

Memo

Meeting Date: June 23, 2014

To: Planning Commission members

From: Roxanne Johnston, Planner

Subject: Z14-14: Kimley-Horn & Associates, Inc., a request for approval of a zone change from a combination of General Commercial/Heavy Commercial(CG/CH); Office Commercial (CO); Ranch & Estate (R&E); and Low-rise Multi-family Residence (RM-1) Zoning Districts to a General Commercial (CG) Zoning District, on the following properties:

Location: Tracts and lots located at the southeast corner of South Bryant Boulevard and Ben Ficklin Road; more specifically being 13.850, 3.340, 0.7710, 0.4000, 0.2020, and 0.7610 Acres out of the E. Hermes Survey 0174, Abstract 0349; 2.3900 Acres in Century Terrace, Block 1; 0.309 Acres being Private Access in Century Terrace, Block 1; and 0.069 Acres including Easement in the E. Hermes Survey 0174, Abstract 0349, in south central San Angelo.

Purpose: Approval of this request would zone the property General Commercial (CG)

Contacts: Dan Skeeahan, Representative 325-226-1347
Roxanne Johnston, Planner 325-657-4210

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 **denial** of the proposed zone change request to General Commercial (CG).

History and Background:

A predevelopment meeting in December 2013 with the developer and staff was held regarding the sequencing of how to develop the largest tract of property included with this zone change request. This tract is split-zoned with General Commercial/Heavy Commercial (CG/CH) on the west half, and Ranch & Estate (R&E) on the east half. In looking further eastward, staff was concerned that rezoning the R&E portion would result in CG zoning against the R&E residential uses on the 3 tracts of properties situated to the east. At that time, these tracts were not included within the project proposal. Staff discussed with the developer that the proposal was partially inconsistent with the Vision Plan Map and that a recommendation for a zone change to CG from staff would not be supported because the Plan is intended to guide future area development.

The proposed request now contains nine tracts of property. Approximately 9.75 acres of the 21.5 acres comprising the subject property is zoned commercially. The majority of this acreage is vacant/undeveloped, with exception to the single-family residences located on the 3 tracts of property located to the east and zoned R&E. The nearest distance between the proposed zone change property and the South Concho River is approximately 775 feet. The distance between the subject property and what the Vision Plan Map envisions as "Open Space" is approximately 260 feet.

Aside from the three single-family residences included in this proposal, surrounding land-uses in the area outside of the subject property include a communications business to the southwest, a gas station to the west, and dense multi-family housing located to the south and southeast. An RV resort is located to the north and a portion of this property is incorporated within this zone change request.

A zone change to CG would substantially increase the Floor Area Ratio (FAR), from 20 percent to 2 times (or 2x) the total gross square footage of the lot. There is no maximum height requirement in a CG zone (Sections 501 & 502, Zoning Ordinance).

Rezoning the property to CG would allow the following uses: group living; alcohol and drug recovery facilities; college, school, public & nonprofit, or charitable uses providing service to the community; day care for children or adults; meeting areas for religious institutions; public safety and emergency services; auto and boat dealerships; bed & breakfast; business, government, professional, medical or financial offices; commercial parking; retail sales; self-service storage; vehicle service (performed while the customer waits) vehicle wash;

small animal veterinary clinic; personal service-oriented business; entertainment-oriented business; and restaurants. CG zoning districts allow Type 2 Limited Outdoor Storage; meaning that 1,000 feet or 10% of the total square footage of the property could be used for such storage, based on whichever figure is the greater.

General Information

Existing Zoning: Ranch & Estate (R&E), General Commercial/ Heavy Commercial (CG/CH), Office Commercial (CO), Low-Rise Multifamily Residence (RM-1), & Planned Development (PD).

Existing Land Use: Mostly vacant undeveloped property with exception to three tracts of land containing single-family residences

Surrounding Zoning/Land Use:

North:	PD, R&E	Vacant property for RV Park
West:	CG/CH	Stripes, vacant property, Shannon Medical Center
South:	CG/CH, CN, RM-1	Commercial, dense residential
East:	R&E	Vacant property abutting South Concho River

Thoroughfares/Streets: South Bryant Boulevard is identified as a “major arterial street” and is 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.

