 acres

General Information

Future Land Use: Industrial

Zoning: Light Industrial (ML)

Existing Land Use: Vacant industrial buildings with outside vehicle storage

Surrounding Zoning / Land Use:

North:	Light Manufacturing (ML)	Train car repair and yard
West:	Light Manufacturing (ML)	Single family residences
South:	Light Manufacturing (ML)	Warehouse and storage yard
East:	Light Manufacturing (ML)	Undeveloped property and railway

District: CMD #3 – Johnny Silvas

Neighborhood: Paulann Neighborhood
 District:

Thoroughfares/Streets: Per the Master Thoroughfare Plan (MTP), North Baze Street is defined as a Collector Street and is designed to collect local street traffic carrying it to arterial streets at a moderate speed.

Upton Street is defined as a Local Street and is designed to carry light neighborhood traffic at lower speeds and generally connects to collector streets.

Recommendation:

The Planning Division recommends **APPROVAL** of this request, **subject to six (6) Conditions of Approval.**

History and Background:

On September 9, 2014, the applicant Falcon Transit, Inc. submitted an application for a Conditional Use to allow for a metal salvage yard and recycling facility in the Light Manufacturing (ML) zoning district, at 1000 and 1008 Upton Street in east San

Angelo. The ML zoning district allows for a wide range of industrial uses but deems both metal salvage yards and recycling facilities as "Waste-Related Uses" under Section 316.E of the Zoning Ordinance, which requires the granting of a Conditional Use from the Planning Commission.

The applicant explained to Staff that their business "Oak Cliff Recycling, Inc." recycles scrap metal ranging from aluminum to steel and copper (see attached excerpt from their website). Section 426 of the Zoning Ordinance allows for the crushing of cans, but large-scale metal recycling, such as the metal used in this business, requires Conditional Use approval. The process, according to the applicant, is for trucks to come onto the property, weigh in for recycling, then the scrap metal is cut and separated and taken off the site. This process will likely result in noise and some truck traffic to and from the site.

It is noted that on August 19, 2013, a Conditional Use approval by the Planning Commission was granted for a metal salvage yard on the same properties for a different applicant, Troy Tillery (CU 13-17). Staff recommended approval subject to various conditions which were adopted by the Planning Commission, including limitations in the height of outside storage; a required 8-foot opaque privacy fence along the west, southern and northwestern portions of the property facing the residential dwellings; restrictions of hours of operation between 8am and 7pm only; and the collection of metals only and not other types of wastes.

A site visit on Wednesday, October 15, 2014, confirmed there was no metal salvage uses being conducted on the property, only approximately 15 cars parked along the west side of the property and what appeared to be vacant industrial buildings which were gated and locked. The City's Permits Division confirmed that no permits were ever issued for a metal salvage facility. Section 208 of the Zoning Ordinance requires that a building permit be obtained for the approved use within 12 months, which in the case of the previous Conditional Use approval, would have been August 19, 2014. Therefore, the new applicant, Falcon Transit, Inc. requires that a new Conditional Use for the metal salvage yard, as well as for the recycling facility, be considered by the Planning Commission.

Analysis:

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 outlined in the previous Conditional Use Staff Report (CU 13-17), there is a block of homes on the west side of North Baze Street, across the street from the proposed metal salvage and recycling facility. Although the area is entirely industrial to the north, east and south, there remain nine residential lots to the west which are part of the larger J.P. Holmes Subdivision. Upon reviewing the Tom Green County Appraisal District's website, these homes appeared to be erected in the late 1950s/early 1960s. Today, the entire Block A, which includes the nine lots facing North Baze and those immediately west, is zoned Light Manufacturing (ML). Nevertheless, the lots remain occupied by residential dwellings and therefore, careful attention must be given to ensure these uses are protected from any future industrial development, including this proposed metal salvage and recycling facility. The conditions outlined in the previous Conditional Use Approval CU-13-17, which was approved just over a year ago, would still be applicable as the circumstances and site remain fairly unchanged. Adding additional conditions requiring the planting of trees to act as a buffer along with the privacy fence, prohibiting the spillover of light onto adjacent properties, and not allowing the storage of hazardous wastes would also be in keeping with the spirit of the previous conditions. Potential impact will appear to be minimized if the applicant satisfies all of these conditions.

