

# Memo

**Meeting Date:** May 19, 2014

**To:** Planning Commission members

**From:** Kevin Boyd, Planner

**Subject:** Z14-08: Todd Neff, a request for approval of a zone change from Ranch & Estate (R&E) to Heavy Manufacturing (MH) to allow for industrial uses as allowed in Section 310 of the Zoning Ordinance, on the following property:

**Location:** 4349 North US Highway 277, located approximately 440 feet north of the intersection of North US Highway 277 and North US Highway 67; more specifically occupying 8.0004 acres of the Paul Gregory Addition, Tract I and 0.384 acres in Smith Boulevard, in northeast San Angelo.

**Purpose:** Approval or modification of this request would send that recommendation to City Council for a final decision on the matter.

**Contacts:** Todd Neff, owner 325-656-9816  
Kevin Boyd, Planner 325-657-4210

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**Summary:** The Planning Commission may:

- (1) **Recommend approving** the proposed zone change as requested; or
- (2) **Recommend modifying** the application to some alternative zoning classification believed to be more appropriate; or
- (3) **Deny** the proposed zone change, altogether.

**Recommendation:** Planning staff recommends **modifying** the proposed zone change request from Ranch & Estate (R&E) to Heavy Manufacturing (ML).

## History and Background:

This 8.4 acre tract has roughly 680 feet of direct abutting access along N US Highway 277, a major thoroughfare in the city. It is geographically situated in northeast San Angelo. The area was annexed into the city in December 2011 as Ranch & Estate (R&E) zoning; R&E is the designed holding zone for newly annexed properties into the city.

Staff recommendation of ML zoning does not satisfy the proponent's request for development of livestock, since the use is defined as 'Heavy Manufacturing and Production' in Section 316.B. of the zoning ordinance.

## General Information

Existing Zoning: Ranch & Estate (R&E)

Existing Land Use: Vacant, open space

Surrounding Zoning/Land Use:

North:	Ranch & Estate (R&E)	Largely open space
West:	Ranch & Estate (R&E) and Heavy Manufacturing (MH)	CSA Materials (manufacturing and production), <i>largely open space</i>
South:	Ranch & Estate (R&E) and Heavy Manufacturing (MH)	National Guard facility
East:	Ranch & Estate (R&E)	N US Highway 277, N US Highway 67, and largely open space

Thoroughfares/Streets: Porter Henderson Drive is classified as a 'local street', and is designed to carry light neighborhood traffic at low speeds. The portion of Porter Henderson south of the intersection with Smith Boulevard remains unimproved.

The segment of Smith Boulevard south of the subject property is a private drive.

N US Highway 277 and 67 are identified as "major arterial streets" and are designed to connect collector streets to freeways and other arterials carrying large volumes of traffic at high speeds. Access is secondary and mobility is the primary function of these streets.

Zoning History: The property was annexed into the city as Ranch & Estate (R&E) in December 2011.

Applicable Regulations:	316.B.1 of the Zoning Ordinance states, ... <i>"If the uses routinely subject the surrounding area to noxious or malodorous impacts, they are considered heavy manufacturing and production.."</i>
Development Standards:	All required off-street parking and the connection(s) to a public right-of-way are required to be paved.
Vision Plan Map:	Industrial
Related Comp Plan Excerpts:	<p>Intent of Industrial in the Comprehensive Plan is to, <i>"[dedicate areas for] supporting the local economy while mitigating some of their potentially undesirable secondary effects on nearby residences."</i></p> <p>Industrial section goal one of the Comprehensive Plan is to <i>"Organize LULUs (<b>Locally Undesirable Land Uses</b>) into clusters."</i> The purpose of this goal is to: <i>"Cluster potentially hazardous industries into a limited number (given the size of San Angelo) of larger, isolated areas will minimize negative effects on residential areas, while balancing access to these businesses within the region, rather than putting all of them into one location."</i></p>

