



City Council Agenda 2/20/2024

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held February 20, 2024 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 & Pledges

3. Proclamations/Recognitions

- a. Proclamation of February 20, 2024 as National Leadership Day

4. 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 number, and limit their remarks to less than three minutes.

5. Consent Agenda

- a. Consider approving the January 26, 2024 Strategic Priority-Setting Workshop minutes and the February 6, 2024 City Council regular meeting minutes (Heather Stastny)
- b. Consider approving Change Order #2 to RFB ES-03-23 Jackson St. Improvements to Reece Albert Inc. in the amount of \$363,043.18 and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- c. Consider approving Change Order #1 to RFB ES-05-23 N. Chadbourne 7th to 43rd St. Repair to Reece Albert Inc. in the amount of \$114,635.96 and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- d. Second reading of an ordinance designating Reinvestment Zone No. 24-1 to be located at Lot 1, Block 2, Section 3, Southwest Plaza Addition, also known as 2702 W. Loop 306, for the purpose of providing an ad valorem commercial-industrial tax abatement (Michael Dane)

6. 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 exempt from the time limit above and instead must limit their remarks to less than five minutes.

- a. Discussion and review on Animal Services' partnership with Concho Valley PAWS (Presentation made by Neighborhood and Family Services Assistant Director Morgan Chegwiddden and Concho Valley PAWS Executive Director Jenie Wilson)
- b. Consider a resolution supporting the private fundraising efforts to create and place art, themed "Black Tie Cowboy", along the Chadbourne streetscape from the North Concho River to the intersection of Beauregard Ave. (Presentation made by Parks and Recreation Director Carl White)

- c. Consider authorizing the City Manager to reject all bids received for RFB FC-01-24 HVAC Unit Replacements at Chase State Office Building (Presentation made by Fort Concho Senior Manager Bob Bluthardt)
- d. First reading and public hearing of ordinances for the following cases for property being 11 acres located at the northwest corner of Gregory Dr. and Smith Blvd.:
 - 1. CP23-06, a request for an amendment to the Comprehensive Plan, changing the Future Land Use from Commercial to Neighborhood; and
 - 2. Z23-18, a request to rezone from the Office Commercial zoning district to Single Family Residential zoning district
(Presentation by Planning & Development Services Assistant Director Aaron Vannoy)
- e. First reading and public hearing of ordinances for the following cases:
 - 1. CP23-05, a request for an amendment to the Comprehensive Plan, changing from Commercial to Neighborhood Center being 3.72 acres located at 1621 & 1705 N. Chadbourne St. and 22, 21, 18, 17, & 15 W. 17th St. and 22, 18, 16, 10, & 6 W. 16th St.; and,
 - 2. Z23-19, a request to rezone from the General Commercial/Heavy Commercial zoning district to the Low Rise Multi-Family Residential zoning district being .482 acres located at 1621 N. Chadbourne St. (Presentation made by Planning and Development Services Assistant Director Aaron Vannoy)
- f. First reading and public hearing of an ordinance for Z23-20, a request to rezone from the Light Manufacturing zoning district to the General Commercial zoning district, being 7.39 acres located at 926 Humble Rd. (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)
- g. First reading and public hearing of an ordinance for Z23-21, a request to expand the Open Structure Overlay map to include the following area of Angelo Heights neighborhood: the 1000, 3000, and 4000 blocks of Catalina Dr., 2000 and 3000 blocks of Nueces Dr., 1000 block of Louise Dr, 1000 block of Cordell Dr., 2700 block of Eunice Dr., and the 2700 block of Erline Dr. (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)
- h. First reading and public hearing of an ordinance for PD23-08, a request to rezone from the Ranch & Estate zoning district to the Planned Development zoning district with an underlying General Commercial zoning, allowing kennels, parking, exercise area, staff area and the housing of dogs, cats, and small animals awaiting adoption, being 5.436 acres located at 1521 S. Concho Park Dr. (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)

7. 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 551.072 - Deliberations about real property regarding the Commercial Lease with Sports Next Level
- b. Section 551.072 - Deliberations about real property at 7409 Knickerbocker Rd.
- c. Section 551.072 - Deliberations about real property at 505 S. Chadbourne
- d. Section 551.071 - Consultation with attorney regarding Risk Management Claims

- e. Section 551.071 - Consultation with attorney regarding Short Term Rentals

8. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session
 - i. Consider a request for an appeal of the Planning Commission's denial of Conditional Use 23-53 for a Short Term Rental located at 2301 Palms Court (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)
 - ii. Other, if needed
- b. Consider approving various Board nominations
Economic Development Corporation: Rick Mantooth (Mayor), Clifton Jones (SMD1), and Joe Spano (SMD2) all to a second term ending February 2026
Construction Board of Adjustments and Appeals: Michael Spencer (SMD1) to a second term ending February 2026
Public Art Commission: Katherine Bunker (SMD4) to an unexpired term ending April 2025
- c. Announcements and consideration of Future Agenda Items
-Consider dates and scheduling for Strategic Planning Workshop

9. 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 15th day of February 2024, at 2:22 p.m.


Heather Stastny, City Clerk

All agenda items are subject to action. The City Council reserves the right to consider business out of posted order and/or adjourn into closed session on any item on this agenda and at any time during the course of this meeting to discuss matter as authorized by law or by the Open Meetings Act, Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations Regarding Real Property), 551.073 (Deliberations Regarding Prospective Gifts), 551.074 (Personnel Matters), 551.076 (Deliberations Regarding Security Devices or Security Audits), 551.087 (Deliberations Regarding Economic Development Negotiations), and 551.089 (Deliberations Regarding Security Devices or Security Audits). Any final action or vote on any Closed Session item will be taken in Open Session.

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 ADA Coordinator at 325-657-4407 for request, or by completing a request form online at cosatx.us/ada.

Citizen requests to display materials on the city's monitors must submit the request 96 hours prior to the meeting by email to Heather.Stastny@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.

Proclamation

Leadership is an ever-present aspect of our environment, and it is beneficial to take a moment to appreciate the abundance of leadership within our community here in San Angelo.

The Maxwell Leadership Enterprise founded National Leadership Day in 2021 to recognize what it means to be a good leader. Everyone can lead, regardless of their title or position. Once you realize the impact of your influence, you will see that you can make a difference right where you are. That is the power of leadership!

The Vasquez Development Group, right here in San Angelo, places great importance on the development of leaders within our community, including those at a young age. Their Rising Leaders Program offers students in the community a valuable opportunity to acquire essential leadership, life, and career skills. By participating in this program, students can contribute to the betterment of our community and become exemplary leaders.

When you think about it, in every relationship, one person influences another, whether a parent or child, spouse or friend, student or teacher, employer or employee. In our everyday interactions with one another, someone is leading or influencing the other to do something or become something. This means that anyone can be a leader, whether you have a title or not.

The observance aims to empower people to help others and be change agents and difference makers in someone's life. The opportunity we have on National Leadership Day: To show people what it means to be a good leader and inspire them to be a positive force of change in another person's life.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim the today of February 20, 2024, as

National Leadership Day

in San Angelo, Texas and recommend this observation to all citizens.

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 20th day of February 2024.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
City Council Special Agenda – Strategic Priority Setting Workshop
Friday, January 26, 2024

Present:

Mayor Brenda Gunter
Mayor Pro tem Lucy Gonzales, SMD 4
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Karen Hesse Smith, SMD 5
Council Member Larry Miller, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the Strategic Planning Workshop session of the San Angelo City Council to order at 8:41 a.m. on Friday, January 26, 2024 at the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Workshop Itinerary

a. Overview of Strategic Priority-Setting Workshop

City Manager Daniel Valenzuela gave an overview of the Strategic Planning Workshop Itinerary and introduced the topics for discussion during the workshop.

b. Top 3 Strategic Priorities

i. Infrastructure

ii. Public Safety

iii. Economic Development

Council Member Miller requested streets and housing be considered as strategic priorities.

Council Member Hesse Smith requested workforce stabilization and updating the City's Comprehensive Plan be considered as strategic priorities.

Council Member Gonzales requested streets and neighborhoods be considered as strategic priorities.

Council Member Thomas requested streets, generating additional revenue, exploring public-private partnerships, and employee compensation be considered as strategic priorities.

Council Member Thompson has no other suggestions for strategic priorities.

Council Member Hiebert requested employee compensation be considered as a strategic priority.

c. Establishing/Confirming Strategic Priorities for 2024/2025

Council established Strategic Priorities for 2024/2025:

1. Infrastructure
2. Public Safety
3. Economic Development
4. Employee Compensation

d. Funding & Council Direction

i. Revenues

1. Sales Tax
2. Departmental Service Fees
3. Property Tax

- 4. Other Revenue
- ii. Expenses
 - 1. Service Levels
 - 2. Staffing
 - 3. Operational Efficiencies
- iii. Other Funding Sources
 - 1. Rolling Debt
 - 2. Grants & Prioritizing CIP

Finance Director Tina Dierschke provided a general overview of revenue, expenditures, and other funding sources.

Human Resources Director Bryan Kendrick and Human Resources Assistant Director Veronica Sanchez gave an overview of the City's workforce and compensation needs.

- e. Discussion/Decision on Comparable Cities & Other Comparables

General discussion regarding factors to be considered regarding comparable cities including housing studies and population.

3. Follow Up and Administrative Issues

- a. Set date for follow-up Workshop

Consideration for future planning workshops will be discussed at a future City Council meeting.

4. Adjournment

Consensus: There being no further business, the meeting was adjourned at 11:41 a.m. by consensus.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

Heather Stastny, 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 of 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.)

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, February 6, 2024

Quorum Present:

Mayor Brenda Gunter
Council Member Tommy Hiebert, SMD 1
Council Member Harry Thomas, SMD 3
Council Member Karen Hesse Smith, SMD 5
Council Member Larry Miller, 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 8:31 a.m. on Tuesday, February 6, 2024, at the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer & Pledges

An invocation was provided, and pledges led, by San Angelo Police Department Chaplain Gary Jenkins.

3. Proclamations/Recognitions

No proclamation/recognitions.

4. Public Comment

County Resident Jackie Chesnutt requested Council look into sewer gas within the City.

Brad Zella with Texas Disposal System asked Council to consider a competitive bid process after the expiration of the current Solid Waste Contract.

Citizen Richard Rivas (SMD 3) expressed concern regarding the capacity regulations for the recreation centers citing overcrowding during events.

Citizen Mike Stewart (SMD 6) requested Item 5g. be pulled from the Consent Agenda.

5. Consent Agenda

- a. Approval of the January 16, 2024, City Council regular meeting minutes (Heather Stastny)
- b. Approval of a temporary monitoring well in the City's right-of-way located at 1733 Pulliam and authorizing the City Manager to negotiate and execute all related documents (Sarah Torres, Kevin Pate)
- c. Approval of a lease and concessionaire agreement with Brevard Capital Group Inc. in the amount of \$19,903.32 per year plus concessionaire fees, and authorizing the City Manager to negotiate and execute all related documents (Jeremy Valgardson)
- d. Approval of a lease agreement with Emmanuel Episcopal Church for the building and property at 304 W. Ave. A for the operation of Boy Scout Troop 1 and authorizing the City Manager to negotiate and execute all related documents (Carl White)
- e. Award of WU-01-24 Collection Agency Services to Online Information Services for collection purposes in the amount of 19% of the collection balance and authorizing the City Manager to negotiate and execute all related documents (Shane Kelton)
- f. Award of WU-02-24 Water Treatment Coagulant to Chameleon Industries in the amount of \$90,000 annually for one year, with four additional 1-year term extensions and authorizing the City Manager to negotiate and execute any related documents (Shane Kelton)

- g. Consider authorizing the City Manager to reject all bids received for RFB FC-01-24 HVAC Unit Replacements at Chase State Office Building (Bob Bluthardt)
- h. Report to Council regarding training ammunition, training conversion bolts for SWAT rifles, and standard 9mm ammunition for the San Angelo Police Department to be purchased using Federal and State forfeiture funds (David Howard)
- i. Adoption of a resolution calling and ordering the May 4, 2024 General Election for Chief of Police, authorizing the execution of an agreement for Election Services with Tom Green County Elections Administration, and authorizing the City Manager to negotiate and execute all related documents (Heather Stastny) (Pg. 26; 2024-010)
- j. Adoption of an ordinance for Z23-17 to rezone properties from Single-Family Residential zoning district to Two-Family Residential zoning district, located at 1212, 1210 & 1208 Roosevelt St. (Aaron Vannoy) (Pg. 33; 2024-011)

Motion: Council Member Thomas made a motion, seconded by Council Member Miller, to approve the Consent Agenda, with the exception of items 5e and 5g. The motion carried unanimously (5) ayes to (0) nays, with no public comment.

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve item 5e, as presented by Public Works Executive Director Shane Kelton. The motion carried (5) ayes to (0) nays, with no public comment.

Citizen Mike Stewart (SMD 6) with University Heating & Cooling requested Council accept the bid as submitted.

County resident Jackie Chesnutt spoke in favor of replacing the HVAC units at the Chase State Office Building.

Citizen Steve Hampton (SMD 6) spoke in favor of approving the bid as submitted.

Motion: Council Member Thomas made a motion, seconded by Council Member Hesse Smith, to approve item 5g. as presented by Parks & Recreation Director Carl White. Council Member Miller abstained from voting, resulting in a lack of quorum to vote on the item. Item was moved to the February 20, 2024 City Council Agenda.

6. Regular Agenda

- a. Update on All-Tex Irrigation & Supply, LLC splash pad fundraising and direction from City Council regarding the project (Presentation made by Parks & Recreation Director Carl White)
Citizen Alicia Olshanski (SMD 6) with All-Tex Irrigation and Supply requested funding from COSADC.
County resident Jackie Chesnutt spoke in opposition of community splash pads.
Citizen Steve Hampton (SMD 6) spoke in favor of a community splash pad.
[Council directed funding request of ½ sales tax be made to COSADC, and brought to Council if voted on by COSADC.]
- b. Consider a resolution of support for a proposed development by the Overland Property Group for senior affordable rental housing at 3800 Green Meadow Dr. named the Residence at Green Meadow as part of the 2024 annual Low Income Housing Tax Credit (LIHTC) affordable housing program (Presentation made by Neighborhood & Family Services Director Bob Salas and Overland Property Group Director of Development April Engstrom) (Pg. 36; 2024-012)
County resident Jackie Chesnutt spoke in favor of senior affordable housing.

Motion : Council Member Miller made a motion, seconded by Council Member Hesse Smith, to approve the item, as presented. The motion carried unanimously (5) ayes to (0) nays.

- c. Consider approving an Agreement with Kimley Horn and Associates, Inc. as part of RFQ OP-04-23 Safety Action Plan and ADA Transition Plan Update the amount of \$650,000 utilizing the Solid Waste fund balance and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Operations Director Patrick Frerich)

County resident Jackie Chesnutt raised questions regarding the enforceability of activity on private property.

Citizen Evelyn Smith (SMD 5) inquired whether the discussed ordinance covers the presence of "junk" on property.

Motion : Council Member Thomas made a motion, seconded by Council Member Miller, to approve the item, as presented. The motion carried unanimously (5) ayes to (0) nays, with no public comment.

- d. First reading and public hearing of an ordinance designating Reinvestment Zone No. 24-1 to be located at Lot 1, Block 2, Section 3, Southwest Plaza Addition, also known as 2702 W. Loop 306, for the purpose of providing an ad valorem commercial-industrial tax abatement (Presentation made by Economic Development Interim Director Michael Dane)

Chamber of Commerce Vice President of Economic Development Michael Looney spoke in support of the Reinvestment Zone presented.

Motion : Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve the item, as presented. The motion carried unanimously (5) ayes to (0) nays.

- e. Consider approving Tax Increment Reinvestment Zone (TIRZ) incentive funding for six South TIRZ private projects totaling \$377,462.42 (Presentation by Planning & Development Services Assistant Director Aaron Vannoy)

Citizen Zane White spoke in opposition of TIRZ funding for 36 E. Concho.

Motion : Council Member Thomas made a motion, seconded by Council Member Miller, to approve the item with the exception of 36. E. Twohig. The motion carried unanimously (5) ayes to (0) nays.

7. 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:

8. Follow Up and Administrative Issues

- a. Consider items discussed in Closed Session, if needed
- b. Announcements and consideration of Future Agenda Items
~~-Consider dates and scheduling for the next Strategic Workshop~~

9. Adjournment

Consensus: Council Member Hiebert made a motion, seconded by Council Member Miller, to adjourn the meeting.

There being no further business, the meeting adjourned by consensus at 10:36 a.m.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

Heather Stastny, 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 of 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: Charles Michalewicz, Engineer, Engineering Services

Meeting Date: February 20, 2024

Item type: Consent Item

Caption:

Consider approving Change Order #2 to RFB ES-03-23 Jackson St. Improvements to Reece Albert Inc. in the amount of \$363,043.18 and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)

Staff Recommendation:

Approve

Summary/History:

This Change Order encompasses three changes to the project:

- It increases existing bid items to improve Jackson St. pavement within the railroad right-of-way. The scope of the project excluded improvements to Jackson St. within the railroad right-of-way. However, upon a field visit, the existing pavement was in a severely deteriorated state and the transition from the roadway to the tracks was uneven and rough. In addition to a concrete approach on both sides of the railroad tracks, sidewalks will also be extended.
- The new 12" water main will be extended underneath the railroad tracks. This will prevent the need to remove the newly placed pavement and concrete in the event of a water main break/leak.
- Alternate 2, sanitary sewer pipe bursting, will be added to the project in lieu of lining the existing clay pipe. This change has no impact on the original bid cost.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
Street Bond	534-3200-800.07-30	ST0009	\$144,049.75
Water	51241008000730	ST0009	\$156,280.52

Financial Impact:

Even though this change order total is \$363,043.18, the contract price will only increase by \$300,330.27 because \$62,712.91 of contingency dollars will be utilized. The new contract total will be \$4,441,770.31.

Original Contract \$ 4,204,152.95
Amount:
Previous Change
Orders:
Change Order \$ (62,712.91)
No. 1:
Current Change \$ 363,043.18
Order Amount:
Contingency \$ (62,712.91)
used:
Revised Contract \$ 4,441,770.31
Amount:

Other Information/Recommendation:

Staff recommends approving Change Order #2 to ES-03-23.

Attachments:

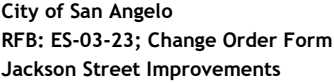
1. Change Order 2 Change Order 2.pdf

Presentation:

Patrick Frerich

Approvals/Reviews:

Charles Michalewicz	Created/Initiated
Pete Madrid Jr.	Approved
Kevin Pate	Approved
Patrick Frerich	Approved
Shane Kelton	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Heather Stastny	Final Approval



CONTRACTOR: REECE ALBERT, INC.

This Change Order increases existing bid items to improve Jackson St pavement within the Railroad right-of-way. The scope of the project excluded improvements of Jackson St within Railroad right-of-way, however, upon a field visit, the existing pavement was in a severely deteriorated state. Given that there is no projects slated in the near future to address this deteriorated pavement or any streets in the near vicinity, it was determined that this work be added to the contract. A breakdown of the items added and removed to the contract for this extra work is listed above. The predominant work to be performed includes 7" of concrete pavement placed on top of 4" of asphalt base within the railroad right-of-way. The new 12" water main will also be extended underneath the railroad tracks. This will prevent the need to remove the newly placed pavement in the event of a watermain break/leak. After further consideration, Alternate 2, sanitary sewer pipe bursting, will be added to the project with this change order as a cost savings of (\$19,551.60). Engineered plan sheets have yet to be developed for this extra work, but it is expected that these extra work item quantities are slightly overstated.

General Note: The addition of this change order compensates the Contractor for all labor, material, and equipment necessary to perform all work described within the supplemental documents and herein.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Charles Michalewicz, Engineer, Engineering Services

Meeting Date: February 20, 2024

Item type: Consent Item

Caption:

Consider approving Change Order #1 to RFB ES-05-23 N. Chadbourne 7th to 43rd St. Repair to Reece Albert Inc. in the amount of \$114,635.96 and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)

Staff Recommendation:

Approve

Summary/History:

This Change Order increases existing bid items to compensate the Contractor for the necessary water valve stem adjustments not called out in the plans. The Full-Depth Reclamation would not be possible if these extra valve stems were not adjusted. Project contingency will be used to cover the cost and the contract amount will remain \$6,223,085.00.

Funding Source(s):

Financial Impact:

No fiscal impact. The change order will utilize \$114,635.96 of the \$565,735.00 of awarded project contingency.

Original Contract Amount:	\$	6,223,085.00
Contingency Balance (10%):	\$	565,735.00
Current Change Order Amount:	\$	114,635.96
Total Contingency used:	\$	114,635.96
Contingency Balance after Change Order	\$	451,099.04

Revised \$ 6,223,085.00
Contract
Amount:

Other Information/Recommendation:

Attachments:

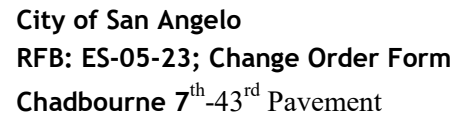
1. Change Order No. 1 manhole and valve extra adj. Change Order No. 1 manhole and valve extra adj..pdf

Presentation:

Patrick Frerich

Approvals/Reviews:

Charles Michalewicz	Created/Initiated
Pete Madrid Jr.	Approved
Kevin Pate	Approved
Shane Kelton	Approved
Patrick Frerich	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Heather Stastny	Final Approval



CONTRACTOR: REECE ALBERT, INC.

Item No.	Item Description	Bid Quantity	Unit	Bid Unit Price	Proposed Unit Price (Add. Qty.)	Bid Total Price	Add Quantities	Deduct Quantities	Revised Quantities	Adjusted Total Price	Net Change (+/-)
12.00	ADJUST WATER VALVE BOX	86	EA	\$ 2,393.10		\$ 205,806.60	50		136	\$ 325,461.60	\$ 119,655.00
13.00	ADJUST SANITARY SEWER, GAS, AND COMMUNICATION MANHOLES	59	EA	\$ 5,019.04		\$ 296,123.36		1.00	58	\$ 291,104.32	\$ (5,019.04)
		-		\$ -		\$ -			0	\$ -	\$ -
		-		\$ -		\$ -			0	\$ -	\$ -
Contract Adjustment											
Original Contract Completion Date:		10/9/2024	Original Contract Amount:							\$ 6,223,085.00	
Original Contract Construction Days:		275	Previous Change Orders:								
Prior Days Added:		N/A	Contingency Balance (10%):							\$ 565,735.00	
Days Added this Change Order:		N/A	Change Order No. 2:								
Revised Contract Construction Days:		N/A	Change Order No. 3:								
Revised Contract Completion Date:		N/A	Change Order No. 4:								
			Change Order No. 5:								
			Change Order No. 6:								
			Current Change Order Amount:							\$ 114,635.96	
			Contingency used this Change Order:							\$ 114,635.96	
			Contingency Balance after Change Order							\$ 451,099.04	
			Revised Contract Amount:							\$ 6,223,085.00	
Comments											
This Change Order increases existing bid items to compensate the Contractor for the necessary water valve stem adjustments not called out in the plans. The Full-Depth Reclamation would not be possible if these extra valve stems were not adjusted.											
General Note: The addition of this change order compensates the Contractor for all labor, material, and equipment necessary to perform all work described within the supplemental documents and herein.											

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Robert Schneeman, Economic Development Coordinator, Economic Development

Meeting Date: February 20, 2024

Item type: Consent Item

Caption:

Second reading of an ordinance designating Reinvestment Zone No. 24-1 to be located at Lot 1, Block 2, Section 3, Southwest Plaza Addition, also known as 2702 W. Loop 306, for the purpose of providing an ad valorem commercial-industrial tax abatement (Michael Dane)

Staff Recommendation:

Adopt

Summary/History:

Technology Tower, LLC is a partnership of two existing San Angelo companies in the communications technology industry. They have purchased the existing Sitel Building located at 2702 West Loop 306 and anticipate relocating both company operations. They plan to invest approximately \$5.1M in capital investment including the purchase of the building, building renovation and infrastructure improvements. The building will also provide space for a data center. They currently have 59 employees at an average salary of \$51,000 and anticipate hiring an additional 20 employees. The building was previously vacant.

COSADC approved a resolution at their May 24, 2023 meeting to provide economic development incentives to Technology Towers, LLC. Proposed incentives included \$200,000 for a capital investment incentive to be split between purchase of the building and completion of renovations. \$50,000 for job creation of 20 FTEs at \$2,500 per FTE.

COSADC also recommended Council consider extending a tax abatement of City property tax on the property.

This item was approved by COSADC at their meeting on May 24, 2023 and ratified by City Council at their meeting on June 6, 2023.

At their meeting on October 3, 2023 City Council approved the renewal of Chapter 1 "General Provisions", Article 1.09 "Taxation", Division 3 "Uniform Tax Abatement Policy", of the City Code of Ordinances.

Technology Towers, LLC has requested a tax abatement in accordance with the ordinance.

According to the approved Tax Abatement Policy, a capital investment of \$2.5M - \$5M (the proposed increase in value) would receive a 60% tax abatement for a period of up to 7 years, limited, however, "no more than five tax years next following the timely and successful completion of the project."

Assuming current tax rates and a 7 year rebate at 60% of the increase in appraised value, the total tax rebate would be approximately \$89,484.00 over the seven year period of the abatement.

There are six (6) specific steps required by State law to establish a Reinvestment Zone. These are as follows:

1. Adopt Guidelines & Criteria - COMPLETE
2. Designate a Reinvestment Zone
 - Provide 7 day notice of Public Hearing
 - Hold Public Hearing
 - Adopt Ordinance Establishing Reinvestment Zone
3. Statement of Abatement Eligibility
4. Public Notice
 - Provide 30 days notice of meeting
 - Approval of Agreement at Public Hearing
 - Provide written notice to other Taxing Entities
5. Enter Into Agreement
6. Mandatory Reports to Comptroller's Office

City Council approved this item at their meeting on February 6, 2024.

Funding Source(s):

Financial Impact:

No budgetary impact. Tax Abatement does not require budget amendment as it is handled at the Appraisal District.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---|---|
| 1. | Ordinance Technology Towers Reinvestment Zone Final | Ordinance Technology Towers Reinvestment Zone Final.pdf |
|----|---|---|

Presentation:

Michael Dane

Approvals/Reviews:

Robert Schneeman	Created/Initiated
Michael Dane	Approved
Brandon Dyson	Approved
Theresa James	Approved
Heather Stastny	Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO TEXAS, DESIGNATING REINVESTMENT ZONE NO. 24-1 TO BE LOCATED AT LOT 1, BLOCK 2, SECTION 3, SOUTHWEST PLAZA ADDITION, ALSO KNOWN AS 2702 WEST LOOP 306, PROVIDING ELIGIBILITY OF THE ZONE FOR COMMERCIAL-INDUSTRIAL TAX ABATEMENT; CONTAINING FINDINGS THAT THE AREA QUALIFIES TO BE DESIGNATED AS A REINVESTMENT ZONE AND THE IMPROVEMENTS SOUGHT ARE FEASIBLE AND PRACTICABLE AND OF BENEFIT TO THE LAND AND THE CITY; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of San Angelo reauthorized Chapter 1 “General Provisions”, Article 1.09 “Taxation”, Division 3 “Uniform Tax Abatement Policy” of the City of San Angelo Code of Ordinances, on October 3, 2023; and

WHEREAS, in conjunction with reauthorizing the Uniform Tax Abatement Policy, City Council passed Resolution No. 2023-095 on October 3, 2023, which provided that the City of San Angelo elects to participate in tax abatement agreements pursuant to Chapter 312 of the Texas Tax Code; and

WHEREAS, Technology Towers, LLC has applied for designation as a reinvestment zone and for commercial-industrial tax abatement of the increase in ad valorem taxes on its property located at 2702 West Loop 306 for improvements of up to \$5.1 M made on or after January 1, 2024; and

WHEREAS, on February 6, 2024, a public hearing was held at which time interested persons were entitled to speak and present evidence for or against the designation of the property described in Exhibit “A” as Reinvestment Zone No. 24-1, and notice of such public hearing was published in a newspaper of general circulation in the City of San Angelo not later than the seventh day before the date of the scheduled hearing; and

WHEREAS, written notice of the public hearing was also provided to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed Reinvestment Zone No. 24-1.

