



**Planning Commission
11/20/2023**

Notice is hereby given of a regular meeting of the Planning Commission of the City of San Angelo to be held on November 20, 2023 at 9:00 AM at City Hall – East Mezzanine, 72 W. College Ave., San Angelo, Texas, for the purpose of considering the following agenda items.

I. Call to Order

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. All items on the consent agenda have been recommended for approval by staff with no opposition received to date. Since some items on the Consent Agenda may require a public hearing, the Commission will accept public comment on any item on the Consent Agenda in one public hearing.

- A. **Minutes - October 16, 2023**
- B. **RP23-36 - A request for approval of a replat of Lot one Block two of the San Angelo Gateway Addition Section one into three light manufacturing lots totaling 28.64 acres in the San Angelo Industrial Park.**
- C. **FP23-34 - A request for approval of a final plat of Meridian North Section four that will create 21 residential lots along Slayde St. and Catarina Ct.**
- D. **PP23-13 & FP23-35 - A request for approval to preliminary plat Odell Estates Section one and final plat Odell Estates Section One Lot 1 for residential purposes in the extraterrestrial jurisdiction of the City of San Angelo.**

III. Regular Agenda

A. Subdivision Plats

The Planning Commission has final authority for approval; appeals may be directed to City Council.

- 1. **RP23-33: A request for First Replat of Angelo Heights Addition, Block 178 being lots 7, 8, and 9 having Two Family (RS-2) zoning. A variance request to maintain the established right-of-way at 49' instead of 52' for a minor collector on N. Van Buren and a paving width variance to maintain the 30' of paving with curb and gutter instead of the minimum of 36' has been submitted.**
- 2. **RP23-34: First replat of Lots 44 and 45 in Block 3 Section 3 Group Red Bluff of the Lake Nasworthy Addition with Single Family Residential (RS-1) zoning. A variance request has been made for no additional paving.**

B. Conditional Uses

The Planning Commission has final authority for approval of conditional uses; appeals may be directed to the City Council.

1. **CU22-21:** A request for a renewal of a Conditional Use for a Short Term Rental at 2517 Junius Street.
2. **CU23-50:** A request for a renewal of a Conditional Use for a Short-term Rental located at 2183 Gun Club Rd.
3. **CU23-51:** A request for approval of a Conditional Use to allow Retail Sales and Service Use (small equipment sales, lawnmowers and golf carts) in a Light Manufacturing (ML) Zoning District located at 999 Knickerbocker Rd.
4. **CU23-52:** A request for a Conditional Use to allow a cell tower in General Commercial Zoning District located at 2849 E Houston Hart Rd.

C. Rezoning and Comprehensive Plan Amendments

City Council has final authority for approval of rezonings and amendments to the Comprehensive Plan.

1. **Z23-15:** A request for a zone change from Heavy Commercial (CH) Zoning District to Light Manufacturing (ML) Zoning District at 1182 E. Gas Plant Rd.

D. Ordinance Amendments

City Council has final authority for amendments to the zoning or subdivision ordinances.

1. Discussion on amendments to Section 406 of the Zoning Ordinance regarding Short-term Rentals.

IV. Public Comment

Issues or concerns not on the Regular Agenda may be raised by the public at this time. Citizens should speak from the podium, address all comments to the dais, begin by stating their name and address or Single Member District number, and limit their remarks to less than three minutes.

V. Planning Director's Report

- A. Discussion - potential expansion of the Open Structure overlay to include approximately 200 homes located along Catalina Dr, Cordell Dr, Louise Dr, Eunice Dr, Erine Dr and Nueces Dr. North of Edmund Blvd.

VI. Follow Up and Administrative Issues

- A. Announcements and consideration of Future Agenda Items

VII. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of San Angelo, Texas,



Aaron Vannoy, Assistant Director of Planning
and Development Services

All agenda items are subject to action. The Planning Commission reserves the right to consider business out of posted order.

In compliance with the Americans with Disabilities Act, the City of San Angelo will provide for reasonable accommodations for persons attending board or commission meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the ADA Coordinator at 325-657-4407 for request, or by completing a request form online at cosatx.us/ada.



RECORD OF MINUTES
CITY OF SAN ANGELO, TX
PLANNING COMMISSION
MONDAY, September 18, 2023, 9:00 A.M.

Board Present: Travis Stribling, Chairman
Luke Uherik, Vice Chairman
Joe Self
Kandi Pool
Trinidad Aguirre

Staff Present: Jon James, Director, Planning and Development Services
Aaron Vannoy, Asst. Director, Planning and Development Services
Brandon Dyson, Asst. City Attorney
Sherry Bailey, Principal Planner
Rae Lineberry, Planner I
Austin Reed, Planning Technician

I. Call to Order

Chair Stribling called the meeting to order at 9:03 am, recognized a quorum of 5, and called for the consent agenda.

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. All items on the consent agenda have been recommended for approval by staff with no opposition received to date. Since some items on the Consent Agenda may require a public hearing, the Commission will accept public comment on any item on the Consent Agenda in one public hearing.

Chairman Stribling elected to move item B, CU43-47, from the consent agenda to the regular agenda.

A. Meeting minutes: Consideration of approval for the September 18, 2023 Planning Commission meeting minutes.

The Chair opened and closed public comment to no response.

A motion to approve was given by Kandi Pool. Trinidad Aguirre seconded this motion, which carried 5-0.

- B. CU43-47: 2330 Fishermans Rd.** A request to renew a Conditional Use for a Short-term Rental located at 2330 Fishermans Road.

Being part of the regular agenda, Asst. Dir. Aaron Vannoy presented the request to the Commission. This request marks the property's fifth consecutive Conditional Use renewal. Over the course of the five years, there have been no complaints on record.

Vice Chair Luke Uherik asked staff how it could be confirmed that local operator information is being made available to surrounding property owners. Vannoy answered that local operator information, along with staff contacts, are included in the mailed notification that nearby properties receive about active cases. There has been mention of the City creating a website that includes all relevant information on short-term rentals, including operator contact.

Public comment was opened and closed with no response.

The Chair sought a motion. Uherik moved to approve, seconded by Joe Self. The vote passed 5-0.

III. Regular Agenda

A. Subdivision Plats

The Planning Commission has final authority for approval; appeals may be directed to City Council.

- 1. PP23-12: The Meridian:** A request for a revised preliminary plat for The Meridian to add 52 residential lots.

NOTE: This case accompanied rezoning Z23-13, which was heard and approved directly prior. Z23-13 is included along with the other rezonings later within these minutes, as was the order on the agenda.

Asst. Dir. Aaron Vannoy presented the request, re-highlighting some landmarks as discussed with the rezoning. There is drainage running past the northern border of the area and a detention pond designated within the plat (Tract A). The southern portion is RS-1, while a small section at the northern border is RS-3. The RS-3 lots were designed at a lot size only suitable for RS-3. There are several residential streets running through the development.

The Chair opened for public comment.

Russel Gully, representing the developer, approached the podium. He offered to answer any questions and asked for approval as presented.

The Chair closed public comment and sought a motion.

Vice Chair Uherik gave a motion to approve. Commissioner Pool seconded this motion. The vote passed 5-0.

B. Conditional Uses

The Planning Commission has final authority for approval of conditional uses; appeals may be directed to the City Council.

1. CU23-40: 1725 Live Oak St: A Conditional Use request for a Short-term Rental located at 1725 Live Oak Street.

Planner Rae Lineberry presented the request to the Commission, which comes out of the Santa Rita neighborhood. Out of 22 mailed notices, two were received in favor and one in opposition. This property had just received a variance towards the 500-foot separation between short-term rentals at the previous Zoning Board of Adjustment meeting. At the time of presentation, the property lacked the two required paved parking spaces.

Kandi Pool asked about how the 500 feet was measured, to which Lineberry answered that it is measured from the nearest point of each property line. Uherik asked as to the rationale behind ZBA's approval of the variance. Lineberry says that the ZBA recognized the street distance and the orientation of the houses. The other approved STR within 500 feet is due for renewal at the next month's meeting, but has not yet been operating.

The Chair opened and closed public comment with no response.

The Chair raised concerns with the distance between the two STR's. Commissioner Pool sought clarity on the measurement. Joe Self reiterated that the ZBA already found the distance suitable.

Joe Self gave a motion to approve, seconded by Trinidad Aguirre. The motion failed at a vote of 2-3, effectively denying the request.

2. CU23-43: 1305 S Jackson St: A Conditional Use request for a Short-term Rental located at 1305 South Jackson Street.

Planner Rae Lineberry presented the request, which comes out of the Santa Rita neighborhood. 23 notices were mailed, to which three were returned in support and none in opposition. Similar to the previous case, this property received a variance for the 500-foot provision in conjunction with the same property as the last.

The Chair opened for public comment.

Carla Cole, representing the owner, approached the podium, sharing that they had received a variance and that the other short-term rental within 500 feet was not on the maps when they initially contacted the city. Director Jon James added that, though this has not been a unique circumstance, these occurrences are all fall-out from a small period in which there was a lapse in updating the map – and that this should no longer be happening.

Another discussion about the other nearby approved STR began. It was reaffirmed that they have not operated within their first year, but that they do intend to renew at the next month.

Kandi Pool made a motion to deny. Luke Uherik seconded this motion. The motion carried 3-2, denying the request.

Commissioner Pool expressed her belief that the ordinance should be upheld. Vice Chair Uherik shared this sentiment, saying that ordinance should be enforced and that he could not find the extenuating circumstance in this situation that would warrant approval. The Chair agreed and expressed concern with setting a precedent, saying that changing the ordinance would be preferable if necessary. Aguirre explored the idea of giving approved STR's an additional time frame so that they do not hold up surrounding operators, such as in the last two cases. Staff answered that those denied would not be able to re-apply for another year, which the Commission found unfair, especially should the nearby property's renewal be denied.

After doing some reading during the subsequent case, Assistant City Attorney Brandon Dyson found that those heard today would be able to be reheard if the nearby existing STR is denied upon renewal.

3. CU23-48: 205 Crestwood Dr: A Conditional Use request for a renewal of a Short-term Rental located at 205 Crestwood Drive.

Principal Planner Sherry Bailey presented the request to the Commission. This case concerns the renewal of a short-term rental out of the Glenmore neighborhood. The property has not been operating in the year since their initial approval because of events in their family. Out of 21 notices, one was returned in approval and one in opposition.

The Chair raised the issue that, although they have not yet operated, the approval of this renewal would be for two years - and asked if the Commission has the ability to adjust this time frame. Assistant City Attorney Brandon Dyson gave that the two-year time frame would be firm.

The Chair opened for public comment. Owner May Pittman spoke, offering to answer any questions and sharing the reasoning for the property not being able to operate during the year after their initial approval. Pittman also lives directly next door to the subject property. She expressed the desire to provide housing for families visiting the base and the university. The Chair asked if there were any remaining obstacles for the owner to begin operating. Pittman answered that the only thing left to clear is the final inspections for their Change of Occupancy.

The Chair closed public comment and sought thoughts or a motion.

Vice Chair Luke Uherik spoke of his concern about the property not completing the requirements for operation within the first year.

Commissioner Aguirre said that there are still opportunities to prevent future issues and that it is good that the owner lives next door.

Aguirre then made a motion for approval. Joe Self seconded this motion. The motion carried 4-1.

C. Rezoning and Comprehensive Plan Amendments

City Council has final authority for approval of rezonings and amendments to the Comprehensive Plan.

- 1. PD23-06 & CP23-02: Coliseum Drive:** A request for an amendment to the Comprehensive Plan changing from Neighborhood to Neighborhood Center and rezoning from RS-1 (Single Family Residential), RS-2 (Two-Family Residential), and CG/CH (General Commercial/Heavy Commercial) to a Planned Development District, allowing RS-1, RS-2, and Neighborhood Commercial uses subject to certain conditions and limitations, located along and approximately one block on either side of the 4000, 4100, and 4200 blocks of Coliseum Drive.

Principal Planner Sherry Bailey presented the request. This case is returning after being tabled for further consideration. The intent of the request is to gradually allow small-scale commercial development within the subject area while preserving the character of the existing neighborhood. Some of the newer priorities include keeping the commercial towards the front of Coliseum Drive, landscaping, sidewalks, and rear parking. Signage should be kept at a reasonable level and setbacks should be close. Lighting must be shielded. Neighborhood Commercial uses best suit and limit development within the area.

Luke Uherik brought attention to ambiguous language within the conditions of the Planned Development and instead sought clearer parameters. Director Jon James answered that the Commission's input will be used to clarify some of the provisions before the request moves to City Council.

Kandi Pool expressed her support for protecting existing property owners through rear parking and shielding lighting.

The Chair opened and closed public comment to no response.

As previously mentioned by Uherik, the wording on Condition #4 will change from "Use of existing homes for offices or commercial use is *encouraged*" to "Use of existing homes for offices or commercial use is *allowed*"

A motion to approve with the language as stipulated was given by Vice Chair Uherik. Kandi Pool seconded this motion, where it passed 5-0.

- 2. PD23-07: 4415 Armstrong St:** A request to rezone from the Single Family Residential (RS-1) to the Planned Development (PD) zoning district with an underlying RS-1 zoning with storage units as an allowed use on approximately 5 acres located at 4415 Armstrong St.

Planner Rae Lineberry presented the request. This property was recently platted, after which the applicant expressed the desire to develop commercial storage units. Out of 25 mailed notices, three were returned in opposition and none in favor. The property is surrounded by residential zoning and uses. Planning is presenting several conditions for approval that protect

surrounding homeowners from the business, including an Urban Design Review.

The Chair opened for public comment.

Kelly Edwards, neighboring resident to the north, approached the podium. She mentioned that there are plans for new storage units nearby already and raised a concern about being able to sell her property or the area converting to commercial over time.

The Chair mentioned his concerns about the area being predominantly residential, although the lot has 120 feet of frontage on Armstrong. Aguirre asked about the ownership of the lots. Lineberry responded that there is one owner for both nearby lots, and that sale of the lot is contingent on the approval of the zoning request.

Commissioner Aguirre moved to deny, seconded by Luke Uherik. The motion carried 5-0.

3. Z23-12: La Vista: A request to rezone 18.046 acres from the Ranch and Estate (R&E) district to the Low Rise Multifamily Residence (RM-1) district and to rezone 10.814 acres from the Ranch and Estate (R&E) district to the General Commercial (GC) district, on a property located at the southwest corner of Loop 306 and Foster Rd.

This request is also returning to the Commission after being tabled. It involves a large portion of land outside the Country Club neighborhood that is soon to be annexed. If approved, the northern portion near Loop 306 will be General Commercial (CG) and the southern portion near Butler Farms will be Low-rise Multifamily (RM-1). Otherwise, the annexation will come into the city as Ranch & Estate. The primary concern of citizens at the last hearing concerned the state of Foster Road and the additional traffic that the development will introduce.

The Chair opened for public comment.

John Duke Hudson, property owner of the request, approached the podium. He thanked the Butler Farms Homeowner Association and mentioned that they have been discussing future developments with them. He says their plan is to team up with the Association and nearby residents to have Foster Road be addressed.

Danny Calhoun, Butler Farms resident, approached the podium. He once again echoed the common concerns with Foster Road.

The Chair shared the sentiment that, while the development is a good thing, its introduction onto Foster Road should be monitored.

