

# Memo

**Meeting Date:** July 21, 2014

**To:** Planning Commission members

**From:** Roxanne Johnston, Planner

**Subject:** Z14-17: B&R Properties, a request for approval of a zone change from General Commercial (CG) to a Heavy Commercial (CH) Zoning District on the following property:

**Location:** 2825 North Loop 306, located at the northeast corner of North Loop 306 and Gordon Boulevard; more specifically 5.0000 acres located in the Paulann Park Addition, Section 2, being the west part of Tract C, in northeast San Angelo.

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

**Contacts:** Charles Becker, Owner 325-732-4272  
Roxanne Johnston, Planner 325-657-4210

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**Summary:** The Planning Commission may:

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

**Recommendation:** Planning staff recommends **approval of** the proposed zone change.

## History and Background:

The subject property is located north of E. Houston Harte Expressway Frontage Road which is a one-way street carrying westbound traffic.

The Heavy Commercial zoning district is the only commercial zoning districts that allows for Type III Outdoor Storage as outlined in Section 504 of the Zoning Ordinance. Uses that typically require such storage are related to uses outlined in Section 310 of the Use Table, under "Industrial Services." However, this is the most intensive commercial designation, also, and is generally considered ideal for placement along zoning districts of an industrial nature where quick access to arterials is desirable.

Section 316 of the Zoning Ordinance defines 'Industrial Service' as *"firms...engaged in the repair or servicing of industrial., business or household consumer machinery, equipment, products or by-products....Relatively few customers, especially the general public, come to the site."* This section also gives examples of accessory uses for industrial services. Those particularly relevant to this proposal include welding shops; machine shops; tool repair; sales, repair and/or **storage of heavy machinery**, metal and building materials; towing and vehicle storage; and heavy truck servicing (including wash) and repair. A complete list of industrial services can be found in Section 316.A.3 of the Zoning Ordinance.

Uses allowed in CH zoning districts include group living, and alcohol and drug recovery facilities, meeting areas for religious institutions, public safety and emergency services, auto and boat dealerships, commercial parking, equipment rentals, self-service storage, vehicle repair, vehicle service (performed while the customer waits) vehicle wash, small animal veterinary clinics, industrial services, warehouse and freight movement, waste-related uses, wholesale trade and plant nurseries.

## **General Information**

Existing Zoning: General Commercial (CG)

Existing Land Use: vacant

Surrounding Zoning/Land Use:

North:	RM-1	Single-Family residences
West:	CG	Single-Family residence, vacant property
South:	CG	Vacant property; Houston Harte Expressway
East:	CG	Vacant property

Thoroughfares/Streets: E. Houston Harte Expressway Frontage Road is accessory to East Houston Harte Expressway, designed to carry traffic to lower classified streets, such as Smith Boulevard.

Gordon Boulevard and the future Smith Boulevard are defined as 'collector streets,' which are designed to connect local traffic to arterials and generally carry traffic at a moderate rate of speed.

Zoning History: This property was annexed into the City Limits in 1989.

Applicable Regulations: Allowed uses for this property can be found in Section 310 (Use Table) of the Zoning Ordinance.

Development Standards: Heavy Commercial (CH) requires a 25 feet front setback for any structure. No side or rear setback is required in commercial districts in this case because the lot does not abut a residential district or use.

The maximum floor area or gross floor area of all buildings on the lot divided by the total area of the lot in an area zoned CH is 2, twice the area of the lot, per Section 502 of the Zoning Ordinance.

Vision Plan Map: Commercial

Comp Plan Excerpts: Within the Comprehensive Plan, Goal 3 of "Neighborhoods" is to ***improve the***

*relationship between adjacent commercial and residential properties”.*

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

*“Establish transition areas between commercial areas and nearby neighborhoods.”*

