

Memo

Meeting Date: June 23, 2014

To: Planning Commission members

From: Roxanne Johnston, Planner

Subject: CU14-07: West Central Wireless, a request for approval of a Conditional Use to place an unmanned 300' telecommunication tower in a General Commercial (CG) Zoning District, on the following property:

Location: 2530 Pulliam Street, located approximately 506' easterly from the intersection of Pulliam Street and Smith Boulevard, specifically occupying approximately 10 acres out of the Anne Gregory Addition, Block 1, Tract 4, in northeast San Angelo.

Purpose: Approval of this request would allow for placement of a 300' telecommunication tower on the subject property.

Contacts: Ed Probandt, Owner 800-695-9016
Roxanne Johnston, Planner 325-657-4210

Summary: The Planning Commission may:

- (1) **Approve** a Conditional Use to allow for the placement of a telecommunication transmission tower on this subject property, as requested;
- (2) **Approve** a Conditional Use to allowing the placement of a telecommunication transmission tower on this subject property, **subject to** additional **conditions** believed necessary and appropriate to mitigate any adverse effects of such use; or
- (3) **Deny** the requested Conditional Use on the subject property.

Recommendation: Planning staff recommends **approving, subject to conditions as listed below**, the proposed Conditional Use request.

History and Background:

On December 19, 2011, Planning Commission approved CU 11-19 the predecessor to this request. The reason that this case is being re-heard is because CU11-19 expired since a building permit was not obtained within a 12 month time frame after gaining approval (Section 208 G.1-2 of the Zoning Ordinance).

General Information

Existing Zoning: General Commercial (CG)

Existing Land Use: Telecommunications Contractor (mobile phone)

Surrounding Zoning/Land Use:

North:	General Commercial	Open space
West:	General Commercial	Institutional
South:	General Commercial	Open space
East:	Light Manufacturing	Open space

Thoroughfares/Streets: Pulliam street, which runs south of the subject property, is defines as a “major arterial.” Such a street moves large amounts of traffic swiftly though and around the city.

Zoning History: CU11-19 was approved by Planning Commission on 12/19/11. This approval for a telecommunication transmission tower expired 12/19/12.

CU06-19 was approved on 11/20/2006, with the following conditions:

1. No more than one (1) telecommunication tower permitted on the subject property, at a maximum height of 162 feet;
2. Installed on the most eastern half of the subject property, to maximize separation from existing multi-family residences westerly of the site;

3. Shall comply with all applicable standards for such uses in the Zoning Ordinance.

Applicable Regulations:

Zoning Ordinance
Section 502.B. Nonresidential District Standards

- | | |
|------------------------------|-------|
| 1. Maximum Floor Area Ratio: | 200% |
| 2. Maximum Height (ft): | 35 |
| 3. Minimum Lot Area (sq ft): | 6,000 |
| 4. Minimum Front Yard: | 25 ft |
| 5. Minimum Side/Rear Yard: | --- |

Section 504.F. Allowed Storage

CH Zoning Districts allow "Type 3: General Outdoor Storage," which includes storage of unlimited quantity subject to certain restrictions outlined in Section 504.E.

Vision Plan Map:

Industrial

Related Comp Plan Excerpt(s):

Industrial areas are intended to support industry uses, while mitigating undesirable secondary effects.

Special Information

Traffic Concerns:

The impact of traffic is expected to be negligible given that the proposal is for an unmanned tower.

Parking Requirements:

Zoning Ordinance
Section 511. Off-Street Parking Standards

511.F.3. *"All areas used for required off-street parking shall be paved."*

C.4. *"In the case of multiple principal uses located on a single lot or tract of land, the total required off-street parking shall equal the sum of the parking required for each of the various uses calculated separately."*

C.7. *"In no circumstance shall new construction or installation of any principal building on a lot require any less than 2*

off-street parking spaces to be provided in accordance with this section.”

F.2. “It shall also be unlawful to use buildings or land without acquiring and development of appropriate areas for off-street parking that meet the requirements of this section.”

F.3. “All areas used for required off-street parking shall be paved.”

Parking Provided:

The site reflects 78 spaces used for parking, including 2 handicap spaces.

