

Memo

Meeting Date: August 25, 2014

To: Planning Commission members

From: Patrick B. Howard, AICP
Planning & Development Services Department Director

Subject: Z14-28: a request for approval of a Rezoning from Single-Family Residential (RS-1) to Neighborhood Commercial (CN) on the following properties:

Location: Five unaddressed tracts at the northeast corner of Houston Street and Millspaugh Street, more specifically occupying the Hatcher Addition, Block 66, Lots 9 and 10 less 1114 square feet, and Lots 11, 12 and 13, in western San Angelo.

Purpose: Approval of this request would rezone the property Neighborhood Commercial (CN)

Contacts: Rocky Templin and Mary Kampling 325-944-1174
Jeff Fisher, Planner 325-657-4210

Recommendation: Planning staff recommends **APPROVAL** of the proposed Rezoning request from Single-Family Residential (RS-1) to Neighborhood Commercial (CN).

History and Background:

On June 24, 2014, the applicants, Rocky Templin and Mary Kampling, submitted a Rezoning request from Single-Family Residential (RS-1) to General Commercial (CG) on the subject properties. These properties, Lots 9-13 of Block 66 in the Hatcher Addition, are presently vacant. The applicants have not confirmed any proposed uses for the site at this time.

The Future Land Use map of the Comprehensive Plan designates all of the properties as "Neighborhood Center." Consequently, it appears that the most appropriate zoning

district for this Future Land Use (FLU) is CN, not CG. The Planning Commission and City Council in July of 1990 as part of their Mountain View Park Area Land Use Study designated these properties as “Local Retail (primarily aimed to serve neighborhood),” which matches today’s “Neighborhood Center” FLU designation in the Comprehensive Plan and the CN Zoning District. This is also consistent with the lands west of the subject properties, all of Blocks 67, 68, 54, and 55, and the southern portions of Blocks 56 and 47 of the Hatcher Addition extending west to Glenna Street, which are all designated “Neighborhood Center.” Some of these properties have CG zoning, but were rezoned prior to the City’s Comprehensive Plan coming into effect.

Planning Staff subsequently spoke to the applicant and recommended that he may wish to revise his application from a proposed CG zoning to the CN zoning district in order to be consistent with the Comprehensive Plan.

On August 13, 2014, Mr. Templin submitted letters to Planning Staff revising this Rezoning request to CN as well as a second application for Block 56, Lots 13, 14, and 15 to CN (Z-14-29).

General Information

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

Existing Land Use: Vacant

Surrounding Zoning/Land Use:

North:	Single-Family Residential (RS-1)	Single-family dwellings and vacant land
West:	Single-Family Residential (RS-1) and General Commercial (CG)	Single-family dwellings and Fit Figure Boot Camp
South:	Single-Family Residential (RS-1)	Houston Harte Expressway
East:	Neighborhood Commercial (CN)	Single-family dwellings

Thoroughfares/Streets: Houston Street, Millspaugh Street and the West Houston Harte Expressway Frontage Road are all “local streets” designed to carry light neighborhood traffic at low speeds.

Zoning History: The properties were annexed into the City prior to 1940.

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

Development Standards: CN zone district standards are outlined in 502.B. of the Zoning Ordinance.

The CN zone district allows Type 1: Outdoor Display as outlined in Section 504.A. of the Zoning Ordinance

Required off-street parking can be found in Section 511.B. of the Zoning Ordinance.

Future Land Use Map: Neighborhood Center

Related Comp Plan Excerpts:

*“Neighborhood Centers should individually have a primary use, **but should also for a mix of uses** allowing for increased activity, interest and long-term viability”.*

*“**Promote a mix of various uses at key intersection to encourage the necessary infill, densification, and walkability necessary for Neighborhood Centers**”*

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

District: CMD #2 Marty Self

Neighborhood: The Bluffs

Notification Required: Yes

Notifications Sent: 16

Responses in Favor: 1

Responses in Opposition: 0

Analysis:

In order to approve this Rezoning 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.*

