

STAFF REPORT



Meeting: November 17, 2014

To: Planning Commission

From: Patrick B. Howard, AICP
Director

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

Presenter: Jeff Fisher
Planner

Case: Z14-35

Request: Rezoning from Single-Family Residential (RS-1) to General Commercial (CG)

Location: Unaddressed tracts, located at the southeast corner of North Bryant Boulevard and Humble Road

Legal Description: Lakeside Gardens Addition, Block 1, Lots 1-5, 26, 27, the east part of Lot 6, the northeast part of Lot 24, and that undeveloped 1.469 acre parcel known as Crest Street, a 50' wide right-of-way beginning approximately 520 feet east of the intersection of North Bryant Boulevard and Humble Road, running south 649.14 feet from Humble Road and then west 653.17 feet back to North Bryant Boulevard

Size: 8.633 acres

General Information

Future Land Use: Commercial

Zoning: Single-Family Residential (RS-1)

Existing Land Use: Single-family residence & Vacant land

Surrounding Zoning / Land Use:

North:	Light Manufacturing (ML) Ranch and Estate (R&E)	Knights of Columbus Single family dwellings
West:	Light Manufacturing (ML)	Construction storage equipment, Riverside Hills Golf Club
South:	General Commercial (CG)	Vacant commercial land
East:	Single-Family Residential (RS-1)	Single family dwellings on large lots

District: CMD#2 – Marty Self

Neighborhood: Riverside Neighborhood

Thoroughfares/Streets: Per the Master Thoroughfare Plan (MTP), North Bryant Boulevard and Humble Road are identified as arterial streets. An arterial street connects collector streets to freeways and other arterials carrying large volumes of traffic at high speeds, access is secondary and mobility is the primary function of these streets. The MTP requires Humble Road to have a minimum paving width of 64 feet and a minimum right-of-way width of 80 feet. Humble Road at present is approximately 26 feet wide with a 50-foot right-of-way. Should the applicant decide to replat the subject properties, a dedication of half of the required right-of-way along Humble Road shall be required, approximately an additional 15 feet of width.

Recommendation:

The Planning Division recommends **APPROVAL** of a Rezoning request for General Commercial (CG).

History and Background:

On October 21, 2014, the applicant submitted two (2) applications, this application for a Rezoning on the subject properties from Single-Family Residential (RS-1) to General Commercial (CG), and an application for a Street Right-Of-Way Abandonment for the portion of the land known as "Crest Street" which the applicant is proposing to acquire from the City of San Angelo in addition to the remaining lands within the Lakeside Gardens Addition, Block 1, being Lots 1-5, 26, 27, the east part of Lot 6, and the northeast part of Lot 24. The total site area of the Rezoning request, which includes the Crest Street abandonment, will be 8.633 contiguous acres (see maps attached).

On November 7, 2014, the applicant submitted a Conceptual Plan for a future plat entitled "Stafford Development Section One" which includes the lands subject to this rezoning request as "Lot 1, Block 1" and the lands immediately to the south owned by the applicant as "Lot 2, Block 1." Both lots would have frontage onto North Bryant Boulevard and the proposed Lot 1 would also have frontage onto Humble Road.

The Planning Commission may provide a recommendation on the Rezoning request, but it is noted that the Rezoning will not be brought forward to City Council for final approval until such time as a plat is approved showing the configuration of the new lots with access onto a publicly maintained right-of-way. This case will then be scheduled concurrently with the Crest Street Right-of-Way Abandonment request for City Council review and approval.

Analysis:

Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Rezoning request. The following analysis has been done for a proposed Rezoning to "Neighborhood Commercial."

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 subject property is designated "Commercial" in the Future Land Use (FLU) map of the City's Comprehensive Plan (CP). The proposed General Commercial

(CG) Zone District is consistent with this Commercial designation. The Commercial designation supports “large retail and office clusters that seek visibility and convenient access offered by frontage on the major street network.” The property appears to be ideal for commercial development as it is located at the intersection of two arterial roads, Humble Road abutting to the north, and North Bryant Boulevard abutting to the west. The Commercial designation also supports the “connectivity between neighborhoods and Commercial areas” objective outlined in the CP. About 1,000 feet to the south of the subject land is a large subdivision, the Ridgemar Heights Addition, as well as several rural residential lots to the east and north of the property, which may benefit from commercial, retail, and/or office uses. The applicant has not indicated any proposed uses at this time, but the proposed CG zoning would allow for a variety of office, retail, and commercial uses.