John Duke Hudson returned, mentioning that they would be obligated to widen their portion of Foster Road

Vice Chair Uherik moved to approve, seconded by Joe Self. The motion passed 5-0.

4. Z23-13: Meridian North: A request to zone 15.496 acres to the Single-family Residential (RS-1) zoning district in Blocks 5-7 and to the Zero Lot Line, Twinhome and Townhome Residential (RS3) zoning district in Block 8 in the Meridian North Subdivision, located along the extension of Slayde Drive north of Royal Oak Street.

NOTE: This case was presented earlier in the meeting along with its respective plat, PP23-12, The Meridian. It is listed here for organizational purposes.

Planner Rae Lineberry presented the request to the Commission. This area is currently vacant and going through the process of being developed into housing as an extension of the Bonham neighborhood. Along with platting, they are requesting that the southern bulk of the area be zoned Single-Family Residential (RS-1), while a smaller portion at the northern tip will be Zero-lot Line, Twinhomes, and Townhouses Residential (RS-3). Out of 32 mailed responses, only one response was received – an opposition towards the RS-3.

Commissioner Aguirre asked why the northern border was shaped the way it was, to which it was answered that there is a drainage pond which separates the pre-existing residential and the subject area to be developed.

The Chair opened for public comment. Russel Gully, representing the developer, approached the podium. He confirmed that the drainage towards the north is a sort-of southern fork of the Red Arroyo, and that the northern Tract A is a detention basin meant to serve the area. He then indicated in the northwest corner where the RS-3 is to be located. The Chair asked what the reasoning for the RS-3 lots were, to which Gully answered that the developer was looking to diversify their product offering, and that the area chosen was suitable for RS-3 and near pre-existing RS-3.

Austin Aguero, representing the developer, says that the RS-3 lots are intended to be zero-lot line patio homes, similar to those nearby.

The Chair closed public comment and sought a motion.

Vice Chair Uherik moved to approve, seconded by Commissioner Self. The motion carried 5-0.

5. Z23-14: N Bryant: A request to rezone property from General Commercial (CG) to Heavy Commercial (CH), located at 3420, 3502, 3550 N. Bryant Blvd and associated unaddressed parcels.

Principal Planner Shery Bailey presented the request, which spans a number of large lots towards the edge of town. Out of 12 mailed notices, one was returned in favor and two in opposition. The applicant intends to develop the property with a business requiring outdoor storage. Upon questions from the Chair, Bailey explained the differences between General Commercial, Heavy Commercial, and Light Manufacturing. General Commercial (the existing zoning) does not allow for as much outdoor storage as Heavy Commercial and Light Manufacturing. The difference between Heavy Commercial and Light Manufacturing is that Heavy Commercial is more retail in nature, while Light Manufacturing is more industrial.

The Chair opened for public comment.

Representing the developer, Russell Gully approached and explained some of their rationale behind requesting Heavy Commercial. The business intends to house large rental equipment which will need to be serviced and stored both indoors and outdoors occasionally.

The Chair expressed some worry about the business devolving into a scrapyard or eyesore. The property owner, Kevin Albright, approached and assured the Commission that they intend to build a nice, organized business with a showroom, and that it will not be an eyesore. Upon a question from Commissioner Aguirre, Albright explained that there will be some storage along the frontage but that most of the storage will be down the sides of the property. Aguirre also asked about road access. Gully again approached to answer that they are looking at working with Texas Department of Transportation for access from Bryant, but that they are also considering a side access off Crestwood - leaving them with potentially two entrances.

Luke Uherik moved to approve, seconded by Kandi Pool. The motion passed 5-0.

D. Special Use Permit

City Council has final authority for approval of Special Uses.

1. SU23-01: 3215 YMCA Dr: A request for a Special Use to allow a 119-bed skilled nursing facility in the Heavy Commercial Zoning District located at 3215 YMCA Drive.

Principal Planner Sherry Bailey presented the request. This site originally received approval for a facility in 2019 but has since expired. Out of 17 mailed notices, one was returned in favor and one in opposition. The facility is largely the same from 2019 - it is a large building with several wings and a circular drive encompassing the building. The size of the building will trigger the requirement for an Urban Design Review.

The Chair opened for public comment.

Russell Gully, representing the developer, approached to speak. He asked for approval and that the construction of the sidewalk be delayed/contingent on the Certificate of Occupancy.

Kandi Pool moved to approve, seconded by the Vice Chair. The motion passed 5-0.

E. Ordinance Amendments

City Council has final authority for amendments to the zoning or subdivision ordinances.

1. Subdivision Ordinance: Amendments to the Land Development and Subdivision Ordinance regarding administrative approval of certain subdivision plats and other revisions and clarifications to ensure consistency with state law and changes to the City's zoning ordinance.

Director Jon James presented to the Commission. This discussion was introduced in a previous meeting. Staff are looking to make some plats administrative and are checking with the Commission to see which plats they still wish to hear. The proposed draft as per last meeting's recommendations holds that plats with variances, residential plats requiring a hearing, and preliminary plats of 10 acres or larger will still come before the Commission. Prior notice will only be required for residential plats requesting a variance. If denied by Planning, applicants are still able to appeal for a hearing.

Director James asked Commission if the number of lots in a subdivision should be a variable for consideration and provided several examples of previous plats which vary in both acreage and number of lots. The Commission found the number of lots to be a valid consideration.

The Chair opened for public comment.

Russell Gully, representing a local engineering firm, spoke, and suggested that staff could produce a report on plats that they have administratively processed. He raised a brief discussion about the length of the appeal window and sought answers for other minor questions, such as state law's voting requirements for approval and land use designation on plats.

The Chair supported the idea of a plat report and began a discussion to find the threshold for number of lots to be brought. They settled upon 6 or more lots in addition to 10 or more acres.

Kandi Pool made a motion with the addition that subdivisions proposing 6 or more lots should be heard. Joe Self seconded. The motion passed 5-0.

2. Short-term Rentals: Amendments to Section 406 of the Zoning Ordinance regarding Short-term Rentals.

Director James presented to the Commission. Some proposed changes brought before the Commission include modifications in language, adding an administrative renewal process for properties with no complaints or opposition, removing the requirement to provide operator information in notifications, removing the 500-foot separation provision, restricting short-term rentals within 500 feet of school property lines, shortening the appeal window to 15 days from 30, replacing the requirement for a Change of Occupancy with building and fire inspections, and eliminating requirements no longer allowed (such as limits on outdoor gathering and road width prerequisites).

Director James mentioned the difficulty in defining distance from schools because school property lines can often extend far beyond what is used. Joe Self mentioned defining the distance from the fenced area of a school.

A discussion began concerning the removal of the 500-foot distance provision. The Chair expressed apprehension about the removal because of the role it would impose on the Commission and the opinions held by the community. Director James provided that, if the 500 feet is kept, there should be consideration towards making the distance non-variable and how the 500 feet is measured (property line vs. front door).

Vice Chair Uherik raised the issue of short-term rentals not operating in their first year after approval, thereby eliminating the possibility of any other nearby STR's and meaning no complaints are on record for their renewal.

Planner Rae Lineberry introduced the idea of incorporating density thresholds or a cap on the number of short-term rentals per neighborhood instead of the 500-foot separation. The Chair expressed dissatisfaction with this concept because it could possibly lead to a concentration of short-term rental properties.

Jon James suggested that short-term rentals already within 500 feet of each other should be allowed to renew as long as possible and be "grandfathered" in a sense. The Chair agreed.

Planner Rae Lineberry suggested removing the 500-foot provision from Central Business District Zoning, where short-term rentals are allowed by right. James mentioned applying the 500-foot separation to only single-family residential zoning. The Commission agreed with these suggestions.

The following amendments are ultimately suggested: The 500-foot distance requirement remains and is measured between property lines, existing STR's within that distance are grandfathered, the 500-foot distance applies only to RS-1, RS-2, and RS-3 zoning, and that operator information only needs to be included for notifications in RS-1, RS-2, and RS-3 zoning. Short-term rental properties on their second or more renewal with no complaints/opposition are eligible for administrative renewal.

A motion to table the discussion for further consideration was given by Commissioner Self. This was seconded by Kandi Pool. The vote to table passed 5-0.

IV. Public Comment

Issues or concerns not on the Regular Agenda may be raised by the public at this time. Citizens should speak from the podium, address all comments to the dais, begin by stating their name and address or Single Member District number, and limit their remarks to less than three minutes.

No public comment was raised.

V. Planning Director's Report

Director Jon James informed the Commission that this would be his last Planning Commission meeting as he is leaving his position with the City of San Angelo.

James informed the Commission that the next month's meeting (November) was not able to be adjusted further away from Thanksgiving.

VI. Follow-up and Administrative Issues

A. Announcements and Consideration of Future Agenda Items

The next regular meeting of the Planning Commission is scheduled to begin at 9:00 a.m. on **November 20, 2023** at the East Mezzanine of City Hall, 72 W College Avenue, San Angelo, Texas.

VII. Adjournment

Vice Chair Uherik gave a motion to adjourn, seconded by Joe Self. The motion passed 5-0; the meeting adjourned at 12:17pm.

Travis Stribling, Chairman

All agenda items are subject to action. The Planning Commission reserves the right to consider business out of posted order.

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PLANNING COMMISSION – November 20, 2023
STAFF REPORT



APPLICATION TYPE:	CASE:		
Final Plat	RP23-36 San Angelo Gateway Section One, Blk. 2, Replat of Lot 1		
SYNOPSIS:			
The applicant has applied to split a large tract with light manufacturing zoning into 3 parcels (1A, 1B, and 1C) for future development in the San Angelo Industrial Park.			
LOCATION:		LEGAL DESCRIPTION:	
Venture Drive and N Loop 306 Frontage Road		Blk: 2, Subd: GATEWAY ADDITION, 28.64 ACRES Blk 2, LOT 1, SEC 1	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD: 4 – Lucy Gonzales Neighborhood - Paulann	Light Manufacturing	Industrial	28.62 acres
THOROUGHFARE PLAN:			
N Loop 306 Frontage Road. – This is a State-owned maintained access road to a freeway. Venture Dr – this is a Major Collector with right-of-way being 80’ wide and paving width of 52’ with curb and gutter meeting the standard. Gateway Dr. – A local road with right-of-way width being 82’ and paving width of 51’ with curb and gutter.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the San Angelo Gateway Section One, Blk. 2, Replat of Lot 1 with 3 conditions .			
PROPERTY OWNER/PETITIONER:			
Owner: City of San Angelo Development Corporation Petitioner: Centurian Planning and Design, LLC			
STAFF CONTACT:			
Aaron Vannoy Assistant Director of Planning and Development Services (325) 657-4210, Extension 1542 Aaron.vannoy@cosatx.us			

Conformity with Comprehensive Plan and Purpose Statements: The proposed replat will create 1 commercial lot. The property is current zoning Heavy Commercial (CH) but has requested Neighborhood Commercial (CN) zoning consistent with the neighborhood policies of the 2009 Update to the City Comprehensive Plan. The replat will conform to the purpose statements outlined in Chapter 2 of the Land Development and Subdivision Ordinance (LDSO).

Recommendation: *Staff recommends APPROVAL of the San Angelo Gateway Section One, Blk. 2, Replat of Lot 1 with 3 conditions.*

Final Plat:

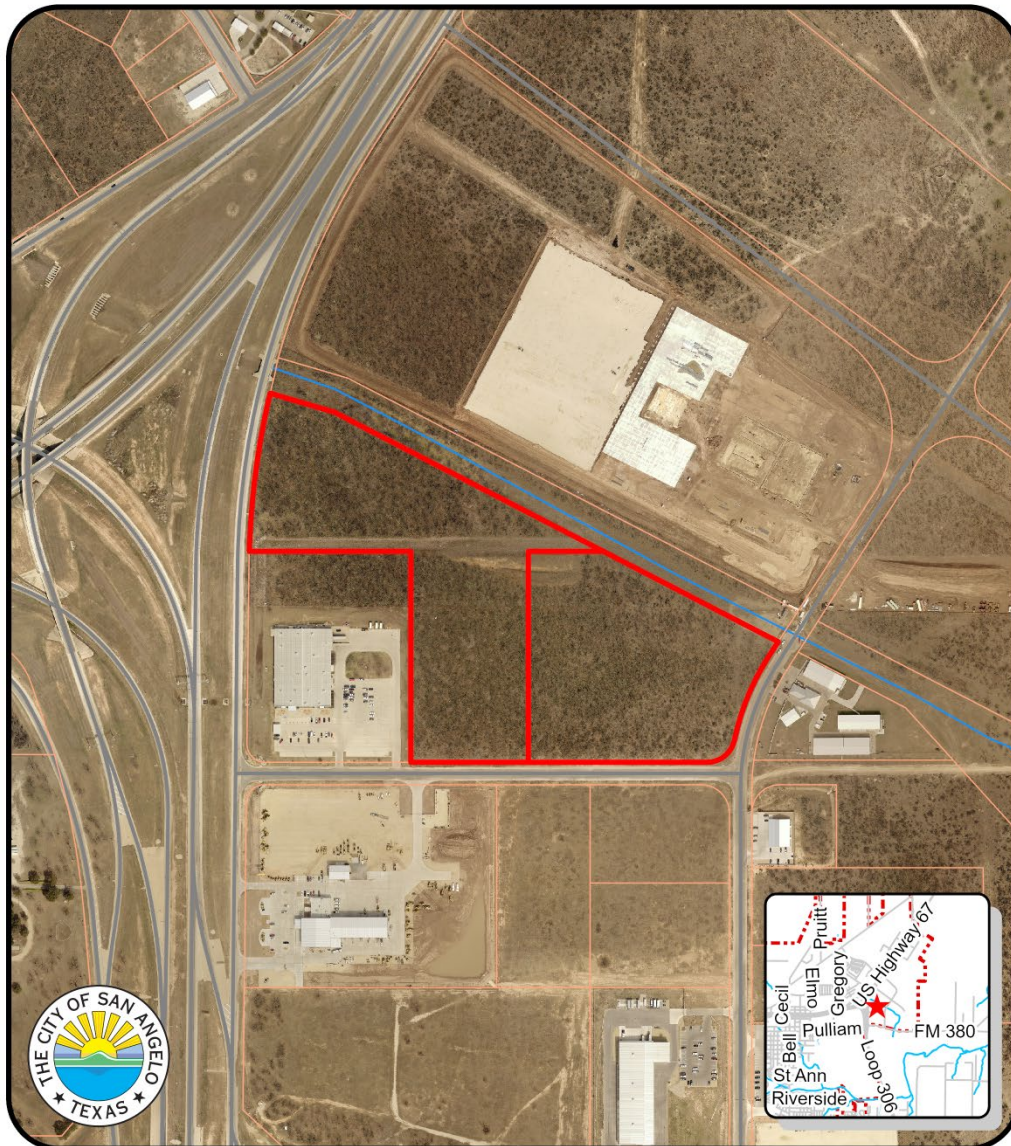
Condition

1. Submit a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision.
2. Prior to plat recordation, please note on the plat the following statement: Fire hydrants and fire department access may need to be provided, depending upon the proposed layout of the buildings, and should be addressed as part of the site plan review process (2021 International Fire Code, Section 507.5, and Appendix D).
3. Prior to plat recordation, correct lot numbering in Block 2 - appears you have a lot 1B and Lot 1C but the 12-acre lot does not have a designation.
4. A drainage study shall be submitted. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13]

