

Memo

Meeting Date: June 23, 2014

To: Planning Commission members

From: Roxanne Johnston, Planner

Subject: CU14-06: West Central Wireless, a request for approval of a Conditional Use to place an unmanned 300' telecommunication tower in a Heavy Commercial (CH) Zoning District, on the following property:

Location: 866 Strawn Road, located approximately 540' west of the intersection of Christoval Road and Strawn Road; more specifically occupying approximately 1.82 acres out of Concho River Estates, out of Central Part of Lot 28, in southeast 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 11-18 the predecessor to this request. The reason that this case is being re-heard is because CU11-18 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: Heavy Commercial (CH)

Existing Land Use: Telecommunications Contractor (mobile phone)

Surrounding Zoning/Land Use:

North:	Heavy Commercial	Vacant property
West:	Heavy Commercial	Office and outdoor storage
South:	Heavy Commercial	Commercial uses & outdoor storage
East:	Heavy Commercial	Vacant property

Thoroughfares/Streets: Strawn Road is defined as a “local street,” which is designed to carry light neighborhood traffic at low speeds.

Zoning History: CU11-18 was approved by Planning Commission on 12/19/11. This approval for a telecommunication transmission tower expired 12/19/12.

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: Commercial

Related Comp Plan Excerpt(s): The Comprehensive Plan state that the intent of Commercial area is a single use center and as such, this site and location conform to the Comprehensive Plan's single-use because the site and area around it is dedicated to telecommunications and retail services (there are no "walk-in" stores).

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:

No site plan was submitted that delineates the off-street parking, with the exception of two handicap spaces. However, given the size of the lot and aerial views of the subject property, there may be adequate parking.

Related Standards:

Section 315.H, Zoning Ordinance
"Retail Sales and Service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods."

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:	9
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 two telecommunication transmission towers shall be permitted on this subject property.

2. No such tower exceeds 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.

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

There are some instances when a land use is only marginally acceptable in a specific zone, and as such, a Conditional Use is required and is intended to limit the general placement of a particular land use. Such a use may be ideal in some locations within a particular zoning district, but not in all locations. In this case, and based on the approval by Planning Commission in 2011, staff is confident that the proposal is both reasonable and feasible.

The adjacent land uses include on other telecommunication transmission tower, warehouse, and storage spaces that are non-retail. Fortunately, the area where the proposed telecommunication transmission tower is to be placed lies primarily within a commercial district and would be set back from a major roadway. Such placement would serve to minimize negative visual impacts and not necessarily affect the physical character of the area in this case.

The subject property already contains a 300' telecommunications transmission tower, and given the location of the site and the surrounding zoning, this area is better suited than most for such placement. This is not to say that all areas away from major roads are suitable for telecommunication transmission towers of this size, but this particular area has limited residential development. Additionally, the site is near the City Limits, continues to be developed to support heavy commercial and also industrial business, yet is insulated to the degree that it is not a start feature at a major gateway or point of entry into the city.

As noted, the subject property does contain a 300' tower. This telecommunication transmission tower is not scheduled for removal. The reason that the applicant is seeking another is because the existing tower has reached its maximum collocation capacity. As a result, the applicant is requesting a Conditional Use for an additional 300' telecommunication transmission tower. Again, the location lends itself to such an addition.

The large size of the subject property and the proposed placement of the tower along the north side of the building on the property will help minimize the impact of the tower from the street.

The Vision Plan Map component of the 2009 Comprehensive Plan identifies the subject property as “Commercial: and adjacent areas to be “Industrial,” thus indicating that there are no future plans for residential uses.

Lastly, the proposed tower is not believed by staff to have an adverse impact on the natural environment since it will not be generating power nor consuming nor converting natural resources for commercial use on the subject property. Even so, staff does recommend conditions should this request be approved; conditions that are both required by the Zoning Ordinance and which may also help address any possible negative impacts in the future.