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

The subject proposal would comply with all of the provisions of a CG zone district including minimum lot area, width, and depth. The lot is 8.633 acres with over 754.56 feet of frontage along North Bryant Boulevard and 599.99 feet of frontage along Humble Road. The CG zoning allows for a variety of uses including community services, day cares, religious institutions, auto and boat dealers, offices, and retail sales and services. With any nonresidential construction proposed, a 6-foot high opaque privacy fence will be required along the east lot line abutting the RS-1 zoning district to the east in accordance with Section 509 of the Zoning Ordinance. In addition, Staff will require supplementary landscaping to provide further buffering of the adjacent residences from nonresidential-type activities.

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 Future Land Use (FLU) map for this area includes Commercial-designated land to the west, northwest, northeast, and south, including the subject property itself. The properties owned by the applicant immediately to the south are zoned CG as well. These properties were previously Heavy Commercial (CH) until November 19, 2014, when City Council approved a Rezoning to General Commercial (CG) which was also recommended by Planning Commission in a 6-0 vote (Z13-36). In the Staff Report for Z13-36, Planning Staff had mentioned the properties immediately south with multi-family housing and self service storage were also CG, and that the CG zoning represented a more orderly pattern of development than more obtrusive zoning such as CH. While there are residential uses to the north and east of the site, Staff believes that CG zoning may be compatible given that the property will be accessed solely from North Bryant

Boulevard, so there would be little-to-no commercial traffic onto residential streets. In addition, the CG uses which can include retail commercial and offices would be accessible by nearby residential properties that could benefit from their services. The CG zoning, unlike the CH zoning district, also prohibits any industrial service uses, and limits any outside storage to 10% of the property, as well as the 6-foot high opaque fencing requirement (and supplementary landscaping) which would screen any development from residential uses.

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

The property remains vacant and is surrounded by commercial designations to the north, northwest, and south. There is also a large supply of available residential land to the east of this property on large existing lots. The Future Land Use map calls for Commercial development and therefore conditions no longer warrant an RS-1 zoning on the site.

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 not appear to be any negative environmental effects if this property were to be rezoned to CG. The CG zoning prohibits industrial-type uses. Any grading, drainage and stormwater issues would be reviewed by Engineering Staff at the building permit stage.

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

There appears to be a community need given the large residential neighborhood to the east and south. Having commercial uses on this site would be warranted and the CG zoning could include retail, offices, groceries, and other businesses that can cater to this residential market.

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.*

As mentioned previously, both North Bryant Boulevard and Humble Road are major Arterial roads which can accommodate large volumes of traffic, so there would appear to be no negative impacts on surrounding properties.

Notification:

On November 7, 2014, 9 notifications were mailed out within a 200-foot radius of the subject site. As of November 14, 2014, there were 0 responses in favor and 1 response in opposition of the request.

Action Requested:

The action requested is for the Planning Commission to recommend **APPROVAL** of **Case Z14-35 for a Rezoning to the General Commercial (CG)** zoning district.



Attachments:

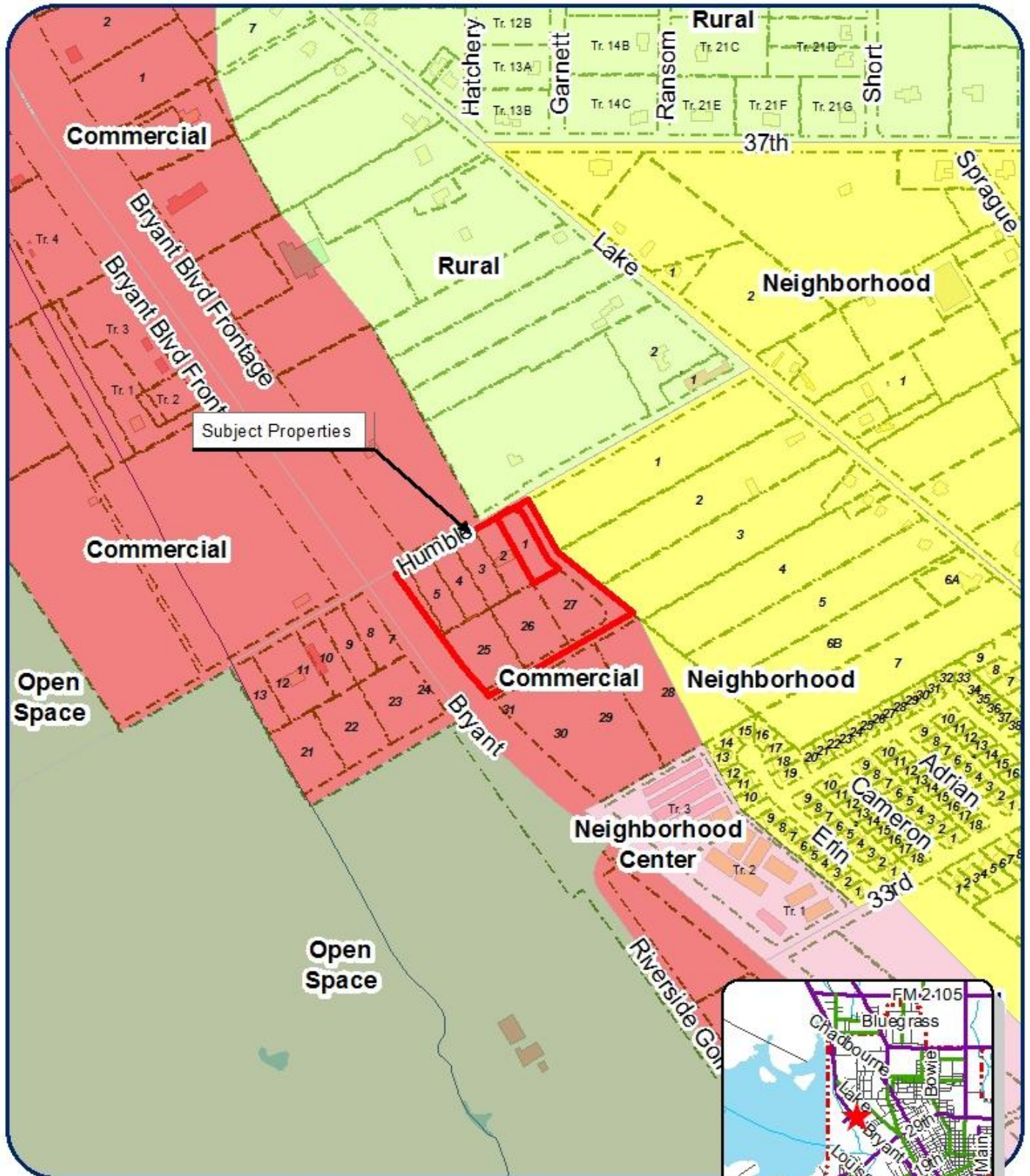
- Aerial Map
- Future Land Use Map
- Zoning Map
- Major Thoroughfare Map
- Notification Map
- Proposed Plat (draft only)



Zoning Case File
Case Z14-35: Stafford
 Council District: Marty Self
 Neighborhood: Riverside
 Scale: 1" approx. = 500 ft
 Subject Property: SE Corner of Humble Road and N. Bryant Blvd. 8.633 acres

Legend
 Subject Properties: —
 Current Zoning: **RS-1**
 Requested Zoning Change: **CG**
 Vision: **Commercial**

