

STAFF REPORT



Meeting: December 2, 2014

To: City Council

From: Patrick B. Howard, AICP
Director

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

Case: SU14-05

Request: To allow for limited outdoor storage for uses allowed in the "Office" use category

Location: An unaddressed tract, generally located 350 feet southeast of the corner of the intersection of South Chadbourne Street and Old Eola Road

Legal Description: CF Potter Survey 160, Abstract 7278

Size: 8.140 acres

Caption: First Public Hearing and consideration of introduction of an Ordinance amending Chapter 12, Exhibit "A" (Zoning Ordinance) of the Code of Ordinances, City of San Angelo

SU14-05: Gary Shrum & Daniel Cardenas

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 tract, generally located 350 feet southeast of the corner of the intersection of South Chadbourne Street and Old Eola Road, in southeast San Angelo. This property specifically occupies the CF Potter Survey 160, Abstract 7278, to allow for limited outdoor storage uses allowed in the "Office" use category in a proposed General Commercial (CG) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY**

General Information

Future Land Use: Commercial
 Zoning: General Commercial (CG)
 Existing Land Use: Vacant commercial land
 Surrounding Zoning / Land Use:

North:	Single-Family Residential (RS-1)	Goodfellow Air Force Base
West:	Ranch & Estate (R&E) and Light Manufacturing (ML)	Mostly vacant land, outdoor storage of equipment
South:	Ranch & Estate (R&E)	Single-family residences and open space
East:	Ranch & Estate (R&E)	Single-family residences and open space

District: SMD# 1 - Rodney Fleming

Neighborhood: Glenmore Neighborhood

Thoroughfares/Streets: Per the Master Thoroughfare Plan (MTP), South Chadbourne Street is identified as an arterial street. An arterial street connects collector street Glenmore 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. Old Eola

Road is classified as a local street. A local street carries light neighborhood traffic at low speeds. This appears to be consistent with the MTP as no roads are being extended, widened, or proposed for abandonment in the immediate area.

Recommendation:

The Planning Division recommends **APPROVAL** of this request **subject to four (4) Conditions of Approval.**

On November 17, 2014, the Planning Commission recommended **APPROVAL** of the applicant's request for a Special Use by a unanimous 6–0 vote. The following is the complete excerpt of the minutes from the November 17, 2014, meeting for this case:

Planning Manager Rebeca Guerra introduced the application and project. The applicant is proposing limited outdoor storage for uses allowed in the "Office" use category. Staff is recommending approval. Ms. Guerra stated that the request is similar in nature to a recent approval for a site within the same subdivision. The Conditions of Approval recommended for this request match those which were placed on the previous case.

The meeting was opened for public comment: There was no public comment. There were no questions or comments made by the Commissioners.

A motion was made by Commissioner Crisp to approve the Special Use, seconded by Commissioner Farmer. The motion to approve was carried unanimously 6-0.

History and Background:

Situated immediately south of the San Angelo Goodfellow Air Force Base, the site consists of one tract and measures 52.5 acres. It is labeled as "Lot 2" on the proposed Krislynn Subdivision which has been administratively approved by Staff, but not yet recorded. Mostly rural in nature, the area is characterized by ranch and estate homes and some emerging commercial development to the west. The tract has nearby access to South Chadbourne Street. The applicant has proposed to construct a contractor's office on the property. The storage that is proposed with this request will serve to house the applicant's vehicles and materials.

Offices uses are characterized by activities conducted in an office setting and generally focus on business, government, professional, medical, or financial services. The office use category is permissible in the CG zoning district, however, a provision in the Ordinance limits related outdoor storage of materials on-site. If approved, this request will allow for limited outdoor storage under the office use category on the property.

Analysis:

Section 209(H) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Special Use request.

- 1. Impacts Minimized.** *Whether and the extent to which the site plan minimizes adverse affects, including adverse visual impacts, on adjacent properties.*

Currently, the tract is surrounded by large General Commercial-zoned tracts all within the same subdivision. Staff recommends that any outdoor storage be placed behind any proposed buildings so as to provide effective screening of such areas from South Chadbourne Street. The tract is somewhat isolated, which reduces the likelihood of creating a visual nuisance in the area. In addition, the location and large size of the tract provides additional opportunities to effectively screen any outdoor materials.

