

# Memo

**Meeting Date:** To be determined at a later date

**To:** Planning Commission members

**From:** Kevin Boyd, Planner

**Subject:** CU14-02: Angelo Far West, Ltd., a request for approval of a Conditional Use to allow for "Household Living" as defined in Section 313.B. of the Zoning Ordinance to allow for the construction of an apartment community, in a General Commercial (CG) zoning district, on the following property:

**Location:** An unaddressed 8 acre tract, located approximately 415 feet north of the intersection of Summer Creek Drive and Sherwood Way; more specifically occupying the Far West Addition, Section 2, Block 2, part of Lot 1F, in southwest San Angelo.

**Purpose:** Approval of this request would allow for "Household Living" in a General Commercial (CG) zoning district.

**Contacts:** Angelo Far West, Ltd., Owner 325-655-8323  
Kevin Boyd, Planner 325-657-4210

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**Summary:** The Planning Commission may:

- (1) **Approve** a Conditional Use to allow for "Household Living" on the subject property, as requested; or
- (2) **Approve** a Conditional Use to allow for "Household Living" on the subject property, **subject to** conditions believed necessary and appropriate to mitigate any adverse effects of such use; or
- (3) **Deny** the requested Conditional Use to allow for "Household Living" on the subject property.

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

**History and Background:**

**General Information**

Existing Zoning: General Commercial (CG)

Existing Land Use: Vacant, open space

Surrounding Zoning/Land Use:

North:	Planned Development (PD)	Rio Concho West residences (senior community)
West:	General Commercial (CG)	Lone Star Storage Center
South:	General Commercial (CG)	Trisun Care Center Regency House (nursing facility) and Grogans Farm & Ranch
East:	General Commercial (CG)	Royal Estates of San Angelo (senior living community), vacant tracts and The Springs at San Angelo (Alzheimer Special Care Center)

Thoroughfares/Streets: Grand Court Road and Summer Crest Drive are identified “local streets” and are designed to carry light neighborhood traffic at low speeds.

Zoning History: The property was annexed into the city in November 1989.

Vision Plan Map: Commercial

Related Comp Plan Excerpt(s): *“Commercial properties tend to be organized in a single use, isolated pattern of development. This form generates little synergy between businesses and land uses and often result in incompatibility.”*

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

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

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

**Special Information**

Traffic Concerns: Approval of this request is likely to create some additional traffic and parking issues. Grand Court Road / Summer Creek Drive will be able to accommodate additional traffic generated by the site.

Parking Requirements: Section 511. Off-Street Parking Standards  
  
511.F.3. *“All areas used for required off-street parking shall be paved.”*

Parking Provided: No parking exists as the tract remains vacant and undeveloped at this time.

Related Specific Use Standards: Section 313.B, Zoning Ordinance  
Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis.  
  
Accessory uses commonly associated Household Living are recreational activities, raising of pets, hobbies, home occupations, storage of household goods, storage of supplies and equipment for maintaining the dwelling and associated yard, and parking and occasional of the occupants' vehicles.

Notification Required: Yes

Notifications Sent: 6

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.

The staff recommendation is based upon the statements listed below.

Staff recommends approval of the proposed request, subject to the conditions outlined below. The site is currently zoned General Commercial (CG) which allows for various commercial activities, the applicant is seeking approval for a conditional use for household living to develop portions of the tract for multifamily residences. Currently the tract measures 17.183 acres, the requested area for the conditional use less than half, 8 acres of the total area. Aspects of this request will provide some separation from nearby uses. There is a roughly 140' natural separation which consist mainly of open space between the site the senior community to the north, this space also include a 15' utility easement and 5' gas easement. As a condition of approval staff recommends a privacy fencing requirement to provide effective screening between nearby uses.

Although the general area is commercially zoned, the immediate area is overwhelmingly residential in nature. The subject property including to the east, west and south is zoned CG. The current zoning does not allow for household living by-right, rather through the conditional use process. Nearby there are several senior living developments – Trisun Care Center Regency House, Royal Estates of San Angelo and The Sprigs at San Angelo, which is allowed as group living in CG zoning. North of the site is zoned Single-Family Residential (RS-1) with a Planned Development (PD) overlay for a retirement community that consists of single-family and multi-family dwellings. Immediately to the

west is a self-storage facility, east of the site is Grogans Farm and Ranch – an intensive commercial use.