### **Special Information**

Traffic Concerns:	Although the area is residentially zoned, city plans envision heavy commercial to light industrial type development.
Parking Requirements:	Varies depending upon the use of the property, see Section 511 of the Zoning Ordinance.
Parking Provided:	No parking currently exists on the site, building construction of the site will trigger the parking requirement.
Density:	Predominantly large tracts of undeveloped land surround the site. The Vision Plan also calls for 'Industrial' type development in the area.
Notification Required:	Yes
Notifications Sent:	5
Responses in Favor:	0

## **Analysis:**

In order to approve this zone change request, the Planning Commission members are first required to consider the following criteria:

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.
2. **Consistent with Zoning Ordinance.** Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.
3. **Compatible with Surrounding Area.** Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.
4. **Changed Conditions.** Whether and the extent to which there are changed conditions that require an amendment.
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.
6. **Community Need.** Whether and the extent to which the proposed amendment addresses a demonstrated community need.
7. **Development Patterns.** Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.

The staff recommendation is based upon the statements listed below.

A change in zoning to Heavy Manufacturing (MH) will open the land to various heavy industrial opportunities. Due to the nature of the site and surrounding area characteristics, staff is recommending a less intensive, Light Manufacturing (ML) zoning. Situated immediately north of an abandoned section of Smith Boulevard and directly west of N US Highway 277, the tract remains vacant at this time. Surrounding tracts vary in zoning - a portion to the south is zoned MH and is owned by CSA Materials, Inc., a company involved with mineral extraction on-site. North of the site, to the east and remaining portions of the south are zoned R&E. The surrounding topography is largely vacant, open space, and is located near the edge of the city-limits (a section of the parcel borders a incorporated tract of land). The Vision Plan envisions the area to be designated for industrial uses – which is compatible with OW, MH and ML zoning. Industrial zoning allows for clustering potentially hazardous industries into limited, isolated parts of the city. Staff finds that ML rather than the requested MH

zoning is an appropriate transition for the area given its relative isolation, but close proximity to major highways entering the city.

A zone change to industrial zoning will provide opportunities for various low to high intensive developments. CH, ML, MH and OW all permit industrial uses – one example, 'Industrial Service' (this use category includes the repair or servicing of industrial, business or household consumer machinery, equipment, products or by-products) – is permissible in the four zoning districts. ML zoning allows for other uses that include warehouse and freight movement, wholesale trade, and mining and waste-related uses as conditional uses. ML and MH zoning allow for manufacturing and production, with the exception that MH allows for heavy processing and manufacturing which may involve chemicals and similar processes. ML zoning does not satisfy the proponent's request to develop the site for a livestock, the use is considered as heavy manufacture and production in Section 316.B. of the zoning ordinance. The subject property measures several miles from any major residential development. There is no maximum height requirement in ML and MH zones, but the Floor Area Ratio or FAR is 2 (equal to twice the total area of the lot). The subject property measures several miles from any major residential development.

Staff finds that ML rather than MH is a better zoning for the area. MH zoning allows for greatest flexibility as it relates to intensity and the level of noxious uses allowed, but approved conditional uses also allow the development of slaughterhouses and meatpacking, refining of petroleum and coal products and the fabrication of boilers and tanks. These uses are extreme in nature. Careful consideration is always given in making a zoning recommendation – this is more-so the case with industrial zoning – these districts in particular can raise potential conflicts given the elevated nuisances and noxious effects involved. A change to ML will offer a variety of industrial opportunities but limits some uses considered extreme and damaging to the surrounding environment.

This request represents a measurable change in conditions of the current Ordinance. R&E is the least intensive zoning available within the city – MH represents the most intensive. R&E zoning is limited to low density residential development on relatively larger lots, and at times, characteristic of ranches and more sprawling estates. Staff finds ML zoning appropriate for the site, given the somewhat isolation of the area and the pattern of existing uses largely that reflect high intensive commercial to low intensive industrial development. Huge swaths of ML and MH zoning already exist in the area – CSA Materials and Martifer-Hirschfeld Energy Systems are notable uses in the area zoned for MH. These more intensive uses – zoned MH – are situated in isolated areas and also have further separation from major highways.