The proposed amendment to Neighborhood Commercial (CN) is compatible with the Comprehensive Plan which designates the subject properties “Neighborhood Center,” as well as all other properties within the southern portion of Block 66 abutting Houston Street between Millspaugh Street and Hassell Street. Consequently, it appears that

the most appropriate Zoning District for this site is CN, not CG. The CN Zoning District provides a “scale-down intensity of use from commercial centers to neighborhoods.” The area immediately north of the subject properties, separated by an alley, remain “Neighborhood” for residential uses, so a rezoning to CN would provide an adequate transitional buffer between them and the pockets of CG zoning to the west of Millspaugh Street. The Neighborhood Center designation also encourages infill and these lots are presently vacant and sitting adjacent to developed property.

2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.*

The proposed amendment does not appear to conflict with any portion of the Zoning Ordinance. The CN zone district allows for various low-scale, localized uses including community services, day cares, religious institutions, professional offices, and retail sales and service. Each of Lots 9-13 are 50 feet wide, over 110 feet long, and have a total lot area greater than 6,000 square feet, which meets the zoning design standards for the CN Zoning District. The lots appear to be of sufficient size for erecting new buildings and parking areas should a new use be erected in the future. The CN zone allows Type 1: Outdoor Display which limits outside storage to within 5 feet from a building wall. A 6-foot high opaque privacy fence would be required for any non-residential development abutting a side or rear lot line adjacent to a residential district or use. At present, there are residential uses to the north and east so any development would require a 6-foot high privacy fence adjacent to these properties, except within the 25-foot front yard setback from Houston Street.

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.*

The proposed CN zoning appears to be consistent with the surrounding area. Immediately west of the subject property, which encompasses all of Blocks 67, 68, 54, and 55, and the southern portions of Blocks 56 and 47 of the Hatcher Addition extending west to Glenna Street, are all designated Neighborhood Center. East of the subject property, all of Blocks 81 and 80 extending east to North Garfield Street are also designated as Neighborhood Center.

4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.*

There are changed conditions that would support a rezoning to CN in this area. The entire southern portion of Block 66 where the properties are situated are presently zoned RS-1, but the Future Land Use designation for this portion of the block is “Neighborhood Center.”

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.

There would be an effect on the natural environment for any permitted CN use, but given that the total contiguous site area of all properties combined is under 1 acre, issues such as grading, drainage, and stormwater may be addressed through the building permit process.

6. Community Need. *Whether and the extent to which the proposed amendment addresses a demonstrated community need.*

There appears to be a community need for neighborhood commercial uses given the Neighborhood Center FLU designations, as well as the large residential neighborhood immediately to the north.

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.*

Lots 9 and 10 face the West Houston Harte Expressway Frontage Road to the south where Houston Street ends, and Millspaugh Street to the west. Lots 11, 12, and 13 have frontage onto Houston Street only to the south. All of these roads are local roads and meet the minimum street width of 36 feet. The subject properties are in close proximity to roads that can accommodate commercial operations. Specifically, the Houston Harte Expressway and North Garfield Street, which is a minor collector road. Therefore, it appears that a CN zoning would result in orderly development for the area.

Attachments:

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

Aerial photo, highlighting subject property;

Excerpt from the Comprehensive Plan Future Land Use map highlighting the subject property; and