*“Organize commercial uses in nodes to avoid deteriorating corridors.”*

### **Special Information**

Traffic Concerns:	Changing the zoning from a vacant lot to a zoning classification that allows for heavier commercial activity will have a higher traffic impact on the area. However, the proximity to the property to the N. Houston Harte Expressway will make one-way traffic viable given that the traffic should adequately handle this increased traffic capability.
Parking Requirements:	Section 511 of the Zoning Ordinance covers parking improvement standards and amounts. Construction or installation of any principal building on a lot requires at least 2 off-street parking spaces per Section 511.F.3.
Parking Provided:	The properties have no developed parking as there are no primary nor accessory buildings on them.
Density:	The southern portion of the block which houses the properties is made up primarily of undeveloped lots bisected by one residential home located on two lots in the center. Lots west of the residence are used for outdoor storage. The lots in question are undeveloped.
Notification Required:	Yes
Notifications Sent:	9

Responses in Favor: 1

Responses in Opposition: 2

### **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.

The applicants are seeking to construct an office and a shop, and also a yard to store heavy equipment; all of which are accessory to the business which would support uses such as construction contractors and building maintenance services, being that the services would be conducted off-site, but with on-site storage. General Commercial zoning, which is a step less in intensity than this request, does not allow Type III outdoor storage which would allow the applicants to store their heavy trucks and equipment.

Staff found that this zone change request was compatible with the Vision Plan Map and subsequently examined area uses to see if the request would be compatible to the surrounding area. Given that there is a church located to the west of the subject property, which is an allowed use in any zoning district, and that the RM-2 zoning district to the north contains single-family structures located in excess of 80 feet of the subject property, staff finds no reason to recommend denial of this request. The request would not trigger a change in the Vision Plan Map, which calls for future development of the area to be "Commercial." Although the nature of the request is geared to industrial uses, the Vision Plan Map makes no distinction between the commercial development that one normally sees with general retail and those commercial uses that are more wholesale in nature. Staff notes that any development to the lot would result in an impact to the environment as the lot has remained unused, and that such commercial development would require an internal site review by staff in order to address storm water runoff, internal lighting, signage and required parking.

Due to the nature of allowed uses in CH zoning (listed above), staff would not normally recommend such uses near an area with single-family residences. However, given that the distance between the subject property and this RM-1 zoning is in excess of 80 feet and will later accommodate the continuation of Smith Boulevard as a future collector street, staff believes that the placement of Smith Boulevard will help buffer the uses in the event this zone change is approved. Because the Zoning Ordinance does not require screening in CH zoning districts where residential uses are in excess of 80 feet from the property, perhaps the interpretation can be that 80 feet is sufficient of a buffer between such uses. Unfortunately, no less intensive zoning allows for unlimited outdoor storage, nor is there a process whereby outdoor storage would be allowed via a Conditional Use given that the proposed use still requires unlimited outdoor storage: a Conditional Use cannot be applied to General Commercial zones in order to get around the storage requirements of that zoning district, which is 10% of the lot size or 1,000 square feet, whichever is less.

Staff finds this request in keeping with the Vision Plan map which calls for the subject property to be commercially zoned in the future. However, staff recognizes that the intensity of commercial zoning in the future must be carefully chosen in a way that stabilizes - not weakens - the existing character of the surrounding area. The CH zoning would not be encroaching further into the existing residential fabric in this case, again, because of the 80' separation between the proposed zoning and the existing residential to the north by Smith Boulevard, and because the zoning on the subject property to the west and east of the subject property is already commercial, not residential. Additionally, areas further south across N. Loop 306 are zoned Light Manufacturing, which allows for businesses of an industrial nature, such as Ethicon, Inc, a manufacturer of surgical equipment, located approximately one-quarter of a mile southwest of the subject property.

In examining area development, staff has discovered evidence that although the area to the north is rapidly trending towards residential uses, no commercial uses have yet been introduced to the area. There has been an increase in demand for commercial properties to serve the influx of businesses connected to the energy field and the subject property would be the first in the area to provide a location for such uses if the zone change is approved.