The use category 'Household Living' will introduce a residential uses to the site and does not limit development to multifamily dwellings. Examples of the uses in the category include single-family detached structures, two-family and zero lot line dwellings, twin homes, and townhouses. Household living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis. This use category is ideal adjacent to residential areas and transitional zones nearby commercial districts.

Granting the conditional use will not have a negative effect on the natural environment. Given the size and scale of the proposal there may be some minor changes to nature of the site – this include disturbances of land features and elevation or terrain. Approval of this request is not likely to introduce pollutants or contaminants to the surrounding area, unlike some higher intensive commercial and industrial uses. Proposed conditions of approval, outlined below, seeks to further minimize potential negative effects on the environment including restrictions in outdoor storage.

The proposed request serves a community need. The construction of multifamily residences on-site provides housing opportunities which is needed in the immediate area. This request will further diversify the existing housing stock which ranges from single-family detached housing and group living. This area is largely residential in nature – it is compatible with the area and will not result in unwanted nuisances.

Approval of this request will result in logical and orderly development. Commercial development has not fully materialized in area, a few commercial lots have residences or remain vacant at this time. While CG is the primary zoning district along Grand Court Road / Summer Crest Drive and points south of Sherwood Way, development in the immediate area is largely residential in nature. Sherwood Way has become an emerging commercial corridor east of the intersection of Southland Boulevard, in recent years numerous big box retail and chain stores have been constructed in the area. Development of the site for multifamily residences will allow for effective transition between the commercial corridor and lower density residential development to the north. Nearby arterials, Sherwood Way and S FM 2288 provides quick and easy access to major thoroughfares, close proximity of the roadway allows for effective traffic circulation to points north and south / west of the city. Grand Court Road / Summer Crest Drive is identified as a local street in the city's Thoroughfare Plan and meets the minimum street standards, 40' paving width and 50' right-of-way (Section III, Subdivision Ordinance). The long-range Vision Plan envisions commercial development in the area. Approval of the conditional use still allows for future commercial development in the site, no amendments are necessary to the Vision Plan.

### **Proposed Conditions**

1. Require a privacy fence for the rear and side boundaries of the property to reduce potential incompatibilities with the surrounding commercial district.
2. Require an emergency turnaround for at least one of the entrances of the proposed complex. Approval of the proposed arrangement by the Fire Marshal will satisfy this condition.

**Attachments:**

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

Excerpt from zoning map, highlighting the subject property;

Aerial photo, highlighting subject property;

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

Excerpt of the favor/opposition notification map;

Applicant's responses from application;

Proposed site plan.