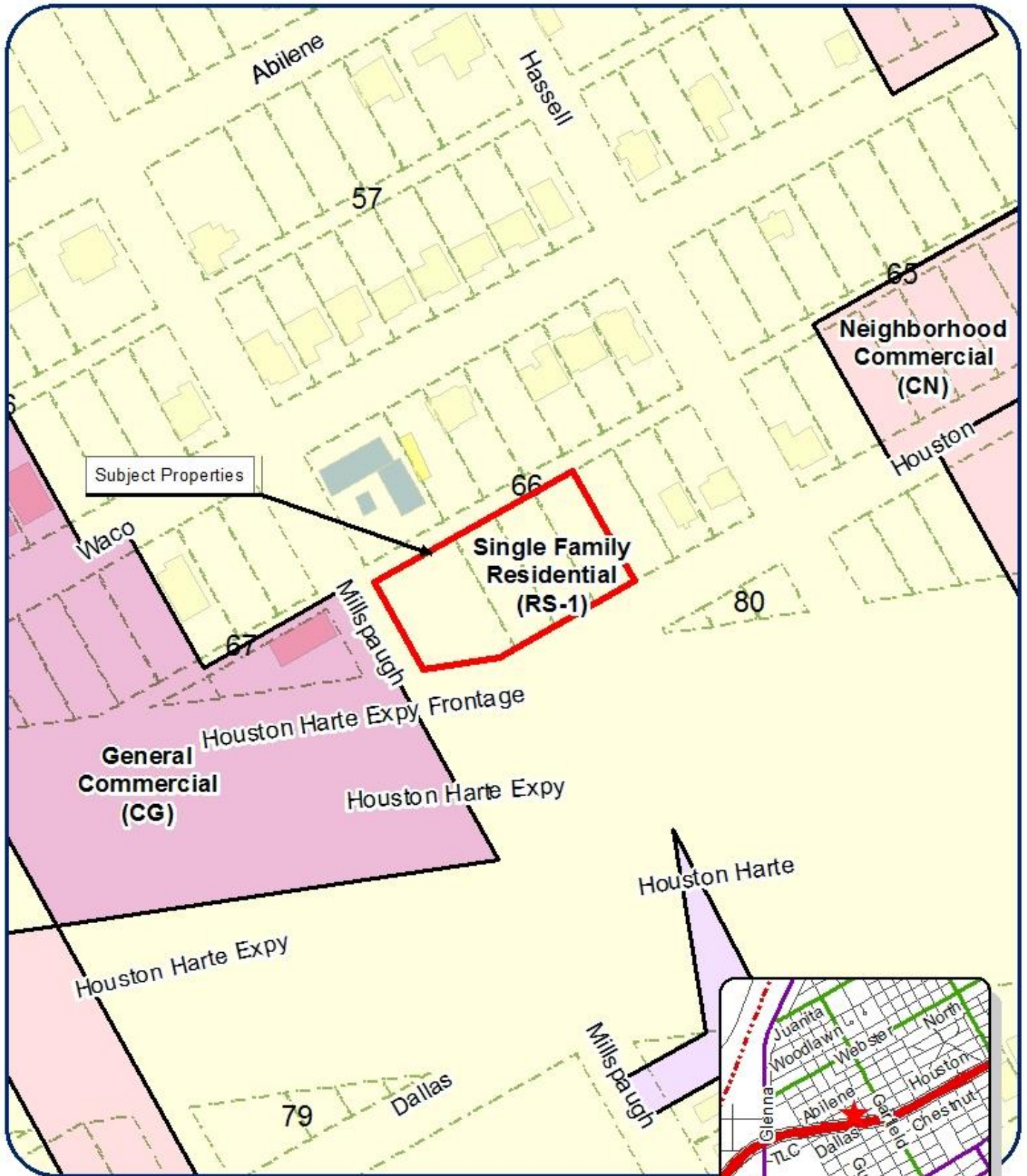
Excerpt of the favor/opposition notification map.

Presentation:

Jeff Fisher, Planner

Reviewed by:

Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager



Zoning Case File

Case Z14-28: Rocky Templin


Council District: Marty Self

Neighborhood: Bluffs

Scale: 1" approx. = 140 ft

Subject Property: Hatcher Addition, Block 66, Lots 9-13

Legend

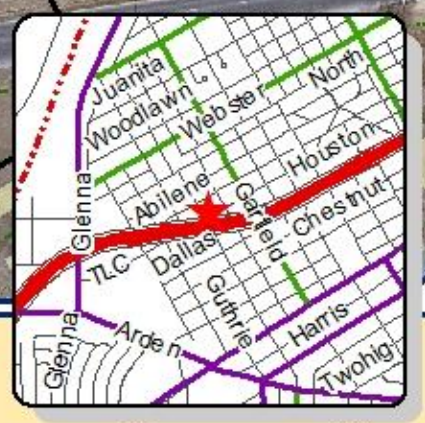
Subject Properties: 