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

Office uses are permissible in the proposed CG zoning district. This category includes uses related to business, government, professional, medical, and financial services, per Section 315.D. of the Zoning Ordinance. The use category explicitly prohibits on-site outdoor storage, per Section 315.D.4.b. This request will provide opportunities for Type 2: Limited Outdoor Storage, as defined in Section 504 of the Zoning Ordinance, and enable a maximum of 1,000 square feet, or 10 percent of the total site, whichever is greater.

- 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 surrounding area is characterized by large tracts, many of which remain largely undeveloped. The site is positioned directly south of the San Angelo Goodfellow Air Force Base. Situated immediately to the west is an 83 acre tract, which is partially zoned Light Manufacturing (ML). South of the site remains

primarily rural, and is zoned Ranch and Estate (R&E). The area has close proximity to the edge of the City limits, within 1,000 feet at its nearest point.

- 4. Traffic Circulation.** *Whether and the extent to which the proposed special use is likely to result in extraordinarily prolonged or recurrent congestion of surrounding streets, especially minor residential streets.*

South Chadbourne Street is identified as an arterial street in the City's Major Thoroughfare Plan. The applicant has stated that access of vehicular movement to the site will be along South Chadbourne Street, and a driveway is proposed for the property.

- 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.*

This request will have limited, to no effect, on the natural environment of surrounding properties. Development of the site will result in the removal of vegetation. Impervious surfaces are generally the preferred ground cover for the placement of outdoor storage which is likely to result in higher instances of stormwater runoffs.

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

This plan serves a community need in that it seeks to provide development that is consistent with the development patterns and aspects of the Comprehensive Plan. A Special Use was granted for an adjacent lot (SU14-04) in order to allow for Type 2 storage.

- 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 nature of this request appears to be consistent with surrounding development trends in the area. Emerging uses in the area are commercial in nature. Moreover, outdoor storage is present and growing – nearby industrial zoning allows for expansion such activities, with no limitations on size. Conditions outlined in this report may serve to ensure some measure of predictable development and provide an effective transition to the adjacent low density residential development.

Notification:

On November 7, 2014, 4 notifications were mailed out within a 200-foot radius of the subject site. As of November 21, 2014, there was 1 response in favor and 0 responses in opposition of the request.

Action Requested:

The action requested is for City Council to **APPROVE** Case SU14-05, **subject to the following four (4) Conditions of Approval:**

1. Limited Outdoor Storage shall be as defined in Section 504.B of the Zoning Ordinance and be utilized exclusively for uses that are consistent with the "Office" use category.
2. Outdoor storage shall be located behind any proposed office structures. Further, any areas that are visible from a right-of-way shall be screened with 6-foot opaque fence.
3. All exterior lighting shall be shielded and positioned in such a manner so as to not spill over onto any adjacent property.
4. The storage of hazardous materials on the subject property shall be prohibited.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Major Thoroughfare Map
Notification Map
List of Individuals/entities Notified
Response Letter
Draft Ordinance