Attachments:

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

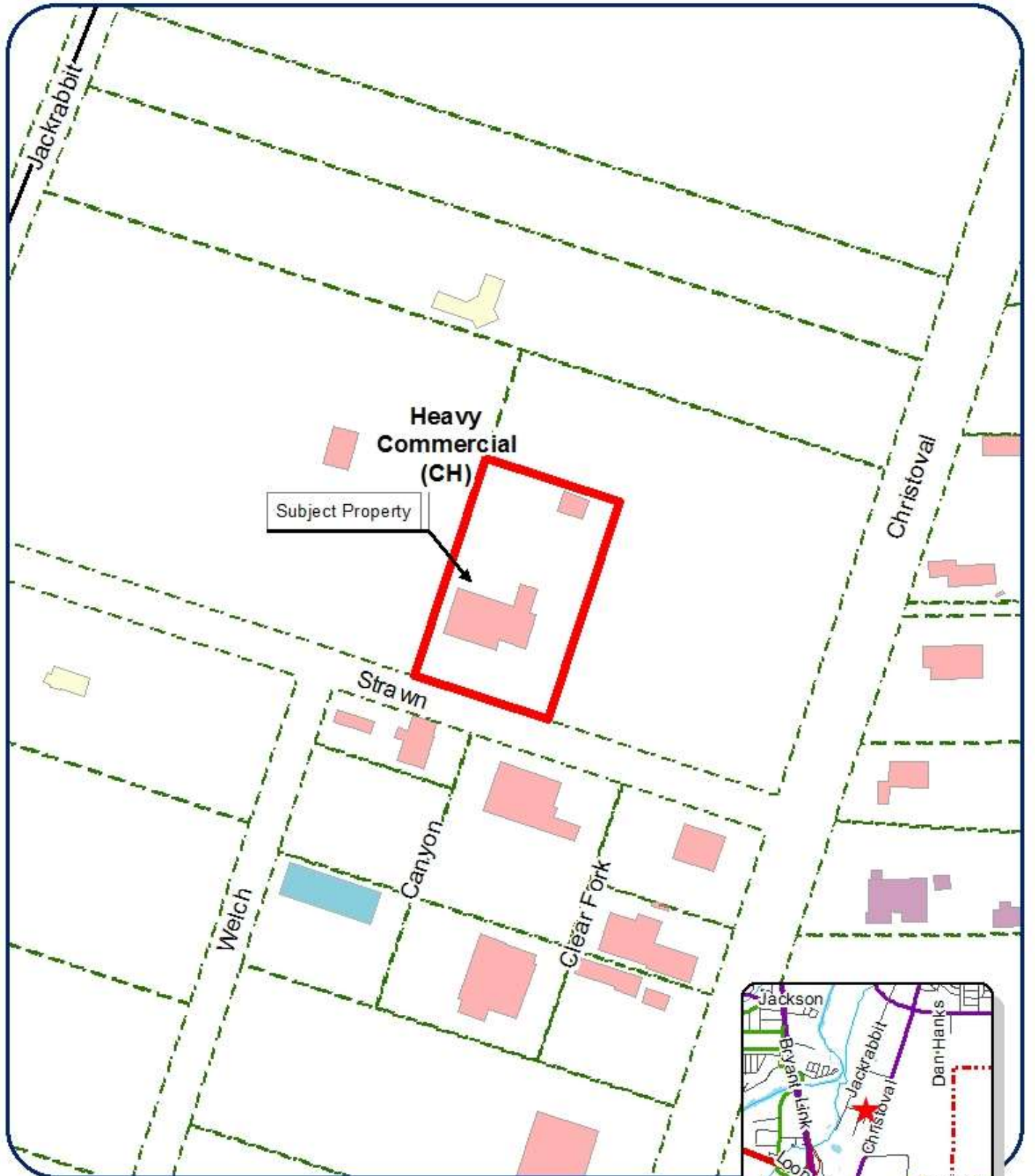
Excerpt from zoning map, highlighting the subject property;

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

CU14-06

Council District: Johnny Silvas
 Neighborhood: Glenmore
 Scale: 1" approx. = 200 ft
 Subject Property Location: 866 Strawn Rd

Legend

- Subject Properties: —
- Current Zoning: **CH**
- Requested Zoning Change: **300' Telecom tower**
- Vision: **Commercial**