Attachments:

Aerial Map
Final Plat

Aerial Map

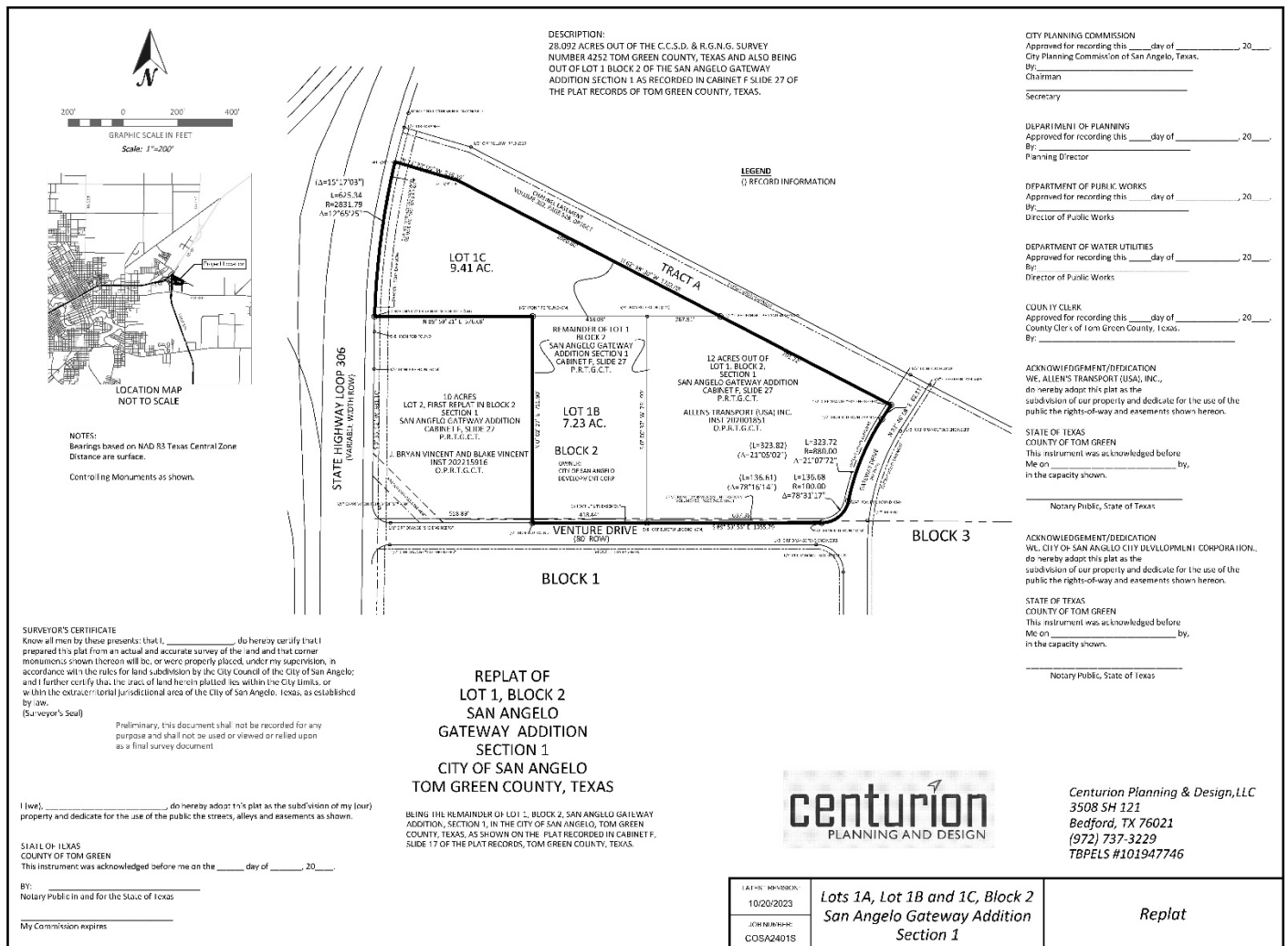


Aerial Map
RP23-36: San Angelo Gateway Sec. 1
Council District: #4 Lucy Gonzales
Neighborhood: Paulann

Subject Properties: 

Scale: 0 0.03 0.05 0.1 0.15 0.2 Miles

N



PLANNING COMMISSION – November 20, 2023
STAFF REPORT



APPLICATION TYPE:	CASE:		
Final Plat	FP23-34 The Meridian Section 4		
SYNOPSIS:			
The applicant has applied to final plat 21 lots into residential being 19 in the RS-1 zoning and 2 being in the RS-3 zoning with the intention of the RS-3 lots to be zero lot line. This area is in the process of annexation and rezoning and does have an approved preliminary plat.			
LOCATION:	LEGAL DESCRIPTION:		
5400 Blk. Slayde Rd	A-8211 S-0002, Survey: A WILLEKE, A-8211 S-0002, Survey: A WILLEKE		
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
Future SMD: 6 – Larry Miller Neighborhood - Bonham	Future – RS-1 and RS-3	Neighborhood	8.347 acres
THOROUGHFARE PLAN:			
Slayde St. – and extension of the local road will have a 50' wide right-of-way and a paving width of 40'. Catarina Court -a local road will have a 50' wide right-of-way and a paving width of 40'. The properties that front Catarina Ct. will have a paved alleyway for rear entry of the lot.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of The Meridian Section 4 with 7 conditions .			
PROPERTY OWNER/PETITIONER:			
Owner: Danny Aquero Petitioner: SKG Engineering, LLC			
STAFF CONTACT:			
Aaron Vannoy Assistant Director of Planning and Development Services (325) 657-4210, Extension 1542 Aaron.vannoy@cosatx.us			

Conformity with Comprehensive Plan and Purpose Statements: The proposed replat will create 1 commercial lot. The property is current zoning Heavy Commercial (CH) but has requested Neighborhood Commercial (CN) zoning consistent with the neighborhood policies of the 2009 Update to the City Comprehensive Plan. The replat will conform to the purpose statements outlined in Chapter 2 of the Land Development and Subdivision Ordinance (LDSO).

Recommendation: *Staff recommends APPROVAL of The Meridian Section 4 with 7 conditions*

Final Plat:

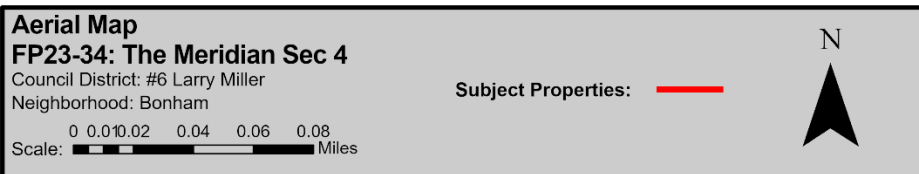
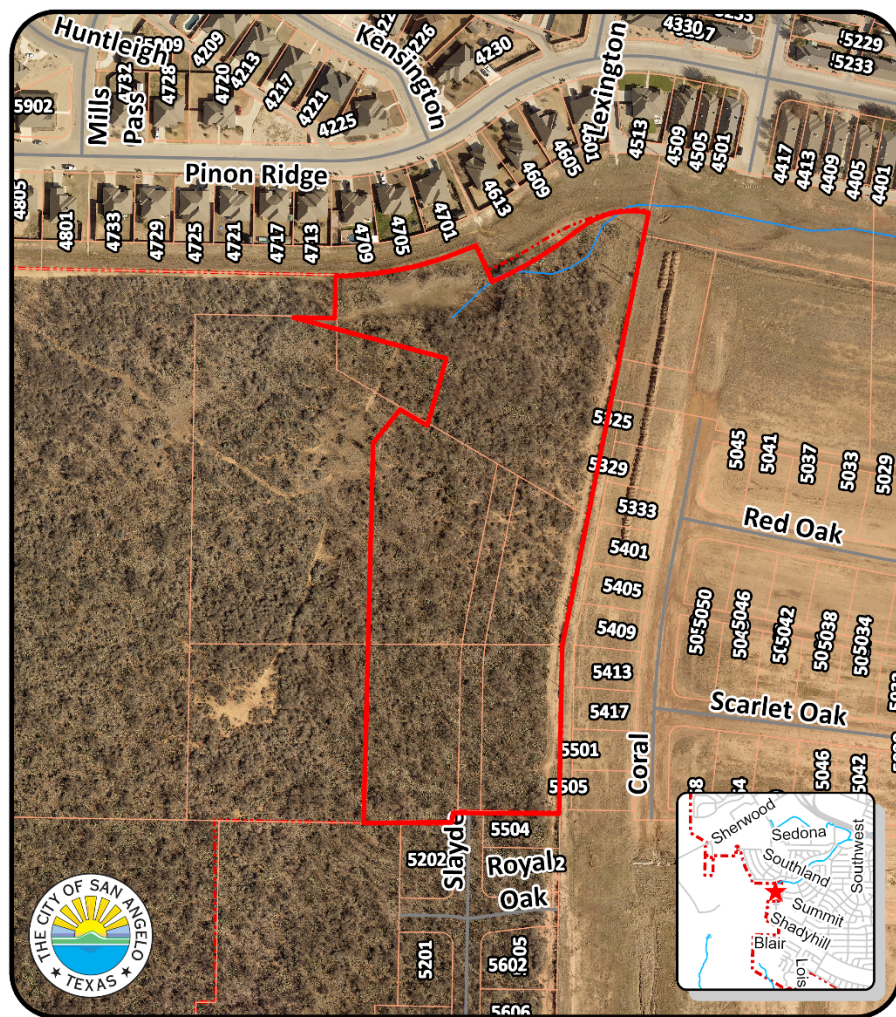
Condition

1. Submit a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision.
2. Prior to plat recordation, please note on the plat the following statement: Fire hydrants and fire department access may need to be provided, depending upon the proposed layout of the buildings, and should be addressed as part of the site plan review process (2021 International Fire Code, Section 507.5, and Appendix D).
3. Prior to plat recordation, lots 1 and 2 in Block 8 are pending an rs-3 zoning designation, This designation must be complete before filing of the plat for lot size conformity.
4. Prior to plat recordation, prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections to each lot [Land Development and Subdivision Ordinance] and complete the installation in accordance with the approved version of these plans [Land Development and Subdivision Ordinance, Chapter 11.I.B]. Alternatively, submit a financial guarantee ensuring the completion of these improvements within a 36 month period [Land Development and Subdivision Ordinance, Chapter 6]
5. Prior to plat recordation, Install necessary wastewater service lines to each new lot. [Land Development and Subdivision Ordinance, Chapter 11.I.B.2 & Chapter 12.I.A.1] Alternatively, request to the Department of Public Works the deferral of such requirement to a later stage of development. [Land Development and Subdivision Ordinance, Chapter 11.I.B.2]
6. A drainage study shall be submitted. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13]

Attachments:

Aerial Map
Final Plat

Aerial Map



under of 1264 Ac.
0.17022, Ac.

K
E
.2
121

THE MERIDIAN

Section Four

City of San Angelo, Tom Green County, Texas.

DESCRIPTION: Being Vista Condominium No. 1, consisting of .347 acres all of that certain 1763 acre tract located and recorded in Instrument Number 20211212, all of that certain 0.508 acre tract 2 Block B, and recorded in Instrument Number 20211430, part of that certain 173 acre tract located and recorded in Instrument Number 20211430, and part of that certain 1.000 acre tract Third Street Addition, and recorded in Instrument Number 20144205, all in the Official Public Records of Real Property of Tom Green County, Texas.

ACTIONABLE DESCRIPTION: inc. as hereby except this plan by the subdivision of our property and dedicate to the use of the public the streets and easements shown hereon.

Tom Green
County

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

Nancy Public, State of Texas

COUNTY CLERK
Filed for record this ____ day of _____, 20____ at ____
County Clerk of Tom Green Co., Tex.

By _____

SUBSCRIBER'S CERTIFICATE
Know all men by these presents that I, Russell L. Galy, do so hereby certify that I prepared the plat from or actual and correct survey of the land and that same monuments shown herein 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 is sold hereby, situated less within the city limits of the City of San Angelo, Texas.

23 - F-GD76

PLANNING COMMISSION – November 20, 2023
STAFF REPORT



APPLICATION TYPE:	CASE:		
Preliminary and Final Plat	PP23-13 Odell Estates Section One, FP23-35 Odell Estates Section One, Lot 1		
SYNOPSIS:			
The applicant has applied to split a residential property in the Extraterritorial jurisdiction (ETJ) for two existing residential purposes.			
LOCATION:		LEGAL DESCRIPTION:	
5669 FM 1223		Abst: A-7367 S-0096, Survey: J SANDERSON, 2.172 ACRES	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
Located in the ETJ	None	N – Rural	2.172 acres
THOROUGHFARE PLAN:			
<i>FM 1223. – This is a State owned maintained major arterial. The right-of-way is 100' and the paving width is variable at 42'-45' wide.</i>			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Preliminary plat Odell Estates Section One, with two notes and Approval of Odell Estates Section One, Lot 1 with one conditions of approval and two notes.			
PROPERTY OWNER/PETITIONER:			
Owner: Curtis Odell Petitioner: Wilde Engineering, LLC			
STAFF CONTACT:			
Aaron Vannoy Assistant Director of Planning and Development Services (325) 657-4210, Extension 1542 Aaron.vannoy@cosatx.us			

Conformity with Comprehensive Plan and Purpose Statements: The proposed replat will create 1 commercial lot. The property is current zoning Heavy Commercial (CH) but has requested Neighborhood Commercial (CN) zoning consistent with the neighborhood policies of the 2009 Update to the City Comprehensive Plan. The replat will conform to the purpose statements outlined in Chapter 2 of the Land Development and Subdivision Ordinance (LDSO).

Recommendation: *Staff recommends APPROVAL of the Preliminary plat Odell Estates Section One, with two notes and Approval of Odell Estates Section One, Lot 1 with one conditions of approval and two notes:*

Preliminary Plat:

Notes

1. A drainage study shall be submitted. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13]
2. Access to FM 1223 is permitted by TXDOT Area Office.