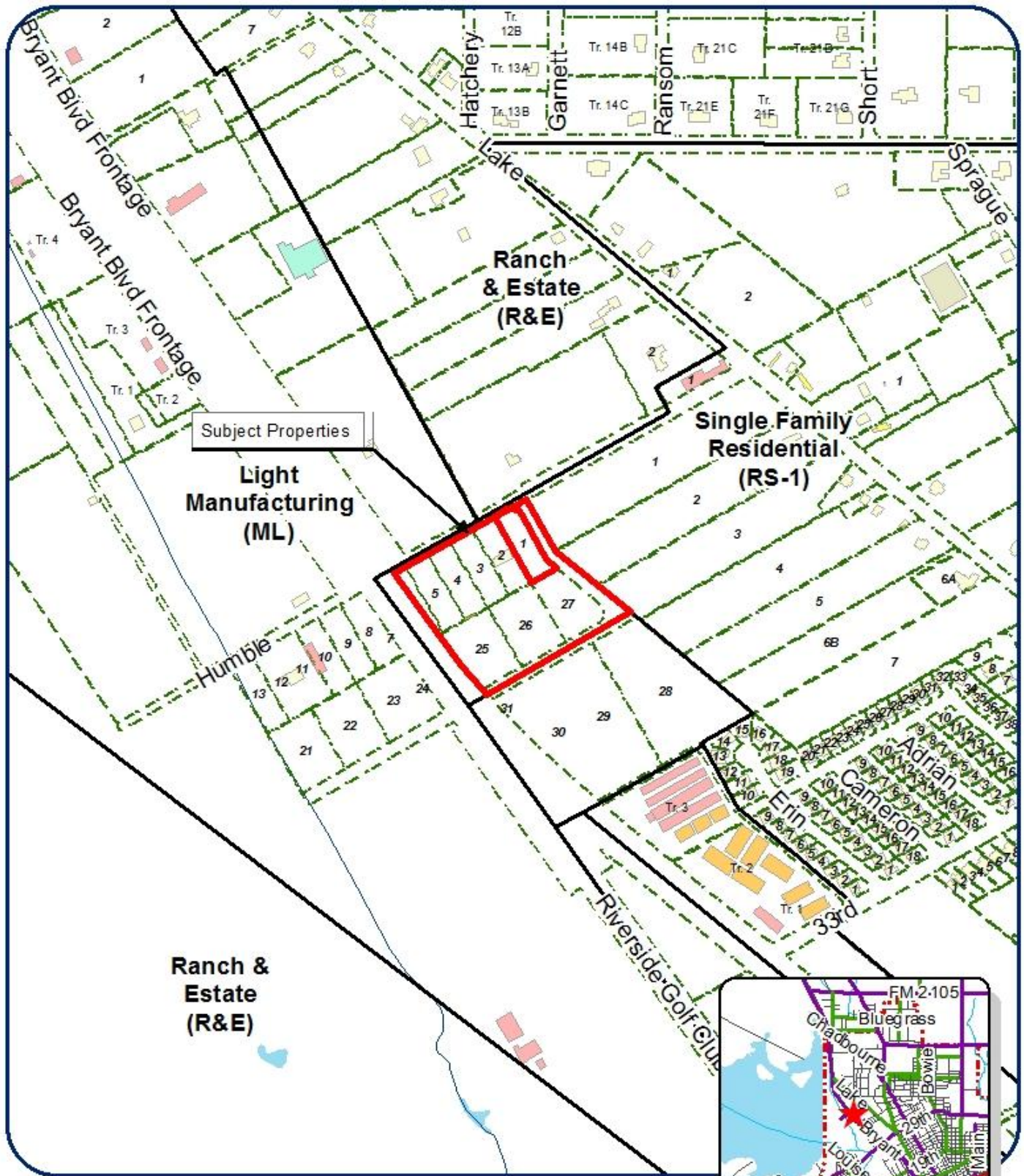
N





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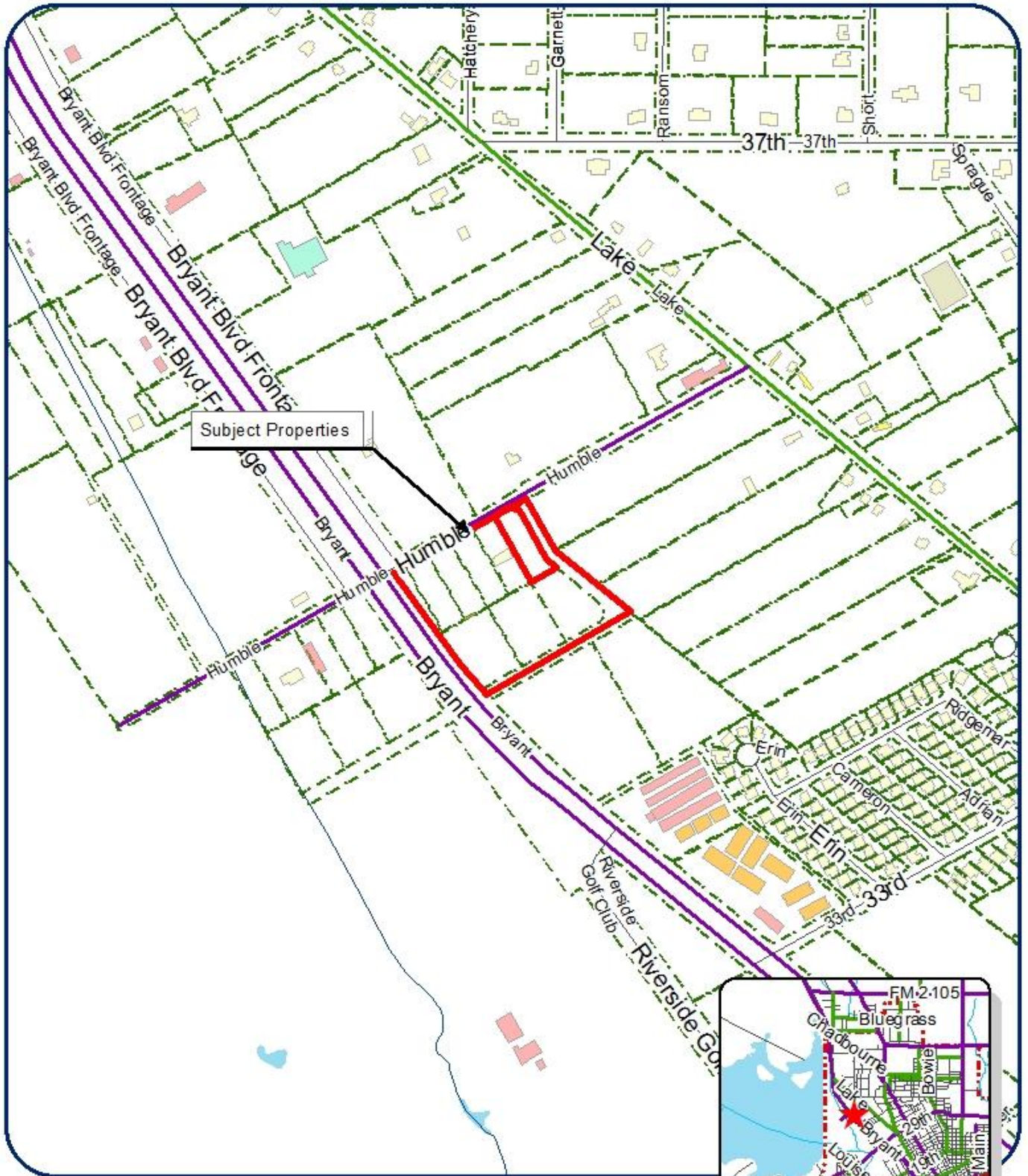