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

SECTION 1: The facts and matters set forth in the preamble of this Ordinance are found to be true and correct.

SECTION 2: The City Council, after conducting a public hearing and having considered all relevant evidence and testimony, has made the following findings and determinations based on such evidence and testimony:

A. That a public hearing on the designation of Reinvestment Zone No. 24-1 was properly called, held, and conducted, and that notice of such hearing was published and provided in accordance with the law; and

B. That the boundaries of Reinvestment Zone No. 24-1 should be the proposed area of land more fully described in the property description attached hereto as Exhibit “A” and depicted on the map attached hereto as Exhibit “B”; and

C. That the improvements sought to be made in Reinvestment Zone No. 24-1 are feasible and practical and would be a benefit to the land to be included therein and to the City of San Angelo following expiration of an executed tax abatement agreement; and

D. That the area of land to be designated as Reinvestment Zone No. 24-1 is reasonably likely, as a result of this designation, to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and would contribute to the economic development of the City of San Angelo.

SECTION 3: Pursuant to Chapter 312 of the Texas Tax Code, the real property described in Exhibit "A" and depicted in Exhibit "B", is hereby designated as a reinvestment zone and for identification is assigned the name "Reinvestment Zone No. 24-1". The property within Reinvestment Zone No. 24-1 is eligible for commercial-industrial tax abatement effective on the final passage of this Ordinance. The designation of Reinvestment Zone No. 24-1 shall expire five (5) years after the final passage of this Ordinance but may be renewed as provided by law.

SECTION 4: The designation of Reinvestment Zone No. 24-1 does not obligate the City of San Angelo to enter into any tax abatement agreement with any person or entity for the abatement of taxes for any real or personal property located within the zone, or any other City provided incentives.

SECTION 5: Should any section, provision, clause, or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

SECTION 6: This Ordinance shall be effective on, from and after final passage by City Council.

INTRODUCED with public hearing the 6th day of February, 2024 and finally PASSED this 20th day of February, 2024.

THE CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Heather Stastny, City Clerk

Theresa James, City Attorney

EXHIBIT "A"

EXHIBIT A
LEGAL DESCRIPTION

TRACT I:

All of Lot One(1); Block Two(2), Section Three (3), SOUTHWEST PLAZA ADDITION, City of San Angelo, Tom Green County, Texas, according to the map or plat of record in Volume 4, Page 135, Plat Records, Tom Green County, Texas.

TRACT II: (Easement Estate)

Non-exclusive Easement for access, underground utility and drainage, out of Section Three(3) SOUTHWEST PLAZA ADDITION, City of San Angelo, Tom Green County, Texas, as created in Special Warranty Deed executed by GTE Southwest Incorporated, to Sitel Corporation, dated December 13, 1995, filed for record on December 18, 1995 in Volume 508, Page 942, Deed Records, Tom Green County, Texas, and being over the tract of land more fully described as follows:

BEING 2.972 acres of land out of E.B Cogswell Survey 3, Tom Green County, Texas, and being a part of that land shown on Section Three, Southwest Plaza Addition to the City of San Angelo, on a Subdivision Plat recorded in Volume 4 at Page 135 of the Plat Records of Tom Green County, Texas, said 2.972 acres of land being that area shown on said Plat as a 80 foot Access, Underground Utility and Drainage Easement, and said 2.972 acres of land are more particularly described as follows:

BEGINNING at an iron pipe on the S.L. of said Section Three, and on the North Right-of-way of State Highway Loop 306 for the Southwesterly corner of this tract, from which an iron pipe at the SW corner of said Section Three brs. N 67° 52' 49" W 214.91 feet;

THENCE with the E.L. of Lot 1, Blk. 2, of Section Three, in a curve left, having a radius of 230.00 feet and a Central Angle, for this part of said curve, of 49° 47' 45", for a curve distance of 199.89 feet to an iron pipe at the Point of Tangency;

THENCE continuing with the E.L. of said Lot 1, N 32° 29' 43" E 131.10 feet to an iron pipe at the Point of Curvature;

THENCE with the E.L. of said Lot and with the E.L. of Lot 2, of said Blk. 2, in a curve right, having a radius of 1290.00 feet and a Central Angle of 130 33' 05", for a curve distance of 305.11 feet to an iron pipe at the Point of Tangency;

THENCE continuing with the E.L. of said Lot 2, N 46° 03' 48" E 96.78 feet to an iron pipe at a Point of Curvature;

THENCE with the E.L. of said Lot 2 and the E.L. of Lot 3, of Block 2, in a curve left, having a radius of 620.00 feet and a Central Angle of $33^{\circ} 30' 00''$, for a curve distance of 362.50 feet to an iron pipe at the Point of Tangency;

THENCE continuing with the E.L. of Lot 3 and the E.L. of Lot 4, of Blk. 2, N $12^{\circ} 32' 45''$ E 482.11 feet to an iron pipe at a Point of Curvature;

THENCE continuing with the E.L. of Lot 4, in a curve left, having a radius of 20.00 feet and a Central Angle of $83^{\circ} 27' 47''$, for a curve distance of 29.13 feet to an iron pipe at the Point of Tangency, on the S.L. of Sunset Drive and the N.L. of said Section Three, for the Northwestern corner of this tract;

THENCE with the E.L. of Sunset Drive and with the N.L. of said Section Three, S $70^{\circ} 54' 59''$ E 131.62 feet to an iron pipe for the Northeast corner of this tract;

THENCE with the W.L. of Lot 13, of Blk. 1, of said Section Three, in a curve left, having a radius of 20.00 feet and a Central Angle of $90^{\circ} 13''$, for a curve distance of 31.43 feet to an iron pipe at the Point of Tangency;

THENCE continuing with the W.L. of said Lot 13, S $19^{\circ} 02' 48''$ W 96.23 feet, to an iron pipe;

THENCE continuing with the W.L. of Lot 13, and with the W.L. of Lot 11, of Blk. 1, S $12^{\circ} 32' 48''$ W 373.77 feet to an iron pipe at a Point of Curvature;

THENCE continuing with the W.L. of Lot 11 and with the W.L. of Lot 10, of said Blk. 1, in a curve right, having a radius of 700.00 feet and a Central Angle of $33^{\circ} 30' 00''$, for a curve distance of 409.28 feet to an iron pipe at the Point of Tangency;

THENCE continuing with the W.L. of Lot 10, S $46^{\circ} 02' 48''$ W 96.78 feet to an iron pipe at a Point of Curvature;

THENCE continuing with the W.L. of Lot 10, and with the W.L. of Lots 9 and 8, of Blk. 1, in a curve left, having a radius of 1210.00 feet and a Central Angle of $13^{\circ} 33' 05''$, for a curve distance of 286.19 feet to an iron pipe at the Point of Tangency;

THENCE continuing with the W.L. of Lot 8 and with the W.L. of Lot 7, of said Blk. 1, S $32^{\circ} 29' 43''$ W 215.65 feet to an iron pipe at a Point of Curvature;

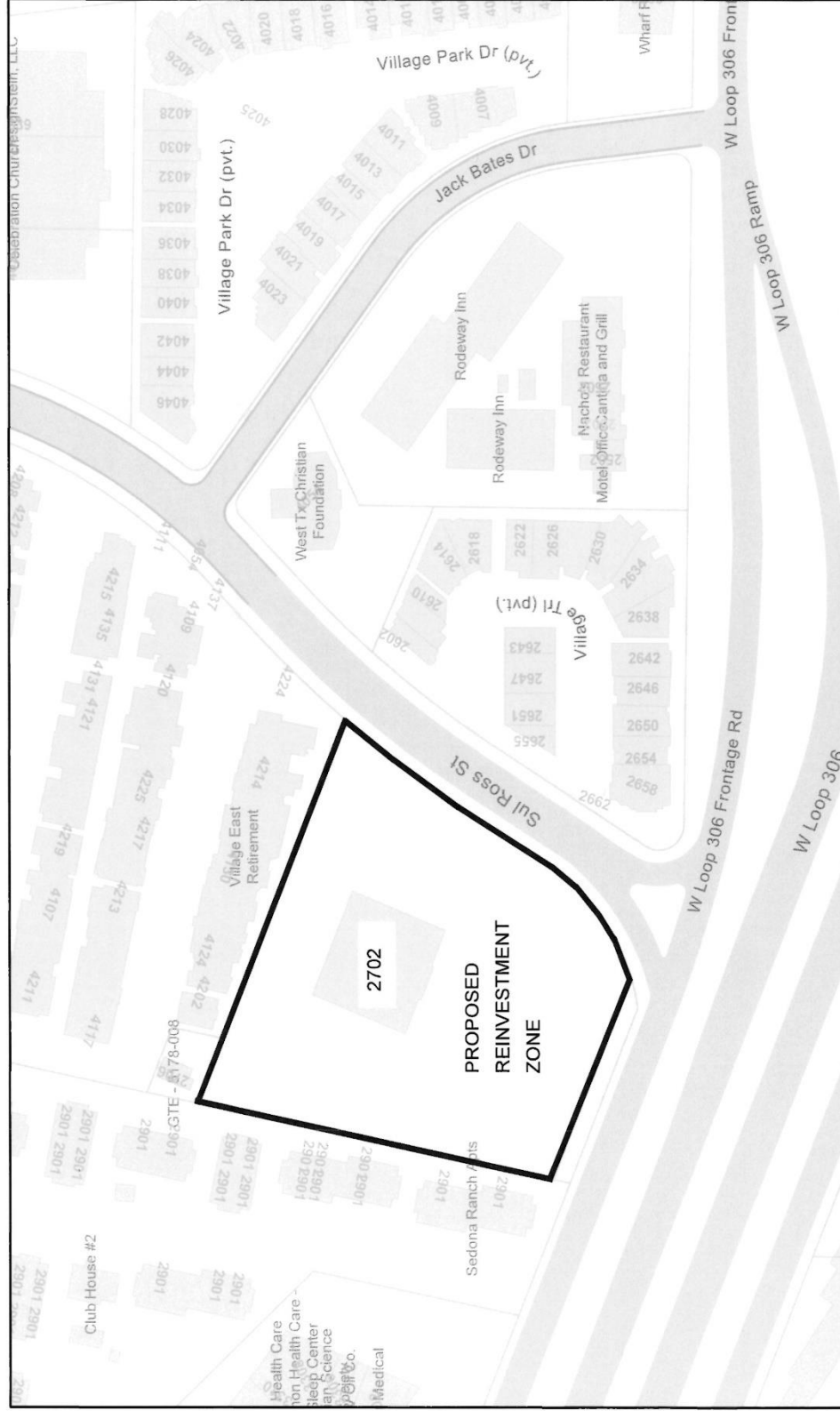
THENCE continuing with the W.L. of Lot 7, in a curve left, having a radius of 30.00 feet and a Central Angle of $121^{\circ} 39' 07''$, for a curve distance of 63.70 feet to an iron pipe on the S.L. of said Section Three and on the North Right-of-way of State Highway Loop 306, for the Southeast corner of this tract;

THENCE with the S.L. of Section Three and with the North Right-of-way of said Loop 306, N 89° 09' 24" W 45.05 feet to a point;

THENCE continuing with the S.L. of said Section Three and with the North Right - of - way Loop 306, in a curve right, having a radius of 1399.69 feet and a Central Angle, for this part of said curve, of 7° 07' 46", for a curve distance of 174.17 feet to the place of beginning, the herein described tract containing 2.972 acres of land.

Being the same property acquired by Sitel Operating Corporation, successor in interest to Sitel Corporation, by Special Warranty Deed dated December 13, 1995, and recorded in Volume 508, Page 942 of the real property records of Tom Green County, Texas.

Exhibit "B"



1/29/2024, 11:30:06 AM

Parcels

COSA GIS Division

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Morgan Chegwidden, Assistant Director of Neighborhood Services, Neighborhood and Family Services

Meeting Date: February 20, 2024

Item type: Regular Item

Caption:

Discussion and review on Animal Services' partnership with Concho Valley PAWS (Presentation made by Neighborhood and Family Services Assistant Director Morgan Chegwidden and Concho Valley PAWS Executive Director Jenie Wilson)

Staff Recommendation:

Accept

Summary/History:

Concho Valley PAWS is local 501c3 non-profit organization and a contracted vendor for San Angelo Animal Services to facilitate adoption services for shelter pets, but also provides many other support services. The purpose of the presentation is to provide the council with additional information and knowledge regarding the services offered and how the public-private partnership functions.

Funding Source(s):

Financial Impact:

As a contracted vendor, Concho Valley PAWS will receive \$73,792.00 in FY 2024 for the purpose of providing two full-time adoption specialists to promote pets for adoption and facilitate their placement. However, Concho Valley PAWS provides additional services at no-cost to the city, such as medical care for pets arriving or residing at the shelter. All program funding outside the vendor contract is raised by Concho Valley PAWS via donations & grants.

Through adoption and low-cost spay and neuter programs, Concho Valley PAWS seeks to reduce the number of animals entering the shelter. Over time, we expect this to help conserve city resources.

Other Information/Recommendation:

Concho Valley PAWS would like to encourage the City Council to support furthering spay and neuter initiatives in San Angelo, as Concho Valley PAWS strongly believes that spaying and neutering pets is key to decreasing the number of stray pets and reducing the burden on city animal services.

Attachments:

Presentation:

Morgan Chegwidden

Approvals/Reviews:

Morgan Chegwidden

Theresa James

Tina Dierschke

Theresa James

Heather Stastny

Created/Initiated

Approved

Approved

Approved

Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Carlton White, Parks and Recreation Director, Parks and Recreation

Meeting Date: February 20, 2024

Item type: Regular Item

Caption:

Consider a resolution supporting the private fundraising efforts to create and place art, themed "Black Tie Cowboy", along the Chadbourne streetscape from the North Concho River to the intersection of Beauregard Ave. (Presentation made by Parks and Recreation Director Carl White)

Staff Recommendation:

Adopt

Summary/History:

We seek City Council's adoption of a resolution supporting Art in Uncommon Place's private fundraising efforts to create and place art along the Chadbourne Street streetscape. We will present to City Council the proposed art themed, "Black Tie Cowboy."

Now that the first section of Chadbourne Street redevelopment has been completed, Art in Uncommon Places has been working to complete a series of art, themed "Black Tie Cowboy," to enhance the new streetscape. The Public Art Commission considered this proposal and set up a subcommittee of the Commission to meet with Art in Uncommon Places to develop and fine-tune the proposed art. At its meeting on January 9, 2024, the Public Art Commission reviewed the fine-tuned proposal and recommended its approval. The proposal has since been reviewed by the Design Review Historic Commission (DHRC) at their meeting on February 15. Only the art located on private property was considered by the DHRC.

Art in Uncommon Places will bear all costs of creating and placing the art in the public right-of-way and will transfer the ownership of the art to the City of San Angelo upon completion.

If adopted, this resolution would authorize the City Manager to negotiate and execute any needed agreements with Art in Uncommon Places to implement the project.

Funding Source(s):

Financial Impact:

It is a bit difficult to determine annual costs to maintain the art. We recommend for the first year that \$5,000 be budgeted for minor repairs and maintenance.

If some art becomes problematic, the City holds the right to remove it or relocate it, rather than expend funds to repair or replace.

Other Information/Recommendation:

Art in Uncommon Places shall be responsible for raising all funds necessary for the Project and all plans shall meet all City requirements and be approved by the City of San Angelo Director of Planning and Development Services and the City Engineer prior to placement of any piece of art within the right-of-way.

Attachments:

- | | | |
|----|-----------------------------|---------------------------------|
| 1. | Black Tie Cowboy | Black Tie Cowboy.pdf |
| 2. | Resolution Black Tie Cowboy | Resolution Black Tie Cowboy.pdf |

Presentation:

Carlton White

Approvals/Reviews:

Carlton White	Created/Initiated
Theresa James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Heather Stastny	Final Approval



Black Tie Cowboy Downtown San Angelo, TX

Prepared for the San Angelo Art Commission

Presented by: Julie Raymond & Dr. Gigi Perez-Langley

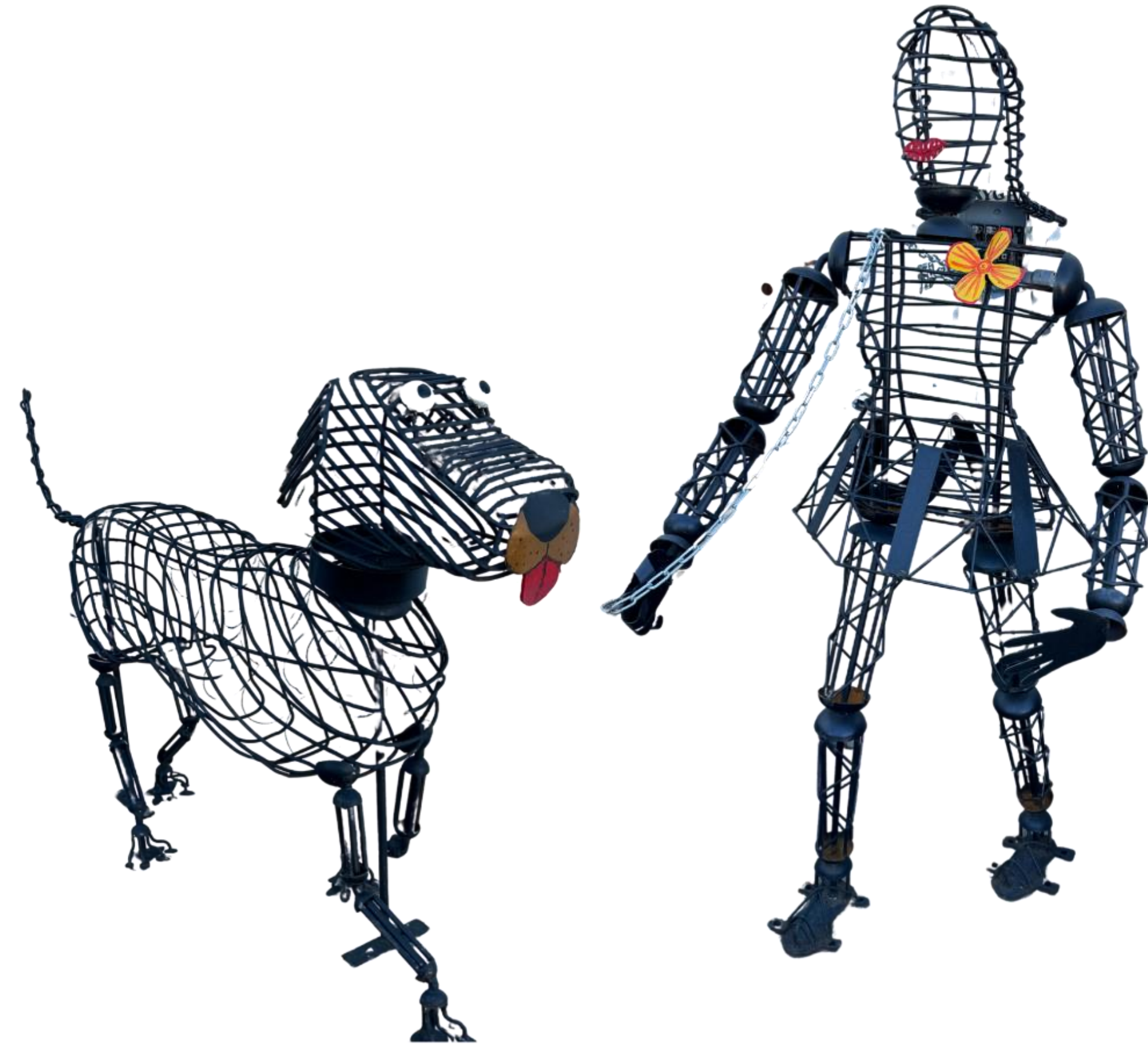
January 2024

River to Concho

Two sculptures



Sculptures



Glass and Cement

Install Behind the Rail





Downtown Strong Mural

Black and white mural



POP-UP *Galleries*

Signage and two pianos
to begin the Pop-Up Gallery







PERLA E Concho

NO PARKING

NO PARKING
UNAUTHORIZED
VEHICLES WILL BE
TOWED AWAY
AT VEHICLE
OWNER'S EXPENSE



E HAFLEY

FOX HASTINGS

ROSE SMITH

RUTH ROACH

MABLE STRICKLAND

PRATIE ROSE

BOROTH

MORELL

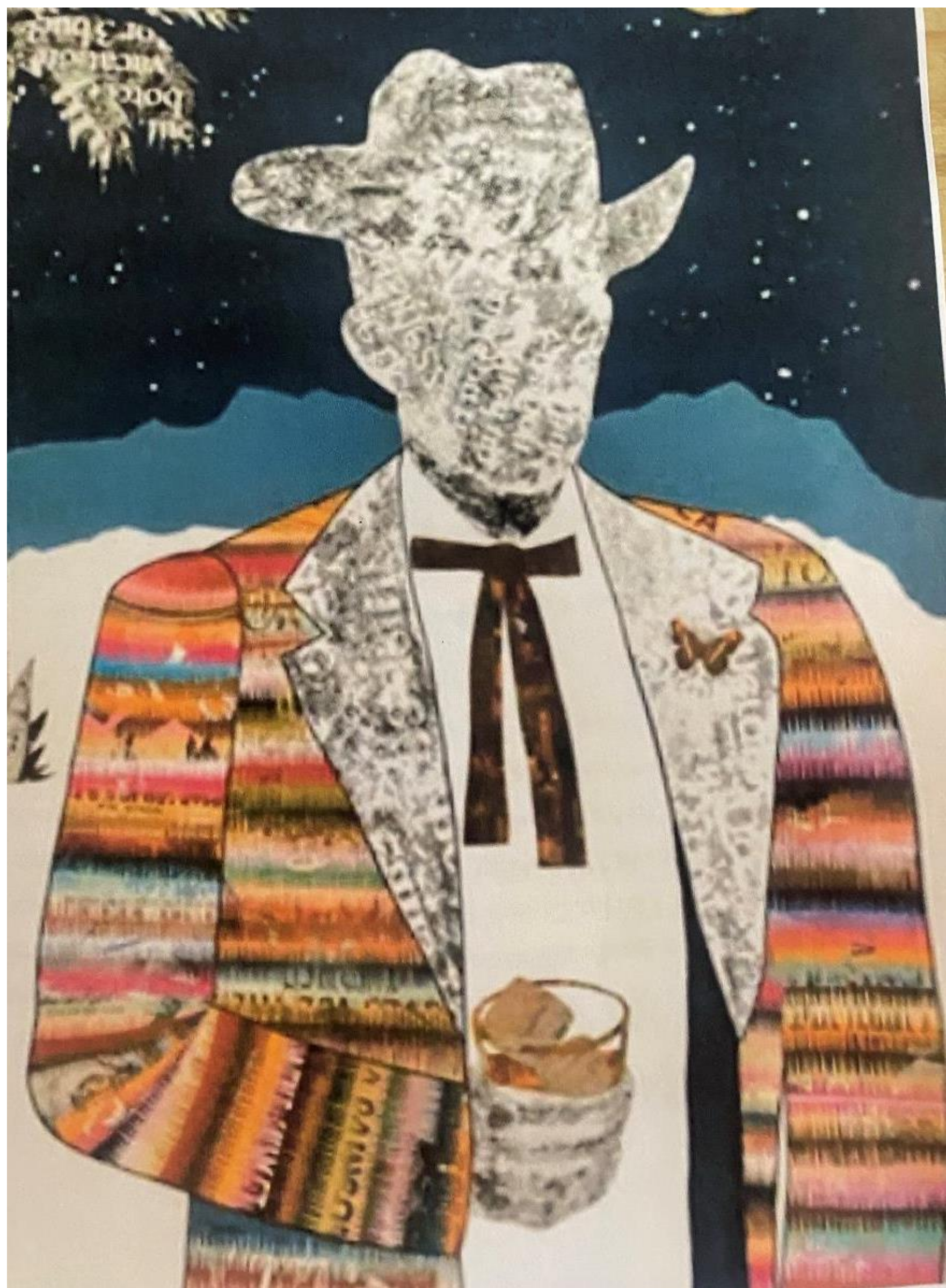




307

DO NOT
BLOCK
DOOR







DO NOT
BLOCK
DOOR



Hotel windows
black and white vinyl photos





KES ST
TOUR
→

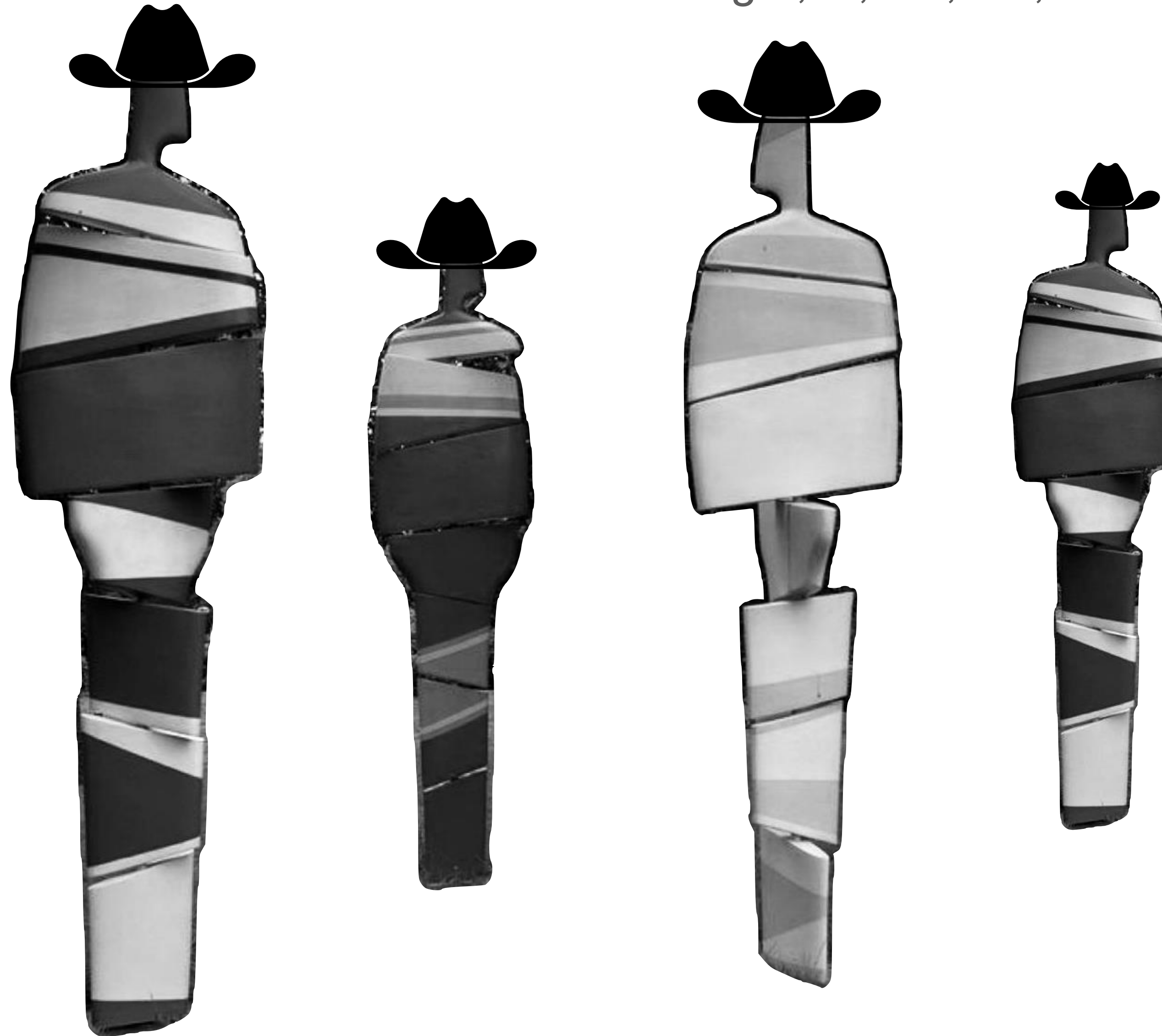
TATTOO



ST
TOUR
→



Placed on the four corners of Twohig and Beauregard
Four cowboys built out of architecture styrofoam
Each one will be a different height, 9', 10', 11', 12'











Elmer Kelton Mural

Add 6 cactus stools





Mural in Window





J Wilde



Chess Park



2 Concrete chess tables, black and white painted on building front.

In front of brick wall, add bench and sculpture with two B & W stools.