Final Plat:

Condition

1. Submit a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision.

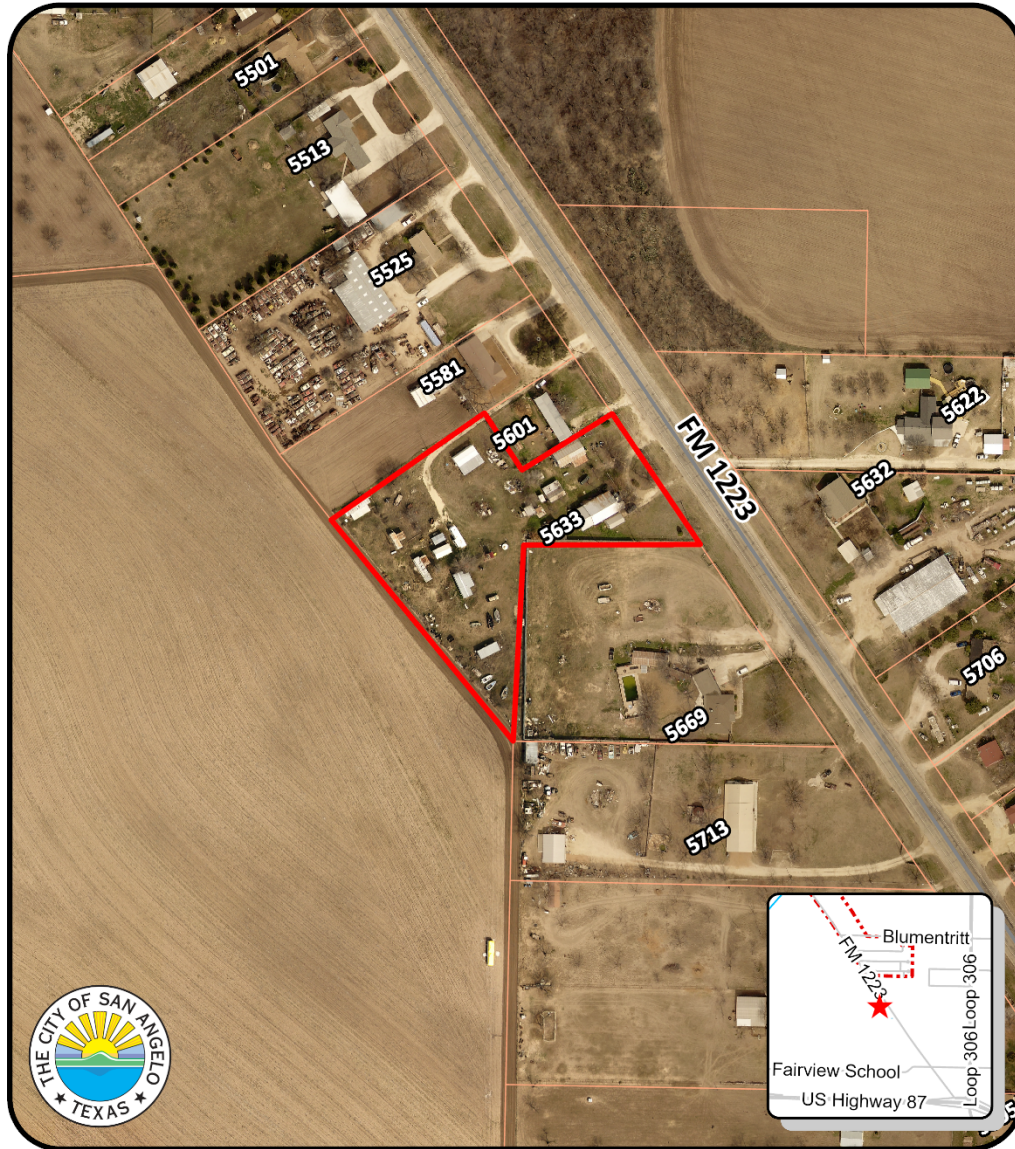
Notes

1. A drainage study shall be submitted. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13]
2. Access to FM 1223 is permitted by TXDOT Area Office.

Attachments:

Aerial Map
Preliminary Plat
Final Plat

Aerial Map



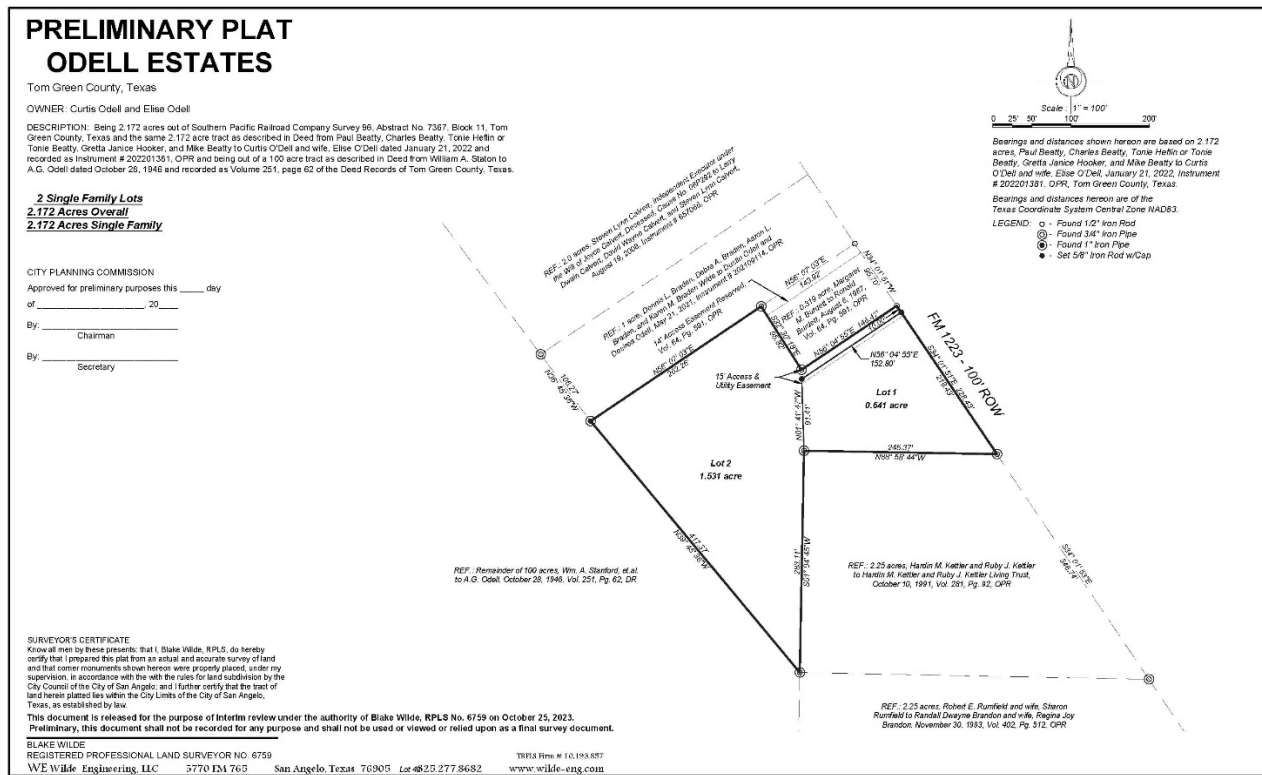
Aerial Map
PP23-13: Odell Estates Sec. 1
Council District: ETJ
Neighborhood: ETJ

Scale: 0 0.01 0.02 0.04 0.06 0.08 Miles

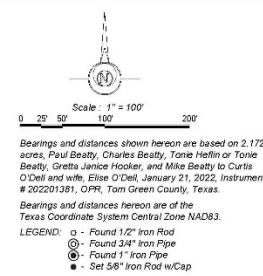
Subject Properties: —

N

Preliminary Plat



ODELL ESTATES, SECTION 1



PLANNING COMMISSION – November 20, 2023
STAFF REPORT



APPLICATION TYPE:	CASE:		
Replat	RP23-33 Angelo Heights Addition, 1 st Replat Block 178 in Lots 7, 8, and 9.		
SYNOPSIS:			
The applicant has applied to replat a large lot (1716 W Harris) into two single family lots, one with an existing home to be renovated and a vacant lot to build a new home. This proposed vacant lot has received a variance for front yard setback of 15' for the double frontage. N. Van Buren is designated as a Minor Collector, the applicant has requested a variance from dedication of right-of-way on N. Van Buren to keep the current 49' instead of the minimum required 52' of right-of-way. Paving width is 30' and a variance has been requested to keep the road width at 30' instead of the 36' minimum.			
LOCATION:	LEGAL DESCRIPTION:		
1716 W Harris	Lot: 7 & 8 & SOUTH 1/2 OF LOT 9, Blk: 178, Subd: ANGELO HEIGHTS ADDITION		
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD: 5 – Karen Hesse Smith Neighborhood – Central	Two Family – RS-2	Neighborhood	0.373 acres
THOROUGHFARE PLAN:			
W. Harris Ave – this is a local street in this area. The right-of-way is 62' wide with a paving width of 41' back of curb meeting the standards for a local road. N. Van Buren -is classified as a minor collector which requires a minimum right-of-way width of 52'; currently the right-of-way width is 49'. The current paving width is 30' with a minimum width of 36'.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL Angelo Heights Addition, 1st Replat Block 178 in Lots 7, 8, and 9 and Approval of both the right-of-way and paving width variances with 5 conditions.			
PROPERTY OWNER/PETITIONER:			
Owner: EPIZOOTI Investments, LLC Petitioner: SKG Engineering, LLC			
STAFF CONTACT:			
Aaron Vannoy Assistant Director of Planning and Development Services (325) 657-4210, Extension 1542 Aaron.vannoy@cosatx.us			

Conformity with Comprehensive Plan and Purpose Statements: The proposed replat will create 1 commercial lot. The property is current zoning Heavy Commercial (CH) but has requested Neighborhood Commercial (CN) zoning consistent with the neighborhood policies of the 2009 Update to the City Comprehensive Plan. The replat will conform to the purpose statements outlined in Chapter 2 of the Land Development and Subdivision Ordinance (LDSO).

Variance right-of-way– Request a right-of-way width variance from the minimum 52’ to the current width of 49’.

City staff have reviewed and agree this current right-of-way width is functioning for the neighborhood and does appear adequate currently for a minor collector in this specific area between Sherwood Way and Houston Harte Freeway. This will only add one additional drive approach to this section of N. Van Buren and the impacts should be minimal.

Variance paving width - Request a paving width variance from the minimum 36’ to the current paving width of 30’.

City staff have reviewed and agree this current paving width is functioning for the neighborhood. If the City does a Capital Improvement Project along N. Van Buren, it is fairly unlikely the paving width would be increased significantly beyond the 30’, possibly up to 32’ wide.

Recommendation: *Staff recommends APPROVAL of Angelo Heights Addition, 1st Replat Block 178 in Lots 7, 8, and 9 and Approval of both the right-of-way and paving width variances with 5 conditions.*

Final Plat:

Condition

1. Submit a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision.
2. Prior to plat recordation, Prepare and submit plans for required improvements to N. Van Buren by half the total additional paving width necessary to comprise the minimum required paving width of 36 ft being 3 additional ft of new pavement. [Land Development and Subdivision Ordinance, Chapter 10]. Alternatively, submit a financial guarantee ensuring the completion of these improvements within a 36-month period [Land Development and Subdivision Ordinance, Chapter 6].
A second alternative would be to obtain approval of a variance from the Planning Commission [Land Development and Subdivision Ordinance, Chapter 1.IV]
3. Submit a revised plat, on which is illustrated the dedication of 2’ of right-of-way for Van Buren Street, meeting the requirements for a minor collector (existing) [Land Development and Subdivision Ordinance, Chapter 9.III.B, & Chapter 10.III].
 - a. Alternatively, would be to obtain a variance from this section to the Planning Commission [Land Development and Subdivision Ordinance, Chapter 1.IV]
4. Prior to plat recordation, Install necessary water and wastewater service lines to each new lot. [Land Development and Subdivision Ordinance, Chapter 11.I.B.2 & Chapter 12.I.A.1] Alternatively, request to the Department of Public Works the deferral of such requirement to a later stage of development. [Land Development and Subdivision Ordinance, Chapter 11.I.B.2]
5. Prior to Plat recordation the plat should be revised to include the existing sewer easement that runs along the east property line.

Attachments:

Aerial Map
Final Plat

Aerial Map



Aerial Map

RP23-33: Angelo Heights Blk 178

Council District: #5 Karen Hesse Smith

Neighborhood: Central

Scale: 0 0.01 0.01 0.02 0.03 0.04 Miles

Subject Properties:



200' Buffer:



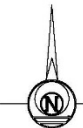
Notified Properties:



N



Final Plat

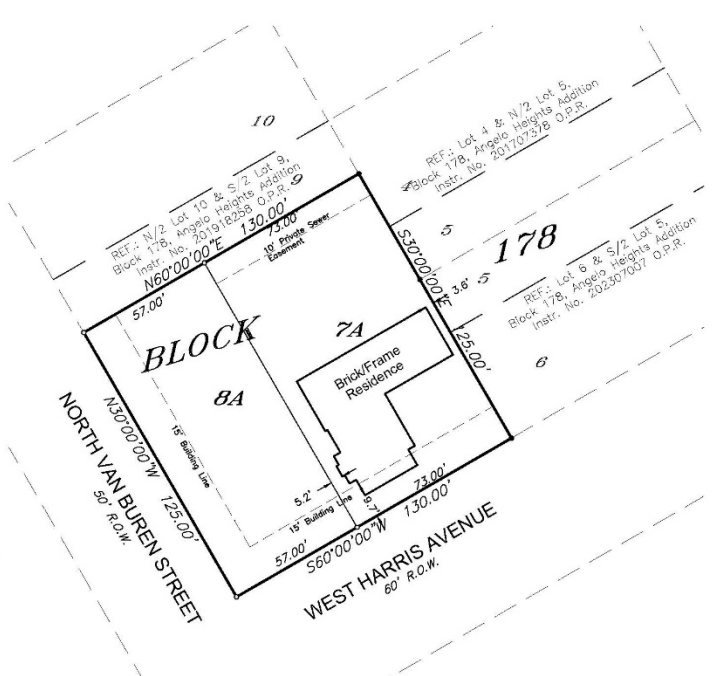

SCALE: 1" = 40'
0 20 40 80
GRAPHIC SCALE : FEET
NOTE : Bearings shown hereon are based on the Plat of Record.

LEGEND:
• Found $\frac{1}{2}$ " Iron Pipe or Rod
(unless otherwise noted)
◦ Set $\frac{1}{2}$ " Iron Rod with Cap

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

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

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



**FIRST REPLAT IN BLOCK 178
ANGELO HEIGHTS ADDITION**

City of San Angelo, Tom Green County, Texas.
OWNER/DEVELOPER: Epizooti Investments, LLC.
DESCRIPTION: Being the south half of lot 9 and all of lots 7 and 8, Block 178, Angelo Heights Addition per the plat recorded in Volume 54, Page 169, Deed Records of Tom Green County, Texas.
ACKNOWLEDGEMENT/DEDICATION
We, Epizooti Investments, LLC., do hereby adopt this plat as the subdivision of our property.
Brandon Clark
Managing Partner
STATE OF TEXAS
COUNTY OF TOM GREEN
This instrument was acknowledged before me on _____
by Brandon Clark in the capacity shown.
Notary Public, State of Texas

Fire hydrants and fire department access may need to be provided, depending upon the proposed layout of the buildings, and should be addressed as part of the site plan review process.

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

SKG
ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/CMT
706 SOUTH ADE STREET SAN ANGELO, TEXAS 76903
PHONE: 325.656.1288 FAX: 325.657.9189
Firm No. 10102400
www.skg.com

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.