Given the nature of the proposed request, changing the zoning is likely to have some adverse impacts on the natural environment. Features such as small creeks are nearby but far enough not to pose a threat to the water quality in any substantial way - the Concho River which flows west to east into the measures slightly less than 14,000 feet to the south. The San Angelo Landfill site measures roughly 3,800 feet to the west. As previously mentioned, a change to MH can potentially introduce high intensity commercial to low intensity industrial development to the site. ML zoning reduces the

likelihood for more intensive, unwanted development. Aspects of the long-range plan seek to cluster intensive uses into a few isolated areas within the city deemed appropriate for such development. In analyzing the area, the change will not endanger existing vegetation and seems to be a sufficient distance from large drainage or water sources.

Staff believes that this request represents a community need. Currently, there are few areas in the city that have direct abutting access to a major highway and are isolated from residences or sensitive areas. The city can certainly benefit for the various uses allowed in ML zoning – manufacturing and production, for example, may provide employment and opportunities to expand city’s tax base. Greater employment in the manufacturing and production sector can supply the demand for skill labor, which also benefits area educational institutions. The zone change also creates more diversified land uses within the city – ML zoning is one of the city's more underutilized districts. Given the fact that the Vision Plan calls for industrial in the area, no amendment to the existing Plan is required.

The site is situated close to two major highway systems – it abuts N US Highway 277 directly to the east and measures roughly 440 feet north of N US Highway 67. While close proximity of the highway allows for quick access for transporting goods, street access to the site remains quite limited and unconnected. Local streets, MH Morgan Trail and Porter Henderson Drive, are primary (nearest) improved street access to the tract. The section Smith Boulevard that abuts the site to the south, was recently abandoned and serves mainly as an unimproved private drive (refer to the aerial map below). A previous contact with TxDOT stated that the crossovers along US Highway 67 to Tractor Trail may be inadequate to support increased freight movement to the site. Before any development can occur on the site, staff will conduct an internal review to assess whether the proposed development complies with the city's general development standards.

**Proposed Conditions**

N/A

**Attachments:**

Excerpt from zoning map, showing the general location within the City of San Angelo;

Excerpt from zoning map, highlighting subject property;

Aerial photo, highlighting subject property;

Excerpt from the comprehensive plan vision map highlighting the subject property; and

Excerpt of the favor/opposition notification map.