Current Zoning: **RS-1**

Requested Zoning Change: **CN**

Vision: **Neighborhood Center**





Zoning Case File

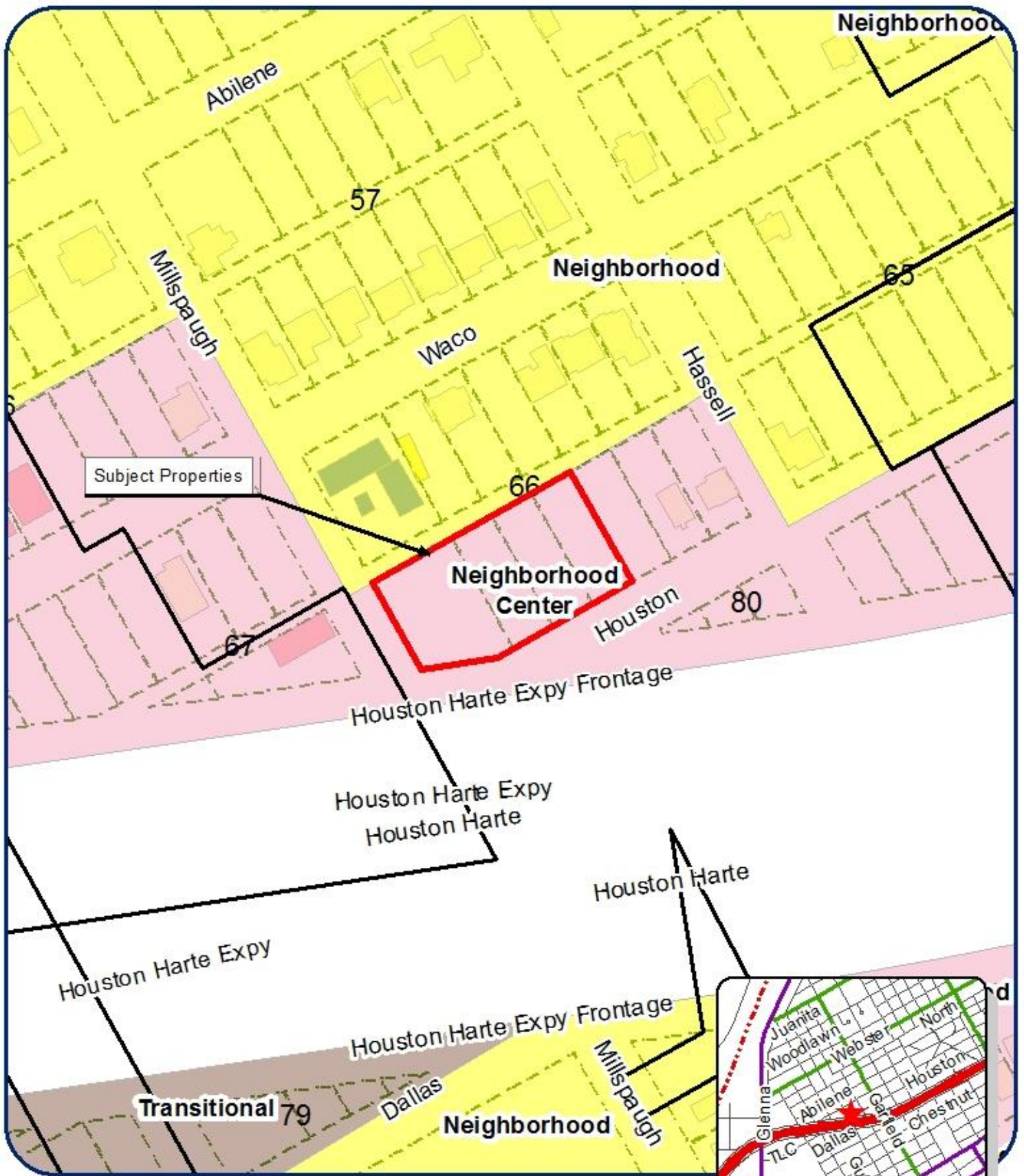