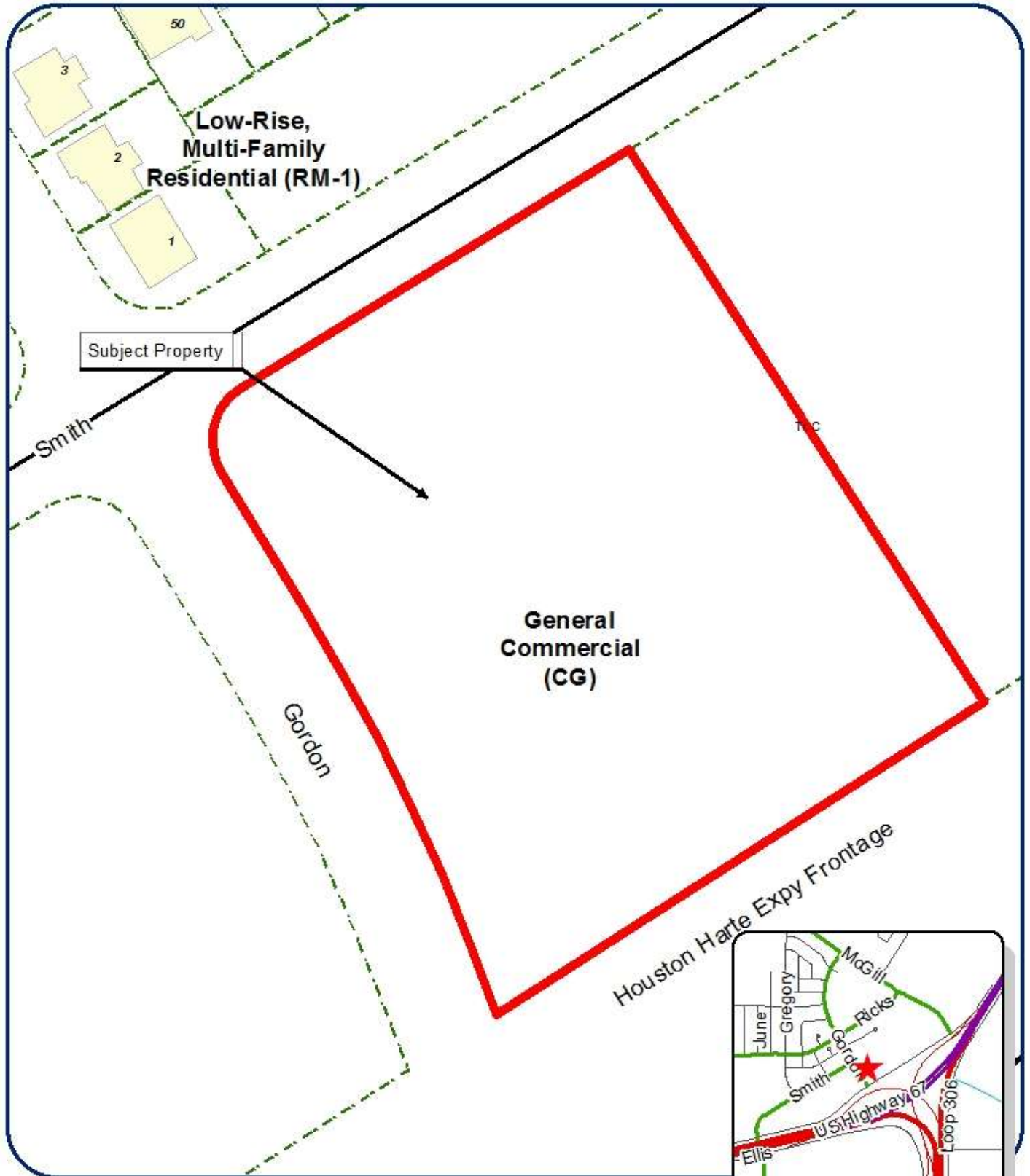
**Proposed Conditions**

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

**Reviewed by:** Patrick Howard, AICP, Director of Planning and Development Services



**Zoning Case File**

**Z14-17: B&R Properties**

Council District: Don Vardeman  
 Neighborhood: PaulAnn  
 Scale: 1" approx. = 100 ft  
 Location: 2825 N. US Hwy 67

**Legend**

Subject Properties: —  
 Current Zoning: **General Commercial**  
 Requested Zoning Change: **Heavy Commercial**  
 Vision: **Commercial**