South Jackson Street is identified as a “local street” and is designed to carry light neighborhood traffic at low speeds.

Zoning History: The property was annexed within the city before 1949.

On October 23, 1984, a right-of-way street abandonment for a portion of Ben Ficklin Road extending north from South Jackson Road and west of the Theo Alexander Subdivision, Tract 1 was approved by City Council.

Vision Plan Map:
Related Comp Plan
Excerpts:

Commercial & Neighborhood

*"Promote **better transition** between nearby commercial and residential use of land and buildings."*

*"**Require a buffer** separating commercial, industrial, or agricultural zoned lands from neighborhoods."*

*"Establish transition areas to better **"scale-down" intensity of use from commercial centers to neighborhoods.**"*

"...slowly reorganize commercial corridors into clusters..."

*"Create new physical connections to neighborhoods line with **transitional and intermediate uses.**"*

Notification Required:	Yes
Notifications Sent:	13
Responses in Favor:	1
Responses in Opposition:	1

Analysis:

The staff recommendation is based upon the statements listed below.

The central reason staff is unable to recommend approval is because this request is incompatible with more than half of the Vision Plan Map which calls for "Neighborhood" development; including the three residential tracts. A study by staff and changes to the Vision Plan Map would be required in order to determine whether the zone change would be compatible with area uses, and if the study were to be favorable to the proposed development, then staff would be able to recommend this zone change request.

Although staff would not normally agree that CG is compatible when abutting the least intensive residential zoning, R&E, which supports low density, ranch-style development and sprawling estates, it is recognized that sometimes existing zoning is a result of the default R&E zoning that land is assigned automatically when it is annexed.

Also, looking to the north where the RV park is situated, such a use could be determined to be more commercial in nature than a residential, albeit more sprawling in nature than usual commercial development. The reason for this is because it lies within a Planned Development Zoning District where the property is regulated by conditions specific to the uses approved for the development specific to the RV park. Most deviations from the conditions would require a change in the Planned Development ordinance pertaining to this PD, specifically PD10-01. As a commercial use property and not fully developed, it could be argued that the subject properties abut not only the communications business to the southwest, but also the RV park to the north. The location of the residential developments to the south of the subject property as a residential use, (not only the zoning), is more intense than R&E zoning.

The intersection at South Bryant Boulevard and South Jackson Street is a point where two arterials meet. It is possible that the portion of South Jackson Street that lies east of South Bryant Boulevard will experience heavy traffic as a result of the proposed commercial development. At this location, South Jackson Street is a local street abutting an apartment complex to the south given the nearness to this dense residential development, staff is reluctant to agree that the street would support heavy traffic associated with retail uses entering and exiting the subject property.

All factors considered, staff is concerned with the possible implications this proposed zone change will have on the site as well as surrounding uses. CG zoning will introduce a wide variety of uses to the property as listed in the "History and Background" section of this report. Given the vast amount of open space to the east and residential development to the south, the zone change process does not address required screening between districts, nor buffers used for open spaces. In addition, there are too many unknowns of where commuter traffic and freight movement will access the site. S. Bryant Boulevard, as mentioned above, is identified as an arterial street in the City's Thoroughfare Plan. The street also has limited access and is Texas Department of Transportation (TxDOT) maintained. No conditions can be placed on the requested zone change to ensure such access point concerns are met.

