



City Council Agenda 2/4/2020

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held February 4, 2020 at 8:30 AM at the McNease Convention Center – South Meeting Room, 501 Rio Concho Drive, San Angelo, Texas, for the purpose of considering the following agenda items.

1. Call to Order

2. Chaplain Prayer

3. Pledges

4. Proclamations/Recognitions

- a. Recognition of the Finance Department for earning the Certificate of Achievement for Excellence in Financial Reporting for the sixth straight year for its comprehensive annual financial report

5. Public Comment

Issues or concerns not on the Regular Agenda may be raised by the public at this time. Citizens should speak from the podium, address all comments to the dais, begin by stating their name and address or Single Member District, and limit remarks to less than three minutes.

6. Consent Agenda

- a. Consider approving the January 21, 2020 City Council regular meeting minutes (Julia Antilley)
- b. Consider awarding Task Order #1 under RFQ IT-02-19 to West Central Wireless in the amount of \$86,400, budgeted for purchase in fiscal year 2020, and authorizing the City Manager to negotiate and execute all related documents (Dusty Hohensee)
- c. Consider awarding SB-02-20 Street Construction Materials to Crushed Stone and Asphalt (CSA), Inc. (San Angelo, TX) in the amount of \$1,600,000, budgeted annually, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- d. Consider awarding the purchase of bunker gear to Casco Industries through Buyboard Contract #524-17 in the amount of \$107,644, budgeted for purchase in fiscal year 2020, and authorizing the City Manager to negotiate and execute all related documents (Patrick Brody)
- e. Consider authorizing the City Manager to execute an interlocal agreement with the Region 14 Education Service Center providing for the City's participation in cooperative purchases through the National Cooperative Purchasing Alliance (Nolan Sosa)
- f. Consider authorizing the City Manager to execute an interlocal agreement with Deer Park Independent School District providing for the City's participation in cooperative purchases through the 1 Government Procurement Alliance (Nolan Sosa)

- g. Consider a resolution accepting a WIC vehicle from the Texas Department of Health and Human Services WIC Program and authorizing the City Manager to execute all related documents (Cristina Eureste)
- h. Consider a resolution allowing the WIC Division to donate excess replaced furniture to local non-profits (Cristina Eureste)
- i. Consider ratifying COSADC's approval for funding of \$4,300 to be applied toward re-certification of Tom Green County as an ACT Work Ready Community (Guy Andrews)
- j. Consider ratifying COSADC's decision authorizing the board president to negotiate and execute a Real Estate Sales agreement with Coverlay Manufacturing for sale of 4.0 acres +/- out of Gateway Addition, City of San Angelo Business and Industrial Park, generally located at the southwest quadrant of the intersection of Gateway Dr. and Venture Dr. (Bob Schneeman)
- k. Consider ratifying a resolution by COSADC affirming the real estate sales contract for sale of 12 acres of land surveyed out of the San Angelo Business and Industrial Park to Allen's Transport USA, Inc. at a price of \$25,000 per acre; authorizing the Board President to negotiate and execute a right of first refusal and option agreement to Allen's Transport USA Inc. for 7.23 +/- additional acres of land adjacent to said surveyed 12 acre parcel (Bob Schneeman)
- l. Second reading of an ordinance approving Z19-17, a rezoning from the Light Manufacturing zoning district to the General Commercial zoning district, being 2.87 acres located at 801 Rust St. and an unaddressed lot directly north across E. Ave. D (Jon James)
- m. Second reading of an ordinance approving Z19-18, a rezoning from the General Commercial/Heavy Commercial zoning district to Neighborhood Commercial zoning district, being 1.307 acres located at 401, 405, 409 W. Ave. Y, 2815 Ben Ficklin Rd. and 410 W. Ave. Z (Jon James)
- n. Second readings of:
 - 1. An ordinance approving CP19-03, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the "Commercial" and "Neighborhood" Future Land Uses to the "Neighborhood Center" Future Land Use, being 30.267 acres located between S. Bryant Blvd., Kimrey Ln., and Ben Ficklin Rd.
 - 2. An ordinance amending PD06-05, a rezoning from the Ranch and Estate zoning district to the Planned Development zoning district to expand the existing PD06-05 boundary to allow for a new ropes challenge course and accessory structures associated with an existing day care and therapeutic horse riding facility, being a total of 10.954 acres located at 5185 and 5191 S. Bryant Blvd. (Jon James)
- o. Second reading of an ordinance approving PD19-09, a rezoning from the General Commercial/Heavy Commercial zoning district to the Planned Development zoning district to allow for a multifamily housing development with associated management office and storage units; and an existing telecommunication tower facility; being 2.15 acres located between E. Ave. D, S. Oakes St., E. Washington Dr., and Orient St. (Jon James)

- p. Second reading of an ordinance approving an amendment to the Master Thoroughfare Plan component of the San Angelo Comprehensive Plan in an area south of Pulliam St., east of Bell St., and west of Loop 306, and north of the Concho River (Jon James)

7. Regular Agenda

Comments regarding items on the Regular Agenda may be made by the public when each item is discussed as outlined above. Applicants, proponents, and appellants are excepted from the time limit above and instead must limit their remarks to less than five minutes.

- a. Report from the Convention & Visitors Bureau (Presentation made by CVB Vice President Diann Bayes)
- b. Consider items related to Z19-19, a rezoning from the Single Family Residential zoning district to the High Rise Multifamily Residential zoning district on 12.097 acres generally located at the southeast corner of Blum St. and E. 40th St.:
 - 1. Consider an appeal of the Planning Commission's decision to deny the applicant's request for a rezoning
 - 2. First reading and public hearing on an ordinance approving Z19-19 (Presentation made by Planning & Development Services Director Jon James)
- c. Public hearing on a proposed annexation, by petition of the property owner, for annexation of an 8.401 acre tract generally described as an area of land out of Casper Berberich Survey 177, abstract no. 52 and also being out of a 25.361 acre tract described and recorded in instrument no. 20166044, official public records of Tom Green County, Texas (Presentation made by Planning & Development Services Director Jon James)
- d. First reading and public hearing of an ordinance annexing into the City of San Angelo, by petition of the property owner, an 8.401 acre tract generally described as an area of land out of Casper Berberich Survey 177, abstract no. 52 and also being out of a 25.361 acre tract described and recorded in instrument no. 20166044, official public records of Tom Green County, Texas and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Planning & Development Services Director Jon James)
- e. Consider a resolution creating a new infill development incentive program and designating a funding source (Presentation made by Planning & Development Services Director Jon James and Neighborhood Services Director Bob Salas)
- f. Consider a resolution amending the Tom Green County polling locations for the May 2020 election (Presentation made by City Clerk Julia Antilley)

8. Closed Session

The City Council of the City of San Angelo reserves the right to adjourn into Closed Session at any time during the course of this meeting to discuss any of the matters listed below, as authorized under the following sections of the Texas Government Code:

- a. 551.071 - Consultation with Attorney regarding:
 - Ford Ranch
 - West Texas Water Partnership
 - water rights
 - a potential settlement related to the loss review committee
- b. 551.072 - Deliberations about Real Property regarding:
 - Part of Miles Acre Lots Addition, Blocks 21, 22, 23
 - Part of Wells Addition of Miles Addition, Block V

9. Follow Up and Administrative Issues

- a. Consider items discussed in Closed Session, if needed
- b. Consideration of approving various Board nominations
 - Airport Advisory Board:** John Bariou (SMD3) to a first term ending October 2021
 - Investment Oversight Committee:** Zach Reyes (Investment Adviser/Analyst), Tina Dierschke (Finance Director), Michael Dane (City Manager's Designee), and Gayla Thorton (non-voting Independent Auditor)
 - Zoning Board of Adjustment and Appeals:** David Nowlin (SMD5) to a first term ending January 2022
- c. Announcements and consideration of Future Agenda Items

10. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at City Hall in the City of San Angelo, Texas, on the 30th day of January 2020, at 11:52 a.m.



Julia Antilley, City Clerk

All agenda items are subject to action. The City Council reserves the right to consider business out of posted order and/or meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

In compliance with the Americans with Disabilities Act, the City of San Angelo will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the City Clerk's Office at 325-657-4405.

Citizen requests to display materials on the city's monitors must submit the request 96 hours prior to the meeting by email to Julia.Antilley@cosatx.us. Time limits for discussion are as stated above and materials cannot exceed 10-pages. Citizens bringing materials for distribution to City Council members during the meeting must bring a minimum of 12 copies.

City Council regular meetings are broadcast on SATV Channel 17-Government Access at 10:30 a.m. and 7:00 p.m. every day, beginning the evening of the meeting until the evening of the next meeting.

Recognition

The annual audit report produced by the City's Finance Department has for the sixth straight year earned national accolades. The 2018 comprehensive annual financial report has been awarded the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada.

The award is the highest form of recognition in governmental accounting and financial reporting. The GFOA said its attainment "represents a significant accomplishment by a government and its management."

The City's comprehensive annual financial report is the yearly financial audit of the City conducted by external auditors and approved by the City Council. The GFOA lauded the report for the fiscal year that ended September 30, 2018. In doing so, it said it demonstrates "a constructive spirit of full disclosure to clearly communicate its financial story."

Our citizens want assurances their city government manages their tax dollars with the utmost efficiency, effectiveness and transparency. Earning this honor six years in a row gives the public a high level of assurance that is indeed the case. Interested taxpayers are invited and encouraged to go to the City's website to read our award-winning audit report.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, on behalf of the City Council, do hereby recognize and applaud

The City of San Angelo Finance Department

for its achievement and positive determination to make a difference in our community and its municipal government.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 4th day of February, 2020.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, January 21, 2020

Present:

Mayor Brenda Gunter
Mayor Pro tem Harry Thomas, SMD 3
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Lucy Gonzales, SMD 4
Council Member Billie F. DeWitt, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:32 a.m. on Tuesday, January 21, 2020, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Legislative Prayer

San Angelo Police Department Chaplain Edward Lopez provided an invocation.

3. Pledges

Pledges were led by Riley and Brayson Sears, 5th and 3rd graders at Water Valley Elementary.

4. Proclamations/Recognitions

January 26 - February 1, 2020 was proclaimed San Angelo School Choice Week.

The City of San Angelo was recognized for community support helping GAFB receive the 2019 Altus Award (presentation made by Goodfellow Military Advisory Group member Michael Boyd).

5. Public Comment

No comments made.

6. Consent Agenda

- a. Approval of the January 7, 2020 City Council regular meeting minutes (Julia Antilley)
- b. Authorization of the City Manager to execute a Consent to Assignment of City of San Angelo Regional Airport-Mathis Field Lease and License Agreement for the grill located in the Airport Terminal Building from Badgett Bros., LLC, to Melissa Lee, D/B/A Mathis Grill (Jeremy Valgardson)
- c. Award of RFB PK-03-19 Concho Riverbank Stabilization to Compact Conservation & Construction of San Angelo, TX, in the amount of \$274,890, budgeted for purchase in fiscal year 2020, and authorizing the City Manager to negotiate and execute all related documents (Alfonso Torres)
- d. Approval of Task Order 3 of the professional services agreement with Killis Almond Architects, PC in the amount of \$50,000 (budgeted funds) to continue waterproofing and reinstalling the original limestone facade of City Hall (Ron Lewis)
- e. Award of the purchase of a five-year Software Maintenance Agreement to Paradigm Traffic Systems, Inc. through Buyboard contract #524-17 in the amount of \$55,375, budgeted for purchase in fiscal year 2020, and authorizing the City Manager to negotiate and execute all related documents (Dusty Hohensee)

- f. Award of the purchase of four Gridsmart Traffic Control Cameras to Texas Highway Products through Buyboard Contract #534-17 in the amount of \$66,180, budgeted for purchase in fiscal year 2020, and authorizing the City Manager to negotiate and execute all related documents (Dusty Hohensee)
- g. Adoption of a resolution ratifying an emergency expenditure in the amount of \$74,500 to OMJC Signal, Inc. for the purchase of portable traffic signals at the intersection of S. Koenigheim St. and W. Harris Ave. and authorizing the City Manager to negotiate and execute all related documents (Shane Kelton) (Pg. 66, 2020-008)
- h. Authorization of the City Manager to execute an interlocal agreement with the North Central Texas Council of Governments providing for the City's participation in cooperative purchases through the North Texas Share program (Nolan Sosa)
- i. Acceptance of an annexation petition for 8.401 acres of land out of C. Berberich Survey No. 177, Abstract No. 52, City of San Angelo, Tom Green County, Texas, being part of a 25.361 acre tract described and recorded in Instrument No. 201616044, Official Public Records of Tom Green County, Texas; being a tract of land south of State Hwy Loop 306 adjacent to the city limits east of Karsten Creek Dr. and west of Foster Rd., and setting a Public Hearing on the annexation for the February 4, 2020 City Council meeting (Jon James)
- j. Second reading and adoption of an ordinance amending Chapter 9, Article 9.01 "Parks and Lakes" of the Code of Ordinances of the City of San Angelo (Carl White) (Pg. 67, 2020-009)
- k. Second reading and adoption of an ordinance amending the budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020 for capital items, grants, and projects (Tina Dierschke) (Pg. 79, 2020-010)
- l. Award of the purchase of computers and related hardware through DIR contract #DIR-TSO-3763 in the amount of \$54,003, and authorizing the City Manager to negotiate and execute all related documents (Brian Dunn)
- m. Award of a contract amendment under BuyBoard contract #555-18 to Insituform Technologies, LLC, for sewer infrastructure rehabilitation in the amount of \$100,000 and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the Consent Agenda, with the exception of items 6g and 6i. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Carter made a motion, seconded by Council Member Hiebert, to approve item 6g, as presented. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve item 6i, as presented. The motion carried unanimously (7) ayes to (0) nays.

7. Regular Agenda

- a. Presentation of the 2019 City of San Angelo Development Corporation Annual Report (Presentation made by Economic Development Director Guy Andrews and Chamber of Commerce Vice President of Economic Development Michael Looney)

No action taken on this item.

- b. Update on the repair of the culverts under Ave. R (Presentation made by Operations Director Shane Kelton)

No action taken on this item.

- c. First reading and public hearing of an ordinance approving Z19-17, a rezoning from the Light Manufacturing zoning district to the General Commercial zoning district, being 2.87 acres located at 801 Rust St. and an unaddressed lot directly north across E. Ave. D (Presentation made by Planning & Development Services Director Jon James)

Rust Street Ministries Board Member Ed Houston spoke in support of the rezoning.

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- d. First reading and public hearing of an ordinance approving Z19-18, a rezoning from the General Commercial/Heavy Commercial zoning district to Neighborhood Commercial zoning district, being 1.307 acres located at 401, 405, 409 W. Ave. Y, 2815 Ben Ficklin Rd. and 410 W. Ave. Z (Presentation made by Planning & Development Services Director Jon James)

Citizen Steve Hampton (SMD6) spoke regarding non-responsive homeowners.

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- e. First reading and public hearing of:
 - 1. An ordinance approving CP19-03, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the "Commercial" and "Neighborhood" Future Land Uses to the "Neighborhood Center" Future Land Use, being 30.267 acres located between S. Bryant Blvd., Kimrey Ln., and Ben Ficklin Rd.
 - 2. An ordinance amending PD06-05, a rezoning from the Ranch and Estate zoning district to the Planned Development zoning district to expand the existing PD06-05 boundary to allow for a new ropes challenge course and accessory structures associated with an existing day care and therapeutic horse riding facility, being a total of 10.954 acres located at 5185 and 5191 S. Bryant Blvd. (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- f. First reading and public hearing of an ordinance approving PD19-09, a rezoning from the General Commercial/ Heavy Commercial zoning district to the Planned Development zoning district to allow for a multifamily housing development comprising of 20 two-family (duplex) buildings with a total of 40 residential units with associated management office and storage units; and an existing telecommunication tower facility; being 2.15 acres located between E. Ave. D, S. Oakes St., E. Washington Dr., and Orient St. (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- g. First reading and public hearing of an ordinance approving an amendment to the Master Thoroughfare Plan component of the San Angelo Comprehensive Plan in an area south of Pulliam St., east of Bell St., and west of Loop 306, and north of the Concho River (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Gonzales made a motion, seconded by Council Member Hiebert, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- h. Adoption of a resolution (English/Spanish) calling and ordering the General Election for May 2, 2020, authorizing the City Manager to execute an Interlocal Agreement for Joint Election with other parties under the Tom Green County Master Interlocal Agreement, and providing for the

holding of a joint election to be administered by the Tom Green County Election Administration (Presentation made by City Clerk Julia Antilley) (Pg. 82, 2020-011)

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- i. Update on Sales Tax revenue performance (Presentation made by Finance Director Tina Dierschke)

No action taken on this item.

8. Closed Session

Executive Session under the provision of Government Code, Title 5. Open Government; Ethics, Subtitle A. Open Government, Chapter 551. Open Meetings, Subchapter D. Exceptions to Requirement that Meetings be Open under the following sections:

- a. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding West Texas Water Partnership
- b. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person regarding the Ford Ranch
- c. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding water rights

9. Follow Up and Administrative Issues

- a. Consider items discussed in Closed Session, if needed

No action taken on this item.

- b. Approval of various Board nominations:

Animal Shelter Advisory Committee: Jen Murphy (SMD2) to a first term ending January 2022

Civil Service Commission: Teresa Special (Mayor) to a fourth term ending January 2023

Design and Historic Review Commission: David Mazur (Mayor) to a first term ending September 2021

Fort Concho Museum Board: Lori Barton (SMD3) to a third term, Sherley Spears (SMD4) to a second term, Joyce Lowe (SMD5) to a second term, David Schaller (SMD6) to a second term, and Kathy Keane (SMD6) to a second term all ending January 2022

Planning Commission: Luke Uherick (SMD1) to a first full term, Joe Self (SMD2) to a first full term, Joe Spano (SMD6) to a second term, and Conoly Brooks III (Mayor) to a first full term all ending January 2022

Zoning Board of Adjustment: Debbie Cunningham (SMD1) to a third term, Jason Fernandez (SMD3) to a first full term, Gary Cortese (Mayor) to a first full term, Danny Aguero (Mayor-Alternate) to a first full term all ending January 2022

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve the nominations. The motion carried unanimously (7) ayes to (0) nays.

- c. Announcements and consideration of Future Agenda Items

No announcements or considerations.

10. Adjournment

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to adjourn the meeting. The motion carried unanimously (7) ayes to (0) nays.

There being no further business, the meeting adjourned at 12:35 p.m.

THE CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

In accordance with Chapter 2, Article 2.300, of the Official Code of the City of San Angelo, the minutes of this meeting consist of the preceding Minute Record and the Supplemental Minute Record. Details on Council meetings may be obtained from the City Clerk's Office or a video of the entire meeting may be purchased from the Public Information Officer at 481-2727. (Portions of the Supplemental Minute Record video tape recording may be distorted due to equipment malfunction or other uncontrollable factors.)

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Dusty Hohensee, Traffic Operations Superintendent, Traffic Operations, 325-657-4377

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Consider awarding Task Order #1 under RFQ IT-02-19 to West Central Wireless in the amount of \$86,400, budgeted for purchase in fiscal year 2020, and authorizing the City Manager to negotiate and execute all related documents (Dusty Hohensee)

Summary/History:

The purchase of the West Central Wireless cell modem communication system will allow the Traffic Operations Department to upgrade the current antiquated system and provide better control and operation of all traffic signals. The current system is only able to communicate with a limited number of signals. The proposed system will also free up band width for other COSA radio frequency communications.

Financial Impact:

Budgeted in FY 20

Other Information/Recommendation:

Attachments:

- | | | |
|----|--------------|------------------|
| 1. | RFQ | RFQ.pdf |
| 2. | WCW Proposal | WCW Proposal.pdf |

Presentation:

Dusty Hohensee

Approvals/Reviews:

Dusty Hohensee	Created/Initiated
Patrick Frerich	Approved
Shane Kelton	Approved
Theresa James	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval



City of San Angelo

Plan A



City of San Angelo Data Plan

Includes: Unlimited Home Data w/ Throttle at 50GB

\$19.95 Per Month Per Unit

1 Year Cost for 1 Unit \$239.40

5 Year Cost for 1 Unit \$1,197

5 Year Cost for 120 Units \$143,640

Additional Considerations:

Unlimited data with throttle at 50GB

\$28 Processing Fee per Line Waived



City of San Angelo

Plans B-B2 Group

City of San Angelo Plan with Data

Includes: Unlimited Talk, Messaging, & Data (50GB Home / 120MB Nationwide)

1 to 49 Lines (Plan B)

\$29.45 per line

City of San Angelo 15% Discount \$4.42 per line

Total: \$25.03 per line

50 + Lines (Plan B1)

\$23.53 per line

City of San Angelo 15% Discount \$3.53 per line

Total: \$20.00 per line

1GB of Nationwide Data can be added for \$10 per line

Data speeds reduced upon exhaustion of allotted data as indicated in parenthesis

City of San Angelo Plan No Data

Includes: Unlimited Talk & Messaging (Plan B2)

\$15 per line

City of San Angelo 15% Discount \$2.25 per line

Total: \$12.75 per line

City of San Angelo Data Gizzard

Includes: 1GB of Data

\$10 per GB

City of San Angelo 15% Discount \$1.50 per GB

Total: \$8.50 per GB

A Data Gizzards is a mobile hotspot solution to use data while traveling outside the West Central Home Area

Additional Considerations:

Equipment Purchase Discount 25% off phone, hotspots, and accessories

\$28 Processing Fee per Line Waived

Liquid Glass included with each smart phone purchase \$29.99 value *no cash value

Data speeds reduced upon exhaustion of allotted data as indicated in parenthesis



City of San Angelo

Plans C1-C2 Group



Plan for First Responders

Includes: Unlimited Talk, Messaging, & Data (12GB Home / 120MB Nationwide)

(Plan C1)

\$24.95 per Line

Includes: Unlimited Talk, Messaging, & Data (24GB Home / 120MB Nationwide)

(Plan C2)

\$29.95 per Line

Additional Considerations:

Equipment Purchase Discount 25% off phone, hotspots, and accessories

\$28 Processing Fee per Line Waived

Liquid Glass included with each smart phone purchase \$29.99 value *no cash value

Data speeds reduced upon exhaustion of allotted data as indicated in parenthesis



City of San Angelo

Exclusive Wireless Public Safety Proposal Plan D

SAPD Public Safety Device Plan

Includes: Unlimited Data In Home Area & Data Priority for First Responders

\$2,000 Base Monthly Fee

\$12.00 per Month per Connected Device with SIM

Example of Monthly Pricing:

150 Devices

\$2,000 Base Monthly Fee

+

150 @ \$12 each = \$1,800

Total Monthly: \$3,800

Total Per Device: \$25.33

300 Devices

\$2,000 Base Monthly Fee

+

300 @ \$12 each = \$3,600

Total Monthly: \$5,600

Total Per Device: \$18.67

Additional Considerations:

Equipment Purchase Discount 25% off BEC MX-1000 Public Safety Device

\$28 Processing Fee per SIM Waived



City of San Angelo

Traffic Division



City of San Angelo Data Plan

Includes: 5GB Home Data w/ Throttle at 5GB

\$12.00 Per Month Per Unit

1 Year Cost for 1 Unit \$144.00

1 Year Cost for 120 Units \$17,280

5 Year Cost for 1 Unit \$720

5 Year Cost for 120 Units \$86,400

Additional Considerations:

Unlimited data with throttle at 5GB

\$28 Processing Fee per Line Waived

Data can be pooled between devices on same account

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Patrick Frerich, Asst. Director of Operations, Street and Bridge, (325) 657-4206

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Consider awarding SB-02-20 Street Construction Materials to Crushed Stone and Asphalt (CSA), Inc. (San Angelo, TX) in the amount of \$1,600,000, budgeted annually, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)

Summary/History:

The City of San Angelo Street and Bridge Division solicited bids from local and area vendors for the purchase of earthen and asphalt construction-related materials. These materials are used in street maintenance and construction activities, as well as construction activities by other City Departments. One response was received from Crushed Stone and Asphalt, Inc. (CSA Materials) (San Angelo, Tx).

Award of the bid will secure pricing for a one-year term with four additional one-year renewals. The bid allows the vendor the option to request a price escalation at each renewal. The price escalation must be substantiated by market and other supporting documentation and cannot exceed 4% per annum. The City has the right to reject the escalation request and cancel the contract if necessary.

Financial Impact:

Street construction materials will be purchased on a per-ton basis from CSA Materials, Inc. Money for these purchases is budgeted annually in multiple City Departments.

Other Information/Recommendation:

Staff recommends approving pricing for street construction materials to CSA Materials, Inc. (San Angelo, TX).

Attachments:

1. RFB SB-02-20 - Response - Bid Tab

RFB SB-02-20 - Response - Bid Tab.pdf

Presentation:

Approvals/Reviews:

Patrick Frerich
Shane Kelton
Theresa James
Nolan Sosa
Tina Dierschke
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval

Project: Street Construction Materials - REBID

Bid #: RFB: SB-02-20

Open Date/Time: January 28th, 2020 @ 2:00 PM



The City of San Angelo, Texas

Crushed Stone and Asphalt								
FOB Plant								
Item	Description	Units	Estimated Quantity	Unit Cost	Extended Cost	Minimum Order		Plant Location
						QTY (TONS)	LEAD TIME (DAYS)	
1	TxDOT DMS09202 (ASPPM)	Tons	2500	\$ 120.00	\$ 300,000.00	1	7	Turner Quarry
2	Commercial Base (TY-A- 1-2 Base)	Tons	4000	\$ 4.50	\$ 18,000.00	1	0	Turner Quarry
3	COSA Item 247 (Flexible Base)	Tons	8000	\$ 6.00	\$ 48,000.00	1	0	Turner Quarry
4	COSA Item 340 (HMAC - TY B)	Tons	2000	\$ 82.00	\$ 164,000.00	100	3	Turner Quarry
5	COSA Item 340 (HMAC - TY C)	Tons	2000	\$ 83.00	\$ 166,000.00	100	3	Turner Quarry
6	COSA Item 340 (HMAC - TY D)	Tons	4000	\$ 85.00	\$ 340,000.00	100	3	Turner Quarry
Total				\$	1,036,000.00			

Crushed Stone and Asphalt								
FOB City of San Angelo								
Item	Description	Units	Estimated Quantity	Unit Cost	Extended Cost	Minimum Order		
						QTY (TONS)	LEAD TIME (DAYS)	
1	TxDOT DMS09202 (ASPPM)	Tons	2500	\$ 127.75	\$ 319,375.00	24	7	
2	Commercial Base (TY-A- 1-2 Base)	Tons	1000	\$ 12.25	\$ 12,250.00	24	3	
3	COSA Item 247 (Flexible Base)	Tons	2000	\$ 13.75	\$ 27,500.00	24	3	
4	COSA Item 340 (HMAC - TY B)	Tons	1000	\$ 92.00	\$ 92,000.00	100	5	
5	COSA Item 340 (HMAC - TY C)	Tons	4000	\$ 93.00	\$ 372,000.00	100	5	
6	COSA Item 340 (HMAC - TY D)	Tons	4000	\$ 95.00	\$ 380,000.00	100	5	
Total				\$	1,203,125.00			

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Patrick Brody, Assistant Fire Chief, Fire Department, 325-657-4355 ext 300

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Consider awarding the purchase of bunker gear to Casco Industries through Buyboard Contract #524-17 in the amount of \$107,644, budgeted for purchase in fiscal year 2020, and authorizing the City Manager to negotiate and execute all related documents (Patrick Brody)

Summary/History:

Requesting approval for the purchase of Personal Protective equipment (Fire Bunker Gear) at a total cost of approximately \$107,644.00. We have purchased \$48,600.00 worth of bunker gear for this fiscal year and we are needing to purchase another \$59,044.00 worth of gear. This additional purchase will surpass the \$50,000.00 threshold for council approval. The gear is purchased off Buyboard (Contract # 524-17), a cooperative purchasing entity. The funds have been budgeted and are available for immediate purchase in account 101-9000-422.6-13. This additional expense was due to a loss of 22 sets of gear in 2013.

Financial Impact:

Funds are in normal operating budget account 101-9000-422.06-13

Other Information/Recommendation:

Attachments:

- | | | |
|----|---------------------------|-------------------------------|
| 1. | Bunker Gear Quote | Bunker Gear Quote.pdf |
| 2. | Boots Helmets Hoods Quote | Boots Helmets Hoods Quote.pdf |

Presentation:

Approvals/Reviews:

Patrick Brody	Created/Initiated
Brian Dunn	Approved
Theresa James	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval



ATTN: Wade Millsap
PHONE: 325-227-7001
EMAIL: wadem@safiredpt.com

ADDITIONAL COMMENTS BELOW		#REF!	Subtotal	\$ 39,235.00
		ALLOW	Tax	\$ -
			Freight	\$ -
			TOTAL	\$ 39,235.00



HEADQUARTERS: SHREVEPORT, LA 71148-8007

SERVING NORTH TEXAS

SOLD TO: San Angelo Fire Department
306 W. First Street
San Angelo, TX 76903

ATTN: Wade Millsap
PHONE: 325-227-7001
EMAIL: Wadem@safireddept.com

SHIP TO: San Angelo Fire Department
3154 N. US Hwy 67
San Angelo, TX 76905

ATTN: Wade Millsap
PHONE: 325-227-7001
EMAIL: wadem@safireddept.com

CREDIT CARD:			CUST PO NUMBER		SALES REP	SALES REP REF #
NAME/EXP DATE					175	JB172020-14
NUMBER/CODE/ZIP			TERMS	FREIGHT	DATE	FORM TYPE
TRANSACTION ID#			30	ADD	1/7/2020	ORDER
ITEM	LOC	DESCRIPTION	QTY	SHIPPED	PRICE	AMOUNT
1		Cairns 1044, 4" visor, delux leather headband, PBI /Kevlar earlap, 6" carved shield, 2pt chinstrap w quick release and postmans slide, reflexite- lime yellow trim - Black	31		\$ 295.00	\$ 9,145.00
		C-TRD-714431221A00			\$ -	\$ -
					\$ -	\$ -
2		Globe Supreme leather Structure Boots	20		\$ 410.00	\$ 8,200.00
		1201400			\$ -	\$ -
					\$ -	\$ -
3		Helmet Front 6" Leather, per SAFD Spec (see tab)	28		\$ 40.00	\$ 1,120.00
					\$ -	\$ -
4		PGI Cobra Hood	48		\$ 28.00	\$ 1,344.00
		PN: 3048085			\$ -	\$ -
		***price valid 45 days			\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
		Buyboard 524-17			\$ -	\$ -
					\$ -	\$ -
		Shipping included in price above:			\$ -	\$ -
		helmets \$15			\$ -	\$ -
		Boots \$15			\$ -	\$ -
					\$ -	\$ -
		No shipping on hoods, will have to get a freight quote			\$ -	\$ -
		based on quantity.			\$ -	\$ -
					\$ -	\$ -
		Boot, helmet, and front price valid until June 30, 2020			\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
ADDITIONAL COMMENTS BELOW			#REF!		Subtotal	\$ 19,809.00
				ADD	Tax	\$ -
					Freight	\$ -
					TOTAL	\$ 19,809.00

"PROVIDING PROTECTION FOR THOSE WHO PROTECT US"

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Nolan Sosa, Purchasing Manager, Purchasing, 325-657-4219

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Consider authorizing the City Manager to execute an interlocal agreement with the Region 14 Education Service Center providing for the City's participation in cooperative purchases through the National Cooperative Purchasing Alliance (Nolan Sosa)

Summary/History:

The City of San Angelo may enter into interlocal agreements with other governmental entities to purchase goods or services pursuant to Section 791.025 of the Texas Government Code. This interlocal agreement permits the City of San Angelo to purchase goods and services through a cooperative purchasing program established by the National Cooperative Purchasing Alliance.

Section 252.022 of the Texas Local Government Code exempts purchases made through such a cooperative purchasing program from the standard competitive bidding requirements.

Cooperative purchasing is a mechanism by which local governments can save time and money in their purchasing initiatives. It occurs when two or more entities (local, state, or federal governments) coordinate their purchasing efforts for the benefit of all participants.

Some of the benefits of cooperative purchasing programs include:

- *Lower costs through increased volume* – By combining orders, the quantities purchased will increase, resulting in the purchasing earning greater quantity discounts through economies of scale.
- *Lower shared administrative costs* – By eliminating duplicated effort, participants save on costs associated with formal procurement activities.
- *Improved response from vendors* – Vendors understand they are bidding on larger orders and will be encouraged to compete for the purchase. This increased competition often results in more advantageous bids/proposals.

The National Cooperative Purchasing Alliance contracts use the following process:

- The Lead Agency issues a competitive solicitation for a product or service on behalf of NCPA and all public agencies.
- The solicitation is advertised nationally for a minimum of 30 days.
- The solicitation contains language that allows the contract to be accessible nationally to public agencies in states whose laws allow for intergovernmental contract use (also known as "piggybacking" or "adopting")
- Vendors respond to the solicitation with sealed responses that are recorded and publicly opened in compliance with state statutes on competitive sealed bids/proposals.
- The Lead Agency evaluates the responses based on "Identified Evaluation Criteria" and awards contracts.
- Participating agencies may then procure goods and services through these awarded contracts in compliance with applicable purchasing statutes and regulations.

Financial Impact:

Purchases made pursuant to this interlocal agreement are subject to all applicable laws, regulations, and policies. Additionally, all purchases must be budgeted prior to expenditure. Membership in this cooperative purchasing program is free of charge.

Other Information/Recommendation:

Staff recommends authorizing the City Manager to execute all related documents providing for the City’s participation in cooperative purchases through the National Cooperative Purchasing Alliance.

Attachments:

1. Interlocal Agreement
- Interlocal Agreement.pdf

Presentation:

Approvals/Reviews:

Nolan Sosa	Created/Initiated
Nolan Sosa	Approved
Theresa James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Dan Saluri	Approved
Julia Antilley	Final Approval



National Cooperative Purchasing Alliance

INTERLOCAL AGREEMENT

Contracting Parties

(Participating Agency)

Region 14 Educational Service Center
(Lead Agency)

(Federal Tax ID Number)

This agreement is effective upon signature and shall be automatically renewed unless either party gives sixty (60) days prior written notice of non-renewal. This agreement may be terminated with or without cause by either party upon (60) days prior written notice, or may also be terminated for cause at anytime upon written notice stating the reason for and effective date of such terminations and after giving the affected party a thirty (30) day period to cure any breach.

Statement of Services to be Performed:

The purpose of this cooperative is to obtain substantial savings for member school districts and public entities through volume purchasing.

Role of the Purchasing Cooperative

1. Provide for the organizational and administrative structure of the program.
2. Provide staff time necessary for efficient operation of the program.
3. Receive quantity requests from entities and prepare appropriate tally of quantities.
4. Initiate and implement activities related to the bidding and vendors selection process.
5. Provide members with procedures for ordering, delivery, and billing.

Role of the Participating Agency:

1. Commitment to participate in the program as indicated by an authorized signature in the appropriate space below.
2. Designate a contact person for the cooperative.
3. Commit to purchase products and services that become part of the official products and services list when it is in the best interest of the member entity.
4. Prepare purchase orders issued to the appropriate vendor from the official award list provided by the Purchasing Cooperative.

5. Accept shipments of products ordered from vendors in accordance with standard purchasing procedures.
6. Pay vendors in a timely manner for all goods and services received.

Authorization:

Region 14 Education Service Center and the National Cooperative Purchasing Alliance (NCPA) executed a contract to provide cooperative purchasing opportunities to public and nonprofit agencies nationwide.

Please send a signed Interlocal Agreement by email to membership@ncpa.us, fax to (888) 543-6515, or mail to NCPA, P.O. Box 701273, Houston, TX 77270. A facsimile or email transmission of an executed signature page of the agreement shall have the same force and effect as an original signature page.

Participating Agency

By _____
Authorized Signature

Title

Date

Contact Person

Title of Contact

Street Address

City, State Zip

Contact's Telephone Number

Email Address

Region 14 Education Service Center

By _____
Authorized Signature

Title

Date

Contact Person

Telephone Number

Email Address

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Nolan Sosa, Purchasing Manager, Purchasing, 325-657-4219

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Consider authorizing the City Manager to execute an interlocal agreement with Deer Park Independent School District providing for the City's participation in cooperative purchases through the 1 Government Procurement Alliance (Nolan Sosa)

Summary/History:

The City of San Angelo may enter into interlocal agreements with other governmental entities to purchase goods or services pursuant to Section 791.025 of the Texas Government Code. This interlocal agreement permits the City of San Angelo to purchase goods and services through a cooperative purchasing program established by the 1 Government Purchasing Alliance.

Section 252.022 of the Texas Local Government Code exempts purchases made through such a cooperative purchasing program from the standard competitive bidding requirements.

Cooperative purchasing is a mechanism by which local governments can save time and money in their purchasing initiatives. It occurs when two or more entities (local, state, or federal governments) coordinate their purchasing efforts for the benefit of all participants.

Some of the benefits of cooperative purchasing programs include:

- *Lower costs through increased volume* – By combining orders, the quantities purchased will increase, resulting in the purchasing earning greater quantity discounts through economies of scale.
- *Lower shared administrative costs* – By eliminating duplicated effort, participants save on costs associated with formal procurement activities.
- *Improved response from vendors* – Vendors understand they are bidding on larger orders and will be encouraged to compete for the purchase. This increased competition often results in more advantageous bids/proposals.

The 1 Government Purchasing Alliance contracts use the following process:

- The Lead Agency issues a competitive solicitation for a product or service on behalf of 1GPA and all public agencies.
- The solicitation is advertised nationally for a minimum of 30 days.
- The solicitation contains language that allows the contract to be accessible nationally to public agencies in states whose laws allow for intergovernmental contract use (also known as "piggybacking" or "adopting")
- Vendors respond to the solicitation with sealed responses that are recorded and publicly opened in compliance with state statutes on competitive sealed bids/proposals.
- The Lead Agency evaluates the responses based on "Identified Evaluation Criteria" and awards contracts.
- Participating agencies may then procure goods and services through these awarded contracts in compliance with applicable purchasing statutes and regulations.

Financial Impact:

Purchases made pursuant to this interlocal agreement are subject to all applicable laws, regulations, and policies. Additionally, all purchases must be budgeted prior to expenditure. Membership in this cooperative purchasing program is free of charge.

Other Information/Recommendation:

Staff recommends authorizing the City Manager to execute an interlocal agreement with Deer Park Independent School District providing for the City's participation in cooperative purchases through the 1 Government Procurement Alliance.

Attachments:

- | | | |
|----|--|--|
| 1. | 1- National Agreement - Exhibit A (2019) | 1- National Agreement - Exhibit A (2019).pdf |
|----|--|--|

Presentation:**Approvals/Reviews:**

Nolan Sosa	Created/Initiated
Nolan Sosa	Approved
Theresa James	Approved
Nolan Sosa	Approved
Dan Saluri	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval



COOPERATIVE PROCUREMENT MEMBERSHIP AGREEMENT

This Agreement is entered into this ____ day of _____, 20____, between the 1 Governmental Procurement Alliance (1GPA), on behalf of its lead government agencies, as identified in **Exhibit A** (“Lead Agencies” and individually a “Lead Agency”) and _____ (“Participating Entity”), a _____ located in the State of _____. By executing this Agreement, governmental entities and agencies, eligible school districts, charter schools, colleges, universities, tribes, cities, counties, all other public entities, and nonprofit organizations may participate in any bid or proposal issued by 1GPA on behalf of one or more of the Lead Agencies identified in **Exhibit A**. If Participating Entity is a governmental entity, this Agreement shall constitute an interlocal or intergovernmental agreement between Participating Entity and the Lead Agencies identified in **Exhibit A**. As permitted by law, 1GPA has designated by said Lead Agencies as the administrator of the purchasing cooperative sponsored by the Lead Agencies, and has been delegated authority by the Lead Agencies to execute interlocal or intergovernmental agreements on behalf of the governing bodies of the Lead Agencies.

In consideration of the mutual promises contained in this Agreement and the mutual benefits to result therefrom, the parties agree as follows:

1. The specifications, terms, and conditions for products, materials and services to be purchased under this cooperative shall be determined by 1GPA, or as requested by a Lead Agency.
2. 1GPA shall conduct all procurement in strict accordance with the procurement laws applicable to the Lead Agency sponsoring the particular procurement.
3. The Participating Entity shall:
 - a. Insure that purchase orders issued against 1GPA contracts are in accordance with terms and prices established in the 1GPA contract.
 - b. The Participating Entity shall provide 1GPA with a copy of any purchase order based on a 1GPA contract, at the time the purchase order is issued. Purchase orders may be faxed or emailed (see contact information below).
 - c. Make timely payment to the contractor for all products, materials, and services in accordance with the terms and conditions of the 1GPA contract, or other payment arrangements negotiated between the Participating Entity and the 1GPA vendor. Payment, inspection and acceptance of products, materials and services ordered by the eligible school district or public entity shall be the exclusive obligation of the Participating Entity.
 - d. Be responsible for the ordering of materials or services under this Agreement. 1GPA shall not be liable in any fashion for any violation by Participating Entity of the terms of this Agreement, and the Participating Entity shall hold 1GPA harmless, to the extent permitted by law, from any liability which may arise from the acts or omissions of the Participating Entity relating to this Agreement or its subject matter.
 - e. Be responsible for compliance with applicable state or federal laws in determining which goods and services Participating Entity may lawfully procure through a government purchasing cooperative, and shall further be responsible for taking all actions required under applicable state or federal law in connection with the use of interlocal cooperation agreements and purchasing cooperatives.
4. The exercise of any rights or remedies by the Participating Entity shall be the exclusive obligation of Participating Entity; however, 1GPA, as the contract administrator, may, but shall not be obligated to unless required by applicable law, join in the resolution of any dispute between Participating Entity and a 1GPA vendor. Failure of the Participating Entity to secure performance from the 1GPA vendor in accordance with the terms and conditions of any issued purchase order does not necessarily require 1GPA to exercise its own rights and remedies.

5. 1GPA may terminate this Agreement immediately, upon written notice, if the Participating Entity fails to comply with the terms of this Agreement, applicable state or federal law, or any provision of a 1GPA contract that is binding on Participating Entity.
6. The Participating Entity may terminate this Agreement immediately, upon written notice, if 1GPA fails to comply with the terms of this Agreement.
7. This Agreement shall take effect upon execution by the parties and shall continue until it is terminated in accordance with its terms. This Agreement supersedes any and all previous purchase agreements.
8. Except as provided in paragraphs 5 and 6, either party may terminate this Agreement with at least thirty (30) days written notice to the other party.
9. There shall be no charge to the Participating Entity for membership in 1GPA.

IN WITNESS WHEREOF, the parties of this Agreement have caused their names to be affixed hereto.

Name of Entity:	Signature:
Select Type of Entity: ☐ K12 ☐ Higher Education ☐ City ☐ County ☐ Municipality ☐ Other	
Address:	Printed Name:
City/State/Zip Code:	Title:
Email:	
Date:	Phone Number:

1GPA Approvals

1GPA Signature:
Printed Name:
Title:
Date:

**1GPA –
1910 W. Washington St.
Phoenix, AZ 85009**

**P: 866/306-3893
F: 602/663-9515
E: admin@1GPA.org**

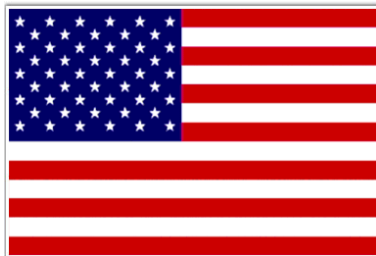




Exhibit A

Lead Agencies

Arizona

Paradise Valley Unified School District

15002 N. 32nd Street
Phoenix, AZ 85032
602.449.2071

Pinal County ESA

75 N. Bailey
Florence, AZ 85132
520.450.4477

Yavapai County Accommodation School District

6325 Baja Circle
Prescott Valley, AZ 86314
928.759.8126

Oregon

Portland Public Schools

501 N. Dixon Street
Portland, OR 97227
503.916.3315

Texas

Deer Park ISD

2800 Texas Ave.
Deer Park, TX 77536
832.668.7061

***** THE PARTIES AGREE AND ACKNOWLEDGE THAT THIS EXHIBIT A MAY BE SUPPLEMENTED OR AMENDED, FROM TIME TO TIME, AND WITHOUT NEED FOR WRITTEN CONTRACT AMENDMENT, AS NECESSARY TO ADD OR REMOVE THE NAMES OF ELIGIBLE LEAD AGENCIES**



1Government Procurement Alliance

Member Contact Information

Dear 1GPA Member,

We want to take this opportunity to thank you for being a Member of the 1GPA Family! In order to serve you better, we want to be sure that we have the correct points of contacts on file. This will ensure that you are keeping your business and purchasing offices updated on all things 1GPA! We will send out notifications of potential/upcoming contracts, new contracts, cancelled contracts and contracts that have been rebid.