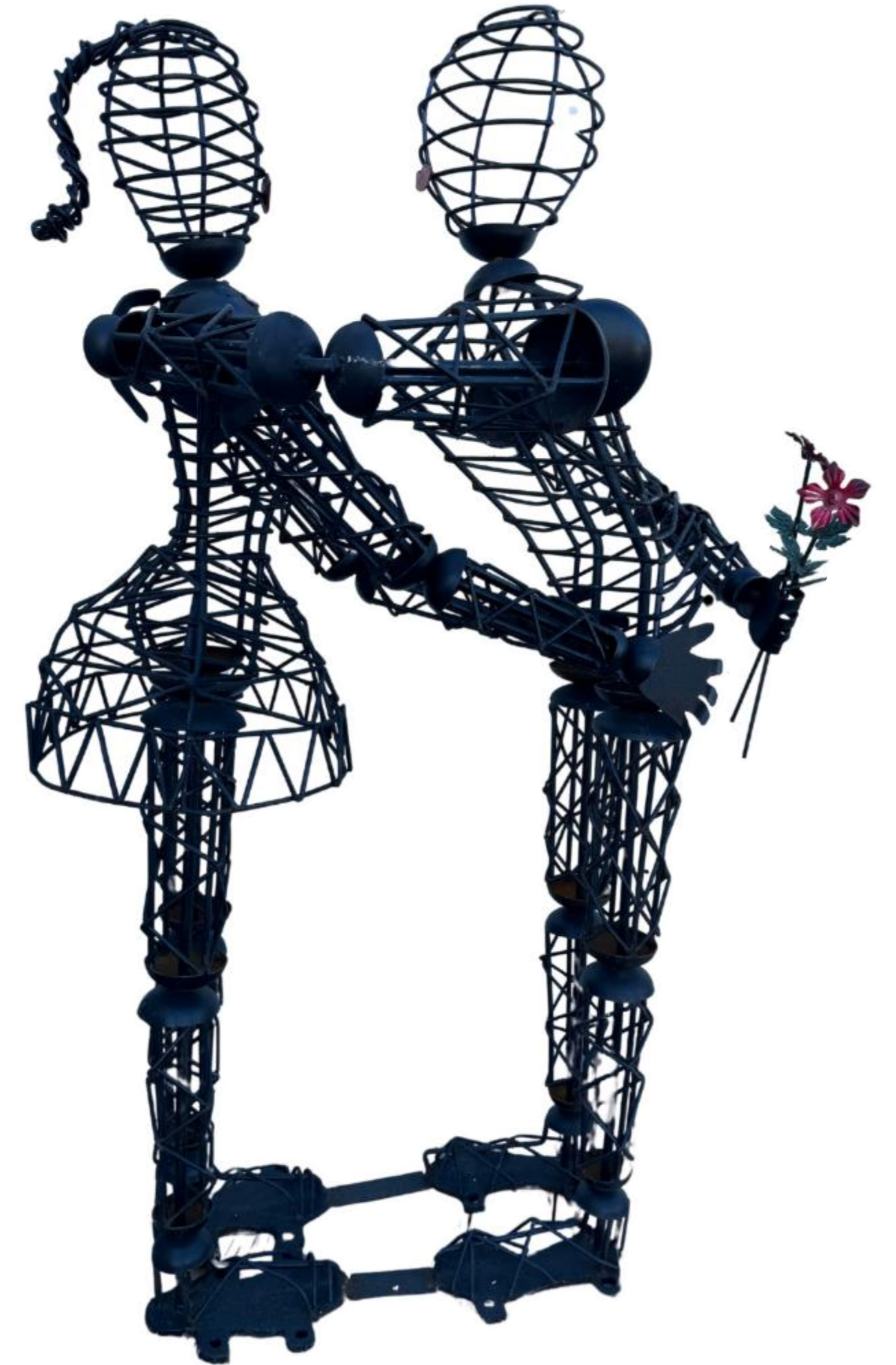
The Man Store

**B & W Mosaic Mural
Installed on boarded area
paint background to match.**





Sculpture: Kissing Couple





A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL AUTHORIZING THE USE OF CITY PROPERTY ON CHADBOURNE STREET FOR THE PRUPOSE OF PLACEMENT OF A “BLACK TIE COWBOY” THEMED ART SERIES, APPROVING THE ART TO BE DISPLAYED AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ART IN UNCOMMON PLACES ACCEPTING THE ART AND SETTING TERMS FOR THE CREATION AND PLACEMENT OF THE SERIES.

WHEREAS, Art in Uncommon Places has created a themed art series entitled “Black Tie Cowboy” (the “Project”) to be placed along Chadbourne Street; and

WHEREAS, this Project was approved by the San Angelo Public Art Commission on January 9, 2024; and

WHEREAS, except for limited circumstances, City Council approval is required for the placement in the public right-of-way of art approved by the Public Art Commission; and

WHEREAS, Art in Uncommon Places will bear all costs of creating and placing the art in the public right-of-way and will transfer the ownership of the art to the City of San Angelo upon completion.

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

Part 1: That the City of San Angelo approves the art series “Black Tie Cowboy” as presented to this Council.

Part 2: That Art in Uncommon Places shall be responsible for raising all funds necessary for the Project and all plans shall meet all City requirements and be approved by the City of San Angelo Director of Planning and Development Services and the City Engineer prior to placement of any piece of art within the right-of-way.

Part 3: The City Manager is authorized to negotiate and execute an agreement with Art in Uncommon Places to ensure proper authorizations of the Project and to accept the Project upon completion.

PASSED and APPROVED THIS xx day of February, 2024

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Heather Stastny, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Robert Bluthardt, Fort Concho Manager, Fort Concho

Meeting Date: February 20, 2024

Item type: Regular Item

Caption:

Consider authorizing the City Manager to reject all bids received for RFB FC-01-24 HVAC Unit Replacements at Chase State Office Building (Presentation made by Fort Concho Senior Manager Bob Bluthardt)

Staff Recommendation:

Approve

Summary/History:

As part of a five-year plan to replace all roof HVAC units at the Chase State Office Building, this project will cover an additional twelve units in FY 2024. Ten units were replaced in FY 2023. For this project, five bids were received and reviewed. Staff recommends rejecting all bids.

Funding Source(s):

Financial Impact:

There are sufficient funds in a capital line item in the FY 2024 Fund 201 budget that covers all personnel, supplies, and maintenance for the State Office Buildings.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---------------------------------|-------------------------------------|
| 1. | 00 FC-01-24 Bid Tabulation | 00 FC-01-24 Bid Tabulation.pdf |
| 2. | 01 RFB FC-01-24 State Bldg HVAC | 01 RFB FC-01-24 State Bldg HVAC.pdf |
| 3. | Memo to Council | Memo to Council.pdf |

Presentation:

Robert Bluthardt

Approvals/Reviews:

Robert Bluthardt
Robert Bluthardt

Created/Initiated
Approved

Carlton White
Jeffrey Tomlinson
Tina Dierschke
Theresa James
Heather Stastny

Approved
Approved
Approved
Approved
Final Approval



RFB Bid Tabulation

FC-01-24 • HVAC Unit Replacements at Chase State Office Building

Wednesday, January 10, 2024 2:00 p.m.

	Accurate Air Solutions LLC	EMS Heating and Air Conditioning Inc	Texas Royalty Construction LLC	University Heating and Cooling	Warren AC and Heat LLC
Total Cost	\$119,994.00	\$133,540.43	\$127,000.00	\$119,000.00	\$119,200.00



City of San Angelo

REQUEST FOR BIDS

RFB FC-01-24 • Fort Concho
HVAC unit replacements at Chase State Office Building

SUBMITTAL DEADLINE: [AVAILABLE ON CITY OF SAN ANGELO - BONFIRE](#)

CITY OF SAN ANGELO • PURCHASING DIVISION • 72 WEST COLLEGE AVENUE • SAN ANGELO, TEXAS 76903

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1. INVITATION

1.1 General

The Chase State Office Building at 622 South Oakes, a property owned by the City of San Angelo and managed under the adjacent Fort Concho National Historic Landmark, is requesting bids to replace twelve (12) roof mounted HVAC units (Gas Heating and Air Conditioning) of various capacities. Contractor is required to use a licensed electrician for all electrical work during removal and installation. Work shall include required permits and inspections per the installation. Contractor shall coordinate with City representatives as needed to minimize downtime to the offices/public spaces each unit services. Contractor will work with City representatives for street/lanes closure to facilitate safe completion of this work. Specifics of each unit are attached to this bid invitation.

Estimated Project Award: February 1, 2024

Estimated Date of Completion: No later than December 31, 2024

Contractor shall:

- Remove existing units and appropriate parts and connections as necessary
- Protect roof surface and sides of building during the project
- Keep in place pipe supports for insulated supply and return lines
- Install new units and test to ensure proper operation
- Be responsible for all electrical work to disconnect and reconnect units to power; a licensed electrician is required

1.2 Confidentiality

All submissions shall remain confidential. After award, submissions will be made available for public inspection. The City shall not be responsible for the confidentiality of any trade secrets or other information contained or disclosed in the bid unless clearly identified as such.

1.3 Document Availability

Bid Documents are available in the Purchasing Division or may be downloaded from the City's website at <https://cosatx.bonfirehub.com/>. To locate the documents on the Bonfire Portal, go to:

Open Public Opportunities > RFB FC-01-24 / HVAC unit replacements at Chase State Office Building

1.4 Mandatory Pre-Bid Meeting

A mandatory on-site pre-bid meeting shall be held on December 20, 2023, at 10:00 a.m. located at the Chase State Office Building (622 S. Oakes, San Angelo, Tx).

1.5 Insurance and Indemnification Requirements

Insurance and indemnification requirements applicable to this project are detailed within the Special Insurance Rider and/or the draft project agreement included with this solicitation package. Please review the insurance and indemnification requirements with your insurance agent prior to submission.

1.6 Interpretations

All questions about the meaning or intent of the contract documents, including specifications shall be submitted to the Purchasing Division through [Bonfire](#), City's e-Procurement Platform. Questions received after the deadline established for submitting questions/interpretations will not be answered.

Replies will be issued by addenda and posted on the Bonfire Project Page. Only questions answered by formal written addenda will be binding. Oral interpretations or clarifications will be without legal effect.



1.7 Required Response

The City requires a response to any Request for Bid (RFB) notifications sent to potential vendors. Should a company choose not to participate, then to remain on the City of San Angelo's potential vendors list, a "No Bid Reply" must be submitted.

1.8 Deadline and Delivery Location

RFB submittals must be received no later than **the posted submission deadline listed in City's e-Procurement Portal (Bonfire)**. The time recorded in Bonfire will serve as the official record of time. Bids received after the bidding deadline will not be considered.

It is the sole responsibility of the vendor to ensure that the sealed RFB submittal arrives via Bonfire by the specified deadline.

Faxed or physically submitted bids will not be accepted.

1.9 Addenda

Should specifications be revised prior to the deadline for submittals, the City's Purchasing Division will issue addenda addressing the nature of the change and post them on the City's e-Procurement Portal ([Bonfire](#)). Respondents should **acknowledge any addenda as part of their submission in Bonfire**. Respondent is responsible for checking the City's e-Procurement Platform (Bonfire) to determine if any addenda have been issued prior to submitting a bid. Failure to consider all addenda will be at the respondent's risk.

1.10 Copies of Bid Tabulation Results

To obtain Bid Tabulation results, download the file in City's e-Procurement Portal ([Bonfire](#)) at least 24 hours after the close date.

1.11 Award of Contract

The City reserves the right to accept or reject any or all bids, and to waive any informalities or irregularities in the RFB process. The City is an equal opportunity employer.

1.12 Acceptance of Bid Content

Before submitting a bid, each respondent shall make all investigations and examinations necessary to ascertain all conditions and requirements affecting the performance of the contract and to verify any representations made by the City upon which the bid will rely. If the respondent receives an offer because of its bid, failure to have made such investigation and examinations will in no way relieve the respondent from its obligation to comply in every detail with all provisions and requirements.

1.13 Equal Employment Opportunity

Attention of respondents to the requirement for ensuring that employees and applicants for employment are not discriminated against because of their race, color religion, sex, national origin, age, or disability.

1.14 Bid Term

This bid will be for one year from the award date.

1.15 Points of Contact

Jessica Pirkle, Purchasing Specialist

Purchasing Division
City of San Angelo
72 W. College Ave.
San Angelo, Texas 76903
sapurch@costx.us
(325) 657-4219

Robert F. Bluthardt

Chase State Office Building/Fort Concho
City of San Angelo
630 S. Oakes St.
San Angelo, Texas 76903
(325) 234-0316



2. INSTRUCTIONS TO BIDDERS

2.1 Restrictions on Communication

Respondents shall not communicate with: 1) elected City officials and their staff regarding the RFB or from the time the RFB has been released until the contract is posted as a City Council agenda item; and 2) City employees from the time the RFB has been released until the contract is awarded. These restrictions extend to "thank you" letters, phone calls, emails and any contact that results in the direct or indirect discussion of the RFB and/or bid submitted by respondent. Violation of this provision by respondent and/or its agent may lead to disqualification of respondent's bid from consideration.

Exceptions to the Restrictions on Communication with City employees include:

1. Private (non-business) contacts with the City by the respondent's employees acting in their personal capacity;
2. Casual social contacts that do not include mention of the RFB;
3. Respondents may submit written questions concerning this RFB to the email listed below up to a week prior to submission due date. Questions received after the stated deadline will not be answered.

It is required that all questions be sent through the City's e-Procurement Platform, Bonfire. Questions submitted and the City's responses will be published in the form of addenda to the Project Page in Bonfire. Respondent is responsible for calling the City or reviewing the Bonfire Project Page to determine if any addenda have been issued prior to their submittal. Only questions answered by formal addenda will be binding. Oral explanations or instructions given before the award of the contract are not binding and do not form a part of or alter in any way, the written agreement.

4. Respondents may provide responses to questions asked of them after responses are received and opened. During interviews, if any, verbal questions and explanations will be permitted. If interviews are conducted, respondents shall not bring lobbyists. All cost associated with interviews will be at the respondents' expense. The City reserves the right to exclude any persons from interviews as it deems in its best interests;
5. Upon completion of the evaluation process, respondents shall receive a notification letter indicating the recommended firm and anticipated City Council agenda date. Respondents desiring a review of the solicitation process may submit a written request no later than five (5) calendar days from the date the letter was sent. The letter will indicate the name and address for submission of requests for review.

City reserves the right to contact any respondent to negotiate if such is deemed desirable by City. Such negotiations initiated by City staff persons shall not be considered a violation by respondent of this section.

2.2 Corrections, Additions, or Deletions

Corrections, additions, or deletions to any portion of the invitation will be in the form of written addenda.

2.3 Examinations of RFB Documents

Respondents are expected to examine all specifications, drawings, standard provisions, and instructions. Failure to do so will be at the respondent's risk.

2.4 Bid Form

Bids by corporations must be executed in the corporate name by the president or vice-president (or other corporate officer accompanied by evidence of authority to sign) and attested by the secretary or an assistant secretary. The state of incorporation shall be shown below the corporate name. Bids by partnerships must be executed in the partnership name and signed by a partner; title and the official address of the partnership must be shown below the signature. Bids by joint ventures shall be signed by each participant in the joint venture or by an authorized agent of each participant.



The names of all persons signing must also be legibly printed below the signature. A bid by a person who affixes to its signature the word "president", "secretary", "agent", or other designation without disclosing its principal may be held to be the bid of the individual signing. When requested by City, evidence of the authority of the person signing shall be furnished.

All blank spaces in the bid form shall be filled. A bid price shall be indicated for each item and alternative listed therein, or the words "No Bid", "No Charge", or other appropriate phrase shall be entered. Bids must include all required forms as prescribed herein. Bids received without all such items completed may be considered nonresponsive.

The vendor is not required to acknowledge receipt of addenda but shall include all addenda in vendor's response. No alterations in bids or alterations made to the printed forms, by erasures, interpolations, or otherwise will be acceptable unless each such alteration is signed or initialed by the vendor. Failure to consider all addenda prior to submitting a bid shall be at the risk of the vendor.

2.5 Modification or Withdrawal of Bids

Bids **CANNOT** be altered or amended after the closing time. Bids may be modified or withdrawn prior to the closing hour and date by withdrawal through Bonfire. No bid may be withdrawn after the closing time and date without acceptable reason in writing and with approval of the Purchasing Division.

2.6 Disqualification

The respondent may be disqualified for any of the following reasons:

- A. The respondent is involved in any litigation against the City of San Angelo;
- B. The respondent is in arrears on any existing contract or has defaulted on a previous contract with the City;
- C. The respondent is debarred, suspended, terminated, or otherwise excluded from or ineligible covered transactions by any federal, state, or local government entity or agency;
- D. The bid is not received by the bid submittal deadline; or,
- E. The bid is not executed by a person authorized to enter into a contract binding on the respondent.

2.7 Reservations

The City expressly reserves the right to accept, reject, or cancel all bids AND:

- A. Waive any defect, irregularity, or informality in any bid or bidding procedure;
- B. Extend the bid closing time and date;
- C. Reissue a bid invitation or RFB;
- D. Procure any item by other means;
- E. Increase or decrease the quantity specified unless the vendor specifies otherwise; or,
- F. Award multiple contracts based on low bids for individual items or groups of similar items.

2.8 Inspections

Inspections shall be at the discretion of the City within the requirements of the City. The vendor shall keep the entire project site accessible to the City and any other governmental entity that may exercise regulatory control of the project or any portion of the work.

2.9 Taxes

All quotations are to be submitted less Federal Excise and State of Texas Sales Taxes. Tax exemption certificates will be provided upon request.



2.10 Authorized Signature

Bids must show vendor name, address, and be manually signed. The person signing the bid must have authority to bind their firm in a contract. Any erasures or other changes must be initialed by the person signing the bid.

2.11 Acceptance

The vendor's signature on the bid response constitutes an offer to sell under the terms and conditions contained in the bid (FC-01-24). The Notice of Award offered to the vendor constitutes acceptance of the offer to sell and consummates a binding contractual agreement. Acceptance of respondent's offer will be in the form of a purchase order (bearing the valid signature of the Procurement Official) and contract. Notice for annual contract agreements will be a notice of award, purchase order, or contract.

2.12 Invoices and Payment

Contractor will submit itemized invoices for all services rendered pursuant to this Request for Bids. Invoices will bear the name of the firm and will be addressed to the appropriate City Point of Contact, Contract Number (FC-01-24), and Purchase Order number. Invoices will be in itemized format and provide enough detail that demonstrates work performed or goods tendered.

Payment may be withheld by City, at the discretion of the City, to vendor until all required documents pertaining to the incurred charges are provided to the authorized City representative.

2.13 Gratuities

The City may, by written notice to the vendor, cancel this contract without liability to vendor if it is determined by the City that gratuities were offered from an agent or representative of the vendor to any officer or employee of the City with a view toward securing a contract or securing favorable treatment with respect to the awarding or amending, or the making of any determinations in respect to the performing of such contract. In the event this contract is canceled by City, remedies to recover or withhold the amount of the cost shall be incurred by vendor in providing such gratuities.

2.14 Termination

Performance under this contract may be terminated in whole, or in part by the City in accordance with this provision. Termination performance hereunder shall be effected by the delivery to vendor of a "Notice of Termination" specifying the extent to which performance under this contract is terminated and the date upon which such termination becomes effective.

2.15 Force Majeure

Neither party shall be held responsible for losses resulting if the fulfillment of any terms or provisions of this contract is delayed or prevented by any cause not within the control of the party whose performance is interfered with, which by the exercise of reasonable diligence said party is unable to prevent.

2.16 Assignment-Delegation

No right or interest in the contract shall be assigned nor shall any delegation of any obligation made by vendor be valid without the written permission of the City. Any attempted assignment or delegation by vendor shall be wholly void and totally ineffective for all purposes unless made in conformity with this paragraph.

2.17 Waiver

No claim or right arising out of a breach of this contract can be discharged in whole or in part by a waiver or renunciation of the claim or right unless the waiver or renunciation is supported by consideration and is in writing signed by the aggrieved party.

2.18 Modifications

This contract can be modified or rescinded only by a writing signed by both of the parties or their duly authorized agents.



2.19 Interpretation-Parol Evidence

This writing is intended by the parties as a final expression of their agreement and is intended as a complete agreement for dealings between the parties and no usage of the trade shall be relevant to supplement or explain any term used in this agreement. Acceptance or acquiescence in a course of performance rendered under this agreement shall not be relevant to determine the meaning of this agreement even though the accepting or acquiescing party has knowledge of the performance and opportunity for objection. Whenever a term defined by the Uniform Commercial Code is used in the agreement, the definition contained in the Code is to control.

2.20 Applicable Law

This agreement shall be governed by the Uniform Commercial Code. Whenever the term "Uniform Commercial Code" is used, it shall be construed as meaning the Uniform Commercial Code as adopted in the State of Texas as effective and in force on the date of this agreement.

2.21 Advertising

Vendor shall not advertise or publish, without City's prior consent, the fact that City has entered into this contract, except to the extent necessary to comply with proper requests for information from an authorized representative of the Federal, State, or Local government.

2.22 Right to Assurance

Whenever one party to this contract in good faith has reason to question the other party's intent to perform, he may demand that the other party give written assurance of its intent to perform. In the event that a demand is made, and no assurance is given within five (5) days, the demanding party may treat this failure as an anticipatory repudiation of the contract.

2.23 Equal Employment Opportunity

Vendor agrees that during the performance of its contract it will:

- Treat all applicants and employees without discrimination as to race, color, religion, sex, national origin, marital status, age, or handicap.
- Identify itself as an Equal Opportunity Employer in all help wanted advertising or request. The vendor shall be advised of any complaints filed with the City alleging that vendor is not an Equal Opportunity Employer. The City reserves the right to consider its reports from its human relations administrator in response to such complaints in determining whether or not to terminate any portion of this contract for which purchase orders or authorities to deliver have not been included; however, the vendor is specifically advised that no Equal Opportunity Employment complaint will be the basis for cancellation of this contract for which a purchase order has been issued or authority to deliver granted.

All vendors must be Equal Opportunity Employers. Disadvantaged and Minority vendors are encouraged to participate.

2.24 Conflict of Interest

Vendor agrees to comply with the conflict-of-interest provisions of the City of San Angelo Charter and Code of Ordinances. Vendor agrees to maintain current, updated disclosure of information on file with the City Clerk throughout the term of the contract.

Chapter 176 of the Texas Local Government Code requires a vendor who enters or seeks to enter into a contract for the sale or purchase of real property, goods, or services with a local governmental entity or local government officer thereof to file a conflict of interests' disclosure questionnaire with the governmental entity prescribed.

A Conflict of Interest Questionnaire Form (CIQ) – included in the bid forms - must be submitted no later than the seventh (7th) business day after the date the vendor begins discussion, negotiation, applies or responds to a request for proposal or bids, or correspondence in writing related to a potential contract with the local governmental entity.



2.25 Certificate of Interested Parties (Form 1295)

In 2015, the Texas Legislature adopted [House Bill 1295](#), which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

Filing Process:

On January 1, 2016, the ethics commission made available on its website a new filing application that must be used to file Form 1295. A business entity must use the application to enter the required information on Form 1295 and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number. **An authorized agent of the business entity must sign the printed copy of the form.** The completed Form 1295 with the certification of filing must be filed with the governmental body or state agency with which the business entity is entering into the contract.

Information regarding how to use the filing application and the application are both available at https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm. Instructional videos are available under the heading Instructional Videos for Business Entities.

The Form 1295 must be received, signed and notarized, within thirty (30) days of Council award or the contract may be voided.

2.26 Taxes and Permits

Attention is directed to the requirements of the General Conditions regarding payment of taxes and obtaining permits. All taxes that are lawfully assessed against the City or the selected vendor in connection with the work shall be paid by the vendor. The bid prices shall include all such taxes and the costs of all required permits. The City is exempt from State Sales Tax and Federal Excise Tax.

2.27 Examination of Contract Documents

Each vendor shall thoroughly examine and be familiar with this document, specifications, etc. The submission of a bid shall constitute an acknowledgment that the vendor has thoroughly examined and is familiar with the contract documents. The failure or neglect of a vendor to receive or examine any of the contract documents shall in no way relieve him from any obligations with respect to its bid or to the contract. No claim for extra or additional compensation will be allowed based upon a lack of knowledge of any contract document, and the City will in no case be responsible for any loss or for unanticipated costs that may be suffered by the selected vendor as a result of conditions pertaining to the work.

2.28 Familiarization with the Type of Work

Before submitting a bid, each prospective vendor shall familiarize itself with the work, local labor conditions and all laws, regulations, and other factors affecting performance of the work. It shall carefully correlate its observations with requirements of this request and otherwise satisfy itself of the expense and difficulties attending performance of the work. The submission of a bid will constitute a representation of compliance by the vendor. There will be no subsequent financial adjustment for lack of such familiarization.

