# **City of San Angelo**

# Memo

**Meeting Date:** July 21, 2014

**To:** Planning Commission members

**From:** Jeff Fisher, Planner

**Subject:** PD14-01 White Oaks Development, LLC, a request for approval of a

zone change from a Single-Family Residence (RS-1) and Ranch & Estate (R&E) Zoning District to a Planned Development (PD) District to

specifically allow for apartments, on the following property

**Location:** An unaddressed 8.9 acre tract, located at the northwest corner of

Southland Boulevard and Mills Pass Drive; more specifically being approximately 4.9 acres out of the Community of Faith Subdivision, Section 1, Block 1, Lots 1 & 2; and being approximately 4 acres out of the Community of Faith Subdivision, Section 2, Block 1, Lot 3, in

southwest San Angelo.

**Purpose:** Approval of this request would zone the property to a Planned

Development (PD) District to specifically allow for apartments, with the residential district regulations of the Low Rise Multi-Family

Residential (RM-1) Zoning District.

**Contacts:** Richard A. Finch, White Oaks Development, LLC 901-300-3584

Jeff Fisher, 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 **approving** the proposed zone change, **subject to** the Conditions listed in Conditions 5-14 of the attached draft ordinance.

#### **History and Background:**

In May 2014, the applicant submitted an application to rezone the subject land for a Planned Development (PD) District to allow for two-storey, fourplex apartments. The application included a concept plan showing 20 apartment buildings over the 9.8 acre tract of land, 4 units per building for a total of 80 units and 153 parking spaces. The applicant mentioned these will be rental apartments but will appear more like homes from the outside. There will be a clubhouse for leasing/management and a swimming pool in the center of the site. Although not part of this approval, the applicant has submitted conceptual floor plans to give an indication of the types of multifamily units for lease (see attached). Due to Staff concerns about traffic and the overall layout, and a large volume of responses from local residents citing traffic concerns, road capacity, density, and proximity to the Bonham Elementary School, the applicant agreed to meet with Staff at a Development Review Committee (DRC) Meeting on June 27, 2014, and table the Planned Development request until this meeting of July 21, 2014. At the meeting, it was recommended that while not required, a traffic study would be helpful in addressing traffic concerns in the area, and once prepared, that the applicant meet with the residents to address their concerns.

The applicant has subsequently submitted a *Traffic Impact Analysis* by Kimley-Horn to address the traffic concerns of the community. Highlights of the study are explained below in the Analysis section of this report.

A community meeting has been scheduled for Thursday, July 17, 2014 at 3:30pm at Bonham Elementary School to discuss the results of the traffic study and development plans with the residents. The applicant has invited Councilor Farmer, the Council Member for the area, as well as Jeff Bright, Assistant Superintendant of the San Angelo Independent School District. A member of Planning Staff will be in attendance to facilitate.

The applicant will be required to submit an Urban Design Review as required by Section 204 of the Zoning Ordinance for multifamily residential construction. They have submitted preliminary building elevations and a landscape plan as a courtesy for the Planning Commission as further information (see attached). Final design of the buildings, coloring and materials shall be approved by the Planning Director through the Urban Design Review.

A subdivision plat will also be required as a condition of approval.

The applicant was made aware that a previous application (Z13-28) by Greg Huling, to rezone only the northerly 4.9 acre tract, Community of Faith Subdivision, Section 1, Block 1, Lots 1 & 2 which he owned, from Single-Family Residential (RS-1) to High-Rise Multi-Family Residential (RM-2) for multi-family dwellings was denied by City Council in November 2013. Planning Staff had recommended a Low-Rise Multi-Family Residential (RM-1) Zone instead of the RM-2 given concerns regarding traffic, road capacity and overall intensity. The Planning Commission had raised similar concerns and finally recommended approval of an RM-2 Zone in a 5-2 vote on September 16, 2013. At the October 1, 2013 Council Meeting, discussion ensued about changing the request to an RM-1 Zone as recommended by Planning Staff. Council voted to table the application until further information was provided, and on November 19, 2013 Council denied the request for an RM-1 citing concerns including a petition against the zone change, letters from residents, and traffic flow and congestion. It is noted that no traffic study, plans or building details were submitted as part of that application to review.