Zoning Case File

CU14-06


Council District: Johnny Silvas

Neighborhood: Glenmore

Scale: 1" approx. = 200 ft

Subject Property Location: 866 Strawn Rd

Legend

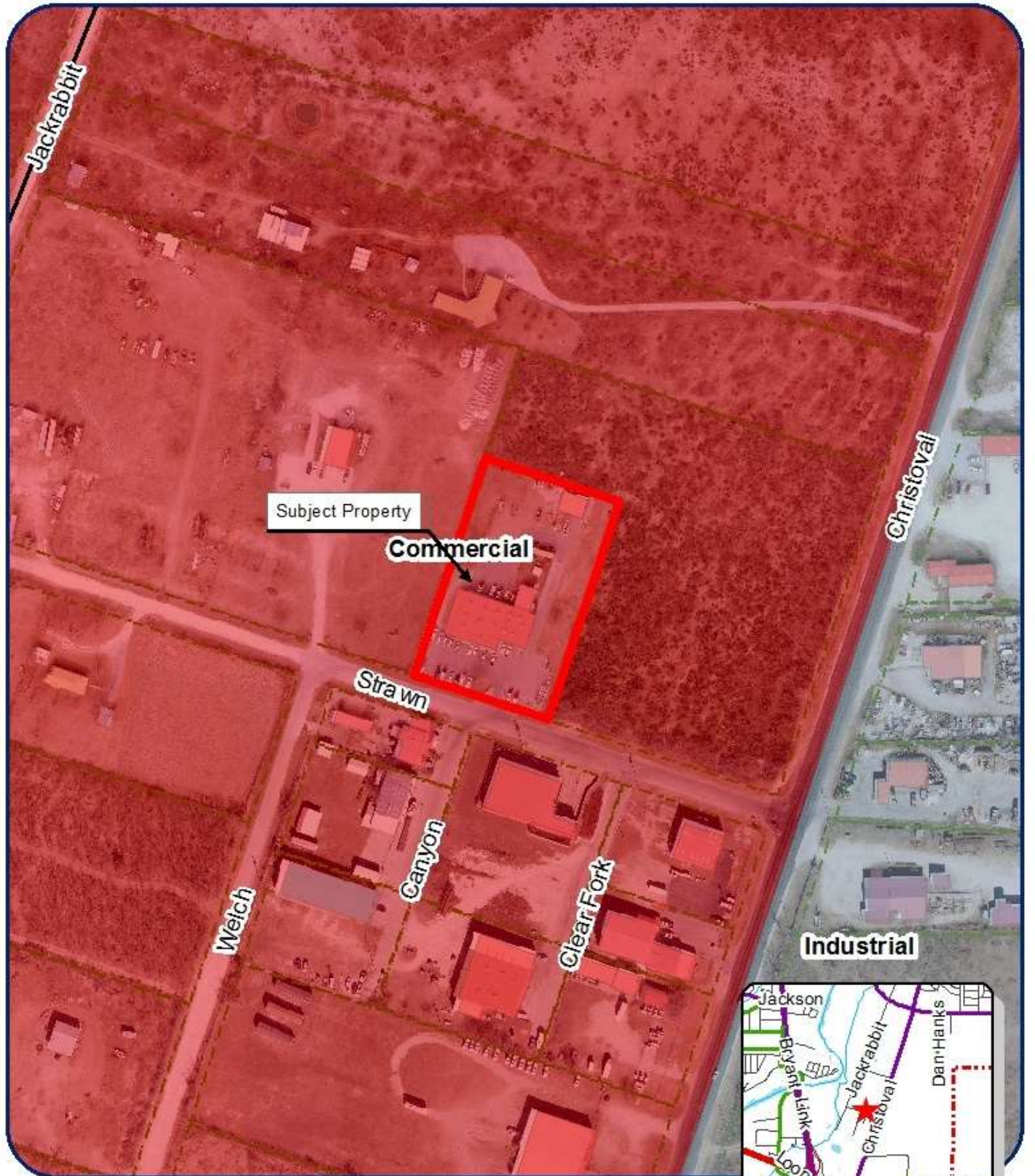
Subject Properties: 

Current Zoning: CH

Requested Zoning Change: 300' Telecom tower

Vision: Commercial





Zoning Case File

CU14-06

Council District: Johnny Silvas
 Neighborhood: Glenmore
 Scale: 1" approx. = 200 ft
 Subject Property Location: 866 Strawn Rd

Legend

- Subject Properties: —
- Current Zoning: CH
- Requested Zoning Change: — 300' Telecom tower
- Vision: — Commercial