We look forward to serving you!

Business Office Point of Contact for 1GPA:

Name: _____

Title: _____

Entity: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Purchasing/Procurement Office Point of Contact (if different from above):

Name: _____

Title: _____

Entity: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Cristina Eureste, WIC Manager, WIC,

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Consider a resolution accepting a WIC vehicle from the Texas Department of Health and Human Services WIC Program and authorizing the City Manager to execute all related documents (Cristina Eureste)

Summary/History:

Staff is requesting approval to accept a 2020 Ford Escape for the San Angelo WIC program from the Texas Department of Health and Human Service WIC Program. This vehicle will replace the 2006 Trailblazer that WIC currently uses. The maintenance for the new vehicle is within the WIC department budget.

Financial Impact:

Budgeted funds exist for this item.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | | |
|----|--|---|
| 1. | Resolution accepting donation of vehicle | Resolution accepting donation of vehicle.DOCX |
|----|--|---|

Presentation:

Approvals/Reviews:

Cristina Eureste
Theresa James
Bob Salas
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Final Approval

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL ACCEPTING THE DONATION OF A VEHICLE TO THE SAN ANGELO WIC PROGRAM

WHEREAS, Section 51.076(a) of the Texas Local Government Code provides that a municipality may hold property that it receives by gift, deed, devise, or other manner; and

WHEREAS, the State of Texas Health and Human Services WIC Program has offered the City of San Angelo WIC program a 2020 Ford Escape for program use; and

WHEREAS, the San Angelo WIC Program has use for the vehicle further the mission and purpose of the program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SAN ANGELO, TEXAS:

Part 1: That the City of San Angelo hereby accepts a donation of a 2020 Ford Escape from Texas Health and Human Services WIC Program.

Part 2: That the vehicle shall be used in the San Angelo WIC Program for program purposes.

PASSED and APPROVED THIS 4th Day of February, 2020.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Bob Salas, Neighborhood Services Director, Neighborhood and Family Services, 325-655-0824

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Consider a resolution allowing the WIC Division to donate excess replaced furniture to local non-profits (Cristina Eureste)

Summary/History:

WIC was awarded funding from Texas Health and Human Services Agency to purchase new furniture for the City's WIC clinic. The excess furniture was advertised to other City departments but not all was accounted for. WIC staff has reached out to several local non-profits to include The Family Shelter and the Primera Church who has expressed interest in the furniture. The total appraised value of the used furniture is approximately \$470.

Primera Church of San Angelo

U shaped office desk – \$75

4 Office chairs – \$20 each

5 Cloth guest chairs – \$15 each

4 Plastic guest chairs – \$10 each

Family Shelter

9 Office chairs – \$20 each

2 Reception area chairs – \$15 each

Financial Impact:

No impact.

Other Information/Recommendation:

Attachments:

1. Resolution donation furniture

Resolution donation furniture.docx

Presentation:

Approvals/Reviews:

Bob Salas
Theresa James
Nolan Sosa
Tina Dierschke
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Approved
Final Approval

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL APPROVING THE DONATION OF UNUSED FURNITURE TO PRIMERA CHURCH OF SAN ANGELO AND THE SAN ANGELO FAMILY SHELTER.

WHEREAS, the City of San Angelo WIC department (“WIC”) was awarded funding from Texas Health and Human Services Agency to purchase new furniture for the City's WIC clinic; and

WHEREAS, WIC attempted to distribute the old furniture City no longer performs those services but some of the furniture was not able to be placed in other City departments; and

WHEREAS, WIC contacted various nonprofit organizations within the City of San Angelo and found two, the Family Shelter and Primera Church of San Angelo, who were in need of the furniture; and

WHEREAS, the Texas Constitution requires that before a City can make a donation to a private entity there must be a finding by City Council that such a donation constitutes a valid public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SAN ANGELO, TEXAS:

Part 1: That the City of San Angelo is authorized to donate the furniture listed on Exhibit “A” to this resolution to the Family Shelter and Primera Church of San Angelo for use in those facilities.

Part 2: That the donation constitutes a public purpose because it assists those organizations in providing necessary services to citizen of San Angelo.

PASSED and APPROVED THIS 4th DAY OF FEBRUARY, 2020.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

Exhibit A
LISTING OF DONATED FURNITURE

To Primera Church of San Angelo:

1 U-shaped office desk
4 office chairs
5 cloth guest chairs
4 plastic guest chairs

To Family Shelter:

9 Office chairs
2 Reception area chairs

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Nora Nevarez, Executive Office Coordinator, Economic Development, 325-653-7197

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Consider ratifying COSADC's approval for funding of \$4,300 to be applied toward re-certification of Tom Green County as an ACT Work Ready Community (Guy Andrews)

Summary/History:

The Concho Valley Workforce Development Board/Workforce Solutions has served as the "administrators" for the effort across the Concho Valley. As such, they secured over \$800K in grants for the past three years to pay for these efforts to improve the workforce.

A problem has occurred over the past year where the need to meet I9 immigration requirements has led to the inability of Tom Green County to be re-certified as a Work Ready Community. Specifically, Tom Green County lacks 119 NCRCs to be re-certified as a Work Ready Community. At a cost of \$36 for 3 tests that comprise an NCRC, the total money needed to complete testing and have Tom Green County re-certified as a Work Ready Community is only \$4,300. Currently, Tom Green County has until February 2020 to either be re-certified or request an extension for another year to meet established goals.

To save the Tom Green County work effort, an effort involving many community partners for over a decade, would only require \$4,300 and this is what is requested.

County Certification is good for 2 years and the community would continue to be listed in the Site Selection magazine throughout its certification period.

This request was presented and approved at the City of San Angelo Development Corporation meeting January 22, 2020.

Financial Impact:

Will require a budget amendment.

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|---|
| 1. | Tom Green County Work Ready Community Effort
Need for ReCert 2019 | Tom Green County Work Ready Community Effort Need
for ReCert 2019.docx |
|----|--|---|

Presentation:

Approvals/Reviews:

Nora Nevarez
Guy Andrews
Theresa James
Tina Dierschke
Theresa James
Dan Saluri
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval

Tom Green County Work Ready Community Effort Need

The Tom Green County ACT Work Ready Community (WRC) effort started in 2010 and has focused on three things:

- 1) The mental ability assessment of students and job seekers to properly match these individuals to local employment opportunities. As part of these assessments, students are awarded a stackable credential known as the National Career Readiness Certification (NCRC).
- 2) To provide training to upskill these individuals as needed through an online ACT Key train program;
- 3) To provide benefits to employers, such as Ethicon, to reduce training costs, increase productivity results and improve retention. A total of 143 employers within Tom Green County recognized the effort. Ethicon, an employer who requires these assessment for roughly 500 of their employees, recently completed an Efficacy study that illustrates the benefits achieved from the program. See the attached.

An additional community benefit that comes to a community is being listed in the Site Selection magazine as a Work Ready Community, a factor that attracts businesses to the community.

The Concho Valley Workforce Development Board/Workforce Solutions has served as the “administrators” for the effort across the Concho Valley. As such, they secured over \$800K in grants for the past three years to pay for these efforts to improve the workforce. The results of these efforts can be viewed on the internet at: <https://www.workreadycommunities.org/TX/451>.

A problem has occurred over the past year where the need to meet I9 immigration requirements has led to the inability of Tom Green County to be re-certified as a Work Ready Community. Specifically, Tom Green County lacks 119 NCRCs to be re-certified as a Work Ready Community. At a cost of \$36 for 3 tests that comprise an NCRC, the total money needed to complete testing and have Tom Green County re-certified as a Work Ready Community is only \$4,300. Currently, Tom Green County has until February 2020 to either be re-certified or request an extension for another year to meet established goals.

To save the Tom Green County work effort, an effort involving many community partners for over a decade, would only require \$4,300 and this is what is requested.

County Certification is good for 2 years and the community would continue to be listed in the Site Selection magazine throughout its certification period.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Robert Schneeman, Economic Development Coordinator, Economic Development, 325.653.7197

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Consider ratifying COSADC's decision authorizing the board president to negotiate and execute a Real Estate Sales agreement with Coverlay Manufacturing for sale of 4.0 acres +/- out of Gateway Addition, City of San Angelo Business and Industrial Park, generally located at the southwest quadrant of the intersection of Gateway Dr. and Venture Dr. (Bob Schneeman)

Summary/History:

Coverlay Manufacturing, Inc. has made an offer on 4 +/- acres at the industrial park. Specifically, the property is located at the southwest corner of Gateway and Venture Drives, in Phase 1 of the Business Park. The terms of sale are as follows:

Price - \$29,000 per acre (less than 5 acres)

Earnest Money - \$1,000

Inspection Period - 120 days

Closing - 160 days after the Effective Date

COSADC agrees to reimburse Seller for cost of survey and any platting costs should Seller default on contract

COSADC approved the sale at its meeting on January 22, 2020

Financial Impact:

Other Information/Recommendation:

Attachments:

- | | | |
|----|------------------|----------------------|
| 1. | Coverlay EXHIBIT | Coverlay EXHIBIT.pdf |
|----|------------------|----------------------|

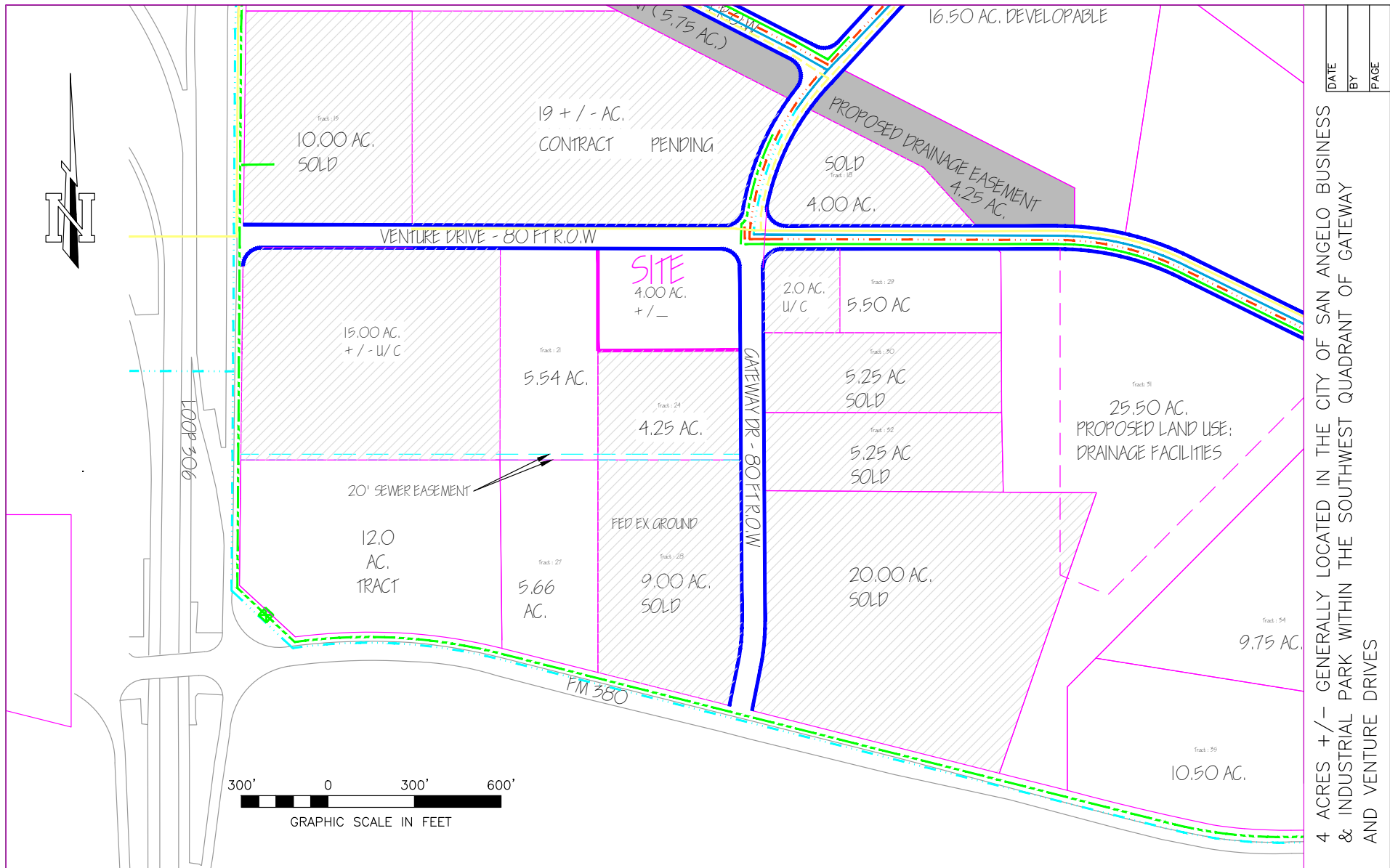
Presentation:

Approvals/Reviews:

Robert Schneeman	Created/Initiated
Guy Andrews	Approved
Theresa James	Approved
Tina Dierschke	Approved
Dan Saluri	Approved
Theresa James	Approved

Julia Antilley

Final Approval



DATE	BY	PAGE

4 ACRES +/- GENERALLY LOCATED IN THE CITY OF SAN ANGELO BUSINESS & INDUSTRIAL PARK WITHIN THE SOUTHWEST QUADRANT OF GATEWAY AND VENTURE DRIVES

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Robert Schneeman, Economic Development Coordinator, Economic Development, 325.653.7197

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Consider ratifying a resolution by COSADC affirming the real estate sales contract for sale of 12 acres of land surveyed out of the San Angelo Business and Industrial Park to Allen's Transport USA, Inc. at a price of \$25,000 per acre; authorizing the Board President to negotiate and execute a right of first refusal and option agreement to Allen's Transport USA Inc. for 7.23 +/- additional acres of land adjacent to said surveyed 12 acre parcel (Bob Schneeman)

Summary/History:

At its meeting on June 26th, 2019 COSADC approved the sale of 12 acres +/- in Block 2, Lot 1 Gateway Addition Section 1 (Phase 1 of the Business & Industrial Park) to Allen's Transport USA, at a price of \$25,000 per acre. Subsequent to that, Allen's has requested an option / right of first refusal on the 7.23 +/- acres adjacent and west of the proposed 12 acres. The terms of the option are as follows:

Consideration - \$500

Term of Option - August 1, 2022 or date of offer by Buyer

Price - \$25,000 per acre Option or same price & terms as 3rd party offer

COSADC approved this resolution at its meeting on January 22, 2020.

Financial Impact:

\$300,000 Revenue for 12 acres previously approved

\$180,750 Revenue for Option Parcel (7.23 acres) dependent upon actual acres surveyed

Other Information/Recommendation:

Attachments:

1. Allen Trans Option Exhibit

Allen Trans Option Exhibit.pdf

Presentation:

Approvals/Reviews:

Robert Schneeman

Guy Andrews

Theresa James

Dan Saluri

Created/Initiated

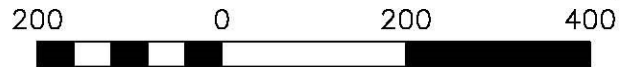
Approved

Approved

Approved

Tina Dierschke
Theresa James
Julia Antilley

Approved
Approved
Final Approval



GRAPHIC SCALE IN FEET

CHANNEL EASEMENT PG. 382, VOL. 529

LOT 3, BLK 2
SAN ANGELO GATEWAY ADDITION
SECTION 2
SLIDE 368, CAB. "G" P.R.T.G.C.TX.

LOT 2, BLK 2
SAN ANGELO GATEWAY ADDITION
SECTION 1
SLIDE 27, CAB. "F" P.R.T.G.C.TX.

REMAINDER
LOT 1, BLK 2
SAN ANGELO GATEWAY ADDITION
SECTION 1
SLIDE 17, CAB. "F" P.R.T.G.C.TX.

APPROXIMATELY 7.227 Ac. +/-
OPTION AREA

12 Acres +/-

LOT 3, BLK 3
SAN ANGELO GATEWAY ADDITION
SECTION 1
SLIDE 136, CAB. "F" P.R.T.G.C.TX.

VENTURE DRIVE - 80 FT R.O.W.

GATEWAY DRIVE - 80 FT R.O.W.

LOT 4, BLK 3
SAN ANGELO GATEWAY ADDITION
SECTION 1

EXHIBIT A

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Shelly Paschal, Planner, Planning and Development Services, 325-657-4210

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Second reading of an ordinance approving Z19-17, a rezoning from the Light Manufacturing zoning district to the General Commercial zoning district, being 2.87 acres located at 801 Rust St. and an unaddressed lot directly north across E. Ave. D (Jon James)

Summary/History:

A request for a rezoning from the Light Manufacturing (ML) zoning district to the General Commercial (CG) zoning district, located at 801 Rust Street and an unaddressed lot directly north across East Avenue D. The property owner is proposing to expand the parking lot for Rust Street Ministries. The proposed rezoning will allow this proposed use.

Financial Impact:

N/A

Other Information/Recommendation:

On December 16, 2019, the Planning Commission recommended APPROVAL of the rezoning by a 6-0 vote.

On January 21, 2020, the City Council APPROVED the rezoning by a 7-0 vote.

Attachments:

- | | |
|-------------------|-----------------------|
| 1. Ordinance (RZ) | Z19-17_Ordinance.docx |
| 2. Report (RZ) | Z19-17_CC_report.docx |

Presentation:

Jon James

Approvals/Reviews:

Shelly Paschal	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH 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: **LOCATED AT 803 RUST STREET AND AN UNADDRESSED LOT DIRECTLY NORTH OF EAST AVENUE D, GENERALLY LOCATED AT THE NORTHWEST AND SOUTHWEST OF THE INTERSECTION OF EAST AVENUE D AND RUST STREET, SAN ANGELO, TEXAS,** FROM LIGHT MANUFACTURING (ML) ZONING DISTRICT TO THE GENERAL COMMERCIAL (CG) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z19-17: Rust Street Ministries

WHEREAS, on the 16th day of December, 2019, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed General Commercial (CG) Zoning District; and,

WHEREAS, on the 21st day of January, 2020, City Council held a public hearing on Z19-17, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SAN ANGELO:

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit "A" of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described property permanently zoned GENERAL COMMERCIAL (CG) Zoning District:

The real property generally located at 803 Rust Street and an unaddressed lot directly north of East Avenue D, specifically being 2.87 acres being E210' of N421.9' of Block 84, and Lot 6-8 & S44' of Lot 9, Block 66, Fort Concho Addition, San Angelo, Tom Green County, Texas.

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning

& Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit A** of this Ordinance.

SECTION 3: 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 4. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended under Sections 1 and 2 of this Ordinance shall remain in full force and effect.

SECTION 5 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 6: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **21st day of January, 2020**, and finally PASSED, APPROVED AND ADOPTED on this the **4th day of February, 2020**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

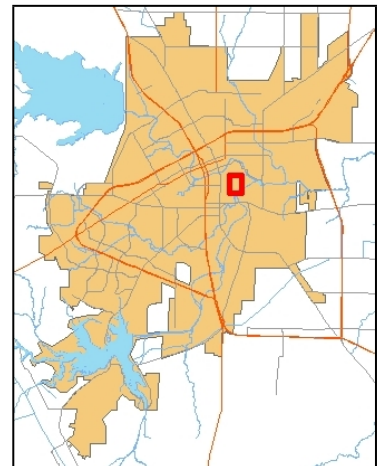
Theresa James, City Attorney

CITY COUNCIL – January 21 & February 4, 2020

STAFF REPORT



APPLICATION TYPE:		CASES:	
Rezoning		Z19-17: Rust Street Ministries	
SYNOPSIS:			
A request for a rezoning from the Light Manufacturing (ML) zoning district to the General Commercial (CG) zoning district, located at 801 Rust Street and an unaddressed lot directly north across East Avenue D. The property owner is proposing to expand the parking lot for Rust Street Ministries. The proposed rezoning will allow this proposed use.			
LOCATION:		LEGAL DESCRIPTION:	
803 Rust Street and an unaddressed lot directly north of East Avenue D.		Being E210' of N421.9' of Block 84, and Lot 6-8 & S44' of Lot 9, Block 66, Fort Concho Addition, San Angelo, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Neighborhood – Fort Concho	ML – Light Manufacturing	Commercial	2.87 acres
THOROUGHFARE PLAN:			
Rust Street – Local Street, 50' ROW required (80' existing), 40' or 36' with a 4' sidewalk pavement required (36' provided) East Avenue D – Local Street, 50' ROW required (80' existing), 40' or 36' with a 4' sidewalk pavement required (36' provided)			
NOTIFICATIONS:			
17 notifications were mailed within a 200-foot radius on November 25, 2019. 1 letter received in favor; 0 letters received in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Light Manufacturing (ML) zoning district to the General Commercial (CG) zoning district.			
PROPERTY OWNER/PETITIONER:			
Rust Street Ministries			
STAFF CONTACT:			
Shelly Paschal Planner (325) 657-4210, Extension 1533 shelly.paschal@cosatx.us			



Rezoning: 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:

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 current future land use is designated as “commercial” which seeks to promote “single-use centers consisting of large retail and office clusters that seek visibility and convenient access offered by frontage on the major street network. The uses within this area often draw from the larger regional area.” Section 304 of the Zoning Ordinance states that the intent of the General Commercial zoning district is to “provide opportunities for development of commercial establishments of higher intensity, with larger trade area, floor area and traffic generation than Neighborhood Commercial uses.” The rezoning will be in keeping with the approved future land use and allow the continuation of the surrounding commercial development along Rust Street.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* The existing use of Rust Street Ministries is allowed within a ML zoning district with an approval of a conditional use. The existing use shall be considered a lawful conditional use, since the use was occupying the building before the effective date of the Zoning Ordinance, on January 4, 2000. However, the use as a community service is allowed by-right in a General Commercial (CG) zoning district. Therefore, extending the parking lot into the vacant lot to the north would require a zone change. Any future use will be required to meet all applicable zoning ordinance requirements.
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 property is located within an area that is comprised of mixed uses of heavier commercial, general commercial and residential along both Rust Street and East Avenue D. The subject tracts of land fits in with the existing commercial development pattern, and would allow for the expansion of an existing business.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The existing use of Rust Street Ministries is allowed within a ML zoning district with an approval of a conditional use. The current business would like to expand in the future and provide more parking availability for staff, volunteers and beneficiaries of Rust Street Ministries. Since the light manufacturing development never developed on this property, the rezoning would make use of the land in a manner consistent with the adopted future land use and existing adjacent mixed use development in the area.
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.* The rezoning is anticipated to have little to no

adverse impact on the natural environment. There may be minor air and noise pollution as any new improvements are built, but then there should be no impacts of either air or noise pollution for this immediate surrounding area.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Allowing this site to rezone to general commercial would allow an existing business to expand their parking lot to continue to serve the community, rather than allowing a continuance of a zoning designation that could not been effectively utilized in the past.
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 existing development pattern in this area along Rust Street is mixed with commercial and residential, approving the rezoning will allow the parcels to keep in continuity with the adjoining development in the area.

Planning Commission Recommendation:

On December 16, 2019, the Planning Commission recommended APPROVAL of a Rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District on the subject property. The following is the complete excerpt of the draft minutes from the December 16, 2019, meeting for this case:

Shelly Paschal, Planner, indicated that the applicant is proposing to rezone the property to allow an expansion of the community service. She outlined Staff's rationale to approve the rezoning on the grounds that the request is compatible with the Commercial designation in the Comprehensive Plan; that the proposed use will be consistent with the CG standards; and that the development will be consistent with the adjacent mixed use development.

Chair Stribling opened public comment.

Ed Huston, on board of Rust Street Ministries. Here to answer any questions the Commission might have. They operate on Rust Street and give food, clothes and household goods. 40-50 families a day. The Neighbors Kitchen serves free lunches to 125 people and young life at risk youth organization and young mom's organization. Fort Conchos neighbors. Have outgrown existing lot and are need more parking for volunteers and others. This parking lot would serve Fort Concho events also. Mr. Huston asked the Commission for approval for this request.

Chair Stribling closed public comment.

Commissioner Brooks made a Motion to recommend APPROVAL of a rezoning from the Light Manufacturing (ML) zoning district to the General Commercial (CG) zoning district, on the subject property. Commissioner Jackson seconded the motion. The Motion passed unanimously 6-0.

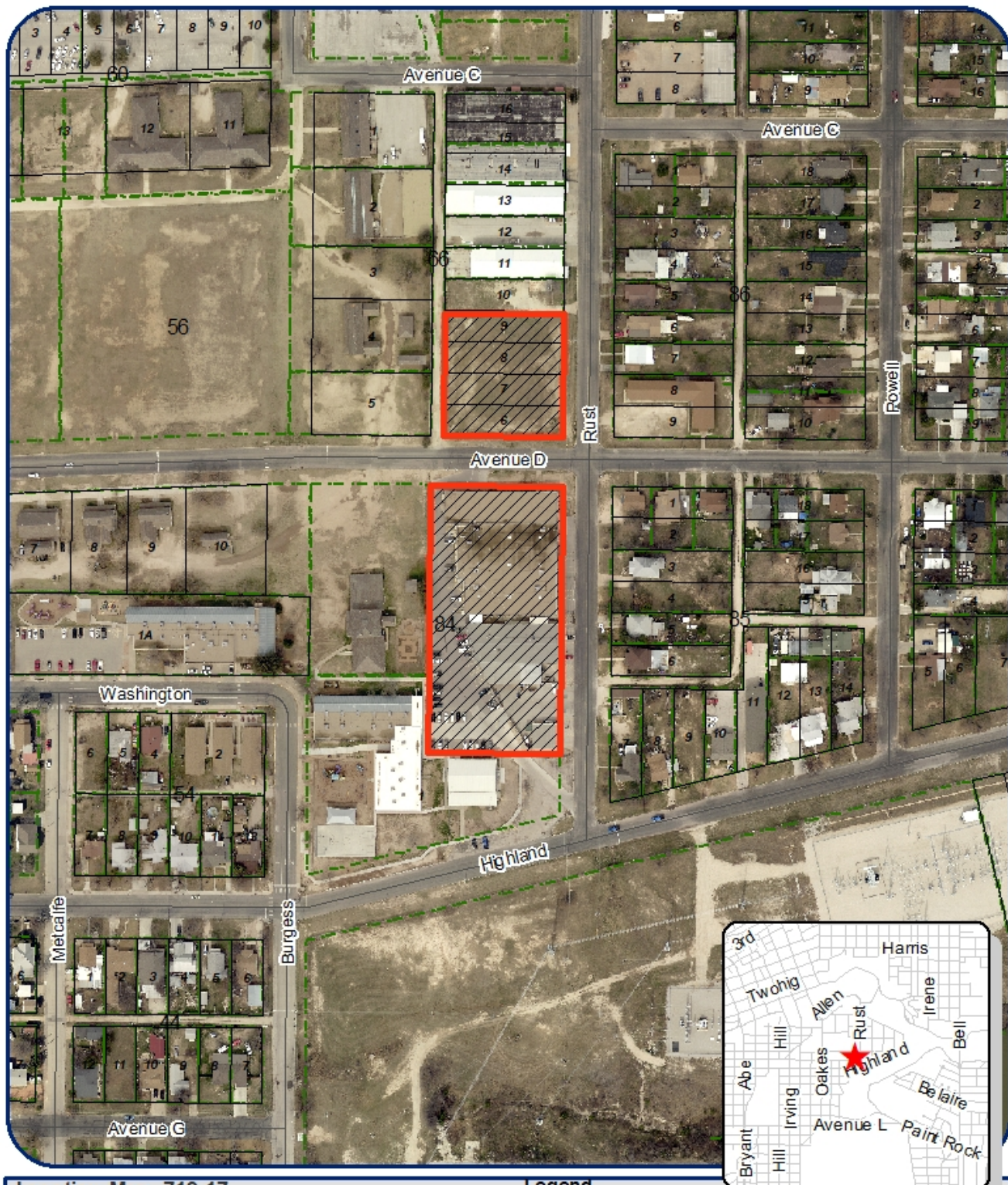
Recommendation:

Staff's recommendation is for the Planning Commission to Recommend **APPROVAL** of a rezoning from the Light Manufacturing (ML) zoning district to the General Commercial (CG) zoning district.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Application
Photographs
Notification Map
Notification

Letter

**Location Map Z19-17****Rust Street Ministries**

Council District 3 - Harry Thomas

Neighborhood: Fort Concho

Scale: 1" approx. = 200 ft

Legend

Subject Properties:

ML

Current Zoning:

CG

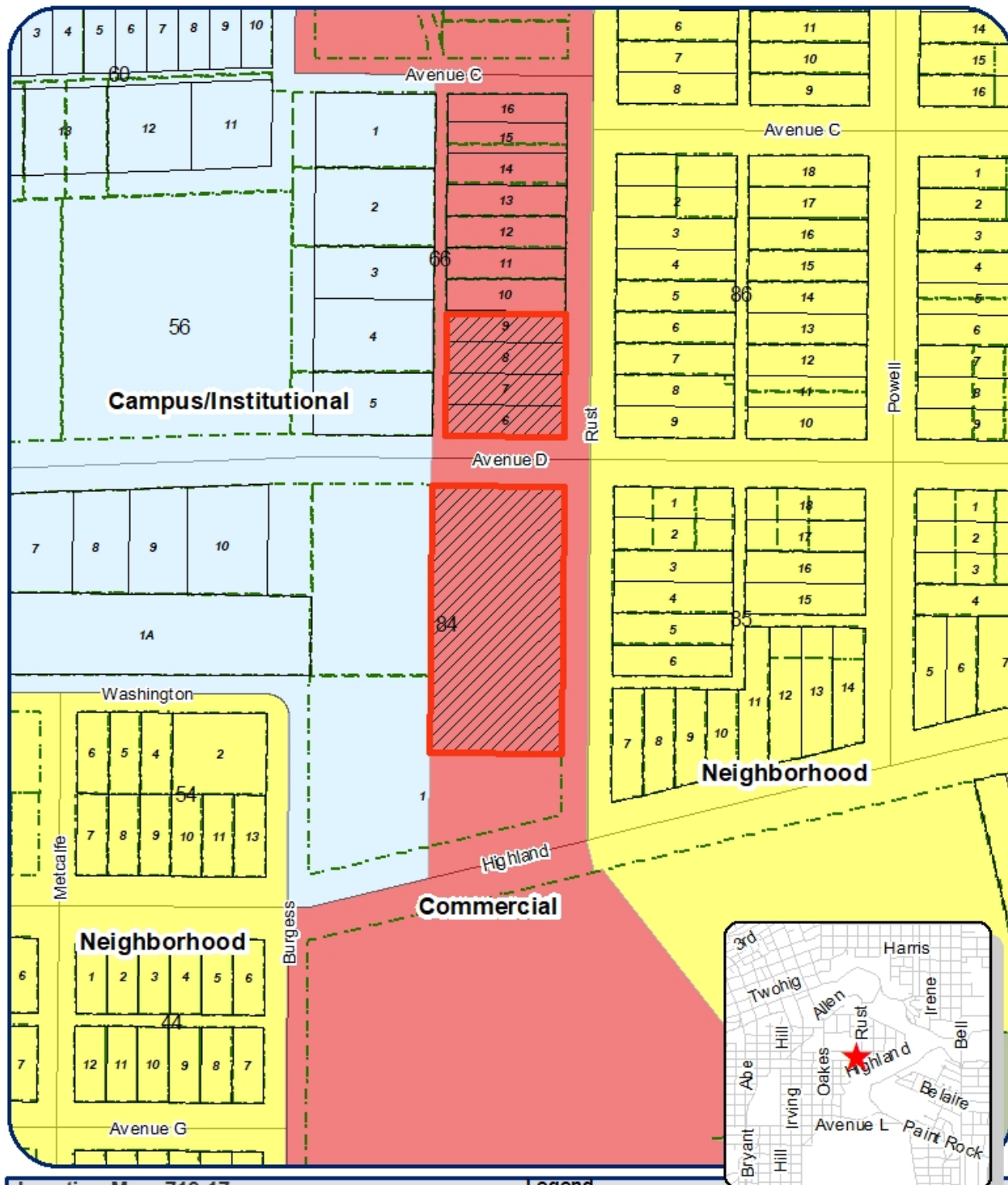
Requested Zoning Change:

Vision:

Commercial

801 Rust Street & Lots 6-8 & 544' of Lot 9, Block 66, Fort Concho Addition



**Location Map Z19-17****Rust Street Ministries**

Council District 3 - Harry Thomas

Neighborhood: Fort Concho

Scale: 1" approx. = 200 ft

Legend

Subject Properties:

ML

Current Zoning:

CG

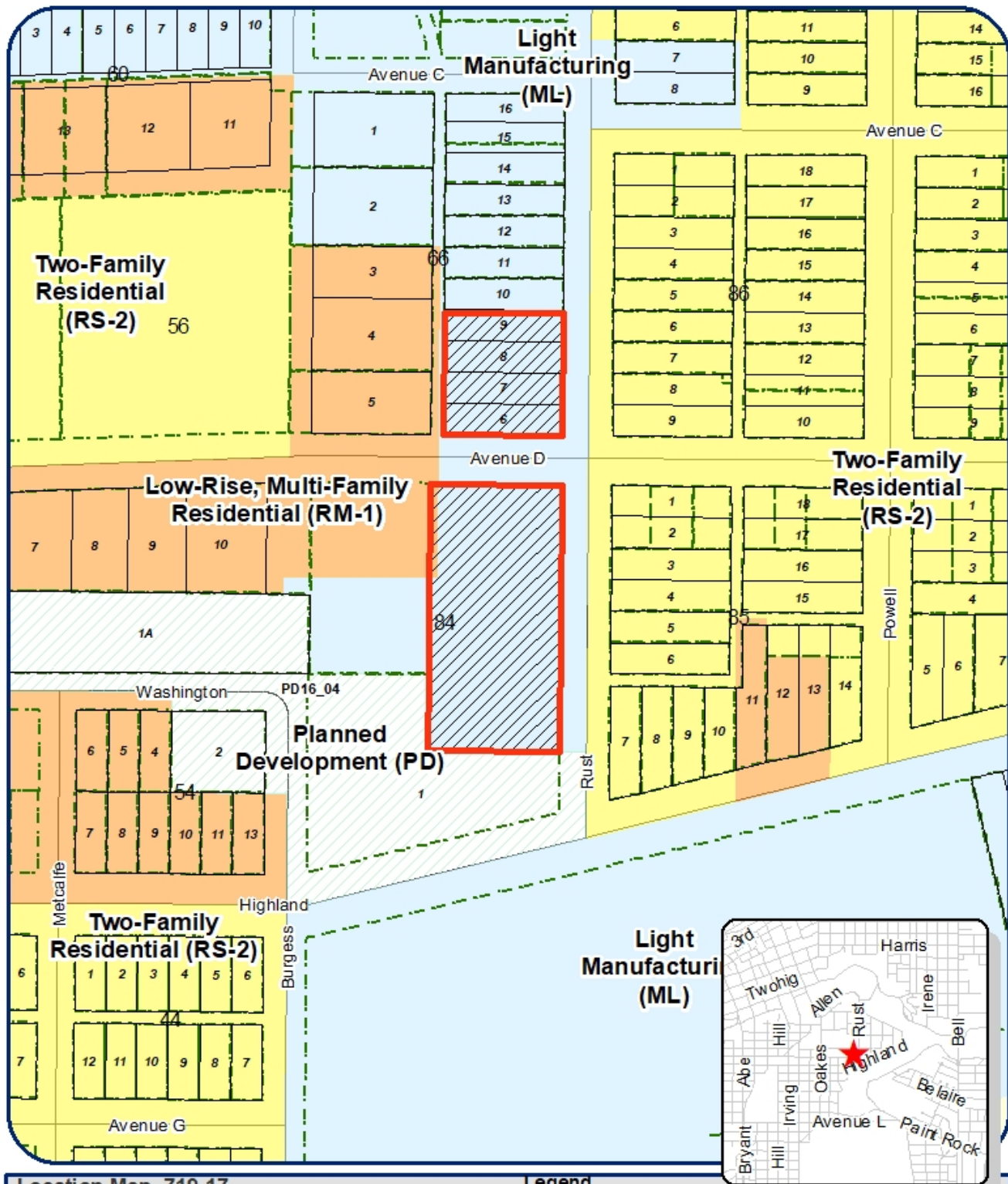
Requested Zoning Change:

Vision:

Commercial

801 Rust Street & Lots 6-8 & 544' of Lot 9, Block 66, Fort Concho Addition



**Location Map Z19-17****Rust Street Ministries**

Council District 3 - Harry Thomas

Neighborhood: Fort Concho

Scale: 1" approx. = 200 ft

Legend

Subject Properties:

Current Zoning:

Requested Zoning Change:

Vision:

ML

CG

Commercial

N



801 Rust Street & Lots 6-8 & 544' of Lot 9, Block 66, Fort Concho Addition



City of San Angelo, Texas – Planning Division
52 West College Avenue
Application for Approval of a Zone Change

**Section 1: Basic Information**

Name of Applicant(s): Rust Street Ministries

801, 819 ☐ Owner ☒ Representative (Notarized Affidavit Required)
803 Rust Street San Angelo TX 76903
Mailing Address City State Zip Code

Same as above

Contact Phone Number

325-234-6978

Contact E-mail Address

je-huston@zipnet.us

Subject Property Address

Unaddressed Lots and
723 Rust Street and 801 Rust Street (adjacent properties)

City

San Angelo

State

TX

Zip Code

76903

Legal Description (can be found on property tax statement or at www.tomgreencad.com)~~723 Rust Street~~ Acres: 0.846, Lot: 6 through 8 & 544' of Lot 9, Blk 66, Subd: Fort Concho Addition and 801 Rust Street - Acres: 2.020, Blk: 84, Subd: Fort Concho Addition, E210' of N421.9' of Blk 84Existing Zoning: ML Proposed Zoning: CG Lot size: See legal description above(Zoning Map available on [City Maps](#))**Section 2: Site Specific Details** Unaddressed LotsExisting Use of Property: Property at 723 Rust Street - Vacant and not in use at this time.

Property at 801 Rust Street - Currently used for storage in support of benevolent activities of Rust Street Ministries.

*Proposed Use of Property: Property at 723 Rust Street - Parking lot for staff, volunteers and beneficiaries of Rust Street Ministries activities.

Property at 801 Rust Street - Storage, office spaces, and expanded assistance offered by Rust Street Ministries.

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement**(By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)**

- ☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner;
- ☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.
- ☒ If approved, a zone change is applied to the property, not the property owner.
- ☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.
- ☒ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.
- ☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.
- ☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.
- ☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Section 3 continued : Applicant(s) Acknowledgement

☒ The applicant or an authorized representative should attend public hearing(s) pertaining to his/her request, prepared to present his/her case and to answer any relevant questions from Planning Commission or City Council members.

I/We the undersigned acknowledge that the information provided above is true and correct.

Rust Street Ministries

Rust Street Ministries

Owner Name (Print)

Signature

Company/Organization (If Applicable)

Date

James E. Huston

James E. Huston

Rust Street Ministries

11-7-2019

Representative Name (Print)

Signature

Company/Organization

Date

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: **11, 7, 2019**

Case No.: Z **19-17**

Fully-dimensioned site plan: ☐ **N/A**

Nonrefundable fee: \$ **645.00**

Receipt #: **45849**

Date paid: **11, 13, 19**

Sign Deposit \$37.50

Receipt #:

Date paid:

Affidavit attached?

☒ Yes

☐ No

☐ N/A

Applicant's signature on information sheet?

☐ Yes

☐ No

Previous Zone Change Inquiry?

☐ Yes

☒ No

If yes, ZCI case no.: --

River Corridor Commission?

☐ Yes

☒ No

If yes, RCC meeting date: --/--/--

Planning Commission hearing date: **12, 16, 2019**

Date notifications due: --/--/--

City Council hearing date: **1, 21, 20**

Packets due date: --/--/--

Publication date: --/--/--

Reviewed/Accepted by: **J. Fisher**

Date: **11, 7, 2019**

Subject property



Vacant lot north of subject property



Church northeast of subject property

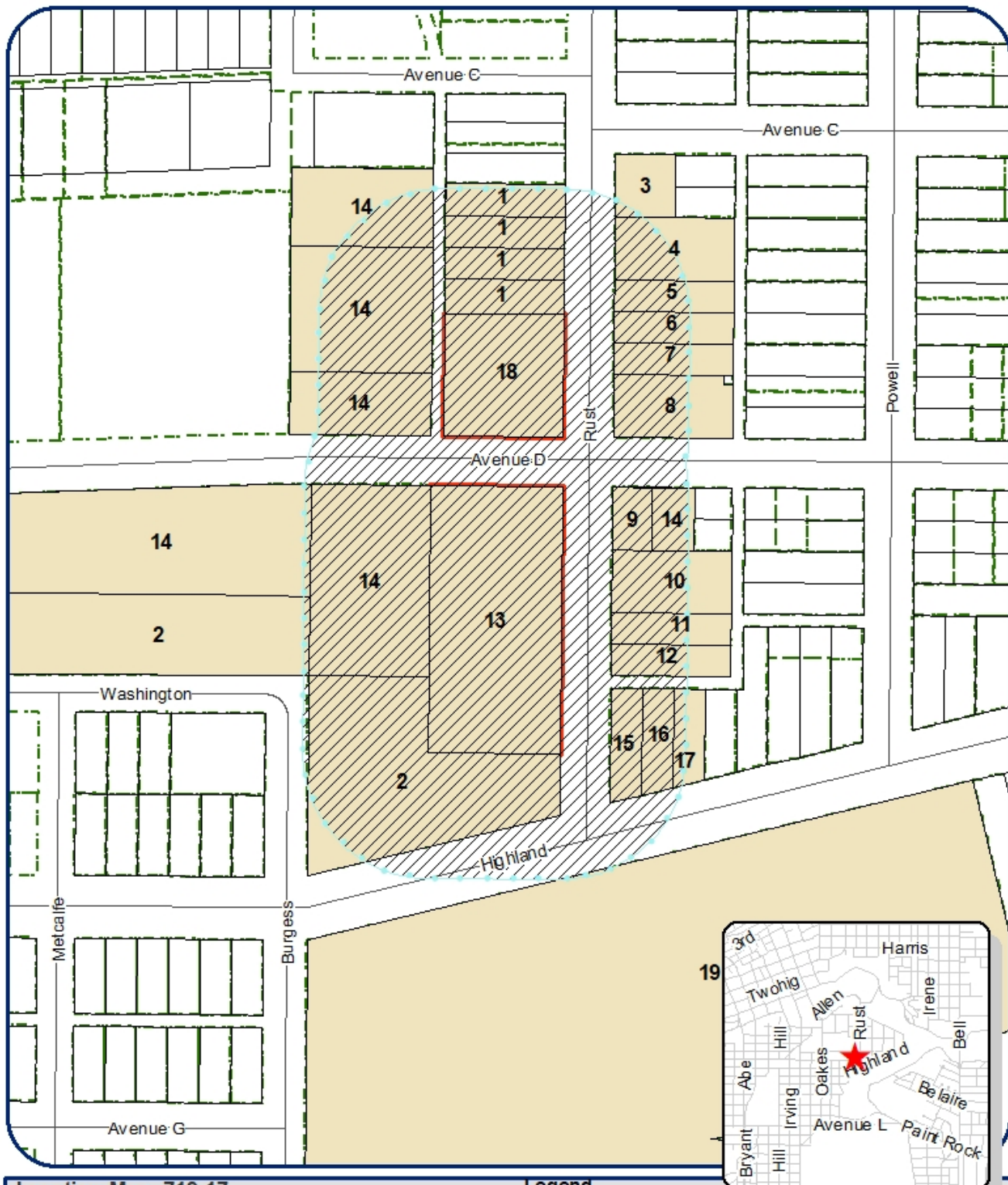


Residence east of the subject property



Staff Report – Z19-17: Rust Street Ministries

January 21 & February 4, 2020

**Location Map Z19-17****Rust Street Ministries**

Council District 3 - Harry Thomas

Neighborhood: Fort Concho

Scale: 1" approx. = 200 ft

Legend

Subject Properties:

ML

Current Zoning:

CG

Requested Zoning Change:

Vision:

Commerical

801 Rust Street & Lots 6-8 & 544' of Lot 9, Blcok 66, Fort Concho Addition



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.