2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.*

The nature of the request appears to be consistent with relevant aspects of the Zoning Ordinance. The property is almost five acres in size and meets the minimum lot frontage of 50 feet, lot depth of 80 feet and lot area of 6,000 square feet for the ML zoning district. Tom Green County Appraisal Records confirm the existing industrial buildings were built in 1959. They are built to the property line and do not meet the required 25 foot front yard setback. However, given that the buildings are existing, they would be legally non-conforming and be allowed to remain so as long as the front yard setback was not reduced further. There appears to be adequate space for parking on the property, and there is a driveway access from Upton Street.

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 property.*

The proposed metal salvage and recycling facility appears to be compatible with the area to the north, east, south, and west which is zoned Light Manufacturing (ML) and designated as Industrial in the Future Land Use (FLU) map of the Comprehensive Plan. The issue, however, are the existing single family homes to the west which are all zoned ML. Although long term these properties are zoned for industrial uses, they are still being used as residential, so careful discretion must be given. The Conditions of Approval at the end of the report

including an 8-foot high opaque solid screen fence, consistent with the previous Conditional Use approval CU-13-17, as well as tree buffering, will help to reduce the impacts of the proposed use on these homes.

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.*

There are existing industrial buildings on the property to the east and a large gravel parking area to the west. The property is already zoned ML and there are no vegetation or natural features on the property. The applicant has stated that none of the metals being recycled are hazardous in nature.

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

There appears to be a community need for this operation and the company, Oak Cliff Recycling, has been providing services to their clients in North Texas for over twenty-five years. The applicant stated that they have accepted metal from large scale businesses such as Hirschfield Steel, to smaller scale metal from the automotive industry.

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.*

From Staff's recent site visit, and reviewing the Master Thoroughfare Plan (MTP), it appears that most of the truck traffic will access the site from the Collector Street, North Baze Street, which connects the property to the Houston Harte Expressway to the north. A metal salvage and recycling facility does not appear to generate any more traffic than a similar industrial use on the property. As mentioned previously, the industrial buildings were built in 1959, so the property has operated in an industrial capacity for over 50 years. The conditions of approval for this request are consistent with the previous approval CU-13-17 for the same use which expired and will help to reduce impacts on the existing homes along North Baze Street.

Notification:

On October 10, 2014, 12 notifications were mailed out within a 200-foot radius of the subject site. As of October 17, 2014, there were 0 responses in favor and 0 responses in opposition of the request.

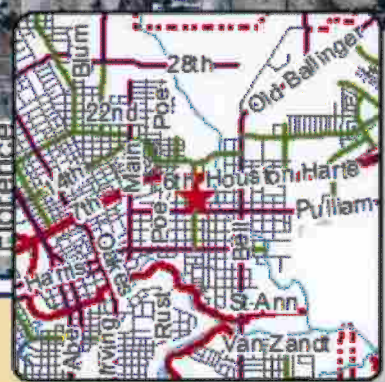
Action Requested:

The action requested is for the Planning Commission to recommend **APPROVAL** of Case CU14-12, **subject to the following six (6) Conditions of Approval:**