23-S-0879

PLANNING COMMISSION – November 20, 2023
STAFF REPORT



APPLICATION TYPE:	CASE:		
Replat	RP23-34 Lake Nasworthy Addition, Group Red Bluff, Sec. 3 Blk. 3, replat lots 44 and 45		
SYNOPSIS:			
The applicant has applied to replat a vacant lot (2918 Red Bluff Circle) into their developed residential lot at 2914 Red Bluff Circle. A variance for additional paving width has been requested for Red Bluff Circle			
LOCATION:		LEGAL DESCRIPTION:	
2918 and 2914 red Bluff Circle Rd		44 SECTION 3, Blk: 3, Subd: LAKE NASWORTHY, RED BLUFF, 45 SECTION 3, Blk: 3, Subd: LAKE NASWORTHY, RED BLUFF	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD: 1 – Tommy Hiebert Neighborhood - Nasworthy	Single Family – RS-1	Neighborhood	0.767 acres
THOROUGHFARE PLAN:			
<i>Red Bluff Circle – a local road with a right-of-way width being 50' wide. And paving width variable at 15'-17' wide.</i>			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of RP23-34 Lake Nasworthy Addition, Group Red Bluff, Sec. 3 Blk. 3, replat lots 44 and 45 including APPROVAL of the paving variance with 2 conditions .			
PROPERTY OWNER/PETITIONER:			
Owner: Mark Kennemer Petitioner: Carter Fentress Engineering, LLC			
STAFF CONTACT:			
Aaron Vannoy Assistant Director of Planning and Development Services (325) 657-4210, Extension 1542 Aaron.vannoy@cosatx.us			

Conformity with Comprehensive Plan and Purpose Statements: The proposed replat will create 1 commercial lot. The property is current zoning Heavy Commercial (CH) but has requested Neighborhood Commercial (CN) zoning consistent with the neighborhood policies of the 2009 Update to the City Comprehensive Plan. The replat will conform to the purpose statements outlined in Chapter 2 of the Land Development and Subdivision Ordinance (LDSO).

Variance – Request a paving width variance from the minimum 26' to the current paving width of 15'. City staff have reviewed and agree this current paving width is functioning for the neighborhood. The interior of Red Bluff Circle if City owned property is not designated for development (open space) thus no additional lots remain on this circle. The combination of lots reduces the potential traffic along this roadway.

Recommendation: *Staff recommends APPROVAL of RP23-34 Lake Nasworthy Addition, Group Red Bluff, Sec. 3 Blk. 3, replat lots 44 and 45 including APPROVAL of the paving variance with 2 conditions.*

Final Plat:

Condition

1. Submit a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision.
2. Prior to plat recordation, Prepare and submit plans for required improvements to Red Bluff Cir by half the total additional paving width necessary to comprise the minimum required paving width of 26 ft being 7 additional ft of new pavement. [Land Development and Subdivision Ordinance, Chapter 10]. Alternatively, submit a financial guarantee ensuring the completion of these improvements within a 36 month period [Land Development and Subdivision Ordinance, Chapter 6].

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

Attachments:

Aerial Map
Final Plat

Aerial Map



Aerial Map
Lake Nasworthy Add. Lots 44, 45
Council District: #1 Tommy Hiebert
Neighborhood: Nasworthy

Subject Properties: —

Scale: 0 0.01 0.02 0.03 0.04 Miles

N

Final Plat

**1ST REPLAT OF LOTS 44 AND 45, BLOCK 3, SECTION 3,
GROUP RED BLUFF, LAKE NASWORTHY ADDITION**

Tom Green County, Texas

OWNER: Mark Kennemer

DESCRIPTION: Being Lots 44 and 45, Block 3, Section 3, Group Red Bluff, Lake Nasworthy Addition, according to the Plat Recorded in Plat Cabinet E, Slide 171 of the Plat Records of Tom Green County, Texas.

CITY PLANNING COMMISSION
Approved for recording this ____ day
of ____ 20 ____
By: _____
Chairman

ACKNOWLEDGEMENT/DEDICATION
I, Mark Kennemer, do hereby adopt this plat as a
subdivision of our property and dedicate for the use
of the public the streets, easements, and drainage
way shown hereon.

STATE OF TEXAS
COUNTY OF TOM GREEN
This instrument was acknowledged before me on
____ by Mark Kennemer
Notary Public, State of Texas

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 ____ @ ____
By: _____
This plat is recorded in Cabinet ____ Slide ____
of the Plat Records of Tom Green County, Texas.

SURVEYOR'S CERTIFICATE
Know all men by these presents that I, Blake Wilde, RPLS, do hereby
certify that I prepared this plat from an actual and accurate survey of 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, as established by law.

This document is released for the purpose of interim review under the authority of Blake Wilde, RPLS No. 6759 on September 15, 2023.
Preliminary, this document shall not be recorded for any purpose and shall not be used or relied upon as a final survey document.

BLAKE WILDE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6759
WE Wilde Engineering, LLC 3770 FM 765 San Angelo, Texas 76905 Lot #825.277.8682 TELS Firms # 10.123.327
www.wilde-eng.com

REF: Lake Nasworthy Addition, Group Red Bluff, Section 3, Cabinet E, Slide 171, Plat Records, Tom Green County, Texas.

REF: Eleventh Trust, West Texas Utilities Company to The City of San Angelo, May 24, 1950, Vol. 293, Pg. 326, DR

REF: Lake Nasworthy Addition, Group Red Bluff, Section 3, Cabinet E, Slide 170, Plat Records

Red Bluff Circle - 50' ROW per Cabinet E, Slide 171, Plat Records

Lot D Access Easement

Lot 43

Lot 44A

Lot 46

Lot 47

Lot 48

Lot 49

Lake Nasworthy

Scale: 1" = 50'

0 12' 24' 36' 48' 60'

Bearings and distances shown hereon are based on Lake Nasworthy Addition, Group Red Bluff, Section 3, Cabinet E, Slide 171, Plat Records, Tom Green County, Texas.

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

LEGEND: ● - Found 5/8" Iron Rod w/ Cap
⊙ - Found Galvanized Nail in Concrete Monument
⊙ - Found Galvanized Nail in "X" in Concrete Monument
○ - Point for corner between lake and lots

30° 12' 12" E 221.80'
30° 02' 15" E 217.08'
347° 57' 49" W 11.01'
327° 14' 05" W 14.54'
321° 12' 23" W 21.33'
105° 37' 03" W 240.95'
105° 34' 23" W 24.10'
N 76° 45' 57" E 10.90'

① 3.10'

MEMO



Meeting

Date: November 20, 2023

To: Planning Commission

From: Sherry Bailey
Principal Planner, City of San Angelo

Request: Short-Term Rental Renewal

Background: 2517 Junius applied for a renewal for their Conditional Use for a short-term rental. This is the applicants first renewal so that their next renewal will be in two years unless the city is notified of any complaints or police actions. This STR is zoned Single Family Residential (RS-1). It is in the Glenmore Neighborhood and in Single Member District #2 – Tom Thompson's district. The applicant was late in getting her Certificate of Occupancy so she has sent in only one Hotel Occupancy Tax payment.

Notification: 19 notices were mailed out to property owners within 200 feet. We have received no responses either in favor or in opposition.

Information: This request comes to Planning Commission for a renewal of their existing Conditional Use for a Short Term Rental. There is no record of any complaints or police or code enforcement actions at this property.

Planning Commission Requested Action:

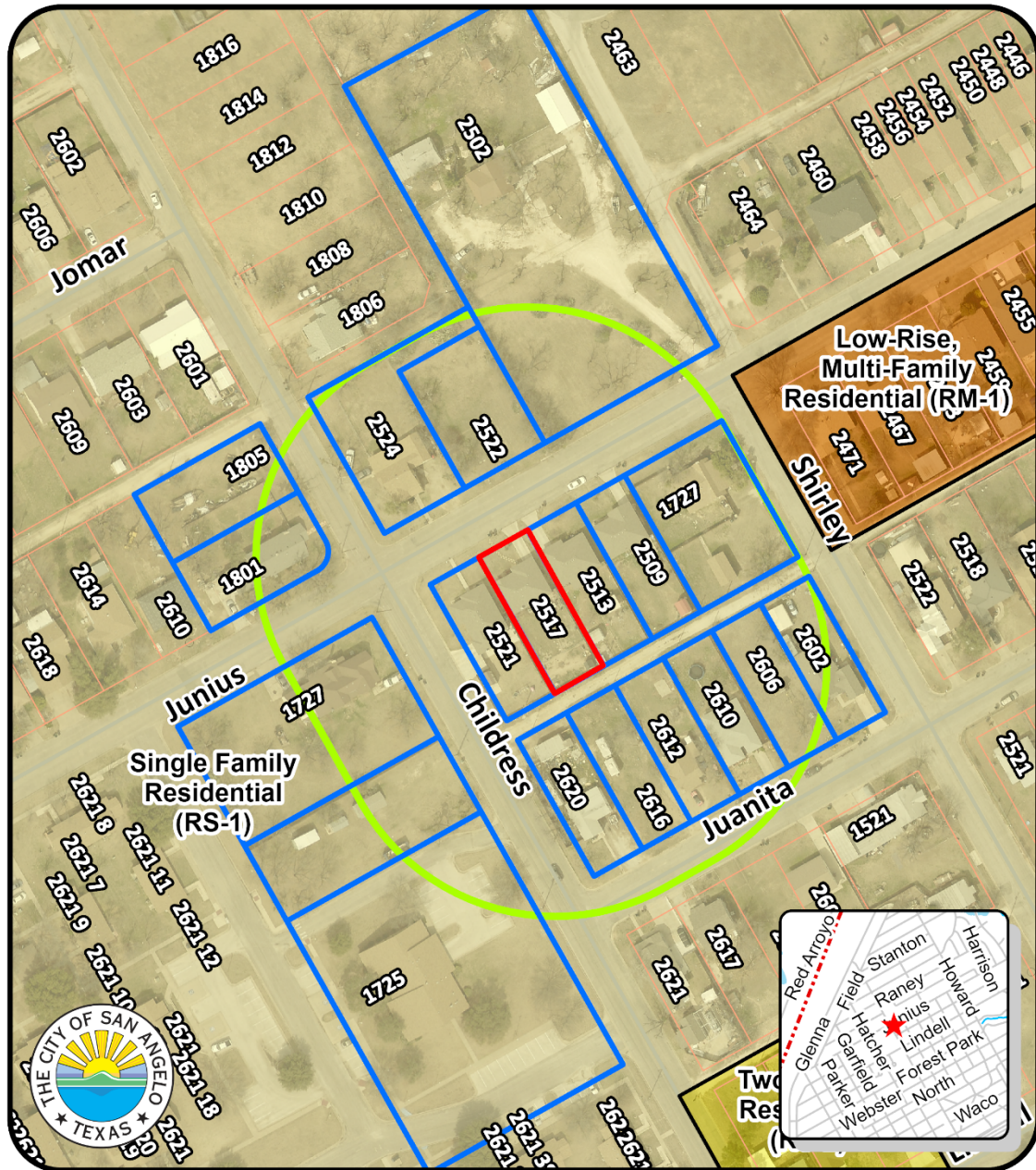
Staff recommends the **APPROVAL** of the request for a Renewal of their Conditional Use to allow the property at **2517 Junius** to continue to operate as a Short-Term Rental **with two conditions of approval.**

- Maintain the two off-street parking
- Obtain a fire inspection annually

This approval is good for two years. The request will need to be submitted by the October 2025 deadline for the November 2025 Planning Commission meeting.



N



Zoning Map

CU22-21: 2517 Junius Street

Council District: #2: Tom Thompson

Neighborhood: Angelo Heights

Scale: 0 0.00.01 0.02 0.03 0.04 Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —

N

MEMO



Meeting

Date: November 20, 2023

To: Planning Commission

From: Rae Lineberry
Planner, City of San Angelo

Request: Renewal of a short-term rental within District 1, RS-1 zoning

Background: CU23-50 - A request for approval of a short-term rental located at 2183 Gun Club Rd. A conditional use for a short-term rental was approved in 2017, 2020, and December 2021 and they are returning within the two years to renew. There have been no code violations or police reports/disturbances reported.

Notification: 10 Notifications sent. Received 0 in opposition and 0 in favor.

Planning Commission Requested Action:

Staff recommends **APPROVAL** of a request for a short-term rental renewal located at 2183 Gun Club Rd with **three conditions of approval**.

- Maintain two off-street parking spaces
- Maintain a change of occupancy from Permits & Inspections
- Obtain a fire inspection annually

Front of house





200' Notification Map CU23-50 2183 Gun Club Rd

Council District: #1 Tommy Hiebert

Neighborhood: Nasworthy

Scale: 0.00 0.01 0.02 0.03 0.04
Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —



PLANNING COMMISSION – November 20, 2023
STAFF REPORT



APPLICATION TYPE:	CASE:		
Conditional Use	CU23-51: 999 Knickerbocker		
SYNOPSIS:			
The applicant has applied for approval of a Conditional Use (CU) request to allow a Retail Sales and Service Use in a Light Manufacturing (ML) Zoning District. The applicant has purchased this property and wants to sell golf carts, trailers, mowers and small equipment. He is going to reuse the present structures and park the bulk of his merchandise on the existing lot out of the required setback area. This triangle backs up to the railroad line and has been used in a similar manner over the years.			
LOCATION:	LEGAL DESCRIPTION:		
999 Knickerbocker Road	Lot: B SEC 1-A Hill Pools & Spa, Blk. 1 ALLISON OFFICE ADDITION		
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SM District: #5 Karen Hesse Smith Neighborhood: ASU – College Hills	Light Manufacturing (ML)	C- Commercial	0.516 acres
THOROUGHFARE PLAN:			
Existing: Knickerbocker Road - Major Arterial Standard paving and Right of Way is 62 ft paving & 90 ft r-o-w Existing: 80 ft. paving and 100 ft. row			
NOTIFICATIONS:			
7 notifications mailed within 200-foot radius on October 31, 2023. No responses have been received to date.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of CU23-51 subject to three conditions of approval.			
PROPERTY OWNER/PETITIONER:			
Owner/Petitioner: Kevin Love			
STAFF CONTACT:			
Sherry L Bailey Principal Planner (325) 657-4210 Sherry.bailey@cosatx.us			

Conditional Uses: Section 208(F) of the Zoning Ordinance requires that the Planning Commission 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.* The proposed use will not have any adverse effects as the area is used almost exclusively as commercial and some heavy commercial. The CU option would be in keeping with the Comprehensive Plan allowing the Planning Commission the right to condition any approval with requirements deemed necessary.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.* Staff does not anticipate that the proposed CU would conflict with any portion of this Zoning Ordinance.
3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.* Staff believes the request is compatible with the surrounding area, which as mentioned is mostly commercial uses already.
4. **Effect on Natural Environment.** *Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* Staff does not anticipate any adverse impacts on the natural environment.
5. **Community Need.** *Whether and the extent to which the proposed conditional use addresses a demonstrated community need.* Staff believe there is a need for commercial sales of multiple products and the applicant has an extensive history with such products.
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.* Staff believes the applicant has met the criteria necessary for approval, as required in the Zoning Ordinance and Land Development and Subdivision Ordinance (LDSO) and is in conformance with the Comprehensive and Vision Plans.