Low-Rise,  
Multi-Family  
Residential (RM-1)

Subject Property

Smith

General  
Commercial  
(CG)

Gordon

Houston Harke Expy Frontage



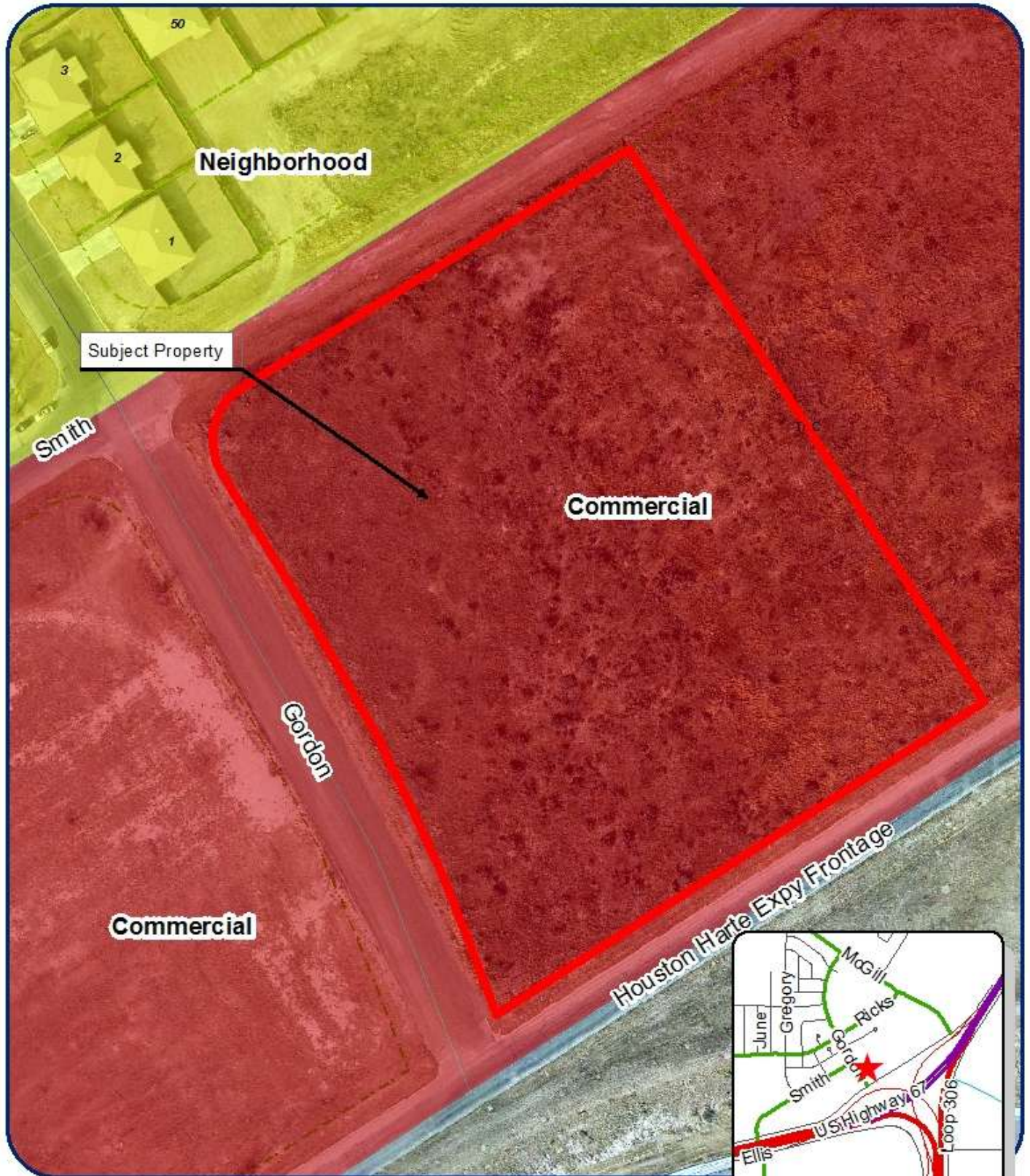
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