Related Specific Use Standards:

Section 422. Telecommunication Facilities

- **Minimum Setback.** *The telecommunication facility shall be located a minimum of 20 percent of its height away from all boundaries of which those facilities are located;*
- **Separation from Residential Districts.** *The telecommunication facility shall be located at least 100 feet from the boundary of any lot or tract in a residential zoning district;*
- **Heights.** *The principal support structure shall be allowed to exceed the height limit of the zoning district in which it is located, providing that the setback standards apply;*
- **Security Fences and Walls.** *A fence or wall no less than 7 feet in height from finished grade shall be constructed around the telecommunication tower. Access shall be through a locked gate and if voltage is necessary, warning signs shall be placed every 20 feet along the fence.*
- **Removal of Obsolete Towers.** *If obsolete or unused, the telecommunication tower shall comply with all applicable Federal Communications Commission (FCC) standards.*

Notification Required:

Yes

Notifications Sent:	7
Responses in Favor:	0
Responses in Opposition:	0

Analysis:

In order to approve this request, the Planning Commission members are first required to find that:

1. **Impacts Minimized.** Whether and the extent to which the proposed Conditional Use creates adverse effects, including adverse visual impacts, on adjacent properties.
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 Conditional Use is compatible with existing and anticipated uses surrounding the subject property.
4. **Effect on Natural Environment.** Whether and the extent to which the proposed Conditional Use would result in significant adverse impacts on the natural environment, including but not limited to, adverse impacts on water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.
5. **Community Need.** Whether and the extent to which the proposed Conditional Use addresses a demonstrated community need.
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.

Proposed Conditions

1. No more than one telecommunication transmission towers shall be permitted on this subject property.
2. No such tower shall exceed a height of 300'. This includes any apparatus attached to the tower itself.
3. The proposed telecommunication facilities shall comply with all applicable standards set forth in Section 422 of the Zoning Ordinance,

except as may be allowed by variance duly authorized by the Zoning Board of Adjustment.

4. Any emergency power system, which includes lighting, generators, fuel cells and other apparatus, used to provide backup power resources, come before the Planning Commission for approval before being installed.
5. This approval of a Conditional Use shall replace CU06-19 on the official zoning map for the City of San Angelo.

The staff recommendation is based upon the statements listed below, utilizing the above criteria.

City staff recommends approving the requested Conditional Use allowing the placement of a telecommunication transmission tower on the subject property; a recommendation that remains consistent with the Planning Commission's December 19, 2011 decision and also Planning staff recommendation at that time. At that time, it was agreed by staff and the Planning Commission that the requested Conditional Use was compatible with its surroundings and since nothing has changed, staff believes there is no reason to recommend denial.

The subject property currently contains a 150' telecommunication transmission tower, which is planned for removal, and the applicant wishes to replace it with a 300' telecommunication transmission tower. The first tower was approved in 2006. The area where the subject property is situated is within commercial and manufacturing districts, away from heavy residential development, and near the City's limits. These facts will help minimize visual impacts and is not expected to negatively affect the physical character of the area.

The applicant is requesting a new Conditional Use not only because the tower approved with CU11-19 was not constructed, but also because the Conditional Use granted in 2006 limited the size of the telecommunication transmission tower and restricted the subject property to contain only one such tower.

One of the major characteristics of the subject property is the depth of the lot. When the original tower approval was granted, the staff report listed the vast size as a major consideration. Another key characteristic of the site is that the property borders large vacant lots to the north and east. The large area to the south of the subject property contains the Quicksand Golf Course, so staff believes that use to serve as an open space in perpetuity.

East Houston Harte Expressway is located north of the subject property. The topography of the land lends itself as another mitigating feature to the visual impact of the telecommunication transmission tower, should it be approved again. Houston Harte Expressway is elevated from the areas to the south in which the property is located. The elevation of this highway over the areas along

both sides helps to mitigate what may be a more noticeable and stark view in another major gateway point of entry because the tower would be more in scale with the highway.

The City of San Angelo has only two predominantly large manufacturing zoning districts; both of which are located in the northeastern quadrant of the city. This site falls within one such area. The interior insulation of this site, tucked into the central portion of both this ML zoning district and the adjacent CG district, make this a distinctive location in which the placement of a telecommunication transmission tower is less intrusive than most other locations throughout the city.

The Vision Plan Map component of the 2009 Comprehensive Plan identifies the subject property and the adjacent areas as “Industrial,,” which means that this area is not planned to have residential land uses and is more conducive to the type of development that supports manufacturing or industrial uses; just one of several categories that telecommunication towers fall into within Section 310 of the Zoning Ordinance.