1. Any storage on the western 100 feet of the property (approximate distance from property line to existing building) shall be no more than 7 feet in height.
2. An 8-foot opaque privacy fence shall be constructed along the full length of the western side of the property, beginning 25 feet back from the west property line, tapering to 3 feet, within the bottom 30 feet of North Baze Street, to provide visual clearance for traffic from the intersection of North Street and Upton Street. Any barbed wire from any existing fencing shall be hidden by the opaque fence or removed in its entirety. In addition, the planting of 5 drought-resistant trees, a minimum of 3" caliper and 5-6 feet in height at time of planting, shall be installed in front of the opaque fence.
3. Outdoor activities associated with the metal salvage and recycling facility shall not commence prior to 8AM or later than 7PM. This condition shall expire when there is no longer any residential uses within 200 feet of the properties which are the subject of this request. This shall also include the pickup and loading of collected materials to off-site locations for processing or other means.
4. Collection of waste materials shall be limited to metals only and there shall be no collection or storage of hazardous wastes on the property.
5. All exterior lighting shall be shielded and positioned in such a matter so as to not spill over onto any adjacent property.
6. Alleyways currently encroached upon by existing buildings shall be formally abandoned or said buildings relocated outside of these right-of-ways. Alternatively, recorded proof from the Tom Green County Clerk that these alleyways have been abandoned shall waive this condition.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Major Thoroughfare Map
Notification Map



Conditional Use Case File

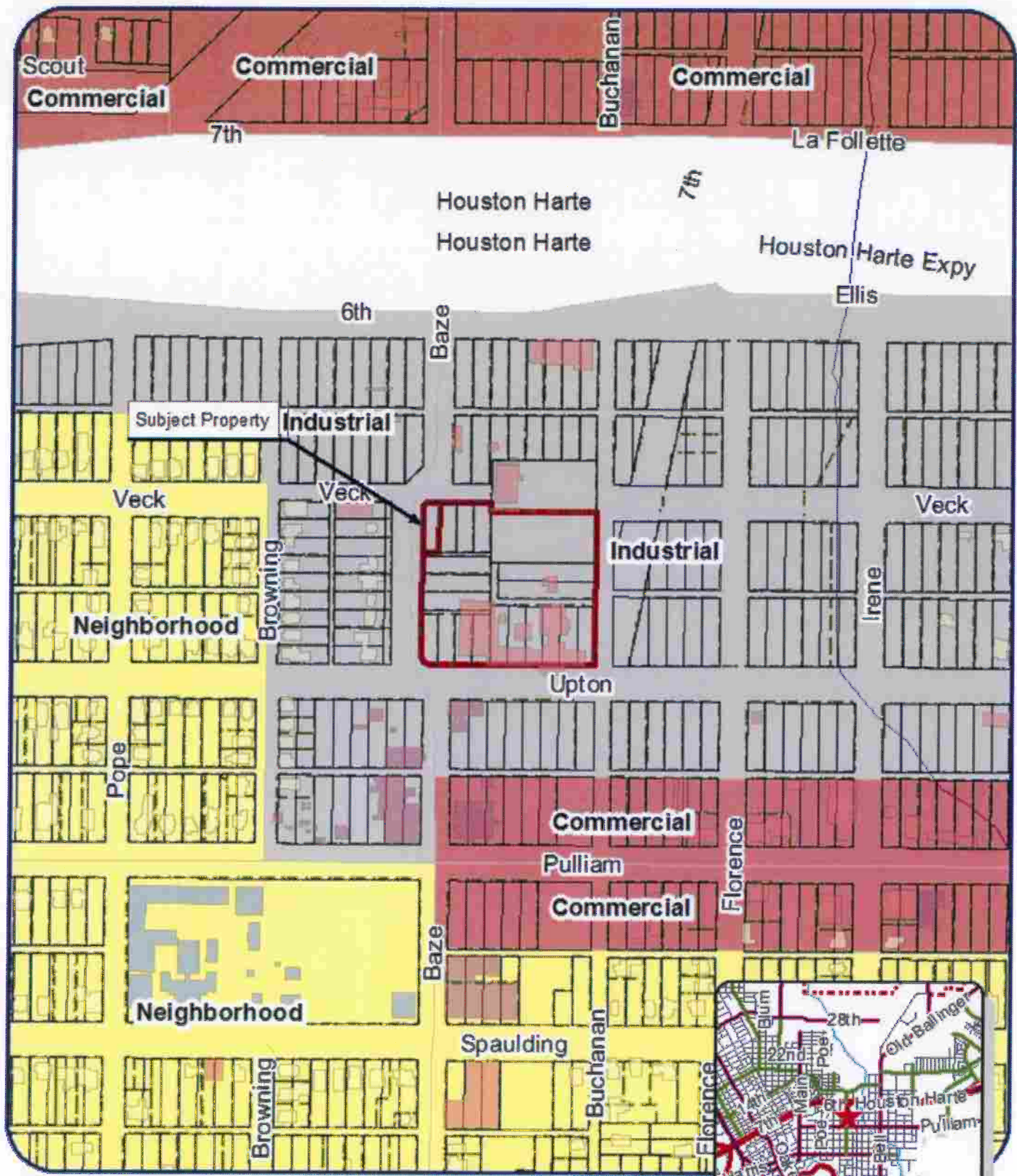
Case CU14-12: Falcon Transit Inc.