Special Use Case File

Case SU14-05

Council District: Rodney Fleming

Neighborhood: Glenmore

Scale: 1" approx. = 900 ft

Subject Property: SE corner S. Chadbourne/Old Eola Rd 8.140 acres

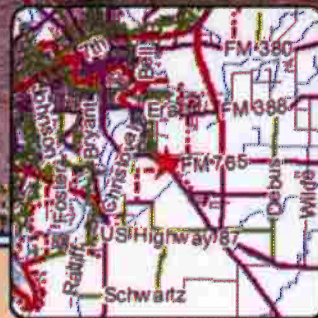
Legend

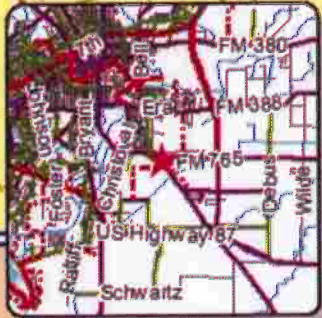
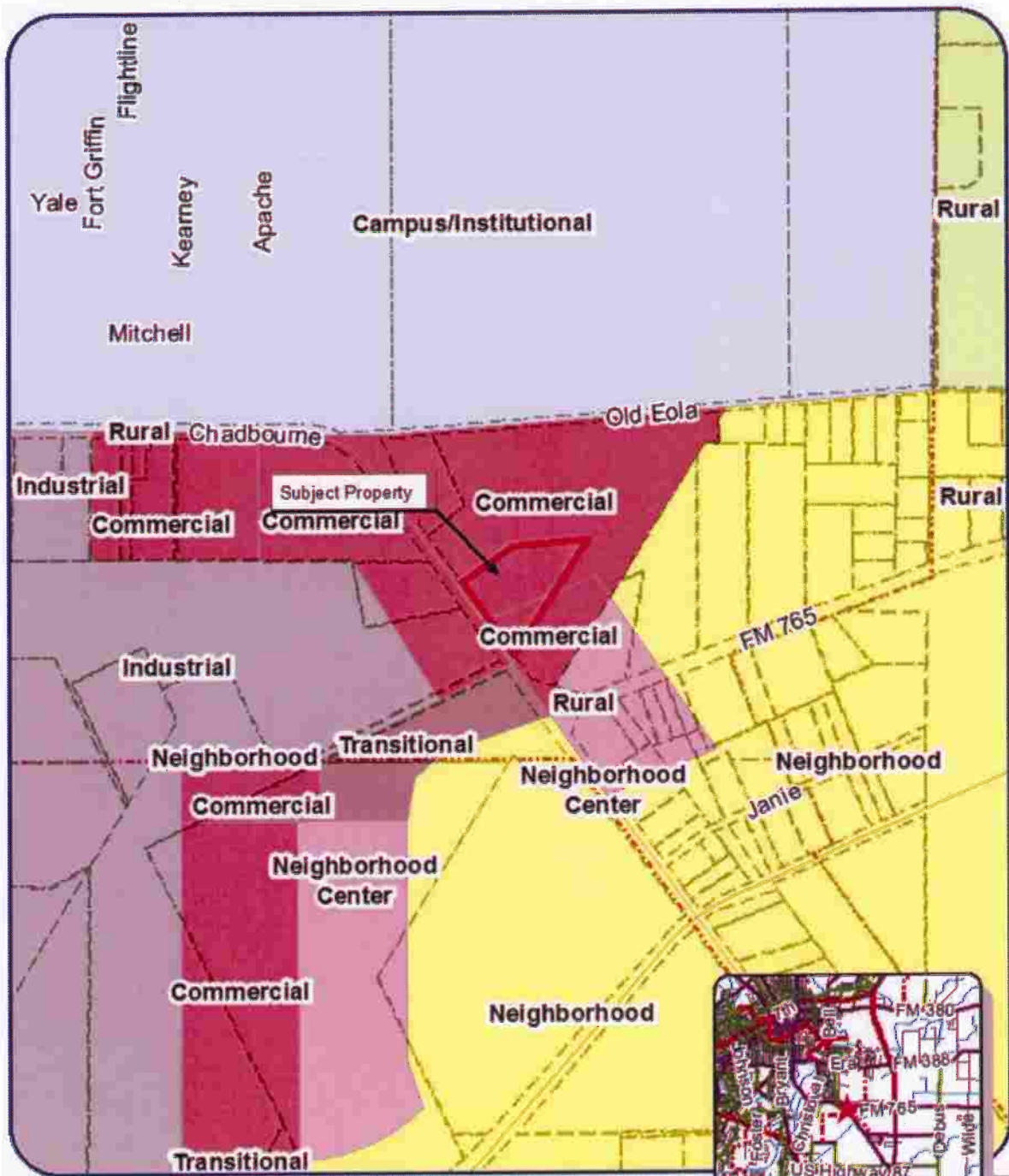
Subject Properties: —