() IN FAVOR

() IN OPPOSITION

REASON(S) _____

No opposition

NAME: _____ *JAISD*

ADDRESS: _____ *1621 University*

PHONE: _____ *947-3767*

SIGNATURE: _____ *EJB Bight, Asst Supt.*

Z19-17: Rust Street Ministries

Property owner number: 2

If you have any questions about these proceedings, please call Mrs. Shelly Paschal, Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Sherry Bailey, Sr. Planner, Planning and Development Services,

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Second reading of an ordinance approving Z19-18, a rezoning from the General Commercial/Heavy Commercial zoning district to Neighborhood Commercial zoning district, being 1.307 acres located at 401, 405, 409 W. Ave. Y, 2815 Ben Ficklin Rd. and 410 W. Ave. Z (Jon James)

Summary/History:

A request for approval of a rezoning from the General Commercial/Heavy Commercial (CG/CH) District to the Neighborhood Commercial (CN) District on the subject property. The applicant, Max Jacobs, intends to construct residential structures on the two lots he owns (401 & 405 W. Ave. Y) and City Staff is recommending to rezone the remaining CG/CH properties in the same block for consistency with this rezoning request and to adhere to the Future Land Use Plan.

Financial Impact:

N/A

Other Information/Recommendation:

On December 16, 2019, the Planning Commission voted to recommend APPROVAL of the rezoning by a vote of 4-2, with Commissioners Brooks and Jackson voting against.

On January 21, 2020, the City Council APPROVED the rezoning by a 7-0 vote.

Attachments:

- | | |
|----------------------|-------------------|
| 1. Ordinance (RZ) | Ordinance 3.docx |
| 2. Staff Report (RZ) | Staff Report.docx |

Presentation:

Jon James

Approvals/Reviews:

Sherry Bailey	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH 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: **LOCATED AT 401, 405, 409 WEST AVENUE Y, 2815 BEN FICKLIN ROAD AND 410 WEST AVENUE Z, GENERALLY LOCATED AT THE SOUTHWEST AND NORTHWEST OF THE INTERSECTIONS OF AVENUE Y AND BEN FICKLIN ROAD AND AVENUE Z AND BEN FICKLIN ROAD, SAN ANGELO, TEXAS,** FROM GENERAL COMMERCIAL/LIGHT COMMERCIAL (CG/CH) ZONING DISTRICT TO THE NEIGHBORHOOD COMMERCIAL (CN) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z19-18: JACOBS/COSA

WHEREAS, on the 16th day of December, 2019, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed Neighborhood Commercial (CN) Zoning District; and,

WHEREAS, on the 21st day of January, 2020, City Council held a public hearing on Z19-18, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SAN ANGELO:

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit "A" of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described property permanently zoned NEIGHBORHOOD COMMERCIAL (CN) Zoning District:

The real property generally located at 401, 405, 409 West Avenue Y, 2815 Ben Ficklin Road, and 410 West Avenue Z, specifically being 1.307 acres being Lots 1 & 2, 3 (less S 5 ft.), 26, 27, 28 Block 3, Monterrey Addition, San Angelo, Tom Green County, Texas.

SECTION 2: The Director of the Planning & Development Department, or his/her designee is hereby directed to correct zoning district maps in the office of the Planning & Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit A** of this Ordinance.

SECTION 3: 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 4. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended under Sections 1 and 2 of this Ordinance shall remain in full force and effect.

SECTION 5 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 6: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **21st day of January, 2020**, and finally PASSED, APPROVED AND ADOPTED on this the **4th day of February, 2020**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

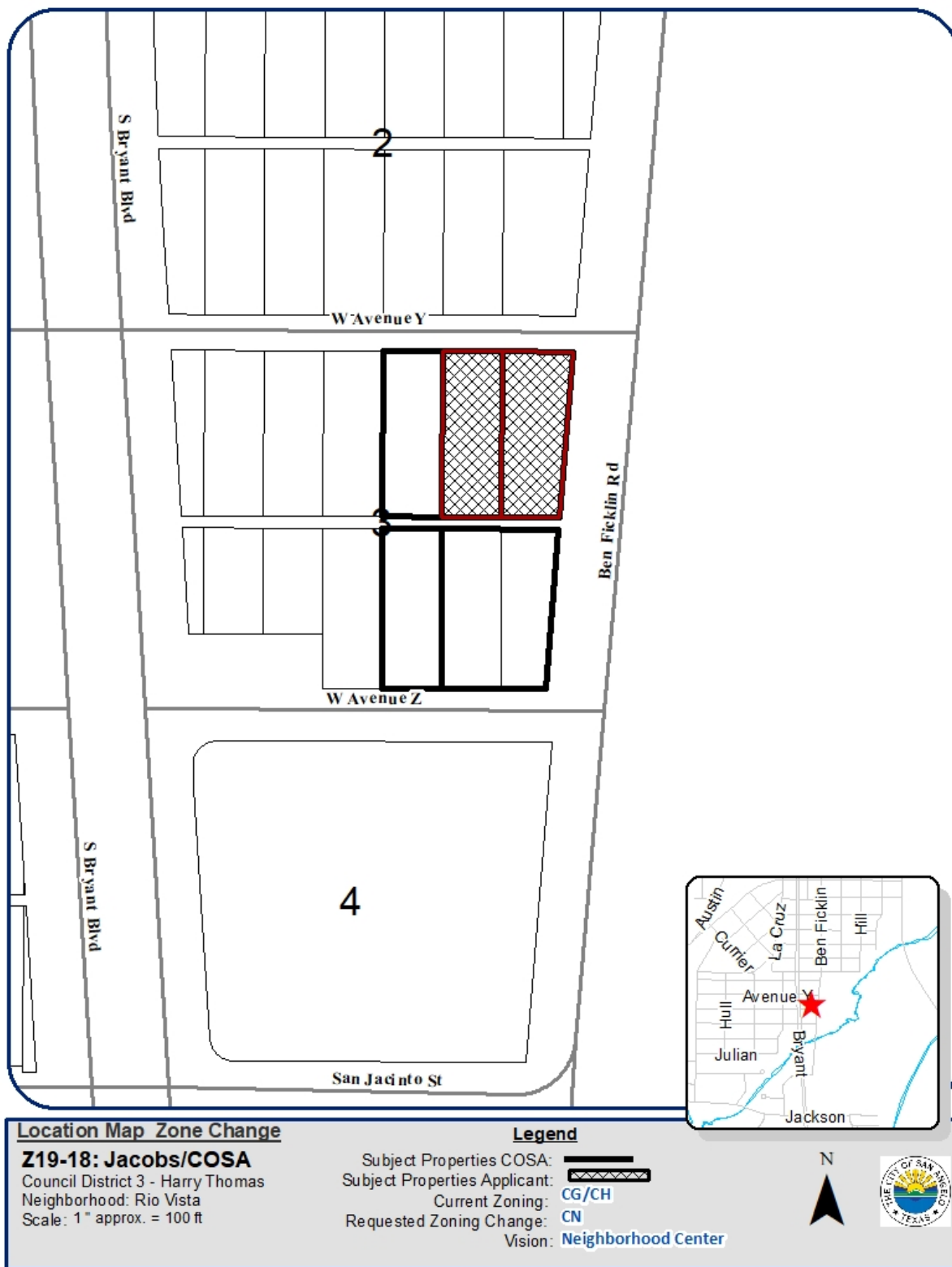
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

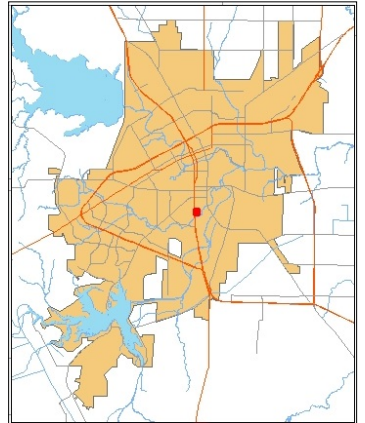
Theresa James, City Attorney

Exhibit A (CN Boundary Map)



CITY COUNCIL– January 21, 2020
STAFF REPORT



APPLICATION TYPE:		CASES:	
Rezoning		Z19-18: Jacobs/COSA	
SYNOPSIS:			
A request for approval of a rezoning from the General Commercial/Heavy Commercial (CG/CH) District to the Neighborhood Commercial (CN) District on the subject property. The applicant intends to construct residential structures on the two lots he owns (401 & 405 W. Ave. Y) and City Staff is recommending to rezone the remaining CG/CH properties around these lots for consistency with this rezoning and with the Future Land Use Plan.			
LOCATION:		LEGAL DESCRIPTION:	
401, 405, 409 West Avenue Y 2815 Ben Ficklin Road 410 West Avenue Z		Monterrey Addition: Block 3, Lots 1, 2 & 3 less the south 5 ft and Lots 26, 27 & 28.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District 3 – Harry Thomas Rio Vista Neighborhood	General Commercial /Heavy Commercial (CG/CH)	Neighborhood Center	1.307acres
THOROUGHFARE PLAN:			
<u>Ben Ficklin Road</u> –Urban Local Street, Required 50' min. ROW (103' Existing), 40 min. pavement width (46' Existing). <u>West Avenue Y</u> –Urban Local Street, Required 50' min. ROW (30' Existing); Pavement 40 ft. required (26 ft. existing) <u>West Avenue Z</u> –Urban Local Street, Required 50' min. ROW (45' Existing); Pavement 40 ft. required (28 ft. existing)			
NOTIFICATIONS:			
32 notifications were mailed within a 200-foot radius on November 26, 2019 Zero response has been received in support or opposition. The SAISD indicated they had no problem.			
STAFF RECOMMENDATION:			
APPROVAL of a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to Neighborhood Commercial (CN) Zoning District			
PROPERTY OWNER/PETITIONER:			
Max Jacobs - owner COSA/Jacobs - applicants			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us			

Additional Information: The applicant applied for a rezoning for the two lots that he owns (401 & 405 W. Ave Y). In meeting with Mr. Jacobs, staff realized that there were a number of lots with the same issues with inconsistent zoning. The City has joined with Mr. Jacobs in requesting the change of zoning for all of the lots clustered together across from the school.

The Future Land Use map for this area is Neighborhood Center, which is in keeping with the school, and allows for less intensive uses than the existing CG/CH would allow. The existing commercial business buildings across from the school are no longer being used. However, both of those buildings were food service uses which would be allowed in the proposed Neighborhood Commercial zoning district. The rest of the uses within this area are residential in nature. The thriving commercial use in this area is the new Dollar Tree building on the south side of W. Avenue Z which is not included in the rezoning request.

Rezoning: 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:

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 Comprehensive Plan is Neighborhood Center. Neighborhood Center is compatible with the uses allowed in Neighborhood Commercial. “The goal for the City should be to replace CG/CH zoning on commercial corridors with better specified zoning classifications that prohibit incompatible uses and focus on built form.” Where possible infill mix should occur allowing commercial clustering at the intersections and residential in between.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed zone change would conflict with any portion of this Zoning Ordinance.* The proposed rezoning would allow for a mix of small scale commercial clustered at the intersections and residential development by conditional use that supports the existing residential uses in the area. This allows for a transitional area of neighborhood compatible, small scale commercial uses.
3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed zoning is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* The existing commercial and residential uses are not compatible with the current CG/CH zoning. Rezoning to Neighborhood Commercial is a better fit for the area.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require a rezoning.* General commercial or heavy commercial uses have not come about in this area. The requested zoning is more in keeping with the density and intensity of existing uses and the compatible CN zoning to the west. The existing zoning is out of character with the existing and planned uses.

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.* The rezoning is anticipated to have little adverse impact on the natural environment. It is anticipated that development will occur on a one or two lot development with little disturbance of the environment. This new zoning district should, if anything, result in a lower impact on the environment as compared to general and heavy commercial uses that are allowed under the current zoning.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* A rezoning to Neighborhood Commercial would be more in line with the trends of development in this area, which indicates a community need, rather than allowing a continuance of the current zoning designation that has not been fully utilized in the past and is not in keeping with the existing and planned uses.
7. **Development Patterns.** *Whether and the extent to which the proposed rezoning would result in a logical and orderly pattern of urban development in the community.* The existing development pattern in the immediate area is dominated by the school. To allow small scale service commercial or additional residential development provides a more supportive environment for this area.

Planning Commission Recommendation:

On December 16, 2019, the Planning Commission recommended APPROVAL of the rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Neighborhood Commercial (CN) Zoning District. The following is the complete excerpt of the draft minutes from the December 16, 2019, meeting for this case:

Sherry Bailey, Principal Planner, presented the rezoning. She indicated that the applicant wanted to rezone two of the lots for single-family housing but after examining four others which are also zoned CG/CH, Staff believed that a rezoning to CN was more appropriate given that the Future Land Use is Neighborhood Center and CG/CH is not compatible because it is very heavy. She explained that COSA joined with the applicant to rezone the other adjacent lots plus the two the applicant wanted rezoned. Ms. Bailey indicated that 30 notices were mailed out and that there were no responses.

Ms. Bailey outlined Staff's recommendation to approve the rezoning on the grounds that it is compatible with the Comprehensive Plan designation of Neighborhood Center; that the rezoning will allow the homes by Conditional Use; that there will be little or no effect on the natural environment; that there is a need for neighborhood commercial in this area; and the change is a local need; change reflects well for the nearby school use.

Commissioner Jackson asked if the other four lots were aware of the zone change request.

Ms. Bailey responded they were made aware and that she spoke to two of the owners and there was no opposition.

Chair Stribling opened public comment.

Chair Stribling closed public comment.

Commissioner Jackson expressed concerned with removing CG/CH without other owners agreeing.

Chair Stribling asked if the rezoning could be approved just for the applicant's lots and not the city-initiated lots.

Mr. Jon James, Planning and Development Services Director, indicated this would be possible. However, he explained that if this was done that would leave the applicant's lots CG/CH.

Ms. Bailey displayed a map of the lots in question.

She explained the owner of the northwest corner lot did not confirm they approve of the zone change.

Vice Chair Spano explained however, that even if this owner did not respond they were notified so this should not be an issue and that there was ample opportunity to respond.

Commissioner Self asked, what would they be able to do with this lot.

Mr. James indicated that heavy commercial uses are allowed in the CG/CH zoning but that the lot may be too small and therefore a rezoning makes sense

Commissioner Smith made a motion to recommend APPROVAL of a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Neighborhood Commercial (CN) Zoning District. Commissioner Self seconded the motion. The motion passed 4-2 with Chair Stribling, Vice Chair Spano, and Commissioners Smith and Self voting in favor, and Commissioners Jackson and Brooks opposed.

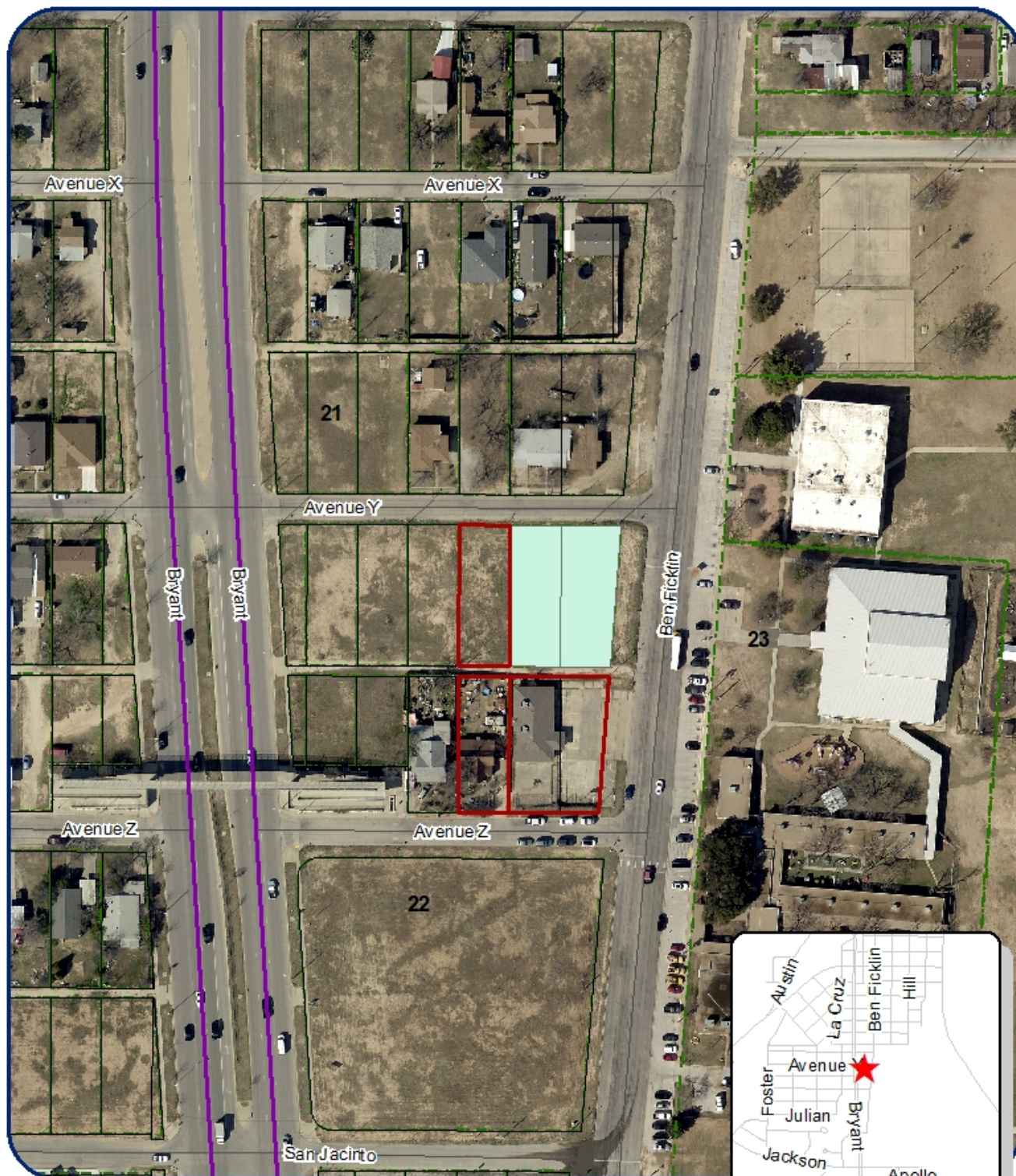
Recommendation:

Staff's recommendation is for the City Council to **APPROVE** the rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Neighborhood Commercial (CN) Zoning District.

Attachments:

Aerial Map

Future Land Use Map
Zoning Map
Application
Photographs
Notification Map



Location Map Notification Map

Z19-18: Jacobs/COSA

Council District 3 - Harry Thomas

Neighborhood: Rio Vista

Scale: 1" approx. = 125 ft

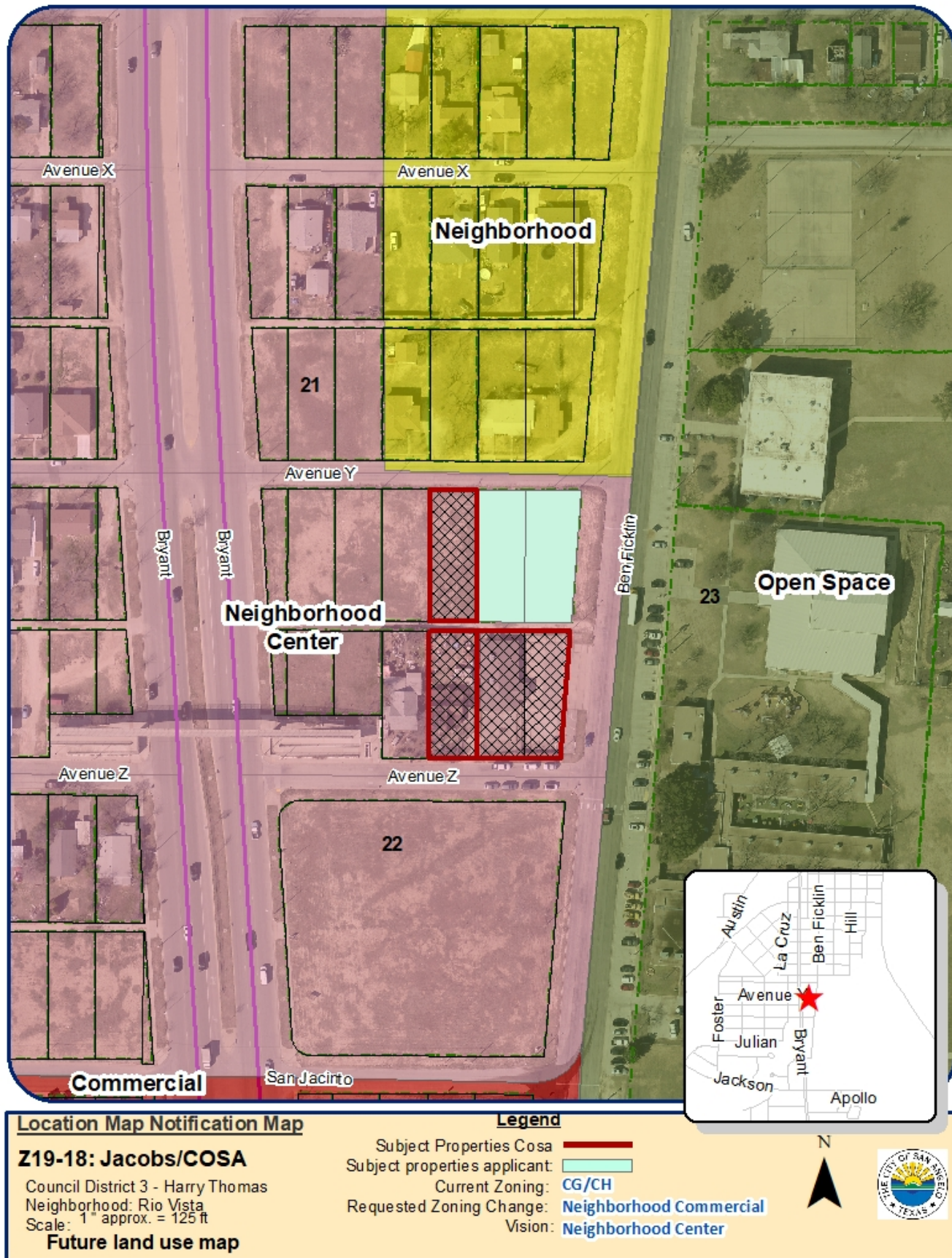
Aerial map

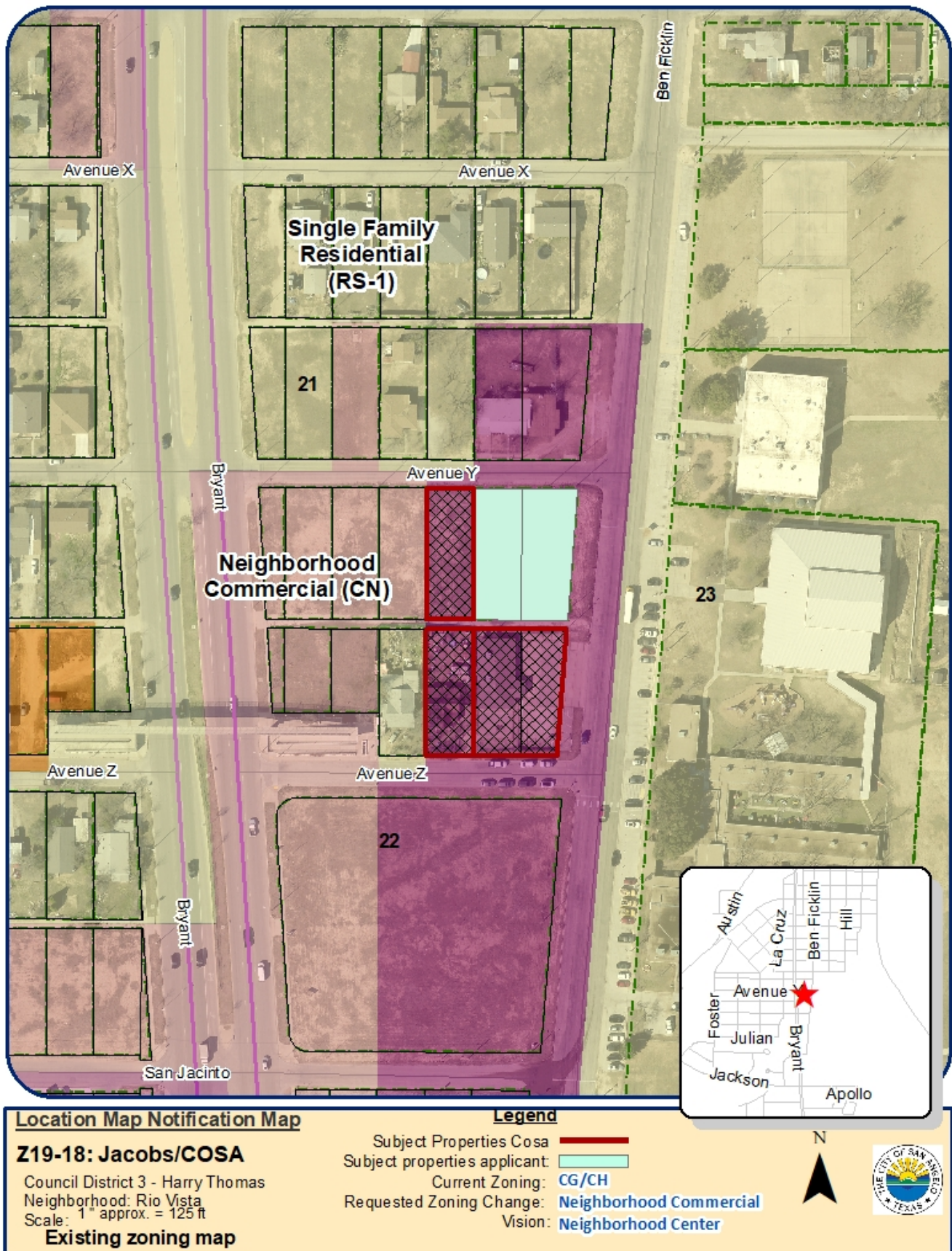
Legend

Subject Properties Cosa —
Subject properties applicant: —
Current Zoning: CG/CH
Requested Zoning Change: Neighborhood Commercial
Vision: Neighborhood Center

N







Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue
Application for Approval of a Zone Change



Section 1: Basic Information

Name of Applicant(s): Max Jacobs
☒ Owner ☐ Representative (Notarized Affidavit Required)
Mailing Address: 901 S. Ave San Angelo TX 76903
City State Zip Code
Contact Phone Number: 650-1115 Contact Email Address: frontier@wcc.net
Subject Property Address: 401 & 405 W. Hwy Y San Angelo TX 76903
City State Zip Code
Legal Description (can be found on property tax statement or at www.tomgreencad.com): Lot 27 & 28, Block 13, Monterey Addition
Existing Zoning: CGCH Proposed Zoning: CN Lot size: 0.3 ac.

(Zoning Map available on [City Maps](#))

Section 2: Site Specific Details

Existing Use of Property: Vacant
*Proposed Use of Property: Residential Construction
*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

(By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)

- ☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner;
- ☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.
- ☒ If approved, a zone change is applied to the property, not the property owner.
- ☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.
- ☒ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.
- ☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.
- ☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.
- ☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

☒ The applicant or an authorized representative should attend public hearing(s) pertaining to his/her request, prepared to present his/her case and to answer any relevant questions from Planning Commission or City Council members.

I/We the undersigned acknowledge that the information provided above is true and correct.

Max Jacobs [Signature] Frontier REI, Inc. 11/15/19
Owner Name (Print) Signature Company/Organization (If Applicable) Date

Representative Name (Print) Signature Company/Organization Date

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: ____/____/____

Case No.: Z 19 -- 18

Fully-dimensional site plan: ☐

Nonrefundable fee: \$ 645.00

Receipt #: 49985 Date paid: 11/15/19

Sign Deposit \$37.50

Receipt #: _____ Date paid: ____/____/____

Affidavit attached? ☐ Yes ☐ No ☐ N/A Applicant's signature on information sheet? ☐ Yes ☐ No

Previous Zone Change Inquiry? ☐ Yes ☐ No If yes, ZCI case no.: ____--____

River Corridor Commission? ☐ Yes ☐ No If yes, RCC meeting date: ____/____/____

Planning Commission hearing date: 12/16/19 Date notifications due: ____/____/____

City Council hearing date: 1/21/20 Packets due date: ____/____/____

Publication date: ____/____/____ Feb 14/20

Reviewed/Accepted by: _____ Date: ____/____/____

Sec. 212. Amendments to Text or Official Zoning Map

G. Amendment Criteria. The wisdom of amending the text of this Zoning Ordinance or the Official Zoning Map is a matter committed to the sound legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt, adopt with modifications or deny the proposed amendment, the City Council shall at a minimum consider the following factors.

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.

Zone change is in keeping with both the City's "Long Range Vision" for the area, as well as the City's desire to move away from CA/CH zoning designations.

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

No conflict exists.

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.

Surrounding area is mostly residential. "Highest & best use" of these lots, due to their small size, is residential.

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

N/A

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, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment

No impacts expected.

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

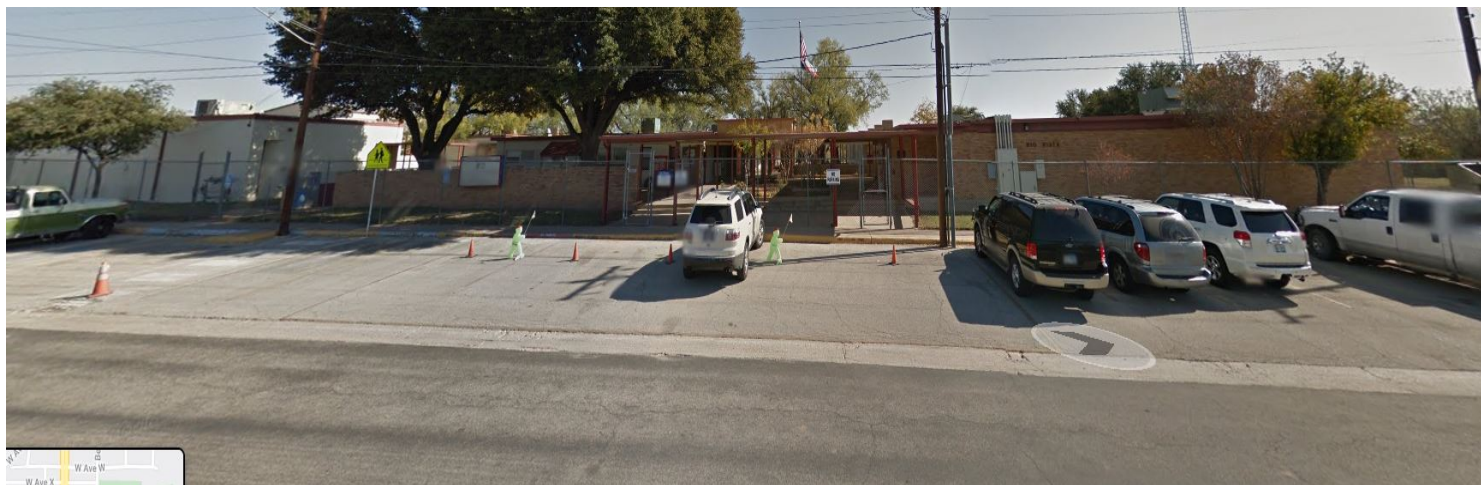
Housing in that area is in demand, due to the Headstart & Boys/Girls club within walking distance.

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.

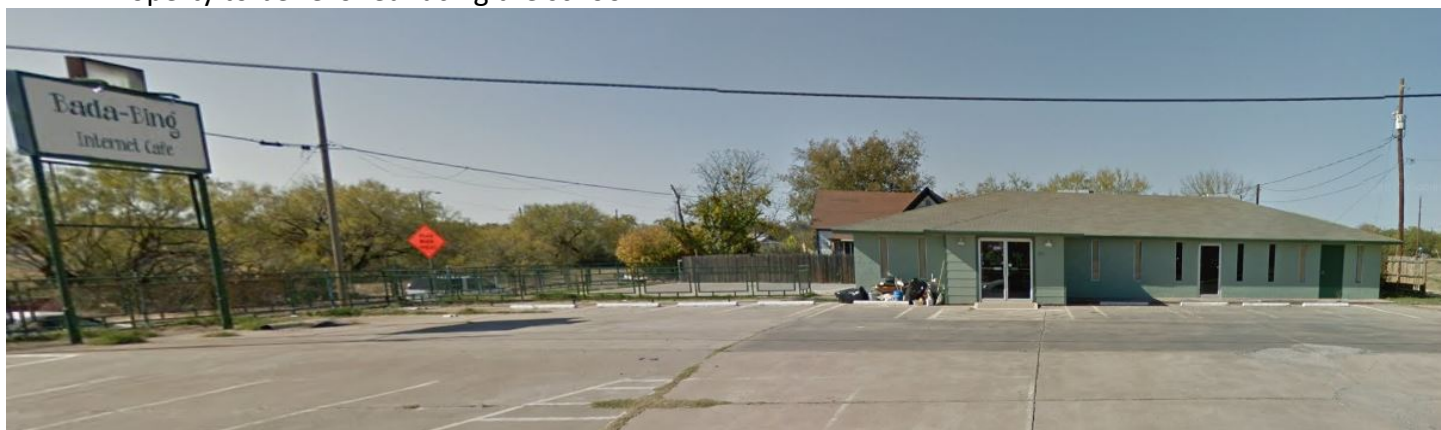
I believe the proposed change will fit in nicely with the community. Any commercial growth is going to be with Bryant frontage.

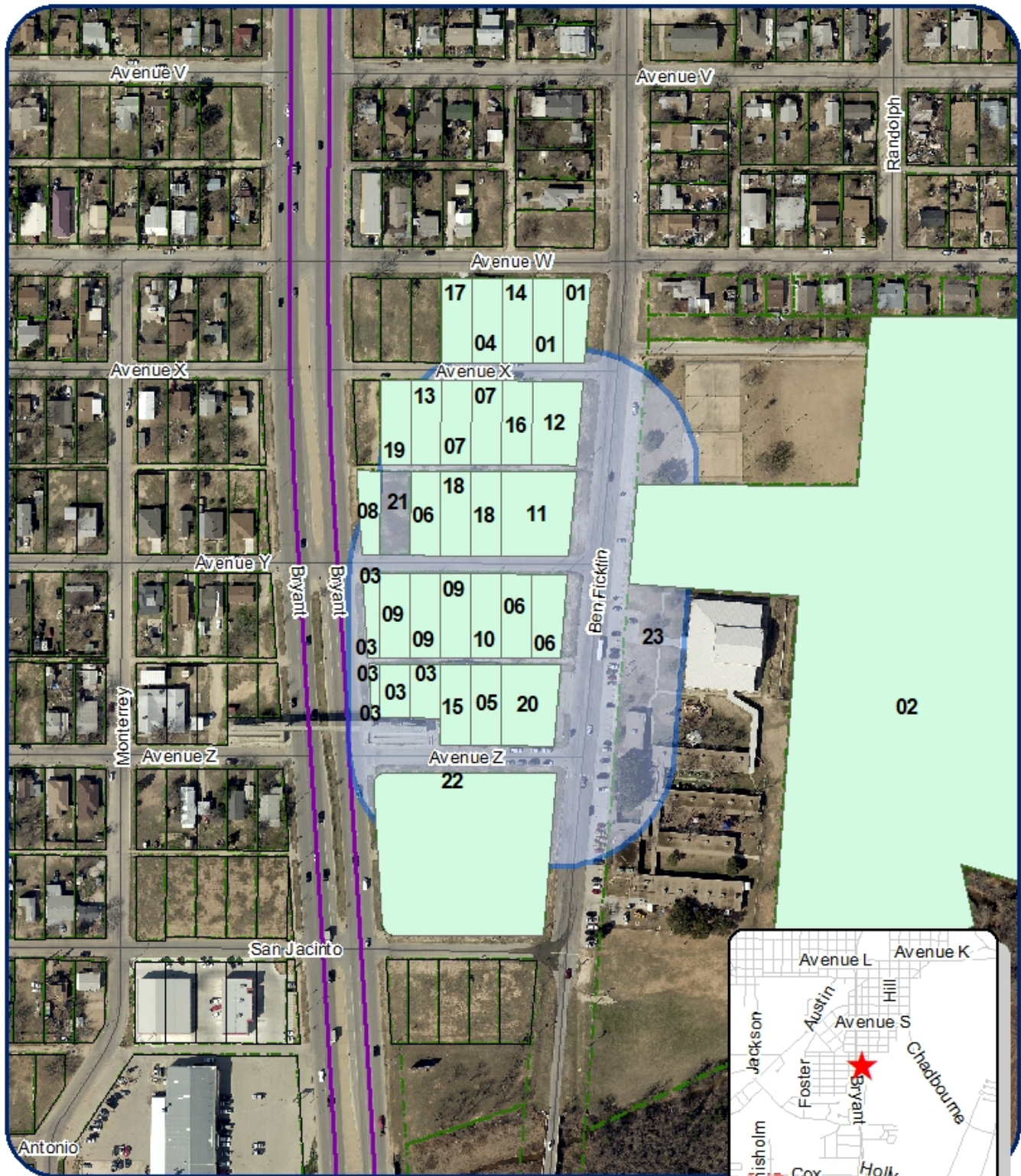
Site Photos

School Across the street



Property to be rezoned facing the school





Location Map Notification Map

Z19-18: Jacobs/COSA

Council District 3 - Harry Thomas
Neighborhood: Rio Vista
Scale: 1" approx. = 209 ft

Legend

Subject Properties: CG/CH
Current Zoning: Neighborhood Commercial
Requested Zoning Change: Neighborhood Center
Vision: Neighborhood Center



Lots 1,2,3,26,27,28 Block 3 Monterrey Addition and Lot 1 & 2 Block 2 Monterrey Addition

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeff Fisher, Sr. Planner, Planning and Development Services, 325.657.4210

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Second readings of:

1. An ordinance approving CP19-03, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the "Commercial" and "Neighborhood" Future Land Uses to the "Neighborhood Center" Future Land Use, being 30.267 acres located between S. Bryant Blvd., Kimrey Ln., and Ben Ficklin Rd.
2. An ordinance amending PD06-05, a rezoning from the Ranch and Estate zoning district to the Planned Development zoning district to expand the existing PD06-05 boundary to allow for a new ropes challenge course and accessory structures associated with an existing day care and therapeutic horse riding facility, being a total of 10.954 acres located at 5185 and 5191 S. Bryant Blvd. (Jon James)

Summary/History:

On November 18, 2019, the Planning Commission approved a Major Amendment to a Site Plan for Sonrisas Trails. The amendment recognized a new ropes challenge course and accessory structures that were originally erected without permits. Through review of the subsequent building permit application, it was discovered that approximately 150 feet of a zip line attached to the tall ropes course extended northward past the PD zoning into Ranch and Estate (R&E) Zoning. The applicant has applied for a rezoning to expand the PD boundary to encompass the zip line. In addition, the City has initiated a Comprehensive Plan Amendment for the surrounding area that includes the Sonrisas/Mosaic properties, Word of Life Church property, and City of San Angelo property on this block to facilitate future rezoning of the lands adjacent to South Bryant Boulevard.

Financial Impact:

N/A

Other Information/Recommendation:

On December 16, 2019, the Planning Commission unanimously recommended APPROVAL of the Comprehensive Plan Amendment by a vote of 7-0.

On December 16, 2019, the Planning Commission unanimously recommended APPROVAL of the Rezoning to expand the existing PD06-05 boundary by a vote of 7-0, with the stipulation that there be no new parking within the 1.48-acre PD expansion area, and subject to previous standards in the original PD06-05 ordinance and one additional standard (see staff report).

On January 21, 2020, the City Council recommended APPROVAL of the rezoning and Comp Plan Amendment by a 7-0 vote.

Attachments:

1. Ordinance (CP19-03) Ordinance (CP19-03).docx

2. Ordinance (Amendment PD06-05)
3. Staff Report (CP & Amend PD06-05)

Ordinance (Amendment PD06-05).docx
Staff Report (CP19-03 & Amendment PD06-05).docx

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher
Hillary Bueker
Jon James
Brandon Dyson
Jon James
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS LOCATED NORTH OF KIMREY LANE BETWEEN SOUTH BRYANT BOULEVARD AND BEN FICKLIN ROAD BEING 21.867 ACRES IN LOTS 18 AND 19, AND PART OF LOTS 20, 21, AND 22 IN PARK VIEW ACRES, AND 8.4 ACRES IN THE M. MAYER SURVEY NO. 169, COMRPISING A TOTAL OF 30.267 ACRES, FROM "NEIGHBORHOOD" AND "COMMERCIAL" TO "NEIGHBORHOOD CENTER;" PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP-19-03

WHEREAS, the City Council for the City of San Angelo, Texas, in accordance with the City Charter and Chapter 213 of the Texas Local Government Code, has adopted a Comprehensive Plan (Vision Plan and Future Land Use Map within the San Angelo Strategic Plan adopted by City Council as updated on October 20, 2009) to guide the long-range development of the City, manage the future growth of the City and promote the health, safety and welfare of its citizens; and

WHEREAS, the Comprehensive Plan includes a Future Land Use Map to serve as a geographical representation of anticipated land use patterns and long range development for the City; and

WHEREAS, inconsistencies have developed between current long standing land use and development patterns and development envisioned by the Future Land Use Map, which inconsistencies call for compatible revisions to the Future Land Use Map; and

WHEREAS, the Planning Commission and the City Council for the City of San Angelo, in compliance with the City Charter and Chapter 213 of the Texas Local Government Code regarding adoption and amendment of the City's Comprehensive Plan, having given requisite notice of public hearing by publication and otherwise, and having afforded a full and fair hearing to all property owners and persons interested, including persons situated in the vicinity of the affected area, being of the opinion that revision of the Comprehensive Plan and Future Land Use Map changes should be made as set out herein;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SAN ANGELO:

SECTION 1: The Future Land Use Plan Map, a component of the adopted Comprehensive Plan for the City of San Angelo be and the same is hereby amended to

change the Future Land Use designations of the following described parcels as outlined below:

The real properties generally located north of Kimrey Lane between South Bryant Boulevard and Ben Ficklin Road, being 21.867 acres in Lots 18 and 19 and part of Lots 20, 21, and 22 in Park View Acres, and 8.4 acres in the M. Mayer Survey No. 169, comprising a total of 30.267 acres, City of San Angelo, Tom Green County, Texas, from “Neighborhood” and “Commercial” to “Neighborhood Center;”

SECTION 2: The Director of the Planning and Development Services Department is hereby authorized and directed to amend the Future Land Use Planning Map maintained in the Office of the Director to incorporate the foregoing amendments, as further depicted on **Exhibit “A”** of this Ordinance.