**Presentation:**

Kevin Boyd, Planner

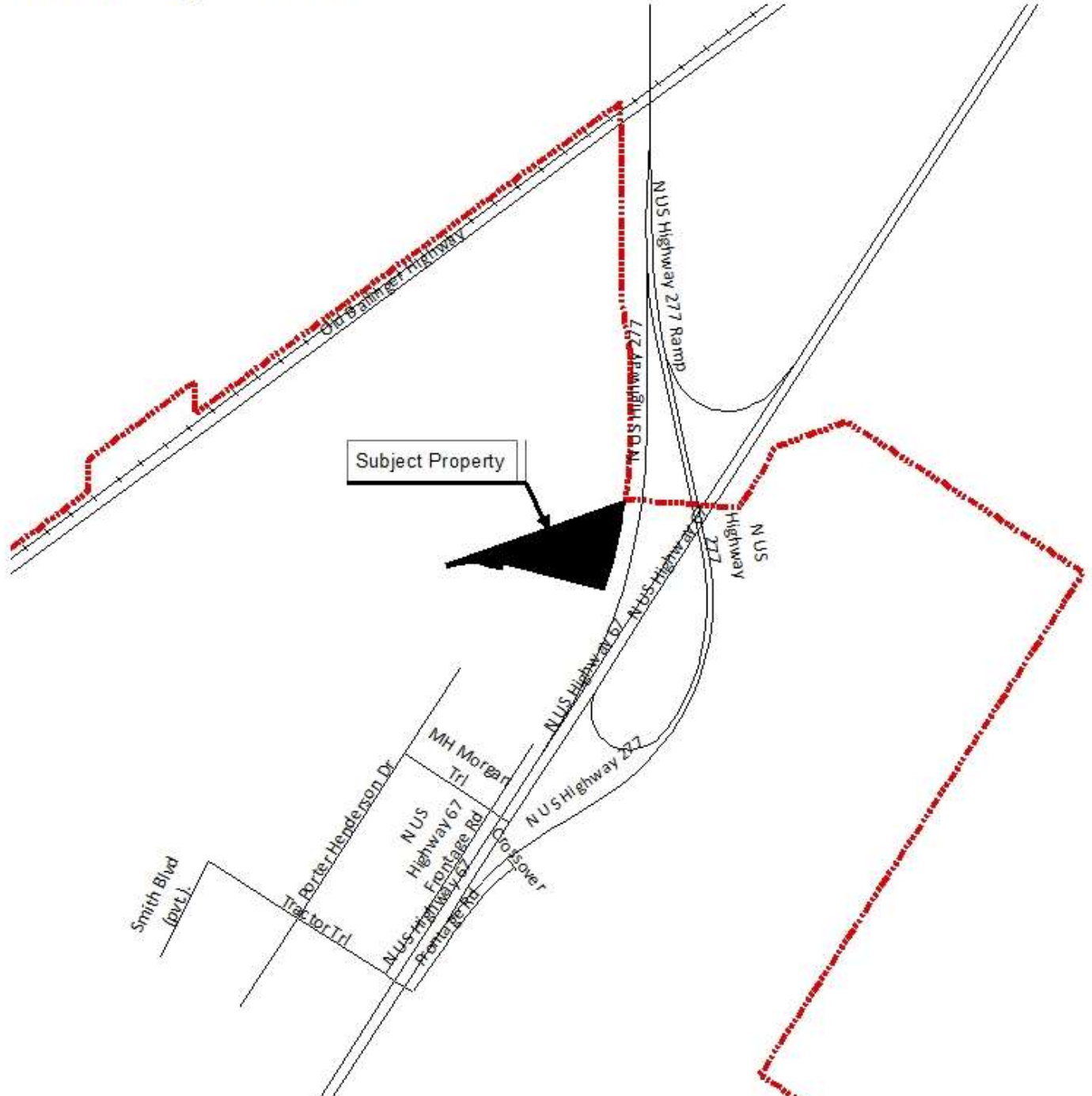
**Reviewed by:**

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**Z14-08: Todd Neff**  
**4349 N US Highway 277**