Current Zoning: CG

Requested Zoning Change: N/A

Vision: Commercial





Special Use Case File

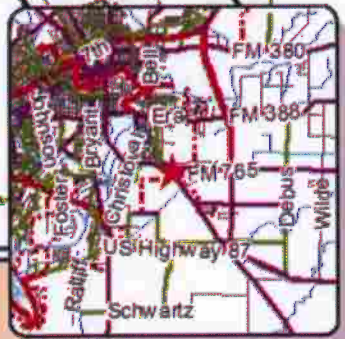
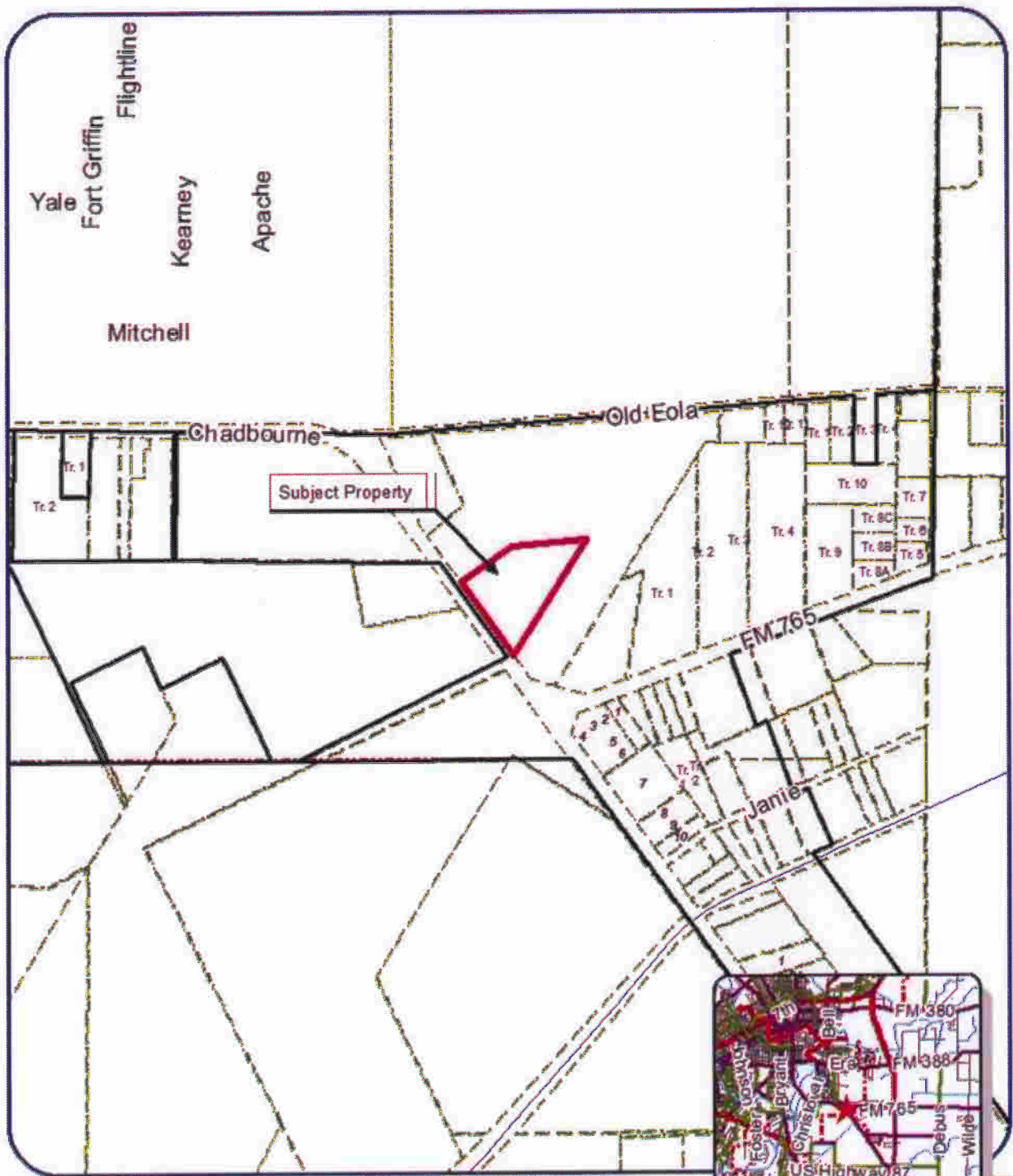
Case SU14-05

Council District: Rodney Fleming
 Neighborhood: Glenmore
 Scale: 1" approx. = 900 ft
 Subject Property: SE corner S. Chadbourne/Old Eola Rd 8.140 acres

Legend

- Subject Properties: —
- Current Zoning: CG
- Requested Zoning Change: N/A
- Vision: Commercial