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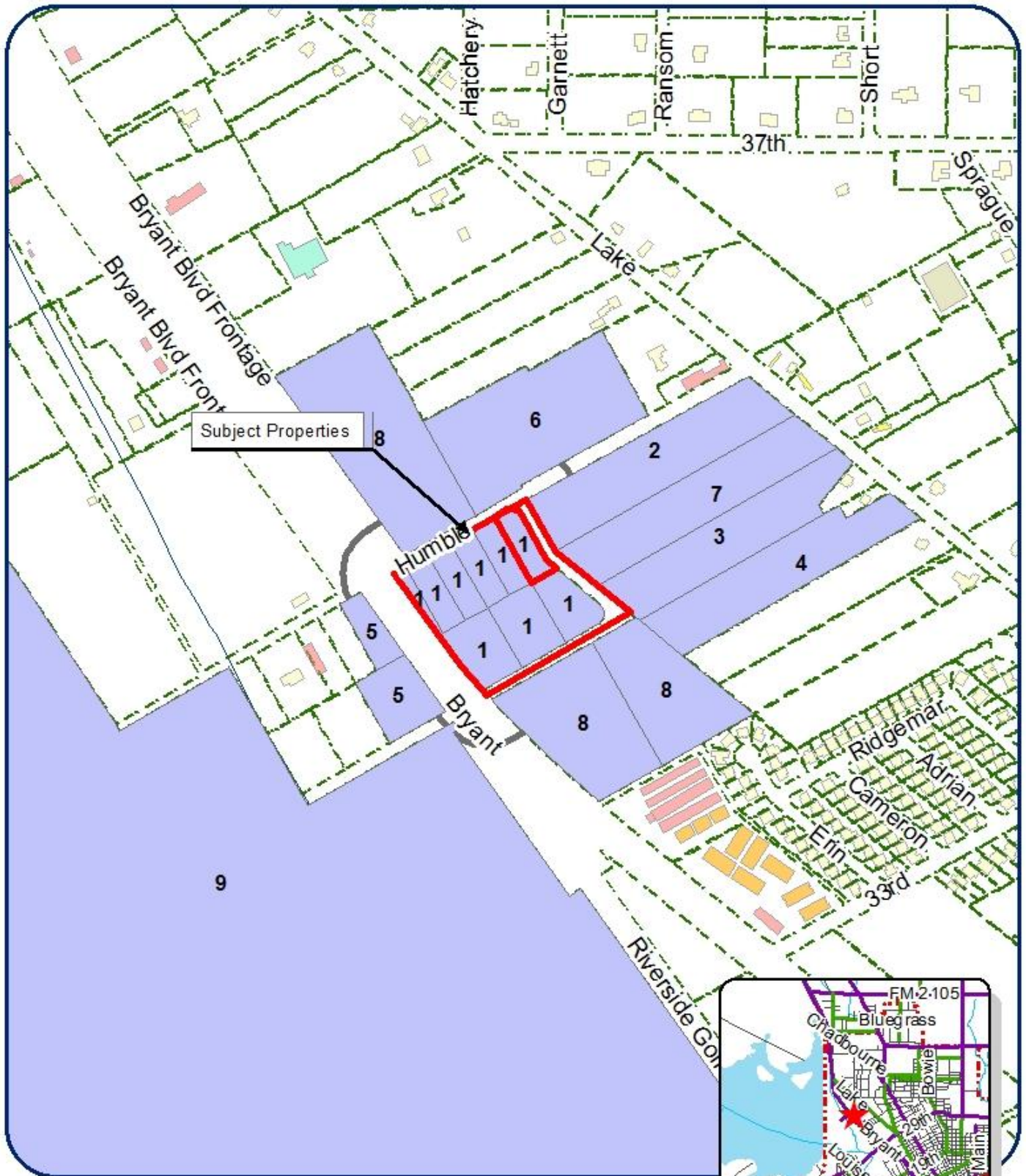
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HUMBLE ROAD
(R.O.W. WARREN)