**1 inch = 1,000 feet**



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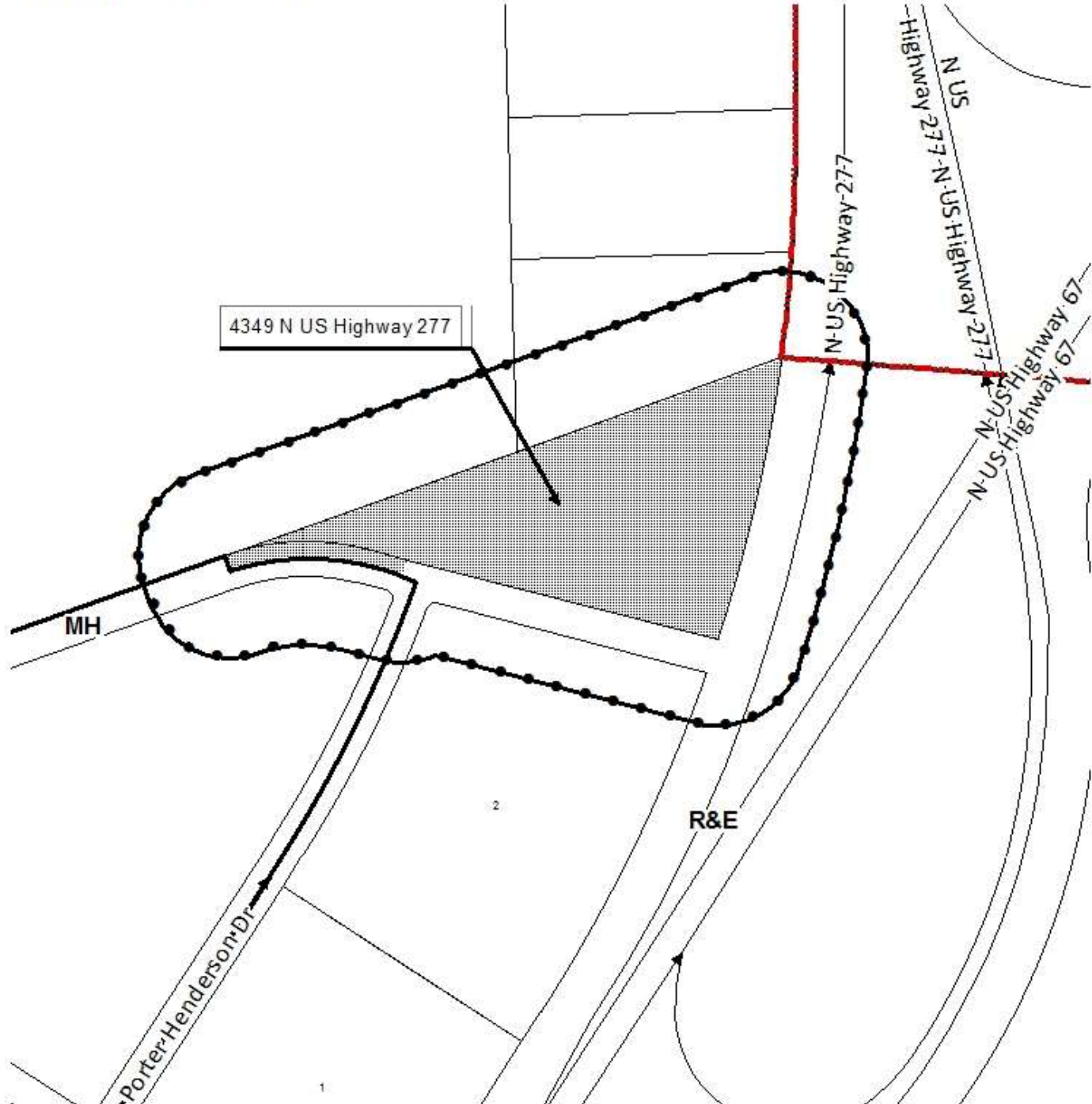
COMMERCIAL DISTRICTS	RESIDENTIAL DISTRICTS	MANUFACTURING DISTRICTS
CN (NEIGHBORHOOD COMMERCIAL)	R&E (RANCH ESTATE)	ML (LIGHT MANUFACTURING)
CO (OFFICE COMMERCIAL)	RS-1 (SINGLE-FAMILY RESIDENCE)	MH (HEAVY MANUFACTURING)
CG (GENERAL COMMERCIAL)	RS-2 (TWO-FAMILY RESIDENCE)	
CG/CH (GENERAL COMMERCIAL / HEAVY COMMERCIAL)	RS-3 (ZERO LOT LINE, TWINHOME AND TOWNHOUSE RESIDENCE)	
CH (HEAVY COMMERCIAL)	RM-1 (LOW RISE MULTI-FAMILY RESIDENCE)	CU (CONDITIONAL USE)
CBD (CENTRAL BUSINESS DISTRICT)	RM-2 (HIGH RISE MULTI-FAMILY RESIDENCE)	SP (SPECIAL PERMIT)
OW (OFFICE WAREHOUSE)	MHP (MANUFACTURED HOUSING PARK)	SU (SPECIAL USE)
	MHS (MANUFACTURED HOUSING SUBDIVISION)	ZC (ZONE CHANGE)
PD (PLANNED DEVELOPMENT)		