2.29 Partial Award

Bidders may furnish pricing for all or any portion of the bid invitation. **UNLESS** bidder specifies otherwise in his bid, the City may award contracts for any item or group of items listed.

2.30 Legal Venue

Tom Green County, Texas



2.31 Funds – Price

The vendor submitting the lowest and best bid for each item will establish a price agreement with the City. The item(s) ordered will be selected based on the availability of funds, needs of each user, price, delivery, and value to the City. The City reserves the right to award in the bid in whole, by category or by product.

2.32 Claims for Overcharges

Vendor hereby assigns to City any and all claims for overcharges associated with this contract which arise under the antitrust laws of the United States, 15 USCA Section 1 et seq., and which arise under the antitrust laws of the State of Texas, Tex. Bus. & Com. Code, Section 15.01, et seq.

2.33 Price Escalation

Price must be firm for each one (1) year term. A price increase shall at no time be more than what similar volume customers would pay (see Warranty-Price). The vendor must provide the City a thirty (30) day notice for a price escalation request. The vendor must provide cost analysis and/or other documentation to justify any increase, to include industry and industry group level trends and indexes and should not exceed an annual increase of 4% of the originally quoted cost.

The City Manager or their designee may approve a contract term extension with or without a price increase or reduction at their full discretion. An increase in price must be justified in writing or by documentation from the Vendor to the satisfaction of the City Manager or their designee. If no agreement is reached, the City may re-bid the contract.

2.34 Materials

The bidder certifies all materials and equipment supplied resulting from this bid invitation shall be new and unused, unless noted elsewhere in the invitation.

2.35 Specifications

The specifications herein shall be the basis of comparison and where a definite item is specified it is not the intention to discriminate against any product made by another manufacturer, but rather, the intention is to set a definite standard, style, and function. Bidders are required to quote equipment that will meet or exceed the minimum or maximum specifications herein.



3. TERMS AND CONDITIONS

3.1 Order Placement

No order shall be accepted without a Purchase Order and all invoices must reflect the Purchase Order number. City's obligation is payable only and solely from funds available for the purpose of this purchase. Lack of funds shall render this contract null and void to the extent funds are not available and any delivered but unpaid for goods will be returned to vendor by City. Accepting orders without a Purchase Order number shall be at the risk of the vendor.

3.2 Shipment under Reservation Prohibited

Vendor is not authorized to ship the goods under reservation and no tender of a bill of lading will operate as a tender of goods.

3.3 Title and Risk of Loss

The title and risk of loss of the goods shall not pass to City until City receives and takes possession of the goods at the point or points of delivery.

3.4 Delivery Terms and Transportation Charges

F.O.B. destination, unless delivery terms are specified in vendor's bid, or actual costs, whichever is lower. If the quoted delivery terms do not include transportation costs, the City shall have the right to designate what method of transportation shall be used to ship the goods. Delivery may be a consideration in the award when shown to be a benefit to the City.

3.5 Performance and Payment Bond

Having satisfied all conditions of award as set forth elsewhere in these documents, the successful vendor shall furnish bond(s) each in a penal sum of at least the full amount of the contract as awarded in the form included in the specifications, which secures the faithful performance of the contract, and for the payment of all persons, firms or corporations to whom the selected vendor may become legally indebted for labor, materials, tools, equipment, or service, of any nature, employed or used by it in performing the work. Such bond(s) shall bear the same date as or a date subsequent to, the date of the contract and be in the name of the prime contractor.

On each such bond the rate of premium shall be stated, together with the total amount of the premium charged. The current power of attorney for the person who signs for any surety company shall be attached to such bond.

The failure of the successful vendor to supply the required bonds within thirty (30) days after the prescribed forms are presented for signature, or within such extended period as the City may grant based upon reasons determined adequate by the City, shall constitute a default, and the City may either award the contract to the next responsible vendor or re-advertise for bids, and may charge against the vendor the difference between the amount of the award and the amount for which a contract for the work is subsequently executed, irrespective of whether the amount due exceeds the amount of the bid security.

Performance and Payment Bonds shall be delivered to the City's Risk Manager.

3.6 Waiver of Performance and Payment Bonds

Performance and Payment Bonds may be waived under the following circumstances:

The City may elect, at their option, to waive Payment Bonds if the contract sum is less than fifty-thousand (\$50,000.00) dollars.

The City may elect, at their option, to waive Performance Bonds if the contract sum is one-hundred thousand (\$100,000.00) dollars or less.



3.7 No Replacement of Defective Tender

Every tender or delivery of goods must fully comply with all provisions of this contract as to the method and place of delivery, quality and the like. If a tender is made which does not fully conform, this will constitute a breach and vendor will not have the right to substitute a conforming tender. Where the time for performance has not yet expired, the vendor may reasonably notify City of its intention to cure and may then make a conforming tender within the contract time.

3.8 Place of Delivery

The place of delivery shall be that set forth in the block of the purchase order entitled "Ship To". The terms of this agreement are "no arrival, no sale".

3.9 Special Tools and Test Equipment

If the price stated on the face hereof includes the cost of any special tooling or special test equipment fabricated or required by vendor for the purpose of filling this order, such special tooling equipment and any drawings or related documents thereto shall become the property of the City and to the extent feasible shall be identified by the vendor as such.

3.10 Warranty-Price

The price to be paid by the City shall be that contained in vendor's bid which vendor warrants to be no higher than vendor's current prices on orders by others for products of the kind and specifications covered by this agreement for similar quantities under similar or like conditions and methods of purchase. In the event vendor breaches this warranty, the prices of the items shall be reduced to the vendor's current prices on orders by others, or in the alternative, reduced to the vendor's current prices on orders by others, or in the alternative, City may cancel this contract without liability to vendor for breach or vendor's actual expense.

The vendor warrants that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for commission, percentage, brokerage, or contingent fee excepting bona fide employees of bona fide established commercial or selling agencies maintained by the vendor for the purpose of securing business. For breach or violation of the warranty, the City shall have the right in addition to any other right or rights to cancel this contract without liability and to deduct from the contract price, or otherwise recover the full amount of such commission, percentage, brokerage, or contingent fee.

3.11 Warranty-Product

Vendor shall not limit or exclude any implied warranties and any attempt to do so shall render this contract voidable at the option of the City. Vendor warrants that the goods furnished will conform to the specifications, drawings, and descriptions. Any warranties will become into effect on the contract effective date.

3.12 Safety Warranty

Vendor warrants that the product sold to City shall conform to the standards promulgated by the U.S. Department of Labor under the Occupational Safety and Health Act (OSHA). In the event the product does not conform to OSHA standards, City may return the product for correction or replacement at the vendor's expense. In the event vendor fails to make the appropriate correction within a reasonable time, correction made by City will be at vendor's expense.

3.13 Piggy-Back Procurements

Other municipalities or public agencies in the State of Texas may be interested in purchasing products as procured through this bid.



Governmental Entities utilizing Inter-Governmental Contracts with the City will be eligible, but not obligated, to purchase materials/services under the contract(s) awarded because of this bid. All purchases by Governmental Entities other than the City will be billed directly to that Governmental Entity and paid by that Governmental Entity. The City will not be responsible for another Governmental Entity's debts. Each Governmental Entity will order their material/services as needed, e.g., Tom Green County, etc.

3.14 No Warranty by City against Infringements

As part of this contract for sale, vendor agrees to ascertain whether goods manufactured in accordance with the specifications attached to this agreement will give rise to the rightful claim of any third person by way of infringement or the like. City makes no warranty that the production of goods according to the specification will not give rise to such a claim, and in no event shall City be liable to vendor for indemnification if vendor issued on the grounds of infringement or the like. If vendor is of the opinion that an infringement or the like will result, he will notify City to this effect in writing within two weeks after the signing of the agreement. If City does not receive notice and a claim of infringement is made, vendor will indemnify, defend, and hold harmless City, its Council members, officials, agents, consultants, and employees free and harmless from and against any and all claims, suits, judgments, costs, penalties, fines, damages, and attorneys' fees and expenses asserted by any person or persons. If vendor, in good faith, ascertains that production of the goods in accordance with the specifications will result in infringement or the like, this contract shall be void.

3.15 Right of Inspection

City shall have the right to inspect the goods at delivery before accepting them. Acceptance of the goods upon delivery should in no way constitute a waiver of any right or privilege contained with this contract or under law.

3.16 Cancellation

City shall have the right to cancel for default all or any part of the undelivered portion of the order if vendor breaches any of the terms hereof including warranties of vendor or if the vendor becomes insolvent or commits acts of bankruptcy. Such right of cancellation is in addition to and not in lieu of any other remedies which City may have in law or equity.

Corporation		Model 48HJ0007--S--DA		Serial 0302G10266		Carrier	
TYPE: T-40		FACTORY CHARGED		6 ton 230V 3ph			
CONDENSER	1	VOLTS AC 208/230	PH 3	HZ 60	FLA 20.5	LRA 156	REF. SYSTEM R-22
COMPRESSOR							TEST PRESSURE GAGE
FAN MOTOR	1	VOLTS AC 208/230	PH 3	HZ 60	FLA 1.4	LRA 1.4	1398 PSI 2744 KPA
OUTDOOR UNIT	1	VOLTS AC 208/230	PH 3	HZ 60	FLA 5.8	LRA 5.8	186 PSI 1282 KPA
INDOOR UNIT	1	VOLTS AC 208/230	PH 3	HZ 60	FLA 6.6	LRA 6.6	
OTHER							
COMBUSTION	1	VOLTS AC 208/230	PH 3	HZ 60	FLA 6.6	LRA 6.6	
CHARGE SYSTEM PER INSTALLATION INSTRUCTIONS FOR OUTDOOR INSTALLATION ONLY						POWER SUPPLY 208/230	3 PH 60 HZ
						PRESSURE 254	187 PSI
MINIMUM CLEARANCES TO COMBUSTIBLE MATERIALS							
DOWN SUPPLY	0 IN 0 MM	TOP	1 IN 25.4 MM	BOTTOM	0 IN 0 MM	SIDE	36 IN 914 MM
UP SUPPLY	0 IN 0 MM	TOP	1 IN 25.4 MM	BOTTOM	0 IN 0 MM	SIDE	36 IN 914 MM
* FOR INSTALLATION ON COMBUSTIBLE FLOORING OR CLASS A, B, OR C ROOFING MATERIAL							
** 4 INCHES 102 MM WITH ACCESSORY FLUE DISCHARGE DEFLECTION							
MIN. EXT. AIR	1.8	MIN. EXHAUST OR BURNER PRESSURE	40	MINIMUM UNIT IN. CORN. T. FLU	32	260	COMBUSTION FOR THE UNIT HEATING UNIT
BEULF CERTIFIED AS A FORCED AIR FURNACE WITH COOLING UNIT, CSA APPROVED FOR NON-RESIDENTIAL USE TO 40 T. RESIDENTIAL							
DESIGNER MAXIMUM OUTLET AIR TEMPERATURE						185F 85.0C	
TEMP. RISE		MAX. EXTERNAL STATIC PRESSURE					
15-45F 3.3-25.0C		1.0WC 0.19KPA					
INPUT BTU	50000	INPUT MAX	72000	OUTPUT CAP	41000-59040	EFFICIENCY	82
INPUT MAX	14.7	INPUT MAX	21.1	OUTPUT CAP	12.0-17.3	EFFICIENCY	82
GAS SUPPLY PRESSURE	13WC 3.23KPA	GAS SUPPLY PRESSURE	13WC 3.23KPA	GAS SUPPLY PRESSURE	13WC 3.23KPA	GAS SUPPLY PRESSURE	13WC 3.23KPA
VENTILATION PRESSURE	1.8-3.5WC .45-.87KPA	VENTILATION PRESSURE	1.8-3.5WC .45-.87KPA	VENTILATION PRESSURE	1.8-3.5WC .45-.87KPA	VENTILATION PRESSURE	1.8-3.5WC .45-.87KPA
GAS HEATING PORTABLE CLASSIFIED BY UNDERWRITER'S LABORATORIES IN ACCORDANCE WITH NFPA 96-11 STANDARD 1995							
48HJ0007--S--DA1100							
U							



md#48HJD00S---S--DA
0302020231
4ton 230V 3ph

COMPRESSOR	1	208/230	3	60	13.5	99	8.0	3.6	364	2506	KPa
CONDENSER	1	208/230	3	60	13.5	99	8.0	3.6	248	1710	KPa
EVAPORATOR	1	208/230	3	60	13.5	99	8.0	3.6	364	2506	KPa
INDOOR	1	208/230	1	60	4.9						
OUTDOOR	1	208/230	1	60	0.7						
OTHER											
COFIBUST	1	208/230	1	60	0.6						

CHARGE SYSTEM PER INSTALLATION INSTRUCTIONS
FOR OUTDOOR INSTALLATION ONLY

POWER SUPPLY: 208/230 3 PH 60 HZ
PERMISSIBLE VOLTAGE AT UNIT: 254 V
MIN. 187 V

MINIMUM CLEARANCES TO COMBUSTIBLE MATERIALS

	TOP	BOTTOM	SIDES	FLUE SIDE
DOWN SUPPLY	0 IN 0 MM	1 IN 25.4 MM	0 IN 0 MM	36 IN 914 MM
SIDE SUPPLY				

* FOR INSTALLATION ON COMBUSTIBLE FLOORING OR CLASS A, B, OR C ROOFING MATERIAL
** 18 INCHES (457 MM) WITH ACCESSORY FLUE DISCHARGE DEFLECTOR

MIN. CKT. AMP.	22.5	OR FUSE OR BACK BREAKER	30	MINIMUM UNIT DISCONNECT	22	112	FOR COMBINATION COOLING AND HEATING UNIT
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DEVICE PERMITTED FOR FORCED AIR FURNACE WITH COOLING UNIT
OR APPROVED FOR NON-RESIDENTIAL USE TO 140 F (60 C)

DESIGNED MAXIMUM OUTLET AIR TEMPERATURE: 185 F 85.0 C

AIR TEMP. RISE	15-45 F	MAX. EXTERNAL STATIC PRESSURE	1.0 WC 0.19 KPA
	8.3-25.0 C		

INPUT MIN	50000	INPUT MAX	72000	OUTPUT CAP	41000-59040	EFFICIENCY	82	EQUIV. T. E02	NATURAL GAS
OR	14.7		21.1		12.017.3				

GAS SUPPLY PRESSURE: 13 WC 3.23 KPA MAX 4 WC 0.99 KPA MIN

MANIFOLD PRESSURE: 1.8-3.5 WC .45-.87 KPA

ENS HEATING PORTION CLASSIFIED BY
UNDERWYLLKS LABORATORIES
IN ACCORDANCE WITH ANSI Z39.42 STANDARD 1991

LISTED
COOLING PORTION OF
ENTIRE AND COOLING UNIT

UL US



6 ton 460V 3ph

Carrier		MODEL 48HJD007---631DA			
Air Conditioning 7310 WEST MORRIS STREET INDIANAPOLIS, IN 46231		SERIAL 0901624516			
FACTORY CHARGED					
COMPR	QTY 1	VOLTS AC 460	PH 3	HZ 60	RLA 9.6
COMPR					LRA 75.0
					REF. SYSTEM R-22
					TEST PRESSURE GAGE
					4.3 kg HI 398 PSI 2744 kPa
					kg LO 186 PSI 1282 kPa
FAN MTR	QTY 1	VOLTS AC 460	PH 1	HZ 60	FLA 0.6
OUTDOOR					
OUTDOOR					
INDOOR	1	460	3	60	2.6
OTHER					
COMBUST	1	460	1	60	0.3
CHARGE SYSTEM PER INSTALLATION INSTRUCTIONS FOR OUTDOOR INSTALLATION ONLY					
PERMISSIBLE VOLTAGE AT UNIT 508 MAX 414 MIN					
MINIMUM CLEARANCES TO COMBUSTIBLE MATERIALS					
		TOP	BOTTOM *		SIDES
DOWN SUPPLY	0 IN 0MM		1 IN 25.4MM		FLUE SIDE **
SIDE SUPPLY					36 IN 914MM
* FOR INSTALLATION ON COMBUSTIBLE FLOORING OR CLASS A,B, OR C ROOFING MATERIAL					
** 18 INCHES(457mm) WITH ACCESSORY FLUE DISCHARGE DEFLECTOR					
MIN CKT AMPS 15.2	MAX FUSE OR HACR BREAKER 20		MIN. IN. VOLT DISCONNECT 15		97
		MAX OVERCURRENT PROTECTIVE DEVICE		COMBINATION COOLING AND HEATING UNIT	
DEVICE CERTIFIED AS A FORCED AIR FURNACE WITH COOLING UNIT CSA APPROVED FOR NON-RESIDENTIAL USE TO -40 F AMBIENT.					
DESIGNED MAXIMUM OUTLET AIR TEMPERATURE					185F 85C
AIR TEMP RISE		MAX EXTERNAL STATIC PRESSURE			
15-45F		1.0WC 0.19KPA			
8.3-25.0C					
INPUT MIN		INPUT MAX		OUTPUT CAP	
BTU/HR 50000	72000		41000-59040		THERMAL EFFICIENCY 82
KW 14.7	21.1		12.017.3		EQUIPED FOR USE WITH NATURAL GAS
GAS SUPPLY PRESSURE		13WC 3.23KPA MAX		4WC 0.99KPA MIN	
MANIFOLD PRESSURE		1.8-3.5WC .45-.87KPA			
GAS HEATING PORTION CLASSIFIED BY UNDERWRITERS LABORATORIES IN ACCORDANCE WITH ANSI Z21.47 STANDARD-1993					
LISTED					



PACKAGE ROOFTOP / HEAT PUMP / AIR CONDITIONING
UNIT TEST REPORT

PROJECT: State Consolidation Building

SYSTEM: RTU 12

UNIT DATA	
Make / Model Number	Carrier M48HJD007 631
Type / Size	RTU / Small
Serial Number	54598G10568
Fan Sheave make	Browning
Fan Sheave Diam. / Bore	NR
No. Belts / make / size	NR
Type Heating Section	Gas

MOTOR DATA	
Make	G. E.
H.P. / RPM BHP	1.6 / 1360
Volts / Phase / Hertz	460/3/60
F.L. Amps	2.6
Make Sheave	Browning

TEST DATA Evap.	DESIGN	ACTUAL
Total CFM	2400	2400
Total S.P.	NA	1.0
Discharge S.P.	NA	.60
Suction S.P.	NA	.40
Ent. Air DB / WB	NA	81.0 / 63.4
Lvg. Air DB / WB	NA	57.2 / 54.0
Fan RPM	NA	1340
Voltage	460	463
Amperage	2.6	2.4



**PACKAGE ROOFTOP / HEAT PUMP / AIR CONDITIONING
UNIT TEST REPORT**

PROJECT: State Consolidation Building

SYSTEM: RTU 29

UNIT DATA	
Make / Model Number	Carrier M48HJD007-631
Type / Size	RTU/Small
Serial Number	4598G20560
Fan Sheave make	Browning
Fan Sheave Diam. / Bore	NR
No. Belts / make / size	NR
Type Heating Section	Gas

MOTOR DATA	
Make	G.E.
H.P. / RPM BHP	1.6 1360
Volts / Phase / Hertz	460/3/60
F.L. Amps	2.6
Make Sheave	Browning

TEST DATA Evap.	DESIGN	ACTUAL
Total CFM	2400	2390
Total S.P.	NA	1.05
Discharge S.P.	NA	.65
Suction S.P.	NA	.40
Ent. Air DB / WB	NA	81.0/63.4
Lvg. Air DB / WB	NA	57.2/54.0
Fan RPM	NA	1360
Voltage	460	460
Ampcrage	2.6	2.6



**PACKAGE ROOFTOP / HEAT PUMP / AIR CONDITIONING
UNIT TEST REPORT**

PROJECT: State Consolidation Building

SYSTEM: RTU 30

UNIT DATA	
Make / Model Number	Carrier M48HJD006-631
Type / Size	RTU/Small
Serial Number	54498G20671
Fan Sheave make	Browning
Fan Sheave Diam. / Bore	NR
No. Belts / make / size	NR
Type Heating Section	Gas

MOTOR DATA	
Make	G.E.
H.P. / RPM BHP	1.1/1190
Volts / Phase / Hertz	460/3/60
F.L. Amps	2.6
Make Sheave	Browning

TEST DATA Evap.	DESIGN	ACTUAL
Total CFM	2000	2000
Total S.P.	NA	1.0
Discharge S.P.	NA	.6
Suction S.P.	NA	.4
Ent. Air DB / WB	NA	81.0/63.4
Lvg. Air DB / WB	NA	57.2/54.0
Fan RPM	NA	1160
Voltage	460	463
Amperage	2.6	2.6



PACKAGE ROOFTOP / HEAT PUMP / AIR CONDITIONING UNIT TEST REPORT

PROJECT: State Consolidation Building

SYSTEM: RTU 32

UNIT DATA	
Make / Model Number	Carrier M48HJD005-631
Type / Size	RTU / Small
Serial Number	S4998G20236
Fan Sheave make	Browning
Fan Sheave Diam. / Bore	NR
No. Belts / make / size	NR
Type Heating Section	GAS

MOTOR DATA	
Make	G. E.
H.P. / RPM BHP	2.2 965
Volts / Phase / Hertz	460/1/60
F.L. Amps	2.2
Make Sheave	Browning

TEST DATA Evap.	DESIGN	ACTUAL
Total CFM	1600	1600
Total S.P.	NA	1.0
Discharge S.P.	NA	.6
Suction S.P.	NA	.4
Ent. Air DB / WB	NA	81.0 / 63.4
Lvg. Air DB / WB	NA	57.2 / 54.0
Fan RPM	NA	950
Voltage	460	463
Amperage	2.2	2.0



PACKAGE ROOFTOP / HEAT PUMP / AIR CONDITIONING UNIT TEST REPORT

PROJECT: State Consolidation Building

SYSTEM: RTU 38

UNIT DATA	
Make / Model Number	Carrier M48HJD006-631
Type / Size	RTU / Small
Serial Number	S4498G20681
Fan Shcave make	Browning
Fan Shcave Diam. / Bore	NR
No. Belts / make / size	NR
Type Heating Section	GAS

MOTOR DATA	
Make	G. E.
H.P. / RPM BHP	1.1 1190
Volts / Phase / Hertz	460/3/60
F.L. Amps	2.6
Make Shcave	Browning

TEST DATA Evap.	DESIGN	ACTUAL
Total CFM	2000	2000
Total S.P.	NA	1.0
Discharge S.P.	NA	.6
Suction S.P.	NA	.4
Ent. Air DB / WB	NA	81.0 / 63.4
Lvg. Air DB / WB	NA	57.2 / 54.0
Fan RPM	NA	1190
Voltage	460	460
Amperage	2.6	2.6



PACKAGE ROOFTOP / HEAT PUMP / AIR CONDITIONING UNIT TEST REPORT

PROJECT: State Consolidation Building

SYSTEM: RTU 39

UNIT DATA	
Make / Model Number	Carrier M48HJD006-631
Type / Size	RTU / Small
Serial Number	S4498G20678
Fan Shcave make	Browning
Fan Shcave Diam. / Bore	NR
No. Belts / make / size	NR
Type Heating Section	GAS

MOTOR DATA	
Make	G. E.
H.P. / RPM BHP	1.1 1190
Volts / Phase / Hertz	460/3/60
F.L. Amps	2.6
Make Shcave	Browning

TEST DATA Evap.	DESIGN	ACTUAL
Total CFM	2000	2000
Total S.P.	NA	1.0
Discharge S.P.	NA	.6
Suction S.P.	NA	.4
Ent. Air DB / WB	NA	81.0 / 63.4
Lvg. Air DB / WB	NA	57.2 / 54.0
Fan RPM	NA	1190
Voltage	460	460
Amperage	2.6	2.6



**PACKAGE ROOFTOP / HEAT PUMP / AIR CONDITIONING
UNIT TEST REPORT**

PROJECT: State Consolidation Building

SYSTEM: RTU 42

UNIT DATA	
Make / Model Number	Carrier M48HJE004-631
Type / Size	RTU/Small
Serial Number	S5098G20139
Fan Shcave make	Browning
Fan Shcave Diam. / Bore	NR
No. Belts / make / size	NR
Type Heating Section	GAS

MOTOR DATA	
Make	G.E.
H.P. / RPM	.4/972
Volts / Phase / Hertz	460/1/60
F.L. Amps	2.2
Make Shcave	Browning

TEST DATA Evap.	DESIGN	ACTUAL
Total CFM	1200	1200
Total S.P.	NA	1.0
Discharge S.P.	NA	.6
Suction S.P.	NA	.4
Ent. Air DB / WB	NA	81.0/63.4
Lvg. Air DB / WB	NA	57.2/54.0
Fan RPM	NA	960
Voltage	460	460
Amperage	2.2	2.1



Carrier Corporation
TYLER, TEXAS

MODEL # 48HJD009---6-DA
SERIAL 4401G02794
FACTORY CHARGED

	QTY	VOLTS AC	PH	HZ	RLA	LRA	REF. SYSTEM	R-22	TEST PRESSURE	GAGE
COMPR	1	460	3	60	8.2	49.57.9	LBS	3.6	kg	383 PSI 2641 kPa
COMPR	1	460	3	60	8.2	49.58.3	LBS	3.7	kg	150 PSI 1034 kPa
FAN MTR	QTY	VOLTS AC	PH	HZ	FLA					
OUTDOOR	2	460	1	60	0.7					
OUTDOOR										
INDUOR	1	460	3	60	3.4					
OTHER										
COMBUST	1	460	1	60	0.3					

CHARGE SYSTEM PER INSTALLATION INSTRUCTIONS
FOR OUTDOOR INSTALLATION ONLY

POWER SUPPLY 460
PERMISSIBLE VOLTAGE AT UNIT 508
MAX 414 MIN

MINIMUM CLEARANCES TO COMBUSTIBLE MATERIALS

	TOP	BOTTOM	SIDES	FLUE SIDE
DOWN SUPPLY	0 IN 0 MM	1 IN 25.4 MM	0 IN 0 MM	48 IN 1219 MM
SIDE SUPPLY				

* FOR INSTALLATION ON COMBUSTIBLE FLOORING OR CLASS A, B, OR C ROOFING MATERIAL
** 18 INCHES (457mm) WITH ACCESSORY FLUE DISCHARGE DEFLECTOR

MIN	MAX FUSE OR HACR BREAKER	MINIMUM UNIT DISCONNECT FLA	COMBINATION COOLING AND HEATING UNIT
CKT 23.3	30	24	132
AMPS	MAX OVERCURRENT PROTECTIVE DEVICE		

DEVICE CERTIFIED AS A FORCED AIR FURNACE WITH COOLING UNIT
CSA APPROVED FOR NON-RESIDENTIAL USE TO -40 F AMBIENT.