**Presentation:**

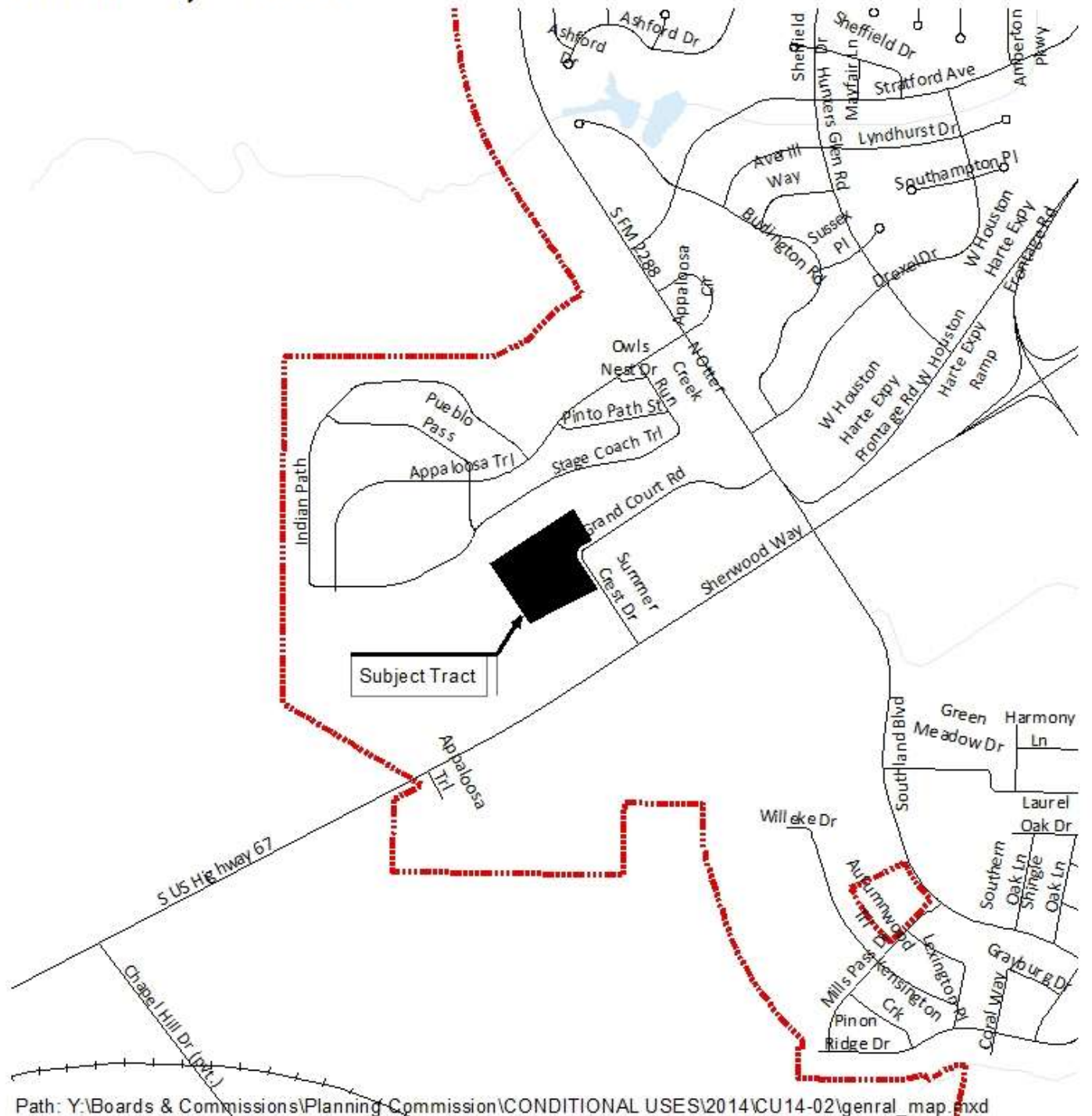
Kevin Boyd, Planner

**Reviewed by:**



1 inch = 1,000 feet

**CU14-02: Angelo Far West, LTD**  
An unaddressed 8 acre tract roughly 500' north of Summer Crest Dr and Sherwood Way



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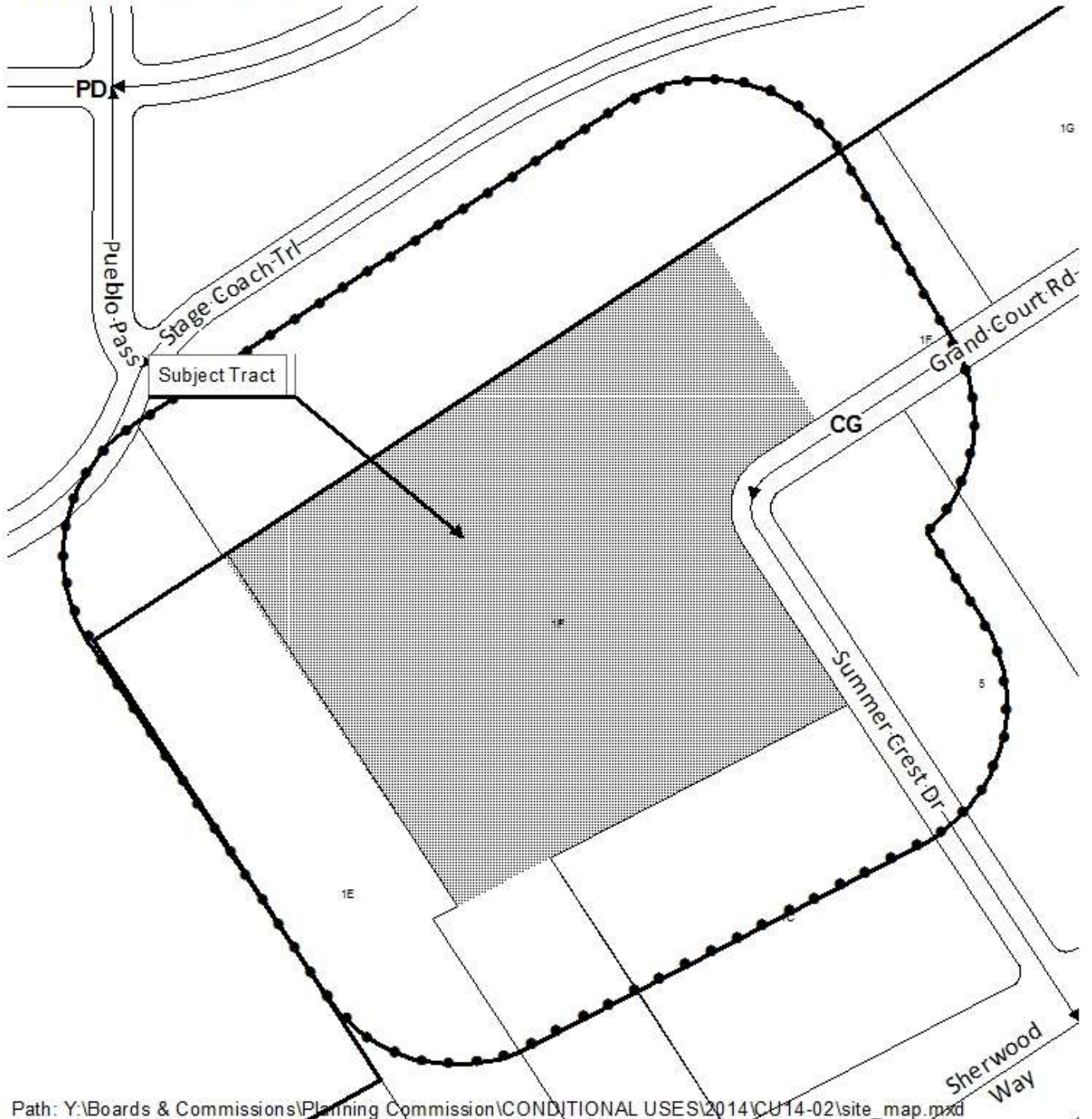
COMMERCIAL DISTRICTS	RESIDENTIAL DISTRICTS	MANUFACTURING DISTRICTS
CN (NEIGHBORHOOD COMMERCIAL)	R&E (RANCH ESTATE)	ML (LIGHT MANUFACTURING)
CO (OFFICE COMMERCIAL)	RS-1 (SINGLE-FAMILY RESIDENCE)	MH (HEAVY MANUFACTURING)
CG (GENERAL COMMERCIAL)	RS-2 (TWO-FAMILY RESIDENCE)	
CG/CH (GENERAL COMMERCIAL / HEAVY COMMERCIAL)	RS-3 (ZERO LOT LINE, TWINHOME AND TOWNHOUSE RESIDENCE)	
CH (HEAVY COMMERCIAL)	RM-1 (LOW RISE MULTI-FAMILY RESIDENCE)	CU (CONDITIONAL USE)
CBD (CENTRAL BUSINESS DISTRICT)	RM-2 (HIGH RISE MULTI-FAMILY RESIDENCE)	SP (SPECIAL PERMIT)
OW (OFFICE WAREHOUSE)	MHP (MANUFACTURED HOUSING PARK)	SU (SPECIAL USE)
	MHS (MANUFACTURED HOUSING SUBDIVISION)	ZC (ZONE CHANGE)
PD (PLANNED DEVELOPMENT)		