SECTION 3: 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: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **21st day of January, 2020**, and finally ADOPTED on this the **4th day of February, 2020**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

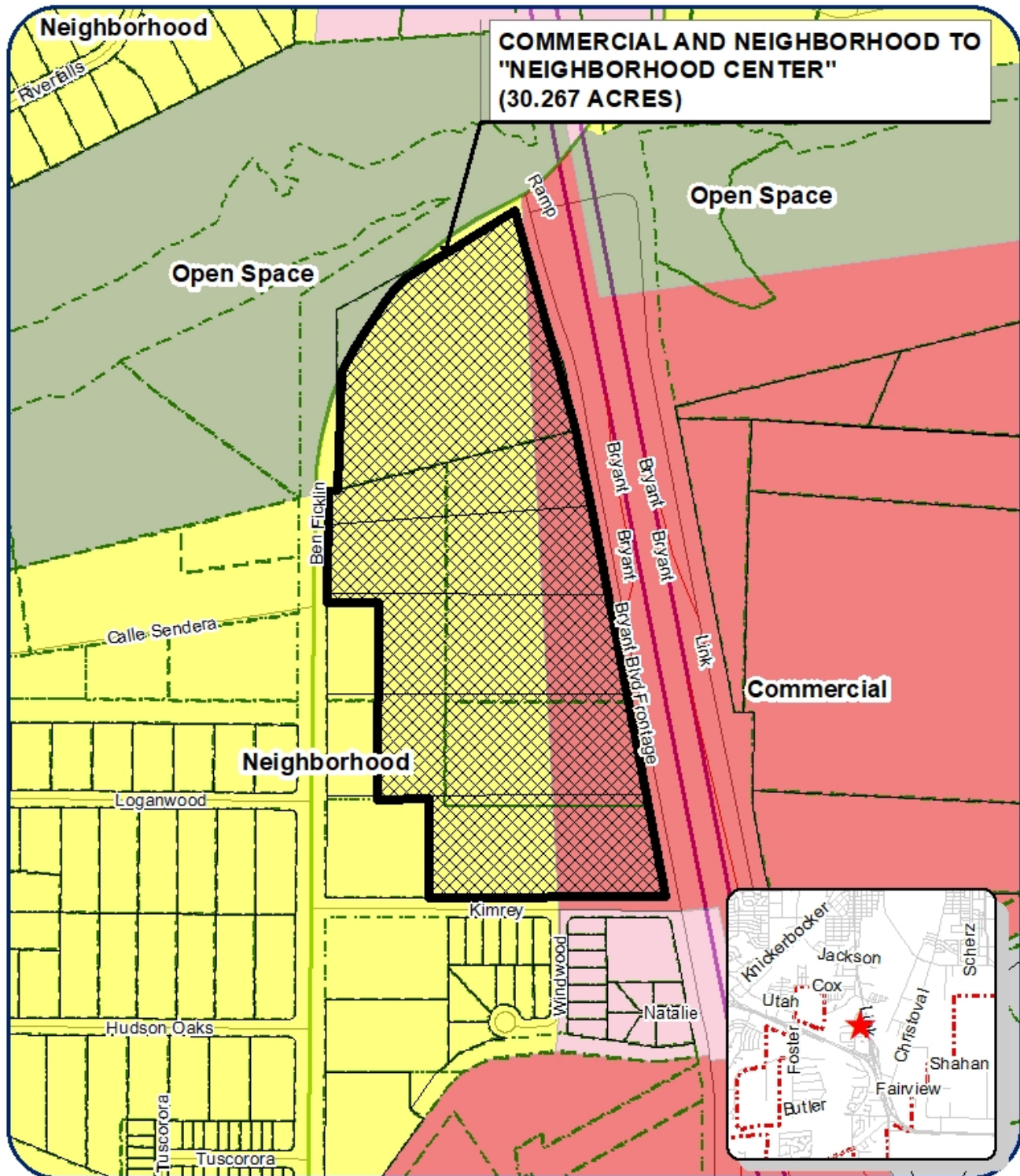
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Comprehensive Plan Amendment

City of San Angelo

Council District: Tommy Hiebert -District 1

Neighborhood: Glenmore

Scale: 1" approx. = 375 ft

30.267 ac. between Kimrey Ln, Ben Ficklin Rd, and S. Bryant Blvd.

Legend

Subject Properties: —

Current Zoning: RS-1, R&E, PD06-05

Vision: Commercial and Neighborhood

Vision Plan Change: Neighborhood Center



AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT “A” OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTIES: **5185 AND 5195 SOUTH BRYANT BOULEVARD; LOCATED NORTHWEST OF SOUTH BRYANT BOULEVARD AND KIMREY LANE;** FROM THE PLANNED DEVELOPMENT (PD06-05) ZONING DISTRICT AND RANCH AND ESTATE (R&E) ZONING DISTRICT TO A PLANNED DEVELOPMENT (PD06-05) ZONING DISTRICT TO ALLOW FOR A DAY CARE, THERAPEUTIC HORSE RIDING AND ADMINISTRATIVE OFFICES, ROPES CHALLENGE COURSE, AND RELATED ACCESSORY STRUCTURES; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: PD06-05 Amendment: Sonrisas

WHEREAS, on the 16th day of December, 2019, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed expansion of the existing PD06-05 boundary by incorporating an additional area generally located northwest of 5185 South Bryant Boulevard, being 1.48 acres depicted on **Exhibit “A”** of this Ordinance; allowing for the uses permitted in PD06-05 with the additional uses of a ropes challenge course and related accessory structures; in conformance with the overall use in accordance with the approved Concept Plan as further depicted on **Exhibit “B”** of this Ordinance (**“PD Concept Plan”**); and in conformance with the regulations set forth in **Exhibit “C”** of this Ordinance(**“Applicable Regulations”**); and,

WHEREAS, on the 21st day of January, 2020, City Council held a public hearing on an amendment to PD06-05 to expand the existing PD06-05 boundary to all of the subject properties, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SAN ANGELO:

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit “A” of Chapter

12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described properties permanently zoned PLANNED DEVELOPMENT (PD06-05) ZONING DISTRICT;

The real properties generally located northwest of South Bryant Boulevard and Kimrey Lane; being 10.954 acres within part of Lots 21 and 22 of Park View Acres, City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit “A” of this Ordinance, shall henceforth be permanently zoned as follows: Planned Development (PD06-05) Zoning District.

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning & Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit “A”** of this Ordinance (**“PD Boundary Map”**).

SECTION 3: The use of the hereinabove described properties shall be subject to all applicable regulations contained in **Exhibit “C”** of this Ordinance (**“Applicable Regulations”**), and Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

SECTION 4. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended herein shall remain in full force and effect.

SECTION 5: 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 6: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **21st day of January, 2020**, and finally PASSED, APPROVED AND ADOPTED on this the **4th day of February, 2020**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

Exhibit “A” (PD Boundary Map)

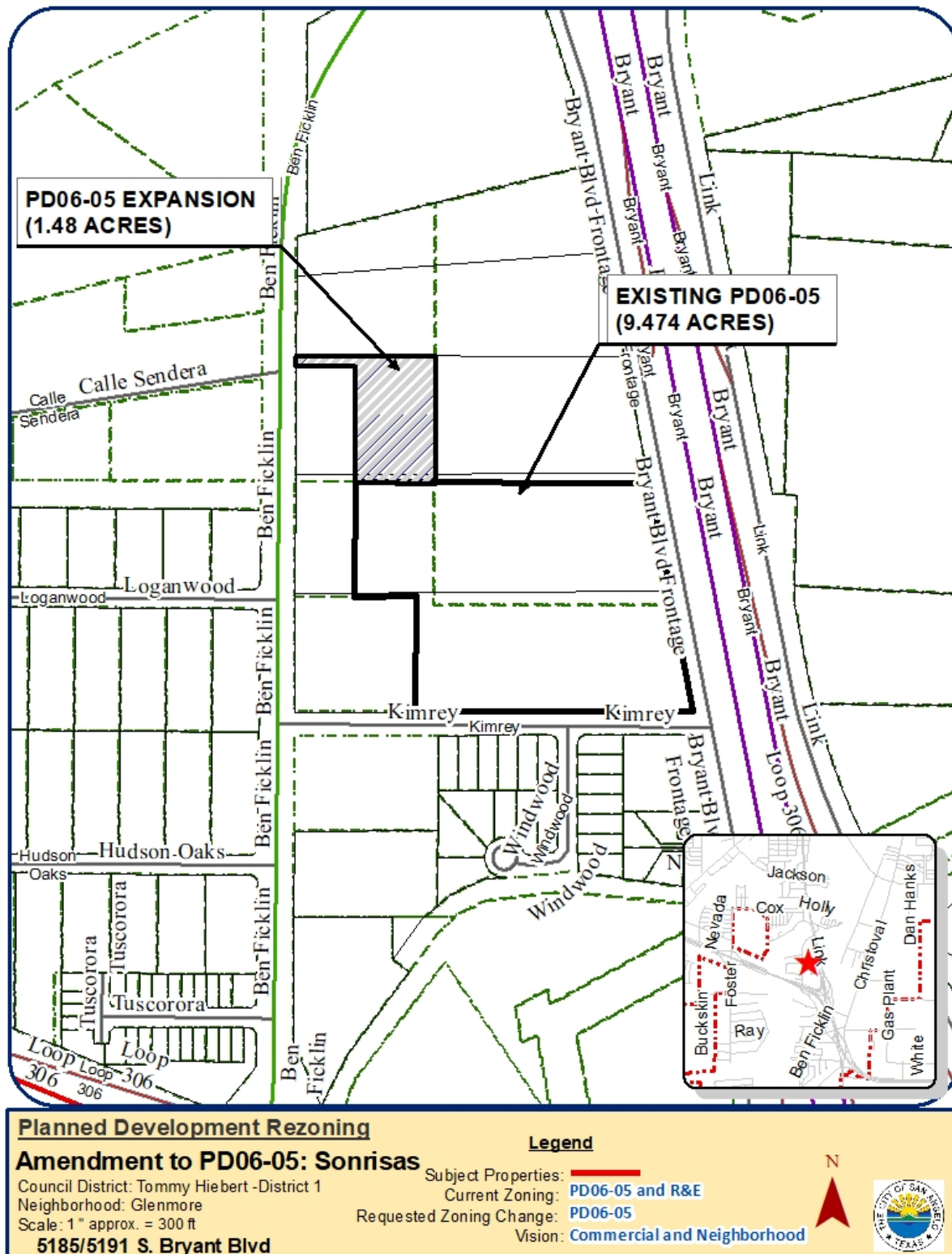


Exhibit “B” (PD Concept Plan)

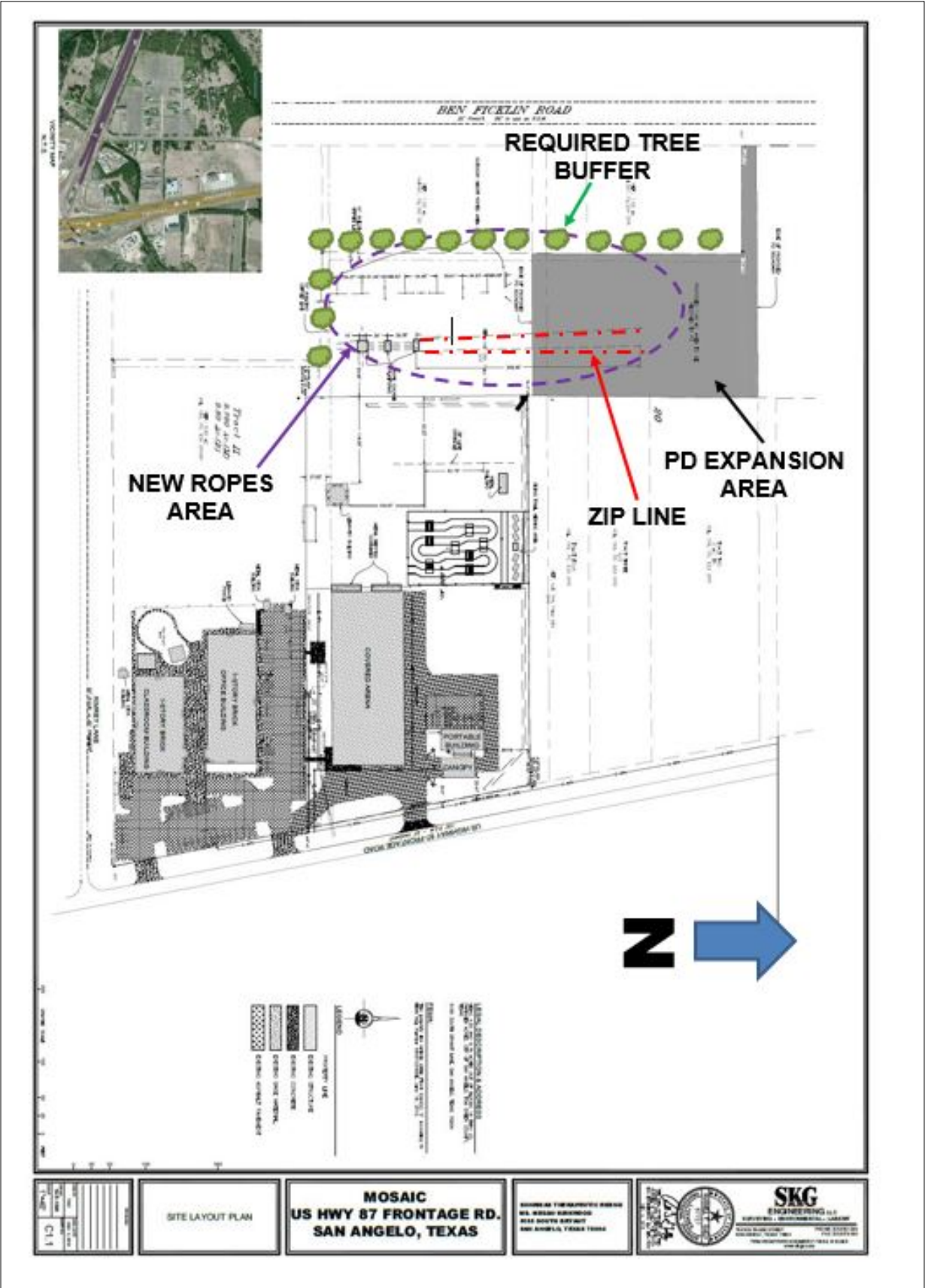
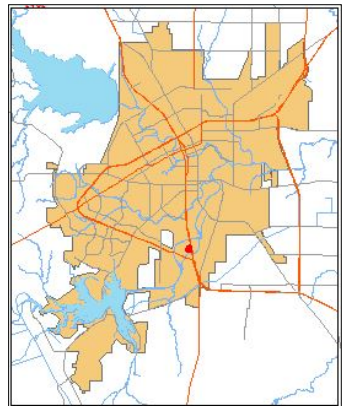


Exhibit “C”
Applicable Regulations

1. Except as otherwise specified or limited below, and with the permitted uses of a day care, administrative offices, therapeutic horse riding, horse boarding, a horse riding academy, ropes challenge course and related accessory structures, the use and improvement of the subject property shall be guided by the standards, requirements and limitations of development in the Office Commercial (CO) Zoning District.
2. Any new development including major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council as applicable. Minor deviations may be approved by the Planning Director, provided no changes to the Zoning Ordinance are required.
3. Prior to any future development and/or building permits on the properties, the applicant shall submit a site plan to the Planning Director delineating a minimum of 15 trees, at least 40 feet tall at full maturity, along the portion of the rear property lines immediately west and south of the tall ropes and zip line course to provide screening from adjacent residential zoning and uses.
4. No parking is allowed within the 1.48-acre PD expansion area shown on the approved concept plan.
5. A caretaker’s residence shall be setback a minimum of 40 feet from any property boundary beside street rights-of-way, and a minimum of 15 feet from any other boundary of the subject property;
6. Construction/installation of the caretaker’s residence shall be accompanied by a paved parking area readily accessible to such residence and capable of accommodating at least two paved parking stalls, each at least 9 feet wide by 18 feet in depth arranged side-by-side or end-to-end and connected to the nearest street surface by a similarly paved driveway.
7. The remaining provisions of PD06-05 as originally approved by City Council on November 21, 2006, not amended herein shall remain in full force and effect.

CITY COUNCIL – January 21 & February 4, 2020
STAFF REPORT



APPLICATION TYPE:		CASES:	
Comprehensive Plan Amendment & Planned Development (Rezoning)		CP19-03/Amendment to PD06-05: Sonrisas Trails/COSA	
SYNOPSIS:			
On November 18, 2019, the Planning Commission approved a Major Amendment to a Site Plan for Sonrisas Trails. The amendment recognized a new ropes challenge course and accessory structures that were originally erected without permits. Through review of the subsequent building permit application, it was discovered that approximately 150 feet of a zip line attached to the tall ropes course extended northward past the PD zoning into Ranch and Estate (R&E) Zoning. Development in this area requires an expansion of the PD zoning. In addition, the City has initiated a Comprehensive Plan Amendment for the surrounding area that include the Sonrisas/Mosaic properties, Word of Life Church property, and City of San Angelo property on this block (see below & attached plan).			
LOCATION:		LEGAL DESCRIPTION:	
Located between South Bryant Boulevard, Kimrey Lane, and Ben Ficklin Road		Being 21.867 acres in Lots 18, 19 and part of Lots 20, 21 and 22 in Park View Acres, and 8.4 acres in the M. Mayer Survey #169.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #1 – Tommy Hiebert Glenmore Neighborhood	PD06-05, R&E, RS-1	West 23.567 ac. - Neighborhood East 7.2 ac. - Commercial	30.267 acres
THOROUGHFARE PLAN:			
South Bryant Boulevard – Urban Major Arterial Street (TXDOT), Required: 80' right-of-way, N/A pavement (not required for TXDOT roads), Provided: 300' right-of-way, 100' pavement Ben Ficklin Road – Urban Collector Street, Required: 60' right-of-way, 50' pavement, Provided: 90' right-of-way, 32' pavement Kimrey Lane – Urban Local Street, Required: 50' right-of-way, 40' pavement or 36' with a 4' sidewalk, Provided: 60' right-of-way, 22' pavement			
NOTIFICATIONS:			
18 notifications were mailed for the rezoning on Nov 25, 2019 and 19 notifications were mailed for the Plan Amendment on Dec. 4, 2019 within a 200-foot radius. Two letters received in support within the 200' radius; one letter received in opposition outside the 200' radius.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the proposed Comprehensive Plan Amendment to “Neighborhood Center”; and APPROVAL of the proposed rezoning from R&E to PD06-05, subject to previous standards in the original PD06-05 ordinance and one additional standard.			
PROPERTY OWNER/PETITIONER:			
Rezoning: Sonrisas Trails CP Amendment: City of San Angelo			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Comprehensive Plan Amendments and Rezoning: 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 as outlined in #1 through #7 below. Comprehensive Plan Amendments are reviewed in the context of the San Angelo Strategic Plan, the 2009 Update to the Comprehensive Plan and outlined in #1 below:

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.**

Comprehensive Plan Amendment: The City of San Angelo is initiating the proposed Comprehensive Plan Amendment for 30.267 acres from “Commercial” and “Neighborhood” to “Neighborhood Center”. The amendment will recognize the underlying PD zoning of the Sonrisas/Mosaic properties, allow the PD expansion for the zip line, and allow future rezoning of the other properties that recognizes their existing commercial uses. Staff believes that Neighborhood Center is the appropriate designation for all of these land uses. The Commercial portion of the properties runs parallel to South Bryant Boulevard extending west a distance of 250 feet from the south most point of the Mosaic property to 0 feet at the north most point of the City property. All of the remaining land to the west is designated Neighborhood. Neighborhood Centers as outlined in the Comprehensive Plan should “individually have a primary use, but should allow for a mix of uses allowing for increased activity, interest, and long-term viability” and call to “establish transitions areas to better “scale-down” intensity of use from commercial centers to neighborhoods.” The proposed Comprehensive Plan Amendment is consistent with all of these policies. It will recognize the mix of commercial uses already along this corridor (therapeutic riding, day care, offices, and church) and serve as a transition between the commercial uses fronting onto South Bryant Boulevard and the residential areas to the south and west.

Rezoning: The associated rezoning will expand the existing 9.474-acre PD06-05 site to the northwest an additional 1.48 acres to encompass the existing zip line area, a total of 10.954 acres. Staff believes this expansion is appropriate once the associated Comprehensive Plan Amendment to Neighborhood Center is approved which supports this type of commercial use. Since Sonrisas, an existing commercial use occupies all of this land already, it would unlikely ever be developed for residential uses in the R&E Zone. The zip line area is part of the ropes challenge course that serves disabled children, adults and veterans, and operates as part of Sonrisas’ therapeutic horse riding facility which already takes place directly south. Consistent with the most recent site plan approval by the Planning Commission which applied directly south, Staff will recommend that the new PD ordinance also require planting of five additional trees, 40 feet tall at maturity, along the west boundary line shared with the residential home on Ben Ficklin Road. While there is an existing 6-foot privacy fence, the trees will provide taller screening from the zip line rope and associated pole which is approximately 50 feet high at its tallest point.

2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* The applicant has provided a new Concept Plan for the PD that includes all site improvements (see attached). The total acreage after expansion will be 10.954 acres well exceeding the minimum one acre for a PD district. All of the existing buildings facing South Bryant Boulevard were permitted and met the zoning at the time of permitting. The new ropes course including the zip line will comply with the underlying Office Commercial (CO) zoning standards. All of the ropes and wires are at least 10 feet from the adjacent R&E Zoning District as required. The applicant received an Alternative Parking Plan approval from the Planning Director on November 21, 2019 to allow the existing 82 parking spaces in lieu of the required 94.
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.* Staff believes that the PD expansion will be compatible with the surrounding area once the five additional trees are planted along the west property line adjacent to the residential home. This additional screening, combined with the existing privacy fence, will screen the ropes course and zip line from this residential property. In addition, the PD will incorporate the latest concept plan which only allows those uses and their locations as shown. This will provide some additional security for the adjacent residential use. If Sonrisas wishes to add additional structures, they would require an additional approval that includes at minimum a revised concept plan for review by City Council (for uses or standards not allowed in the PD district), the Planning Commission (for major expansions allowed in the PD district), or the Planning Director (for minor expansions allowed in the PD district).
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* As indicated, Sonrisas occupies the entire land in question which has a flag at its northerly end extending to Ben Ficklin Road. It would unlikely develop residentially because it is owned by a commercial business already. Staff believes that allowing the PD to expand makes practical sense once proper mitigation measures are applied.
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.* The entire property is located within the 0.2% annual flood hazard zone which is not regulated by the City. The structures can be permitted and do not require any additional paving or impervious cover, and therefore, should not affect current grading, drainage or stormwater runoff patterns in the area.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Planning Staff believe there is a demonstrated community need for the PD expansion. The applicant has provided a justification letter that explains the organization's mandate to provide non-traditional therapy through riding horses and accessory ropes challenge course.
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.* Staff does not anticipate any changes to existing development patterns. The existing lot configurations will not change and the rezoning is simply an extension to the existing PD boundary. The ropes course is part of the existing Sonrisas operation and therefore, will have the same customers that may already utilize the therapeutic riding facility.

Planning Commission Recommendation:

On December 16, 2019, the Planning Commission recommended unanimous **APPROVAL** by a vote of 7-0 of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands totaling 30.267 acres from the Commercial and Neighborhood Future Land Uses to the Neighborhood Center Future Land Use, as presented; and recommended unanimous **APPROVAL** by a vote of 7-0 a rezoning from the Ranch and Estate (R&E) Zoning District to the Planned Development (PD) Zoning District to expand the existing PD06-05 boundary to allow for a new ropes challenge course and accessory structures associated with an existing day care and therapeutic horse riding facility, with the stipulation that there be no new parking within the 1.48-acre PD expansion area, and subject to all previous standards in the original PD06-05 ordinance and one additional standard as presented.

The following is the complete excerpt of the draft minutes from the December 16, 2019, meeting for this case:

Jeff Fisher, Principal Planner, presented the proposed Comprehensive Plan Amendment and PD Amendment. He indicated that these will be presented together in one presentation as they pertain to portions of the same properties and that two separate motions could be made.

He explained that after the applicant's major site plan expansion was approved by Planning Commission last month, it was discovered that approximately 150 feet of the zip line extension from the Sonrisas challenge course encroached past the PD boundary into the Ranch and Estate (R&E) Zoning District. Mr. Fisher explained that the purpose of this rezoning application is to expand the PD boundary to allow this zip line area to remain on the Sonrisas properties. He then explained that the Comprehensive Plan Amendment is to re-designate the Sonrisas, Mosaic, church and City properties in the area from Neighborhood and Commercial to Neighborhood Center which will be consistent with the Sonrisas PD zoning, and allow future rezonings to commercial for the other properties.

Mr. Fisher displayed the most recent PD concept plan showing the new challenge course area, zip line, and the tree buffer recommended by Planning Staff along the west properties lines to screen the

development from residential uses. He then displayed slides showing the original PD zoning requirements, and the two additional requirements for the tree buffer and the new uses of a challenge course and related accessory structures which would include the zip line.

Mr. Fisher outlined Staff's recommendation to approve the rezoning and Comprehensive Plan on the grounds that the Neighborhood Center designation will recognize the underlying PD Zoning and commercial uses in the area; that the PD concept plan will comply with all zoning standards; that the tree buffer will provide compatibility with the surrounding through screening from adjacent residential uses; and that there is a community need for Sonrisas services for disabled children and adults.

Commission Jackson asked to clarify the proposed Comprehensive Plan designation.

Mr. Fisher responded with the correction as presented, that the Comprehensive Plan designation if approved would be Neighborhood Center.

Chair Stribling opened public comment.

Mr. Jeremy Benson, representing Sonrisas, requested that the Planning Commission approve the requests consistent with Staff's recommendations.

Chair Stribling closed public comment.

Chair Stribling indicated that he understood that two separate motions were needed.

Ms. Hillary Bueker, Planning Manager, indicated that the either two motions could be taken, or a single motion to approve both items.

Commission Jackson asked about whether any additional parking would be provided as this was raised in one of the resident letters.

Mr. Fisher explained that the resident concern was whether additional parking would be provided along the flag portion facing Ben Ficklin Road where the residential homes have access. Mr. Fisher confirmed that the existing parking lot facing Bryant Boulevard is sufficient and that no new parking is proposed on the Ben Ficklin Road side.

Chair Stribling asked to confirm that new parking is not part of the proposed PD expansion.

Mr. Fisher responded this was correct.

Commissioner Jackson made a motion to recommend approval of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Commercial and Neighborhood Future Land Uses to the Neighborhood Center Future Land Use, as presented. Commissioner Self seconded the motion. The motion carried unanimously, 7-0.

Commissioner Uherik made a motion to recommend approval of a rezoning from the Ranch and Estate (R&E) Zoning District to the Planned Development (PD) Zoning District to expand the existing PD06-05 boundary to allow for a new ropes challenge course and accessory structures associated with an existing day care and therapeutic horse riding facility, with the stipulation that there be no new parking within the 1.48-acre PD expansion area, and subject to all previous standards in the original PD06-05 ordinance and one additional standard as presented. Commissioner Jackson seconded the motion. The motion carried unanimously, 7-0.

Recommendation:

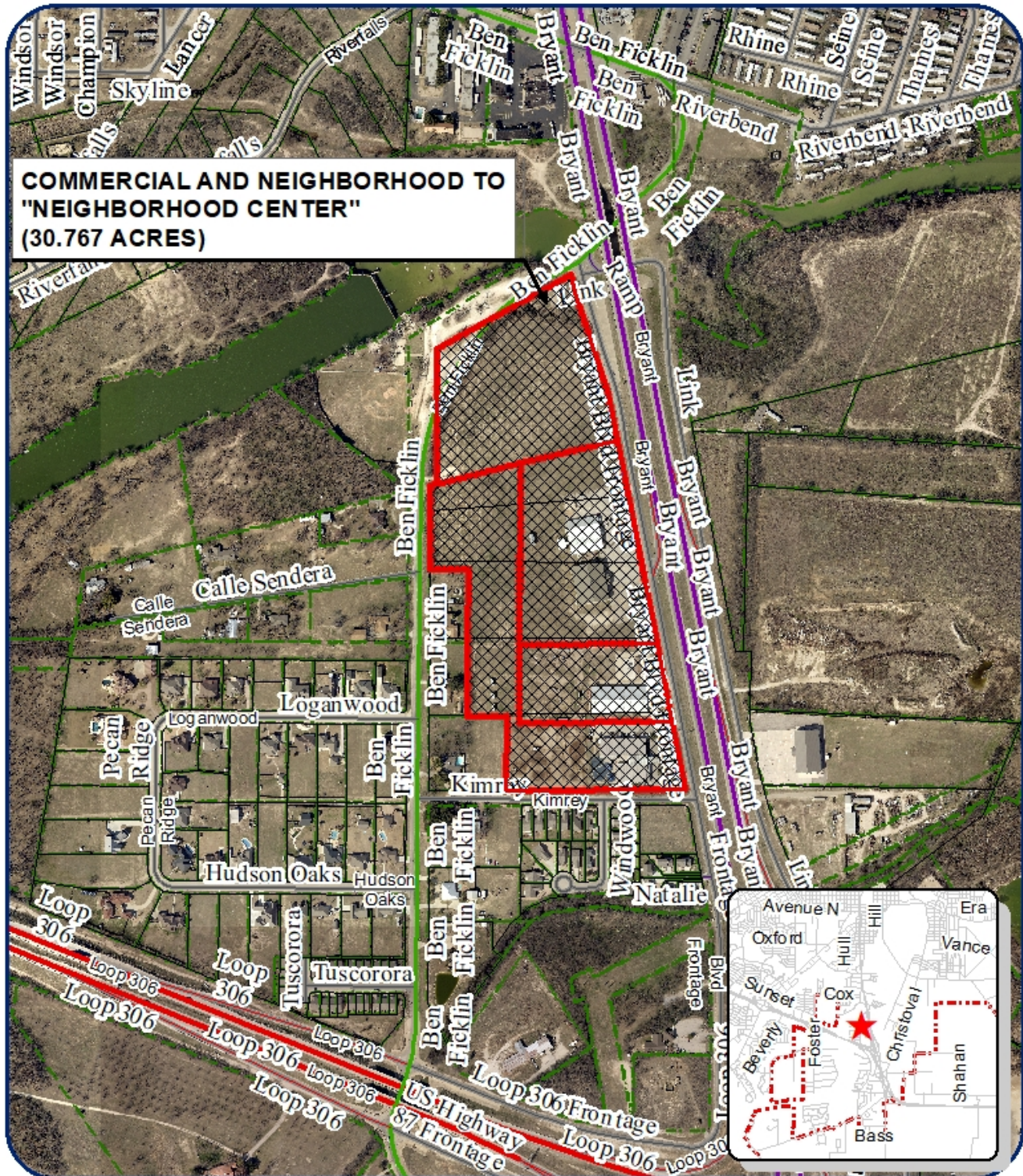
Staff's recommendation is for City council to:

- A. **APPROVE** a Comprehensive Plan Amendment, changing the Future Land Use designation from "Neighborhood" and "Commercial" to "Neighborhood Center" on the subject properties being 21.867 acres in Lots 18, 19 and part of Lots 20, 21 and 22 in Park View Acres, and 8.4 acres in the M. Mayer Survey #169, comprising a total of 30.267 acres; and,
- B. **APPROVE** a Rezoning from the Ranch and Estate (R&E) Zoning District to the Planned Development (PD) Zoning District to expand the existing PD06-05 boundary to allow for a new ropes challenge course and accessory structures associated with an existing day care and therapeutic horse riding facility, being a total of 10.954 acres located at 5185 and 5191 South Bryant Boulevard, **as amended by the Planning Commission, with the stipulation that there be no new parking within the 1.48-acre PD expansion area, subject to previous standards in the original PD06-05 ordinance and one additional standard:**
 1. Prior to any future development and/or building permits on the properties, the applicant shall submit a site plan to the Planning Director delineating a minimum of 15 trees, at least 40 feet tall at full maturity, along the portion of the rear property lines immediately west and south of the tall ropes and zip line course to provide screening from adjacent residential zoning and uses.

Note: This additional standard hereby eliminates the duplicate Condition #5 of the Major Site Plan approved by the Planning Commission on November 18, 2019.

Attachments:

Aerial Maps
Future Land Use Maps
Zoning Maps
Photographs
PD Ordinance requirements exhibit
PD Concept Plan
Support Letters
Letter from Sonrisas
Opposition Letter
Zone Change Criteria Sheet
Zone Change Application

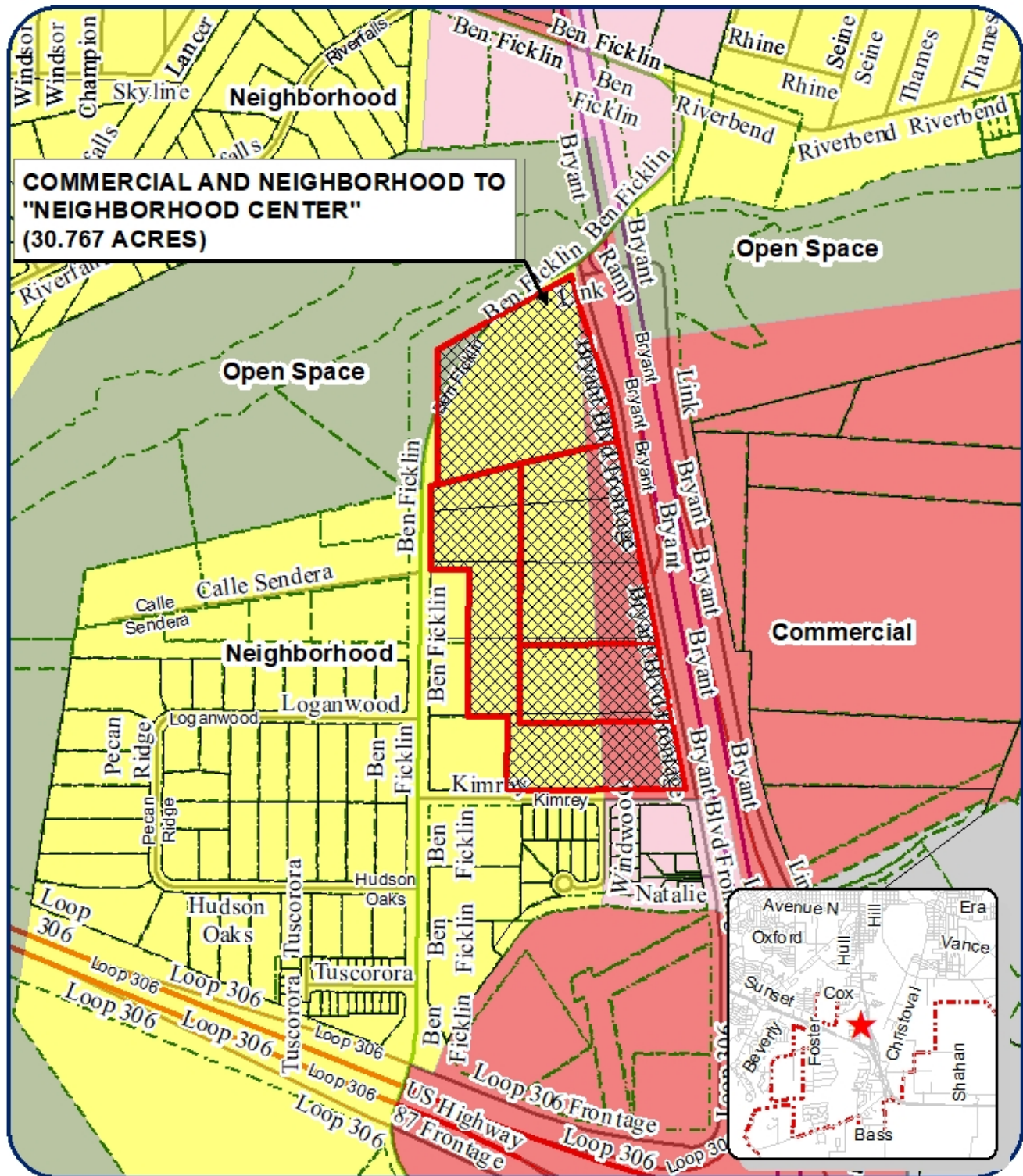
**Comprehensive Plan Amendment****City of San Angelo**

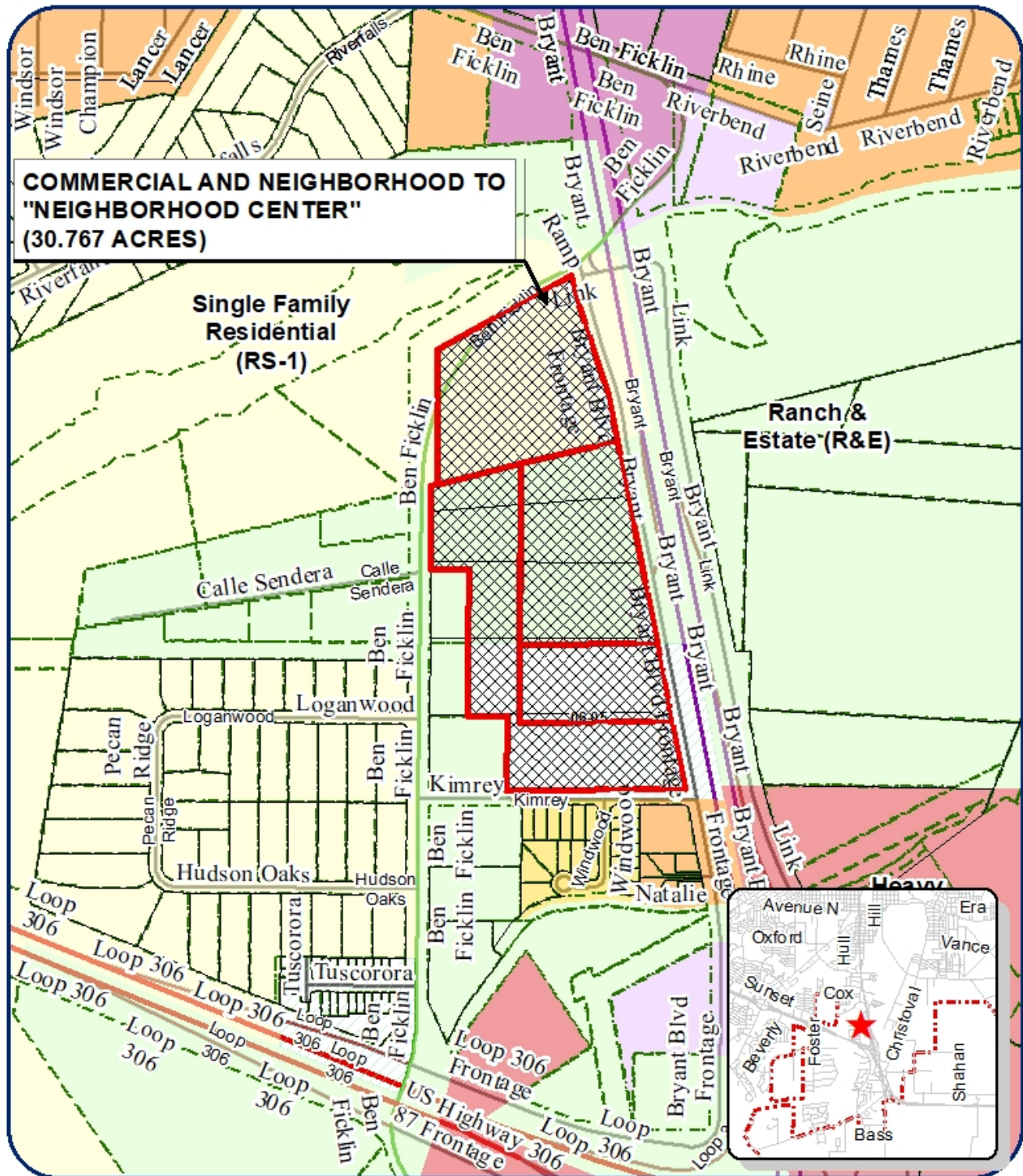
Council District: Tommy Hiebert - District 1

Neighborhood: Glenmore

Scale: 1" approx. = 500 ft

30.767 ac. between Kimrey Ln, Ben Ficklin Rd, and S. Bryant Blvd.**Legend**Subject Properties: Current Zoning: **RS-1, R&E, PD06-05**Vision: **Commercial and Neighborhood**Vision Plan Change: **Neighborhood Center**





City of San Angelo

Council District: Tommy Hiebert -District 1
Neighborhood: Glenmore
Scale: 1" approx. = 500 ft

30.767 ac. between Kimrey Ln, Ben Ficklin Rd, and S. Bryant Blvd.