Section 201.M. of the Zoning Ordinance allows the Planning Commission to rehear a Zoning Amendment within one year of a previous application provided the subsequent request is for more restrictive zoning. The subject application for RM-1 zoning as part of the Planned Development would be more restrictive than the original RM-2 request submitted by Mr. Huling.

#### **General Information**

Existing Zoning: Northerly tract: Single-Family Residential (RS-1)

Southerly tract: Ranch and Estate (R&E)

Existing Land Use: undeveloped, vacant property

Surrounding Zoning/Land Use:

North:	CG	Vacant land and Sam's Club, Affordable Self-
		Storage, Auto Paradise Car Wash, Wal-Mart
West:	RS-1	Vacant land
South:	RS-1, RS-3	Single family dwellings, Zero-lot line dwellings
East:	RS-1, RS-3	Bonham Elementary School, San Angelo Fire
		Station No. 2, Zero-lot line dwellings

Thoroughfares/Streets: Southland Boulevard is identified as a "collector

street", which is designed to connect local traffic to arterials and generally carries traffic at a moderate

rate of speed.

Mills Pass Road is defined as a "local street" and is designed to carry light neighborhood traffic at lower speeds and generally connects to collector streets.

Zoning History:

The northern tract zoned RS-1 was annexed into the city in September 1991 and the southerly tract zoned R&E was recently annexed in March 2014.

**Development Standards:** 

All required off-street parking and the connection(s) to a public right-of-way are required to be paved.

Construction of more than one principal building for multi-family use on a lot requires an Urban Design Review to be completed and approved before construction may take place.

Other applicable development standards are included in the draft ordinance at the end of this report.

Vision Plan Map:

Neighborhood

Related Comp Plan Excerpts:

"Promote an appropriate balance of use within each neighborhood"

"Promote neighborhood diversity and security by encouraging a mix of age, income, and housing choices within San Angelo's neighborhoods."

"Require a buffer separating commercial, industrial, or agricultural zoned lands from neighborhoods. This buffer may be an intermediate "mixed-use" zone, a landscape buffer, or public right-of-way."

"New neighborhoods should be masterplanned for an appropriate, balanced mix of land uses within or nearby the neighborhood"

Notification Required: Yes

Notifications Sent: 18

Responses in Favor: 2

Responses in Opposition: 42

## **Analysis:**

The staff recommendation is based upon the statements listed below.

Staff finds this request to be consistent and compatible with the plans and policies adopted by the community for this particular area. The lands are designated "Neighborhood" in the Vision Plan which support a mix of age, income and housing choices. The proposed development of low density, multi-family housing would provide a transition between the large commercial area to the north which includes Sam's Club and Wal-Mart, and the residential community of Bonham to the south. The Vision Plan supports a balanced mix of uses and that new neighborhoods follow a master plan. The previous application on the northerly tract of the subject land (Z13-28) was attempting to rezone to a high density RM-2 zone without a Planned Development and no plans were submitted. Unlike a rezoning application which cannot require approval conditions, the applicant has decided to proceed with a Planned Development which includes zoning restrictions, a site plan, and any other conditions "including but not limited to: limitations on size, bulk and location, provision of adequate ingress and egress, and hours of operation", as outlined in Section 210.E.3. of the Zoning Ordinance. Development is ideal for this multifamily development ensuring City Staff can review the subject plans and ensure the community concerns are better addressed.

Planning Staff believe the proposed RM-1 zoning is ideal for this Planned Development and would be consistent with the Zoning Ordinance. The RM-1 zoning is the lowest density category for multifamily housing. It allows a maximum density of 25 units/acre, whereas the RM-2 would allow 35 units/acre. The applicant is proposing 80 units over 8.9 acres for a density of only 8.98 units/acre, 36% of the maximum allowed. maximum floor area ratio (gross floor area of all the buildings divided by the total area of the lot) for an RM-1 zone is 0.75 whereas the RM-2 allows 1.0. The applicant has indicated each building will have a gross floor area of 5,331 square feet, for a total floor area ratio of only 0.28. The maximum building height is 2 ½ stories in the RM-1 and the attached elevations show a two-story building. An RM-2 zone would have no height restriction. The RM-1 maximum height is consistent for other low density residential zones. The applicant submitted concept floor plans and mentioned there would be a combination of 2 and 3 bedroom units. For multifamily dwellings, 2-bedroom units would require 1.75 parking spaces/unit and 3-bedroom units would require 2 parking spaces/unit. Assuming half of the units were 2-bedroom and half were 3-bedroom, 150 parking spaces would be required and the applicant has shown sufficient parking for 153 spaces (the extra 3 for the clubhouse).