**CU14-02: Angelo Far West, LTD**  
 An unaddressed 8 acre tract roughly 500'  
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**1 inch = 175 feet**



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**COMMERCIAL DISTRICTS**

- 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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**MANUFACTURING DISTRICTS**

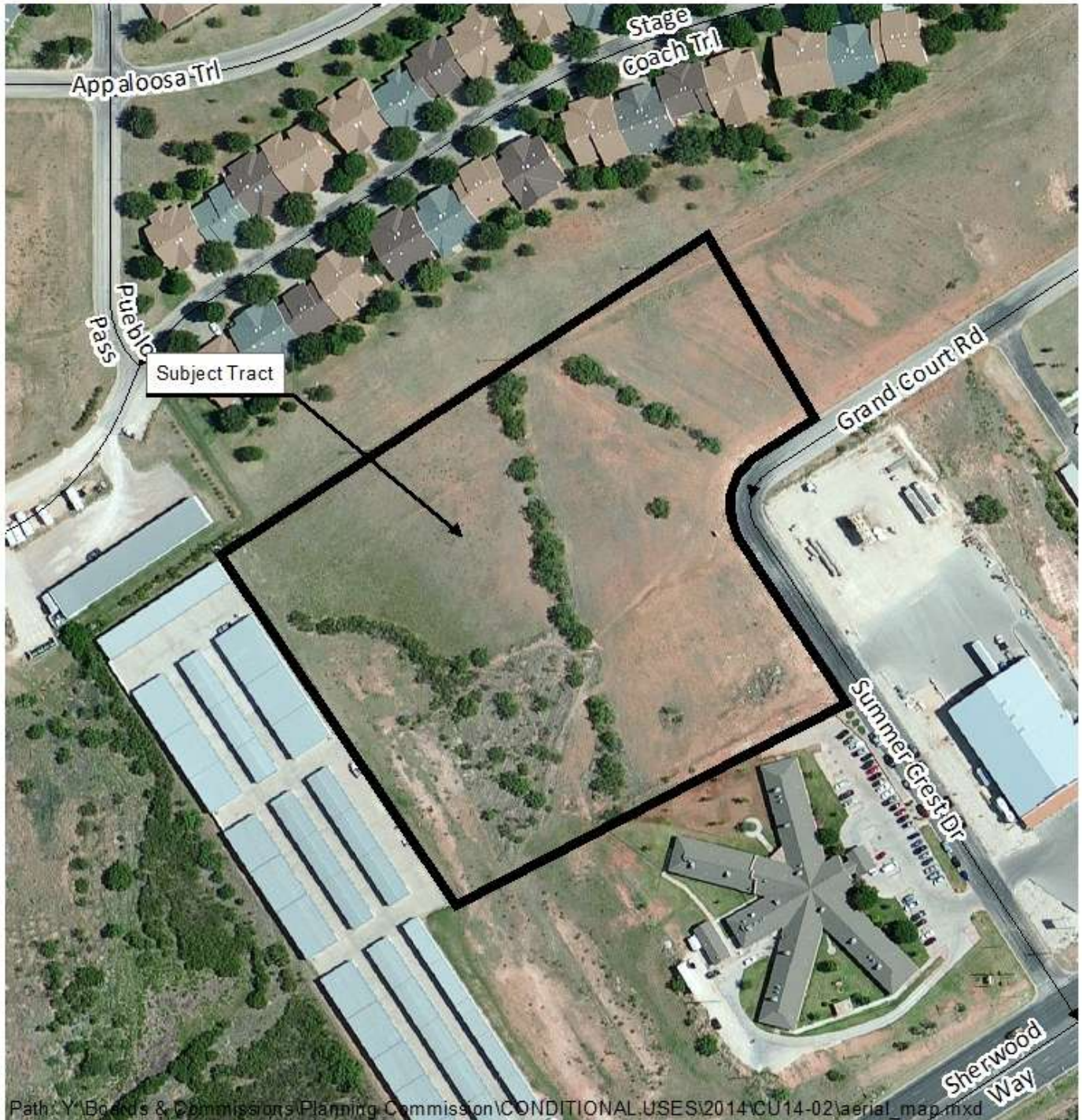
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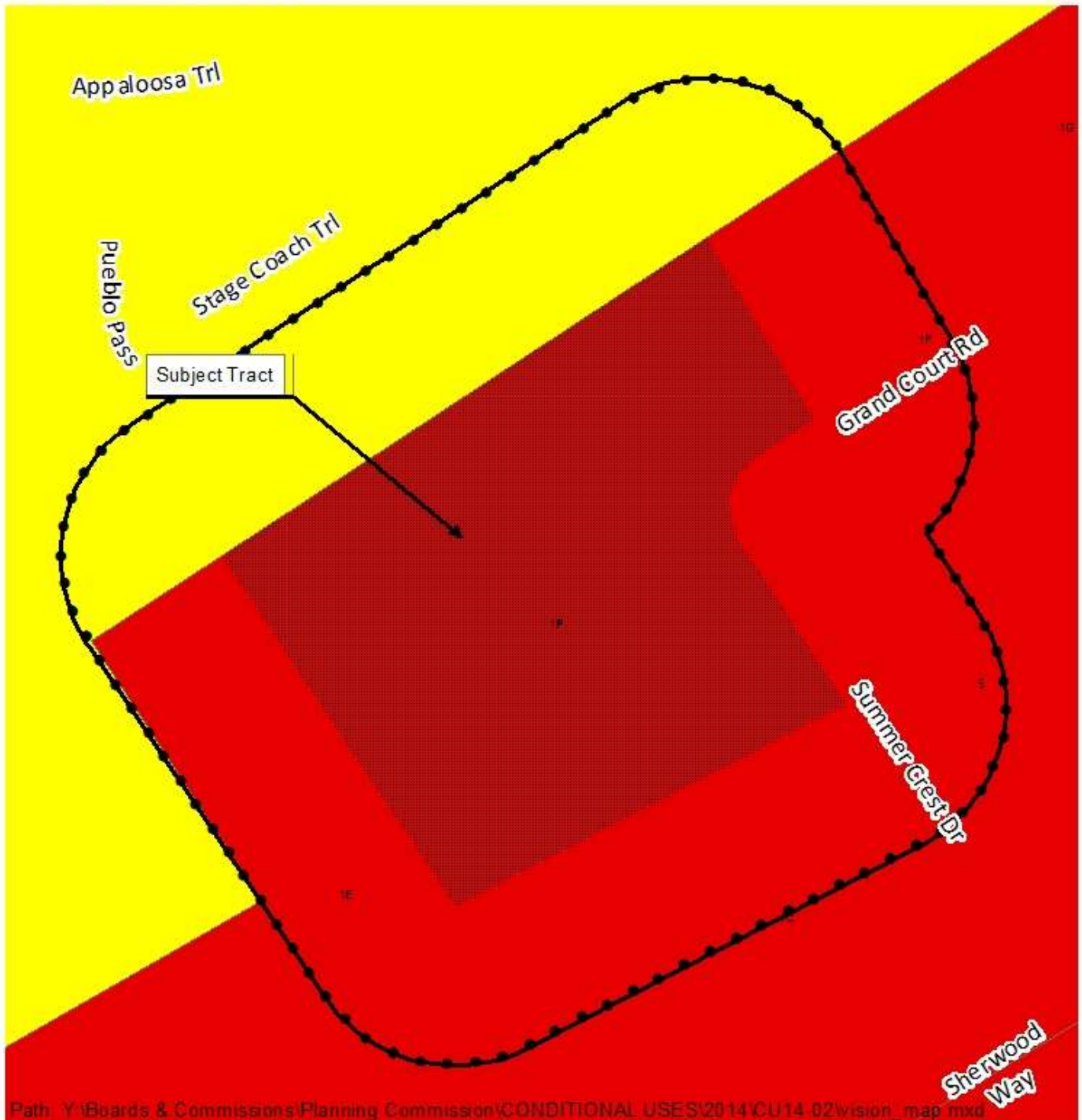