Council District: Johnny Silvas
 Neighborhood: Paulann
 Scale: 1" approx. = 350 ft
 Subject Property: 1000 and 1008 Upton Street

Legend

- Subject Properties: —
- Current Zoning: ML
- Requested Zoning Change: N/A
- Vision: Industrial





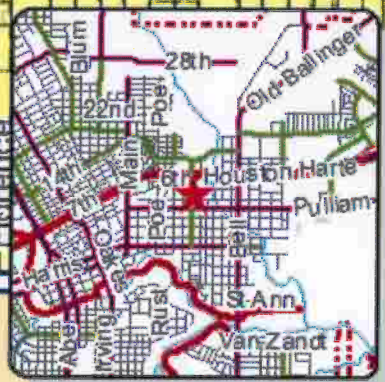
Conditional Use Case File

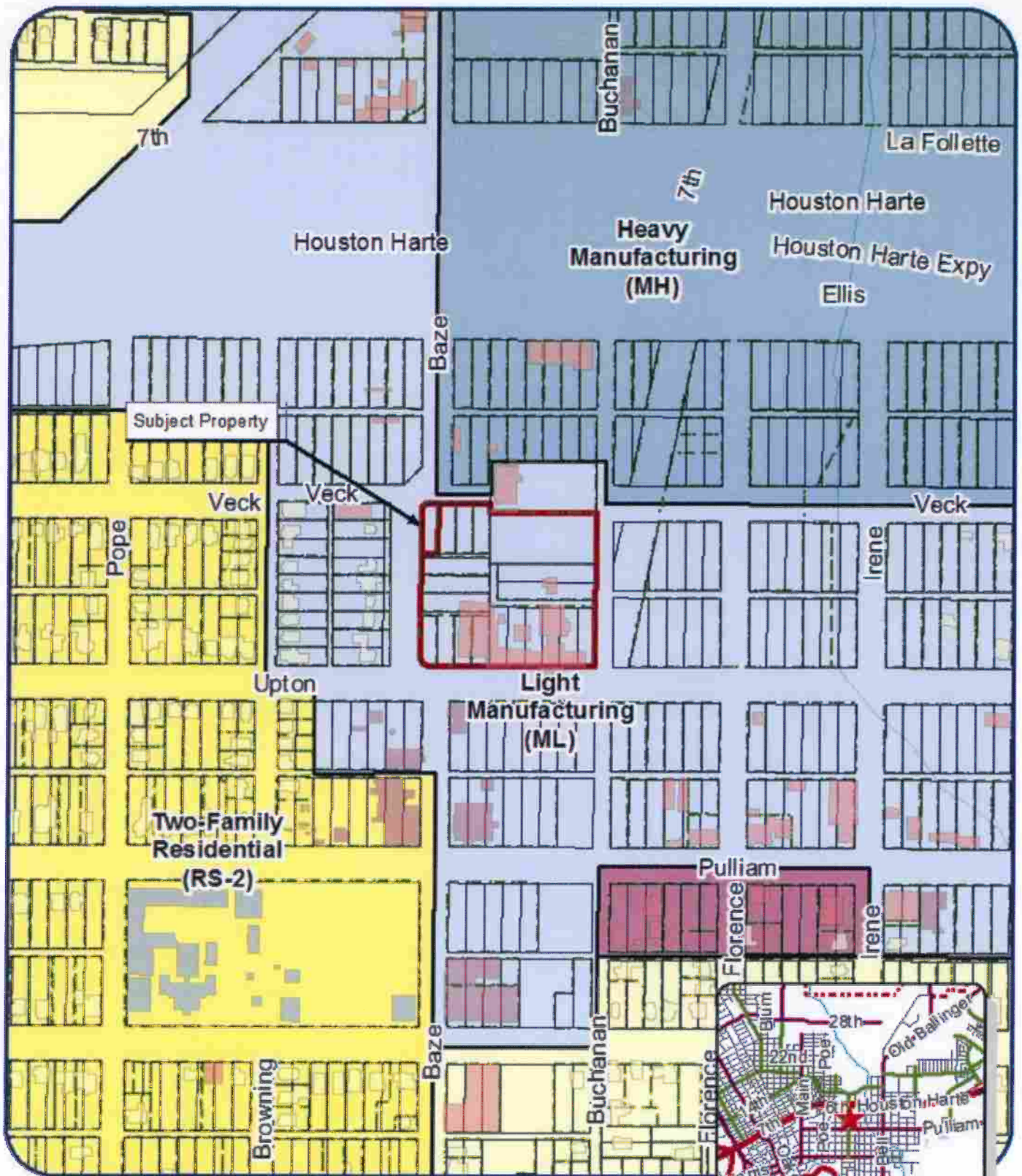
Case CU14-12: Falcon Transit Inc.