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**4349 N US Highway 277**

**1 inch = 325 feet**



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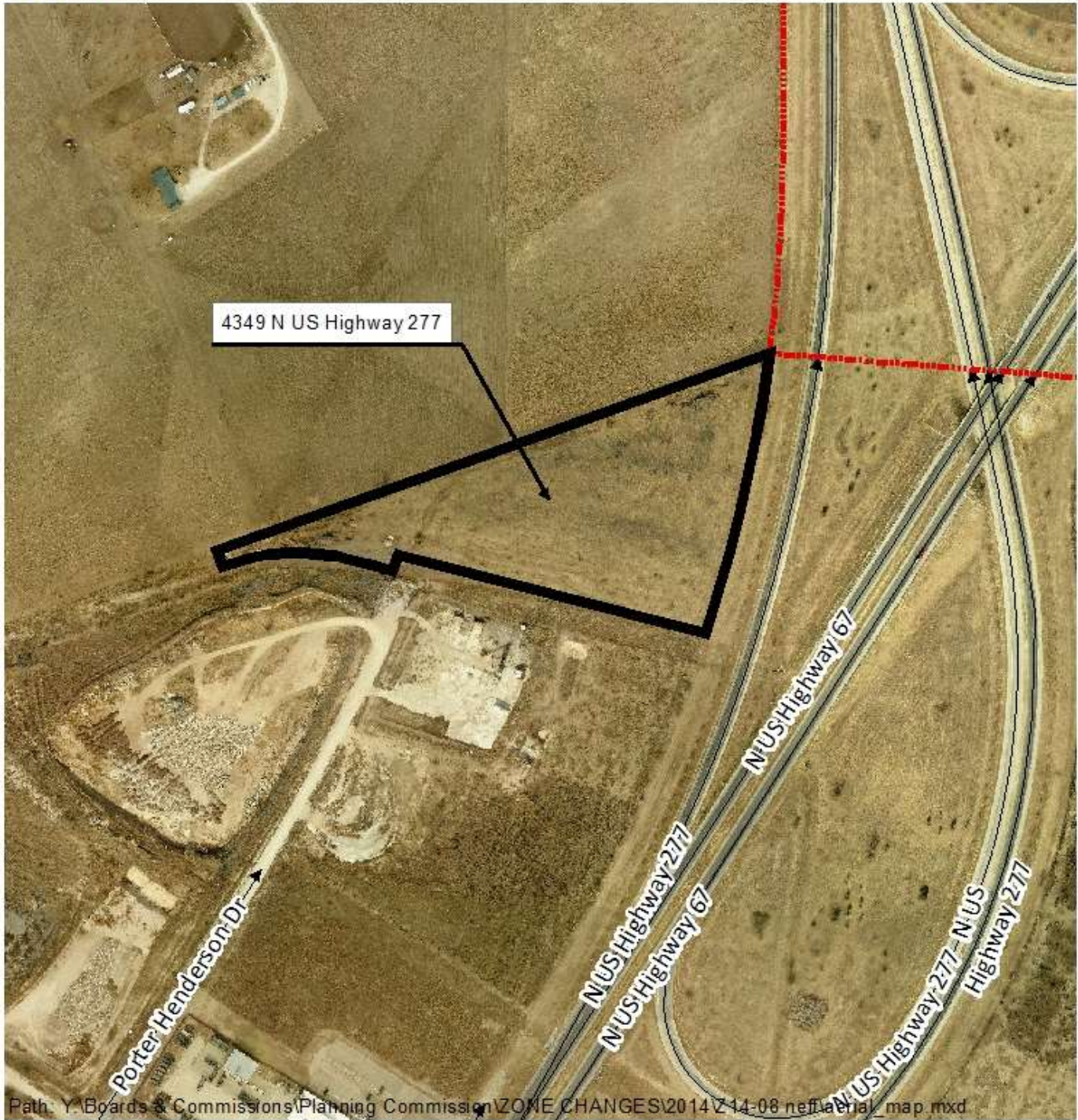
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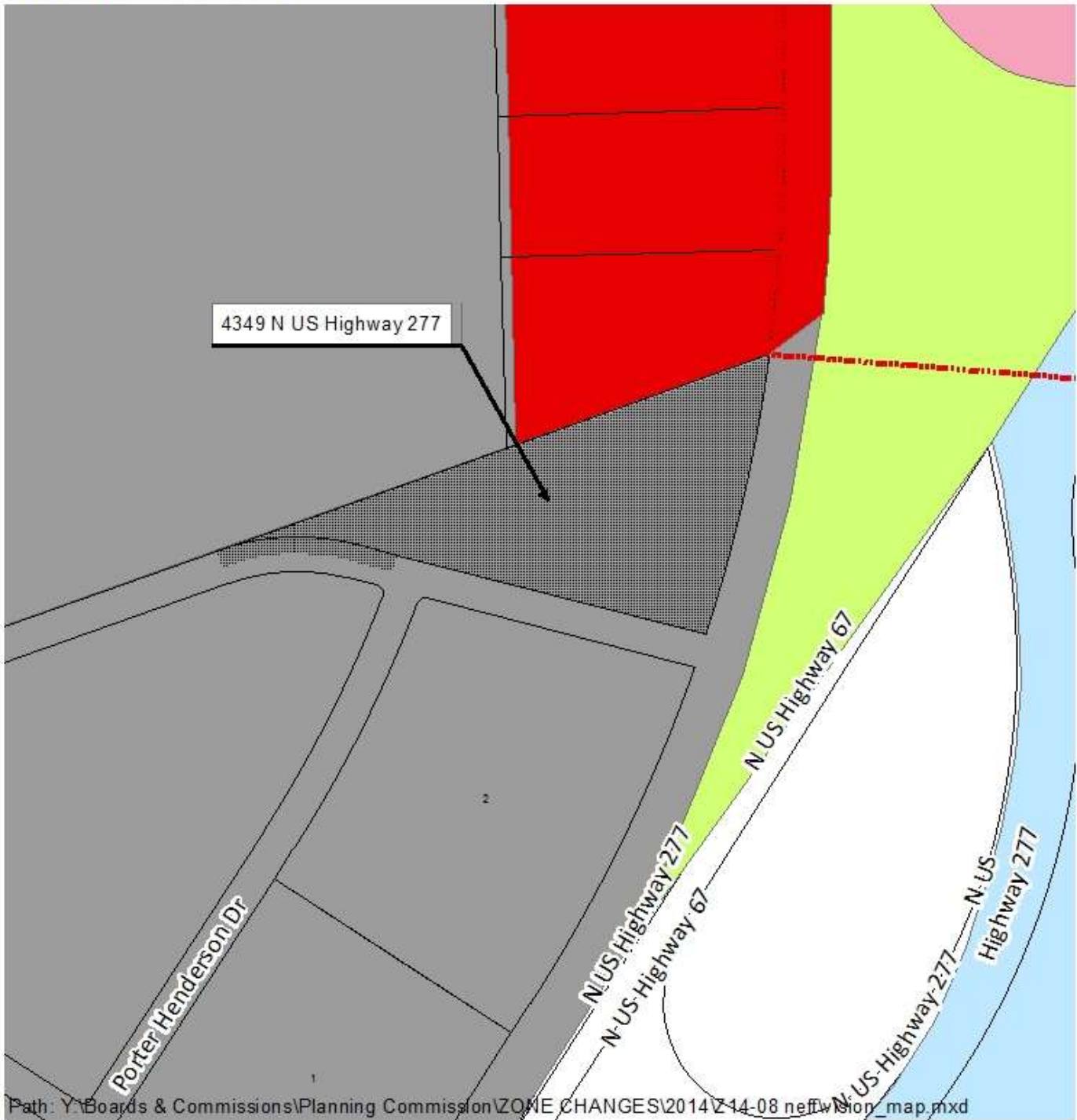