Proposed Conditions

N/A

Attachments:

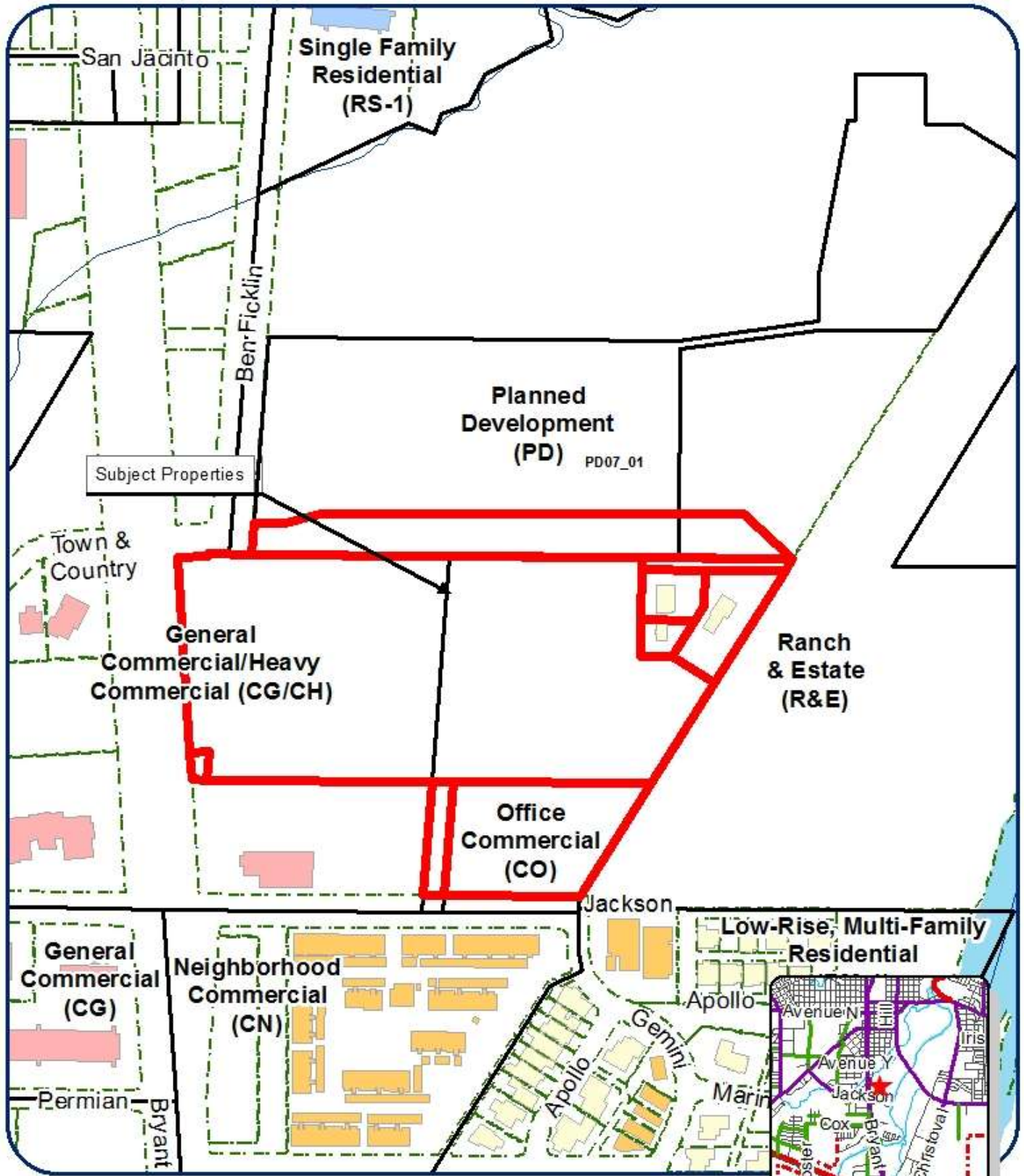
Excerpt from zoning map, highlighting subject property;

Aerial photo, highlighting subject property; and

Excerpt from the comprehensive plan vision map highlighting the subject property.