DESIGNED MAXIMUM OUTLET AIR TEMPERATURE 150F 66C

AIR TEMP RISE 20-50F 11.1-27.8C

MAX EXTERNAL STATIC PRESSURE 1.0WC 0.25KPA

BTU/HR	INPUT MIN	INPUT MAX	OUTPUT CAP	THERMAL EFFICIENCY	EQUIPED FOR USE WITH
92000	125000	75440/102500	22.1-30.0	82	NATURAL GAS
KW 27.0	36.6				

GAS SUPPLY PRESSURE 13WC 3.23KPA MAX 4WC 0.99KPA

MANIFOLD PRESSURE 1.8-3.5WC .45-.87KPA

GAS HEATING PORTION CLASSIFIED BY UNDERWRITERS LABORATORIES
IN ACCORDANCE WITH ANSI Z39.47 STANDARD-1993

LISTED
COOLING PORTION OF HEATING AND COOLING UNIT
35K2

UL US

48HJD009---641DA
4401G02794



48HJD005--6--DA 4 ton 460V 3ph

Carrier Corporation TYLER, TEXAS		--641DA		SERIAL 4401G03682		FACTORY CHARGED			
QTY		VOLTS AC		PH	HZ	RLA	LRA	REF. SYSTEM R-22	TEST PRESSURE GAGE
COMPR	1	460		3	60	7.4	49.5	8.0 LBS	3.6 kg HI 364 PSI 2506 kPa
COMPR								LBS	kg LO 248 PSI 1710 kPa
FAN MTR		QTY		VOLTS AC		PH	HZ	FLA	46
OUTDOOR	1	460		1	60	0.4			
OUTDOOR									
INDOOR	1	460		1	60	2.2			
OTHER									
COMBUST	1	460		1	60	0.3			
CHARGE SYSTEM PER INSTALLATION INSTRUCTIONS FOR OUTDOOR INSTALLATION ONLY								POWER SUPPLY 460	3 PH 60 HZ
								PERMISSIBLE VOLTAGE AT UNIT 508	MAX 414 MIN
MINIMUM CLEARANCES TO COMBUSTIBLE MATERIALS									
		TOP		BOTTOM *		SIDES		FLUE SIDE **	
DOWN SUPPLY	0IN 0MM		1.0IN 25.4MM		0IN 0MM		36IN 914MM		
SIDE SUPPLY									
* FOR INSTALLATION ON COMBUSTIBLE FLOORING OR CLASS A,B, OR C ROOFING MATERIAL									
** 18 INCHES(457mm) WITH ACCESSORY FLUE DISCHARGE DEFLECTOR									
MIN CKT AMPS	11.9	MAX FUSE OR HACR BREAKER 15		MINIMUM UNIT DISCONNECT FLA 12		LRA 57		COMBINATION COOLING AND HEATING UNIT	
DEVICE CERTIFIED AS A FORCED AIR FURNACE WITH COOLING UNIT CSA APPROVED FOR NON-RESIDENTIAL USE TO -40 F AMBIENT.									
DESIGNED MAXIMUM OUTLET AIR TEMPERATURE								185F 85.0C	
AIR TEMP RISE		MAX EXTERNAL STATIC PRESSURE							
15-45F		1.0WC 0.19KPA							
8.3-25.0C									
INPUT MIN		INPUT MAX		OUTPUT CAP		THERMAL EFFICIENCY		EQUIPED FOR USE WITH	
BTU/HR	50000	72000	41000-59040		82		NATURAL GAS		
KW	14.7	21.1	12.017.3						
GAS SUPPLY PRESSURE		13WC 3.23KPA MAX		4WC 0.99KPA MIN					
MANIFOLD PRESSURE		1.8-3.5WC .45-.87KPA							
GAS HEATING PORTION CLASSIFIED BY UNDERWRITERS LABORATORIES IN ACCORDANCE WITH ANSI Z21.47 STANDARD-1993									
48HJD005--641DA									
LISTED COOLING PORTION OF									



ARI capacities (cont)



HEATING CAPACITIES AND EFFICIENCIES

UNIT	HEATING INPUT (Btuh) First Stage/Second Stage	OUTPUT CAPACITY (Btuh)		TEMPERATURE RISE (°F)	AFUE (%)	STEADY STATE EFFICIENCY (%)	CALIFORNIA SEASONAL EFFICIENCY (%)
		Single-Phase Units*	3-Phase Unit†				
48HJE004	50,000/ 72,000	40,000/ 57,100	41,000/ 59,040	15-45	82	82	78.7
48HJF004	82,000/115,000	63,500/ 89,000	65,600/ 92,000	55-85	80	80	77.3
48HJD005	50,000/ 72,000	40,000/ 57,100	41,000/ 59,040	15-45	82	82	78.7
48HJE005	82,000/115,000	65,600/ 92,000	66,420/ 93,150	35-65	81	81	77.7
48HJF005	120,000/150,000	94,400/118,000	96,000/120,000	50-80	80	80	76.9
48HJD008	50,000/ 72,000	40,000/ 57,100	41,000/ 59,040	15-45	82	82	78.7
48HJE008	82,000/115,000	65,600/ 92,000	66,420/ 93,150	35-65	81	81	77.8
48HJF008	120,000/150,000	94,400/118,000	96,000/120,000	50-80	80	80	76.9
48HJD007	50,000/ 72,000	—	41,000/ 59,040	15-45	82	82	78.7
48HJE007	82,000/115,000	—	66,420/ 93,150	35-65	81	81	77.8
48HJF007	120,000/150,000	—	96,000/120,000	50-80	80	80	76.9

UNIT	HEATING INPUT (Btuh) First Stage/Second Stage	OUTPUT CAPACITY (Btuh)		TEMPERATURE RISE (°F)	AFUE (%)	STEADY STATE EFFICIENCY (%)	CALIFORNIA SEASONAL EFFICIENCY (%)
		First Stage/Second Stage	First Stage/Second Stage				
48HJD008	90,000/125,000	72,900/102,500	72,900/102,500	20-50	82	82	77.5
48HJE008	120,000/180,000	98,400/147,600	98,400/147,600	35-65	82	82	77.5
48HJF008	180,000/224,000	147,600/183,700	147,600/183,700	45-75	82	82	79.4
48HJD009	90,000/125,000	72,900/102,500	72,900/102,500	20-50	82	82	78.4
48HJE009	120,000/180,000	98,400/147,600	98,400/147,600	35-65	82	82	78.4
48HJF009	180,000/224,000	147,600/183,700	147,600/183,700	45-75	82	82	79.4
48HJD012	120,000/180,000	98,400/147,600	98,400/147,600	35-65	82	82	78.4
48HJD014, HJE012	180,000/224,000	147,600/183,700	147,600/183,700	35-65	82	82	79.3
48HJE014, HJF012	200,000/250,000	160,000/200,000	160,000/200,000	40-70	80	80	76.4

LEGEND

AFUE — Annual Fuel Utilization Efficiency

*Single-phase units are rated for output capacity in accordance with U.S. Government Standard Tests

†Three-phase units are rated for output capacity in accordance with ANSI Z21.47 Standard for gas-fired, central furnaces.

NOTE: NO_x levels are 40 nanograms/joule with accessory kit



Options and accessories

ITEM	OPTION*	ACCESSORY†
Apollo Communicating Control	X	
Integrated Economizer — Varislide™	X	X
Integrated Economizer — PARABLADE	X	
Manual Outdoor-Air Damper		X
Convenience Outlet	X	
Unit Mounted Disconnect	X	
Alternate Evaporator Fan Motor (014 only)	X	
Two-Position Damper (25% Open)		X
Two-Position Damper (100% Open)		X
Roof Curb (14 in.)		X
Roof Curb (24 in.)		X
Thru-the-Bottom Service Connections		X
Flue-Hood Protector Assembly		X
Electronic Programmable Thermostat		X
Thermostat and Subbase		X
Time Guard® II Control Circuit		X
Motormaster® Head Pressure Control		X
Accusensor™ II Enthalpy Control		X
Accusensor III Differential Enthalpy Control		X
LP Conversion Kit		X
Condenser Coil Hall Guard		X
Remote Control Panel		X
NO _x Reduction Kit		X
Flue Discharge Deflector		X
Condenser Coil Grille		X
Condenser Coil Salt Spray Protection Package		X
Integrated Economizer and Power Exhaust		X
Fan/Filter Status Switch		X

LEGEND

LP — Liquid Propane

*Indicates a factory-installed option
†Indicates a field-installed accessory.



Physical data



BASE UNIT 48	HJE/HJF004	HJD/HJE/HJF005	HJD/HJE/HJF006	HJD/HJE/HJF007
NOMINAL CAPACITY	3	4	5	6
OPERATING WEIGHT (lb)				
Unit	530	540	560	615
With Variable™ Economizer	564	574	594	649
With PARABLADE Economizer	572	582	602	657
Roof Curb	115	115	115	115
COMPRESSOR			Scroll	
Quantity	1	1	1	1
Oil (oz)	42	53	50	60
REFRIGERANT TYPE			R-22	
Operating Charge (lb-oz)	5-8	8-6	10-10	9-10
CONDENSER FAN			Propeller	
Quantity...Diameter (in.)	1 .22	1 .22	1 .22	1 .22
Nominal Cfm	3500	3500	4100	4100
Motor Hp...Rpm	1/4 .825	1/4 .825	1/4 .1100	1/4 .1100
Watts Input (Total)	180	180	320	320
CONDENSER COIL		Enhanced Copper Tubes, Aluminum Lanced Fins		
Rows...Fins/in.	1 17	2 .17	2 .17	2 .17
Total Face Area (sq ft)	14 6	16 5	16 5	16 5
EVAPORATOR FAN			Centrifugal	
Size (in.)	10 x 10	10 x 10	10 x 10	10 x 10
Belt	Belt	Belt	Belt	Belt
Type Drive	1200	1600	2000	2400
Nominal Cfm	1200	1600	2000	2400
Maximum Continuous Bhp	1.20	1.20	1.80	2.40
Motor Frame Size	48	48	56	56
Fan Rpm Range	760-1090	840-1185	1020-1460	1120-1585
Motor Bearing Type	Ball	Ball	Ball	Ball
Maximum Fan Rpm	2100	2100	2100	2100
Motor Pulley Pitch Diameter	1 9/2 9	1 9/2 9	2 4/3 4	2 4/3 4
A/B (in.)	1 9/2 9	1 9/2 9	2 4/3 4	2 4/3 4
Nominal Motor Shaft Diameter (in.)	1/2	1/2	1/2	5/8
Fan Pulley Pitch Diameter (in.)	4 5	4 0	4 0	3 7
Belt — Type...Length (in.)	A .33	A .36	A .40	A .38
Pulley Center Line Distance (in.)	10 0-12 4	10 0-12 4	14 7-15 5	14 7-15 5
Speed Change Per Full Turn of	65	70	75	95
Movable Pulley Flange (rpm)	5	5	6	5
Movable Pulley Maximum Full	3	3	3	3
Turns from Closed Position	3	3	3	3
Factory Setting — Full Turns Open	890	980	1240	1305
Factory Speed Setting (rpm)	890	980	1240	1305
Fan Shaft Diameter at Pulley (in.)	1/2	1/2	1/2	1/2
EVAPORATOR COIL		Enhanced Copper Tubes, Aluminum Double Wavy Fins, Acutrol™		Feed Device
Rows...Fins/in.	2 .15	2 .15	4 .15	4 .15
Total Face Area (sq ft)	5 5	5 5	5 5	5 5
FURNACE SECTION				
Rollout Switch Cutout Temp (F)*	195	195	195	195
Burner Orifice Diameter (in. ...drill size)†				
Natural Gas — Std	.113 33	.113 33/113 33/129 30	.113 33/113 33/129 30	.113 33/113 33/129 30
Liquid Propane — Alt**	.089 43	.089 43/089 43/102 38	.089 43/089 43/102 38	.089 43/089 43/102 38
Thermostat Heat Anticipator Setting (amps)				
208/230/460 v	14	14	14	14
First Stage	14	14	14	14
Second Stage	14	14	14	14
Gas Input (Btuh)				
First Stage	50,000/ 82,000	50,000/ 82,000/120,000	50,000/ 82,000/120,000	50,000/ 82,000/120,000
Second Stage	72,000/115,000	72,000/115,000/150,000	72,000/115,000/150,000	72,000/115,000/150,000
Efficiency (Steady State) (%)	82/80	82/81/80	82/81/80	82/81/80
Temperature Rise Range	15-45/55-85	15-45/55-85/50-80	15-45/55-85/50-80	15-45/55-85/50-80
Manifold Pressure (in. wg)				
Natural Gas — Std	3 5	3 5	3 5	3 5
Liquid Propane — Alt**	3 5	3 5	3 5	3 5
Maximum Static Pressure (in. wg)	1 0	1 0	1 0	1 0
Field Gas Connection Size (in.)	1/2	1/2	1/2	1/2
HIGH-PRESSURE SWITCH (psig)			450 ± 50	
Standard Compressor Internal Relief			428	
Cutout			320	
Reset (Auto.)				
LOSS-OF-CHARGE/LOW-PRESSURE SWITCH				
(Liquid Line) (psig)			7 ± 3	
Cutout			22 ± 5	
Reset (Auto.)				
FREEZE-PROTECTION THERMOSTAT				
Opens (F)			30 ± 5	
Closes (F)			45 ± 5	
OUTDOOR-AIR INLET SCREENS			Cleanable	
Quantity...Size (in.)			1 20 x 24 x 1	
RETURN-AIR FILTERS			Throwaway	
Quantity...Size (in.)			2 16 x 25 x 2	

LEGEND

Bhp — Brake Horsepower

*Indicates automatic reset.

†48HJD005-007 and 48HJE004 (72,000 Btuh heat input) units have 2 burners.
48HJE005-007 and 48HJF004 (115,000 Btuh heat input) units and 48HJF005-007 (150,000 Btuh heat input) units have 3 burners

**An LP Conversion Kit is available as an accessory.



BASE UNIT 48	HJD/HJE/HJF008	HJD/HJE/HJF009	HJD/HJE/HJF012	HJD/HJE014
NOMINAL CAPACITY (tons)	7½	8½	10	12½
OPERATING WEIGHT (lb)				
Unit	870	880	1035	1050
With Variable Economizer	914	924	1079	1094
With PARABLADE Economizer	932	942	1097	1112
Roof Curb	143	143	143	143
COMPRESSOR		Scroll		
Quantity	2	2	2	2
Oil (oz) (each compr)	53	53	50	60
REFRIGERANT TYPE		R-22		
Operating Charge (lb-oz)				
Circuit 1	6- 8	7-4	10-3	10-0
Circuit 2	5-14	6-4	9-3	9-3
CONDENSER FAN		Propeller		
Quantity...Diameter (in.)	2 . 22	2 . 22	2 . 22	2 . 22
Nominal Cfm	6500	6500	7000	7000
Motor Hp...Rpm	¼ . 1100	¼ . 1100	¼ . 1100	¼ . 1100
Watts Input (Total)	650	650	650	650
CONDENSER COIL		Enhanced Copper Tubes, Aluminum Lanced Fins		
Rows...Fins/in.	2 . 17	2 . 17	2 . 17	2 . 17
Total Face Area (sq ft)	20.5	20.5	25.0	25.0
EVAPORATOR FAN		Centrifugal		
Size (in.)	15 x 15	15 x 15	15 x 15	15 x 15
Type Drive	Belt	Belt	Belt	Belt
Nominal Cfm	3000	3400	4000	5000
Maximum Continuous Bhp	2.90	2.90	4.20	5.25
Motor Frame	56	56	56	56
Fan Rpm Range	840-1085	840-1085	860-1080	900-1260
Motor Bearing Type	Ball	Ball	Ball	Ball
Maximum Fan Rpm	2100	2100	2100	2100
Motor Pulley Pitch Diameter	3 4/4 4	3 4/4 4	4 0/5 0	2 8/8 8
Nominal Motor Shaft Diameter (in.)	7/8	7/8	7/8	7/8
Fan Pulley Pitch Diameter (in.)	7.0	7.0	8.0	8.0
Belt — Type...Length (in.)	A . 51	A . 51	A . 51	BX .46
Pulley Center Line Distance (in.)	16 75-19 25	16 75-19 25	15 85-17.50	15 85-17.50
Speed Change per Full Turn of	50	50	45	60
Movable Pulley Flange (rpm)	—	—	—	45
Movable Pulley Maximum Full	5	5	5	6
Turns from Closed Position	—	—	—	5
Factory Setting — Full Turns Open	5	5	5	5
Factory Speed Setting (rpm)	840	840	860	960
Fan Shaft Diameter at Pulley (in.)	1	1	1	1
EVAPORATOR COIL		Enhanced Copper Tubes, Aluminum Double-Wavy Fins		
Rows...Fins/in.	3.. 15	3.. 15	4 . 15	4 . 15
Total Face Area (sq ft)	8.9	8.9	11.1	11.1
FURNACE SECTION				
Rollout Switch Cutout (Temp (F)*)	195	195	195	195
Burner Orifice Diameter (in. ...drill size)†				
Natural Gas — Std	120 .31	120 .31	120 .31/ 120 31/ 129 30	120 31/ 129 .30
Liquid Propane — Alt**	096 41	096 .41	096 41/ 096 41/ 102 38	096 41/ 102 38
Thermostat Heat Anticipator Setting (amps)				
208/230/460-v Stage 1	14/ 14/ 14	14/ 14/ 14	14	14
Stage 2	14/ 20/ 20	14/ 20/ 20	20	20
Gas Input Stage 1	90,000/120,000/180,000	90,000/120,000/180,000	120,000/180,000/200,000	180,000/200,000
Stage 2	125,000/180,000/224,000	125,000/180,000/224,000	180,000/224,000/250,000	224,000/250,000
Efficiency (Steady State) (%)	82/82/82	82/82/82	82/82/80	82/80
Temperature Rise Range	20-50/35-65/45-75	20-50/35-65/45-75	35-65/35-65/40-70	35-65/40-70
Manifold Pressure (in. wg)				
Natural Gas — Std	3.5	3.5	3.5	3.5
Liquid Propane — Alt**	3.5	3.5	3.5	3.5
Field Gas Connection Size (in.)	.50/.75/.75	.50/.75/.75	.75/.75/.75	.75/.75
HIGH-PRESSURE SWITCH (psig)		450 ± 50		
Standard Compressor Internal Relief		428		
Cutout		320		
Reset (Auto.)				
LOSS-OF-CHARGE/LOW-PRESSURE SWITCH				
(Liquid Line) (psig)				
Cutout		7 ± 3		
Reset (Auto.)		22 ± 7		
FREEZE-PROTECTION THERMOSTAT				
Opens (F)		30 ± 5		
Closes (F)		45 ± 5		
OUTDOOR-AIR INLET SCREENS		Cleanable		
Quantity...Size (in.)		1 20 x 25 x 1		
		1...16 x 25 x 1		
RETURN-AIR FILTERS		Throwaway		
Quantity...Size (in.)	4.. 16 x 20 x 2	4 16 x 20 x 2	4 20 x 20 x 2	4 20 x 20 x 2

LEGEND
Bhp — Brake Horsepower

*Indicates automatic reset.
†48HJD008-009 units have 3 burners.
48HJD012 and 48HJE008,009 units have 4 burners.
48HJF008,009; 48HJE/HJF012; and the 48HJD/HJE014 have 5 burners
**An LP Conversion Kit is available as an accessory.



Electrical Data



UNITS WITHOUT ELECTRICAL CONVENIENCE OUTLET

UNIT	NOMINAL VOLTAGE (V-Ph-Hz)	VOLTAGE RANGE		COMPRESSOR (each)		OFM (each)		IFM	COMBUSTION FAN MOTOR	POWER SUPPLY		MINIMUM UNIT DISCONNECT SIZE*	
		Min	Max	RLA	LRA	FLA	FLA			MCA	MOCF	FLA	LRA
48HJE/HJF004 (3 Tons)	208/230-1-60	187	254	16.0	88.0	0.7	4.9		.57	25.6/25.6	35/35†	25/25	101/101
	208/230-3-60	187	254	10.3	77.0	0.7	4.9		.57	18.5/18.5	25/25†	18/18	90/90
	460-3-60	414	508	5.1	39.0	0.4	2.2		.30	9.0	15†	9	46
	575-3-60	518	632	4.2	31.0	0.4	2.2		.30	7.3	15†	7	37
48HJD/HJE/HJF005 (4 Tons)	208/230-1-60	187	254	23.7	129.0	0.7	4.9		.57	35.2/35.2	45/45†	34/34	142/142
	208/230-3-60	187	254	13.5	99.0	0.7	4.9		.57	22.5/22.5	30/30†	22/22	112/112
	460-3-60	414	508	7.4	49.5	0.4	2.2		.30	9.7	15†	12	57
	575-3-60	518	632	5.8	40.0	0.4	2.2		.30	9.3	15†	9	46
48HJD/HJE/HJF006 (5 Tons)	208/230-1-60	187	254	28.8	169.0	1.5	8.8		.57	46.3/46.3	60/60†	45/45	216/216
	208/230-3-60	187	254	17.3	123.0	1.5	8.8		.57	29.0/29.0	35/35†	28/28	168/168
	460-3-60	414	508	9.0	62.0	0.8	2.6		.30	14.7	20†	14	84
	575-3-60	518	632	7.1	50.0	0.8	2.6		.30	11.6	15†	11	59
48HJD/HJE/HJF007 (6 Tons)	208/230-3-60	187	254	20.5	156.0	1.4	5.8		.57	32.8/32.8	40/40†	32/32	200/200
	460-3-60	414	508	9.6	70.0	0.6	2.6		.30	15.2	20†	15	92
	575-3-60	518	632	7.7	56.0	0.6	2.6		.30	12.2	15†	12	74
	208/230-3-60	187	254	12.4	88.4	1.4	7.5		.57	38.2/38.2	45/45†	40/40	242/242
48HJD/HJE/ HJF008 (7½ Tons)**	460-3-60	414	508	6.4	44.0	0.7	3.4		.30	19.2	25†	20	121
	575-3-60	518	632	4.8	34.0	0.7	3.4		.30	14.6	20†	16	95
	208/230-3-60	187	254	15.0	99.0	1.4	7.5		.57	44.1/44.1	50/50†	46/46	264/264
	460-3-60	414	508	8.2	49.5	0.7	3.4		.30	19.9	30†	24	132
48HJD/HJE/HJF009 (8½ Tons)**	575-3-60	518	632	5.8	40.0	0.7	3.4		.30	16.9	20†	18	107
	208/230-3-60	187	254	19.3	123.0	1.4	10.6		.57	56.8/56.8	70/70†	60/60	337/337
	460-3-60	414	508	10.0	62.0	0.7	4.8		.30	28.7	35†	30	170
	575-3-60	518	632	7.9	50.0	0.7	4.8		.30	22.7	25†	24	136
48HJD/HJE014 (12½ Tons) (Std)**	208/230-3-60	187	254	25.9	156.0	1.4	15.0		.57	76.1/76.1	90/90†	80/80	426/426
	460-3-60	414	508	12.9	70.0	0.7	7.4		.30	37.8	45†	40	197
	575-3-60	518	632	7.4	54.0	0.7	7.4		.30	23.7	30†	25	154
	208/230-3-60	187	254	25.9	156.0	1.4	10.6		.57	71.7/71.7	80/80†	75/75	403/403
48HJD/HJE014 (12½ Tons) (Alt)**	460-3-60	414	508	12.9	70.0	0.7	4.8		.30	35.2	45†	39	186
	575-3-60	518	632	7.4	54.0	0.7	4.8		.30	21.6	25†	23	144

LEGEND

CUL — Canadian Underwriters' Laboratories
FLA — Full Load Amps
HACR — Heating, Air Conditioning and Refrigeration
IFM — Indoor (Evaporator) Fan Motor
LRA — Locked Rotor Amps
MCA — Minimum Circuit Amps
MOCF — Maximum Overcurrent Protection
NEC — National Electrical Code
OFM — Outdoor (Condenser) Fan Motor
RLA — Rated Load Amps

*Used to determine minimum disconnect per NEC

†Fuse or HACR circuit breaker.

**Units have 2 outdoor fan motors.

NOTES:

- In compliance with NEC requirements for multimotor and combination load equipment (refer to NEC Articles 430 and 440), the overcurrent protective device for the unit shall be fuse or HACR breaker. The CUL units may be fuse or circuit breaker.
- Electrical data based on 95 F ambient outdoor-air temperature ± 10% voltage





5. SUBMISSION REQUIREMENTS

- ☐ Bid Table (Bonfire)
- ☐ References, Subcontractors, and Suppliers Form
- ☐ Certification Federally Funded
- ☐ Conflict of Interest Questionnaire
- ☐ Contact Information Form
 - IRS Form W-9
- ☐ Debarment and Suspension Certification
- ☐ Local Preference Consideration Application & Economic Impact Details
- ☐ Prohibited Contracts
- ☐ Special Insurance Rider
 - COI (Certificate of Insurance)
- ☐ Vendor Compliance with Reciprocity on Non-Resident Vendors

1295 Form Requirement

At council award, one original of the Texas Ethics Commission Interested Parties Disclosure Form 1295 completed online at https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm will be required.

Anti-Lobbying Agreement

In submitting its bid, respondent certifies that it has not lobbied the City or its officials, managers, employees, consultants, or contractors in such a manner as to influence or to attempt to influence the bidding process. In the event it reasonably appears that the respondent influenced or attempted to influence the bidding process, the City may, in its discretion, reject the bid.

FORT CONCHO

NATIONAL HISTORIC LANDMARK

630 S. OAKES STREET

SAN ANGELO, TEXAS 76903-7013



Norma Preston

HEADQUARTERS

RESTORATION, PRESERVATION AND MUSEUM

February 9, 2024

To: Mayor and Council

From: Bob Bluthardt/Fort Concho/State Buildings 

Re: HVAC Project at State Buildings

Due to confusing communications to contactors, a too long project completion date, and project specifications that were not included or sufficiently clear, staff recommendation was to reject all bids for FC-01-24 and rebid.

In our re-bid, we will be more clear on timetables and specifics on the HVAC units required for the project. Changes in the re-bid will include:

- A shorter time frame for project completion
- Addition of hail guards as required by City code
- Requirement that new units accommodate existing curbs (supports on roof)

We will also be more careful in the communications process with bidders.

Meanwhile, the twelve units we propose to replace are functioning normally, but they are 24 years old and it is prudent to replace them. This is the second phase of a five-year plan to replace most roof units at the State Buildings. We do not anticipate any issues with these units in the coming months, but staff can address any problems in a timely fashion.

Assuming Council rejects all bids, staff will quickly move ahead with the new bidding process.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: February 20, 2024

Item type: Regular Item

Caption:

First reading and public hearing of ordinances for the following cases for property being 11 acres located at the northwest corner of Gregory Dr. and Smith Blvd.:

1. CP23-06, a request for an amendment to the Comprehensive Plan, changing the Future Land Use from Commercial to Neighborhood; and
2. Z23-18, a request to rezone from the Office Commercial zoning district to Single Family Residential zoning district

(Presentation by Planning & Development Services Assistant Director Aaron Vannoy)

Staff Recommendation:

Adopt

Summary/History:

At their Regular meeting on January 22, 2024, the Planning Commission voted 6-0 to recommend approval of the rezoning and Comprehensive Plan amendment. The request is additional housing in the PaulAnn Neighborhood, which continues to grow. This area originally may have been storage units, but they never developed. Having additional housing inventory will be critical for our community and this assists our middle-income citizens by offering additional residential options.

