

# Memo

**Meeting Date:** August 25, 2014

**To:** Planning Commission members

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

**Subject:** Z14-16: a request for approval of a Rezoning from Single-Family Residential (RS-1) to Neighborhood Commercial (CN) on the following properties:

**Location:** Two (2) unaddressed tracts located approximately 80 feet east of the intersection of Houston Street and Hassell Street; more specifically occupying the Hatcher Addition, Block 81, north parts of Lots 6 and 7, in western San Angelo.

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

**Contacts:** George and Sandra Rodriguez 325-944-8628  
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 July 7, 2009, the applicants, George and Sandra Rodriguez, were granted a Rezoning by City Council from Single-Family Residential (RS-1) to Neighborhood Commercial (CN) for a satellite and telecommunications retail sales business, SNG Satellite, at 711 North Garfield Street located on the southwest corner of North Garfield Street and Houston Street. Almost two years later on June 7, 2011, City Council approved a request to expand onto Lots 3, 4, and 5, immediately to the west, for a gazebo and future business expansion (Case Z-11-05).

In late May of 2014, Planning staff were notified by the Permits Division that the applicant had placed outdoor storage buildings and carports for sale on Lots 3, 4, and 5. These lots, which are zoned CN, are not permitted to have outdoor storage areas further than 5 feet from a building wall.

On June 10, 2014, the applicants submitted an application for approval of a Rezoning from Neighborhood Commercial (CN) to General Commercial (CG) on Lots 1-5. The zoning district of CG would allow for the outdoor display of the storage buildings and carports for sale to the public.

The applicants have subsequently purchased Lots 6 and 7 and intend to place even more outdoor displays of storage buildings and carports for sale to the public.

The Future Land Use (FLU) map of the Comprehensive Plan designates all of the properties as “Neighborhood Center.” Consequently, the most appropriate zoning district for this future land use is CN, not CG. The primary use of retail sales is already permitted in the CN zone; it is only the outside storage greater than 5 feet from the wall of the building which is not permitted. The Planning Commission and City Council in July 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 designation in the Comprehensive Plan and the CN Zoning District.

It was communicated to Mr. Rodriguez that a Rezoning to CN for Lots 6 and 7 with a Special Use on Lots 1-7 to allow for outdoor displays would be more appropriate than rezoning all the lots to CG. The CN zone would also allow future CN uses here should the storage displays no longer be required, maintaining the small-scale neighborhood commercial character of this area.

The applicants agreed with Planning staff’s recommendation and amended their rezoning request from CG to CN for Lots 6 and 7. They subsequently filed a Special Use Application (SU-14-02) for Lots 1-7 on July 14, 2014. The Special Use application allows conditions to be placed on the properties beyond what the Zoning Regulations requires, such as maximum size and location of the storage displays, screening from adjacent uses, and hours of operation.

**General Information**

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

Existing Land Use: Vacant

Surrounding Zoning/Land Use:

|        |   |   |
|--------|---|---|
| North: | Single-Family Residential (RS-1) and Neighborhood Commercial (CN) | Single-family dwellings and vacant land |
| West:  | Single-Family Residential (RS-1)                                  | Single-family dwellings and vacant land |

|        |                                  |                          |
|--------|----------------------------------|--------------------------|
| South: | Single-Family Residential (RS-1) | Houston Harte Expressway |
| East:  | Neighborhood Commercial (CN)     | SNG Satellite            |

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

Zoning History: The property was 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 Regulations.

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

Required off-street parking can be found in Section 511.B. of the Zoning Regulations. Retail trade and service establishments require 1 parking space/200 square feet of gross floor area accessible to the public; and office areas not accessible to the public require 1 parking space/300 square feet of gross floor area. Permits records show the existing building is 2,450 square feet and there are 15 paved parking spaces in compliance with the Zoning Regulations.

Vision Plan 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:      | 11         |
| Responses in Favor:      | 0          |
| Responses in Opposition: | 0          |

### **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.*

The proposed amendment to Neighborhood Commercial (CN) is compatible with the Comprehensive Plan which designates the subject properties "Neighborhood Center." Consequently, the most appropriate zoning district for this future land use is CN, not CG. The Neighborhood Center designation encourages a mix of ancillary uses along with the primary use. The primary use, SNG Satellite, has existed since 2009 at 711 North Garfield Street and is zoned CN. Expanding the CN zoning westward would still encourage a mix of various uses, but would keep the primary use intact. The CN zoning district also reflects a "scale-down intensity of use from commercial centers to neighborhoods." The area immediately north of Houston Street remains "Neighborhood" for residential uses so a rezoning to CN would provide an adequate transitional buffer. 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 lot is at least 50 feet in width by 100 feet in depth, similar to Lots 1-5 presently being used for SNG Satellite. Although these existing lots would not meet today's zoning standards for lot areas of 6,000 square feet for a CN zone, they are of sufficient size for erecting a new building and parking area should a new use be erected in future. As mentioned previously, the applicant is also applying for a Special Use (SU-14-02) to erect outdoor storage displays on these lots as the CN zone does not permit outside storage greater than 5 feet from a building wall.