Presentation:

Roxanne Johnston, Planner



Zoning Case File

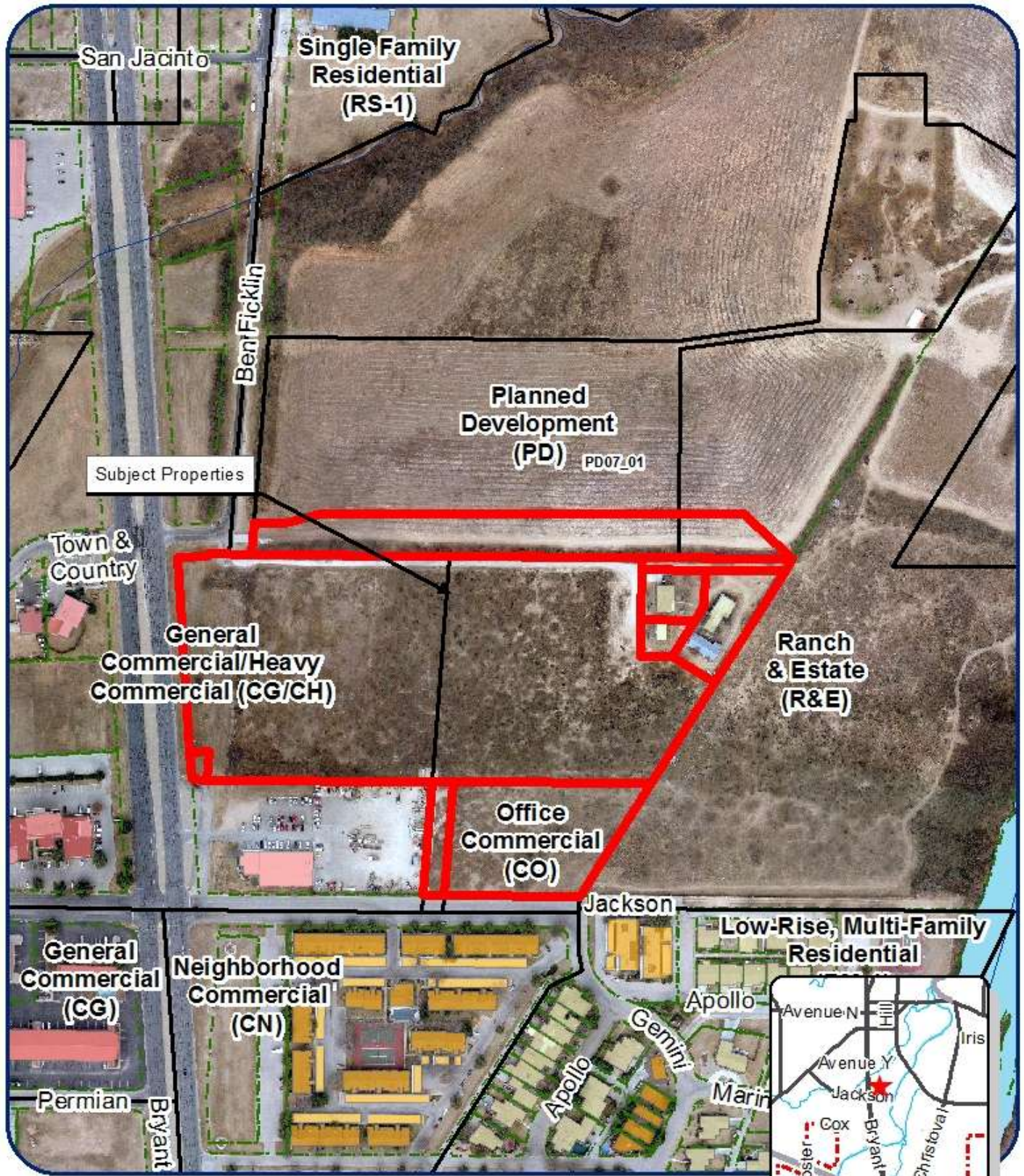
Case Z14-14

Council District: Johnny Silvas
 Neighborhood: RioVista
 Scale: 1" approx. = 300 ft
 Subject Property Location: NE corner S Bryant Blvd & S Jackson St.