Legend

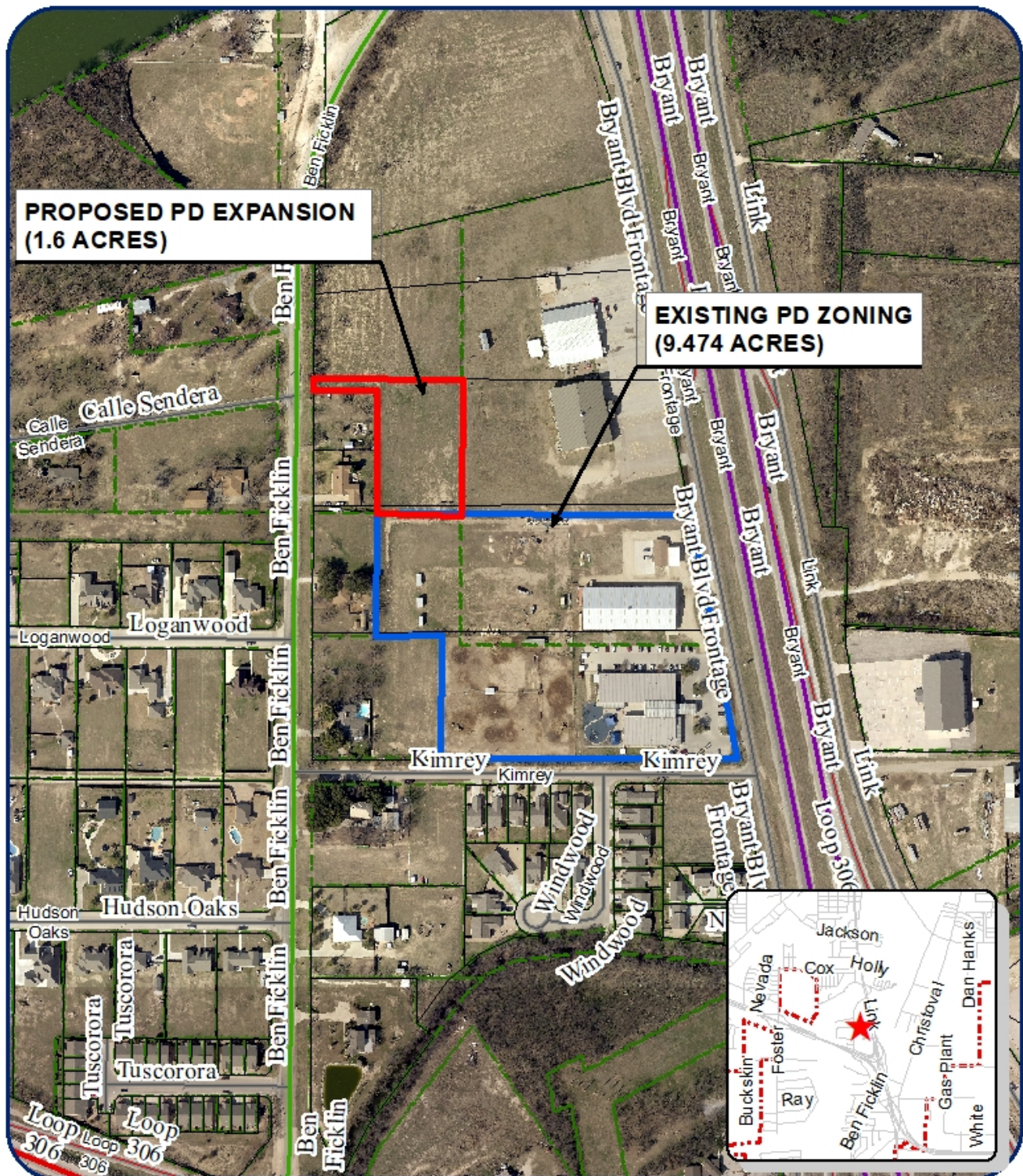
Subject Properties:

Current Zoning: **RS-1, R&E, PD06-05**

Vision: **Commercial and Neighborhood**

Vision Plan Change: **Neighborhood Center**



**Planned Development Rezoning****Amendment to PD06-05: Sonrisas**

Council District: Tommy Hiebert - District 1

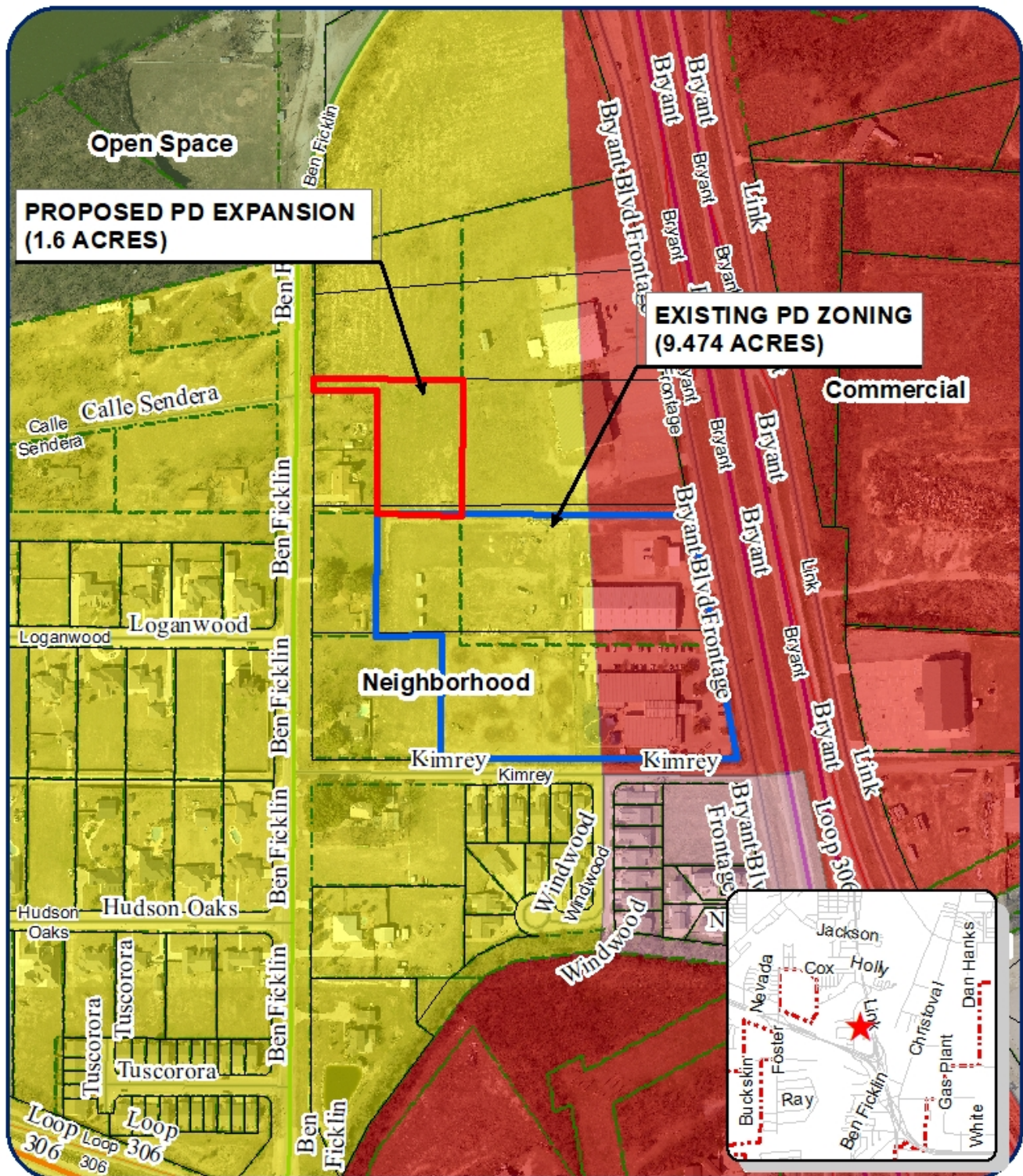
Neighborhood: Glenmore

Scale: 1" approx. = 300 ft

5185/5191 S. Bryant Blvd**Legend**

Subject Properties:

Current Zoning: **PD06-05 and R&E**Requested Zoning Change: **PD06-05**Vision: **Commercial and Neighborhood**

**Planned Development Rezoning****Amendment to PD06-05: Sonrisas**

Council District: Tommy Hiebert - District 1

Neighborhood: Glenmore

Scale: 1" approx. = 300 ft

5185/5191 S. Bryant Blvd**Legend**

Subject Properties:

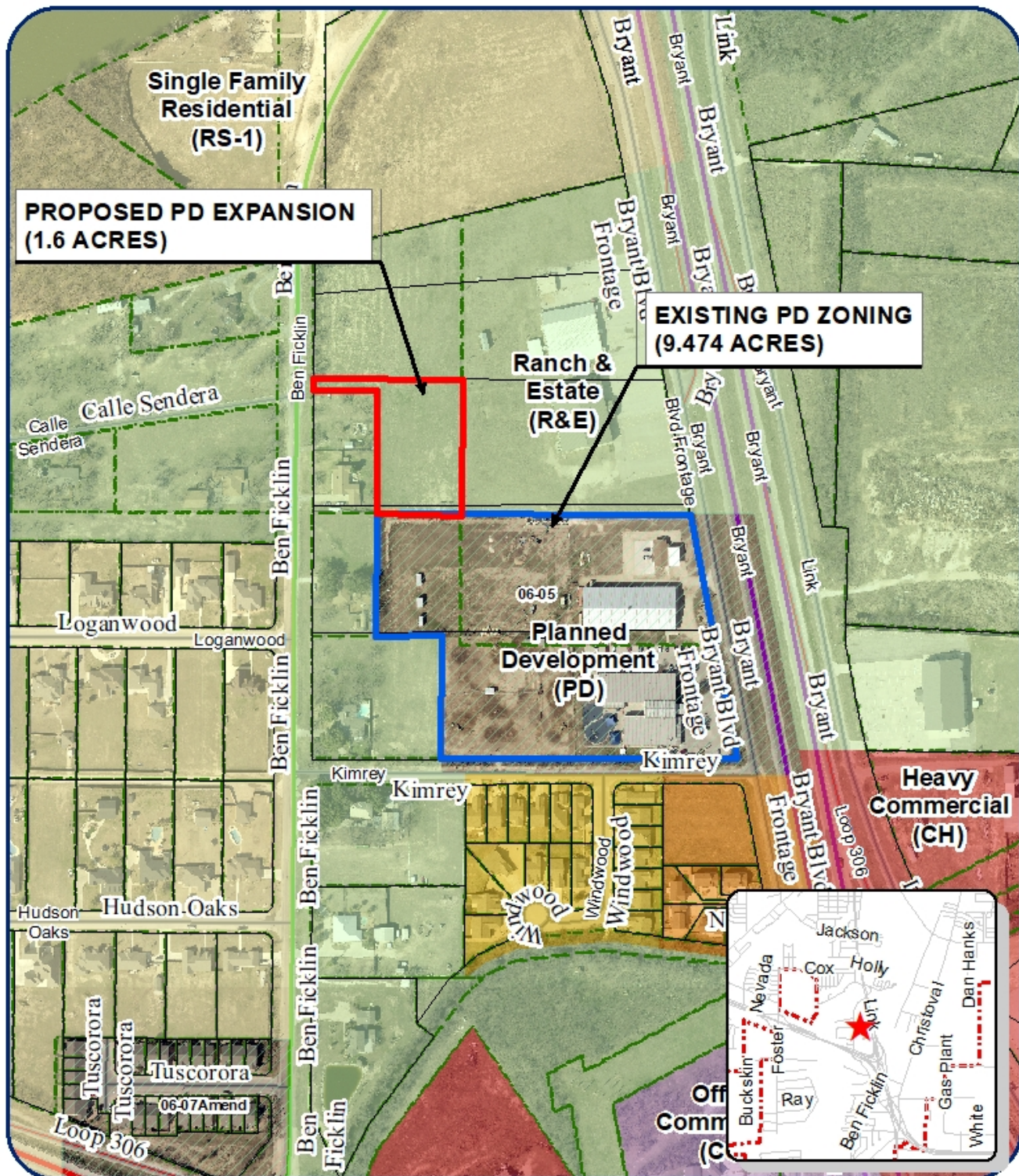
Current Zoning: PD06-05 and R&E

Requested Zoning Change: PD06-05

Vision: Commercial and Neighborhood

N





Planned Development Rezoning

Amendment to PD06-05: Sonrisas

Council District: Tommy Hiebert -District 1
Neighborhood: Glenmore
Scale: 1" approx. = 300 ft

5185/5191 S. Bryant Blvd

Legend

Subject Properties: [REDACTED]
Current Zoning: PD06-05 and R&E
Proposed Zoning Change: PD06-05
Vision: Commercial and Medium Density



Photos of Site and Surrounding Area

NORTH



SOUTH



WEST AT MOSAIC PROPERTY



WEST AT SONRISAS PROPERTY



WEST AT WORD OF LIFE CHURCH PROPERTY



WEST AT WORD OF LIFE CHURCH PROPERTY



Photos of Site and Surrounding Area

WEST AT CITY VACANT PROPERTY



WEST AT CITY VACANT PROPERTY



LEAN-TO BUILDING AT REAR (PERMIT REQUIRED)



TRAIL RIDING AREA (AWNINGS REQUIRE PERMITS)



EXISTING COVERED ARENA



REAR OF PROPERTY



OUTDOOR TALL ROPES AREA



OUTDOOR TALL ROPES AREA



ZIP LINE EXTENSION INTO R&E ZONE



ZIP LINE CLOSE UP FACING ADJACENT RESIDENCE



PD Ordinance requirements exhibit

Requirements of Original PD06-05 (to continue to apply):

1. Allowed uses – day care, therapeutic horse riding, administrative offices
2. Underlying Office Commercial (CO) development standards
3. Accessory horse riding arena
4. Accessory caretaker's residence

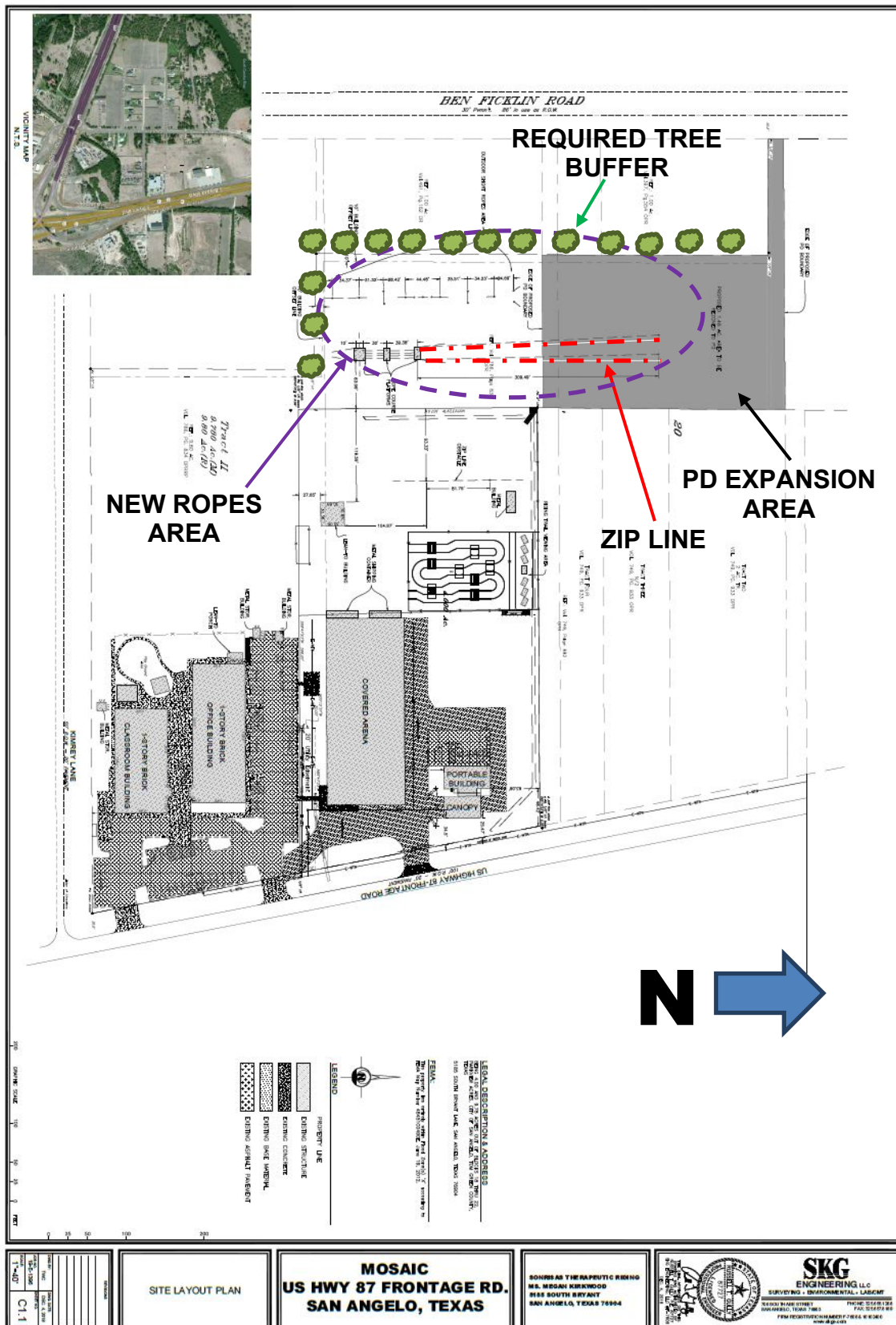
Amendment to PD06-05:

1. Allowed uses – day care, therapeutic horse riding, administrative offices
2. Underlying Office Commercial (CO) development standards
3. Accessory horse riding arena
4. Accessory caretaker's residence

New:

5. Additional permitted uses of ropes challenge course and related accessory structures
6. Prior to any future development and/or building permits on the properties, the applicant shall submit a site plan to the Planning Director delineating a minimum of 15 trees, at least 40 feet tall at full maturity, along the portion of the rear property lines immediately west and south of the tall ropes and zip line course to provide screening from adjacent residential zoning and uses
7. No parking allowed in the 1.48-acre expansion area

PD Concept Plan for Rezoning



Support Letter

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 72 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

(✓)

IN FAVOR

()

IN OPPOSITION

REASON(S) _____

Our only concern is if there are plans for a road or parking lot next to our home. The ladies in the office assured us there was no plan for either.

NAME: Johnny + Vicki JonettADDRESS: 4926 Ben Ficklin RdSan Angelo 76904PHONE: 325-617-4139SIGNATURE: Vicki Jonett

Amendment to PD06-05: Sonrisas Trails

Property owner number: 9

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Principal Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at jeff.fisher@cosatx.us.

Support Letter

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.

(✓) IN FAVOR () IN OPPOSITION

REASON(S) I Love Mosaic Therapy Riding -
it helps so many young people learn to
care for those less able. I fully support
all efforts to help the disabled & to teach
our youth to care for others.

NAME: Gail Mowrer

ADDRESS: 1631 Kimrey Ln.
San Angelo TX 76904

SIGNATURE: Gail Mowrer

CP19-03: COSA

property owner number: 15

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Principal Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at jeff.fisher@cosatx.us.

Letter from Sonrisas sent to opposed resident



Fri 11/22/2019 10:45 AM

Jeremy Vincent <jvincent@wtbr.org>

Sonrisas Trails

To: dpevilliams@verizon.net

Cc: Fisher, Jeff

You replied to this message on 11/22/2019 6:43 PM.

Ms. Williams,

Thank you for your inquiry of the newly built ropes/challenge course at Sonrisas Trails. The Junior League of San Angelo actually started Sonrisas in the early 80's to provide non-traditional therapy through riding horses to the disabled population of San Angelo. With certified instructors and well trained volunteers Sonrisas is able to provide a safe environment for children, adults and veterans to begin to work through their disabilities. The ropes/challenge course was built with the same purpose in mind. Allowing an additional form of non-traditional therapy for the disabled population to utilize. Again, with certified instructors and volunteers they are able to accomplish, overcome and begin to believe in themselves through this experience. I highly recommend you visiting Sonrisas and witness first hand the work being done.

The primary purpose of the ropes/challenge course is to serve the disabled population. With that said, it also provides us the ability to offer its use for the community as a whole. The true financial gain occurs when the individuals that participate, see and understand the purpose of the program and begin to make donations to Sonrisas.

Just like with our equine therapy, the ropes/challenge course therapy will occur M-F, 8-5 with a minimal amount of classes after 6 pm. There are no lights on the course so operating after dark is not a possibility. The course can be used on the weekends and generally speaking it will be during business type hours. The noise should not be greater than what you would hear from our clients in the arena or the children playing on the playground at Mosaic. If you have any other questions, please do not hesitate to ask.

I hope this information is helpful.

Sincerely,

--

Jeremy Vincent, CEO
West Texas Boys Ranch
West Texas Boys Ranch Foundation
Sonrisas Trails
p 325-949-1936
c 325-234-1341

Raising Boys...Building Men
Since 1947

This message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary, privileged, confidential, and may constitute attorney work product or be exempt from disclosure under one or more of the following sections of the Texas Public Information Act: SECS. 552.101, 552.103 or 552.107. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, notify us immediately by telephone and (i) destroy this message if a facsimile or (ii) delete this message immediately if this is an electronic communication. Thank you.

Opposition Letter (outside 200') and follow-up response



Jeff,

I am writing regarding the building of a Ropes/Zip Line Course at Sonrisas between Hwy 87 S access road the Ben Ficklin Road, San Angelo, Texas.

Sonrisas constructed an unsightly structure in the middle of a residential area without a permit. I feel this is a detriment to our neighborhood and I would like the structure to be removed.

I have the following concerns for you and council:

1. What is the purpose of a Ropes/Zip Line course at a facility that serves handicapped individuals?
2. Is Sonrisas planning to use the course for financial gain by using it for corporate team building events?
3. What time of day or night will activities take place?
4. How many people will participate at any given time?
5. How much noise will the activity generate?
6. If there are any night activities, will there be any lights associated with the project. If so, how many lumens will be used and to what time at night.
6. Will the activity increase the traffic on Kimrey Lane and Ben Ficklin Road?

Thank you in advance.

Linda D. Williams
1866 Calle Sendera
San Angelo, Texas 76904
972.849.9965



To jvincent@wtbr.org

Cc Fisher, Jeff; rggraha@hotmail.com; ruthjordan@suddenlink.net; rkandannam@suddenlink.net; phylliswaldrop@gmail.com

You replied to this message on 11/23/2019 9:49 AM.

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

Mr. Vincent,

Thank you for your response.

I was one of the original people whom started Sonrisas (now a part of Boys Ranch) BEFORE the Junior League took it over. I am very well versed on what they do, and continue to maintain my opinion that a ropes course with a zip line is not consistent with therapeutic riding. This structure appears to be a replica of what was at Boys Ranch, where corporate challenges are held for a fee. Therefore, I am still opposed to the structure.

Linda D. Williams

—Original Message—

From: Jeremy Vincent <jvincent@wtbr.org>
To: dgsewilliams <dgsewilliams@verizon.net>
Cc: Fisher, Jeff <jeff.fisher@cosatx.us>
Sent: Fri, Nov 22, 2019 10:44 am
Subject: Sonrisas Trails

Sec. 212. Amendments to Text or Official Zoning Map

G. Amendment Criteria. The wisdom of amending the text of this Zoning Ordinance or the Official Zoning Map is a matter committed to the sound legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt, adopt with modifications or deny the proposed amendment, the City Council shall at a minimum consider the following factors.

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.

Future land use of neighbor land allows
commercial uses. Already existing PD
zoning on property.

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

Expansion is to Allow a ropes course ~~in the~~
through the expansion of the PD property
boundary.

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.

Existing PD allows the facility this is
extending the PD boundary

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

Zip line was placed in the R:E zoning
; requires PD amendment.

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, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment

NP

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

PD expansion will allow Sonrisa to
continue serving children & adults with
disabilities.

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.

No anticipated change.

Staff Report –CP19-03 & Amendment to PD06-05: Sonrisas Trails/COSA
January 21 & February 4, 2020

Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue
Application for Approval of a Zone Change

**Section 1: Basic Information**

Name of Applicant(s): Sonrisas Trails
☐ Owner ☒ Representative (Notarized Affidavit Required)
 Mailing Address: PO Box 1093 San Angelo TX 76902
325-234-1341 vincentputbridge
 Contact Phone Number Contact E-mail Address
 Subject Property Address: 5185 S Bryant 5181 S Bryant TX 76901
 City State Zip Code

Legal Description (can be found on property tax statement or at www.tamarencad.com)

Existing Zoning: PD+RE Proposed Zoning: PD Lot size: 13.51

(Zoning Map available on [City Maps](#))

Section 2: Site Specific Details

Existing Use of Property: Therapeutic Riding & Challenge Course
 *Proposed Use of Property: Expand an addition 46 acres of PD zoning onto an existing 9.474 PD land
 *Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

(By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)

- ☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner.
- ☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.
- ☒ If approved, a zone change is applied to the property, not the property owner.
- ☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.
- ☒ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.
- ☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.
- ☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.
- ☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

☐ The applicant or an authorized representative should attend public hearing(s) pertaining to his/her request, prepared to present his/her case and to answer any relevant questions from Planning Commission or City Council members.

I/We the undersigned acknowledge that the information provided above is true and correct.

Owner Name (Print)	Signature	Company/Organization (If Applicable)	Date
		Sonrisas Trails	11-14-19
Representative Name (Print)	Signature	Company/Organization	Date

FOR OFFICE USE ONLY:

☒ Verified Complete ☐ Verified Incomplete

Amendment to PD 06-05
Case No.: 2

Date of Application: 11/14/2019

Fully-dimensioned site plan: ☒

Nonrefundable fee: \$520.00 Receipt #: _____ Date paid: 11/14/2019

Sign Deposit \$37.50 Receipt #: _____ Date paid: 11/14/2019

Affidavit attached? ☒ Yes ☐ No ☐ N/A Applicant's signature on information sheet? ☒ Yes ☐ No

Previous Zone Change Inquiry? ☐ Yes ☐ No If yes, ZCI case no.: _____

River Corridor Commission? ☐ Yes ☐ No If yes, RCC meeting date: ____/____/____

Planning Commission hearing date: 12/16/19 Date notifications due: ____/____/____

City Council hearing date: ____/____/____ Packets due date: ____/____/____

Publication date: ____/____/____

Reviewed/Accepted by: J. Fisher Date: 11/14/2019

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeff Fisher, Sr. Planner, Planning and Development Services, 325.657.4210

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Second reading of an ordinance approving PD19-09, a rezoning from the General Commercial/ Heavy Commercial zoning district to the Planned Development zoning district to allow for a multifamily housing development with associated management office and storage units; and an existing telecommunication tower facility; being 2.15 acres located between E. Ave. D, S. Oakes St., E. Washington Dr., and Orient St. (Jon James)

Summary/History:

The applicants have applied for a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for a multifamily residential housing development comprising of 20 two-family (duplex) buildings and a total of 40 residential units; a management office and storage units; and an existing telecommunication tower facility. Plans are for 24 of the residential units to be one-bedroom and 16 two-bedroom.

The purpose of the PD rezoning is to allow a multifamily residential development on the six lots with appropriate underlying zoning, reduced front yard building setbacks, and security fencing taller than 4 feet within these setbacks to control access to the site. The reduced front yard setbacks will allow the buildings adjacent to these streets to be built at 0 feet, along the property line. This will be consistent with the commercial building line along this corridor, enhancing the streetscape.

Financial Impact:

N/A

Other Information/Recommendation:

On December 16, 2019, the Planning Commission unanimously recommend APPROVAL of the rezoning, by a 6-0 vote.

On January 21, 2020, the City Council recommended APPROVAL of the rezoning by a 7-0 vote.

Attachments:

- | | | |
|----|------------------------|-----------------------------|
| 1. | Ordinance (PD19-09) | Ordinance (PD19-09).docx |
| 2. | Staff Report (PD19-09) | Staff Report (PD19-09).docx |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher
Hillary Bueker

Created/Initiated
Approved

Jon James
Brandon Dyson
Jon James
Theresa James
Julia Antilley

Approved
Approved
Approved
Approved
Final Approval

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT “A” OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTIES: **LOTS 1A, 2A, 3A, 4A, 5A, AND 6A IN THE SECOND REPLAT IN BLOCK 13 OF THE MILLSPAUGH ADDITION; LOCATED BETWEEN EAST AVENUE D; SOUTH OAKES STREET; EAST WASHINGTON DRIVE; AND SOUTH CHADBOURNE STREET;** FROM THE GENERAL COMMERCIAL/HEAVY COMMERCIAL (CG/CH) ZONING DISTRICT TO A PLANNED DEVELOPMENT (PD19-09) ZONING DISTRICT TO ALLOW FOR A MULTIFAMILY HOUSING DEVELOPMENT WITH ASSOCIATED MANAGEMENT OFFICE AND STORAGE UNITS; AND AN EXISTING TELECOMMUNICATION TOWER FACILITY; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: PD19-09: Favre

WHEREAS, on the 16th day of December, 2019, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed Planned Development (PD19-09) Zoning District to allow for a multifamily housing development with associated management office and storage units; and an existing telecommunication tower facility; and in conformance with the overall use in accordance with the approved Concept Plan, as further depicted on **Exhibit “A”** of this Ordinance (**“PD Concept Plan”**); and,

WHEREAS, on the 21st day of January, 2020, City Council held a public hearing on PD19-09, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SAN ANGELO:

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit “A” of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described properties permanently zoned PLANNED DEVELOPMENT (PD19-09) ZONING DISTRICT;

The real property generally located between East Avenue D, South Oakes Street, East Washington Drive, and Orient Street; being 2.15 acres within Lots 1A, 2A, 3A, 4A, 5A, and 6A in the Second Replat in Block 13 of the Millspaugh Addition, City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit “B” of this Ordinance, shall henceforth be permanently zoned as follows: Planned Development (PD19-09) Zoning District.

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning & Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit “B”** of this Ordinance (**“PD Boundary Map”**).

SECTION 3: The use of the hereinabove described properties shall be subject to all applicable regulations contained in **Exhibit “C”** of this Ordinance (**“Applicable Regulations”**), and Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

SECTION 4. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended herein shall remain in full force and effect.

SECTION 5: 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 6: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **21st day of January, 2020**, and finally PASSED, APPROVED AND ADOPTED on this the **4th day of February, 2020**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A" (PD Concept Plan)

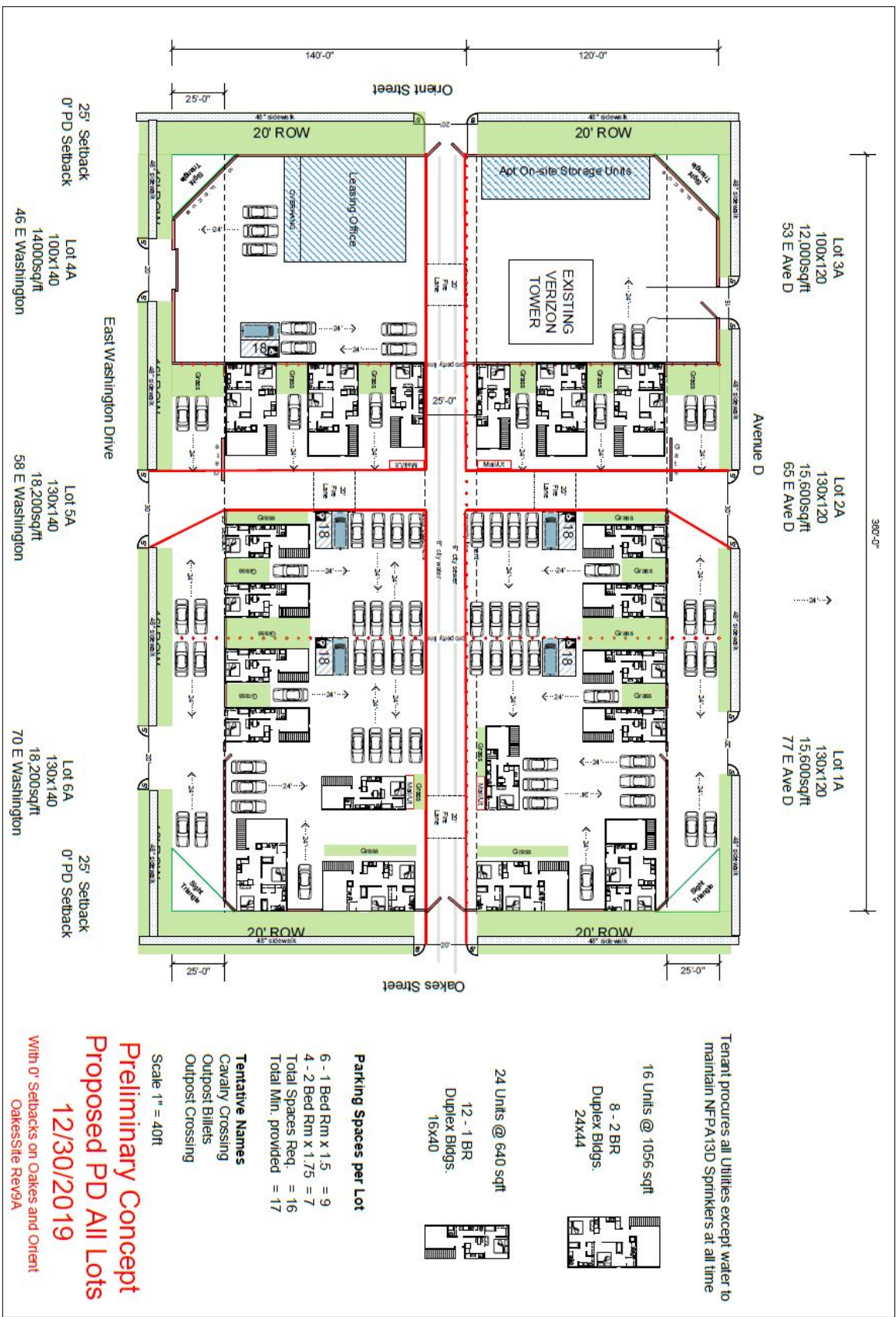


Exhibit "B" (PD Boundary Map)

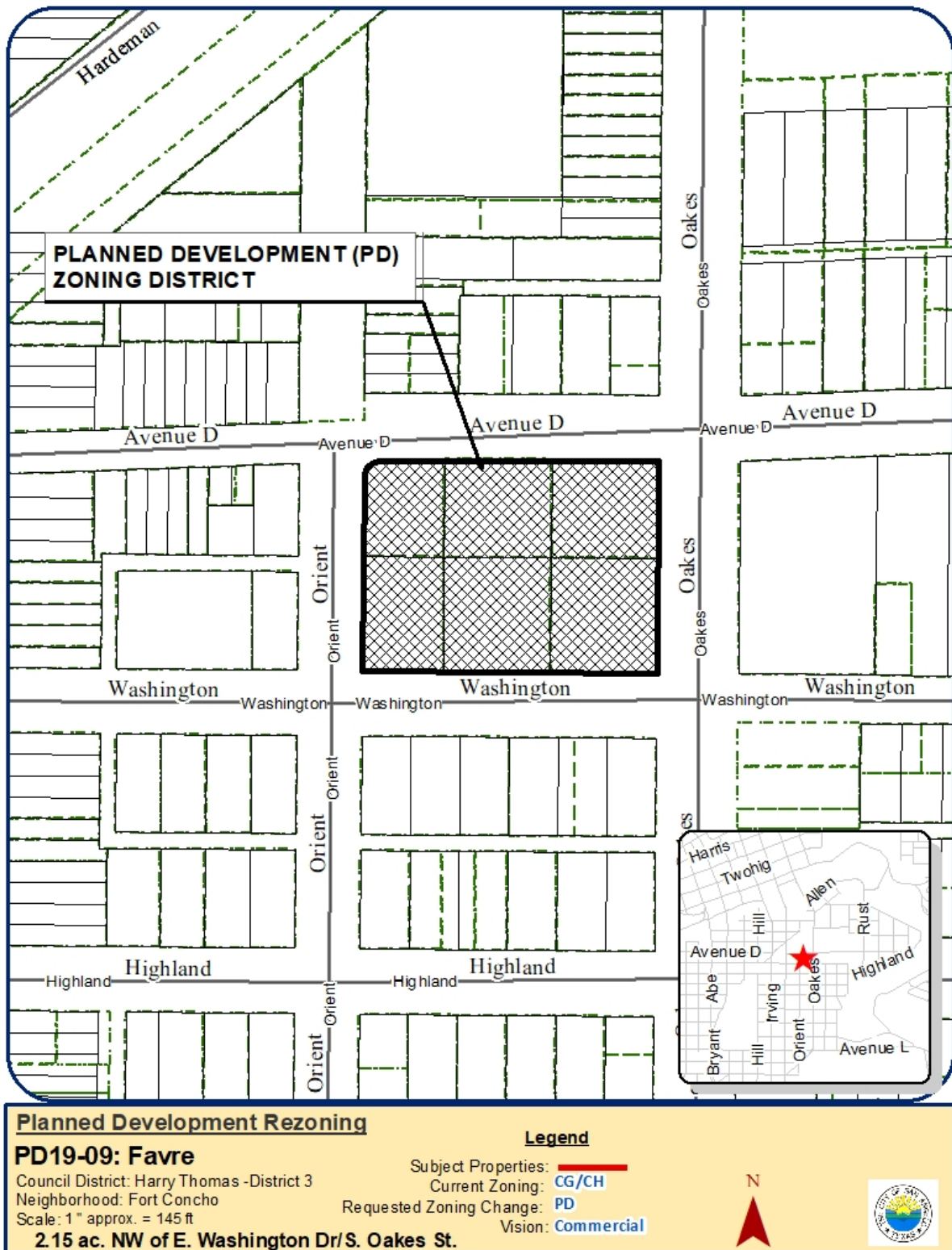


Exhibit “C”

Applicable Regulations

1. Except as otherwise specified or limited below, the development of the subject property shall generally conform to the Low Rise Multifamily Residential (RM-1) Zoning District, except for:
 - a. The minimum front yard setback shall be 0 feet;
 - b. The maximum fence height within the front yards of Lots 1A, 2A, 5A and 6A of the Second Replat in Block 13, Millspaugh Addition, shall be 6 feet; and,
 - c. The maximum fence height within the front yards of Lots 3A and 4A of the Second Replat in Block 13, Millspaugh Addition, shall be 8 feet, except that any fencing on Lot 4A within the front yard facing East Washington Drive shall be a maximum height of 6 feet and be non-opaque.
2. Overall site use shall be in accordance with the approved Concept Plan. Major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director, provided no changes to the Zoning Ordinance are required.
3. The applicant shall submit and obtain approval of an Urban Design Review (UDR) prior to any future development that includes building elevations, a landscape plan, and details of all fencing, screening, and proposed lighting.
4. Intermodal containers shall not be used as permanent structures on the property, including as storage units.
5. All exterior lighting be shielded, downward emitting and configured in such a manner as to satisfactorily minimize or eliminate light trespass onto surrounding properties. The City has the right to periodically inspect the property to verify compliance.

CITY COUNCIL – January 21, 2020
STAFF REPORT



APPLICATION TYPE:		CASE:	
Planned Development (Rezoning)		PD19-09: Favre	
SYNOPSIS:			
The applicants have applied for a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for a multifamily residential housing development comprising of 20 two-family (duplex) buildings and a total of 40 residential units; a management office and storage units; and an existing telecommunication tower facility. Plans are for 24 of the residential units to be one-bedroom and 16 two-bedroom (see Additional Information).			
LOCATION:		LEGAL DESCRIPTION:	
Located between East Avenue D, South Oakes Street, East Washington Drive, and Orient Street		Being Lots 1A-6A in the Second Replat in Block 13, Millspaugh Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Fort Concho Neighborhood	General Commercial/Heavy Commercial (CG/CH)	C – Commercial	2.15 acres
THOROUGHFARE PLAN:			
<i>All adjacent streets are Urban Local Streets requiring 50' right-of-way, 40' pavement or 36' with a 4' sidewalk</i> East Avenue D – Provided: 80' right-of-way, 40' pavement Orient Street – Provided: 80' right-of-way, 40' pavement East Washington Drive – Provided: 80' right-of-way, 50' pavement South Oakes Street – Provided: 100' right-of-way, 60' pavement			
NOTIFICATIONS:			
14 notifications mailed within 200-foot radius on November 25, 2019. None received in support; one received in opposition (See below).			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for a multifamily housing development with associated management office and storage units; and an existing telecommunication tower facility; subject to five conditions of approval.			
PROPERTY OWNER/PETITIONER:			
Property Owner and Applicant: Tri-Side Capital LLC TSC Outpost Series, Mr. Mickey Favre			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: The purpose of the PD rezoning is to allow a multifamily residential development on the six lots with appropriate underlying zoning, reduced front yard building setbacks, and security fencing taller than 4 feet within these setbacks to control access to the site. Planning Staff is recommending Low Rise Multifamily Residential (RM-1) as the underlying zoning for the PD which will remove the incompatible CG/CH zoning. The reduced front yard setback will allow the buildings facing Oakes and Orient Streets to be built at 0 feet, along the property line. This will be consistent with the commercial building line along this corridor, enhancing the streetscape. The applicant has submitted a concept plan and sample building elevations as part of their request. A portion of the elevations facing South Oakes Street, East Washington Drive, and East Avenue D will be of simulated stone or Dryvit stucco finish, and gabled, shingled roofs compatible with historic Fort Concho located to the east. The concept plan also delineates sidewalks along all four sides of the development as well as a greenspace buffer between the property lines and the sidewalks. A portion of the Avenue D sidewalk may be required to be shifted south given proximity to existing electric poles, and this can be addressed at the permit stage. The plan shows four controlled access points, one from each of the four streets abutting the development. All of the lots were platted as the Second Replat in Block 13, Millspaugh Addition, filed for record with the county clerk on July 5, 2016.

Rezoning: 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:

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 properties are designated “Commercial” in the City’s Comprehensive Plan which calls to “establish transition areas between commercial areas and nearby neighborhoods” that “create new physical connections to neighborhoods lined with transitional and intermediate uses.” An existing telecommunication tower was approved by Conditional Use (CU16-05) on Lot 3A at the northwest corner of the development. The applicant now plans to add storage units for the apartments on this lot, as well as a management office on Lot 4A to the southwest. These uses are compatible in the Commercial designation. The multifamily residential development will provide a transition between the commercial buildings along South Oakes Street, and the residential homes to the southwest. The multifamily housing development will also be consistent with historic Fort Concho to the east which also contains multiple buildings within a single development.
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 development will comply with the underlying RM-1 zoning standards of the PD, except for the required front yard setbacks of 25 feet from South Oakes Street and Orient Street, and allow fencing higher than 4 feet in the front yards which will be recognized through site-specific exceptions in the PD ordinance. This will include allowing the 6-foot high fencing around the multifamily properties, and 8-foot high fencing around the commercial/office properties. Each of the six lots exceed the minimum lot frontage of 60 feet and minimum lot depth of 100 feet for a multifamily

development. The RM-1 zoning allows 25/units per acre, up to 53 units on this site. However, only 40 units are proposed (75% of the maximum allowed). From the concept plan, the total proposed floor area ratio is approximately 0.46 (43,055 square feet of building floor area divided by the lot area of 93,654 square feet), well under the maximum 0.75 FAR. Finally, the applicant has provided adequate parking for each lot. On the four duplex properties, a minimum of 17 spaces are provided and a total of 16 are required (1.5 spaces x 6 – 1 bedroom units and 1.75 spaces x 4 – 2 bedroom units). On the management office property, 8 spaces are provided and only 5 are required (2,500 square feet/500) and for the telecommunication tower property, two spaces are provided as required.

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 development is compatible with the surrounding area. As indicated, the applicant plans to install facades that are visually consistent with the materials found on the historic Fort Concho buildings. The development is similar to the Fort Concho property in that it contains multiple buildings as part of a single development. It provides a transition between the commercial development along South Oakes Street and the residential neighborhood to the southwest. Staff believes the PD is appropriate for this area which combines existing commercial uses (telecommunication tower) with a new management office, storage units, and duplexes.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The underlying CG/CH zoning is not compatible with this area that combines historic Fort Concho with a retail commercial corridor and residential neighborhood. This rezoning would recognize the mixed-use character of this block and allow more affordable housing close to Downtown San Angelo. The properties are two blocks south of the Central Business District, two blocks east of a Concho Valley Transit (CVT) bus route, have access to on-street bike lanes along South Oakes Street, and are within the South TIRZ District which allows the applicant to apply for façade and site improvement grants.
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 does not appear to be any adverse impacts on the natural environment if this development was approved. The property was platted in 2016 and a drainage study which will look at grading, drainage and runoff will be required at the time of permitting. Any mitigation measures, if required, could be addressed at that time.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Planning Staff believe there is a community need for the proposed multifamily development. The recent 2019 *San Angelo ResIntel Housing Study* <https://www.cosatx.us/home/showdocument?id=29353> supports justification for this, for the

type of units (rental duplexes) and location (close to Downtown). The study indicates a current multifamily rental occupancy of 95.6% in the first quarter of 2019 close to full capacity, and predicts a 6% increase of net new households in the city in the next 5 years. The study also indicates increasing demand for rented duplexes due to a large shortage of desirable for-sale homes priced \$150,000 and below, and references a previous study with a downtown housing demand of 600 units. Finally, the study mentions that 6,472 renter-occupied households were burdened with housing costs and a lack of a diverse mix of housing types in new construction. Staff is confident based on the thorough analysis and demographic analysis of this study that the 40 new duplex units will help reduce the shortage of housing and provide more affordable options to San Angelo residents. As indicated, the property is an excellent location close to Downtown San Angelo, historic Fort Concho a major tourist attraction, and other retail commercial amenities within walking distance.

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.* Staff does not anticipate any change to existing development patterns. As indicated, the six lots were platted in 2016 and the four new controlled access points will provide access from all four sides to the development. In addition, there will be additional accesses on each of the lots exclusively for parking areas. These parking areas provide additional spaces for guests to the properties.

Planning Commission Recommendation:

On December 16, 2019, the Planning Commission recommended unanimous **APPROVAL** by a vote of 6-0 the rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for a multifamily housing development with associated management office and storage units; and an existing telecommunication tower facility, **subject to the five conditions of approval as presented, amending Condition #1.c. to require that any fencing on Lot 4A within the front yard facing East Washington Drive shall be a maximum height of 6 feet and be non-opaque. Commissioner Smith seconded the motion. The motion carried unanimously, 6-0 (see below).**

The following is the complete excerpt of the draft minutes from the September 16, 2019, meeting for this case:

Mr. Fisher presented the proposed PD Zoning request. He explained that the purpose of the request is to allow a multifamily housing complex on the property comprising of 20 duplex buildings and a total of 40 units. Mr. Fisher displayed the applicant's concept plan. He explained that the PD would allow flexibility in zoning standards including allowing 0-foot front setbacks and recognition of the existing telecommunication tower and proposed commercial storage units at the northwest corner of the site. He further explained that the PD would allow fencing up to 8 feet in height on portions of the commercial and management office lots for security reasons.

Chair Stribling asked if the setback will be 0 feet on Oakes Street and Orient Street.

Mr. Fisher responded that this was correct.

Mr. Fisher outlined Staff's recommendation to approve the PD rezoning on the grounds that the multifamily development will provide a transition between the single-family residential development to the southwest and commercial buildings along South Oakes Street; that the proposed development will comply with the underlying RM-1 zoning standards except for the front setbacks of 0 feet; that the proposed front facades will be consistent with historic Fort Concho; and that the PD will recognize the mixed-use character of the site. Mr. Fisher also referenced some statistics from a 2019 *ResIntel* housing study calling for more affordable housing and duplexes in San Angelo.