In conclusion, staff is confident that the requested telecommunications tower is not believed to adversely impact the natural environment since it would not be generating power nor consuming or converting natural resources for commercial use on the subject property. However, staff does recommend the conditions as listed above.

Attachments:

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

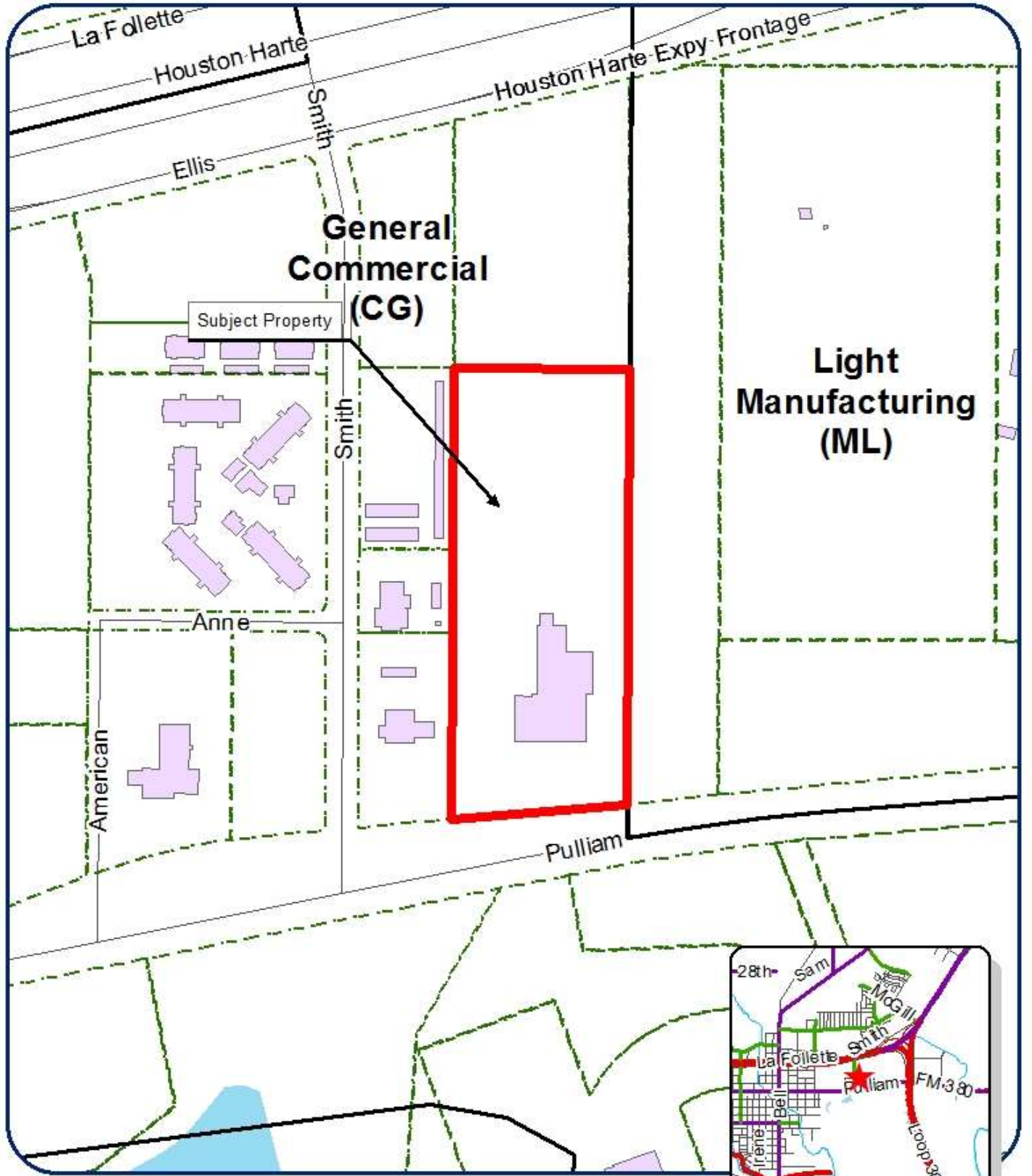
Excerpt from zoning map, highlighting the subject property;

Excerpt from the Vision Plan Map highlighting the subject property; and

Application and site plan submitted by the applicant

Presentation:

Roxanne Johnston, Planner



Zoning Case File

CU14-07


Council District: don Vardeman

Neighborhood: Paulann

Scale: 1" approx. = 300 ft

Subject Property Location: 2530 Pulliam St

Legend

Subject Property: 

Current Zoning: **CG**

Request: **300' Telecom. tower** 

Vision: **Industrial**





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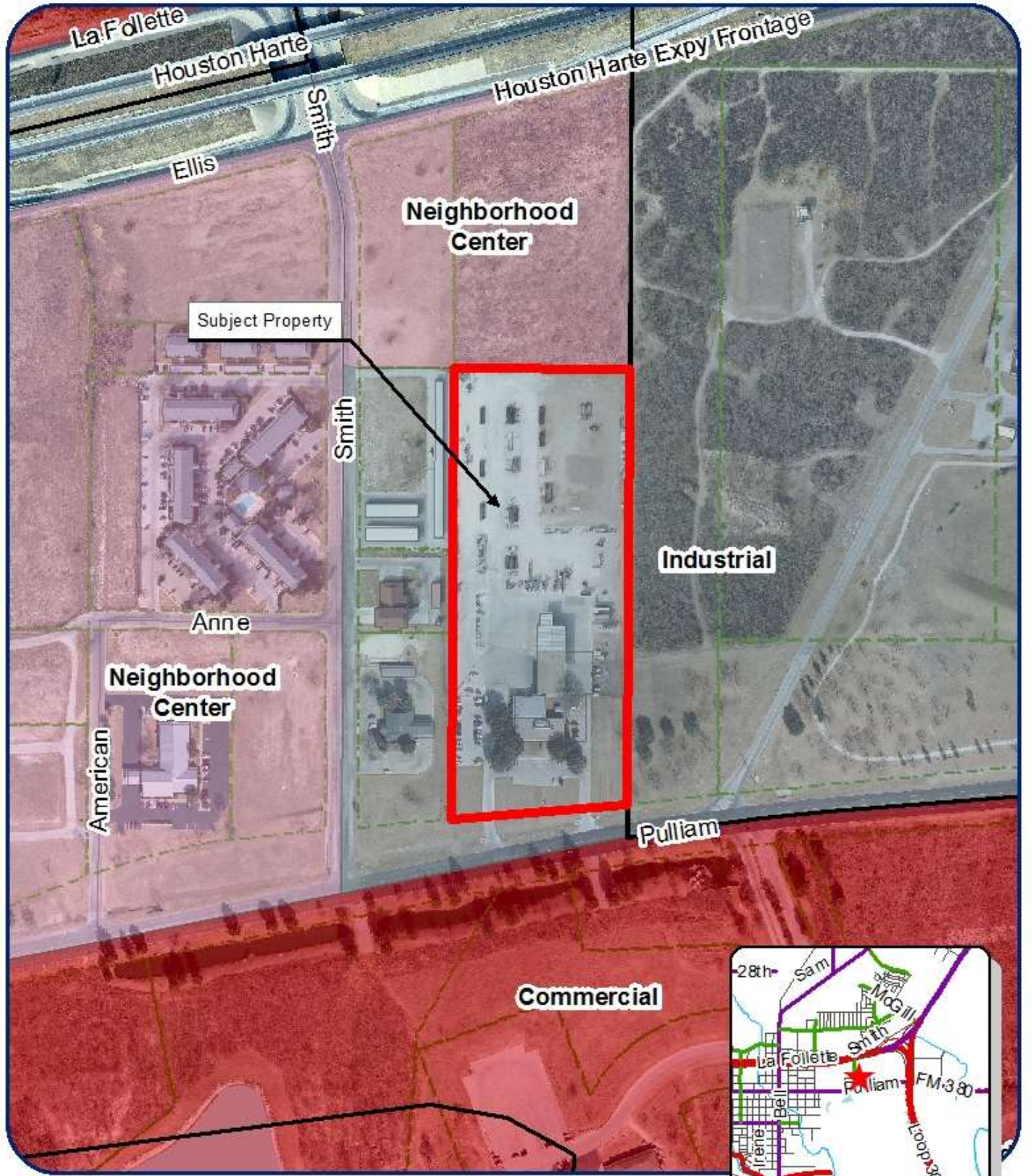
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- Vision: Industrial