Funding Source(s):

Financial Impact:

NA

Other Information/Recommendation:

Attachments:

- | | |
|---|--|
| 1. Smith Blvd Staff Report CP23-06 & Z23-18 | Smith Blvd Staff Report CP23-06 & Z23-18.pdf |
| 2. Zoning Ordinance Z23-18 | Zoning Ordinance Z23-18.docx |
| 3. CP Ordinance (CP23-06) (2) | CP Ordinance (CP23-06) (2).docx |

Presentation:

Aaron Vannoy

Approvals/Reviews:

Sherry Bailey

Sherry Bailey

Brandon Dyson

Aaron Vannoy

Theresa James

Heather Stastny

Created/Initiated

Approved

Approved

Approved

Approved

Final Approval



STAFF REPORT – CP23-06 & Z23-18

PLANNING COMMISSION – January 22, 2024

City Council 1st reading: February 20, 2024

City Council 2nd reading: March 5, 2024

APPLICATION TYPE:		CASES:	
Comprehensive Plan Amendment and Rezoning		CP23-06 & Z23-18: Smith Blvd.	
SYNOPSIS:			
The applicant has submitted a request for a Comprehensive Plan Amendment from “Commercial” to “Neighborhood” and for a rezoning from Office Commercial (CO) to Single Family Residential Zoning (RS-1) at the southwest corner of Smith Blvd and Gregory Drive. This is an area that is just north of East Houston Harte Expressway in the Paulann neighborhood. The applicant wants to build single family homes on these 11 acres. The property is located immediately adjacent to 43 + acres that is also zoned residential, but is zoned RS-3, which is Zero Lot Line, Twinhome and Townhome Residential, then there is RS-1 Single Family Residential beyond that point. This small area of Single-Family Homes will act as a transitional area between two medium density land uses. Residents of the area will be able to take advantage of both service growth areas and employment areas just a short distance from their homes. It is comparable to communities twice San Angelo’s size or larger where economies of design occur.			
LOCATION:		LEGAL DESCRIPTION:	
Southwest corner of Smith Blvd. and Gregory Dr.		Survey No. 327, Abstract No. 344; 11 acres out of 51.47 acres recording instrument 202117731 (A-4252 S-1111)	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	
SMD District #4 – Lucy Gonzales Paulann Neighborhood	Office Commercial (CO) to Single Family Residential (RS-1)	Commercial to Neighborhood	11 acres
NOTIFICATIONS:			
13 notifications for CP23-06 & Z23-18 were mailed within a 200-foot radius on December 27, 2023. No responses in favor or against have been received.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Comprehensive Plan Amendment (CP23-06) from Commercial to Neighborhood and APPROVAL of the rezoning from the Office Commercial (CO) to Single-Family Residence (RS-1) for the property located at Southwest corner of Smith Blvd. and Gregory Drive.			
PROPERTY OWNER/PETITIONER:			
Applicants: Danny Aguero Sierra Vista Construction			
STAFF CONTACT:			
Sherry L Bailey Principal Planner (325) 657-4210, Extension 1546 Sherry.bailey@cosatx.us			

Additional Information: Staff met with the applicant's representative concerning the proposed Comprehensive Plan and rezoning at a development meeting. We are supportive of their approach to this development and are carrying the application forward.

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 identifies this area as Commercial, the zoning on the area is Office Commercial which is a less intensive medium density development. The proposed change is for single family homes that can take advantage of the flexibility of the zoning in the area which lends itself to a mix of uses and residential 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 rezoning will not conflict with the Zoning Ordinance.
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.* As noted above, the properties in this area are a mix of uses. In surveying the area, the one thing that all users have in common is they are contributing to a mixed-use area that will benefit from their availability.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* This area is constantly changing. That is part of what keeps it a vital alive 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.* There are no anticipated adverse effects on neighboring properties.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Staff believes that this type of use in these types of areas has a history of success. The single-family homes proposed are good starter homes for young families that will benefit from this area.
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 property in question is part of the neighborhood.

Recommendation: Staff recommends **APPROVAL** of the Comprehensive Plan Amendment CP23-06 from Commercial to Neighborhood and **APPROVAL** of the rezoning from Official Commercial to Single-Family Residence (RS-1) for the property located at the southwest corner of Smith Blvd. and Gregory Drive.

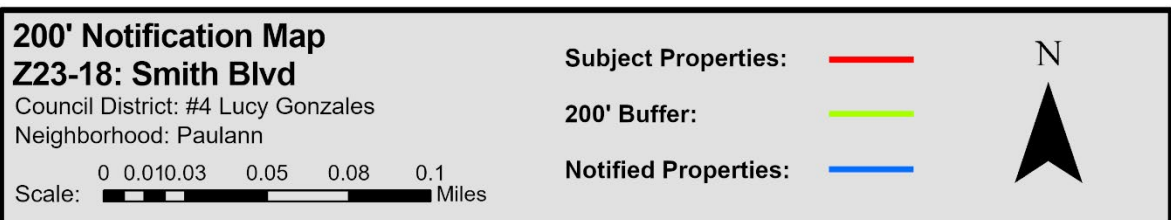
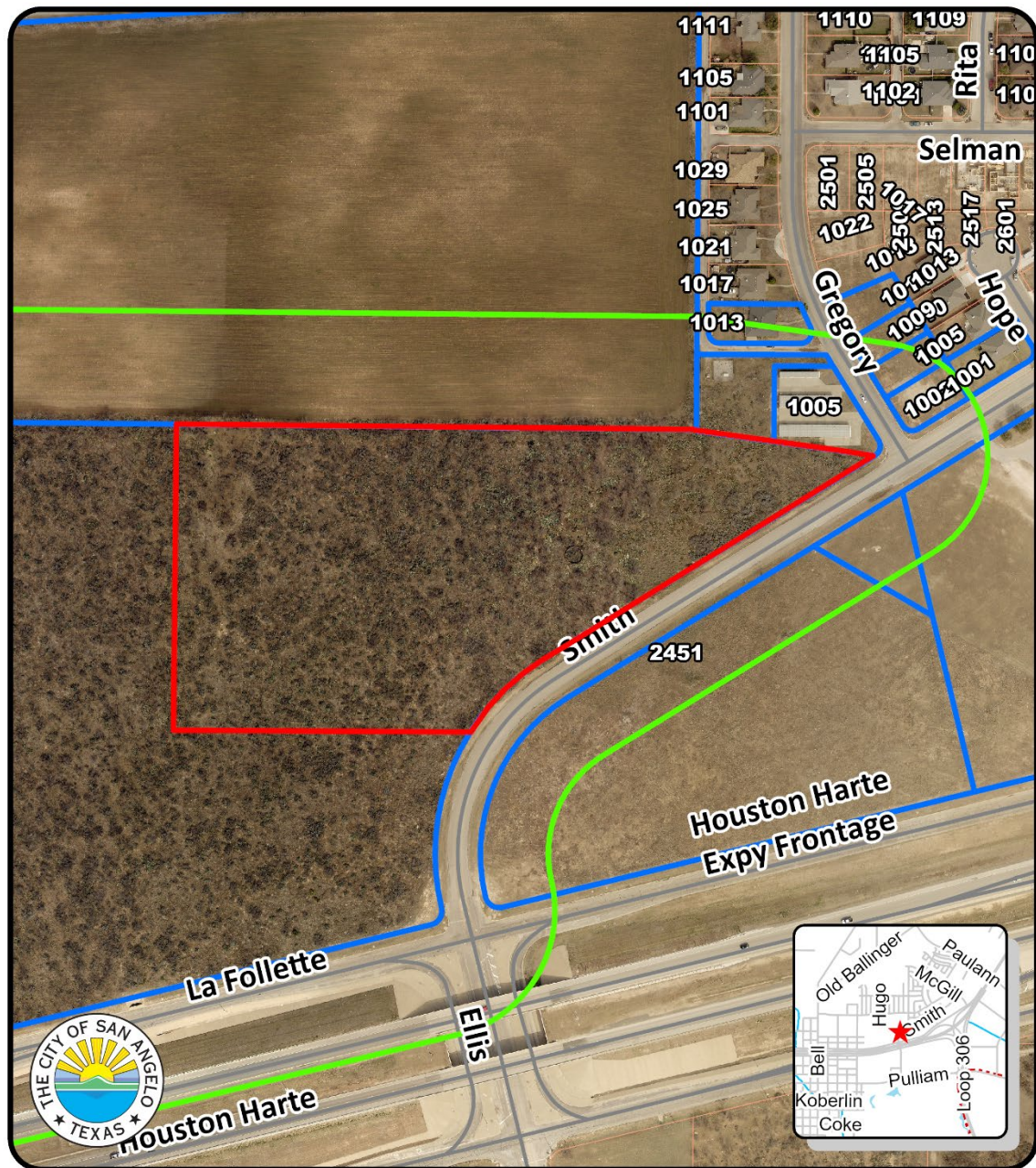
Attachments:

Aerial/Notification Map

Zoning Map

Future Land Use Map

Site Photos





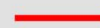
Aerial Map

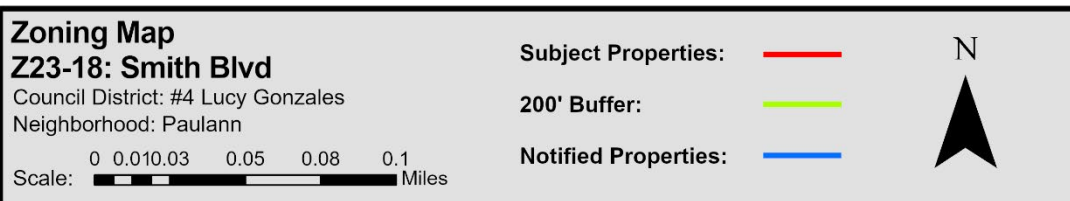
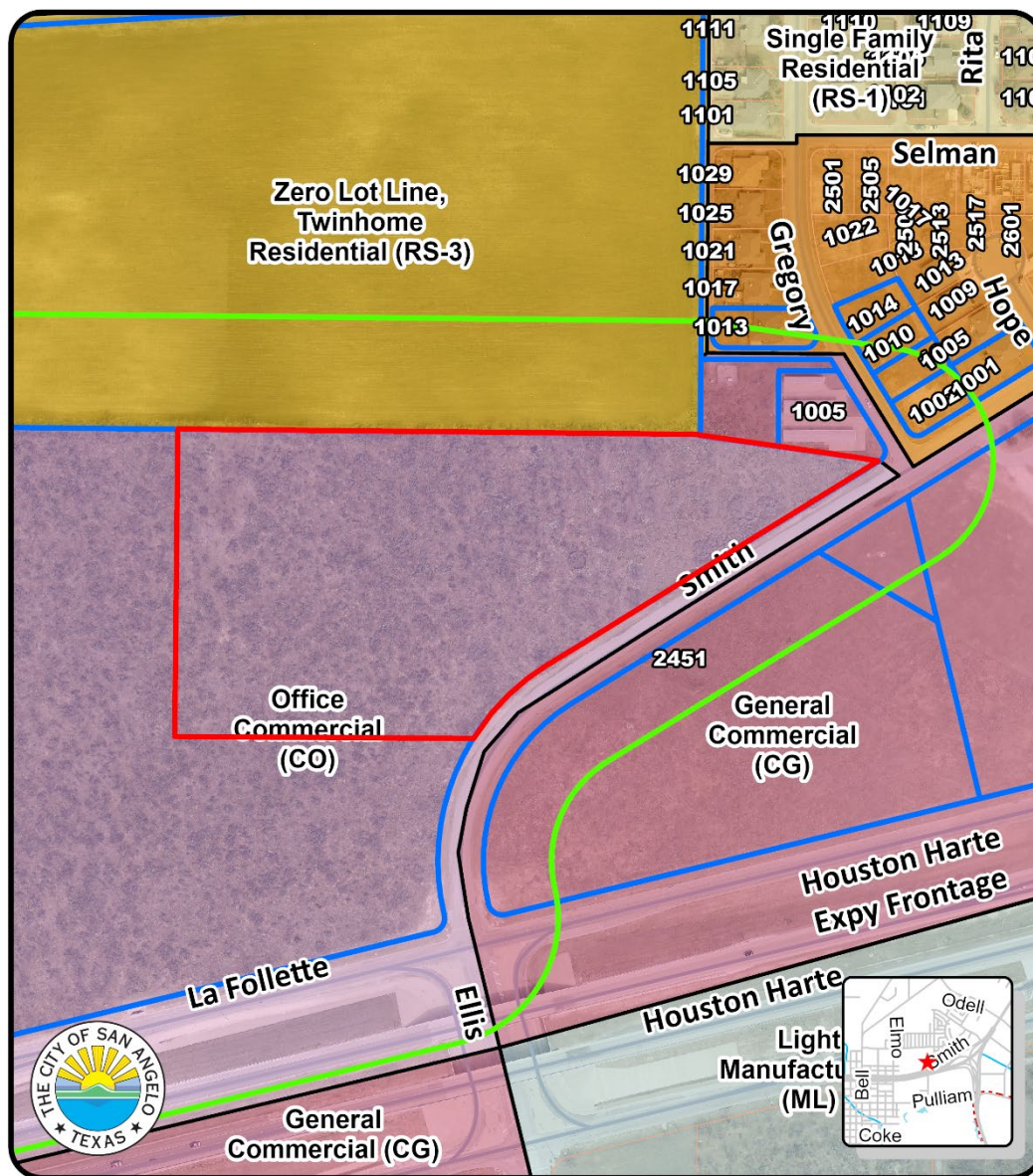
Z23-18: Smith Blvd

Council District: #4 Lucy Gonzales
Neighborhood: Paulann

Scale: 0 0.01 0.03 0.05 0.08 0.1 Miles

Subject Properties:









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 ZONING CLASSIFICATION OF THE FOLLOWING PROPERTY: **APPROXIMATELY 11.00 ACRES LOCATED AT THE SOUTHWEST CORNER OF GREGORY ST. AND SMITH BLVD.** FROM OFFICE COMMERCIAL ZONING DISTRICT (CO) TO SINGLE FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Z23-18: Southwest corner of Smith Blvd. and Gregory St.

WHEREAS, on the 22nd day of January, 2024, 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 Single-Family Zoning District; and,

WHEREAS, on the 20th day of February, 2024, City Council held a public hearing on Z23-18, 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 properties permanently zoned: SINGLE FAMILY RESIDENTIAL (RS-1)

The real property generally known as the southwest corner of the intersection of Gregory Dr. and Smith Blvd., being approximately 11.00 acres in Survey No. 327, Abstract No. 344; 11 acres out of 51.47 acres recording instrument 202117731 (A-4252 S-1111, within the City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit "A" of this Ordinance.

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 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 **20th day of February, 2024**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of March, 2024**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

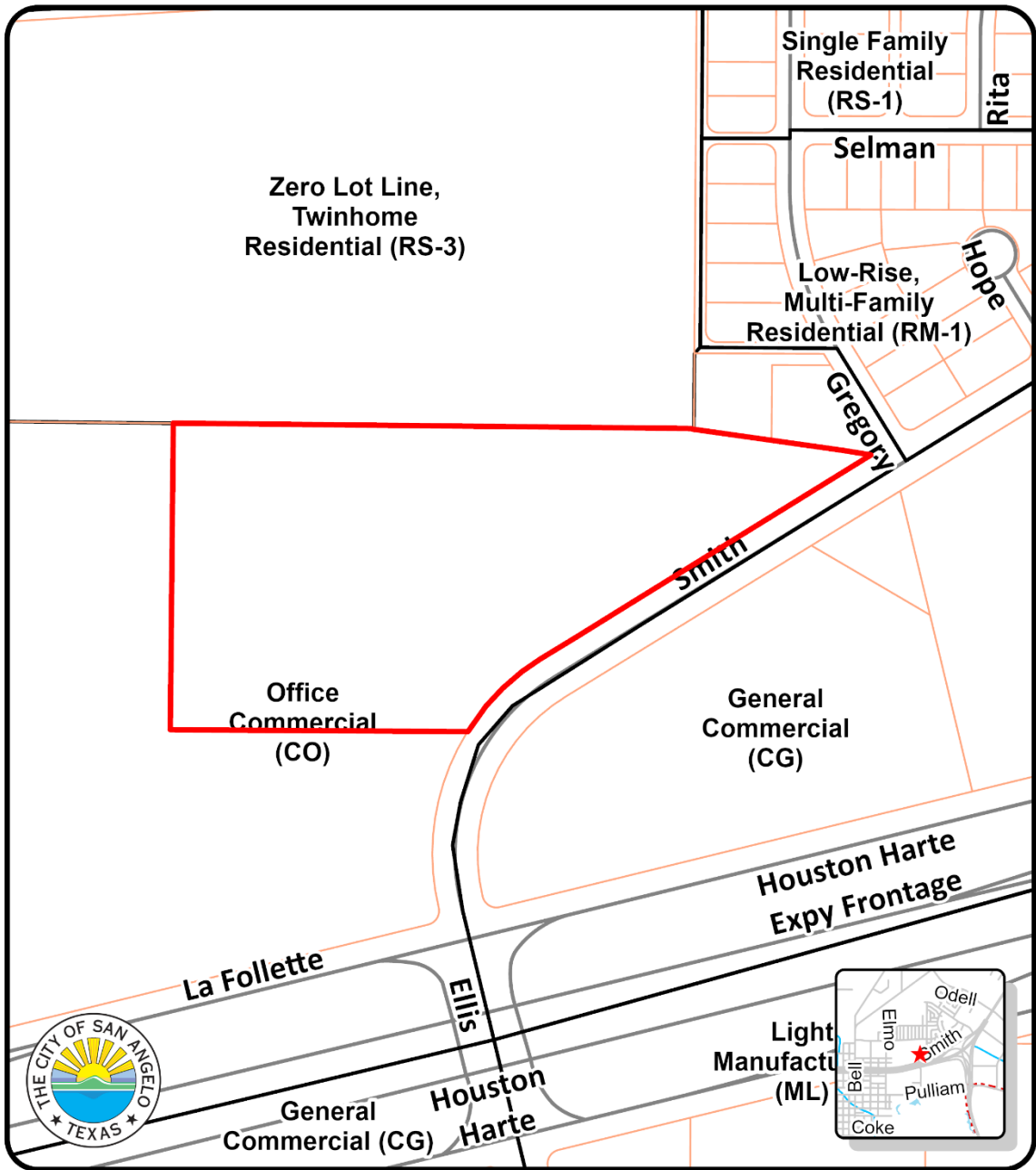
ATTEST:

APPROVED AS TO FORM:

Heather Stastny, City Clerk

Theresa James, City Attorney

Exhibit “A”



Zoning Ordinance Map
Z23-18: Smith Blvd
Council District: #4 Lucy Gonzales
Neighborhood: Paulann

Subject Properties: —

Scale: 0 0.01 0.03 0.05 0.08 0.1 Miles

N

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 AT THE SOUTHWEST CORNER OF GREGORY DR. AND SMITH BLVD., BEING **APPROXIMATELY 11.00 ACRES**, FROM "COMMERCIAL" TO "NEIGHBORHOOD" PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP23-06: LOCATED AT THE SOUTHWEST CORNER OF SMITH BLVD. AND GREGORY DR.

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 designation of the following described parcels as outlined below:

The real property generally known as the southwest corner of the intersection of Gregory Dr. and Smith Blvd., being approximately 11.00 acres in Survey No. 327, Abstract No. 344; 11 acres out of 51.47 acres recording instrument 202117731 (A-4252 S-1111, within the City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit “A” of this Ordinance.

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, from “COMMERCIAL” to “NEIGHBORHOOD” as shown on EXHIBIT “A”.

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 **20th day of February, 2024**, and finally ADOPTED on this the **5th day of March, 2024**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

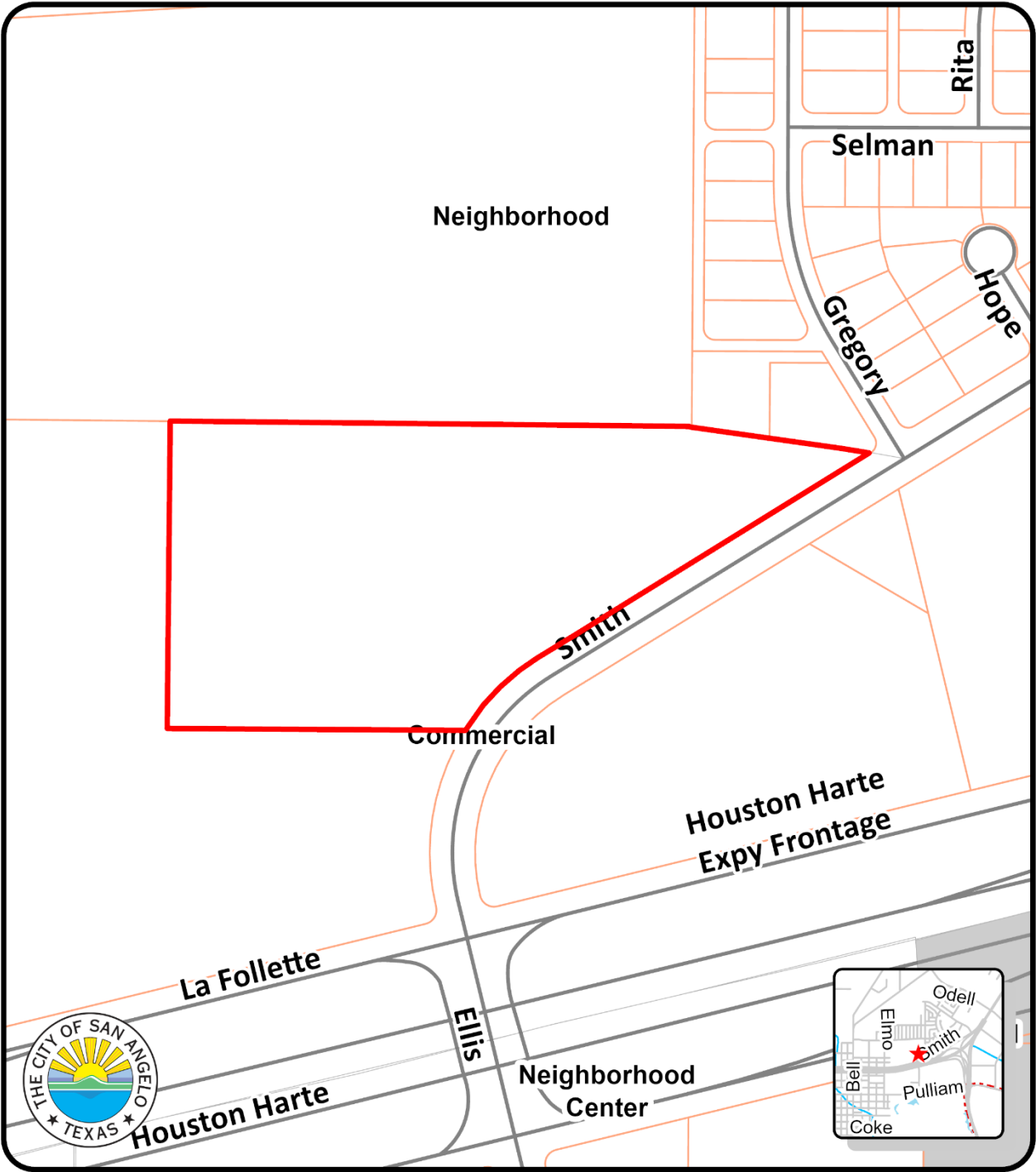
ATTEST:

APPROVED AS TO FORM:

Heather Stastny, City Clerk

Theresa James, City Attorney

Ordinance Map Exhibit "A"



CP Ordinance Map
CP23-06: Smith Blvd

Council District: #4 Lucy Gonzales
Neighborhood: Paulann

Subject Properties:



Scale: 0 0.01 0.03 0.05 0.08 0.1 Miles



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Aaron Vannoy, Assistant Director, Planning Commission

Meeting Date: February 20, 2024

Item type: Regular Item

Caption:

First reading and public hearing of ordinances for the following cases:

1. CP23-05, a request for an amendment to the Comprehensive Plan, changing from Commercial to Neighborhood Center being 3.72 acres located at 1621 & 1705 N. Chadbourne St. and 22, 21, 18, 17, & 15 W. 17th St. and 22, 18, 16, 10, & 6 W. 16th St.; and,
2. Z23-19, a request to rezone from the General Commercial/Heavy Commercial zoning district to the Low Rise Multi-Family Residential zoning district being .482 acres located at 1621 N. Chadbourne St. (Presentation made by Planning and Development Services Assistant Director Aaron Vannoy)

Staff Recommendation:

Adopt

Summary/History:

The applicant requests a rezoning change to RM-1 requires a comprehensive plan change from general commercial/ heavy commercial to the neighborhood center comprehensive plan designation. The applicant wishes to allow for interior modification of the historic home, which had been converted to apartments in years past to come into compliance with current building codes. The applicant want to restore the old coach house on the back of the property, making it a residential unit and one additional unit to the south of the property. The applicant has been made aware of the incentives of tax abatement for the exterior restoration and rebuilding of the coach house. The Planning Commission voted 6-0 in favor of the change in comp. plan to neighborhood center and to rezone from general commercial/heavy commercial (GC/CH) to low-rise multifamily (RM-1). The RM-1 zoning does allow various residential structures, such as single family, which would allow for the rebuilding of the coach house and a new matching structure to the south. The exterior would be required to be reviewed by the Design and Historic Commission.

Funding Source(s):

Financial Impact:

Other Information/Recommendation:

Attachments:

1. Staff Report - CP23-05 and Z23-19 1621 N Chadbourne
2. Zoning Ordinance Z23-19
3. Comp Plan Ordinance CP23-05 v3

Staff Report - CP23-05 and Z23-19 1621 N Chadbourne.pdf
Zoning Ordinance Z23-19.docx
Comp Plan Ordinance CP23-05 v3.docx

Presentation:

Aaron Vannoy

Approvals/Reviews:

Aaron Vannoy
Aaron Vannoy
Brandon Dyson
Aaron Vannoy
Theresa James
Heather Stastny

Created/Initiated
Approved
Approved
Approved
Approved
Final Approval

STAFF REPORT

Planning Commission: January 22, 2024

City Council 1st reading: February 20, 2024



APPLICATION TYPE:		CASE:	
Comprehensive Plan Change: Commercial to Neighborhood Commercial Rezoning request: CG/CH to Neighborhood Commercial		CP23-05 – request to change comprehensive plan from commercial to neighborhood commercial at 22, 21, 18, 17, 15 W. 17th St. and 22, 18, 16, 6 W. 16th St, and 1705 and 1621 N. Chadbourne St. and Z23-19 A rezoning request from (CG/CH) General Commercial/Heavy Commercial to low-rise multifamily (RS-1) at 1621 N Chadbourne	
SYNOPSIS:			
The applicant has requested to rezone property from General Commercial, Heavy Commercial to the low-rise multifamily RM-1 zoning district. This will require a comprehensive plan change from commercial to neighborhood commercial to accommodate the residential style the applicant is wanting to move towards. This property also has a Historical Overlay, this request will not remove nor change the Historic Overlay and a Historic Landmark.			
LOCATION:		LEGAL DESCRIPTION:	
1261 N Chadbourne		Lot: 8 9 & 10, Blk: 15, Subd: LASKER ADDITION	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SM District: #4 Lucy Gonzales Neighborhood: Regan	CG/CH – General Commercial Heavy Commercial	Commercial	.482 Acres
THOROUGHFARE PLAN:			
Chadbourne – classified as a Minor Arterial with 80' of right of way and 54' of paving. W. 17 th Street – classified as a local road with 97' of right of way and 62+ of paving.			
NOTIFICATIONS:			
Notification was sent for the Comprehensive Plan change and the Zone Change 43 notifications mailed. Two received in support and one in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the comprehensive plan change from commercial to neighborhood commercial and the rezoning request from CG/CH to RM-1 zoning			
PROPERTY OWNER/PETITIONER:			
Owner: Huhammad Hilal Shadid			
STAFF CONTACT:			
Aaron Vannoy Planning and Development Services Assistant Director (325) 657-4210, Extension 1542			

Additional Information: The main house at 1621 N Chadbourne was listed on the local and state historic register in 1988. It is unclear if the home had already been converted to apartments at that time or still a single-family home. Today there are 4 apartments, and the goal is to move to approximately 10 apartments if possible. Current zoning does not allow that size expansion without moving to a multifamily zoning. The property owner also anticipates doing a subdivision to create two additional lots for housing. There is enough space and lot size to subdivide into 3 lots which would meet the RM-1 zoning requirements. This is an area of N Chadbourne where many residential style properties come in close contact with commercial properties, some residential properties even have been converted to small scale commercial. This all fits the Neighborhood Commercial designation for the Comprehensive plan.