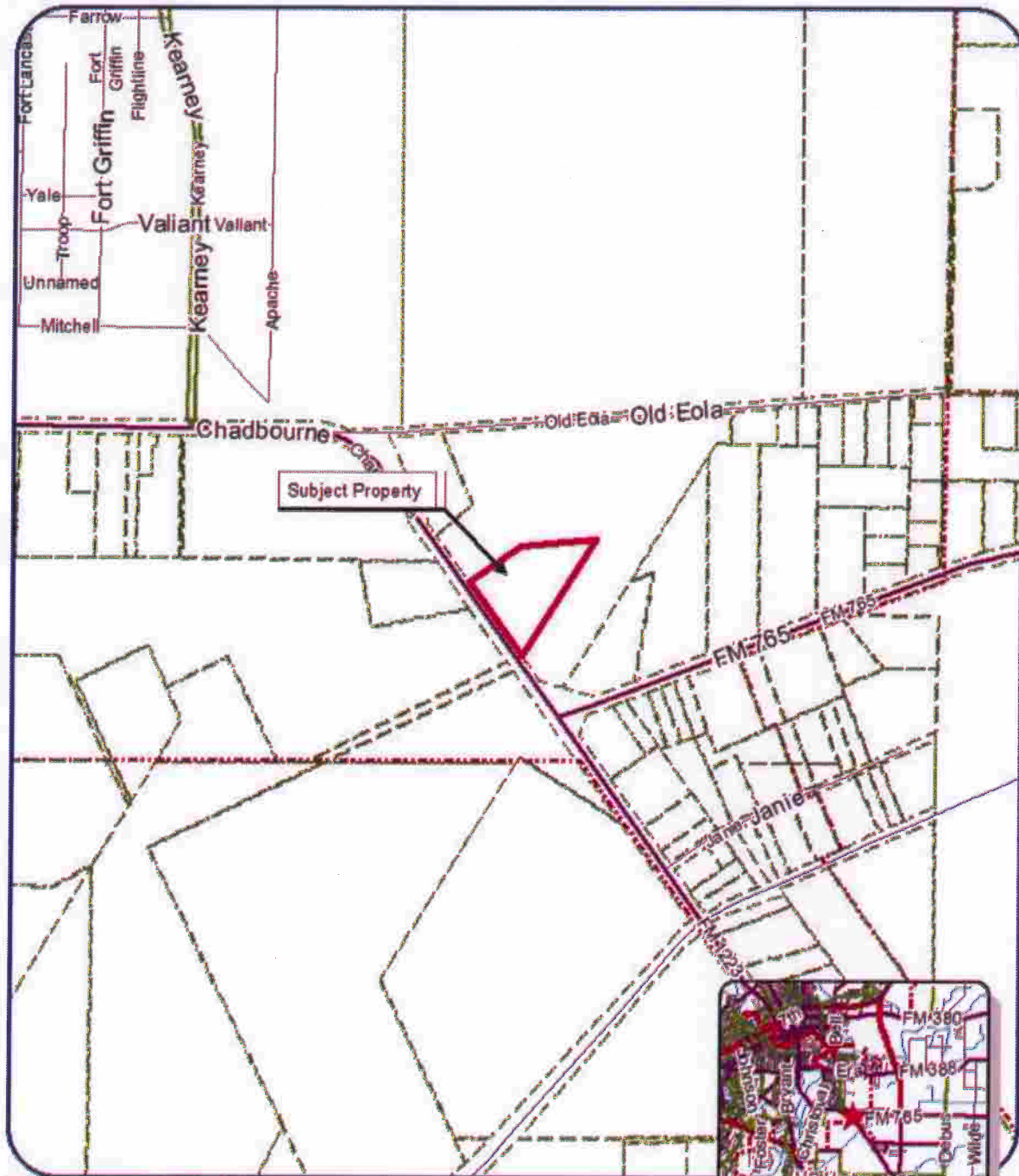


Special Use Case File
Case SU14-05
 Council District: Rodney Fleming
 Neighborhood: Glenmore
 Scale: 1" approx. = 900 ft
 Subject Property: SE corner S. Chadbourne/Old Eola Rd 8.140 acres