Recommendation:

Staff recommends **APPROVAL** of CU23-51, **subject to three conditions of approval:**

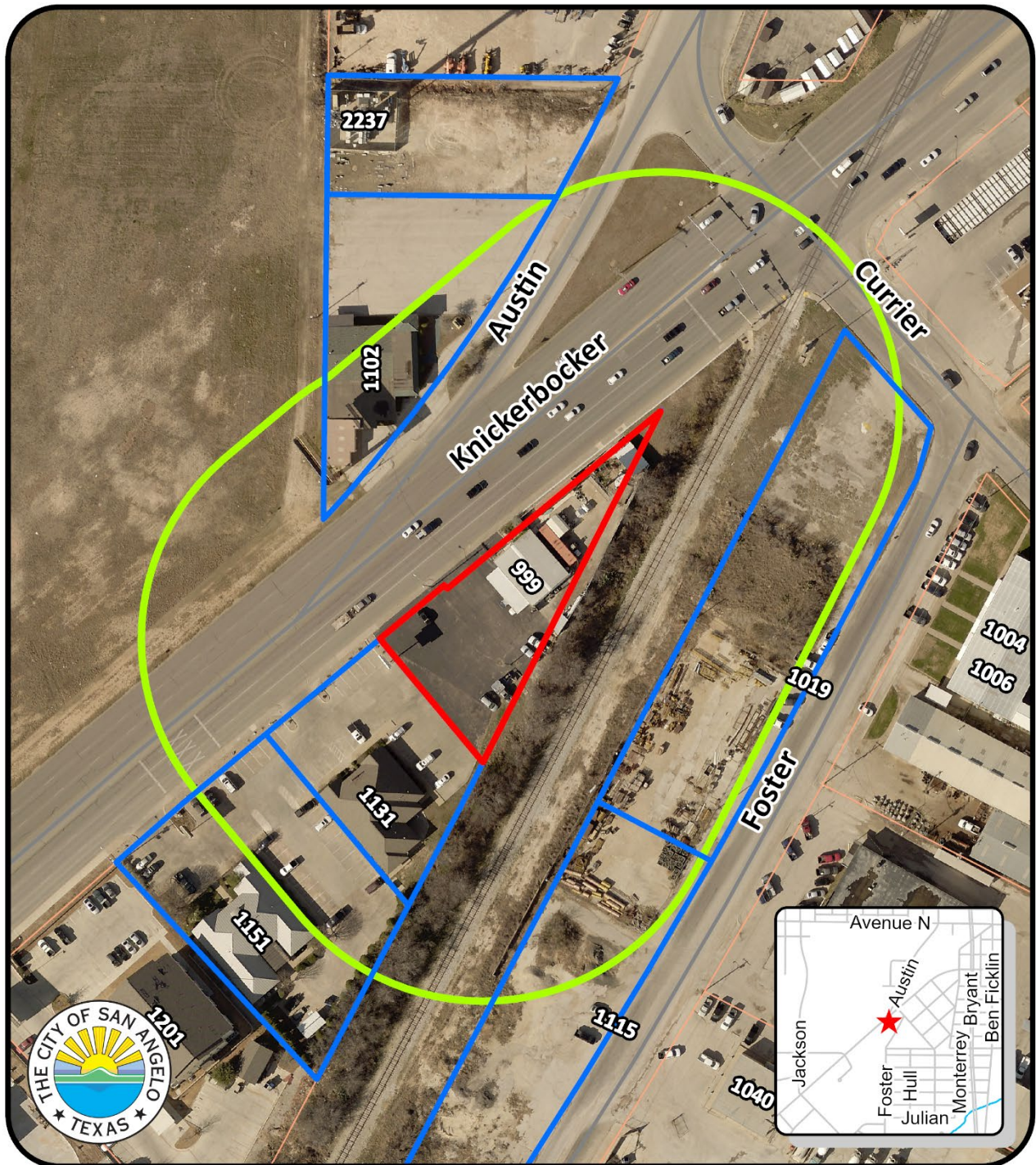
1. Except as otherwise specified or limited below, the development of the subject properties shall generally conform to the Heavy Commercial (CH) Zoning District development standards.
2. All lighting, if provided, shall be fully shielded so as not to create any spillover glare onto adjacent properties or streets.
3. The applicant shall obtain all required permits including a change of occupancy from the Permits and Inspections Division within 12 months of approval. The change of occupancy will include a final development plan showing all parking outside sales areas, and storage areas.

Attachments:

Aerial Map
Zoning Map
Photographs

999 Knickerbocke... X
 999 Knickerbocker Rd, ...
 Walmart Supercenter 31.44°N, 100.45°W

Plot dimensions

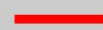


200' Notification Map CU23-51: 999 Knickerbocker Road

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

Scale: 0 0.01 0.02 0.03 0.04 Miles

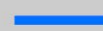
Subject Properties:



200' Buffer:



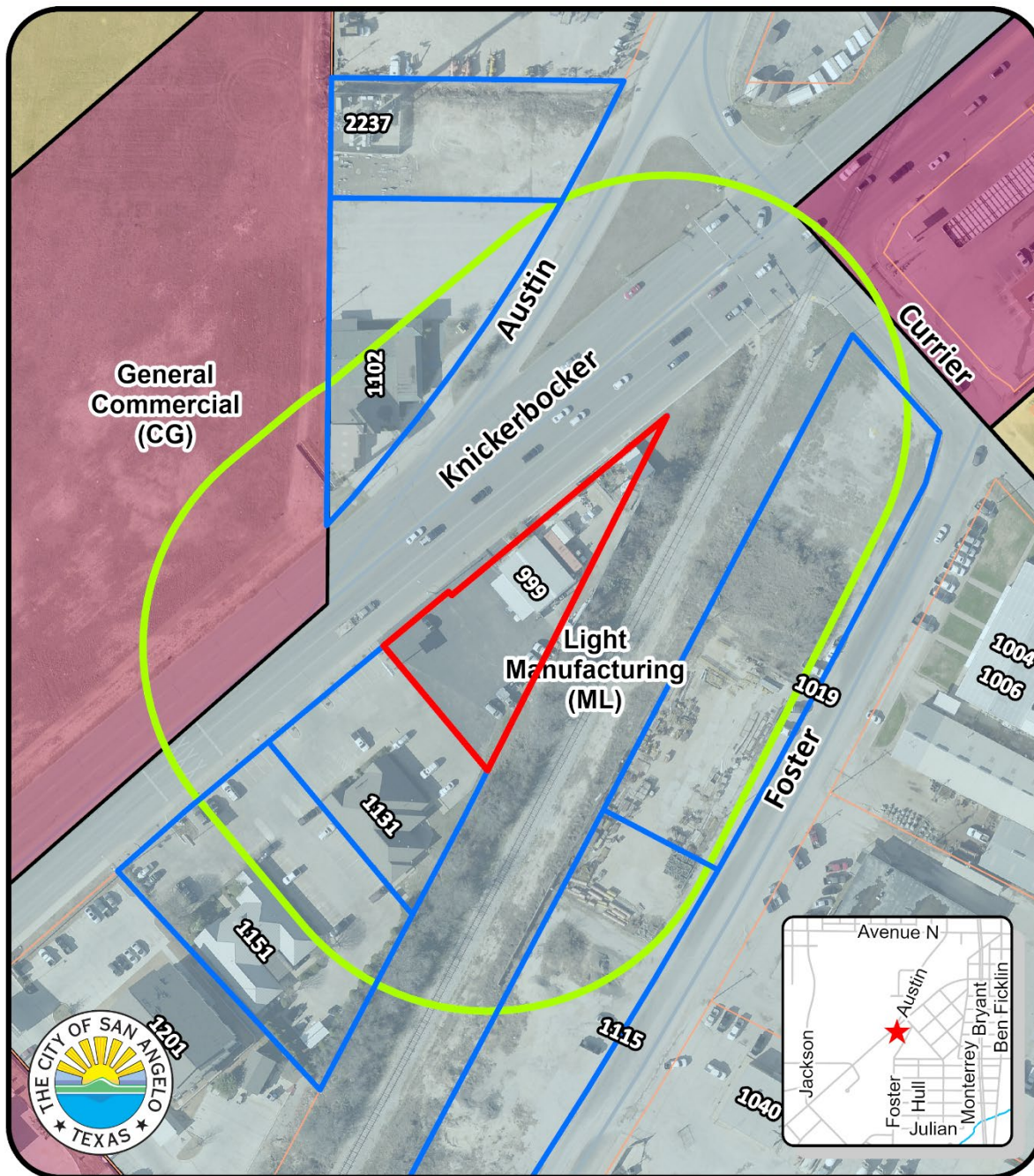
Notified Properties:



N



Outside use area (highlighted in pink)



Zoning Map

CU23-51: 999 Knickerbocker Road

Council District: #5 Karen Hesse Smith

Neighborhood: ASU - College Hills

Scale: 0 0.01 0.02 0.03 0.04 Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —

N



PLANNING COMMISSION – NOVEMBER 20, 2023
STAFF REPORT



APPLICATION TYPE:	CASE:		
Conditional Use	CU23-52: 2849 E Houston Harte Rd		
SYNOPSIS:			
The applicant has applied for approval of a Conditional Use (CU) request to allow a cell tower. The CG zoning does not allow cell towers without a Conditional Use. The applicant intends to add a 190' telecommunications tower on undeveloped land.			
LOCATION:	LEGAL DESCRIPTION:		
2849 E Houston Harte Road	Subd: PAULANN PARK ADDITION, Tract: C, 5.0000 ACRES OUT OF THE EAST PART OF TRACT C SECTION 2		
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SM District: #4 Lucy Gonzales Neighborhood: PaulAnn	CG	C- Commercial	5.000 acres
THOROUGHFARE PLAN:			
Existing: Houston Harte Frontage Rd - TXDOT			
NOTIFICATIONS:			
10 notifications mailed within 200-foot radius on October 31, 2023. No responses have been received to date.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of CU23-52, subject to four conditions of approval.			
PROPERTY OWNER/PETITIONER:			
Owner/Petitioner: Ariel Stouder, Verizon Wireless			
STAFF CONTACT:			
Rae Lineberry Planner (325) 657-4210 Rae.lineberry@cosatx.us			

Conditional Uses: Section 208(F) of the Zoning Ordinance requires that the Planning Commission 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.* The proposed use will not have any adverse effects as it is mostly commercial, with some light manufacturing and some residential behind this lot. The CU option would be in keeping with the Comprehensive Plan allowing the Planning Commission the right to condition any approval with requirements deemed necessary.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.* Staff does not anticipate that the proposed CU would conflict with any portion of this Zoning Ordinance.
3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.* Staff believes the request is compatible with the surrounding area which as mentioned contains commercial and light manufacturing uses already.
4. **Effect on Natural Environment.** *Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* Staff does not anticipate any adverse impacts on the natural environment.
5. **Community Need.** *Whether and the extent to which the proposed conditional use addresses a demonstrated community need.* Staff believes there is a need for a telecommunication tower in this area to service the residential neighborhood nearby.
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.* Staff believes they have met the criteria necessary for approval, as required in the Zoning Ordinance and Land Development and Subdivision Ordinance (LDSO) and is in conformance with the Comprehensive and Vision Plans.

Recommendation:

Staff recommends **APPROVAL** of CU23-52, **subject to four conditions of approval:**

1. Except as otherwise specified or limited below, the development of the subject properties shall generally conform to the General Commercial (CG) Zoning District development standards.
2. The development of the subject properties shall generally conform to Section 426 – Telecommunication Facilities of the Zoning Ordinance.
3. All lighting, if provided, shall be fully shielded so as not to create any spillover glare onto adjacent properties or streets.
4. The applicant shall obtain all required permits from the Permits and Inspections Division within 12 months of approval.

Attachments:

Aerial Map
Zoning/Notification Map
Photographs



Aerial Map
CU23-52: 2849 Houston Harte

Council District: #4 Lucy Gonzales
Neighborhood: Paulann

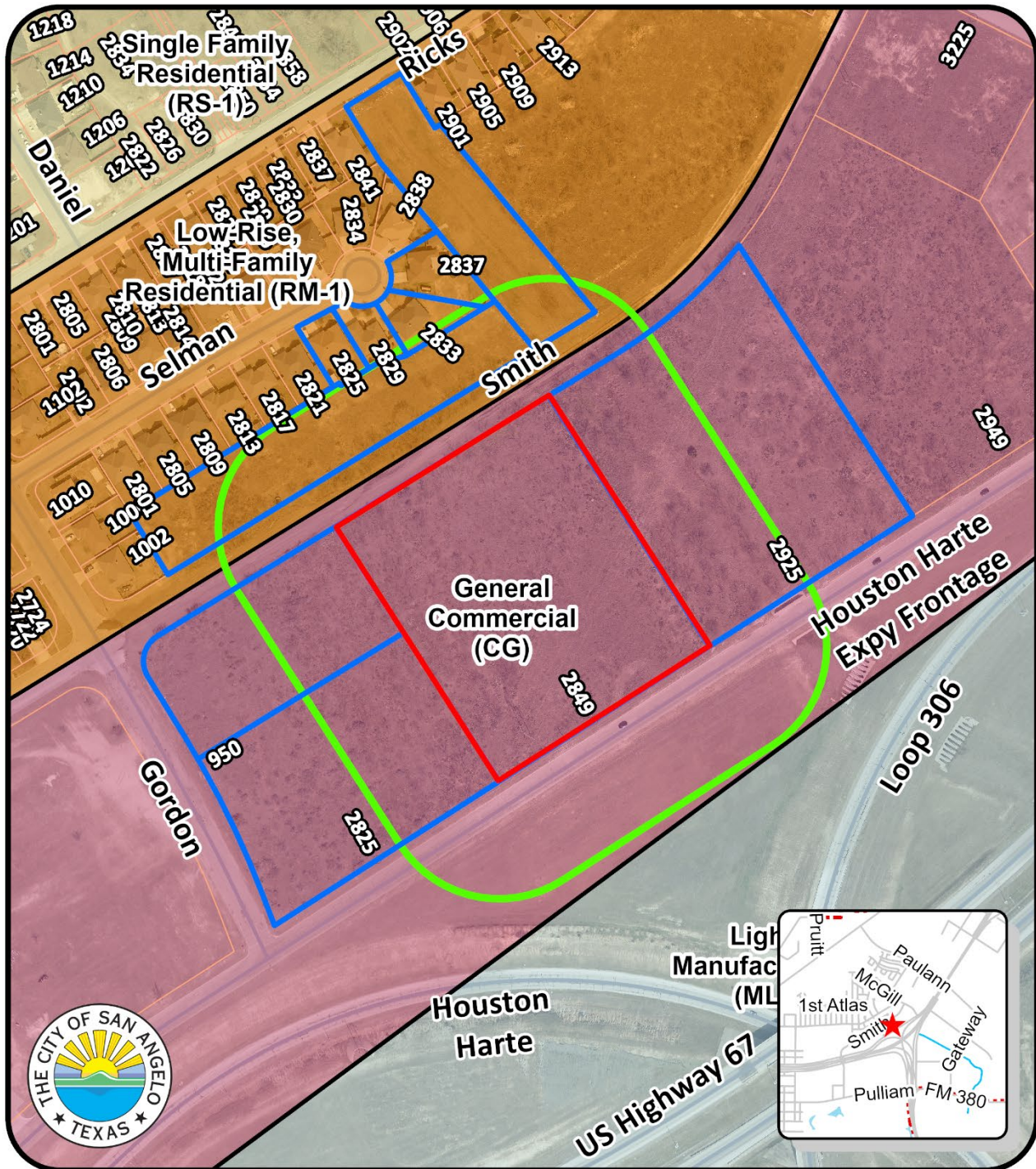
Scale: 0 0.01 0.03 0.05 0.08 0.1 Miles

Subject Properties:



N





Zoning Map CU23-52: 2849 Houston Harte

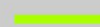
Council District: #4 Lucy Gonzales
 Neighborhood: Paulann

Scale: 0 0.010.03 0.05 0.08 0.1 Miles

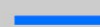
Subject Properties:



200' Buffer:



Notified Properties:



N



Photos of Site and Surrounding Area



PLANNING COMMISSION – November 20, 2023**STAFF REPORT***City Council First Reading November 21, 2023**City Council Second Reading December 5, 2023*

APPLICATION TYPE:		CASE:	
Rezoning		1182 E Gas Plant Rd.	
SYNOPSIS:			
The applicant's representative has submitted a zone changed to go from Heavy Commercial (CH) to Light Manufacturing (ML) 1182 Gas Plant Rd. The owner wants to expand their storage capability for oil field maintenance supplies. Presently they have a large Tank and product storage. Their existing capabilities are covered under their existing zoning. However, if they want to expand product storage, they would have to rezone to Light Manufacturing In working with the local management staff suggested now was the time to change their existing zoning to address any future growth while it would not affect their existing operation.			
LOCATION:		LEGAL DESCRIPTION:	
East of the intersection of Christoval Rd. and E. Gas Plant Rd..		Abstract: A-0157 S-0167 SURVEY: WM Etzel	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #1 – Tommy Hiebert Neighborhood: Glenmore	CH	Transitional	10.257 acres
THOROUGHFARE PLAN:			
Local Road 50 ft. of r-o-w 22 ft. of pavement			
NOTIFICATIONS			
32 notices were mailed out. None have been received either for or against at this time.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the rezoning from Heavy Commercial to Light Manufacturing.			
PROPERTY OWNER/PETITIONER:			
Owner: Allens Transport USA Inc. Allen Fandrick Local Contact: Chad			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us			

Information:

This property is in the industrial area of town. Gas plant Road gets a lot of large truck traffic and has historically done so. The proposed change to Light Manufacturing is more in keeping with the intended uses of the area. Both Light Manufacturing (ML) and Heavy Manufacturing (MH) are adjacent to this property to the east. The Heavy Commercial that the property is presently zoned comes very close to not allowing the large storage of supplies and materials that the present company may want to move into. Having already gained the Light Manufacturing zoning just makes any future moves more accommodating.