The Bonham Neighborhood already includes a mix of housing types of zoning categories, including RS-3 zoning east of Mills Pass Drive which allows zero-lot line dwellings, twinhomes, and townhomes, and RM-1 zoning on Bermuda Street which includes townhouses, and an apartment complex at the northwest corner of Oak Grove Boulevard and Green Meadow Drive. The building elevations submitted and floor plans show bulk, height and design similar to low density residential housing throughout the area. As mentioned, this multifamily project provides an adequate buffer between the high density commercial lands to the north and the low density residential lands to the south, west and east. As a condition of approval of the Planned Development, the applicant will be required to construct a 6 foot high wooden privacy fence along the west property line to screen from future residential development there.

The subject tracts of land were part of the Community of Faith Subdivision and are presently vacant. The surrounding area continues to grow including the future Prestonwood subdivisions immediately adjacent to the west of the property, as well as new housing south of Mills Pass off of Lexington Place, Autumnwood Trail and Kensington Court. Use of the lands for low-density fourplexes would assist in accommodating the growing demand for housing while providing a smooth transition between the commercial areas to the north and the lower density residential areas to the south.

This proposal will certainly have an effect on the natural environment in this area as the land is currently undeveloped and in its natural state. A subdivision plat will be required which would have to address stormwater runoff. Presently, there is no sewer service along Mills Pass Drive. As part of the platting process, easements will likely be required for water and sewer extension, and stormwater mitigation would have to be addressed. As mentioned above, the applicant will construct a 6 foot high wooden privacy fence along the west property line to screen from the adjacent future residential development. In addition, the landscape plan (see attached) would also expand the natural vegetation throughout the site and along the boulevards.

There is a community need for more housing given the new subdivisions being built to the west and south of the property. The area includes Bonham Elementary School and commercial development to the north including Wal-Mart and Sam's Club and a variety of other retail commercial establishments to service the neighborhood. The RM-1 zoning underlay for this Planned Development fits this community need. It provides an additional 80 units of residential housing stock, to accommodate the growth in the area, while still maintaining the low density character of the neighborhood by limiting the development to 2-story buildings.

The proposed amendment would result in a logical and orderly pattern of urban development in the community. Both Southland Boulevard, a major collector road 50 feet wide, and Mills Pass Drive, a local road 40 feet wide, meet the minimum pavement widths of

the City's Subdivision Ordinance. Concerns were raised however in the previous application by Mr. Huling (Z13-28) about Southland Boulevard only being two lanes and the traffic impact on the area, and reiterated recently through this application by local residents in the large volume of letters received.

In order to address the traffic concerns, the applicant recently submitted a *Traffic Impact Analysis* prepared by Kimley-Horn and Associates, Inc., which included conducting peak traffic counts on July 14<sup>th</sup> and July 15<sup>th</sup>, 2014. Recognizing concerns about traffic impact on the nearby Bonham Elementary School, and the fact that school was out of session, Kimley-Horn collected enrolment data from the previous school year and forecasted using the *Institute of Transportation Engineers (ITE)* Trip Generation Manual 9<sup>th</sup> Edition. The study concluded while there will be slight increases in traffic delay, all intersections are projected to operate at a Level of Service (LOS) of a B or better. With A being the highest and F being the lowest, the study mentions a C would be the minimal acceptable level by TxDOT and the City of San Angelo. Staff are confident based on the Kimley-Horn *Traffic Impact Analysis* that while traffic will increase, the development will result in a logical and orderly pattern in this area.

The draft ordinance accompanying this report is designed in a manner that ensures that the plans and renderings submitted, including the attached site plan, will occur on this property. As per Section 210.L. of the Zoning Ordinance, minor deviations to the approved site plan may be approved by the Planning Director, and where the proposed revisions constitute a substantial alteration, the Planning Director may refer revisions to the Planning Commission and subsequently City Council for final approval. The final designs of the buildings, fencing, and landscaping, will be reviewed by the Planning Director through the Urban Design Review application separately and is not part of this Planned Development application.

Staff believes this Planned Development proposal meets all of the criteria above for Planned Developments and recommends approval.