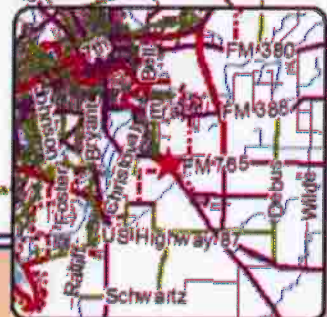
Legend
 Subject Properties: —
 Current Zoning: CG
 Requested Zoning Change: N/A
 Vision: Commercial

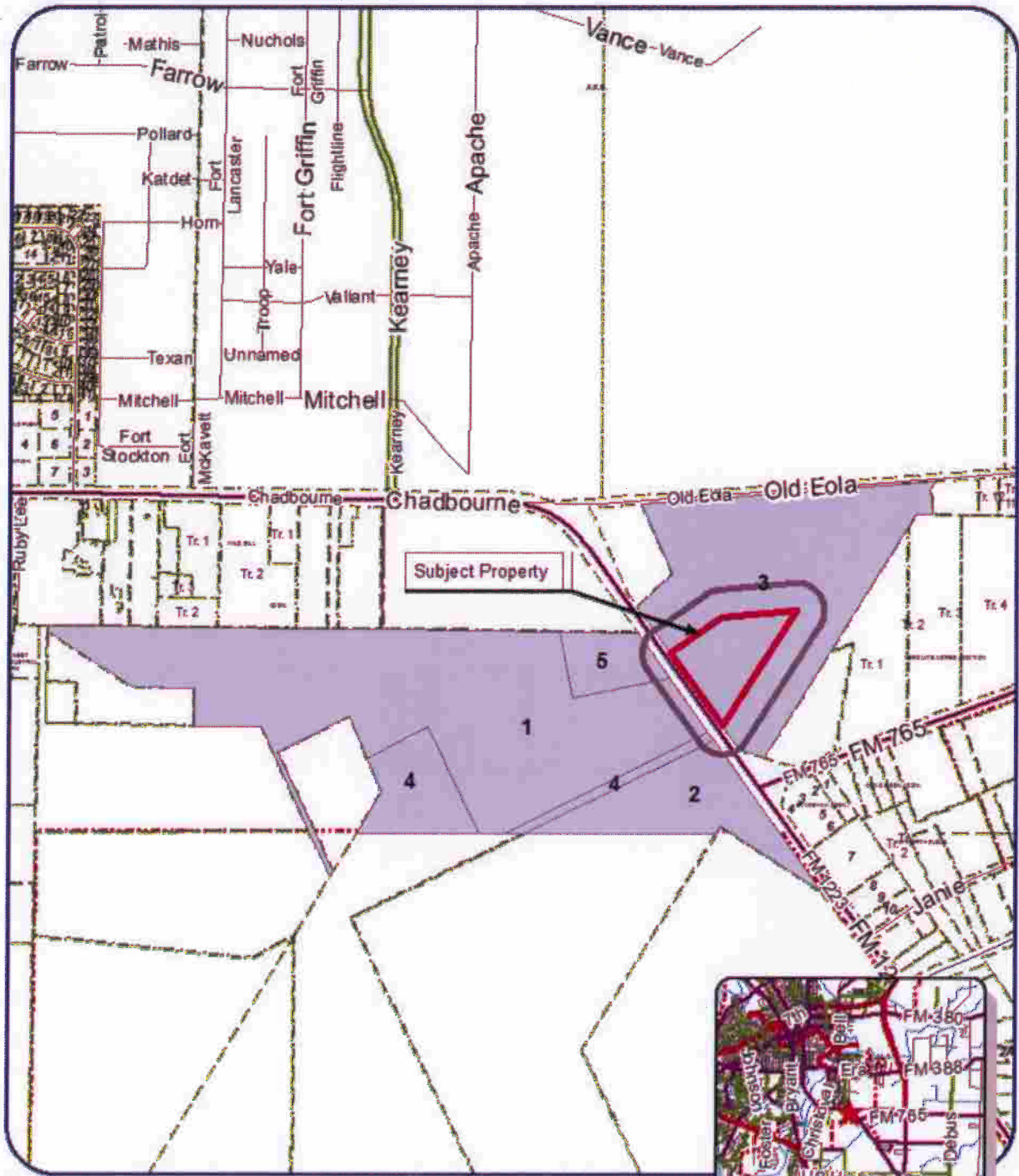
N





Special Use Case File		Legend	
Case SU14-05		Subject Properties:	
Council District: Rodney Fleming		Current Zoning: CG	
Neighborhood: Glenmore		Requested Zoning Change: N/A	
Scale: 1" approx. = 900 ft		Vision: Commercial	
Subject Property: SE corner S. Chadbourne/Old Eola Rd 8.140 acres			