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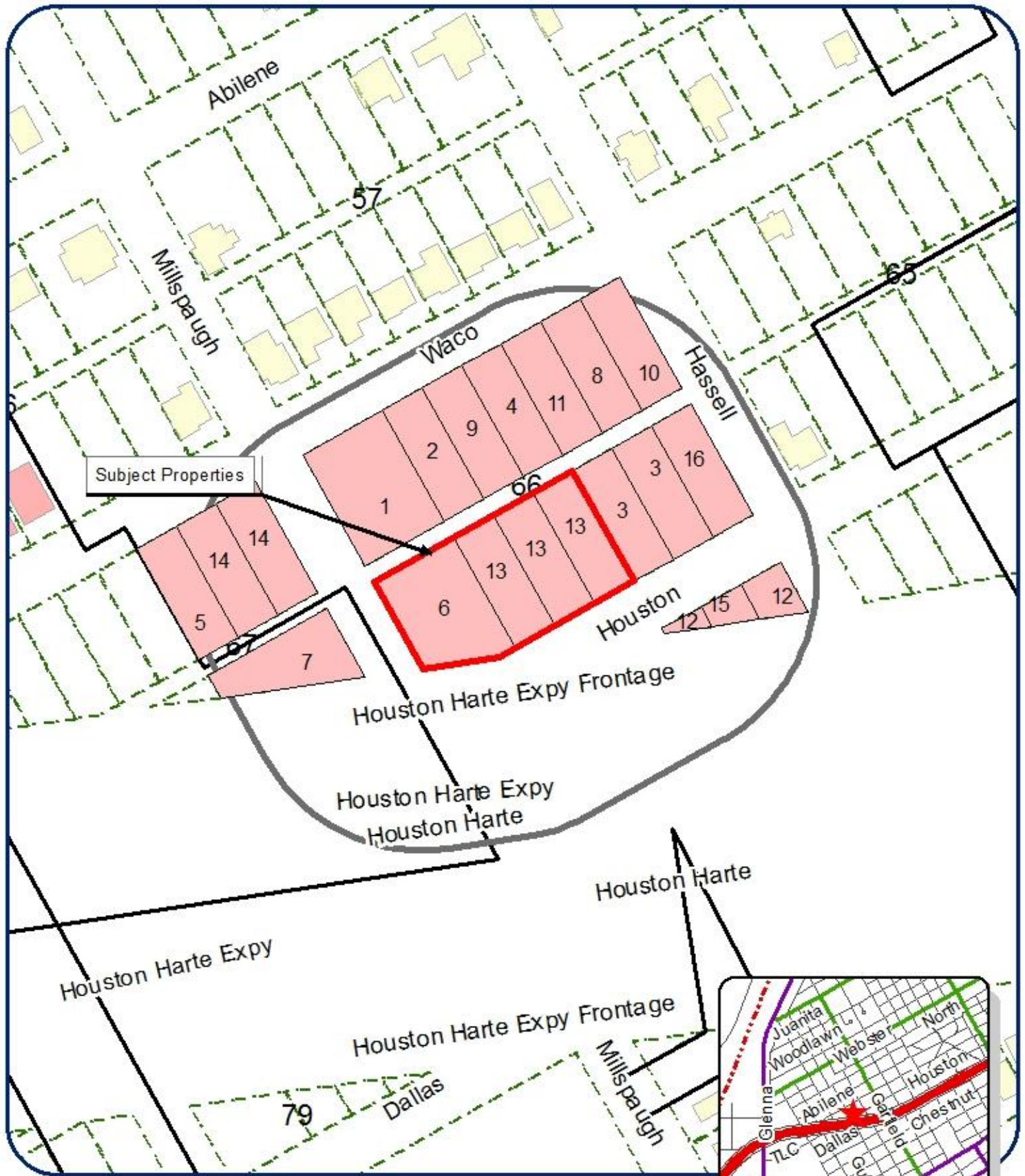
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