#### **Proposed Conditions**

Conditions of the Planned Development are listed in the draft ordinance at the end of this report in sections 5 through 14.

**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;

site plan;

landscaping plan (concept only);

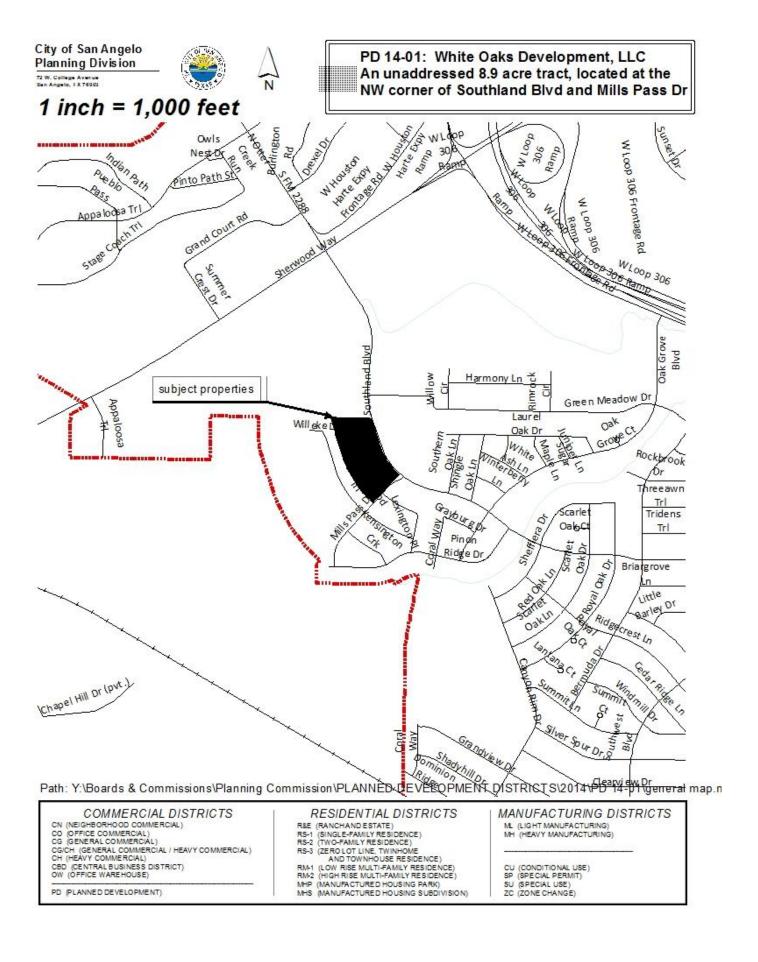
building elevations (concept only); and

floor plans (concept only)

draft ordinance

**Presentation:** Jeff Fisher, Planner

**Reviewed by:** Kevin Boyd, Planner (7/17/14)



72 W. College Avenue Yan Angelo, 1 X 76903





## 1 inch = 185 feet

PD 14-01: White Oaks Development, LLC An unaddressed 8.9 acre tract, located at the NW corner of Southland Blvd and Mills Pass Dr



#### COMMERCIAL DISTRICTS

CN (NEIGHBORHOOD COMMERCIAL)

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CO (OFFICE COMMERCIAL)
CG (GENERAL COMMERCIAL)
CGICH (GENERAL COMMERCIAL / HEAVY COMMERCIAL)
CH (HEAVY COMMERCIAL)
CBD (CENTRAL BUSINESS DISTRICT)
OW (OFFICE WAREHOUSE)

PD (PLANNED DEVELOPMENT)

#### RESIDENTIAL DISTRICTS

R&E (RANCHAND ESTATE)
RS-1 (SINGLE-FAMILY RESIDENCE)
RS-2 (TWO-FAMILY RESIDENCE)
RS-3 (ZERO LOT LINE, TWINHOME
AND TOWNHOUSE RESIDENCE)

RM-1 (LOW RISE MULTI-FAMILY RESIDENCE) RM-2 (HIGH RISE MULTI-FAMILY RESIDENCE) MHP (MANUFACTURED HOUSING PARK)
MHS (MANUFACTURED HOUSING SUBDIVISION)

#### MANUFACTURING DISTRICTS

ML (LIGHT MANUFACTURING) MH (HEAVY MANUFACTURING)