9 notices were mailed out. We have received 0 in favor and 0 against, currently.

Planning Commission evaluation of appropriateness.

Section 213(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any rezoning request as outlined in #1 through #7 below:

1. **Compatible with Plans and Policies.** *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.*
The property proposed to be rezoned is in the Heavy Commercial (CH) zoning district. The Comprehensive Plan has the area as "Transitional," Rezoning to Light Manufacturing (LM) is in keeping with the "Transitional" Land Use designation in the City's Comprehensive Plan, updated in 2009.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* As proposed, the lot will meet the requirements for Light Manufacturing zoning.
3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* The rezoning is generally compatible with the surrounding area as outlined in the Comprehensive Plan mentioned above. If rezoned, the lot will be adjacent to Light Manufacturing (ML) zoning to the east and Heavy Manufacturing across the street. There is Ranch and Estate zoning to the south, but that is separated by a street and the applicant has a fence buffer.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The applicant wants to develop a medium to large service center that has the ability to grow. This zoning change will allow that.
5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* Staff does not anticipate any adverse environmental affects at this time. A review of drainage, grading, and stormwater will be conducted by Engineering Services to address any environmental issues when the property requires replatting.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Staff believes there is a need for this type of product and service centers in San Angelo.

7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* This buildout would provide additional commercial traffic in an area that is just starting to develop more commercial/industrial services.

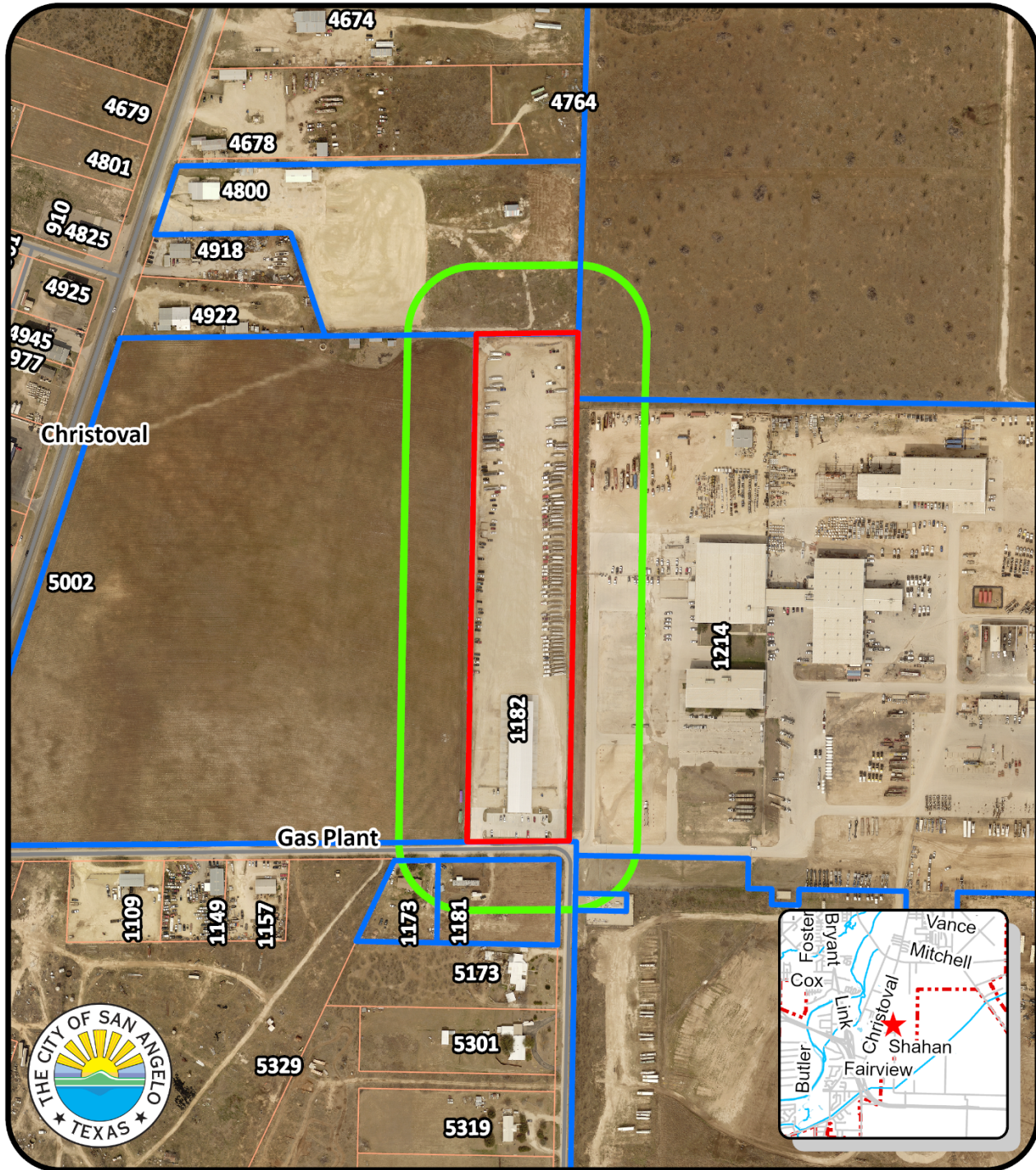
Recommendation:

Staff recommends APPROVAL of the rezoning request.

Attachments:

Aerial Map
Final Plat

Notification Map



200' Notification Map Z23-15: 1182 E Gas Plant Road

Council District: #1 Tommy Hiebert
Neighborhood: Glenmore

Scale: 0 0.02 0.04 0.09 0.14 0.18 Miles

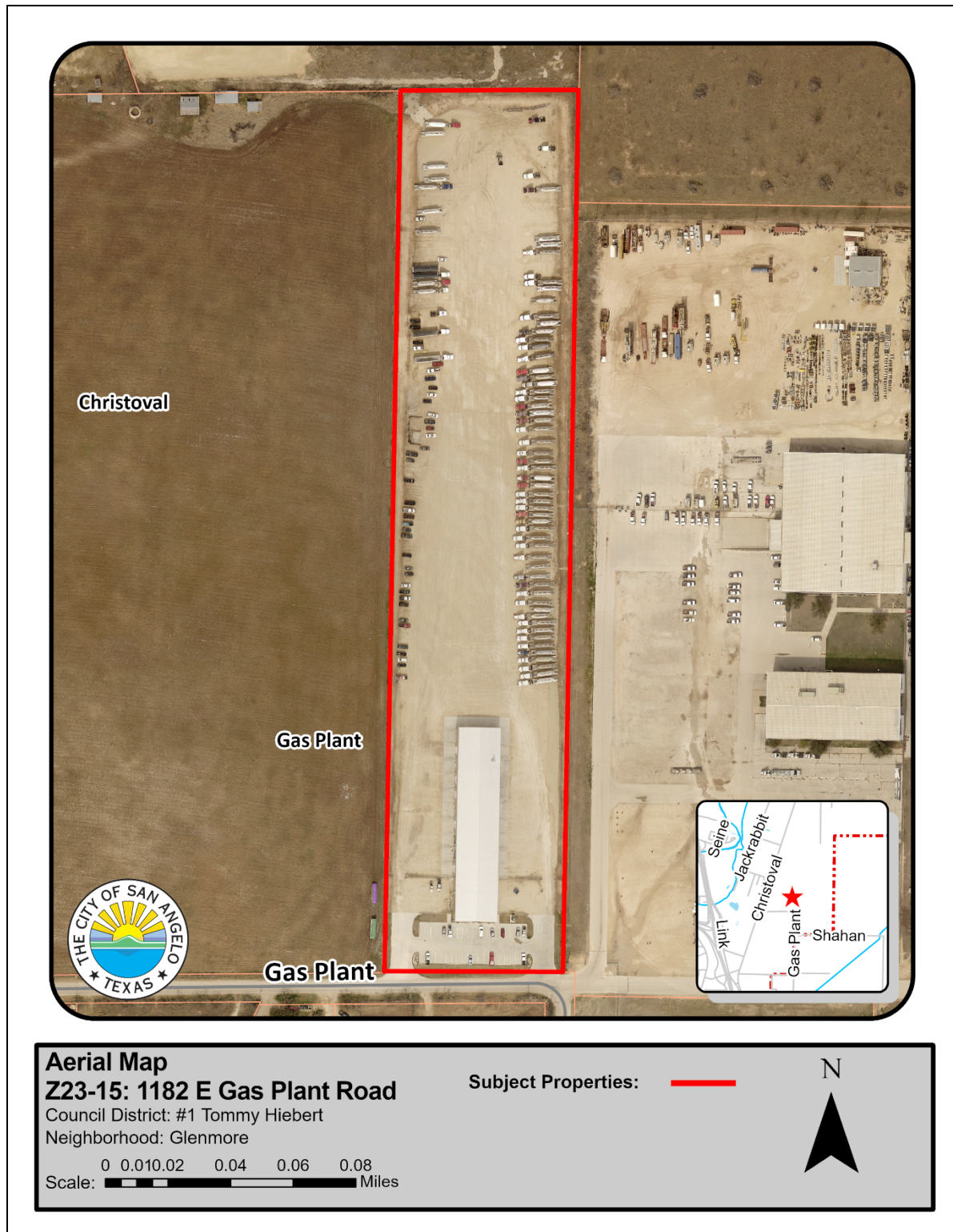
Subject Properties: —

200' Buffer: —

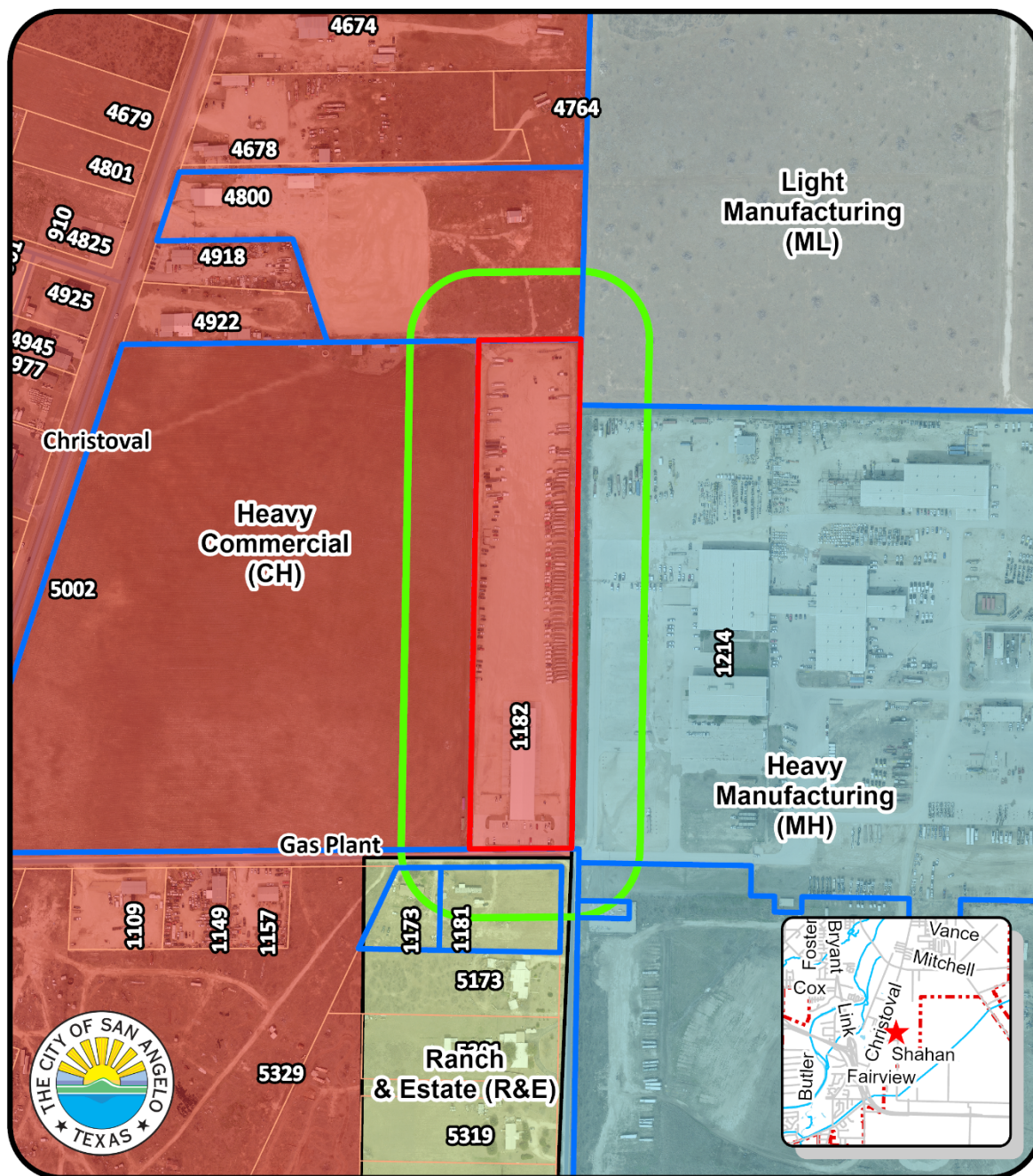
Notified Properties: —



Aerial Map



Zoning Map



Zoning Map

Z23-15: 1182 E Gas Plant Road

Council District: #1 Tommy Hiebert

Neighborhood: Glenmore

Scale: 0 0.02 0.04 0.09 0.14 0.18 Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —

N



MEMO

**Meeting**

Date: November 20, 2023

To: Planning Commission

From: Planning Division, City of San Angelo

Request: A request to amend Section 406 of the City Ordinance regarding Short-term Rentals.