Chair Stribling asked why an 8-foot tall fence was needed along the west side of the property and not a 6-foot tall fence.

Mr. Fisher explained that the applicant wanted additional security on this side.

Commissioner Jackson asked about the proposed front setback on Oakes Street.

Mr. Fisher responded that many of the properties along South Oakes are at or close to 0 feet and allowing the new buildings to be at 0 feet on this side would be consistent with the surrounding development pattern.

Chair Stribling opened public comment.

Mr. Mickey Favre, the applicant, indicated that he bought the property four years ago and intends to make the development consistent with Fort Concho. He explained that the PD will allow the zero lot line consistent with the surrounding area, and that the 8-foot fence on the westerly lots would keep these separate from the rest of the development.

Commissioner Jackson asked how many units were part of this development.

Mr. Favre responded there will be 40 units within duplexes no more than two-stories tall.

Mr. Ross Coleman, Fire Prevention Officer, indicated that the applicant will be installing fire sprinklers for the buildings.

Mr. Fisher indicated that the portion of the fence on the management office lot facing East Washington Drive shall be a maximum height of 6 feet and non-opaque to allow residents to be able to locate the management office.

Chair Stribling asked for clarification that all units have to be sprinklered.

Mr. Coleman indicated that each unit will have its own sprinkler system unlike a commercial building and that his office is in support of the proposed system.

Mr. Favre indicated that these units are not required to be sprinklered as duplexes.

Commissioner Uherik left the meeting at 10:28 a.m.

Chair Stribling closed public comment.

Mr. Fisher reiterated that Lot 4A with the management office shall not have a fence taller than 6 feet and that this fence shall be non-opaque within the front yard facing East Washington Drive.

Chair Stribling expressed that an 8-foot fence is aggressive in his opinion.

Mr. Jon James, Planning and Development Services Director, indicated an 8-foot fence was only allowed on the two westerly properties, not on the four duplex properties.

Commissioner Brooks made a motion to recommend approval of a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for a multifamily housing development with associated management office and storage units, and an existing telecommunication tower facility, subject to the five conditions of approval as presented, amending Condition #1.c. to require that any fencing on Lot 4A within the front yard facing East Washington Drive shall be a maximum height of 6 feet and be non-opaque. Commissioner Smith seconded the motion. The motion carried unanimously, 6-0.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** the rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for a multifamily housing development with associated management office and storage units; and an existing telecommunication tower facility; **subject to five conditions of approval, amending Condition #1.c. as recommended by the Planning Commission as outlined below.**

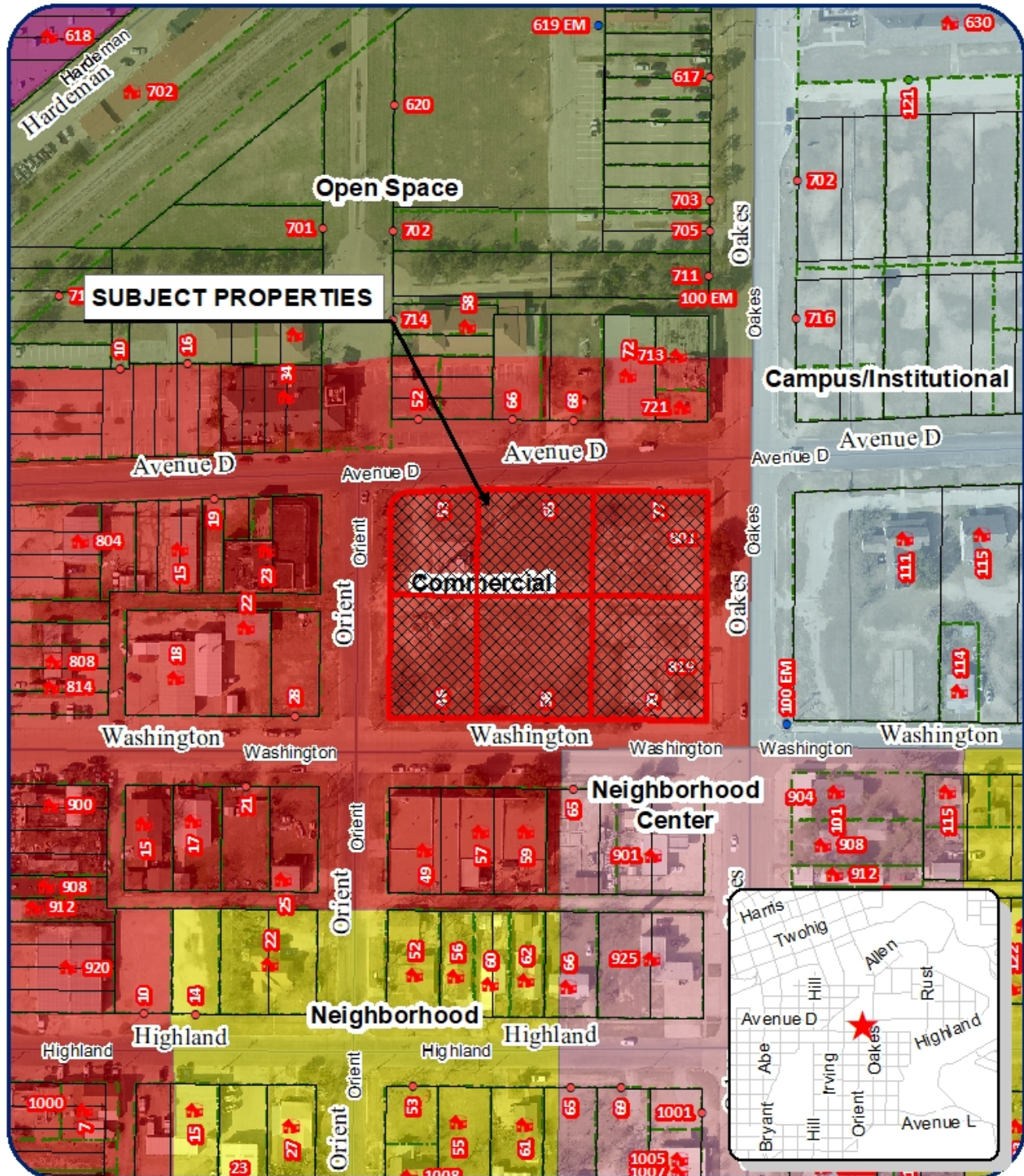
1. Except as otherwise specified or limited below, the development of the subject property shall generally conform to the Low Rise Multifamily Residential (RM-1) Zoning District, except for:
 - a. The minimum front yard setback shall be 0 feet;
 - b. The maximum fence height within the front yards of Lots 1A, 2A, 5A and 6A of the Second Replat in Block 13, Millspaugh Addition, shall be 6 feet; and,
 - c. The maximum fence height within the front yards of Lots 3A and 4A of the Second Replat in Block 13, Millspaugh Addition, shall be 8 feet, **except that any fencing on Lot 4A within the front yard facing East Washington Drive shall be a maximum height of 6 feet and be non-opaque.**
2. Overall site use shall be in accordance with the approved Concept Plan. Major changes to the usage of this property shall be approved through an amendment to this Planned Development

District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director, provided no changes to the Zoning Ordinance are required.

3. The applicant shall submit and obtain approval of an Urban Design Review (UDR) prior to any future development that includes building elevations, a landscape plan, and details of all fencing, screening, and proposed lighting.
4. Intermodal containers shall not be used as permanent structures on the property, including as storage units.
5. All exterior lighting be shielded, downward emitting and configured in such a manner as to satisfactorily minimize or eliminate light trespass onto surrounding properties. The City has the right to periodically inspect the property to verify compliance.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Response Letter
Concept Plan
Conceptual Renderings
Zone Change Criteria Sheet
Application



Planned Development Rezoning

PD19-09: Favre

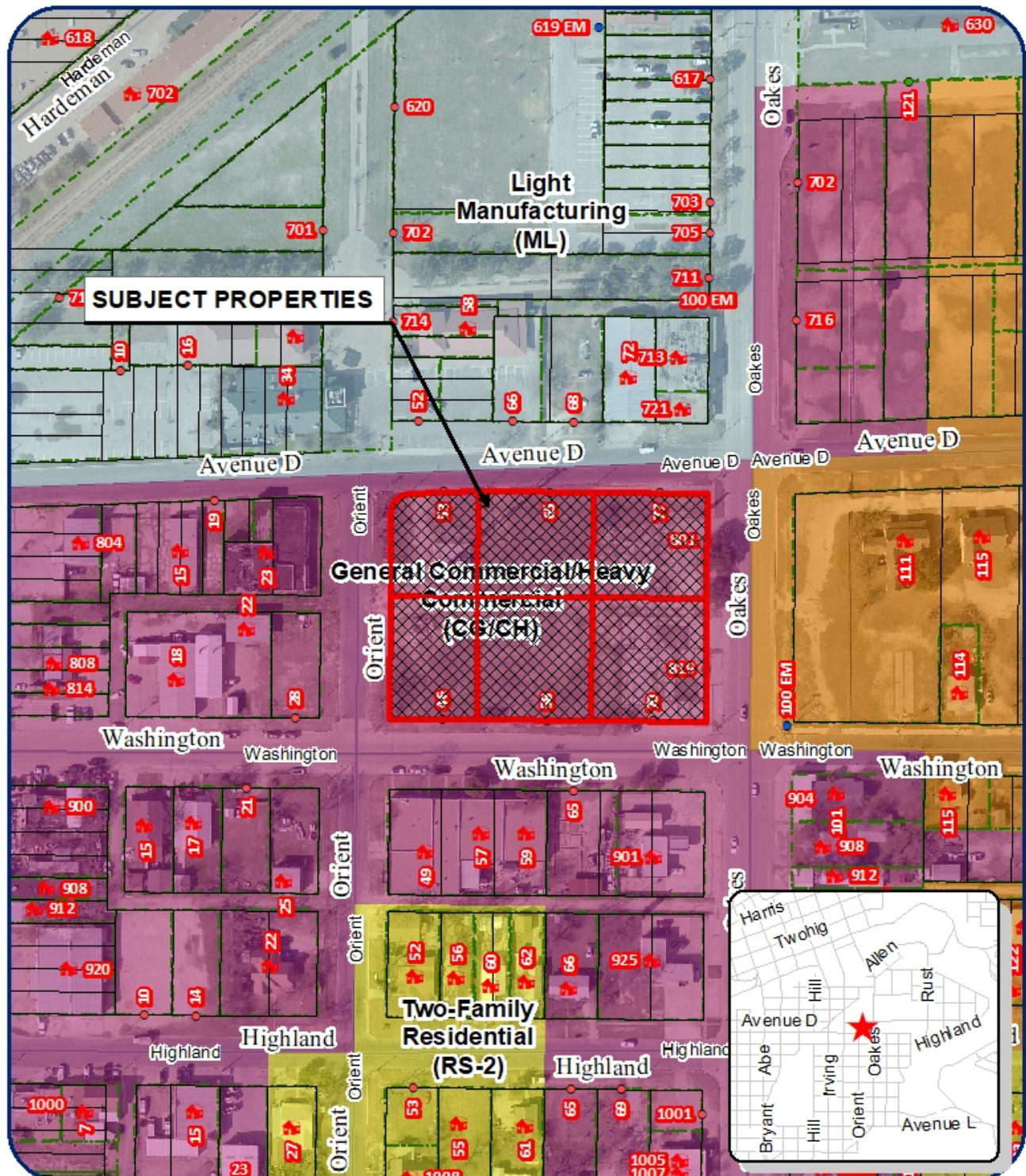
Council District: Harry Thomas - District 3
Neighborhood: Fort Concho
Scale: 1" approx. = 145 ft

2.15 ac. NW of E. Washington Dr/S. Oakes St.

Legend

Subject Properties: █
Current Zoning: CG/CH
Requested Zoning Change: PD
Vision: Commercial





Planned Development Rezoning

PD19-09: Favre

Council District: Harry Thomas -District 3
Neighborhood: Fort Concho
Scale: 1" approx. = 145 ft

2.15 ac. NW of E. Washington Dr/S. Oakes St.

Legend

Subject Properties: 
Current Zoning: **CG/CH**
Requested Zoning Change: **PD**
Vision: **Commercial**



Photos of Site and Surrounding Area

NORTH



SOUTH



WEST AT FORT CONCHO



SOUTH FROM PROPERTY



WEST AT SUBJECT PROPERTY



SOUTH AT SUBJECT PROPERTY



Photos of Site and Surrounding Area

SOUTHWEST AT SUBJECT PROPERTY



TELECOMMUNICATION TOWER PROPERTY
(PART OF PROPOSED PD)



FORT CONCHO BUILDINGS TO EAST



WEST FROM PROPERTY



PROPOSED MANAGEMENT OFFICE PROPERTY
(PART OF PROPOSED PD)



SOUTH FACING WASHINGTON DR.



TO BE FORM / ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU MAY
FILL IN THIS FORM, SIGN IT AND MAIL IT BACK TO THE PLANNING
DIVISION, 72 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

() IN FAVOR

(X) IN OPPOSITION

REASON(S) We do not need multifamily houses because
that would decrease my property value in my
opinion. It should stay CB/CA zoning.
Also, with that many people we have enough
trouble with theft and vandalism now, much
less with that many people added to this neighborhood.
Besides it would take away from the
Fast Concho to have such a compound
just across the street.

So, please do not allow this compound
in my area. We do not need a Man Camp.

NAME: Randy Phillips

ADDRESS: 912 S. Raker St
San Angelo, Texas 76903

PHONE: 325-658-5119

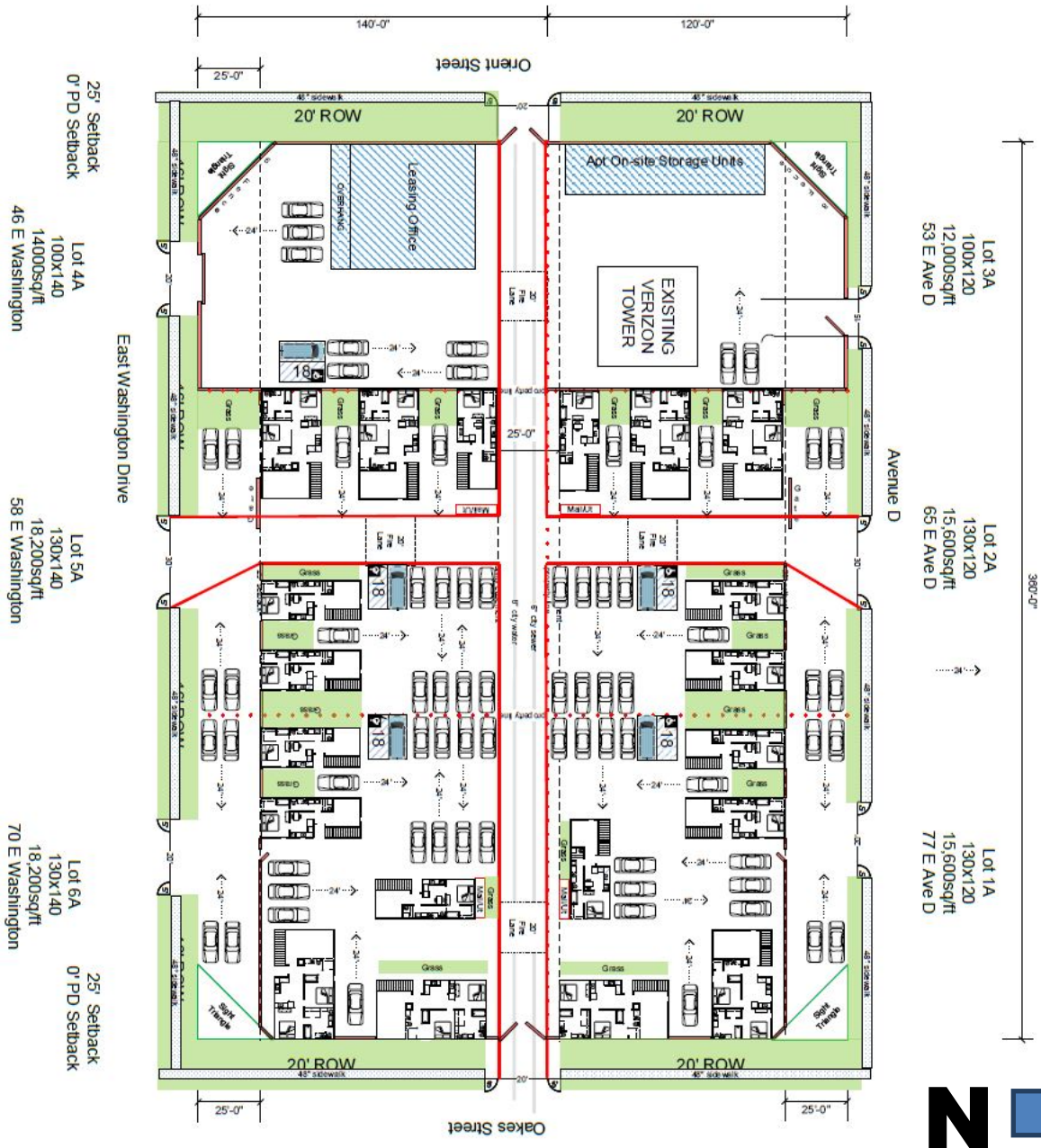
SIGNATURE: Randy Phillips

PD19-09: Favre

Property owner number: 11

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Principal Planner, with the City of San Angelo's Planning Division at 325-657-4210 or by email at jeff.fisher@cosatx.us.

Concept Plan



Tenant procures all Utilities except water to maintain NFPA 13D Sprinklers at all time

16 Units @ 1056 sqft

8 - 2 BR
Duplex Bldgs.
24x44

24 Units @ 640 sqft

12 - 1 BR
Duplex Bldgs.
16x40

Parking Spaces per Lot

6 - 1 Bed Rm x 1.5 = 9
4 - 2 Bed Rm x 1.75 = 7
Total Spaces Req. = 16
Total Min. provided = 17

Tentative Names

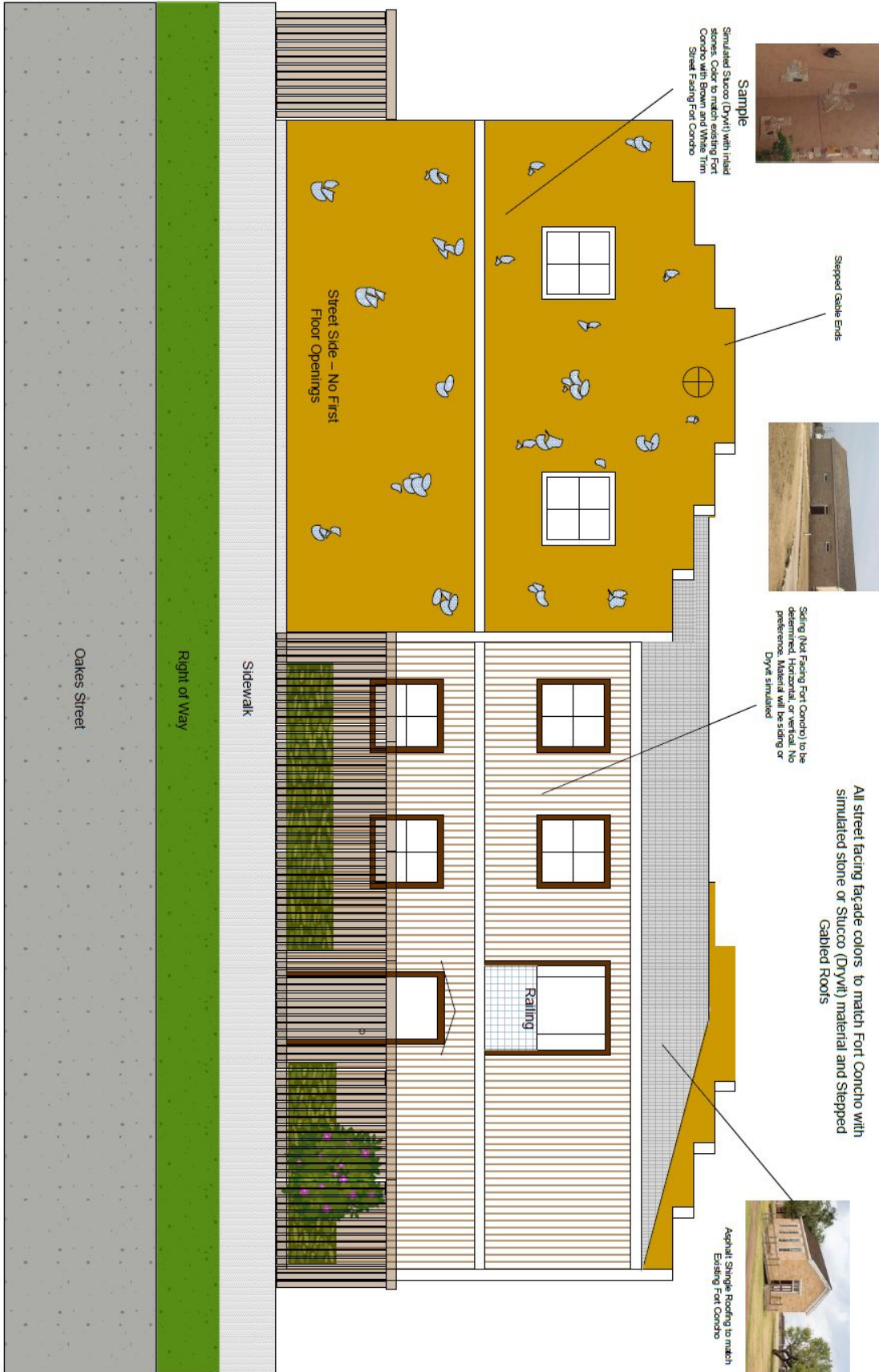
Cavalry Crossing
Outpost Bldgs
Outpost Crossing

Scale 1" = 40ft

**Preliminary Concept
Proposed PD All Lots
12/30/2019**

With 0' Setbacks on Oakes and Orient
OakesSite Rev9A

Conceptual Renderings (Oakes St)



Conceptual Renderings (Ave D and Washington Dr)



Sec. 212. Amendments to Text or Official Zoning Map

G. Amendment Criteria. The wisdom of amending the text of this Zoning Ordinance or the Official Zoning Map is a matter committed to the sound legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt, adopt with modifications or deny the proposed amendment, the City Council shall at a minimum consider the following factors.

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 existing Zoning is commercial. The property is in close proximity to Fort Concho and Fort Concho Elementary and Existing single family residences. This property will provide a buffer area to these zones.

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

This will enhance the existing Zoning ordinance providing much needed residential living spaces in an area that is lacking modern living spaces by Fort Concho elementary and the Downtown area. 48" Sidewalks will be provided on all street right of ways. The architecture will blend in well with Fort Concho.

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.

I believe residential multifamily living designed to more closely mimic Fort Concho Architecture and colors will be more compatible in this area than Commercial Zoning which would allow Carwashes, Auto repair shops and light commercial businesses

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

I believe this amendment should be allowed as being adjacent to Fort Concho. A residential environment will blend in better than presently allowed commercial structures.

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, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment

The land is presently vacant and has been for the last 20 years. It will not negatively impact the natural environment. The right of ways now do not have sidewalks or any type of manicured landscaping.

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

Updated and affordable Residential living in this area is lacking and close proximity to Fort Concho elementary will provide convenient living as well as proximity to Downtown San Angelo.

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.

This amendment will provide a catalyst for renovation in this part of town, as well as
provide much needed residential living units

Effective January 3, 2017

	City of San Angelo, Texas – Planning Division 52 West College Avenue Planned Development (PD) - Zone Change or Site Plan	
Section 1: Basic Information		
Name of Applicant(s): <u>Michael Favre Owner of Tri-side Capital LLC TSC Outpost series</u>		
☒ Owner ☐ Representative (Notarized Affidavit Required)		
<u>4122 Forest Trl #8</u> <u>San Angelo, TX 76904</u>		
Mailing Address	City	State Zip Code
<u>325-656-8275</u>	<u>mickey.favre@outlook.com</u>	
Contact Phone Number	Contact E-mail Address	
<u>53,65,77 E Ave D & 46,58,70 E Washington</u>	<u>San Angelo, TX 76904</u>	
Subject Property Address	City	State Zip Code
<u>Lot 1A-6A of Blk 13 Millspaugh Addition 2nd replat in Blk 13</u>		
Legal Description (can be found on property tax statement or at www.tomgreencad.com)		
Existing Zoning: <u>CG/CH</u> Proposed Zoning: <u>RM-1</u> Lot size: <u>Total 360' x 260'</u>		
(Zoning Map available on City Maps)		
Section 2: Site Specific Details		
Existing Use of Property: <u>3A is Verizon Tower 2A-6A is vacant</u>		
*Proposed Use of Property: <u>3A&4A to remain tower and new office with 0'setback on Orient and 8' Fencing ,</u> <u>1A,2A,5A,6A to be residential duplexes with 0' setback on Oakes with 6' Fencing</u>		
*Use separate attachment if necessary		
Section 2: Type of PD Request		
1. New PD District (City Council approval required) ☒ Text Amendment to PD District (City Council approval required) ☐ Major Site Plan / Amendment (Planning Commission approval required) ☐ Minor Site Plan / Amendment (Planning Director approval required) ☐		
2. Site Plan attached? Yes ☒ No ☐		
* New and amended PD site plan applications require a separate scaled plan that includes all new and existing buildings and structures; location of all parking spaces to be painted and striped; and all driveway entrances, drive-thru areas, easements, and maneuvering areas		
(For additional information refer to Zoning Ordinance, Section 511 or contact Planning Division at 325-657-4210)		
Section 3: Applicant(s) Acknowledgement		
(By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)		
☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner.		
☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.		
☒ If approved, a zone change is applied to the property, not the property owner.		
☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.		
☒ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.		
☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the		

Effective January 3, 2017

applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.

☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.

☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Section 3 continued : Applicant(s) Acknowledgement

☐ The applicant or an authorized representative should attend public hearing(s) pertaining to his/her request, prepared to present his/her case and to answer any relevant questions from Planning Commission or City Council members.

I/We the undersigned acknowledge that the information provided above is true and correct.

Michael Favre	<i>Michael Favre</i>	Tri-Side Capital LLC Outpost Series	11/13/2019
Owner Name (Print)	Signature	Company/Organization (If Applicable)	Date
Same			
Representative Name (Print)	Signature	Company/Organization	Date

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: 11 / 14 / 19

Case No.: PD 19 -- 09

Fully-dimensioned site plan: ☐

Select from the following:

New PD District nonrefundable fee (\$600.00): \$	Receipt #: <u>49955</u>	Date paid: <u>11 / 14 / 19</u>
Text Amendment to PD Ordinance (\$225.00): \$	Receipt #: _____	Date paid: ____/____/____
PD Site Plan, major or minor amendment (\$125.00): \$	Receipt #: _____	Date paid: ____/____/____
Newspaper Notification Fee \$125.00 (for PD District and Text Amendments)	Receipt #: _____	Date paid: ____/____/____
Sign Deposit \$20.00 (minor site plans exempt)	Receipt #: _____	Date paid: ____/____/____

Affidavit attached? ☐ Yes ☐ No ☐ N/A Applicant's signature on information sheet? ☐ Yes ☐ No

Previous Zone Change Inquiry? ☐ Yes ☐ No If yes, ZCI case no.: _____

River Corridor Commission? ☐ Yes ☐ No If yes, RCC meeting date: ____/____/____

Planning Commission hearing date: 12 / 16 / 2019 Date notifications due: ____/____/____

City Council hearing date: 1 / 21 / 20 Packets due date: ____/____/____

Publication date: ____/____/____ *Feb 4th*

Reviewed/Accepted by: _____ Date: ____/____/____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Hillary Bueker, Planning Manager, Planning and Development Services, 325-657-4210

Meeting Date: February 4, 2020

Item type: Consent Item

Caption:

Second reading of an ordinance approving an amendment to the Master Thoroughfare Plan component of the San Angelo Comprehensive Plan in an area south of Pulliam St., east of Bell St., and west of Loop 306, and north of the Concho River (Jon James)

Summary/History:

A review of the Master Thoroughfare Plan for the Pulliam St & S Loop 306 arose when the staff began review of the approved Preliminary Plat for "Windstone Park." The preliminary plat for this single-family home and golf course development showed future streets "Rio Concho Drive" which ran west-east, and "Smith Boulevard" which ran north-south. The review concluded that several changes needed to be made to the current Master Thoroughfare Plan map to ensure consistency between the Thoroughfare Plan and the proposed development.

Financial Impact:

N/A

Other Information/Recommendation:

On December 16, 2019, the Planning Commission unanimously recommended APPROVAL of the Master Thoroughfare Plan amendment, by a 6-0 vote.

On January 21, 2020, the City Council APPROVED the Master Thoroughfare Plan amendment by a 7-0 vote.

Attachments:

- | | |
|-----------------------------|-----------------------------------|
| 1. Ordinance (MTP Amend) | Ordinance MTP Amendment.docx |
| 2. Staff Report (MTP Amend) | CC Staff Report MTP Amendment.pdf |

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS AMENDING THE MASTER THOROUGHFARE PLAN AND MAP OF THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of San Angelo is a Home Rule municipal corporation operating under a municipal charter adopted as authorized by Article XI, Section 5 of the Texas Constitution; and,

WHEREAS, in 2003, pursuant to the authority under Chapter 213 of the Texas Local Government Code, the City of San Angelo adopted a Comprehensive Plan for promoting the long range sound development of the City and promoting public health, safety and welfare, updated in 2009 with the adoption of a strategic plan; and,

WHEREAS, the Comprehensive Plan includes the Master Thoroughfare Plan (MTP) and map; and,

WHEREAS, the City Planning and Development Services Department has conducted an analysis of existing and proposed land uses; existing collector streets, arterial streets and highways; and the needs for north-south and east-west routes and connectivity within the City; and,

WHEREAS, as a result of its analysis the City Planning and Development Services Department proposes amendment to the MTP and map as set forth in Exhibit "A" to this Ordinance, necessary to achieve connectivity to existing and proposed roadways and access to all parcels that will aid in orderly development; and,

WHEREAS, on December 16, 2019, the Planning Commission recommended approval of the proposed amendment to the MTP; and,

WHEREAS, proper notice of public hearing upon this ordinance has been posted in accordance with applicable law and City Council has conducted the necessary public hearing thereon;

NOW THEREFORE BE IT ORDAINED BY THE CITY OF SAN ANGELO:

Section 1 The recitals set forth above are deemed to be the findings and determinations made by the City Council and are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2 The Master Thoroughfare Plan and map component of the Comprehensive Plan is hereby amended as set forth in **Exhibit "A"** to this Ordinance, as if fully set forth herein.

Section 3 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. This ordinance shall be effective from and after the date of its adoption.

INTRODUCED on the **21st day of January, 2020**, and finally PASSED, APPROVED AND ADOPTED on this the **4th day of February, 2020**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

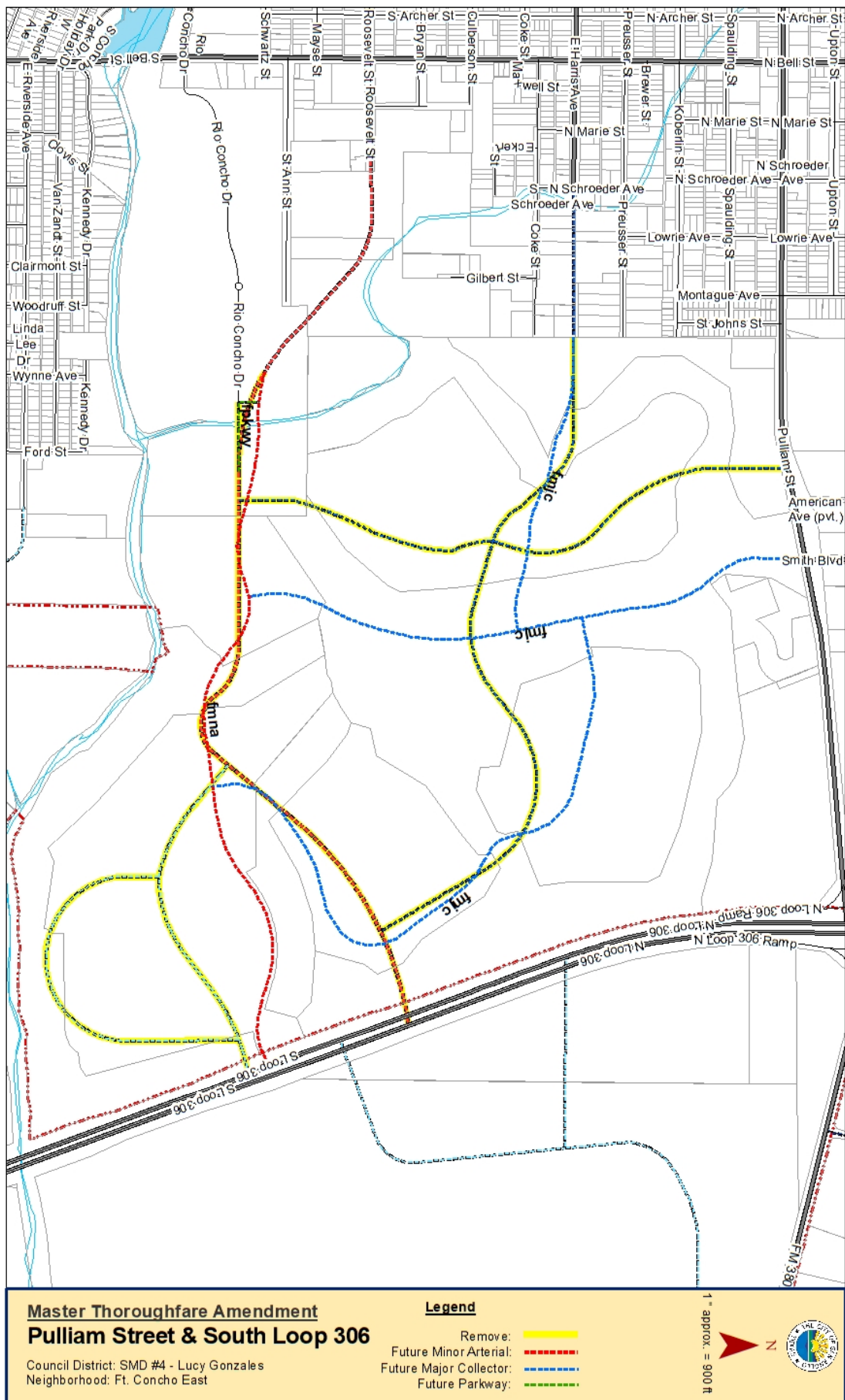
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

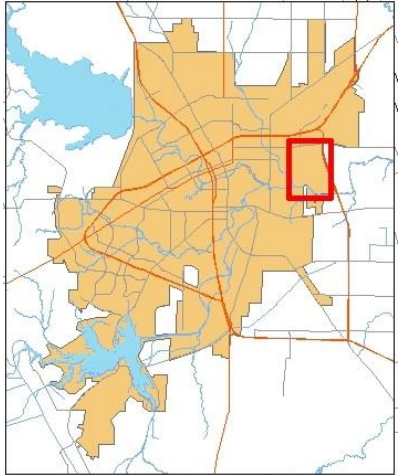
Theresa James, City Attorney

EXHIBIT A



CITY COUNCIL – January 21 & February 4, 2019
STAFF REPORT



APPLICATION TYPE:		CASES:	
Master Thoroughfare Plan Amendment		2019 – Pulliam St & S Loop 306	
SYNOPSIS:			
A request for amending the Major Thoroughfare Plan component of the San Angelo Comprehensive Plan in the area of Pulliam Street and South Loop 306.			
LOCATION:			
Generally located south of Pulliam Street, west of South Loop 306, east of South Bell Street and north of the Concho River.			
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
Ft. Concho East Neighborhood SMD #4 – Lucy Gonzales	RS-1 - Single-Family Residential RM-1 – Low Rise Multi-Family Residential ML – Light Manufacturing CG – General Commercial PD – Planned Development	Commercial Neighborhood Open Space	Approx. 1000 acres
THOROUGHFARE PLAN:			
Collectors require 60-foot right-of-way; Arterials require 80-foot right-of-way (See Attached Map)			
NOTIFICATIONS:			
This request was published in the San Angelo Standard Times on December 9, 2019.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the proposed Master Thoroughfare Plan Amendment .			
PETITIONERS:			
City of San Angelo			
STAFF CONTACT:			
Hillary Bueker Planning Manager (325) 657-4210 hillary.bueker@cosatx.us			

Background:

The San Angelo Comprehensive Plan, adopted in 2003 and updated in 2009, includes a Master Thoroughfare Plan (MTP) component that designates existing major streets as freeways, arterial and collector streets. The MTP also shows the planned future path of new freeways, arterial and collector streets in areas of future development around the urban fringe of San Angelo. Staff periodically reviews areas and proposes amendments based new information or changing development patterns.

A review of the MTP for the Pulliam St & S Loop 306 arose when the staff began review of the approved Preliminary Plat for “Windstone Park.” The preliminary plat for this single-family home and golf course development showed future streets “Rio Concho Drive” which ran west-east, and “Smith Boulevard” which ran north-south.

As part of its MTP review of this area, Staff examined:

- Existing development in the area;
- Projected development and the demand on the existing street network;
- Potential additions and modifications to existing and future projected collector and arterial streets to improve traffic flow and enhance public safety

The review concluded that several changes needed to be made to the current MTP map, and Staff revised the proposed MTP street map with the goals of providing access and connectivity to all parcels of land. The map was then distributed to City staff from the departments of Engineering Services and Operations, and local utilities representatives. Meetings were then held with the group which led to extending the proposed routes to logical termini points and eliminating routes that interfered with known development plans.

Analysis:

The current MTP map for this portion of East San Angelo delineates four future collector streets, the future east-west extension of East Harris Avenue, and a north-south extension of Smith Boulevard, as well as two unnamed minor collectors located just north of the Concho River. Also delineated is a future arterial extension of “Roosevelt Street” which runs east-west and connects to South Loop 306 on the Eastern City Limits.

The following is a summary of the proposed changes to the MTP map (see attached map):

North-South Collector

The current north-south Collector Street extends approximately 1 mile from Pulliam Street to the future extension of Roosevelt Street to the south. Staff believes that maintaining a north-south Collector Street in this area is important given proposed increase in single-family residential development in the area. However, relocating this street eastward would be more appropriate, connecting directly to the existing Smith Boulevard and lining up with current development plans.

East-West Collector

The current west-east Collector are the proposed extension of East Harris Avenue. This proposed extension is approximately 1.33 miles and connects the west side of the property to the future

extension of Roosevelt Street. Staff believes that this Collector Street does not match the approved preliminary plat and is more appropriate to create two separate, offset collector streets to connect the west side of the property to the extension of Roosevelt to the east side of the property. This change would be consistent with the governing Preliminary Plat for “Windstone Park,” ratified by Planning Commission in 1995.

East-West Arterial

The current east-west future arterial portion of Roosevelt Street within this area extends approximately 1.25 miles. Staff believes this future arterial road should be maintained given its importance as one of the major Arterial corridors connecting South Bell Street to South Loop 306. However, Staff recommends a re-alignment of this street to ensure conformity with the approved preliminary plat. The precise location could vary minimally, but Staff believes the proposed general location provides a future roadmap for development.

Southern Minor Collector

The current southern future minor collectors extends approximately 0.65 and 0.75 miles respectively. Staff believes these future collectors are not necessary to serve the proposed neighborhood and should be removed. The proposed residential development will be served by internal local streets.

Parkway

The parkway connection from the Texas Bank Sports Complex will be reconfigured to discourage through traffic in the park.

Comments:

Planning Staff circulated this proposal to City departments and relevant external agencies for comments. Staff received no comments or objections from most departments or agencies. Any ordinance requirements would be reviewed through future plat submissions prior to development but would not affect approval of the Master Thoroughfare Plan.

Planning Commission Recommendation:

On December 16, 2019, the Planning Commission recommended APPROVAL of **Master Thoroughfare Plan Amendment**. The following is the complete excerpt of the draft minutes from the December 16, 2019, meeting for this case:

Hillary Bueker, Planning Manager presented the proposed Thoroughfare Plan Amendment. She explained that the subject area was over 1,000 acres and included several different zoning categories including CG, RM-1, ML and a PD and displayed for the Commission which roads are being added and which ones removed. Ms. Bueker outlined the proposed amendment which included the realignment of Smith Boulevard to make it one consecutive north-south collector; Harris Avenue would be extended to a future east-west arterial; the extension of Roosevelt Street would be realigned further south; some southern minor collectors will be removed due to lack of necessity; and a parkway would be realigned to prevent through traffic into a park. Ms. Bueker concluded her presentation by outlining staff’s recommendation of approval and explained that

the amendment was brought on by a preliminary plat.

Chair Stribling if the areas in yellow were being removed.

Ms. Bueker responded they were being relocated in most cases.

Chair Stribling asked where the western boundary was of the golf course.

Ms. Bueker illustrated the location of the golf course.

Commissioner Jackson asked how the parkway is changing.

Ms. Bueker explained that the parkway will now have a t-intersection.

Chair Stribling opened public comment.

Russell Gully, SKG Engineering, explained that the golf course is looking at an additional 9 holes and clubhouse, and an extension of Smith Boulevard. He said that the developer will come back early next year with a final plat for the clubhouse area.

Chair Stribling closed public comment.

Commissioner Smith made a motion to recommend approval of a request for amending the Major Thoroughfare Plan component of the San Angelo Comprehensive Plan in an area south of Pulliam Street, north of the Concho River, east of Bell Street, and west of Loop 306. Commissioner Self seconded the motion. The motion carried unanimously, 6-0.