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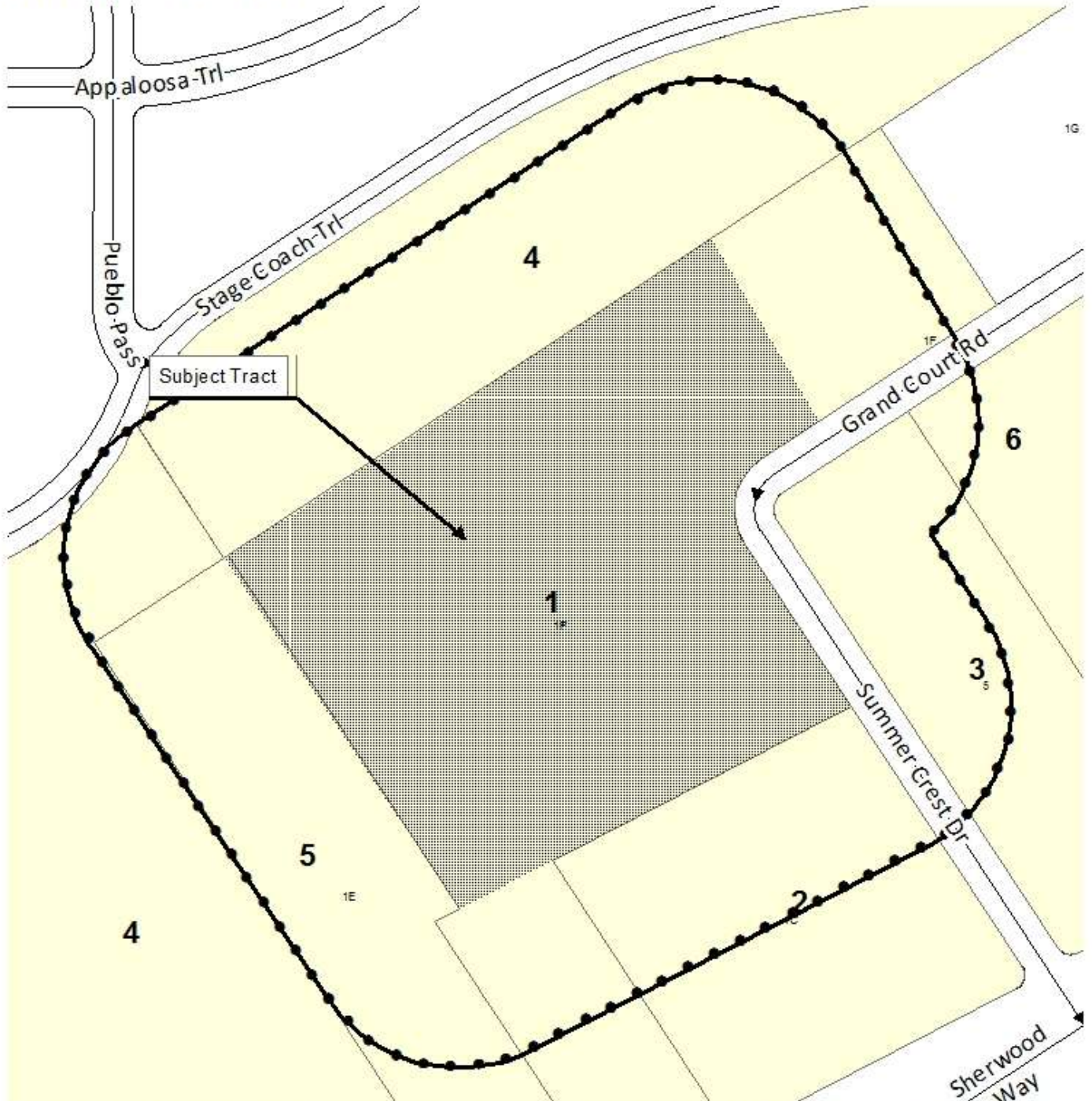
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City of San Angelo, Texas - Planning Division  
**Application for Approval of a CONDITIONAL USE**