Council District: Johnny Silvas
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 Scale: 1" approx. = 350 ft
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Legend

- Subject Properties: —
- Current Zoning: ML
- Requested Zoning Change: N/A
- Vision: Industrial





Conditional Use Case File

Case CU14-12: Falcon Transit Inc.

Council District: Johnny Silvas

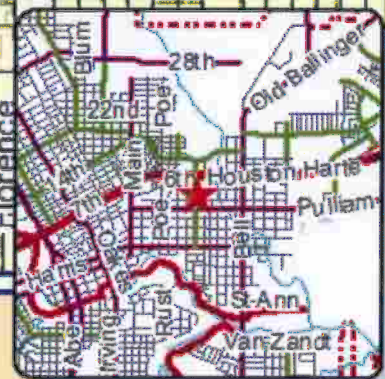
Neighborhood: Paulann

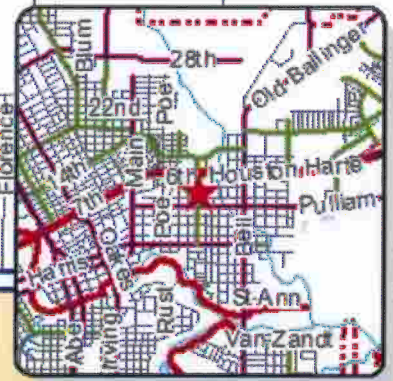
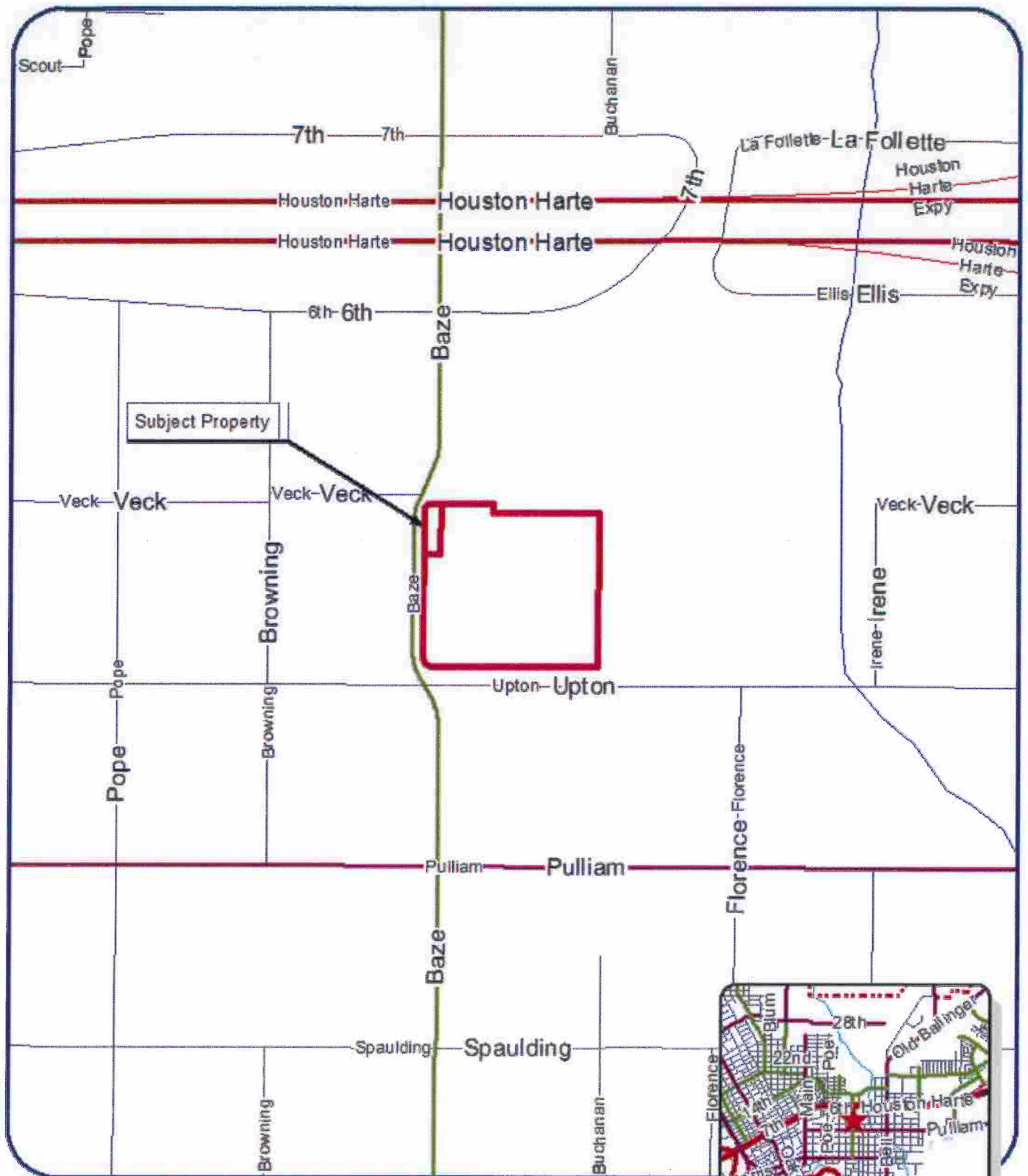
Scale: 1" approx. = 350 ft

Subject Property: 1000 and 1008 Upton Street

Legend

- Subject Properties: —
- Current Zoning: ML
- Requested Zoning Change: N/A
- Vision: Industrial





Conditional Use Case File

Case CU14-12: Falcon Transit Inc.