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 identifies this area as Commercial; however, with a Historic building on the property and the conversion to apartments the better fit would be a lessor intensity Neighborhood Center to match the north and south adjacent properties.
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 rezoning will not conflict with the Zoning Ordinance, in fact it would allow the property owner to move forward with a plan all while preserving the Historic features and bringing new life to the property.
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.** As noted above, the properties in this area are a mix of uses. In surveying the area, the one thing that was noted was the need for redevelopment in this area of town. As such, they will complement the area and the various uses.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** This almost half-acre lot could see changes with a subdivision in the future to add additional housing that would complement the current historical structure. The changes would be controlled through the Design and Historic Commission as the whole lot currently has the historic overlay.
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.** While the natural environment is not expected to be changed significantly, the density of structures would cause potentially more traffic to exit onto 17th street.
6. **Community Need.** **Whether and the extent to which the proposed amendment addresses a demonstrated community need.** Staff believes that this type of mixed use has a history of success. There is a need for apartments in our community and small-scale housing development is a feasible way to utilize the property.
7. **Development Patterns.** **Whether and the extent to which the proposed amendment would result**

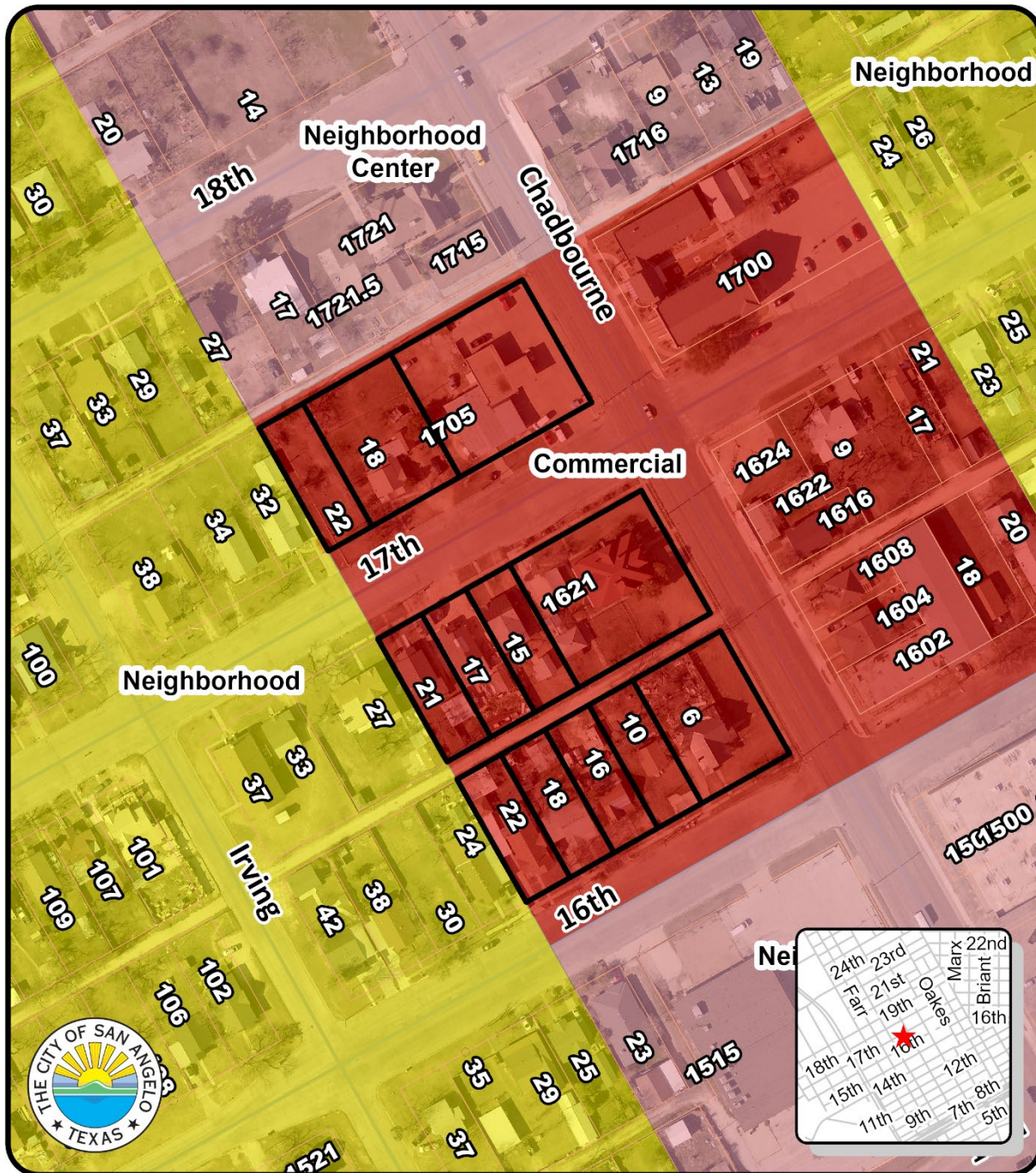
in a logical and orderly pattern of urban development in the community. The property in question is along a minor arterial which serves the neighborhood and a commercial thoroughfare connecting the historic downtown with the coliseum to the north. It provides a compatible transition from heavier commercial uses and residentially type areas and providing a lessor intense zoned areas such as RM-1 allows the continuation of residential style properties to coexist along with the commercial properties.

Recommendation:

Staff recommends **APPROVAL** of the request to comprehensive plan change from commercial to neighborhood commercial and the rezoning request from CG/CH to RM-1 zoning

Attachments:

Aerial Map
Future Land Use – Comprehensive Plan
Zoning Map
Notice Map



Vision Map

CP23-05: 1621 N Chadbourne

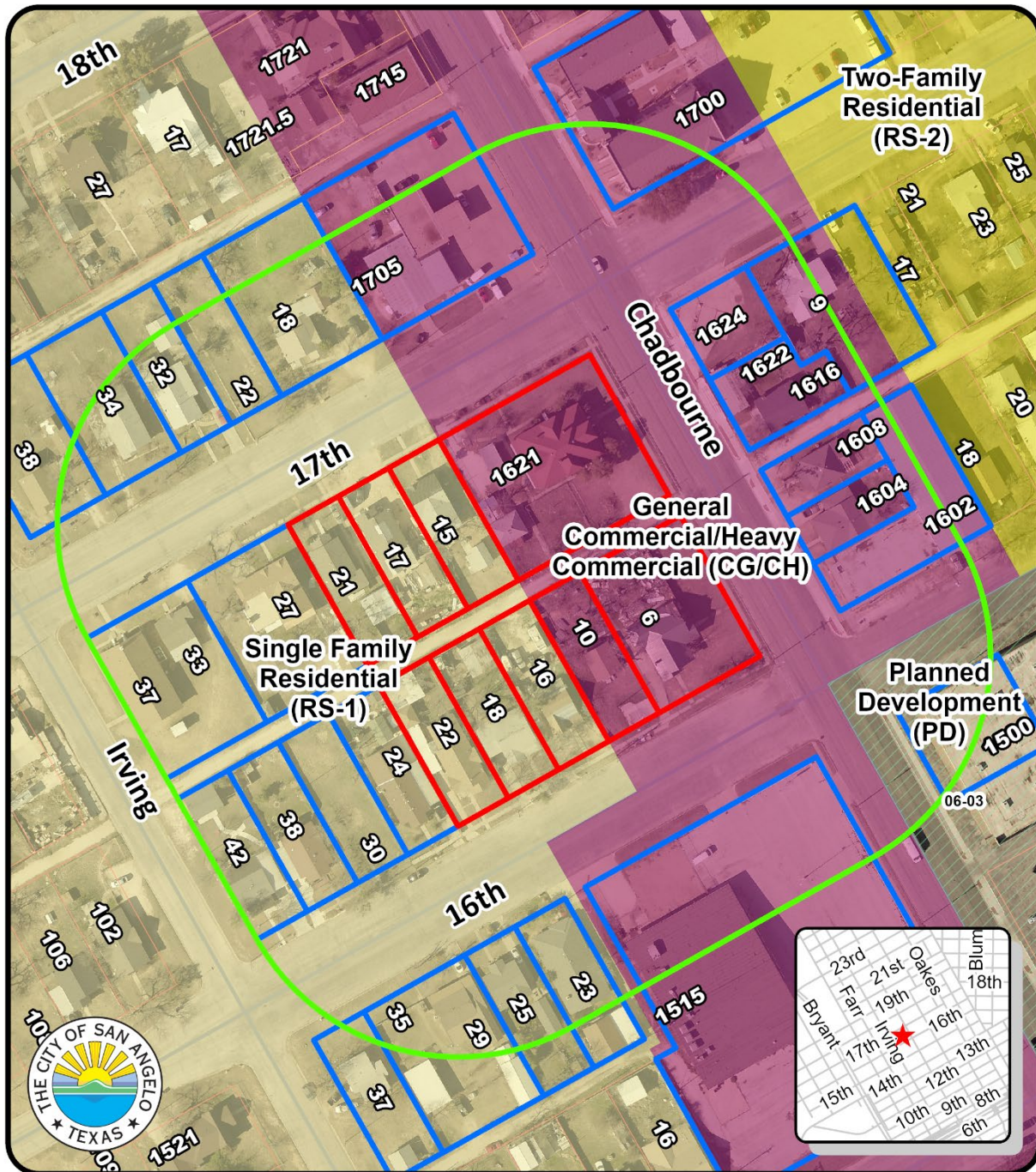
Council District: #4 Lucy Gonzales

Neighborhood: Reagan

Subject Properties: —

Scale: 0 0.01 0.01 0.03 0.04 0.06 Miles





Zoning Map

CP23-05: 1621 N Chadbourne

Council District: #4 Lucy Gonzales
 Neighborhood: Reagan

Scale: 0 0.01 0.02 0.03 0.04 Miles

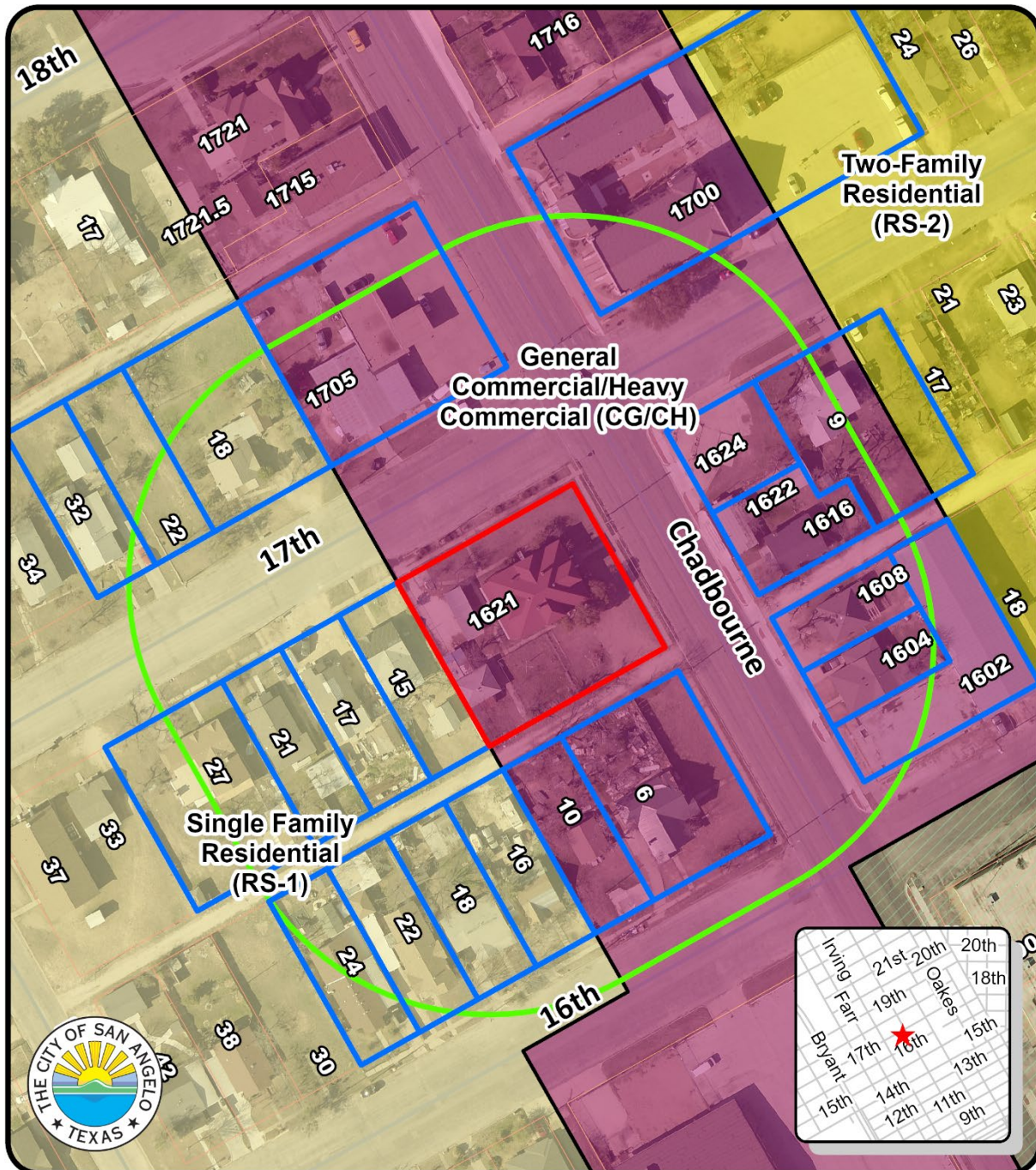
Subject Properties:

200' Buffer:

Notified Properties:

N





Zoning Map
Z23-19: 1621 N Chadbourne
 Council District: #4 Lucy Gonzales
 Neighborhood: Reagan
 Scale: 0 0.01 0.02 0.03 0.04 Miles

Subject Properties: —
 200' Buffer: —
 Notified Properties: —







CASE #: Z23-19 & CP23-05 – ZONE CHANGE

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: GARDEN GATHERING INC
Address: 1700 N CHADBOURNE

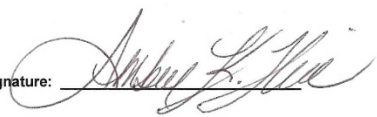
Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor ☒

I am opposed ☐

Additional Comments:

Signature: 

For the PLANNING COMMISSION

Please call (325) 657-4210 if you have any questions about this notice.

CASE #: Z23-19 & CP23-05 – ZONE CHANGE

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: ORTIZ SERGIO & CIRILA
Address: 18 W 17TH ST

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor ☒

I am opposed ☐

Additional Comments:

Signature: 

For the PLANNING COMMISSION

Please call (325) 657-4210 if you have any questions about this notice.

CASE #: Z23-19 & CP23-05 – ZONE CHANGE

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: MOYA THELMA C
Address: 1624 N CHADBOURNE

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor ☐

I am opposed ☒

Additional Comments:



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 ZONING CLASSIFICATION OF THE FOLLOWING PROPERTY: **APPROXIMATELY .482 ACRES LOCATED AT 1621 N CHADBOURNE ST., (LASKER ADDITION BLOCK 15, LOTS 8, 9, AND 10);** GENERAL COMMERCIAL, HEAVY COMMERCIAL (CG/CH) TO LOW-RISE MULTIFAMILY ZONING DISTRICT (RM-1); PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Z23-19:1621 N Chadbourne St.

WHEREAS, on the 22nd day of January 2024, 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 Low-rise Multifamily (RM-1) Zoning District; and,

WHEREAS, on the 20th day of February 2024, City Council held a public hearing on Z23-19, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant 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 LOW-RISE MULTIFAMILY (RM-1) ZONING DISTRICT:

The real property generally located 1621 N Chadbourne St, described as Lasker Addition Block 15, Lots 8, 9, and 10, .482 acres within the City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit “A” of this Ordinance.

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 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 **20th day of February, 2024**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of March, 2024**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

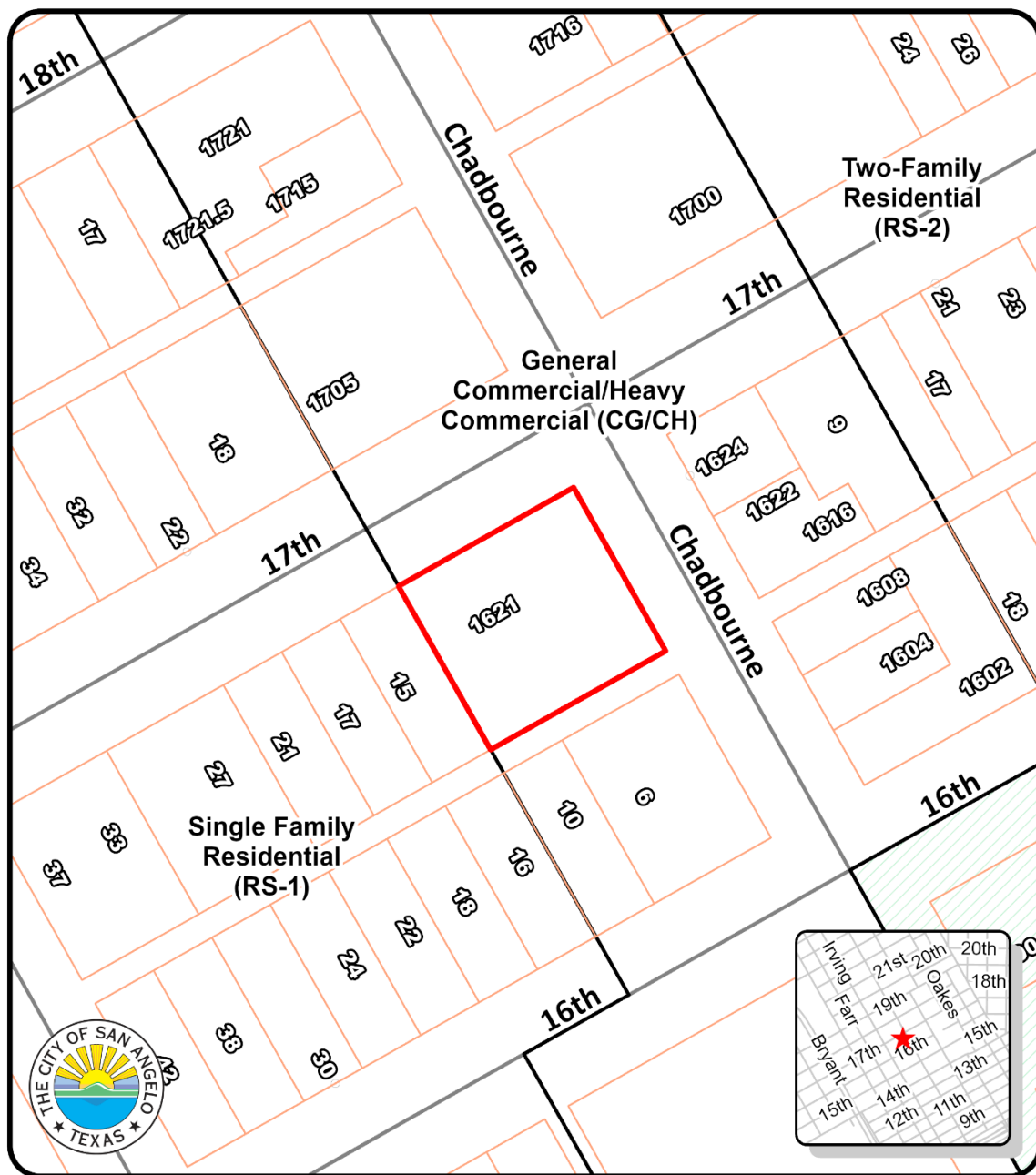
ATTEST:

Heather Stastny, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

Exhibit “A”

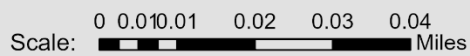


Zoning Ordinance Map

Z23-19: 1621 N Chadbourne

Council District: #4 Lucy Gonzales
Neighborhood: Reagan

Subject Properties:



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 AT 22, 21, 18,17,15 W. 17TH ST. AND 22, 18, 16, 10, AND 6 W. 16TH ST, AND 1705 AND 1621 N. CHADBOURNE ST., BEING A TOTAL OF 3.72 ACRES IN LASKER ADDITION BLOCK 22, LOTS 11-16 AND LASKER ADDITION BLOCK 15 LOTS 5-16 FROM "COMMERCIAL" TO "NEIGHBORHOOD CENTER" PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP23-05: 22, 21, 18,17,15 W. 17th St. and 22, 18, 16, 10, and 6 W. 16th St, and 1705 and 1621 N. Chadbourne St.

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 designation of the following described parcel as outlined below:

22, 21, 18, 17, 15 W. 17th St. and 22, 18, 16, 10, and 6 W. 16th St, and 1705 and 1621 N. Chadbourne St., BEING A TOTAL OF 3.72 ACRES IN Lasker Addition Block 22, Lots 11-16 and Lasker Addition Block 15 Lots 5-16, Tom Green County, Texas; from “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 **20th day of February, 2024**, and finally ADOPTED on this the **5th day of March, 2024**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

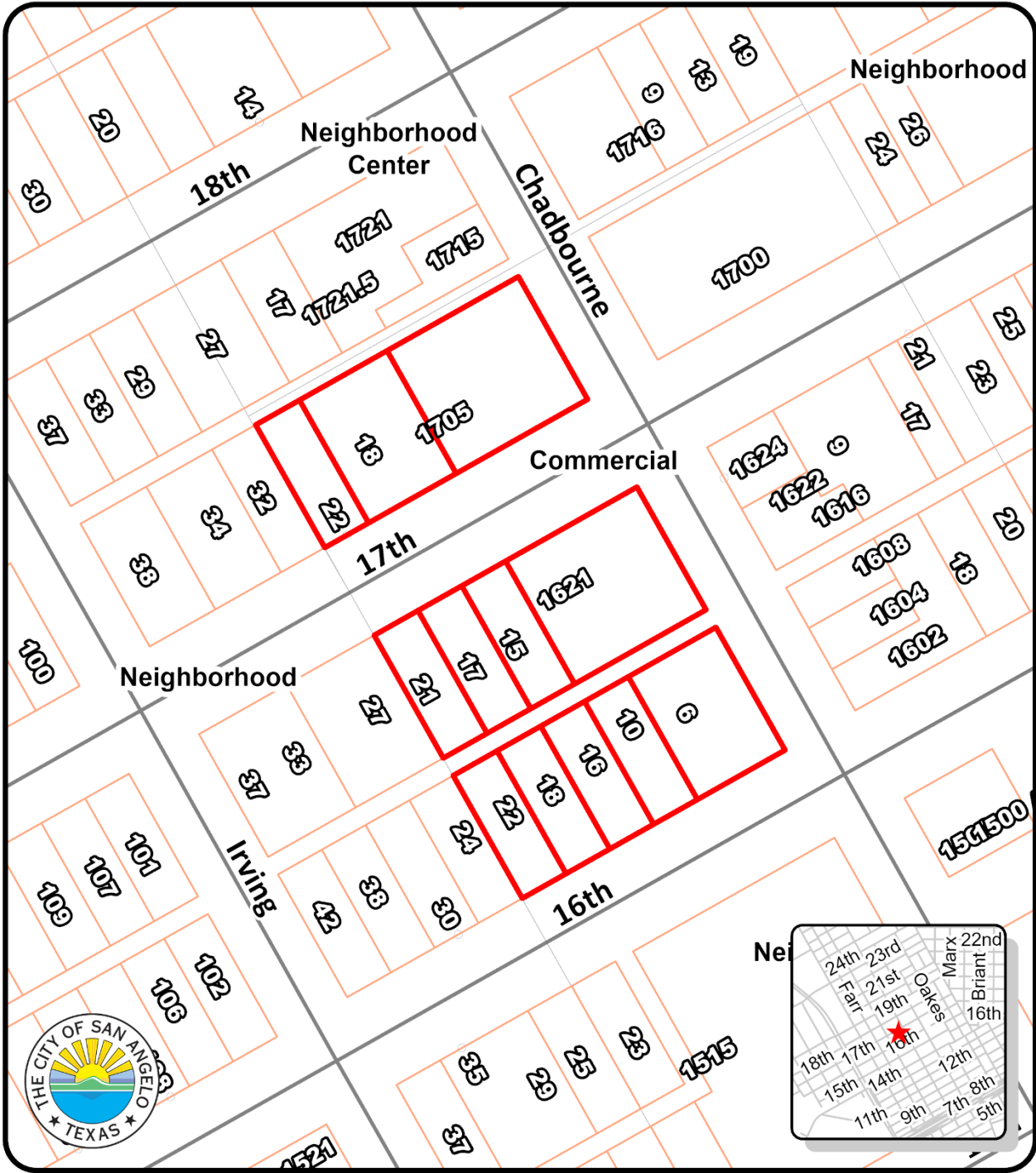
ATTEST:

APPROVED AS TO FORM:

Heather Stastny, City Clerk

Theresa James, City Attorney

Exhibit "A"



Zoning Map
CP23-05: 1621 N Chadbourne

Council District: #4 Lucy Gonzales
Neighborhood: Reagan

Subject Properties:



Scale: 0 0.01 0.01 0.03 0.04 0.06 Miles



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Austin Reed, Planning Technician, Planning Commission

Meeting Date: February 20, 2024

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance for Z23-20, a request to rezone from the Light Manufacturing zoning district to the General Commercial zoning district, being 7.39 acres located at 926 Humble Rd. (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)

Staff Recommendation:

Adopt

Summary/History:

A request to rezone the property at 926 Humble Road from Light Manufacturing (ML) to General Commercial (CG) in order to construct a banking facility. The Planning Commission voted unanimously 6-0 to recommend approval. The developer has a financial institution looking to locate there. This is a northern major entry point for our community and zoning for general commercial will allow the area to have economic growth through retail sales and services.