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 is consistent with the surrounding area. Six vacant properties immediately to the north and northeast of the subject properties are already zoned CN for future development (located on Lots 11-16 of Block 65 of the Hatcher Addition). All of the properties on the south side of Houston Street in Block 80 and 81 are also designated "Neighborhood Commercial" in the Comprehensive Plan, as well as the southern portion of Block 66 immediately northwest of the subject properties.

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 properties are presently zoned RS-1, but the Future Land Use designation for this block is "Neighborhood Center." In addition, there are many vacant residential lots to the north that were never developed and are presently zoned CN. Allowing a rezoning to CN in order to extend SNG Satellite's operations into an additional two lots would conform to this criterion.

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 the size of the lots which total approximately 0.25 acres, the effects do not appear to be significant. Any future construction would require grading, drainage, and stormwater issues to 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 is a community need for neighborhood commercial uses given the Neighborhood Center designation in the Comprehensive Plan and 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.*

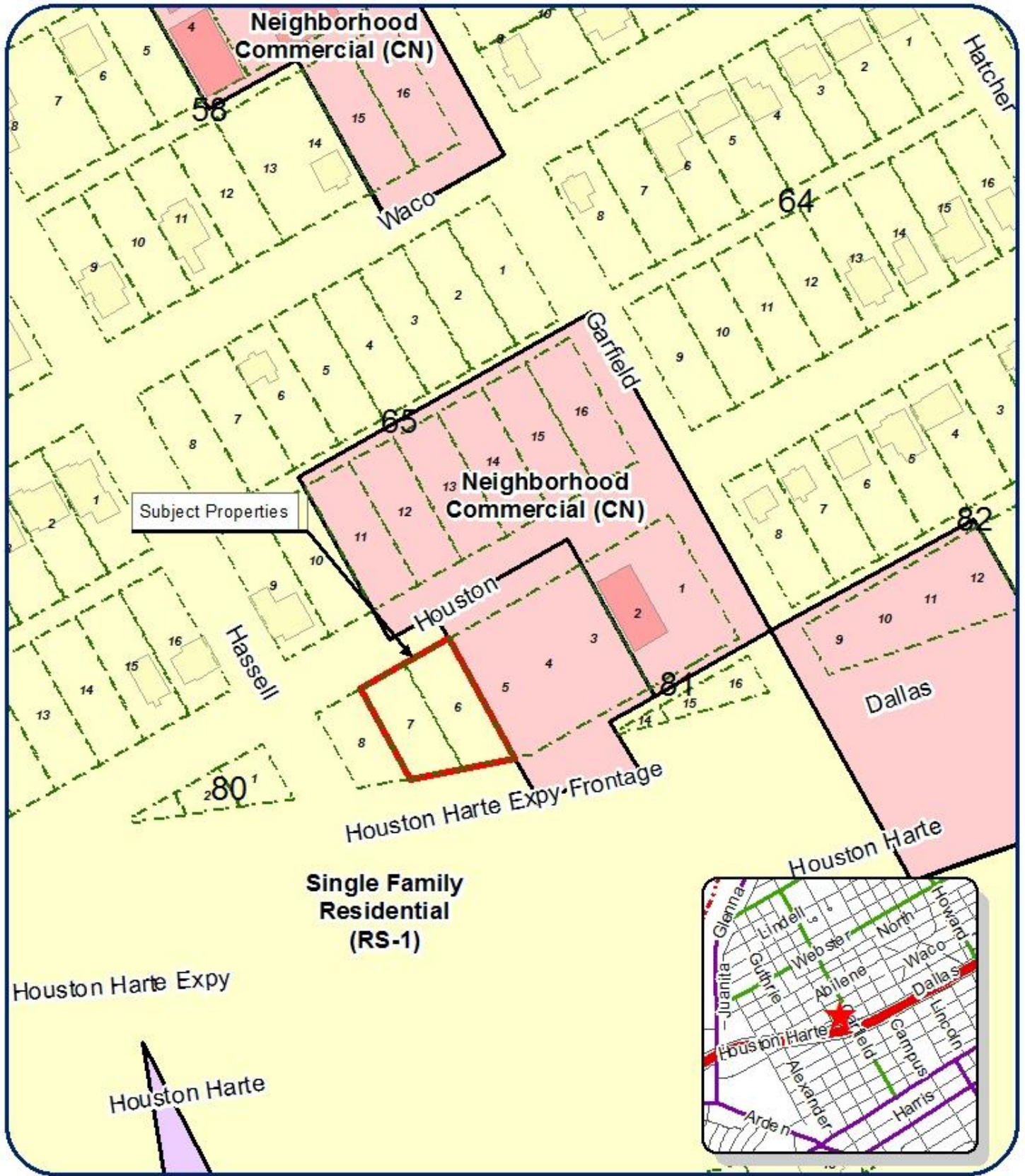
The properties have double frontage onto Houston Street to the north, and West Houston Harte Expressway Frontage Road to the south, both of which are local roads that meet the minimum street width of 36 feet. The subject properties are in close proximity to roads that can accommodate commercial operations: 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 Z14-16: Rodriguez**