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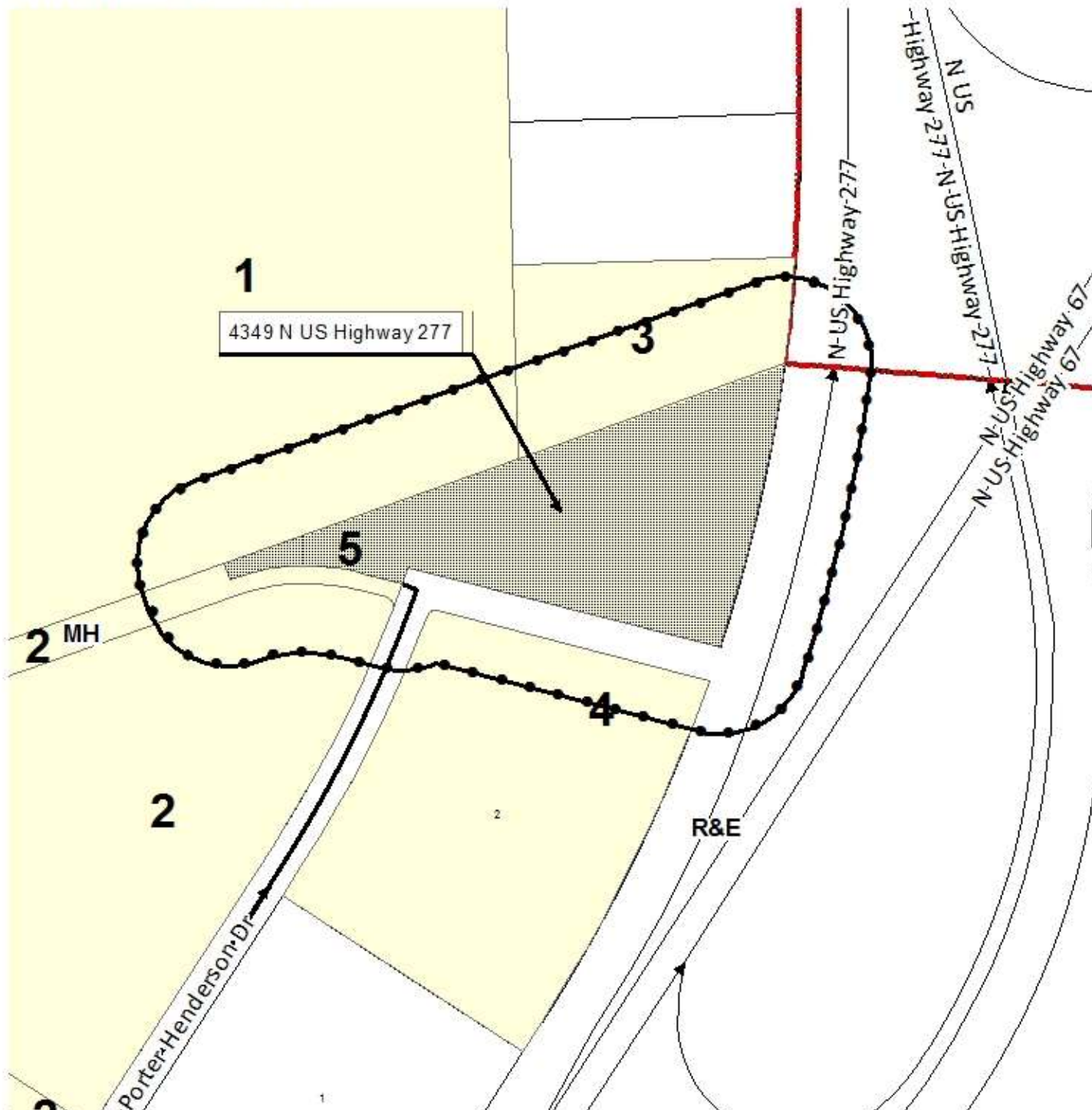
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