CU (CONDITIONAL USE) SP (SPECIAL PERMIT)

SU (SPECIAL USE) ZC (ZONE CHANGE)

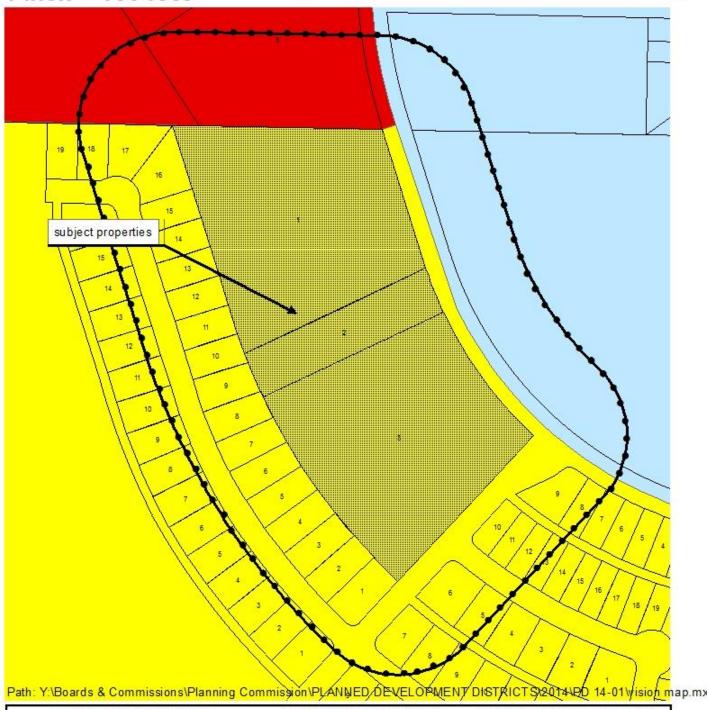
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MAS MANUFACTURED HOUSING SURDIVISION

MHS (MANUFACTURED HOUSING SUBDIVISION)

#### MANUFACTURING DISTRICTS

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CU (CONDITIONAL USE) SP (SPECIAL PERMIT) SU (SPECIAL USE) ZC (ZONE CHANGE)



CN (NEIGHBORHOOD COMMERCIAL) CO (OFFICE COMMERCIAL) CG (GENERAL COMMERCIAL) CG/CH (GENERAL COMMERCIAL / HEAVY COMMERCIAL) CH (HEAVY COMMERCIAL) CBD (CENTRAL BUSINESS DISTRICT) OW (OFFICE WAREHOUSE)

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OAK MANOR SUBDIVISION

AXON - BRICK OPTION

JD

DG

14007

07/15/14

W

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SK1



# Class A Apartments 4 floorplans



AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH SAID EXHIBIT "A" OF CHAPTER 12 ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY, TO WIT: An unaddressed 8.9 acre tract, located at the northwest corner of Southland Boulevard and Mills Pass Drive; more specifically being approximately 4.9 acres out of the Community of Faith Subdivision, Section 1, Block 1, Lots 1 & 2; and being approximately 4 acres out of the Community of Faith Subdivision, Section 2, Block 1, Lot 3, in southwest San Angelo, changing the zoning classification from a Single-Family Residence (RS-1) and Ranch & Estate (R&E) Zoning District to a Planned Development (PD) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

#### RE: PD 14-01: White Oaks Development, LLC

WHEREAS, the Planning Commission for the City of San Angelo and the governing body for the City of San Angelo, in compliance with the charter and the state law with reference to zoning regulations and a zoning map, have given requisite notice by publication and otherwise, and after holding hearings and affording a full and fair hearing to all property owners and persons interested, generally, and to persons situated in the affected area and in the vicinity thereof, is of the opinion that zoning changes should be made as set out herein; NOW THEREFORE,

#### BE IT ORDAINED BY THE CITY OF SAN ANGELO:

SECTION 1: That the basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo on January 4, 2000 and included within Chapter 12 of the Code of Ordinances for the City of San Angelo, be and the same is hereby amended insofar as the property hereinafter set forth, and said ordinance generally and the zoning map shall be amended insofar as the property hereinafter described: An unaddressed 8.9 acre tract, located at the northwest corner of Southland Boulevard and Mills Pass Drive; more specifically being approximately 4.9 acres out of the Community of Faith Subdivision, Section 1, Block 1, Lots 1 & 2; and being approximately 4 acres out of the Community of Faith Subdivision, Section 2, Block 1, Lot 3, in southwest San Angelo shall henceforth be permanently zoned as follows: Planned Development (PD) District allowing for multi-family living and a lease/club house/amenity center.