Name of Applicant(s): Angelo Far West, LTD

Owner  Representative (Affidavit required)

Mailing Address: P.O. Box 2038 Telephone: 655-8323

City/State/Zip: San Angelo, Texas 76902 Fax/other: \_\_\_\_\_

Contact Email Address: conchomanagement@man.com

**Subject Property Address and/or Location\*:**

Northwest corner of Grand Court Road and Summer Crest Drive

**Legal Description\*:**

8.000 acre tract being out of Lot 1F, Block Two, Third Replat in Block Two, Section Two  
Far West Addition, San Angelo, Tom Green County, Texas. Cabinet E, Slide 133, PR

Lot Size: 8.000 acres Zoning: CG

Existing Use of Property: Vacant

Proposed Use of Property: Multi-family Residential

Proposed Conditional Use (from Art. 309): Household Living

\* use attachment, if necessary

I/We the undersigned acknowledge that the information provided above is true and correct, and have read the statements below.

Signature *James Robinson for Angelo Far West, Ltd.* Date 2-18-2014

1. If approved, a Conditional Use is applied to the property, not the property owner.
2. The Planning Commission makes the final decision on Conditional Use requests; appeals may be directed to City Council.
3. Approval of this Conditional Use request does not constitute approval of permits, site plans, or other processes that require separate approval.
4. If a permit is not sought within one year of the approval date of this Conditional Use, it will expire and requires another application.

I understand that this Commission is required by law to make decisions based on the following criteria, and I assert that my request meets all of the required criteria based on my explanation(s) below:

- **Impacts Minimized.** Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.

Explanation: The proposed conditional use does not create an adverse impact on adjacent property as the proposed use compliments the existing adjacent properties.

- **Consistent with Zoning Ordinance.** Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance, including the applicable zoning district intent statement.

Explanation: \* SEE ATTACHED

- **Compatible with Surrounding Area.** Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.

Explanation: \* " "

- **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.

Explanation: \* " "

- **Community Need.** Whether and the extent to which the proposed conditional use addresses a demonstrated community need.

Explanation: \* " "

- **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.

Explanation: \* " "

I wish to appeal the denial of the Commission to the City Council.

Signature *[Handwritten Signature]*  
Angelo For what, Ltd.

Date 2.18.2014

<b>OFFICE USE ONLY</b>	
Case no.: <u>CU <del>14</del> -02</u>	Date of application: <u>2/18/14</u>
Received by: <u>Roxanne Johnston</u>	Date paid: <u>partial 2/18/14</u>
Nonrefundable application fee (with deposit): <u>\$ 353.00</u> <u>Site fees 37.50</u>	Receipt No.: <u>234 775</u>
River Corridor Commission? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	If yes, RCC meeting date: _____
Planning Commission hearing date: <u>3/17/14</u>	

Explanation: The proposed conditional use does not create an adverse impact on adjacent property as the proposed use compliments the existing adjacent properties.

- **Consistent with Zoning Ordinance.** Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance, including the applicable zoning district intent statement.

Explanation: The proposed use does not conflict with the zoning district intent statement of the zoning ordinance.

- **Compatible with Surrounding Area.** Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.

Explanation: The proposed conditional use is fully compatible with the existing and anticipated uses surrounding the subject land.

- **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.

Explanation: The proposed conditional use does not result in a significant adverse impact on the functioning of the natural environment

- **Community Need.** Whether and the extent to which the proposed conditional use addresses a demonstrated community need.

Explanation: The proposed conditional use addresses a demonstrated community need by providing affordable housing opportunities.

- **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.

Explanation: The proposed conditional use fully results in a logical and orderly pattern of urban development in the community.

I wish to **appeal the denial** of the Commission to the City Council.

Signature \_\_\_\_\_

Date \_\_\_\_\_

OFFICE USE ONLY

Case no.: CU 14 - 02

Date of application: 2/18/14

Received by: Roxanne Johnson

Date paid: complete 2/18/14

Nonrefundable application fee (with deposit): \$390.50

Receipt No.: 23477546

River Corridor Commission?  yes  no

If yes, RCC meeting date: \_\_\_\_\_

Planning Commission hearing date: 3/17/14