Legend

- Subject Properties: —
- Current Zoning: R&E, CG/CH, PD, CO
- Requested Zoning Change: CG
- Vision: Commercial/Neighborhood





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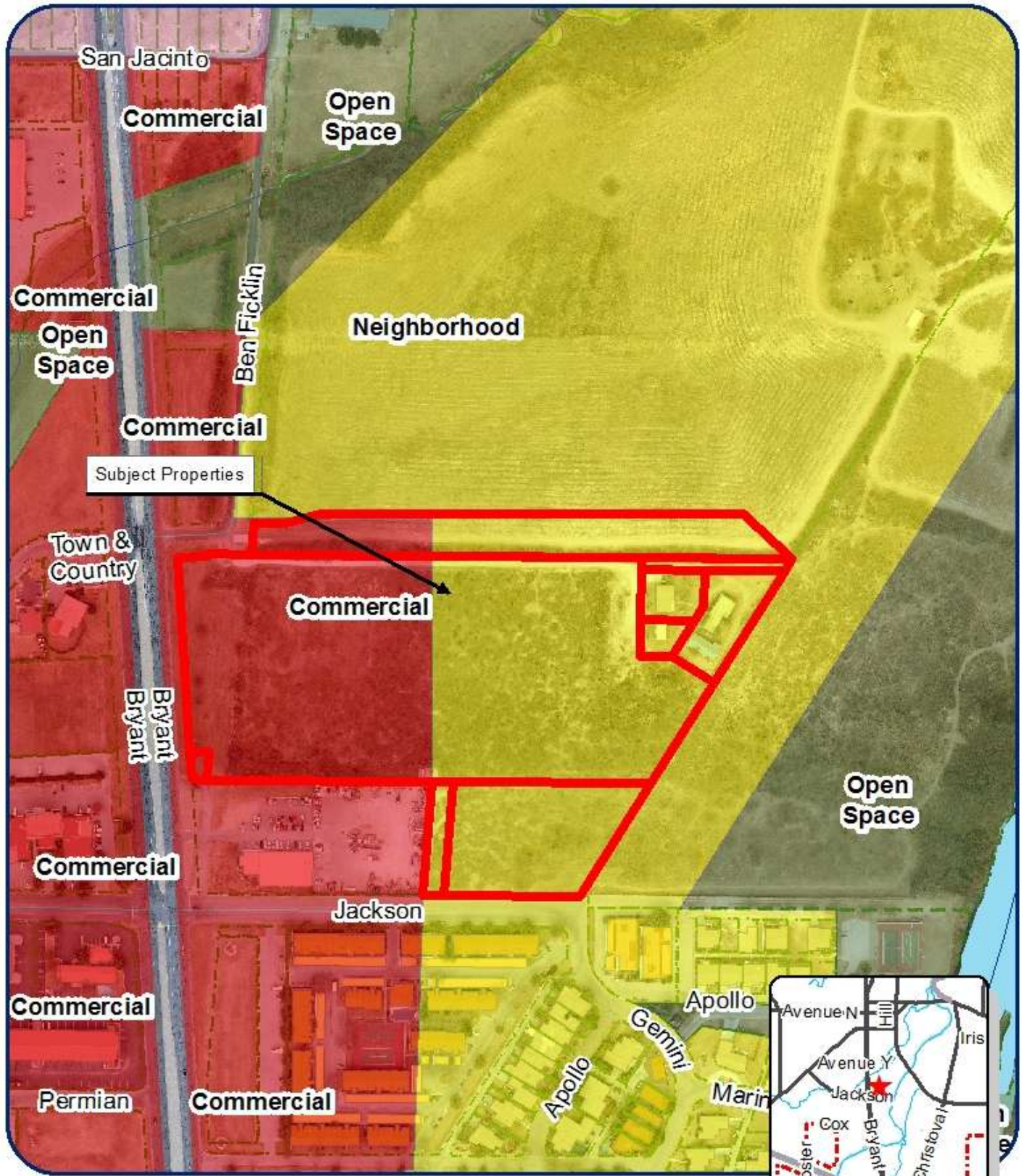
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