The Director of Planning is hereby directed to correct zoning district maps in the office of the Director of Planning, to reflect the herein described changes in zoning.

<u>SECTION 2:</u> That in all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

<u>SECTION 3:</u> That the following severability clause is adopted with this amendment:

#### SEVERABILITY:

The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

<u>SECTION 4:</u> That the following penalty clause is adopted with this amendment:

#### PENALTY:

Any person who violates any provisions of this article shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine as provided for in Section 1.106 of the Code of Ordinances for the City of San Angelo. Each day of such violation shall constitute a separate offense.

<u>SECTION 5:</u> Except as otherwise specified or limited below, the use and development of the subject property shall generally conform to a **Low Rise Multi-Family Residence (RM-1) zoning district** unless specified as otherwise within this ordinance. All activities shall be limited to those associated with multi-family living, lease clubhouse/amenities center.

<u>SECTION 6:</u> Overall site use shall be in accordance with the map shown as **Exhibit A** of this Ordinance. Major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director provided no changes to the Zoning Ordinance are required.

<u>SECTION 7:</u> An Urban Design Review for the buildings, coloring, materials, landscaping, fencing, and other site features shall be submitted and approved by the Planning Director, and be maintained on file in the offices of the Planning Division.

<u>SECTION 8:</u> The following uses are allowed on the subject property, and shall include:

1. Apartment dwelling units for "Household Living" as defined in section 313.B.1 of the Zoning Ordinance.

- 2. Offices are to be used solely for the management of the units developed on this site as shown on the concept plan.
- 3. Incidental accessory uses are intended for tenants and their guests only; this includes laundry facilities, lease house/amenities center, and recreational areas.

<u>SECTION 9:</u> Signage shall be allowed within this Planned Development District, provided it meets all of the following criteria:

- 1. On-site signage shall be limited to free-standing (specifically monument) types only. Pole signage is expressly prohibited.
- 2. Internally illuminated signage is expressly prohibited.
- 3. All signage shall be constructed from the same materials and colors in an Urban Design Review to be approved by the Planning Director, and as maintained on file in the offices of the Planning Division.
- 4. Quantity of signage, area of signage, and placement of signage shall be as directed within the Sign Ordinance for the City of San Angelo.

SECTION 10: All proposed fencing shall be approved through an Urban Design Review by the Planning Director, and as maintained on file in the offices of the Planning Division. Other usage of fencing material for screening purposes, within the confines of the concept plan for this Planned Development shall be in accordance with the standards set forth in Section 509 of the Zoning Ordinance.

<u>SECTION 11:</u> Parking standards within this Planned Development District shall be as follows:

- 1. One bedroom apartments shall have 1.5 parking spaces per unit.
- 2. Two bedroom apartments shall have 1.75 parking spaces per unit
- 3. Three bedroom apartments shall have 2.0 parking spaces per unit.
- 4. Areas used for the rental office shall have 1 parking space per 300 square feet gross of office space.
- 5. Design standards for the parking spaces shall be in accordance with Section 511 of the Zoning Ordinance. Section 511.G of the Zoning Ordinance defines dimensions and maneuvering room. Section 511.F of the Zoning Ordinance defines the maintenance of parking facilities.

	s shown on the graphic concept plan identified in et in width, shall be installed prior to the issuance meet all ADA accessibility standards.
SECTION 13: No outdoor stora Planned Development District.	age shall be allowed within the boundaries of this
Official Zoning Map for the City of S	Development district shall not be added to the San Angelo, until a replat for the subject lands om Green County Clerk.
INTRODUCED on the 5th day of Aug ADOPTED on this the 19th day of Augu	just, 2014 and finally PASSED, APPROVED AND ust, 2014.
	THE CITY OF SAN ANGELO
	Dwain Morrison, Mayor
ATTEST:	
Alicia Ramirez, City Clerk	-
Approved As To Content:	Approved As To Form:
Patrick Howard, AICP, Director of Development Services	Lysia H. Bowling, City Attorney