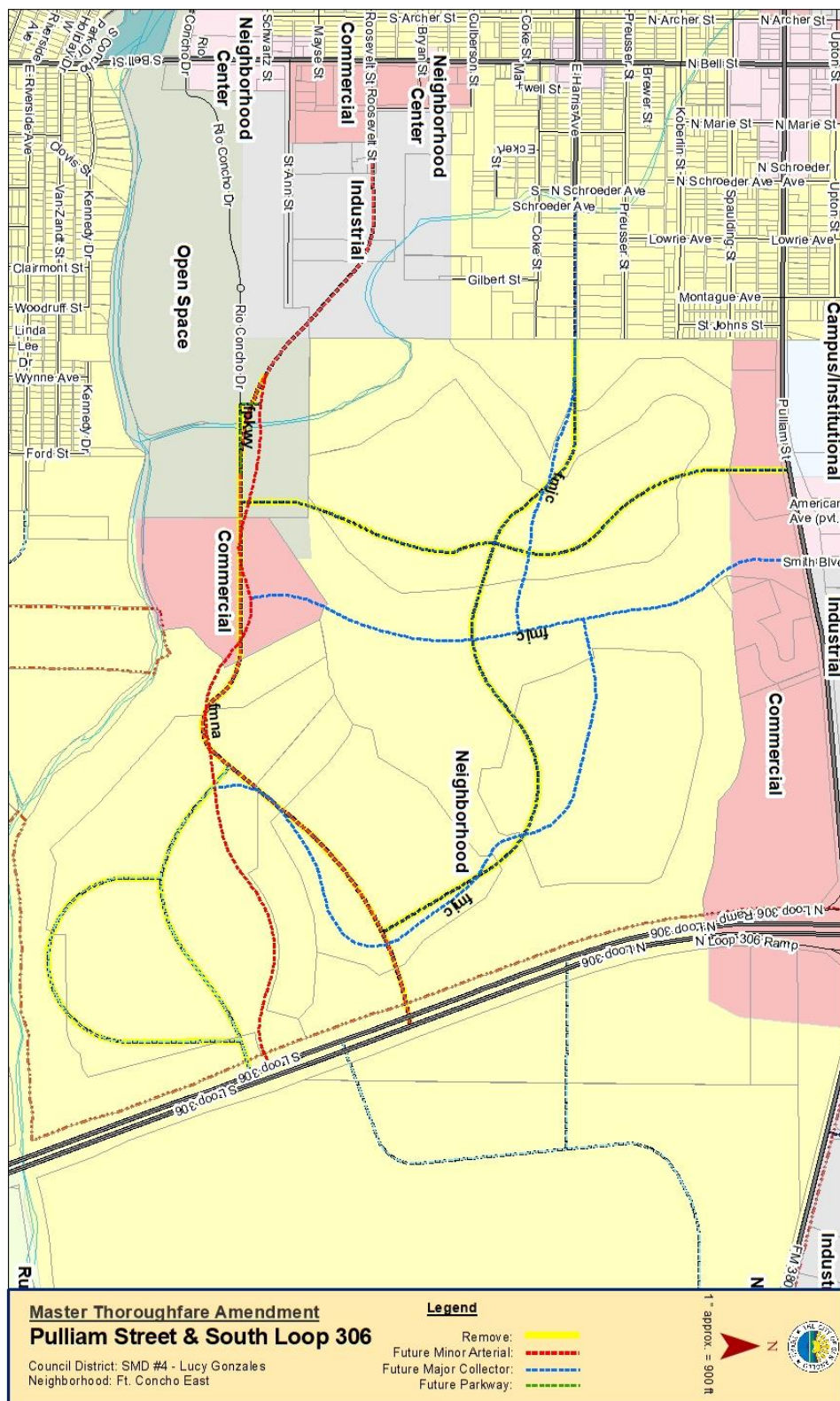
Recommendation:

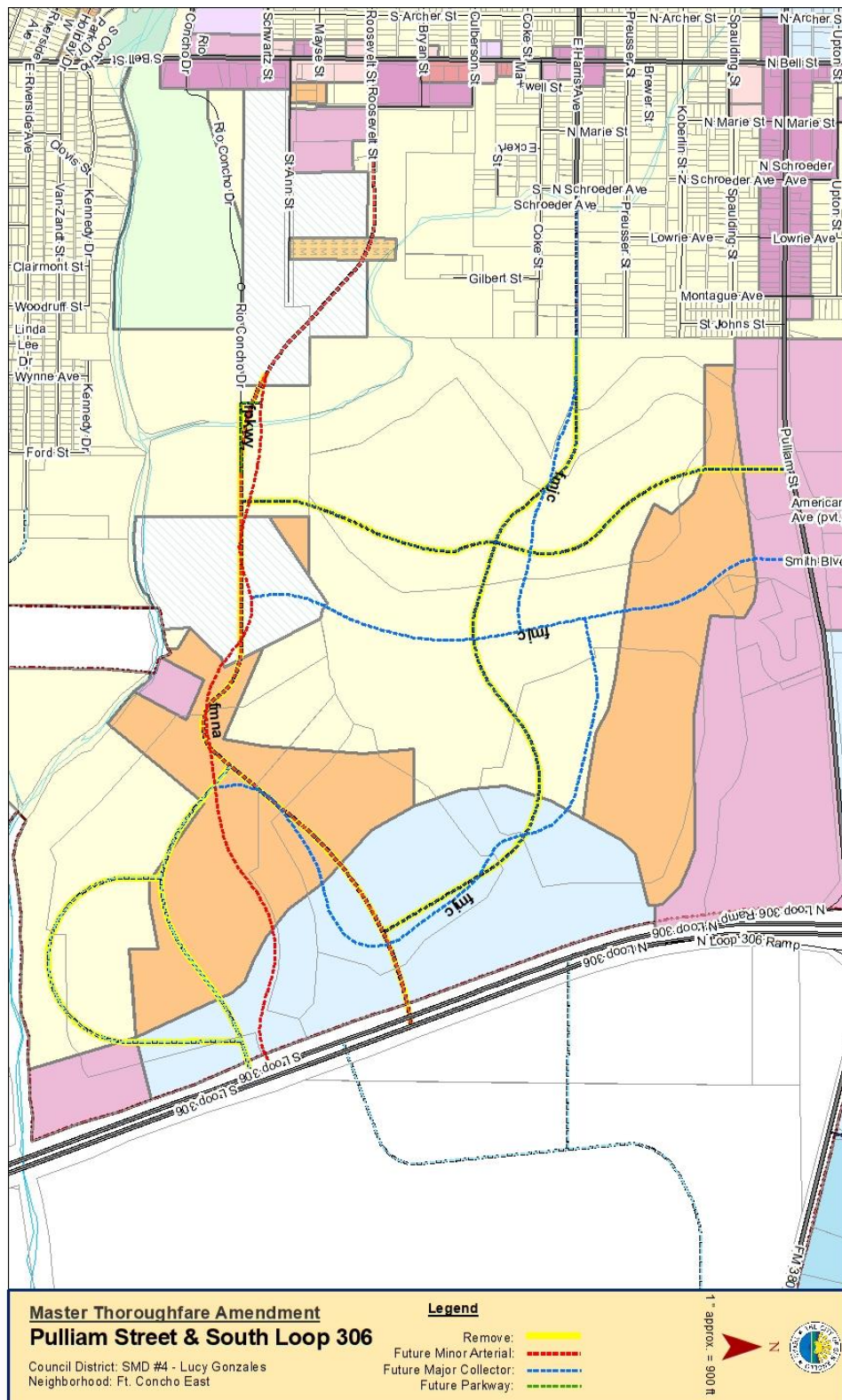
Staff's recommendation is for the City Council to **APPROVE** the proposed **Master Thoroughfare Plan Amendment**.

Attachments:

Proposed Major Thoroughfare Amendment Map
Future Land Use Map
Zoning Map







REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Sherry Bailey, Sr. Planner, Planning and Development Services,

Meeting Date: February 4, 2020

Item type: Regular Item

Caption:

Consider items related to Z19-19, a rezoning from the Single Family Residential zoning district to the High Rise Multifamily Residential zoning district on 12.097 acres generally located at the southeast corner of Blum St. and E. 40th St.:

1. Consider an appeal of the Planning Commission's decision to deny the applicant's request for a rezoning
2. First reading and public hearing on an ordinance approving Z19-19 (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant is intending to construct 15 apartment buildings, four of which are three story buildings with a total of 156 one, two and three bedroom units, and an office/recreation center. A total of 287 parking spaces will be provided. Total density is 13 units per acre where 35 units per acre would be allowed under the RM-2 zoning designation.

Based on the denial by the Planning Commission, and opposition from surrounding property owners, approval of this rezoning will require a super-majority vote by Council (at least 6 in favor). This requirement for a super-majority vote is found in Section 213(E)(4) of the Zoning Ordinance and Section 211.006 of the Local Government Code.

Financial Impact:

N/A

Other Information/Recommendation:

At the December 16, 2019 Planning Commission meeting Commissioner Jackson made a motion to recommend DENIAL of the proposed rezoning. Commissioner Self seconded the motion. The motion passed 5-1 with Commissioner Smith voting in opposition.

Attachments:

- | | |
|---------------------|-----------------------|
| 1. Staff Report | Staff Report.docx |
| 2. Z19-19 Ordinance | Z19-19 Ordinance.docx |

Presentation:

Jon James

Approvals/Reviews:

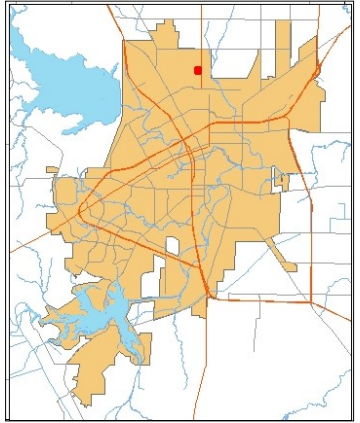
Sherry Bailey	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Brandon Dyson	Approved

Jon James
Theresa James
Julia Antilley

Approved
Approved
Final Approval

CITY COUNCIL – FEBRUARY 4, 2020
STAFF REPORT



APPLICATION TYPE:		CASES:	
Rezoning		Z19-19: Carter-Fentress	
SYNOPSIS:			
A request for a rezoning from the Single Family Residential (RS-1) Zoning District to the High Rise Residential (RM-2) Zoning District on 12.097 acres generally located at the southeast corner of Blum St. and E. 40th St. The applicant is intending to construct 15 apartment buildings, four of which are three story buildings with a total of 156 one, two, and three bedroom units, and an office/recreation center. A total of 287 parking spaces will be provided. Total density is 13 units per acre where 35 units per acre would be allowed under the RM-2 zoning designation.			
LOCATION:		LEGAL DESCRIPTION:	
1011 East 40 th Street; Generally located southeast of the intersection of East 40th Street and Blum Street		Abst. A-7985 S-0182 Survey: Jim Farr	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District 2 – Tom Thompson Lake View Neighborhood	Single-Family Residential (RS-1)	Neighborhood	12.097 acres
THOROUGHFARE PLAN:			
<u>E 40th St</u> –Urban Local Street, Required 50’ min. ROW (60’ Existing), 40 min. pavement width (36’ Existing). <u>Blum St.</u> –Urban Local Street, Required 50’ min. ROW; 40 ft. pavement width (Proposed with Plat)			
NOTIFICATIONS:			
32 notifications were mailed within a 200-foot radius on December 6, 2019: January 10, 2020 27 responses have been received in opposition at this time, another 20 outside the 200 ft. One in support.			
STAFF RECOMMENDATION:			
APPROVAL of a rezoning from the Single Family (RS-1) Zoning District to the High Rise Multiple Family (RM-2) Zoning District			
PROPERTY OWNER/PETITIONER:			
<u>Owner</u> Nuhome Constructors LLC <u>Representative</u> Carter-Fentress Engineering			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us			

Planning Commission Action: Denial Z19-19: Carter-Fentress

Public hearing and consideration of a request for approval a rezoning from the Single Family Residential (RS-1) Zoning District to the High Rise Multifamily Residential (RM-2) Zoning District on 12.097 acres generally located at the southeast corner of Blum Street and East 40th Street.

Sherry Bailey, Principal Planner, presented the proposed rezoning. She explained that the purpose of the rezoning from RS-1 to RM-2 is to allow a 156- unit apartment complex comprising of 15 buildings. She explained that the original application was for RM-1 but because some of the buildings are three-story, the application is now for RM-2 to allow this.

Ms. Bailey displayed a concept plan of the proposed site for the Commissioners. She explained that the RM-2 zone allows 35 units/acre and the applicant is only proposing 13 units/acre. Ms. Bailey indicated that of the 32 notices mailed, 9 were opposed.

Ms. Bailey outlined Staff's rationale to approve the rezoning request on the grounds that it will conform with the Future Land Use of Neighborhood in the Comprehensive Plan; that the proposed rezoning is consistent with the RM-2 provisions and less than the allowable number of units per acre; that it is compatible with the surrounding area which includes a mix of residential uses; that the street network can accommodate the traffic; that more affordable housing has been demonstrated by a recent study; and that edge placement for multiple family is reasonable.

Chair Stribling asked for clarification that the proposed rezoning is RM-2 to allow three-story structures.

Ms. Bailey responded that this was correct.

Chair Stribling asked how many units would be allowed if zoned RS-1 for single family units.

Hillary Bueker, Planning Manager, indicated that about 70-80 units would be allowed at RS-1.

Ms. Bailey indicated this would be a bit more than double what the applicant is proposing now.

Chair Stribling opened public comment.

Ms. Erica Carter, Carter-Fentress Engineering, representing the applicant, indicated that she was available for questions. She also indicated that Hunter Patterson with McDonald Company was in attendance to answer building questions, as was Chad

Decker and Michael Biggerstaff who are in partnership with McDonald Company on this project.

Chair Stribling if there were any public meetings for this case.

Ms. Carter responded she did not believe so.

Mr. Clay Hubbard, a resident of 3721 Armstrong, expressed him and his wife's opposition to the request which would facilitate a 156-unit apartment complex. He indicated that he is submitting a petition with 53 names and including his wife and him, and those who live in the surrounding area whom are opposed. He said he found no one who he petitioned in favor of this request. Ms. Hubbard indicated that the neighborhood did not want an apartment complex and it does not belong in this area. He indicated that no one was objecting to houses but that they are opposed to the apartment complex.

Ms. Diana Mirez, a resident on 41st Street, asked how kids would be divided up and was worried about an increased number of kids from the apartments leading to more kids in her son's school.

Ms. Bueker responded that staff cannot address school district questions.

Ms. Mirez responded that apartments were not a good idea in this location but was in support of houses. She expressed her concerns that apartment dwellers will not take care of their apartments the way homeowners do.

Mr. James McWhorter, a resident of 3939 Armstrong, explained that he has lived on his property since 1968. He raised concerns about additional traffic. He believed that most traffic will come down 40th Street where his house is. He understand there were plans for sidewalks and he did not want to have to give up more land for sidewalks.

Ms. Carter responded that a sidewalk will be only be along the subject property, and there will be no reason to acquire more land.

Ms. Julia Sanchez, a resident of 3825 Armstrong, explained that she purchased her property because it would not be overcrowded and is now considered about overcrowding and traffic from the apartments.

Ms. Sandy Sancero, a resident of 1021 E 40th Street, indicated that she purchased her house not too far from the City, and raised concerned about flooding.

Ms. Carter indicated plans for a detention pond and park that will capture any excess water.

Ms. Beth Hawman, a resident of East 40th and Blum, indicated that a 3-story building can look into her backyard despite having a privacy fence. She also indicated that traffic is already intense and that she has lived in this quiet area for 20 years.

Mr. Hunter Patterson with McDonald Company, representing the applicant, spoke on behalf of the request. He explained that San Angelo has a need for housing as per housing studies and his company already has apartments in San Angelo at River Place and Red Creek. Mr. Patterson indicated that these complexes have increased property values. He indicated that the current property has been used as a dumping ground and has caught fire. He concluded that while traffic will be busy before and after work, traffic will be minimal during the day as per a preliminary traffic study.

Chair Stribling asked if there had been any meetings with neighbors.

Mr. Patterson responded that there has not been, but that he would arrange one.

Chair Stribling closed public comment.

Chair Stribling indicated that this a lot of density in a residential area and advised the applicant to meet with neighbors first.

Commissioner Jackson made a motion to recommend DENIAL of a rezoning from the Single Family Residential (RS-1) Zoning District to the High Rise Multifamily Residential (RM-2) Zoning District. Vice Chair Spano seconded the motion. The motion passed 6-1 with all Commissioners voting to DENY, except for Commissioner Smith who voted against the denial.

Additional Information: The applicant applied for a rezoning for 12.097 acres out of the larger 23.237 acre parcel. This 12.097 acres is proposed to be a multi-family housing tax credit project with 156 units. In reviewing the project staff noted that there are four of the 15 proposed building that are three story buildings all the rest of the building are one or two stories in height. Two of the buildings will back up to the new road to be constructed for access (Blum St.) but the other two buildings are adjacent to the R&E zoned property adjacent to Armstrong St. If the two three story buildings adjacent to the R&E zoning could be moved farther into the project site it would relieve some of the adjacent property owners concerns.

The Future Land Use has this area as Neighborhood. Neighborhood includes everything from single family to multifamily. The Vision plan often talks about mixing the density types within an area in order to provide housing options. The proposed development would supply that mixture of housing types for this area. The predominate land use presently is single family units in this area of San Angelo all the way down to Houston Harte Expressway.

The expected increase in traffic can be dependent on many factors. While a formal traffic study has not been prepared, staff believes that the fact that this proposed development is only about 1,000 feet from Armstrong Street, a major arterial, which is also State Highway 206. Most traffic from this development will likely use this arterial to get out of the neighborhood to other destinations nearby and around the City. It is not expected that the existing neighborhood will be significantly impacted by the anticipated increase in traffic.

Rezoning: 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:

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 Comprehensive Plan designates this property as Neighborhood. The “Neighborhood” designation in the City’s Comprehensive Plan which intends to “promote vibrant and viable neighborhoods and improve relationship between adjacent commercial and residential land use adjacencies.” Multiple family is part of the neighborhood concept and is encouraged to locate within neighborhood areas to provide a broader range of housing choices.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed zone change would conflict with any portion of this Zoning Ordinance.* The applicant has requested rezoning to high rise multiple family because of the proposed three story buildings. If approved, RM-2 allows 35 units per acre as a density standard. What the applicant is proposing is 13 units per acre which is well below the density standard for either RM-1 or RM-2.
3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed zoning is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* The existing uses in the area are single family and rural residential. Although it would appear that this conflicts to the existing uses, studies have shown that multi-family housing can be a good neighbor to single family areas if designed appropriately. In looking at the proposed site plan the distance between most of the apartment buildings and the single family zoning is often 70 feet or more. The parking, fire lane and green space provides a significant setback separation from nearby single-family residential.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require a rezoning.* The zoning requested is in keeping with the density and intensity of the proposed use of multiple family. This is part of a larger planned development that includes multi-family and single family housing, as well as some commercial development on the 25 acre 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. The rezoning is anticipated to have little adverse impact on the natural environment. The existing streets can move the increased traffic away from the complex to Armstrong and then around the area in an efficient manner. Although the density seems greater than currently existing in the area, the site is laid out in a manner that provides green space and parking near the individual units rather than a large parking lot configuration. In addition, multi-family housing generally has a lower total impact on the environment as compared to single-family housing.

6. **Community Need.** **Whether and the extent to which the proposed amendment addresses a demonstrated community need.** This will be the only apartment complex in that area of the city. It is well established through the recent Housing Study that San Angelo has a need for multi-family housing and this development would help in this regard.
7. **Development Patterns.** **Whether and the extent to which the proposed rezoning would result in a logical and orderly pattern of urban development in the community.** The existing development pattern in the immediate area is dominated by single family. Placing this complex at the edge of the single family area is a reasonable and orderly development pattern.

Recommendation:

Staff's recommendation is for the Planning Commission to Recommend **APPROVAL** of a rezoning from the Single Family Residential (RS-1) Zoning District to the High Rise Multiple Family (RM-2) Zoning District.

Attachments:

Project Exhibits
Aerial Map, Future Land Use Map, and Zoning Map
Application
Photographs
Notification Map



PROJECT TABULATIONS

NET UNIT DATA

UNIT	TYPE	AREA	QUAN.	TOTALS
A1	1B/1B	733 SF	40	29,320 SF
B1	2B/2B	1,037 SF	64	66,368 SF
C1	3B/2B	1,246 SF	82	84,896 SF

NET BUILDING DATA

TOTAL NO. OF UNITS	186	U
AVERAGE NET UNIT SIZE	1,029	SF
TOTAL NET UNIT AREA	160,584	SF
REC / LEASING AREA	2,636	SF
TOTAL BUILDING NET AREA	163,420	SF

NOTES

- ALL BUILDINGS ARE 2-STORY IN HEIGHT UNLESS NOTED OTHERWISE (3-STORY SHOWN HATCHED)
- ALL GROUND FLOOR UNITS TO BE ACCESSIBLE PER FAIR HOUSING GUIDELINES
- REC / LEASING BUILDING TO BE ACCESSIBLE PER ADA REQUIREMENTS
- ACCESSIBLE SIGNAGE W/ THE INTERNATIONAL SYMBOL OF ACCESSIBILITY TO COMPLY WITH THE CITY OF SAN ANGELO REQUIREMENTS

SITE DATA

LAND AREA (826,963 SF)	12.09	A
DENSITY	12.90	U/A

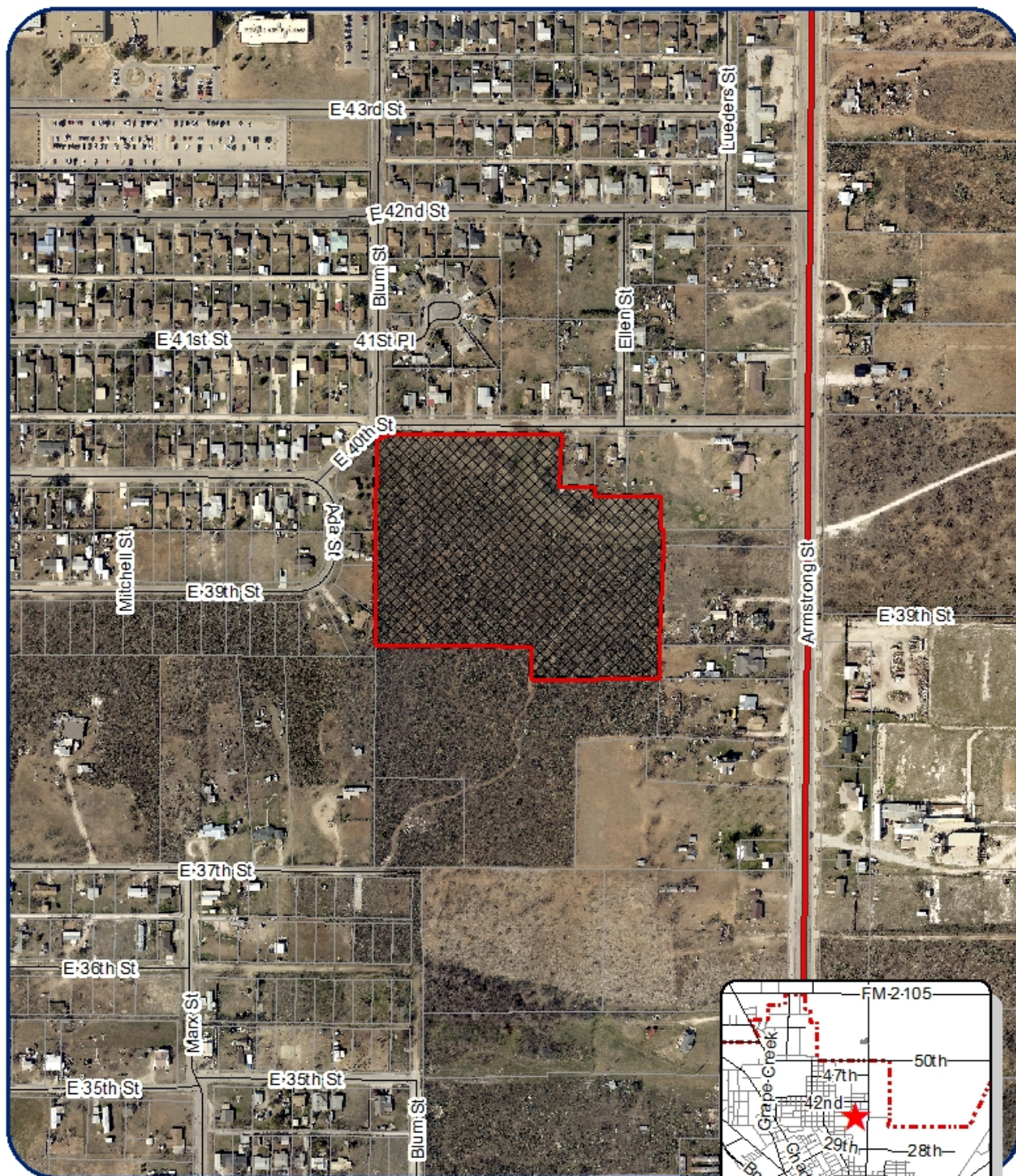
PARKING DATA

PARKING REQUIRED		
(1.5 SP / 1 BEDROOM UNIT)	60	SP
(1.75 SP / 2 BEDROOM UNIT)	112	SP
(2 SP / 3 BEDROOM UNIT)	104	SP
(REC / LEASING)	11	SP
TOTAL REQUIRED	287	SP

TOTAL PARKING PROVIDED (274 OPEN, 13 HC OPEN)	287	SP
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3-STORY BUILDING

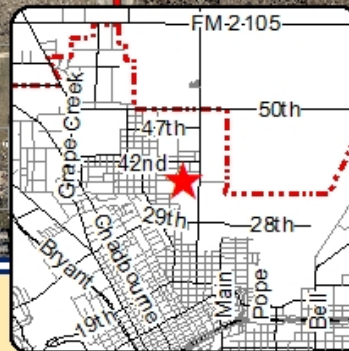


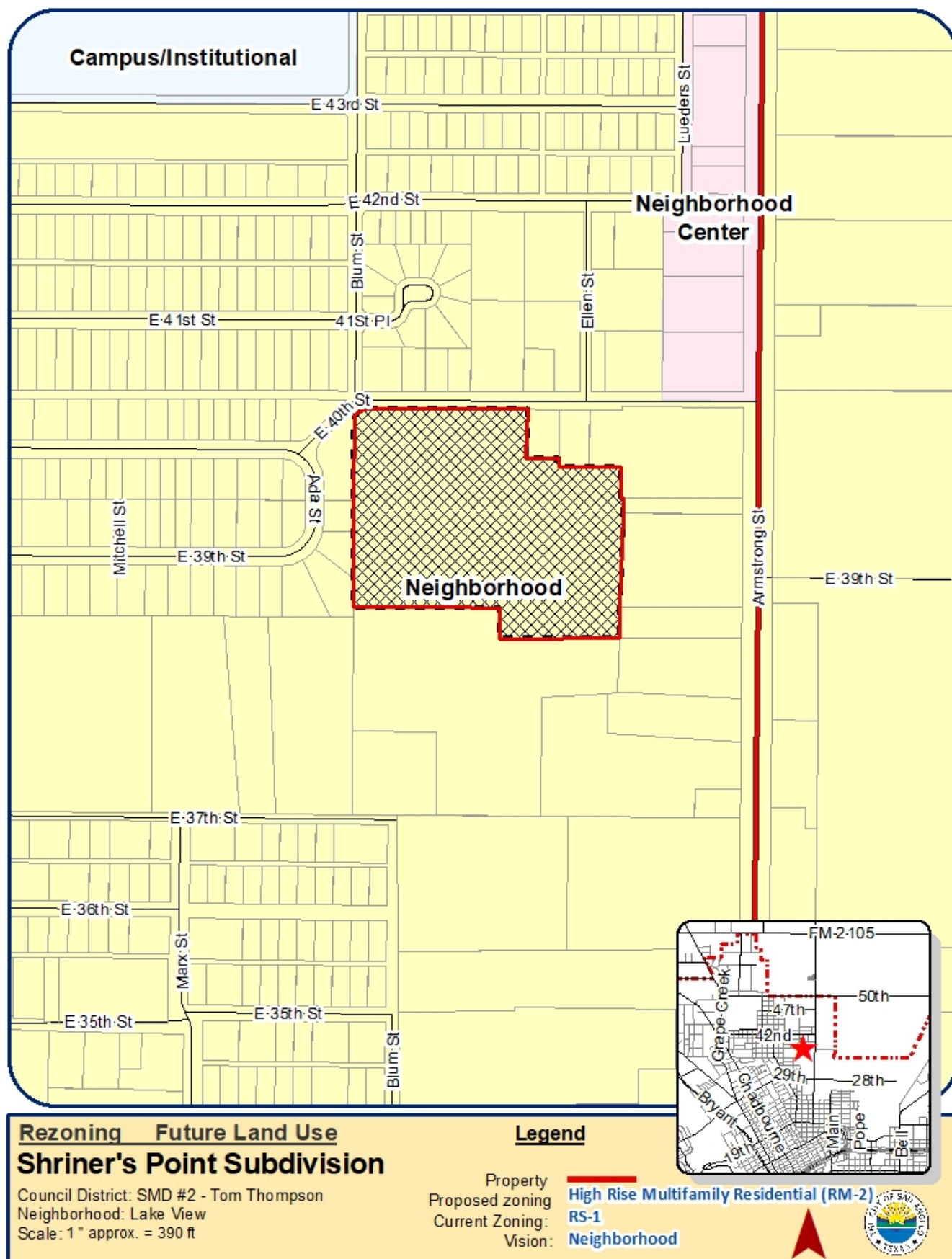
Rezoning Aerial map Shriner's Point Subdivision

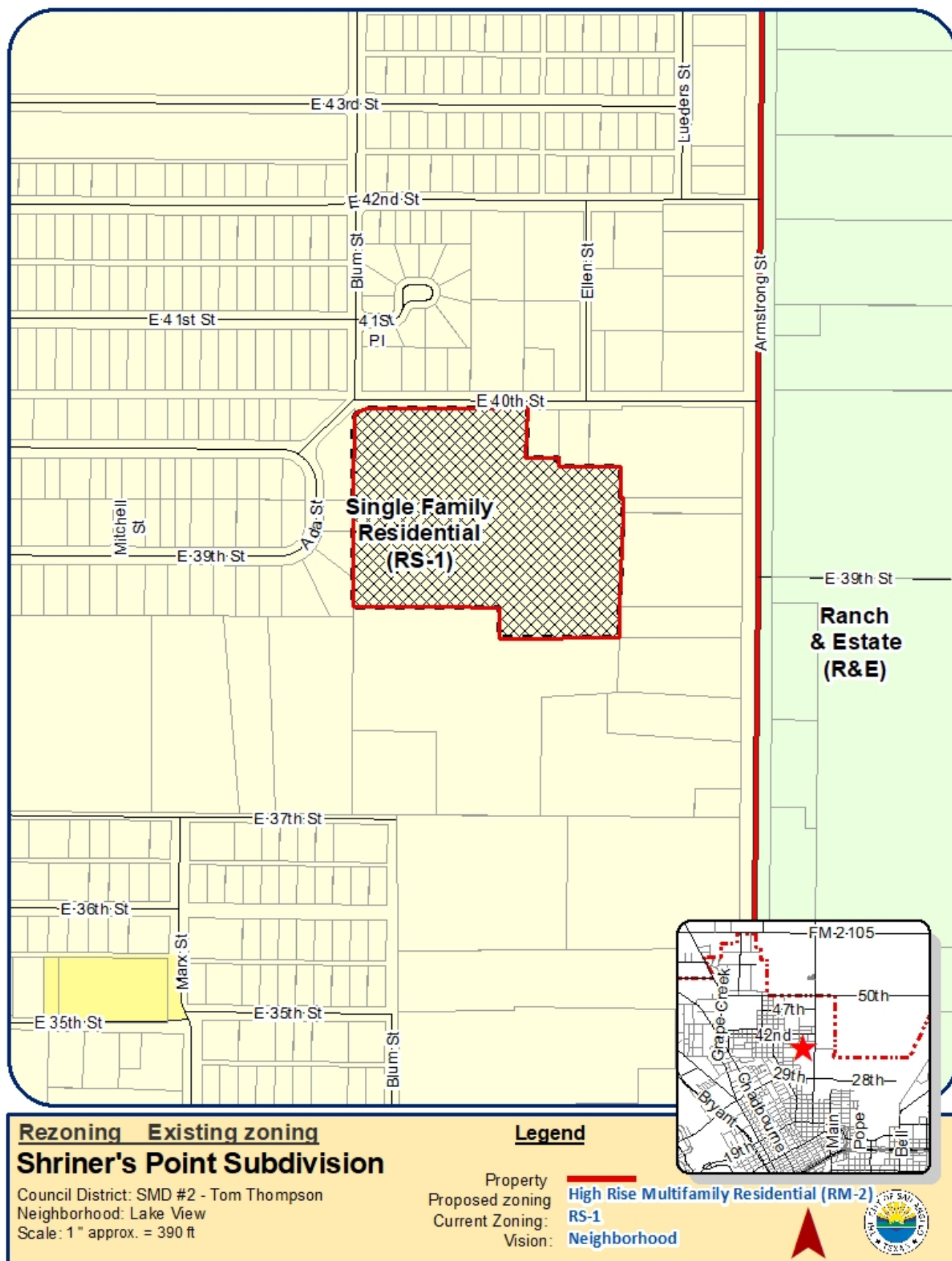
Council District: SMD #2 - Tom Thompson
Neighborhood: Lake View
Scale: 1" approx. = 390 ft

Legend

Property
Proposed zoning: **High Rise Multifamily Residential (RM-2)**
Current Zoning: **RS-1**
Vision: **Neighborhood**







Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue
Application for Approval of a Zone Change



Section 1: Basic Information

Name of Applicant(s): Michael Biggerstaff & Chad Decker

☒ Owner

☐ Representative (Notarized Affidavit Required)

2007 W. Beauregard

San Angelo

Texas

76901

Mailing Address

City

State

Zip Code

325-223-0300

Contact Phone Number

Contact E-mail Address

Not addressed at this time (See legal Description)

Subject Property Address

City

State

Zip Code

Abst: A-7985 S-0182, Survey: JIM FARR, 21.43 (& ARMSTRONG)

Legal Description (can be found on property tax statement or at www.tomgreencad.com)

Existing Zoning: RS-1

Proposed Zoning: RM-1

Lot size: 12.097 acres

(Zoning Map available on City Maps)

Section 2: Site Specific Details

Existing Use of Property: Undeveloped Land.

*Proposed Use of Property: Apartment Complex (Major Site Plan/Amendment) Site Plan is attached with new and existing buildings, parking spaces, easements, maneuvering areas, and drive entrances.

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

(By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)

- ☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner;
- ☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.
- ☒ If approved, a zone change is applied to the property, not the property owner.
- ☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.
- ☒ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.
- ☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.
- ☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.
- ☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

☒ The applicant or an authorized representative should attend public hearing(s) pertaining to his/her request, prepared to present his/her case and to answer any relevant questions from Planning Commission or City Council members.

I/We the undersigned acknowledge that the information provided above is true and correct.

JOHN C DECKER *[Signature]* *Michael*
Owner Name (Print) Signature Company/Organization (If Applicable)

11/13/19
Date

Erica Carter *[Signature]*
Representative Name (Print) Signature Company/Organization

11/13/19
Date

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: ____/____/____

Case No.: Z *19* - *19*

Fully-dimensioned site plan: ☐

Nonrefundable fee: \$ *645.00*

Receipt #: *49915* Date paid: *11/15/19*

Sign Deposit \$37.50

Receipt #: _____ Date paid: ____/____/____

Affidavit attached? ☐ Yes ☐ No ☐ N/A Applicant's signature on information sheet? ☐ Yes ☐ No

Previous Zone Change Inquiry? ☐ Yes ☐ No If yes, ZCI case no.: ____-____

River Corridor Commission? ☐ Yes ☐ No If yes, RCC meeting date: ____/____/____

Planning Commission hearing date: *12/16/19* Date notifications due: ____/____/____

City Council hearing date: *1/21/20* Packets due date: ____/____/____

Publication date: ____/____/____ *Feb 4th - Final Decision*

Reviewed/Accepted by: _____ Date: ____/____/____

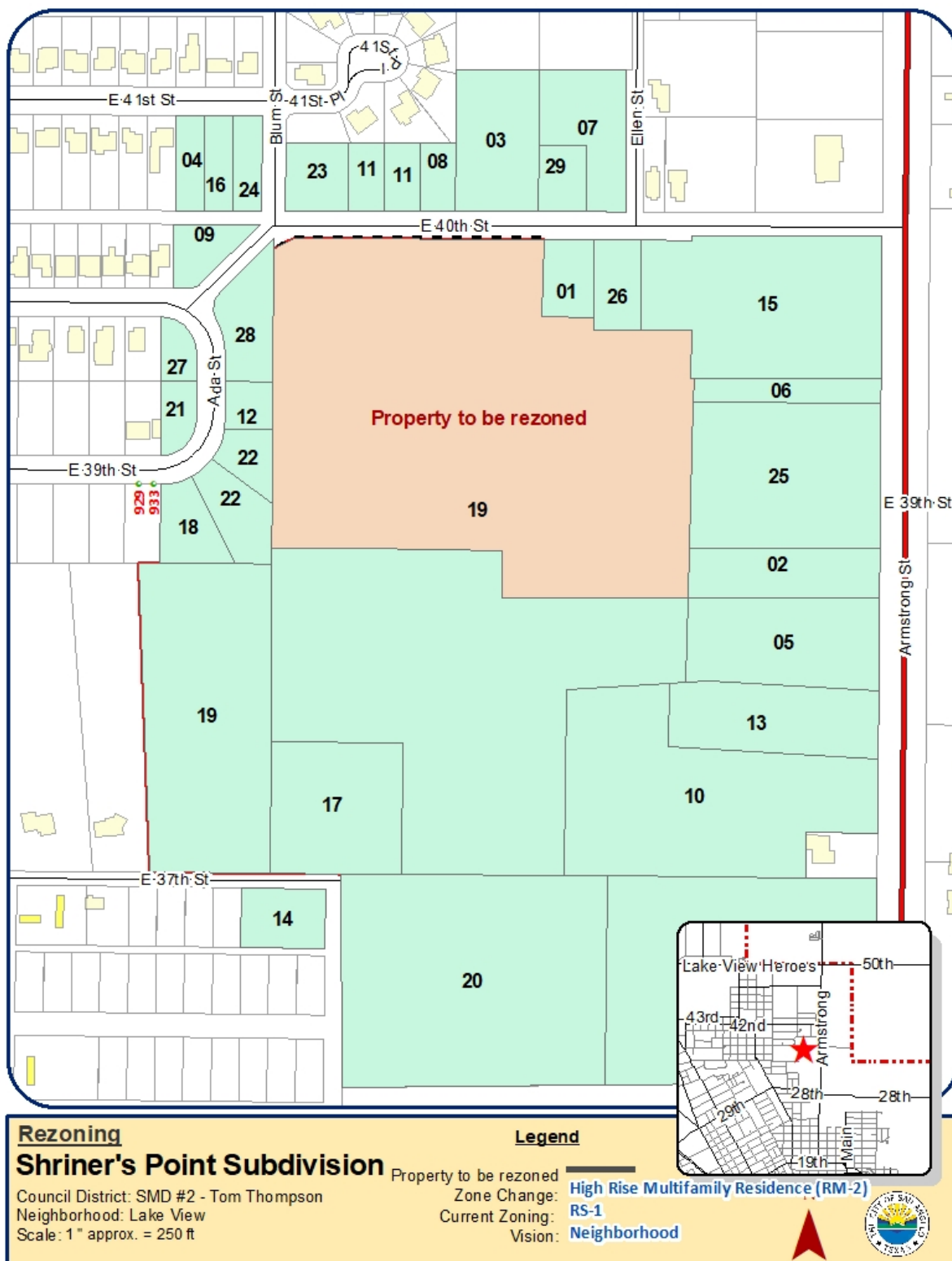
Site Photos



Property immediately adjacent to complex



Site location



AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH 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: **LOCATED AT 1011 EAST 40TH STREET, GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF EAST 40TH STREET AND BLUM AVENUE, SAN ANGELO, TEXAS**, FROM SINGLE FAMILY RESIDENTIAL ZONING DISTRICT (RS-1) TO THE HIGH RISE MULTIFAMILY RESIDENCE ZONING DISTRICT (RM-2); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z19-19: Carter - Fentress

WHEREAS, on the 16th day of December, 2019, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to deny the proposed High Rise Multifamily Residence Zoning District (RM-2); and,

WHEREAS, on the 4th day of February, 2020, City Council held a public hearing on an appeal to the denial of Z19-19 pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant materials;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SAN ANGELO:

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit "A" of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described property permanently zoned HIGH RISE MULTIFAMILY RESIDENT (RM-2) Zoning District:

The real property generally located at 1011 East 40th Street, specifically being 12.097 acres out of Abst. A-7985 S-0182 Survey: Jim Farr, San Angelo, Tom Green County, Texas.

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning & Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit A** of this Ordinance.

SECTION 3: 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 4. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended under Sections 1 and 2 of this Ordinance shall remain in full force and effect.

SECTION 5 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 6: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **4th day of February, 2020**, and finally PASSED, APPROVED AND ADOPTED on this the **18th day of February, 2020**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

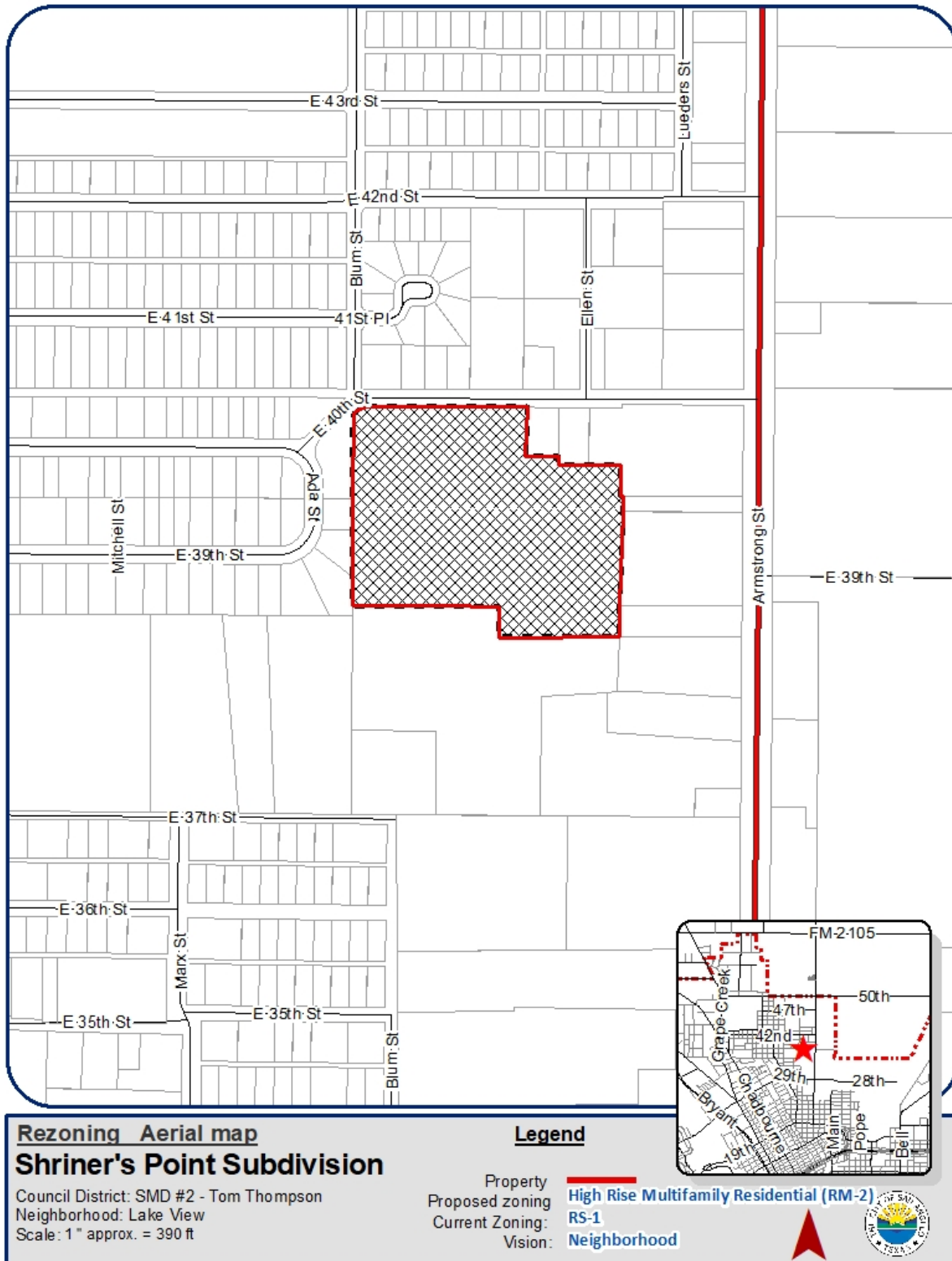
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Hillary Bueker, Planning Manager, Planning and Development Services, 325-657-4210

Meeting Date: February 4, 2020

Item type: Regular Item

Caption:

Public hearing on a proposed annexation, by petition of the property owner, for annexation of an 8.401 acre tract generally described as an area of land out of Casper Berberich Survey 177, abstract no. 52 and also being out of a 25.361 acre tract described and recorded in instrument no. 20166044, official public records of Tom Green County, Texas (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

On July 15, 2019 the Planning Commission approved Old Stone Ranch Preliminary Plat and Old Stone Ranch, Section One Final Plat. A condition of the plat approval was the submittal of a petition by the owner to annex the property into the City of San Angelo since the developer wanted City water and eventually City sewer. On August 26, 2019 the owners submitted their application for annexation. At the City Council meeting on November 19, 2019 the City Council accepted that petition and set the annexation Public Hearing for December 17, 2019. However, the ownership of the property changed during this process and the City had to restart part of the process with the new owner. Having now held the annexation public hearing and considered the information presented, staff is bringing forward to City Council for public hearing and first reading the ordinance approving the annexation of the 8.401 acres of land being a tract of land south of State Hwy Loop 306, adjacent to the city limits, east of N. Bentwood Dr. and west of Foster Rd. The total annexation on phase one is 8.401 acres.