Background: Recent discussions on Short Term Rental (STR) requests prompted the City Council to request that staff revisit the current regulations regarding STRs. In addition, recent court cases have limited how City's in Texas can regulated STRs and these proposed change incorporate that direction. Below is a brief summary of items removed or changed:

- Remove the reference to a license required and instead refer to the required Conditional Use.
- Re-worded expiration and renewal text to have all renew at the same time each year.
- Removed requirement to provide operator information in notification.
- Re-worded having an STR within 500 of another to include how its measured and that it is not variable.
- Added a prohibition on an STR within 500 feet of the property line of a school and included a provision that this is not variable by the Zoning Board of Adjustment.
- Added and clarified process and requirements for appeals to the City Council and shortened appeal period to 15 days (instead of 30 days).
- Replace requirement for a Change of Occupancy (C.O.) and replaced with a required inspection checklist for critical building and fire inspections and that will be done before a conditional use is approved.
- Eliminated requirements that are no longer allowed, including limits on outdoor gatherings and the requirement that an STR must be on a road with at least 30' of pavement width.

Attachments:

Clean copy of the proposed ordinance with all proposed changes.

Sec. 406. Bed and Breakfast Establishments and Short-Term Rentals

Specific use standards applicable to a bed and breakfast and short-term rentals are:

- A. *General Standards.* In all zoning districts, the following will be required:
1. The operator of a Bed and Breakfast or a Short-Term Rental must obtain a Conditional Use approval from the Planning Commission, by submitting an application form approved by the Director of Planning and Development Services.
 2. A Conditional Use approved under this section shall be valid until the 31st of January immediately following the date of initial approval and shall thereafter automatically renew for subsequent one-year periods unless revoked by the Planning Commission in accordance with Subsection (D)(6) below.
 3. The application shall designate an "Operator" who must reside in Tom Green County, Texas and shall furnish a telephone number for the operator. The Operator name and phone number shall be furnished in the notice to owners of real property as required by Section 201 of this Zoning Ordinance. The Operator of a Bed and Breakfast or a Short-Term Rental must post conspicuously in the common area of each unit (1) the name and contact information of the operator, and (2) restrictions on noise as set out in Section 8.01.005 of the San Angelo Code of Ordinances. If the Operator's contact information subsequently changes, the Operator shall provide the City with written notice of any new contact information.
 4. The operator shall keep a current guest register in compliance with the state code.
 5. For the purposes of determining privacy fence requirements, a Bed and Breakfast or a Short-Term Rental will always be considered a residential use.
 6. On a residentially zoned property, all lighting shall be directed toward the establishment and not at surrounding neighbors.
 7. A minimum of two paved off-street parking spaces, plus one additional off-street parking space per separately rented guest room, shall be provided on the same lot or tract of land as the establishment, except in the CBD zoning district as outlined in Section 511.A.1 of this Zoning Ordinance.
 8. Neither a Bed and Breakfast nor Short-Term Rental establishment may be operated on a city-owned property that is leased for residential purposes.
- B. *Standards for a Short-Term Rental.* In addition to the requirements in Section 406.A, the following shall apply on the premises of a Short-Term Rental establishment.
1. Meal service may not be provided.
 2. Camping Units are prohibited on the premises of a Short-Term Rental establishment on a residentially zoned property.
 3. A Short-term Rental use may not be located on a lot that is within 500 feet of a lot on which another Short-term Rental use is located within a RS-1, RS-2 or RS-3 zoning area. This shall be measured property line to property line and shall not be varied by the Zoning Board of Adjustment. The restrictions contained in this subsection B(3) shall not affect any property which already has an approved Conditional Use for a Short-term Rental prior to the adoption of this amended ordinance.
 4. A Short-Term Rental use may not be located on a lot that is within 500 feet of a fenced area or to the closest building of a public school. This restriction shall not be varied by the Zoning Board of Adjustment. The restrictions contained in this subsection B(4) shall not affect any property which already has an approved Conditional Use for a Short-term Rental prior to adoption of this amended ordinance.
- C. *Standards for a Bed and Breakfast.* In addition to the requirements in Section 406.A, the following shall apply to a Bed and Breakfast establishment:
-

Exhibit A: Amendments to Section 406 of the Zoning Ordinance

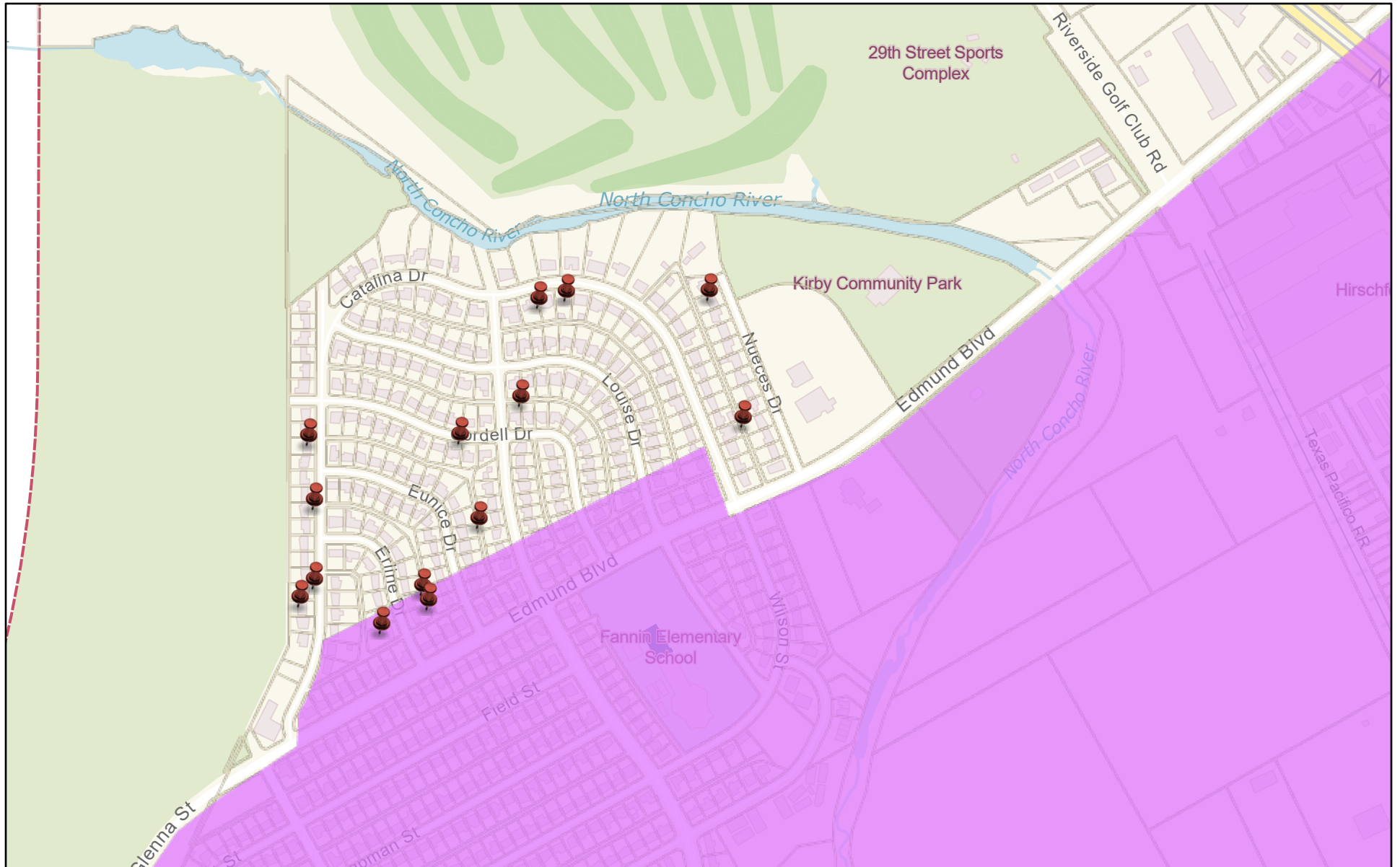
1. On a residentially zoned property, a maximum of four guest rooms shall be permitted in any one Bed and Breakfast establishment.
 2. No food preparation, except beverages, shall be permitted within individual guest rooms. Meal service may only be provided to overnight guests.
 3. Preparation and service of food for guests shall conform to all applicable regulations of the State of Texas and the City of San Angelo.
 4. On a residentially zoned property, the operator of the Bed and Breakfast shall be a full-time resident of the dwelling unit in which the Bed and Breakfast establishment is housed and shall remain onsite when the unit is occupied by guests.
 5. On a residentially zoned property, on-site sales will be permitted only as an accessory use to the Bed and Breakfast establishment; said sales will be limited to Bed and Breakfast guests only; no other sales not otherwise permitted in the zoning district shall be permitted on the premises of a Bed and Breakfast establishment.
 6. No exterior evidence of the Bed and Breakfast shall be allowed, except for one sign, no larger than six square feet, which is not internally lit.
- D. *Appeals, Registration, Inspections, and Enforcement.*
1. The applicant or any citizen may appeal a decision of the Planning Commission to the City Council by submitting a written request to the Planning Director within fifteen (15) days of the decision of the Planning Commission. The appeal must be sworn and must identify each alleged point of error, facts and evidence supporting the appeal, and reasons why the action of the Planning Commission should be modified or reversed. City Council shall hear the appeal no later than thirty (30) days after the request is submitted to the Planning Director. City Council may affirm, modify, or reverse a decision of the Planning Commission. Appeal of the City Council's decision shall be made within thirty (30) days of the final action by City Council, to a state District Court of competent jurisdiction in Tom Green County.
 2. All Bed and Breakfast and Short-Term Rental establishments must be registered with the State of Texas and the City of San Angelo for the purpose of Hotel Occupancy Tax prior to operating.
 3. Prior to consideration by the Planning Commission for Conditional Use approval, a Bed and Breakfast or Short-Term Rental establishment shall be required to submit to and pass a safety inspection by the City Building Official. The City Building Official shall establish a comprehensive checklist of all inspection criteria and publish the same on the City's website. Additionally, the inspection criteria shall be provided to applicants as part of the application for a Bed and Breakfast or Short-Term Rental. At a minimum the inspection criteria shall address requirements for working smoke detectors, carbon monoxide detectors, fire extinguishers, working hot water heaters, posting of a 9-1-1 address and posting of an exit plan for the establishment.
 4. After initial approval, the owner shall obtain and comply with an annual safety inspection by the City Building Official's office. Additional inspections may be conducted by the City Building Official upon modification of the establishment in a manner affecting the health and safety of occupants, or to investigate complaints filed regarding the condition of the establishment with respect to health and safety.
 5. The offering of a dwelling unit for Bed and Breakfast rental or Short-Term Rental, or the solicitation for such rental, creates a rebuttable presumption of such use.
 6. Failure to comply with federal, state, and local law related to the operation of the establishment may result in suspension or revocation of the Conditional Use approval as determined by the Planning Commission. A public hearing on suspension or revocation shall be held in the same manner and in accordance with the same procedures required for initial approval of a Conditional Use. Appeal of a suspension or revocation may be made in the same manner as described in subsection (D)(1) above. In
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Exhibit A: Amendments to Section 406 of the Zoning Ordinance

suspending or revoking a Conditional Use approval, the Planning Commission may consider the following:

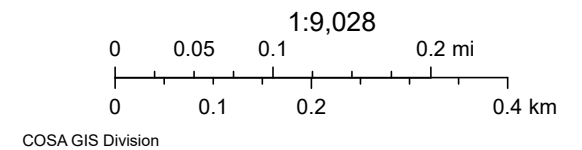
- i. The severity, number, and disposition of citations or criminal complaints related to the operation of the establishment and filed against an owner, operator, or any occupant.
 - ii. The severity, number, and disposition of minor complaints submitted by neighbors or other interested persons related to the operation of the establishment. A “minor complaint” shall mean a complaint documented in writing at or near the time of the alleged conduct being complained of, that is supported by facts and evidence, and that is submitted to the appropriate authority having jurisdiction over such complaint. Examples of minor complaints include police calls for service that do not result in issuance of a citation, and notices of violation issued by code enforcement that likewise do not result in a citation.
 - iii. Failure to timely report and remit hotel occupancy taxes.
 - iv. Hotel tax reports reflecting no reported revenue for two or more quarters during any twelve-month period. It shall be a defense to suspension or revocation on this basis if the establishment owner or Operator provides prior written notice to the City Planning Department that the establishment has temporarily ceased operations due to repair or renovations.
 - v. Failure to submit to safety inspections and operate in accordance with the inspection checklist promulgated by the City Building Official.
 - vi. Relevant support materials provided by City staff or the respondent, public testimony provided at the hearing, or any other information that demonstrates the degree to which the owner, Operator, or an occupant has endangered public health, safety, or welfare.
7. To the extent of any conflict between this Section 406 and any other provision of the Zoning Ordinance, this Section 406 shall control with respect Conditional Uses for Bed and Breakfast and Short-Term Rentals.

Open Structure extension



11/15/2023, 3:15:28 PM

- Open Structures Overlay Zone
- Parcels



MEMO

**Meeting**

Date: November 20, 2023

To: Planning Commission

From: Aaron Vannoy
Assistant Director Planning and Development Services, City of San Angelo

Request: Discussion about expansion of Open Structure Overlay north of Edmund BLVD bordered by Catalina Dr.

Background: Two carports, built without permits, were reported to the city for violations. Two cases came before the Zoning Board of Adjustment for review. ZBA has tabled the cases until the Planning Commission can have the discussion about the Open Structure overlay District and should it be expanded to this specific area.

Notification: None at this time as this is a discussion for Planning Commissioners to see if this is worth pursuing and expansion of that overlay district.

Preliminary Data:

1746 Cordell Dr. - Metal Carport, open structure overlay would not give applicant full compliance.
1809 Cordell Dr. - Metal Carport, open structure overlay would not give applicant full compliance.
1614 Catalina Dr. - Metal Carport, open structure overlay would not give applicant full compliance.
1719 Catalina Dr. - Metal Carport, open structure overlay would not give applicant full compliance.
2718 Erline - Metal Carport, in the open structure overlay – not compliant shape or distance for property line.
2714 Erline - Metal Carport, in the open structure overlay – not compliant shape or distance for property line.
2749 Catalina Dr. Awning – 17' from property line Open Structure would give compliance.
1731 Catalina Dr. – Metal Porch – 20' however shape may not compliant.
2732 Eunice – Metal Carport – 5' however shape may not compliant.
2907 Catalina - Metal Carport, open structure overlay would not give applicant full compliance.
2807 Catalina - Metal Carport, open structure overlay would not give applicant full compliance.
2713 Erline - Metal Carport, open structure overlay would not give applicant full compliance.
2743 Catalina - Metal Carport, open structure overlay would not give applicant full compliance.

Planning Commission Requested guidance:

- Guide or Direct staff to continue research and present a case in January of 2024 for expansion of the Open Structure Overlay
- Guide or Direct Staff to send cases to ZBA to be heard and a decision made on those cases.