Council District: Marty Self  
 Neighborhood: Bluffs  
 Scale: 1" approx. = 125 ft  
 Subject Property: Hatcher Addition, Block 81, North Part of Lots 6-7

**Legend**

- Subject Properties: —
- Current Zoning: **RS-1**
- Requested Zoning Change: **CN**
- Vision: **Neighborhood Center**





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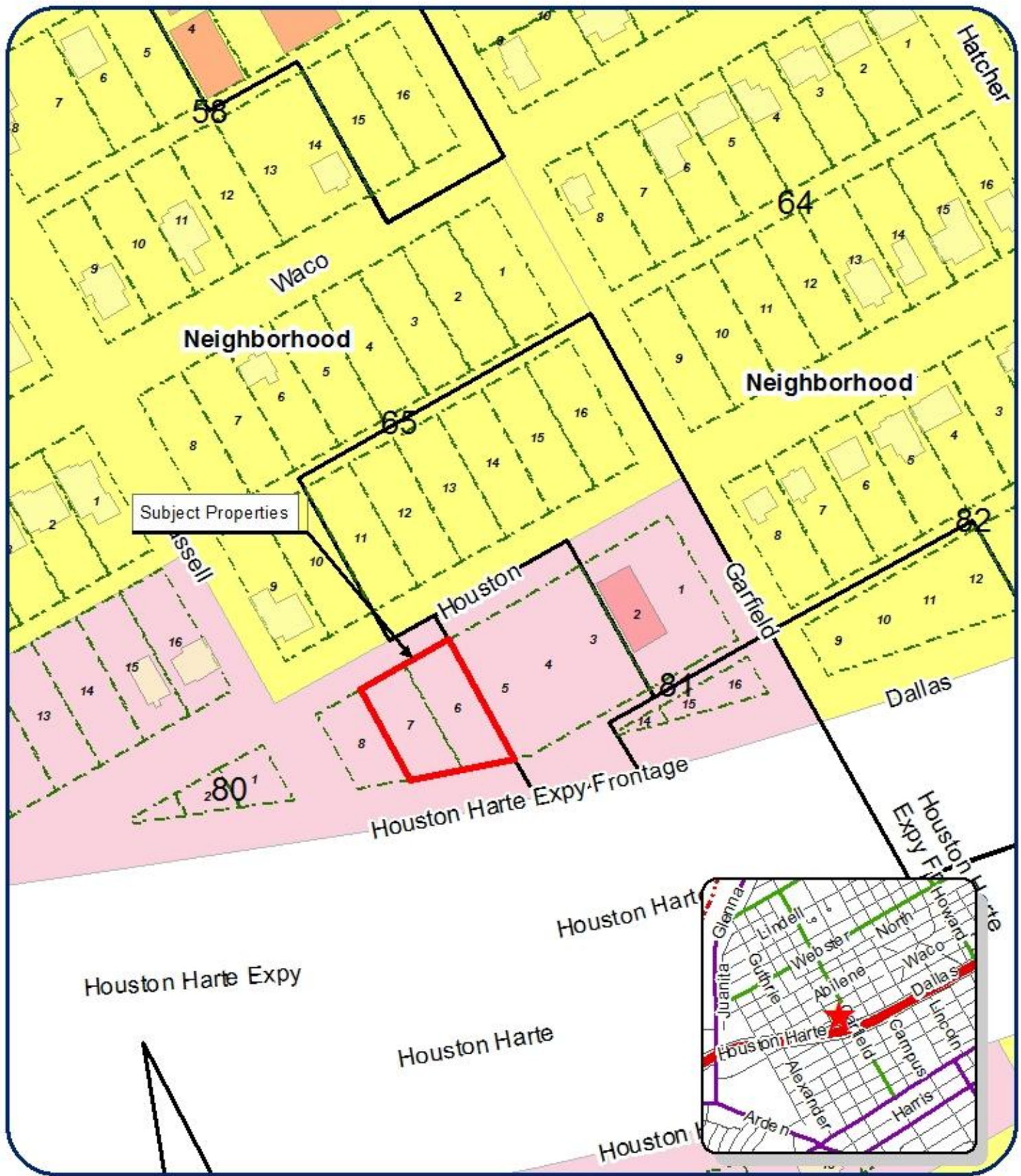
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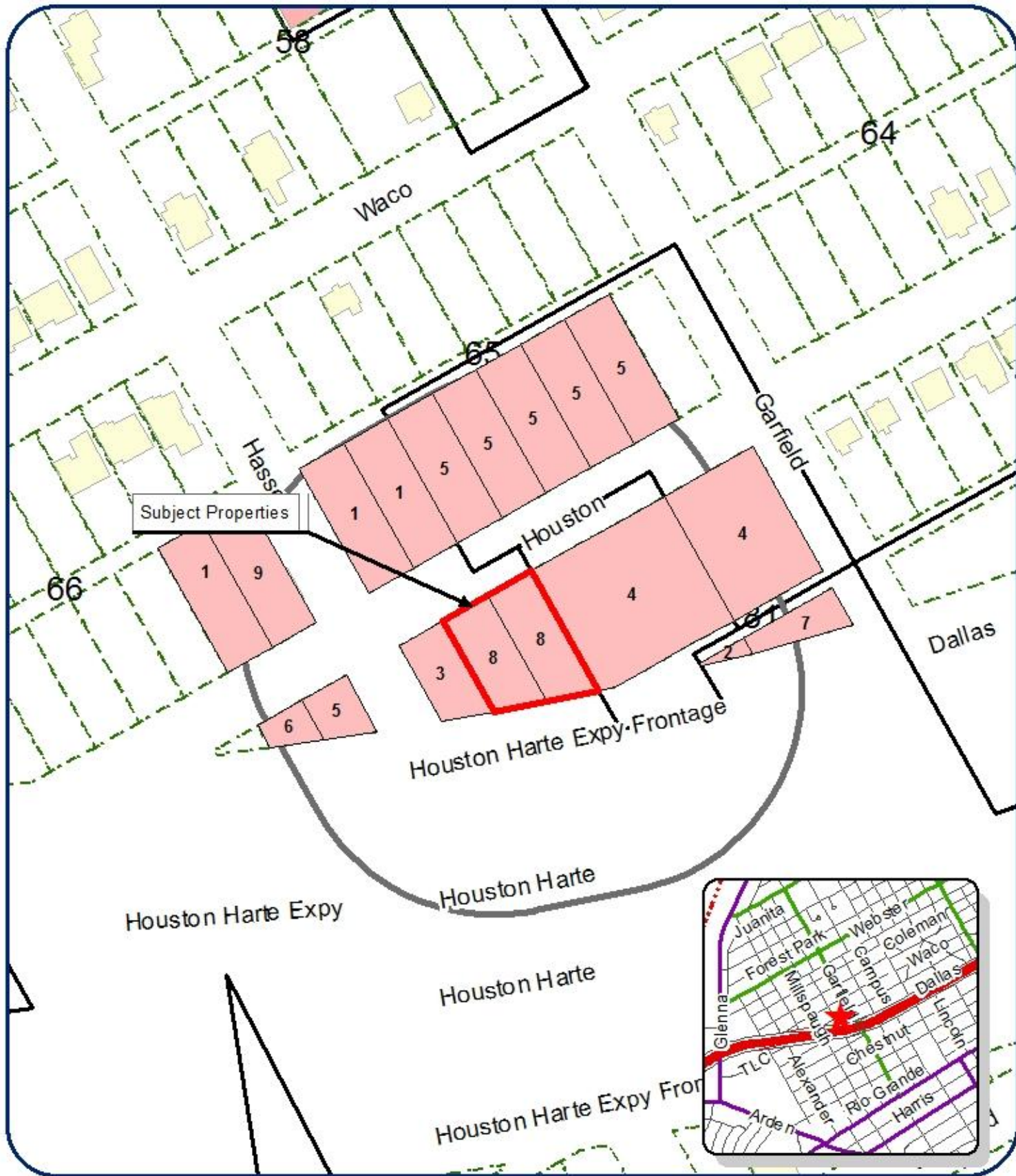
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