LOT 1
BLOCK 1
(8.888 ACRES)

LOT 2
BLOCK 1
(8.904 ACRES)



SCALE: 1" = 100'

LEGEND
 • Found 1/2" Iron Pipe or Rod
 (see monument)
 • Set 1/2" Iron Rod with Cap
 D.R.T. & C.T. Deed Records of
 Tom Green County, Texas
 P.R.T. & C.T. Plat Records of
 Tom Green County, Texas

PLANNING COMMISSION
 Approved for recording this _____ day
 of _____ 20____ City Planning
 Commission of San Angelo, Texas
 By _____
 Secretary

DEPARTMENT OF WATER UTILITIES
 Approved for recording this _____ day
 of _____ 20____
 By _____
 Director of Water Utilities

DEPARTMENT OF PUBLIC WORKS
 Approved for recording this _____ day
 of _____ 20____
 By _____
 Director of Public Works

COUNTY CLERK
 Filed for record this _____ day
 of _____ 20____
 County Clerk of Tom Green Co., Tx.
 By _____

This plat is filed in Volume _____ of
 Plat Records of Tom Green County, Texas.

STAFFORD DEVELOPMENT SECTION ONE

City of San Angelo, Tom Green County, Texas.

CONTRIBUTOR: Stafford Development, LLC

DESCRIPTION: Being 8.888 acres, being all of Lots 1, 2, 3, 4, 5, 26, 27, 28 and 29, and
 part of Lots 4, 24, 25, 26 and 27, and that part of Chest Street east of the land acquired by
 the State of Texas, et al in condemnation suit described in judgment recorded in Volume
 301, Page 225, Deed Records of Tom Green County, Texas, and in Block 1, Lateral
 Ordinance, City of San Angelo, Tom Green County, Texas, according to the map and/or plat
 recorded in Volume 1, Page 322, Plat Records of Tom Green County, Texas.

ACKNOWLEDGMENT/VERIFICATION
 We, Stafford Development, LLC, do hereby adopt this plat,
 as the subdivision of our property and dedicate to the use
 of the easements shown herein.

STATE OF TEXAS
 COUNTY OF TOM GREEN
 This instrument was acknowledged before
 me on _____
 by Joe Stafford in the capacity shown.

Previously this document
 shall not be recorded for any
 purpose and shall not be used
 or shown or relied upon as a
 final survey document.

SURVEYOR'S CERTIFICATE
 I, Joe Stafford, Surveyor, do hereby certify that I am a duly
 licensed Surveyor in the State of Texas, and that I am the
 author of this plat and the same conforms to the laws of
 the State of Texas, and that I am a duly licensed Surveyor
 in the State of Texas, and that I am the author of this plat
 and the same conforms to the laws of the State of Texas.
 Joe Stafford, Surveyor

SKG
ENGINEERING, L.L.C.
SURVEYING • ENVIRONMENTAL • LAB/CMT

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