Financial Impact:

N/A

Other Information/Recommendation:

On July 15, 2019 Planning Commission approved the plat for Old Stone Ranch, Section One which stipulated the requirement for annexation of the property to the City of San Angelo in order to connect to city water and eventually, when available, city sewer. (4-0)

Attachments:

- | | | |
|----|---------------------------|-------------------------------|
| 1. | Petition Requesting Annex | Petition Requesting Annex.pdf |
|----|---------------------------|-------------------------------|

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Brandon Dyson	Approved

Jon James
Theresa James
Julia Antilley

Approved
Approved
Final Approval

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR AND GOVERNING BODY OF THE CITY OF SAN ANGELO, TEXAS

The undersigned owner(s) of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby petition(s) your honorable Body to extend the present city limits so as to include as part of the City of San Angelo, Texas, the property described in Exhibit "A", by metes and bounds and attached herein.

Performance Land & Cattle Co., LLC certifies that the above described tract of land is contiguous and adjacent to the City of San Angelo, Texas, is not more than one-half mile in width, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: 

Printed Name: Bryan Dorman

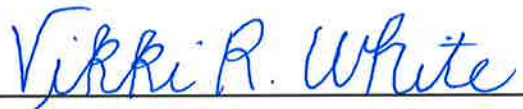
Title: Manager

Date: Jan. 7, 2020

THE STATE OF TEXAS

COUNTY OF TOM GREEN

BEFORE ME, this instrument was acknowledged on 1.7.2020 by person's name or entity.



Notary Public, State of Texas

My commission expires: 3.20.23



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Sherry Bailey, Sr. Planner, Planning and Development Services,

Meeting Date: February 4, 2020

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance annexing into the City of San Angelo, by petition of the property owner, an 8.401 acre tract generally described as an area of land out of Casper Berberich Survey 177, abstract no. 52 and also being out of a 25.361 acre tract described and recorded in instrument no. 20166044, official public records of Tom Green County, Texas and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

On July 15, 2019 the Planning Commission approved Old Stone Ranch Preliminary Plat and Old Stone Ranch , Section One Final Plat. A condition of the plat approval was the submittal of a petition by the owner to annex the property into the City of San Angelo since the developer wanted City water and eventually City sewer. On August 26, 2019 the owners submitted their application for annexation. At the City Council meeting on November 19, 2019 the City Council accepted that petition and set the annexation Public Hearing for December 17, 2019. However, the ownership of the property changed during this process and the City had to restart part of the process with the new owner. Having now held the annexation public hearing and considered the information presented, staff is bringing forward to City Council for public hearing and first reading the ordinance approving the annexation of the 8.401 acres of land being a tract of land south of State Hwy Loop 306, adjacent to the city limits, east of N. Bentwood Dr. and west of Foster Rd. The total annexation on phase one is 8.401 acres.

Financial Impact:

Annexations may have long-term impacts on city finances, which may be discussed at the meeting. However, there are no immediate anticipated fiscal impacts.

Other Information/Recommendation:

On July 15, 2019 Planning Commission approved the plat for Old Stone Ranch, Section One which stipulated the requirement for annexation of the property to the City of San Angelo in order to connect to city water and eventually, when available, city sewer. (4-0)

Attachments:

- | | |
|--------------------------|----------------------------|
| 1. CC Ordinance 2020 (1) | CC Ordinance 2020 (1).docx |
|--------------------------|----------------------------|

Presentation:

Jon James

Approvals/Reviews:

Sherry Bailey
Hillary Bueker

Created/Initiated
Approved

Jon James
Brandon Dyson
Jon James
Theresa James
Julia Antilley

Approved
Approved
Approved
Approved
Final Approval

AN ORDINANCE ANNEXING INTO THE CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS, ON PETITION OF PROPERTY OWNERS, TERRITORY GENERALLY DESCRIBED AS 8.401 ACRES OF LAND SITUATED IMMEDIATELY SOUTH/SOUTHEAST OF THE CITY, GENERALLY LOCATED SOUTH OF LOOP 306, EAST OF N. BENTWOOD DRIVE AND WEST OF FOSTER ROAD; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS OF SAID TERRITORY; DIRECTING NOTICES AS REQUIRED BY LAW ; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of San Angelo, Texas (the "City") is a home-rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the corporate limits of said City; and

WHEREAS, pursuant to Texas Local Government Code, Section 43.0671, all of the owners of a tract of land containing 8.401 acres situated immediately south/southeast of the City, generally located south of Loop 306 and east of N. Bentwood Dr. and west of Foster Rd., more fully described in Exhibit "A," attached hereto and made a part hereof for all purposes (hereinafter the "Territory"), have petitioned the City Council in writing to annex the Territory into the corporate limits of the City; and,

WHEREAS, the Territory is not appraised for ad valorem tax purposes as land for agricultural or wildlife management use, or as timber land, and Section 43.016 of the Texas Local Government Code does not apply to the proposed annexation; and,

WHEREAS, the City Council accepted the Petition Requesting Annexation by Territory owners, and directed Planning staff to proceed with the proposed annexation schedule, at a regularly held meeting of the City Council on January 21, 2020; and,

WHEREAS, a public hearing on the annexation was held, the 4th day of February, 2020, as required by law, where all interested persons were provided an opportunity to be heard on the proposed annexation of the Territory; and

WHEREAS, all notices have been issued as required by law and all public hearings have been held within the time required by law pursuant to notices duly posted and published; and

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services into the Territory, which plan is attached hereto, and the City is able to provide such services; and

WHEREAS, the Territory is not within the boundaries of any other municipality, lies within the extraterritorial jurisdiction of the City, and lies adjacent to and adjoins the present boundaries of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SAN ANGELO; TEXAS:

Section 1. Findings of Fact. All of the above premises are hereby found to be true and correct and are incorporated into the body of this ordinance as if fully set forth; and all required legal conditions for annexation have been met.

Section 2. Annexation. The Territory described in Exhibit "A," attached hereto and incorporated herein for all purposes, said Territory lying adjacent to and contiguous with the present boundaries of the City, be and is hereby added and annexed into the City, and said Territory shall hereafter be included within the corporate limits of the City, and the present boundary lines of said City, at various points contiguous with the Territory annexed, are hereby altered, extended and amended so as to include said Territory within the corporate limits of the City.

Section 3. Amendment of Boundaries and Official Map of City. The official map and boundaries of the City, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned annexed Territory as part of the City.

Section 4. Service Plan. The service plan attached hereto as Exhibit "B" is hereby approved and is incorporated herein for all purposes. The City makes an affirmative determination that this service plan provides for the extension of services to the annexed Territory which are comparable to other areas within the City with similar land utilization, population density and topography. It is further found that those characteristics of land use, population density and topography which distinguish this Territory from other areas of the City are considered a sufficient basis for providing a different level of services in the annexed Territory.

Section 5. Pro Rata Share of Taxes. The annexed Territory, being a part of the City for all purposes, shall bear its pro rata part of taxes levied by the City; and,

Section 6. Rights, Privileges and Duties of Inhabitants. The inhabitants of the annexed Territory shall be entitled to all the rights and privileges of the other citizens of the City and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City.

Section 7. Filing and Notice of Ordinance. The City Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerk of Tom Green County, Texas, the Voting Registrar of Tom Green County, the Tom Green County Appraisal District, and the Texas Comptroller of Public Accounts in the manner required by law. The City Clerk is further directed to notify any service providers of services in the annexed Area, and all other parties as required by law.

Section 8. Severability. If any part, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining parts of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this ordinance, that no part thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other part hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 9. Open Meeting Act Compliance. The City Council for the City of San Angelo hereby finds and declares that the meetings at which this ordinance was introduced and finally passed were open to the public as required by law and that public notice of the time, place and purpose of said meetings was given as require by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Section 10. Effective Date. This ordinance will become effective on, from and after its date of adoption.

INTRODUCED on the 4th day of February, 2020, and finally PASSED, APPROVED AND ADOPTED on this the 18th day of February, 2020.

THE CITY OF SAN ANGELO

By: _____
Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

By: _____
Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A" (Legal Description and Survey)

FIELD NOTES

8.401 Acres

August 7, 2019
19-E-1160

Being an area of 8.401 acres of land out of C. Berberich Survey No. 177, Abstract No. 52, City of San Angelo, Tom Green County, Texas and said 8.401 acre tract also being out of that certain 25.361 acre tract described and recorded in Instrument No. 201616044, Official Public Records of Tom Green County, Texas and said 8.401 acre tract being more particularly described by metes and bounds as follows:

Beginning at the northwest corner of this tract at the intersection of the west line of said 25.361 acre tract and a southwest line of the City Limits of the City of San Angelo and from said beginning corner a ½" iron rod with cap marked "SKG ENGINEERS" found for the northwest corner of said 25.361 acre tract bears N. 00° 06' 45" E. 539.29 feet;

Thence with the north or northeast line of this tract and a southwest line of said City Limits, S. 67° 52' 49" E. 564.72 feet to the northeast corner of this tract in the east line of said 25.361 acre tract;

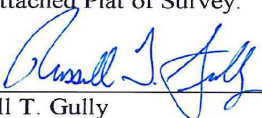
Thence with the east line of this tract and said 25.361 acre tract, S. 00° 06' 45" W. 593.13 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for the southeast corner of this tract;

Thence with the south line of this tract, N. 89° 53' 15" W. 523.57 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for the southwest corner of this tract in the west line of said 25.361 acre tract;

Thence with the west line of this tract and said 25.361 acre tract, N. 00° 06' 45" E. 804.75 feet to the place of beginning and containing an area of 8.401 acres of land.

Bearings recited hereon are based on Texas Coordinate System NAD83 – Texas Central Zone by GPS observation.

See Attached Plat of Survey.

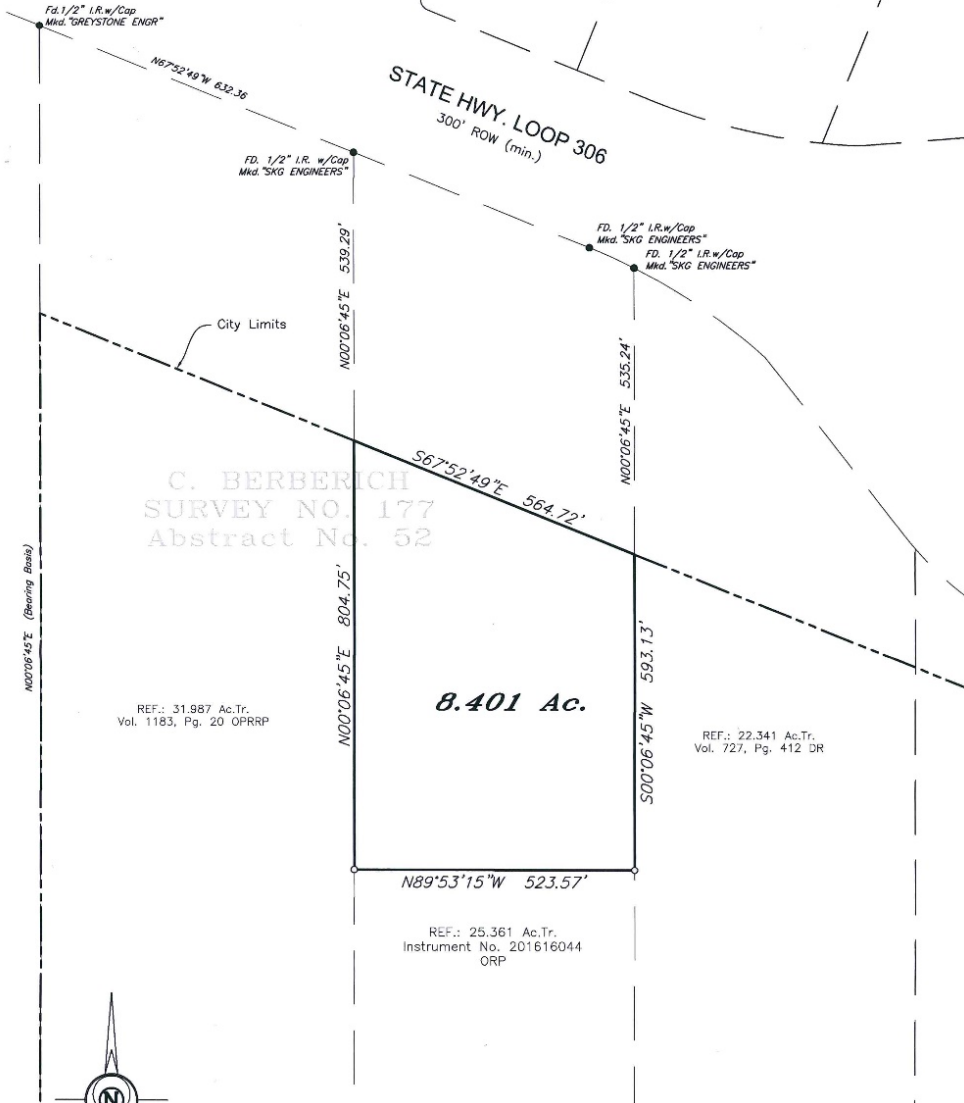


Russell T. Gully
Registered Professional Land Surveyor No. 5636
SKG Engineering, LLC
Firm No. 10102400



SKG
ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/CMT

706 SOUTH ABE STREET
SAN ANGELO, TEXAS 76903
PHONE: 325.855.1295
FAX: 325.857.8199
FIRM No.: 10102400
www.skg.com



SCALE: 1"= 200'

GRAPHIC SCALE: FEET

NOTE: Bearings shown hereon are based on the Texas Coordinate System - Central Zone.
Distances shown are surface horizontal.

- Found 1/2" Iron Pipe or Rod (unless otherwise noted)
- Set 1/2" Iron Rod with Cap Mkd. "SKG ENGINEERS"



PLAT SHOWING A SURVEY OF 8.401 ACRES OUT OF C. BERBERICH SURVEY NO. 177, ABSTRACT NO. 52, TOM GREEN COUNTY, TEXAS.

Certification is hereby made that a survey was made on the ground under my supervision according to the minimum standards of the Professional Land Surveying Practices Act and the General Rules of Procedures and Practices set forth by the Texas Board of Professional Land Surveying.

Surveyed on the ground August 7, 2019.

Russell T. Gully
RUSSELL T. GULLY
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5636

EXHIBIT B

SERVICE PLAN AGREEMENT. This Agreement, including the following Service Plan, constitutes the service plan agreement between the parties and supersedes all prior oral and written agreements between said parties. This Agreement shall not be amended unless executed in writing by both parties.

COMMENCEMENT OF SERVICES. Except as otherwise provided herein, the City will provide the municipal services set forth below commencing on the effective date of annexation. As used in this Agreement, "providing services" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable city ordinances, rules, regulations, and policies.

SERVICES NOT PROVIDED. Pursuant to Texas Local Government Code Section 43.0672(c), it is understood and agreed that the City is not required to provide a municipal service that is not included in this Agreement.

AGREEMENT RUNS WITH THE LAND. This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The terms of this Agreement constitute covenants running with the land comprising the Property and is binding on the Owner(s).

Executed on the ____ day of February, 2020, to be effective on the effective date of annexation of the Property.

CITY OF SAN ANGELO

**OWNER: PERFORMANCE LAND & CATTLE
CO. LLC**

By: _____
Daniel Valenzuela
City Manager

By: _____
Name: _____
Title: _____

Attest:

Approved as to Form and Legality:

Julia Antilley, City Clerk

Theresa James, City Attorney

Approved as to Content:

Jon James, Planning & Development
Services Director

SERVICE PLAN FOR MUNICIPAL SERVICES WITHIN AN AREA/TERRITORY DESCRIBED AS FOLLOWS:

Generally located south of Loop 306 and east of Bentwood and specifically described as approximately 8.401 acres of land out of Casper Berberich Survey 177, Abstract No. 52, City of San Angelo, Tom Green County, Texas, and also being out of a certain 25.361 acre tract described and recorded in Instrument No., 201616044 Official Public Records of Tom Green County, Texas and said 8.401 acre tract being more particularly described by metes and bounds in Exhibit "A" to the duly adopted Ordinance annexing the Territory.

SERVICE PROVIDED ON THE EFFECTIVE DATE OF ANNEXATION:

1. POLICE PROTECTION

Existing Services: None

Services to be provided:

The City of San Angelo, Texas and its Police Department will provide police protection to the newly annexed territory at the same or similar service now being provided to other areas of the City of San Angelo, Texas.

Patrolling, radio and dispatch responses to calls, traffic enforcement, and other routine police services will be provided. The typical response time within City limits is less than 3.5 minutes for emergency calls.

2. FIRE PROTECTION AND EMERGENCY SERVICES

Existing Services: None

Services to be provided:

The City of San Angelo, Texas and its Fire Department will provide fire protection and emergency medical service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of San Angelo, Texas which exhibit land use and population densities similar to that of the newly annexed area.

The City of San Angelo Fire Department will respond to all dispatched calls (including those for emergency medical services) and other requests for service or assistance within the newly annexed area, the same as it would within other areas inside the City limits of San Angelo. The typical Fire Department response time is under 4 minutes.

Topography, land use, and population density will not affect fire or emergency services. The newly annexed area has provided plans and a proposed installation schedule for new water hydrants to service the area.

3. SOLID WASTE COLLECTION

Existing Services: None

Services to be provided:

The same regular solid waste collection services now provided within the city will be extended (as appropriate) to the newly annexed area on the effective date of annexation.

4. MAINTAINING WATER AND WASTEWATER FACILITIES

Existing Services: None

Services to be provided:

Water mains and wastewater mains services will be required to be extended per the City of San Angelo Code of Ordinances and as provided in a development agreement between the Owner and City.

The developer/owner shall prepare and submit plans for approval of a looped water main system within ten years of the annexation date, illustrating the proposed installation of a water main and complete the installation in accordance with the approved version of these plans and an approved development agreement.

Until such time as wastewater main lines are extended into the annexed area, homes to be constructed in the annexation area will be allowed to construct septic systems that comply with the Tom Green County Environmental Health Department designs and specifications. Property owners shall be required to connect to the city sewer main as existing septic systems fail as required by the City of San Angelo Code of Ordinances and an approved development agreement as needed. When wastewater mains are extended to this area, homes constructed thereafter will be required to connect to the City's wastewater system.

5. MAINTAINING ROADS, STREETS, AND ALLEYWAYS

Existing Services: None

Services to be provided:

Developers of land within the newly annexed territory will be required to provide internal streets (and to improve peripheral or boundary streets) in accordance with applicable ordinances of the City of San Angelo, and such street improvements shall comply with specifications required by the City of San Angelo, for properly dedicated streets. Any and all roads, streets or alleyways which have been dedicated to the public shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar land use, population density and topography.

Municipal maintenance of properly dedicated roads, streets and alleyways (which may be installed by developers of land within this newly annexed territory) will be consistent with such maintenance provided by the City of San Angelo to other roads, streets and alleyways in areas exhibiting land use, population densities and topography similar to that of the newly annexed area.

6. MAINTAINING PARKS, PLAYGROUNDS, AND SWIMMING POOLS

Existing Services: None

Services to be provided:

The City Council of the City of San Angelo, Texas **is not** aware of the existence of any parks, playgrounds or public swimming pools now located in the newly annexed territory.

Upon annexation, the owners and residents of property located within the annexed area shall be entitled to the use of all municipal parks and recreational facilities, subject to the same restrictions, fees, and availability that pertains to the use of those facilities by other citizens of the city.

Private parks, playgrounds, and/or swimming pools will remain under private ownership and will be maintained under private ownership and responsibility.

The subject annexation area has been identified as a key underserved area in the City of San Angelo Parks Master Plan. The City is in the process of updating its Master Plan which will also review these underserved areas.

7. BUILDING INSPECTION

Existing Services: None

Services to be provided:

The Permits & Inspections Division will provide building permitting and inspection services upon annexation. This includes issuing building, electrical, plumbing, mechanical, and related permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of San Angelo. These services can be provided within the division's current budget.

8. PLANNING AND ZONING

Existing Services: None

Services to be provided:

The Planning Division's responsibility for regulating development and land use through the administration of the City of San Angelo Zoning Ordinance and Comprehensive Plan will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of San Angelo Land Development and Subdivision Ordinance. These services can be provided within the division's current budget.

9. CODE COMPLIANCE

Existing Services: None

Services to be provided:

The Code Compliance Division generally enforces compliance with the City's Codes and Ordinances, largely on a complaint basis. This includes inspection of properties to ensure such compliance.

10. MAINTAINING OTHER PUBLIC OWNED FACILITIES OR BUILDINGS

Existing Services: None

Services to be provided:

In the event any such publicly-owned facility or building does exist and would become the responsibility of the City of San Angelo, or is constructed in the future, the City shall maintain such facilities or buildings to the same extent and degree that it maintains similar municipal facilities and buildings now incorporated in the City of San Angelo, Texas, subject to funding by the City Council.

The City Council of the City of San Angelo, Texas is not aware of the existence of any publicly-owned facility or building now located in the area proposed for annexation.

Upon annexation, the owners and residents of property located within the newly annexed areas shall be entitled to the use of all municipal facilities, buildings, and services, subject to the same restrictions, fees, and availability that pertains to the use of those

11. STORM WATER MANAGEMENT

Existing Services: None

Services to be provided:

Developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completion. Upon approval and acceptance by the City, the City will then maintain be responsible for ongoing maintenance of drainage facilities.

12. STREET LIGHTING

Existing Services: None

Services to be provided:

The City of San Angelo will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy for all areas within the city limits of the City of San Angelo.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Theresa James, City Attorney, Planning and Development Services, X1413

Meeting Date: February 4, 2020

Item type: Regular Item

Caption:

Consider a resolution creating a new infill development incentive program and designating a funding source (Presentation made by Planning & Development Services Director Jon James and Neighborhood Services Director Bob Salas)

Summary/History:

On September 4, 2019, the City Council of the City of San Angelo, Texas, approved an Infill Development Incentive Program which provides \$5,000 incentives for new home construction within the neighborhoods included in the City's Neighborhood Revitalization Plan.

There is a desire on the part of staff and Council to provide alternative incentives to further increase economic development and housing development within these economically distressed areas of the City.

This resolution creates the City of San Angelo Neighborhood Empowerment Zone #1 pursuant to Chapter 378 of the Texas Local Government Code within the areas included in the City's Neighborhood Revitalization Plan.

Under this program the City Manager may negotiate agreements offering the following incentives which must be approved by City Council before the incentives are effective.

- Agreements refunding municipal sales tax on sales made within the zone for a period of not more than ten years.
- Agreements abating municipal property taxes on property within the zone subject to the duration limits of the Tax code.
- Baseline performance standards, such as the Energy Star Program City participation in up to 50% of the cost of water or sewer line extension necessary to serve property being developed within the Zone.
- Economic Development agreements as provided in Chapter 380 of the Texas Local Government Code.

Additionally, the City Manager or designee may negotiate the following agreements without further action by Council.

- Waiver or reduction of fees related to the construction or remodel of buildings in the Zone, including fees related to building or related permits, the inspection of buildings or impact fees.
- Reimbursement for the provision of roll-off containers and associated haul-on, haul-off and tipping charges.
- Waiver or reduction of sewer and water tap fees.
- Waiver or reduction of zoning, subdivision, or related development application fees.

Funds available for the City Manager approved incentives shall come from the same money allocated for the Infill Development Incentive Program approved by Council on September 4, 2019. Once that fund has been depleted, no further incentives will be given until such time that Council takes official action allocating additional funds.

Developers cannot receive incentives from both programs for the same project.

Financial Impact:

Funds available for the City Manager approved incentives shall come from the same money allocated for the Infill Development Incentive Program approved by Council on September 4, 2019. Once that fund has been depleted, no further incentives will be given until such time that Council takes official action allocating additional funds.

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|--|
| 1. | Resolution creating Empowerment Zone 1 | Resolution creating Empowerment Zone 1.docx |
| 2. | Community Development Target Areas - Exhibit A | Community Development Target Areas - Exhibit A.pdf |

Presentation:

Jon James, Bob Salas

Approvals/Reviews:

Theresa James	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Bob Salas	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS
CREATING A NEW INFILL DEVELOPMENT INCENTIVE PROGRAM AND ALLOCATING
FUNDING FOR INCENTIVES**

WHEREAS, on September 4, 2019 the City Council of the City of San Angelo, Texas approved an Infill Development Incentive Program which provides \$5,000 incentives for new home construction within the neighborhoods included in the City's Neighborhood Revitalization Plan; and

WHEREAS, the City of San Angelo wants to further increase economic development and housing development within these economically distressed areas of the City; and

WHEREAS, the City Council finds that it is in the best interest of the City to create the City of San Angelo Neighborhood Empowerment Zone #1 pursuant to Chapter 378 of the Texas Local Government Code within the areas included in the City's Neighborhood Revitalization Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS THAT:

- 1) That the City designates an area more particularly described and illustrated in "Exhibit A" attached hereto and incorporated herein for designation as the San Angelo Neighborhood Empowerment Zone No. 1 ("Zone").
- 2) The boundaries of the Zone shall create the infill development program boundaries.
- 3) The City Council, as a governing body of the City of San Angelo, Texas finds that the creation of the zone will increase the economic development in the zone, rehabilitation and construction of affordable and market rate housing options within the Zone, and increase the quality of social services, education and other services provided to the residents of the Zone.
- 4) The City Council finds that the creation of the Zone is for the public purpose of increasing the public health, safety, and welfare of the persons in the City of San Angelo.
- 5) The creation of the Zone satisfies the requirements of Section 312.202 of the Tax Code.
- 6) The City Manager or his or her designee is hereby authorized to negotiate agreements offering the following incentives which must be approved by City Council before the incentives are effective.
 - a. Agreements refunding municipal sales tax on sales made within the zone for a period of not more than ten years for the purpose of benefitting the zone.
 - b. Agreements abating municipal property taxes on property within the zone subject to the duration limits of Section 312.204 of the Tax Code.
 - c. Baseline performance standards, such as the Energy Star Program as developed by the Department of Energy, to encourage the use of alternative building materials

that address concerns relating to the environment, building costs, maintenance, or energy consumption.

- d. City participation in up to 50% of the cost of water or sewer line extension necessary to serve property being developed within the Zone.
 - e. Economic Development agreements as provided in Chapter 380 of the Texas Local Government Code.
- 7) The City Manager or designee may negotiate agreements offering the following enumerated incentives within the Zone without further action by Council.
- a. Waiver or reduction of fees related to the construction or remodel of buildings in the Zone, including fees related to building or related permits, the inspection of buildings or impact fees.
 - b. Reimbursement for the provision of roll-off containers and associated haul-on, haul-off and tipping charges.
 - c. Waiver or reduction of sewer and water tap fees.
 - d. Waiver or reduction of zoning, subdivision, or related development application fees.
- 8) Funds available for the incentives listed under provision 7 of this Resolution shall come from the same money allocated for the Infill Development Incentive Program approved by Council on September 4, 2019. Once that fund has been depleted, no further incentives will be given until such time that Council takes official action allocating additional funds.
- 9) Developers may receive incentives under the Infill Development Incentive Program or the incentives available to the Zone through this Resolution, but not both.

PASSED, APPROVED, and ADOPTED on this 4th day of February, 2020.

CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO FORM:

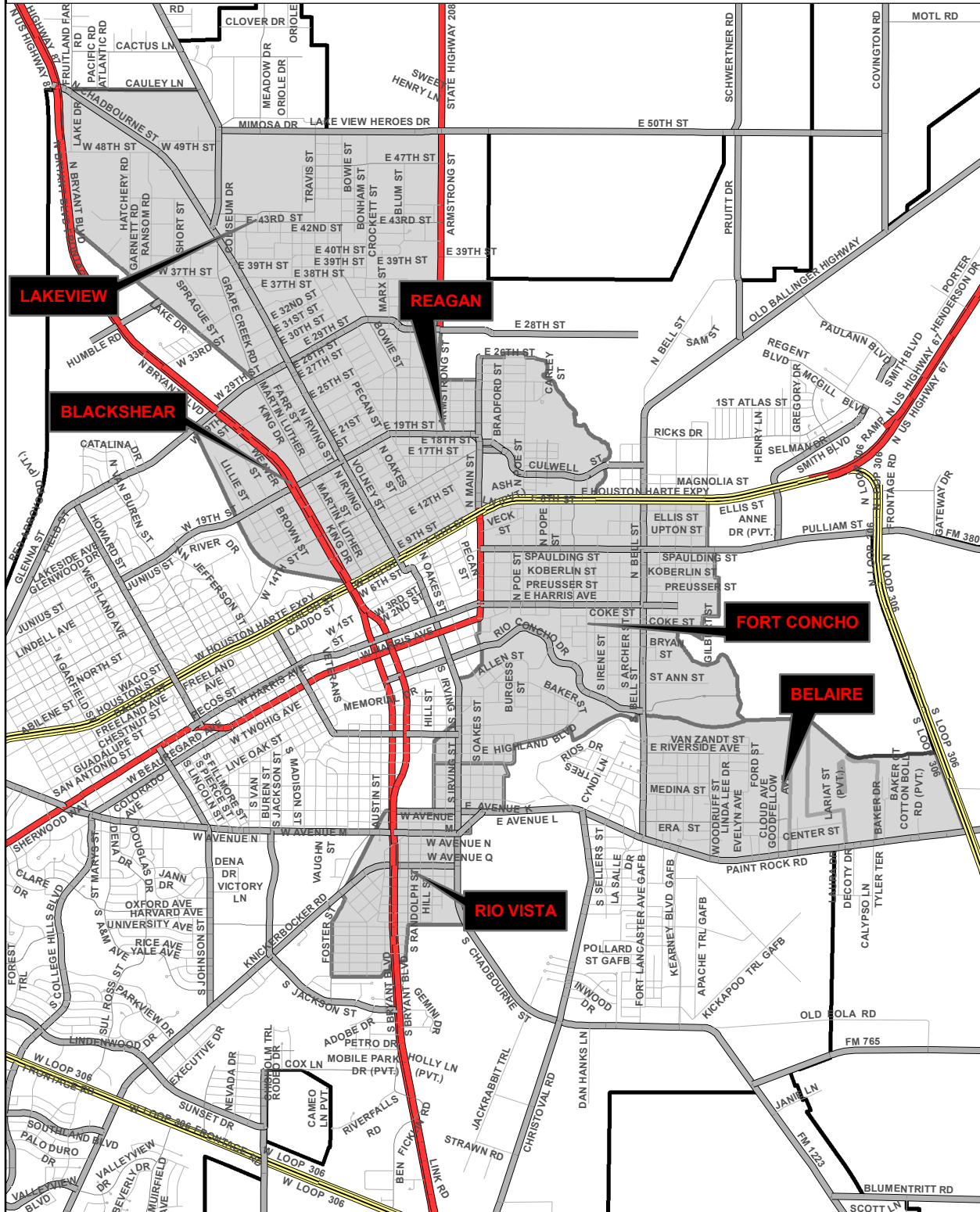
Theresa James, City Attorney

Date: 2/2/2018
COSA GIS Division
Copyright 1987 - 2018 City of San Angelo



Community Development Target Area Map

1 inch = 5,375 feet



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Julia Antilley, City Clerk, City Clerk, 325-657-4405

Meeting Date: February 4, 2020

Item type: Regular Item

Caption:

Consider a resolution amending the Tom Green County polling locations for the May 2020 election (Presentation made by City Clerk Julia Antilley)

Summary/History:

A resolution calling the election was approved at the January 21, 2020 City Council meeting. Later that day the Tom Green County Election's Office made us aware of a change to polling locations, with another change announced January 24th. This amendment will remove specific polling places and instead reference the adopted Tom Green County polling places.

Financial Impact:

This amendment causes no changes to the election expenses.

Other Information/Recommendation:

Attachments:

1. 20-0192_CC_MAY-02_ELEC_ORDER_AMENDMENT 20-0192_CC_MAY-02_ELEC_ORDER_AMENDMENT.docx

Presentation:

Approvals/Reviews:

Julia Antilley
Dan Saluri
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Final Approval

RESOLUTION 2020-0xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS, AMENDING RESOLUTION 2020-011 ORDERING A GENERAL ELECTION TO BE HELD IN SAID CITY ON THE 2ND DAY OF MAY, 2020, BY RESTATING SECTION 7 IN ITS ENTIRETY TO PROVIDE THAT ELECTION DAY POLLING PLACES BE AT THE LOCATIONS DESIGNATED BY TOM GREEN COUNTY, AND RESTATING EXHIBIT "A" TO SAID RESOLUTION TO CONFORM WITH THE PROVISIONS OF RESTATED SECTION 7

WHEREAS, the City Council pursuant to provisions of the Texas State Constitution, Texas Election Code and Home Rule Charter called a general election for the purpose of electing a Police Chief by the qualified voters of the City of San Angelo, pursuant to Resolution 2020-011, on January 21, 2020; and

WHEREAS, Section 7 of said resolution designates Election Day polling places where qualified voters shall cast ballots to be the locations designated by Tom Green County as set forth on **Exhibit "A"** thereto, which designated polling places are subject to change by Tom Green County;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS, THAT:

Section 1. Section 7 of Resolution 2020-011, adopted on January 21, 2020 and calling a general election for May 2, 2020, is hereby restated in its entirety to read as follows:

"Section 7. The Election Day polling places where qualified voters shall cast ballots will be at the locations designated by Tom Green County pursuant to Texas Election Code Section 42.002, as provided for in **Exhibit "A"** attached hereto and adopted as part of this Resolution."

Section 2. **Exhibit "A"** to said Resolution 2020-011, is restated in its entirety as set forth at **Exhibit "A"** attached to this Resolution.

Section 3. All provisions of Resolution 2020-011, adopted January 21, 2020, not amended hereby, shall remain in full force and effect.

Section 4. The terms and provisions of this Resolution shall be deemed to be severable in that if any portion of this Resolution shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Resolution.

Section 5. This Resolution shall be effective from and after the date of its adoption.

ADOPTED on the 4th day of February, 2020.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

EXHIBIT "A"

**POLLING PLACES FOR MAY 2, 2020 GENERAL ELECTION AND SUBSEQUENT UNIFORM ELECTION DATES
AND RELATED EARLY VOTING DATES**

Early Voting (Votacion Adelantadas)

April 20 -24, 2020 8:00 A.M. to 5:00 P.M.

(8:00 de la manana y las 5:00 de la tarde empezando el 20 de abril y terminadneo el 24 de abril 2020)

April 27-28, 2020 7:00 A.M. to 7:00 P.M.

(7:00 de la manana y las 7:00 de la tarde empezando el 27 de abril y terminadneo el 28 de abril 2020)

Edd B. and Francis Frink Keyes Building
113 W. Beauregard, 1st floor (Primero Piso)
San Angelo, Texas 76903

During early voting, any person residing in Tom Green County may go to this location and vote on all officers or measures for which the person is entitled to vote. (Durante la votación temprana, cualquier votante puede ir a este lugar y votar en todos los temas para los cuales son elegibles.)

Election Day (Dia de las Elecciones)

May 2, 2020, 7 A.M. to 7 P.M.

(el 2 de mayo, 2020, desde las 7 hasta las 7)

On Election Day, any person residing in Tom Green County may go to any of the polling places designated by Tom Green County pursuant to Texas Election Code Section 42.002 and vote on all officers or measures for which the person is entitled to vote.

Polling locations are posted on the Tom Green County Elections website and are available to the public at <http://www.co.tom-green.tx.us/page/ele.ElectionsHome>.

APPLICATION FOR BOARDS and COMMISSIONS

Name: JOHN EDWARD BARIEN, JR.

Address: _____

City: SAN ANGELO State: TX Zip: 76901

Phone (Home): [REDACTED] (Office): (SAME)

Resident of San Angelo since: 1979 SMD: 2

Are you a registered voter of San Angelo? Yes: ☒ No: ☐

Occupation/Business Affiliation: ROBERT MASSIE FUNERAL HOME

Occupation/Business Address: 402 Rio Concho Dr, San Antonio TX

Title/Position: REARRANGEMENT DIRECTOR

Email:

By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

contained herein:  1/25/2020
Applicant's Signature Date

NOTE: This application is a public record. Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex, or disability.*

Return to: julia.antillev@cosatx.us or City of San Angelo, c/o City Clerk, 72 W. College, San Angelo, Texas 76903

Applying for:

- ☒ Airport Advisory Board
- ☐ Airport Zoning Board
- ☐ Animal Shelter Advisory Committee
- ☐ Civic Events Advisory Board
- ☐ Civil Service Commission
- ☐ Construction Board of Adjustment & Appeals
- ☐ Design & Historic Review Commission
- ☐ Economic Development Corporation
- ☐ Fairmount Cemetery Board
- ☐ Fort Concho Museum Board
- ☐ Keep San Angelo Beautiful Board
- ☐ Park Commission
- ☐ Parks & Recreation Advisory Board
- ☐ Planning Commission
- ☐ Public Art Commission
- ☐ Tax Increment Reinvestment Zone Board
- ☐ Water Advisory Board
- ☐ Zoning Board of Adjustment

Specific membership criteria requirements apply - see back page for more information.

Recommended by:

Feel free to attach additional sheets, if necessary.

Based on your board selection, do you meet the membership criteria? ☒ Yes ☐ No

If no, which criteria (see back page for board criteria):

Education and/or Professional Licenses: TEXAS DEPARTMENT OF INSURANCE, LIC. #1117447 ^{SINCE} 10/24/2001

Current Municipal and Civic Organization Memberships (position and dates): LONG-TIME CHURCH MEMBER, DEACON,
LEADER, CHAPLAIN AND COUNSELOR

Previous Municipal Experience (position, location, and dates): OSAD Board - Past President 2/11 ~ 2/19;
KSAB Board 3/19 ~ Present

What personal qualifications can you bring to this board? RESIDENT SINCE 1979, AVIATION ENGINEER AND AIR FORCE VETERAN, LIFE-LONG AVIATION ENTHUSIAST, PRESENTLY SERVE ON COSDC'S TRANSPORTATION COMMITTEE.

What is your personal vision for the City? A GROWING ECONOMIC HUB IN WEST TEXAS, FULL OF OPPORTUNITY, CULTURAL EXPERIENCES, AND RECREATIONAL VENUES; A TRANSPORTATION CROSSROADS FOR THE CONTINUING WESTWARD DEVELOPMENT OF THIS GREAT NATION.

Why do you want to serve on this board? TO POSITIVELY AND SOUNDLY INFLUENCE OUR GROWTH AND CONNECTIVITY TO WORLD MARKETS, AND EFFICIENT TRAVEL FOR COMMERCE, DEFENSE, AND LEISURE.

Additional relevant information: I BRING A TENACIOUS OPTIMISM AND BUSINESS BACKGROUND WITH CHRISTIAN PRINCIPLES TOWARD ACCOMPLISHMENT AND SUCCESS.

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**APPLICATION FOR
BOARDS and COMMISSIONS**

Name: Zach Reyes
 Address: [REDACTED]
 City: San Angelo State: TX Zip: 76903
 Phone (Home): [REDACTED] (Office): [REDACTED]
 Resident of San Angelo since: 2004-2007; 2019-Present SMD: [REDACTED]
 Are you a registered voter of San Angelo? Yes: [REDACTED] No: X, in process
 Occupation/Business Affiliation: Financial Advisor; First Financial Trust
 Occupation/Business Address: 222 S. Koenigheim St. San Angelo, TX 76903
 Title/Position: Senior Vice President, Relationship Manager
 Email: [REDACTED]

By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

[Signature] 1/29/2020
 Applicant's Signature Date

NOTE: This application is a public record.* Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex, or disability.

Return to: julia.antilley@cosatx.us or City of San Angelo, c/o City Clerk, 72 W. College, San Angelo, Texas 76903

Applying for:

- ☐ Airport Advisory Board
- ☐ Airport Zoning Board
- ☐ Animal Shelter Advisory Committee
- ☐ Civic Events Advisory Board
- ☐ Civil Service Commission
- ☐ Construction Board of Adjustment & Appeals
- ☐ Design & Historic Review Commission
- ☐ Economic Development Corporation
- ☐ Fairmount Cemetery Board
- ☐ Fort Concho Museum Board
- ☐ Keep San Angelo Beautiful Board
- ☐ Park Commission
- ☐ Parks & Recreation Advisory Board
- ☐ Planning Commission
- ☐ Public Art Commission
- ☐ Tax Increment Reinvestment Zone Board
- ☐ Water Advisory Board
- ☐ Zoning Board of Adjustment

Specific membership criteria requirements apply - see back page for more information.

Recommended by:

Feel free to attach additional sheets, if necessary.

Based on your board selection, do you meet the membership criteria? ☒ Yes ☐ No

If no, which criteria (see back page for board criteria): [REDACTED]

Education and/or Professional Licenses: BS Angelo State University, MS Texas Tech University (Personal Financial Planning)
CERTIFIED FINANCIAL PLANNER (TM)

Current Municipal and Civic Organization Memberships (position and dates): San Angelo Symphony Society board
member (2019-Present), San Angelo Early Childhood Center board member (2019-Present)

Previous Municipal Experience (position, location, and dates): Day Nursery of Abilene board member (2015-2018),
Serenity Foundation of Texas board member (2017-2018)

What personal qualifications can you bring to this board? Financial and investment management expertise, critical thinking

What is your personal vision for the City? To help San Angelo become a more desirable place to live by working toward
increased economic development, better education, and lower crime rates.

Why do you want to serve on this board? I want to use my experience and expertise to help shape the future of San Angelo
for my family and neighbors.

Additional relevant information: [REDACTED]

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From: info@cosatx.us
To: [Antilley, Julia](#); [Turner, Desha](#)
Subject: City of San Angelo, TX: Boards and Commissions application
Date: Tuesday, January 21, 2020 11:12:08 AM

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

A new entry to a form/survey has been submitted.

Form Name: Boards and Commissions application
Date & Time: 01/21/2020 9:12 AM
Response #: 95
Submitter ID: 36730
IP address: 216.66.77.86
Time to complete: 1 min. , 59 sec.

Survey Details

Page 1

NOTE: This application is a public record.

Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

1. Personal information

Name: David Nowlin
Address: [REDACTED]
ZIP code: 76903
Home/mobile phone: [REDACTED]
Office/mobile phone: [REDACTED]
Resident of San Angelo since (year): 2005
City Council Single-Member 5
District in which you reside:
Registered San Angelo voter? (yes or no) yes
Occupation/business affiliation: Building new businesses
Occupation/business address: 8531 Spillway Rd
Title/position: Consultant
Email: [REDACTED]

2. By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

(o) Yes

3. Date

Jan 21, 2020

4. Applying for:

(o) Zoning Board of Adjustment

5. Recommended by:

(Name): Lane Carter

6. Based on your board selection, do you meet the membership criteria outlined on the [PDF version](#) of the application/Board Ordinance on our [website](#)?

(o) Yes

7. If no, which criteria?

Not answered

8. Tell us about yourself.

Education and/or professional licenses:

High School, Real Estate, Construction, Land Development Building New Businesses

Current municipal and civic organization memberships (positions and dates):

NA

Previous municipal experience (positions, dates, where):

San Angelo ZBA - 6 yrs

San Angelo Planning Commission - 3 yrs

What personal qualifications can you bring to the board?

Age and experience

What is your personal vision for the City?

To see it grow at a steady and well regulated pace. AND, take care of all the neglections in years past.

Why do you want to serve on this board?

This city needs me. That's not being prideful, it's true.

I have a [REDACTED] daughter that says she never wants to leave San Angelo so I fully intend to make it the best it can be.....and it can be better.

Is there anything else you would like to share about yourself?

No

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of Texas, and the City of San Angelo in the performance of their public duties. If you been convicted of a MISDEMEANOR or FELONY, and/or placed on probation, fined or given a suspended sentence such as pretrial diversion or deferred adjudication in court within the last ten years, disclosure of such should be forwarded under separate cover. For a complete copy of the Code of Ethics, contact the City Clerk at [325-657-4405](tel:325-657-4405).

Thank you,
City of San Angelo, TX

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