Council District: Johnny Silvas

Neighborhood: Paulann

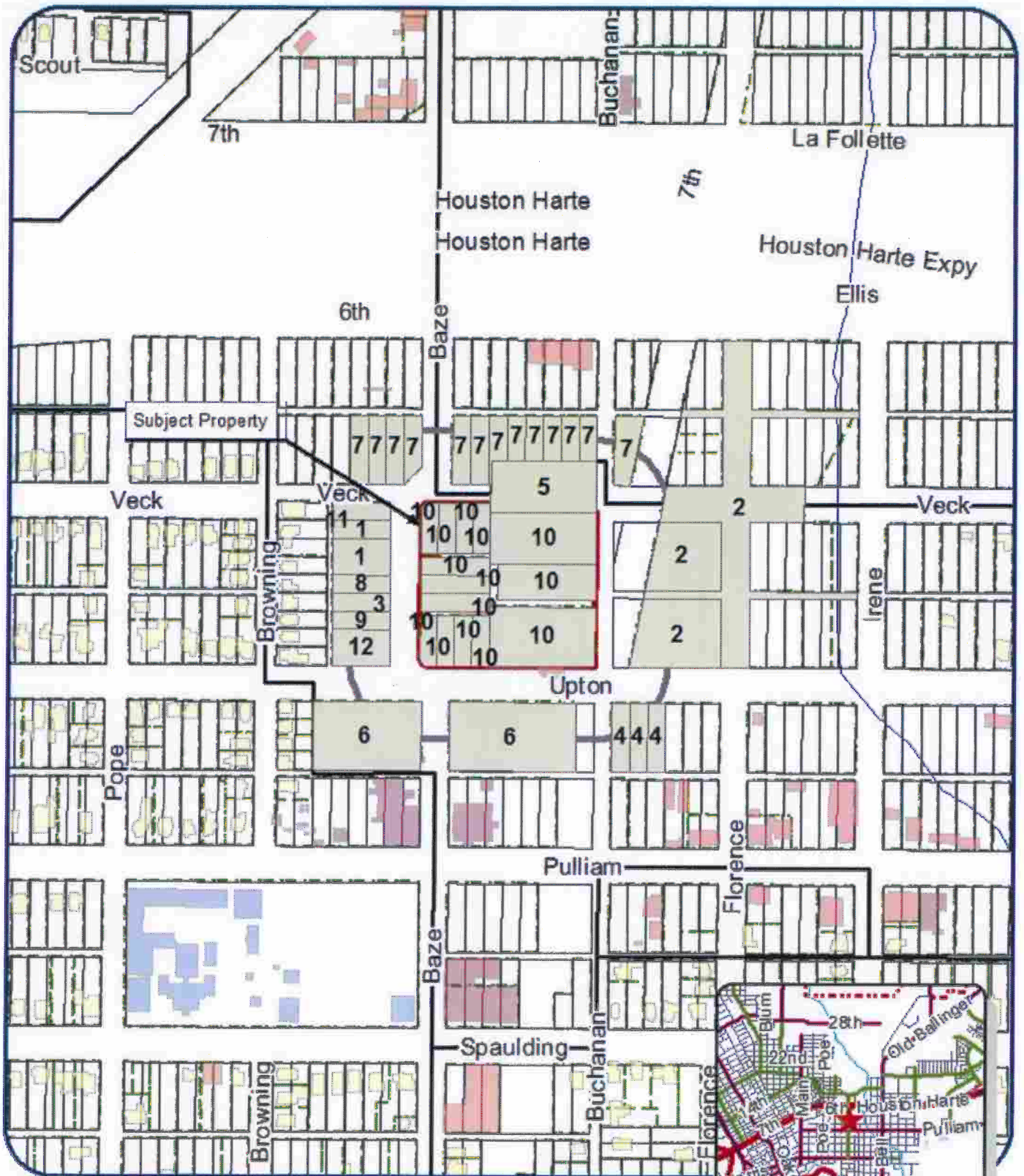
Scale: 1" approx. = 350 ft

Subject Property: 1000 and 1008 Upton Street

Legend

- Subject Properties: —
- Current Zoning: ML
- Requested Zoning Change: N/A
- Vision: Industrial





Conditional Use Case File

Case CU14-12: Falcon Transit Inc.

Council District: Johnny Silvas

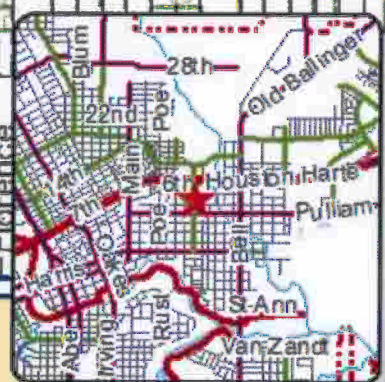
Neighborhood: Paulann

Scale: 1" approx. = 350 ft

Subject Property: 1000 and 1008 Upton Street

Legend

- Subject Properties: —
- Current Zoning: ML
- Requested Zoning Change: N/A
- Vision: Industrial



N