Special Use Case File

Case SU14-05

Council District: Rodney Fleming

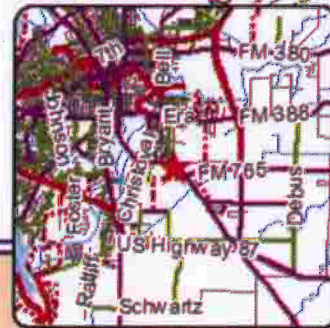
Neighborhood: Glenmore

Scale: 1" approx. = 900 ft

Subject Property: SE corner S. Chadbourne/Old Eola Rd 8.140 acres

Legend

- Subject Properties: —
- Current Zoning: CG
- Requested Zoning Change: N/A
- Vision: Commercial



LIST OF INDIVIDUALS / ENTITIES NOTIFIED

BP SURFACE SOLUTIONS LLC
PO BOX 61791
SAN ANGELO, TX 76906-1791

BLUMENTRITT RUSSELL A
4203 DAWN CIR
MIDLAND, TX 79707-3618

CARDENAS DANIEL & SHRUM GARY
1417 S IRVING
SAN ANGELO, TX 76903-7350

EDWARDS JOHN HORACE
4425 WHITE ASH LN
SAN ANGELO, TX 76904-4528

TO BE FORMALLY ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU MAY ALSO FILL OUT THIS FORM, SIGN IT AND MAIL IT BACK TO THE PLANNING DIVISION AT 52 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903. THIS FORM CAN ALSO BE FAXED TO THE PLANNING DIVISION AT 325-657-4227.

(X) IN FAVOR () IN OPPOSITION

REASON(S) _____

NAME: Casey Paynor

ADDRESS: 4705 South Chadbourne
San Angelo, TX 76904

SIGNATURE: 

SU14-05: Gary Shrum and Daniel Cardenas, property owner number: 4
If you have any questions about these proceedings, please call Mr. Jeff Fisher with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached at fax number 325-657-4227.

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 DESCRIBED PROPERTY, TO WIT: **An unaddressed tract, generally located 350 feet southeast of the corner of the intersection of South Chadbourne Street and Old Eola Road, in southeast San Angelo. This property specifically occupies the CF Potter Survey 160, Abstract 7278, to allow for limited outdoor storage uses allowed in the "Office" use category in a proposed General Commercial (CG) District;** PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

RE: SU14-05: Gary Shrum & Daniel Cardenas

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 tract, generally located 350 feet southeast of the corner of the intersection of South Chadbourne Street and Old Eola Road, in southeast San Angelo,** shall have a **Special Use to allow for limited outdoor storage uses allowed in the "Office" use category in a proposed General Commercial (CG) District.** Said special uses shall have no fundamental effect upon its underlying or base zoning classification.

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

SECTION 2: 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.

SECTION 3: 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.

SECTION 4: 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

SECTION 5: That the use of this subject property allowed under this Special Use approval shall be limited to the following conditions:

- (1) Limited Outdoor Storage shall be as defined in Section 504.B of the Zoning Ordinance and be utilized exclusively for uses that are consistent with the "Office" use category.
- (2) Outdoor storage shall be located behind any proposed office structures. Further, any areas that are visible from a right-of-way shall be screened with 6-foot opaque fence.
- (3) All exterior lighting shall be shielded and positioned in such a matter so as to not spill over onto any adjacent property.
- (4) The storage of hazardous materials on the subject property shall be prohibited.

INTRODUCED on the **2nd day of December, 2014** and finally PASSED, APPROVED AND ADOPTED on this the **16th day of December, 2014**.

THE CITY OF SAN ANGELO

Dwain Morrison, Mayor

ATTEST:

Bryan Kendrick, Interim City Clerk

Approved As To Content:

Approved As To Form:

Patrick Howard, AICP, Director

Lysia H. Bowling, City Attorney