Funding Source(s):

Financial Impact:

Other Information/Recommendation:

The Planning Commission voted 6-0 recommend approval.

Attachments:

- | | |
|---|---|
| 1. Z23-20 926 Humble Rd Staff Report v2 | Z23-20 926 Humble Rd Staff Report v2.docx |
| 2. Zoning Ordinance Z23-20 v2 | Zoning Ordinance Z23-20 v2.docx |

Presentation:

Aaron Vannoy

Approvals/Reviews:

Austin Reed

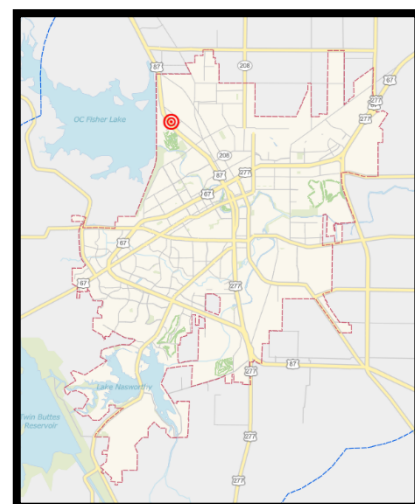
Created/Initiated

Aaron Vannoy
Brandon Dyson
Aaron Vannoy
Theresa James
Heather Stastny

Approved
Approved
Approved
Approved
Final Approval

STAFF REPORT
PLANNING COMMISSION – January 22, 2024
City Council First Reading - February 6, 2024
City Council Second Reading – February 20, 2024

APPLICATION TYPE:	CASE:		
Rezoning	Z23-20 – 926 Humble Road		
SYNOPSIS:			
The applicant is requesting a zone change from Light Manufacturing (ML) to General Commercial (CG). The owner intends to develop the land for a banking facility. The type of banking development intended, involving foot and/or vehicle traffic, is not allowed by right in Light Manufacturing and would require a rezoning.			
LOCATION:	LEGAL DESCRIPTION:		
East side of N. Bryant Blvd., north of Humble Rd.	Abst: A-0061 S-0315, Survey: C BECK, 7.3900 ACRES		
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #2 – Tom Thompson Neighborhood: Riverside	ML	Commercial	7.39 acres
THOROUGHFARE PLAN:			
N. Bryant Blvd, Major Arterial State Highway 87 - Humble Road, Minor Arterial			
NOTIFICATIONS			
13 notices were mailed out. At the time of this report, no notices have been returned.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the rezoning from Light Manufacturing to General Commercial.			
PROPERTY OWNER/PETITIONER:			
Petitioner: Brady M. Johnson The Bank and Trust, S.S.B.			
STAFF CONTACT:			
Austin Reed Planning Technician (325) 657-4210, Extension 1550 austin.reed@cosatx.us			



Information:

This is an older region of the city along a state highway. It is a high-traffic area that people pass when entering or exiting San Angelo, and it seems to be trending towards commercial. There is a large amount of open land to develop.

Planning Commission evaluation of appropriateness.

Section 213(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:

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 property is currently zoned Light Manufacturing (ML), while the Comprehensive Plan designates the area for "Commercial." Rezoning to General Commercial (CG) will help to bring the property into alignment with the "Commercial" Land Use designation in the City's Comprehensive Plan, updated in 2009.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.**
As proposed, this lot will meet all requirements for General Commercial (CG) zoning.
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.**
This rezoning is compatible with the surrounding area. The large tracts bordering just south of Humble Road are Heavy Commercial and actively developing for retail use. To the north and west are many large and/or vacant lots. To the east are very long Ranch and Estate (R&E) residential lots whose improvements are 700-900 feet away from the subject property. This is an open, high-traffic area that is largely undeveloped and welcoming towards commercial development.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.**
The lot is currently vacant and zoned for Light Manufacturing. The applicant wishes to develop the land for banking and potentially further retail in the future.
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.**
Staff does not anticipate any adverse environmental affects at this time. A review of drainage, grading, and stormwater will be conducted by Engineering Services to address any environmental issues through the subdivision platting process.

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

There are several residential developments in proximity of this area who stand to benefit from the development of what has, up to this point, been vacant land. Not only would this rezoning stand to serve those neighborhoods, but commercial zoning on a major road would serve all those who travel in and out from US Highway 87.

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 rezoning and its subsequent buildout would provide additional commercial traffic in an area that is only now beginning to develop.

Recommendation:

Staff recommends **APPROVAL** of the rezoning request.

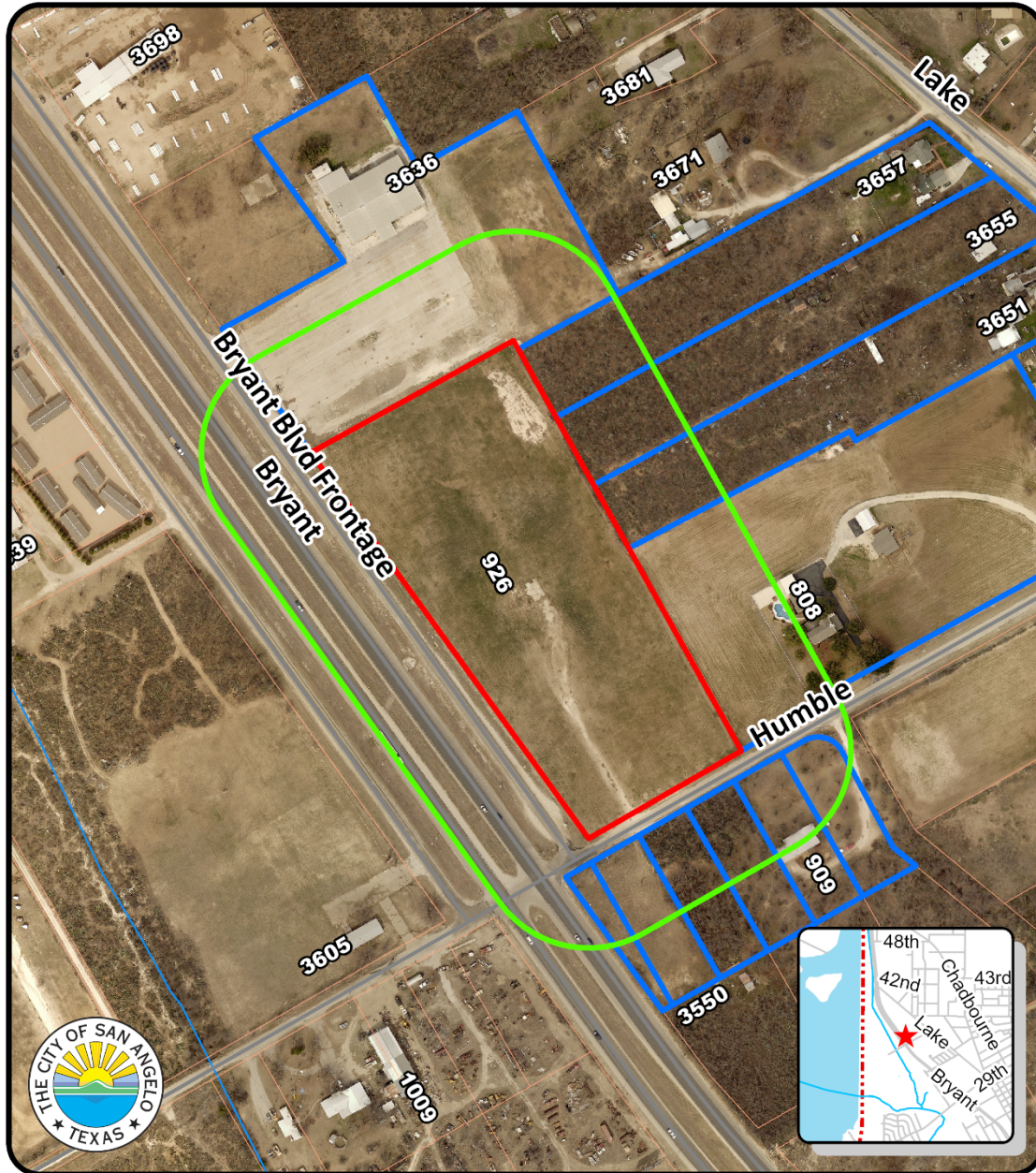
Attachments:

Notification Map

Aerial Map

Zoning Map

Notification Map



200' Notification Map Z23-20: 926 Humble Road

Council District: #2 Tom Thompson
Neighborhood: Riverside

Scale: 0 0.010.03 0.05 0.08 0.1 Miles

Subject Properties:



200' Buffer:



Notified Properties:



N



Aerial Map



Aerial Map

Z23-20: 926 Humble Road

Council District: #2 Tom Thompson

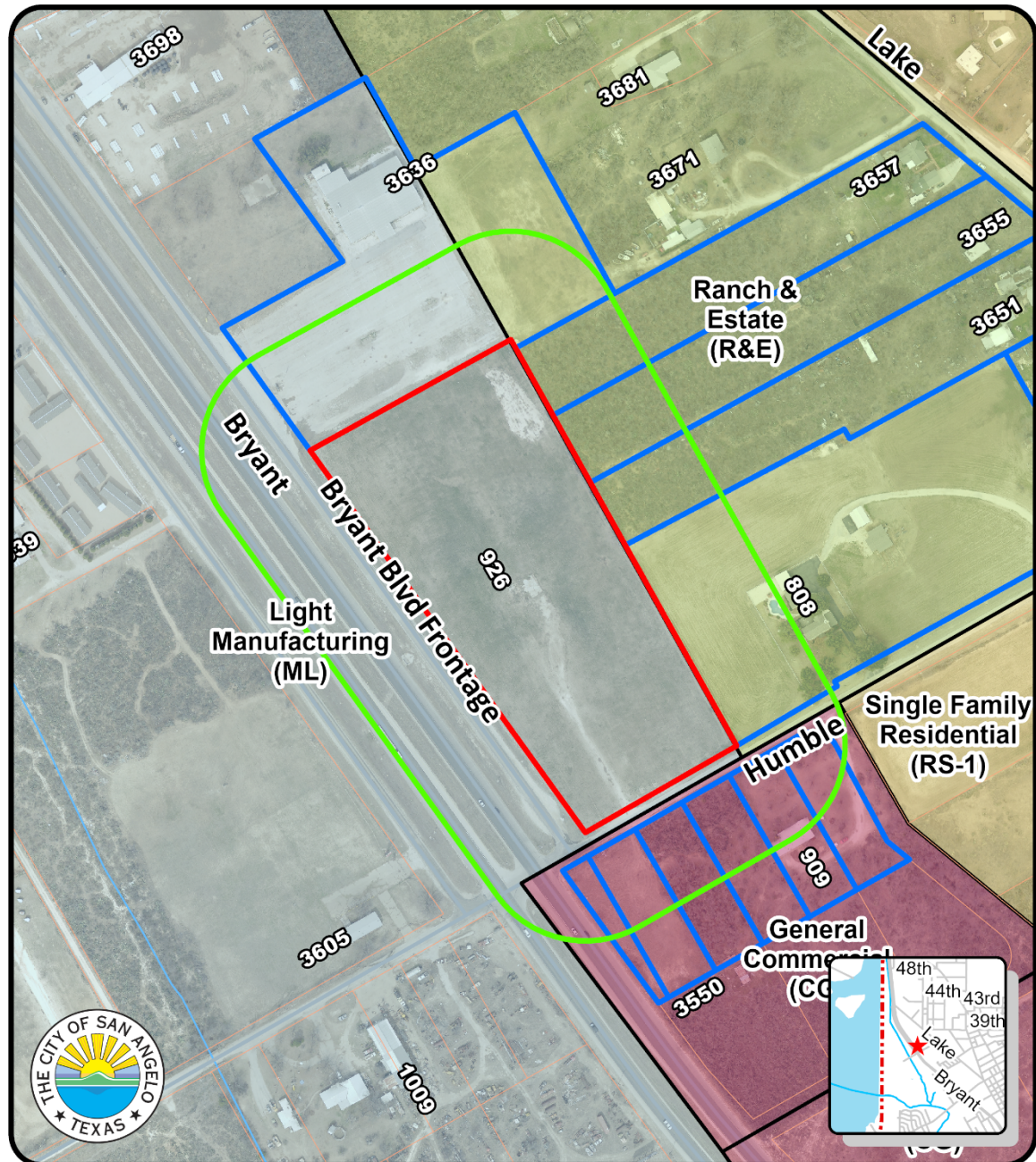
Neighborhood: Riverside

Subject Properties: —

Scale: 0 0.01 0.03 0.04 0.06 Miles



Zoning Map



Zoning Map

Z23-20: 926 Humble Road

Council District: #2 Tom Thompson

Neighborhood: Riverside

Scale: 0 0.010.03 0.05 0.08 0.1 Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —



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 CLASSIFICATION OF THE FOLLOWING PROPERTY: **APPROXIMATELY 7.39 ACRES LOCATED AT 926 HUMBLE ROAD**, (ABST: A-0061 S-0315, SURVEY: C BECK); FROM LIGHT MANUFACTURING ZONING DISTRICT (ML) TO GENERAL COMMERCIAL (CG); PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Z23-20: 926 Humble Road

WHEREAS, on the 22nd day of January, 2024, 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 General Commercial (CG) Zoning District; and,

WHEREAS, on the 20th day of February, 2024, City Council held a public hearing on Z23-20, 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 General Commercial (Cg) Zoning District:

The real property generally located 926 Humble Road, described as Abst: A-0061 S-0315, Survey: C Beck, 7.39 acres within the City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit “A” of this Ordinance.

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 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 **20th day of February, 2024**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of March, 2024**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

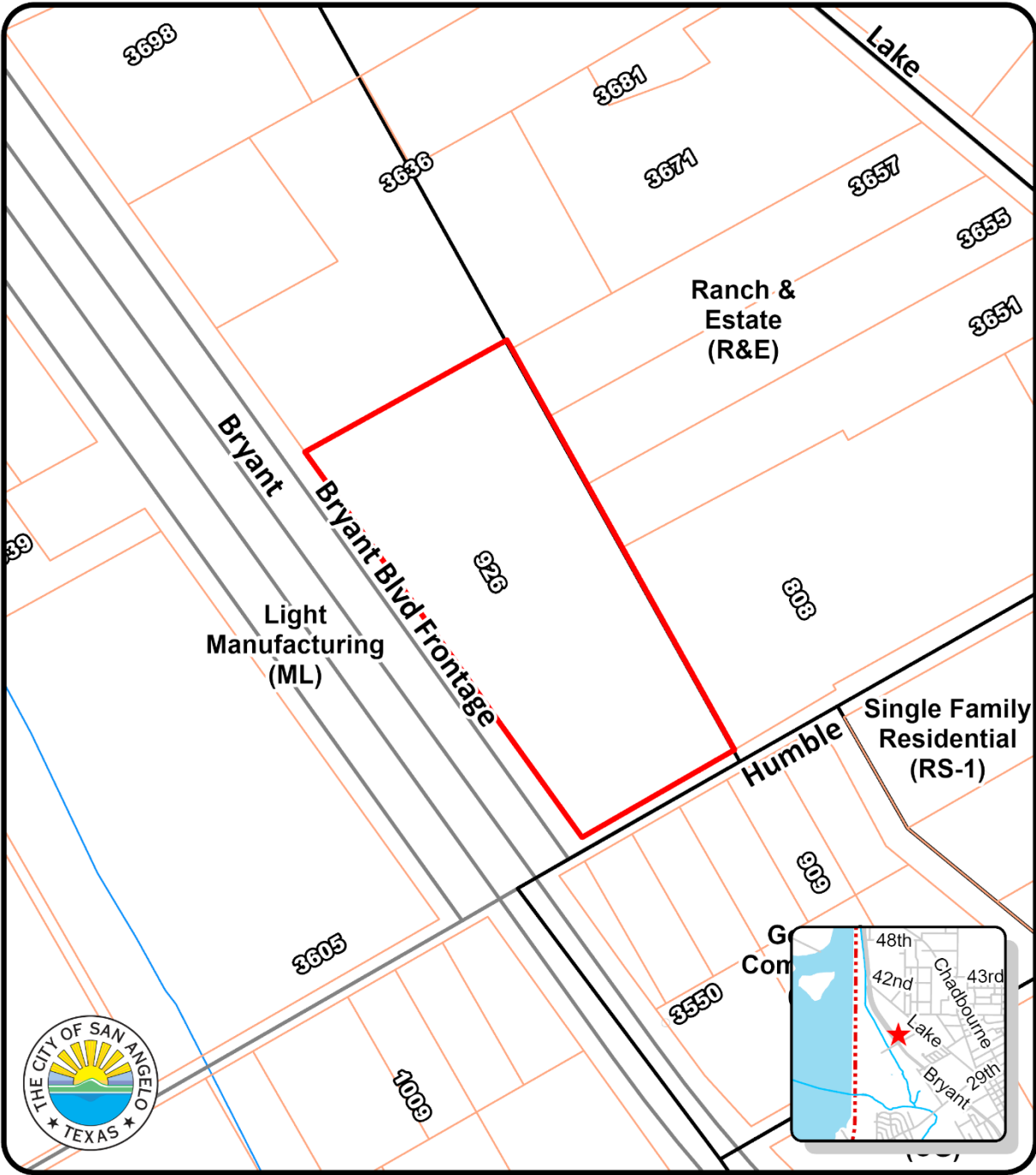
ATTEST:

APPROVED AS TO FORM:

Heather Stastny, City Clerk

Theresa James, City Attorney

Exhibit “A”



Zoning Ordinance Map

Z23-20: 926 Humble Road

Council District: #2 Tom Thompson

Neighborhood: Riverside

Subject Properties:



Scale: 0 0.010.03 0.05 0.08 0.1 Miles

N



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Aaron Vannoy, Assistant Director, Planning Commission

Meeting Date: February 20, 2024

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance for Z23-21, a request to expand the Open Structure Overlay map to include the following area of Angelo Heights neighborhood: the 1000, 3000, and 4000 blocks of Catalina Dr., 2000 and 3000 blocks of Nueces Dr., 1000 block of Louise Dr, 1000 block of Cordell Dr., 2700 block of Eunice Dr., and the 2700 block of Erline Dr. (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)

Staff Recommendation:

Adopt

Summary/History:

This originated from two Zoning Board Of Adjustment (ZBA) cases coming forward for carports in front yards. The ZBA Board requested staff to review the neighborhood and determine if an extension of the Open Structure Overlay adopted in 2003 by the City of San Angelo was an appropriate solution to allow open carports in this neighborhood. The staff reviewed the text and the neighborhood, finding 12 structures that were considered open in nature based on the ordinance. This extension of the overlay structure is a map extension and does not change the text or requirements of the Open Structure Overlay district. Staff brought maps and images of structures to the Planning Commission to review and discuss the extension of the district. The Planning Commission recommended and voted 6-0 in favor of extending the Open Structure Overlay map boundary to the Angelo Height Neighborhood.

Funding Source(s):

Financial Impact:

Other Information/Recommendation:

Attachments:

- | | |
|---|---|
| 1. Zoning Ordinance Z23-21 Open Structure Overlay | Zoning Ordinance Z23-21 Open Structure Overlay.docx |
| 2. Staff Report - Memo Open Structure - Council | Staff Report - Memo Open Structure - Council.docx |

Presentation:

Aaron Vannoy

Approvals/Reviews:

Aaron Vannoy

Aaron Vannoy

Brandon Dyson

Aaron Vannoy

Theresa James

Heather Stastny

Created/Initiated

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 AMENDING THE OFFICIAL ZONING MAP TO EXTEND THE BOUNDARY OF THE OPEN STRUCTURE OVERLAY ZONE TO INCLUDE THE FOLLOWING PROPERTY: **APPROXIMATELY 81 ACRES LOCATED IN THE ANGELO HEIGHTS NEIGHBORHOOD, THE 1000, 3000 AND 4000 BLOCKS OF CATALINA DR., 2000 AND 3000 BLOCKS OF NUECES DR., 1000 BLOCK OF LOUISE DR., 1000 BLOCK OF CORDELL DR., 2700 BLOCK OF EUNICE DR., AND THE 2700 BLOCK OF ERLINE DR.;** PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Z23-21: Open Structure Overlay map boundary extension

WHEREAS, on the 22nd day of January 2024, 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 extension of the Open Structure Overlay map boundary; and,

WHEREAS, on the 20th day of February 2024, City Council held a public hearing on Z23-21, 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 to be permanently included within the boundary of the Open Structure Overlay Zone:

The real property generally located within the Angelo Heights neighborhood being approximately 81 acres: The 1000, 3000, and 4000 blocks of Catalina Dr., 2000 and 3000 blocks of Nueces Dr., 1000 blocks of Louise Dr, 1000 blocks of Cordell Dr., 2700 Block of

Eunice Dr., and the 2700 Block of Erline Dr, City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit “A” of this Ordinance.

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 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 **20th day of February, 2024**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of March, 2024**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

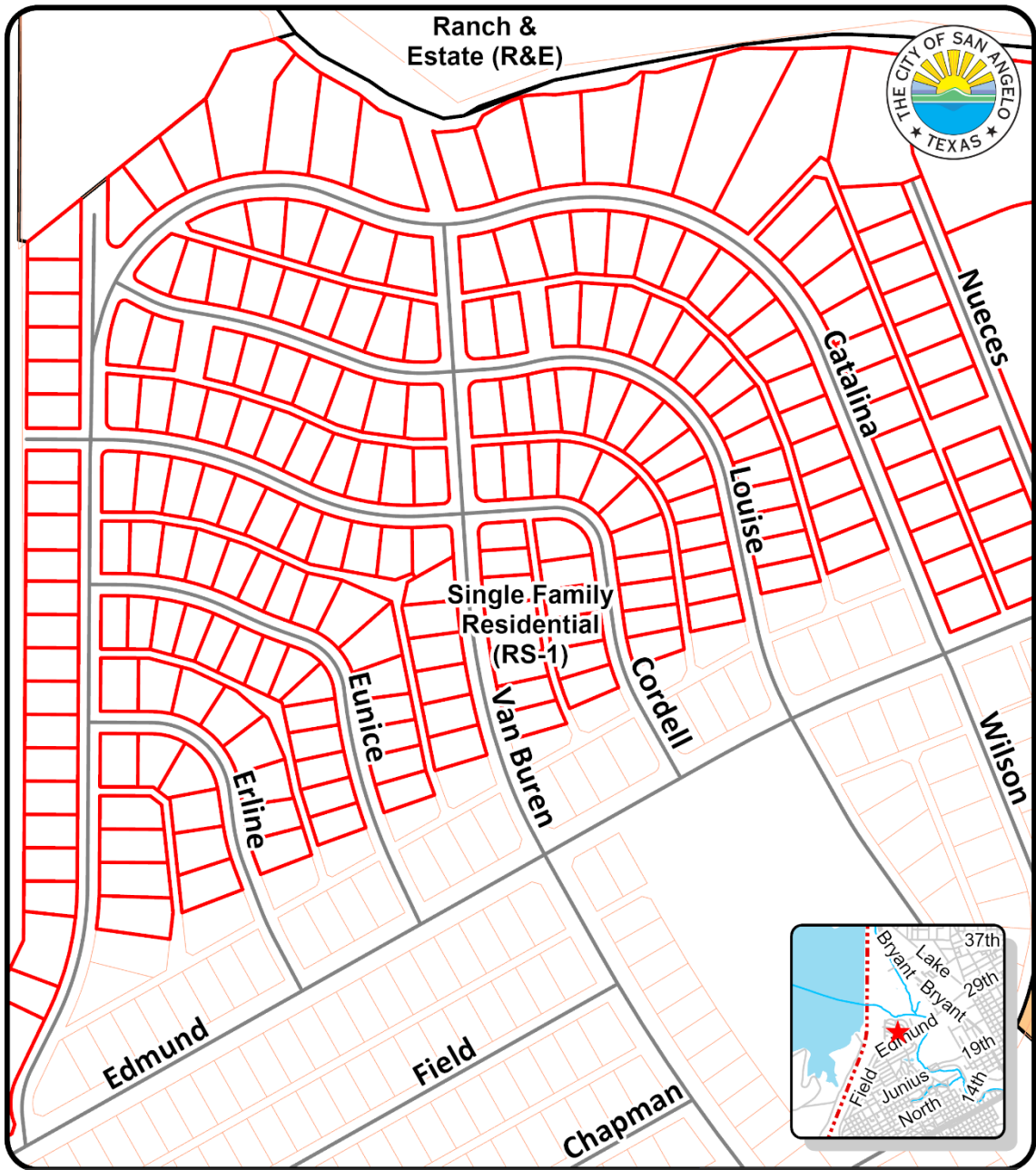
ATTEST:

APPROVED AS TO FORM:

Heather Stastny, City Clerk

Theresa James, City Attorney

Exhibit “A”



Ordinance Exhibit
Open Structure Overlay Expansion
Council District: #2 Tom Thompson
Neighborhood: Angelo Heights

Affected Properties: —

Scale: 0 0.010.03 0.06 0.09 0.12 Miles

N

MEMO

**Meeting**

Date: February 20, 2024

To: City Council

From: Aaron Vannoy
Assistant Director Planning and Development Services, City of San Angelo

Request: Expansion of Open Structure Overlay to the area of Angelo Heights neighborhood: The 1000, 3000, and 4000 blocks of Catalina Dr., 2000 and 3000 blocks of Nueces Dr., 1000 blocks of Louise Dr, 1000 blocks of Cordell Dr., 2700 Block of Eunice Dr., and the 2700 Block of Erline Dr. This is only a map expansion, no change to the text.

Background: Two carports, built without permits, were reported to the city for violations. Two cases came before the Zoning Board of Adjustment for review. ZBA has tabled the cases until the Planning Commission can have the discussion about the Open Structure overlay District and should it be expanded to this specific area. Since then, the Planning Commission took up the item for review and at the January 22, 2024 Planning Commission with an approval vote of 6-0.

Notification: 230 property owners have been notified via mail. Currently none in opposition and none in support of the map extension.

Current Data:

1746 Cordell Dr. - Metal Carport
1809 Cordell Dr. - Metal Carport
1614 Catalina Dr. - Metal Carport
1719 Catalina Dr. - Metal Carport
2718 Erline - Metal Carport
2714 Erline - Metal Carport
2749 Catalina Dr. Awning
1731 Catalina Dr. – Metal Porch
2732 Eunice – Metal Carport
2907 Catalina - Metal Carport
2807 Catalina - Metal Carport
2713 Erline - Metal Carport
2743 Catalina - Metal Carport

Average age of housing in the area: 44 years old, oldest appears to be 1969 and newest 2006. Most developments happened between 1969 and 1980.

Most housing has either a single car garage or two car garages. All housing also appears to meet the 25' setback in the RS-1 zoning district.

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 shows this area as Neighborhood. The Open Structure overlay doesn't change the current RS-1 single family zoning. It gives property owners the ability to construct an open structure which has reduced setbacks but design criteria to allow protection of property while maintaining conformity of look and feel of the neighborhood.

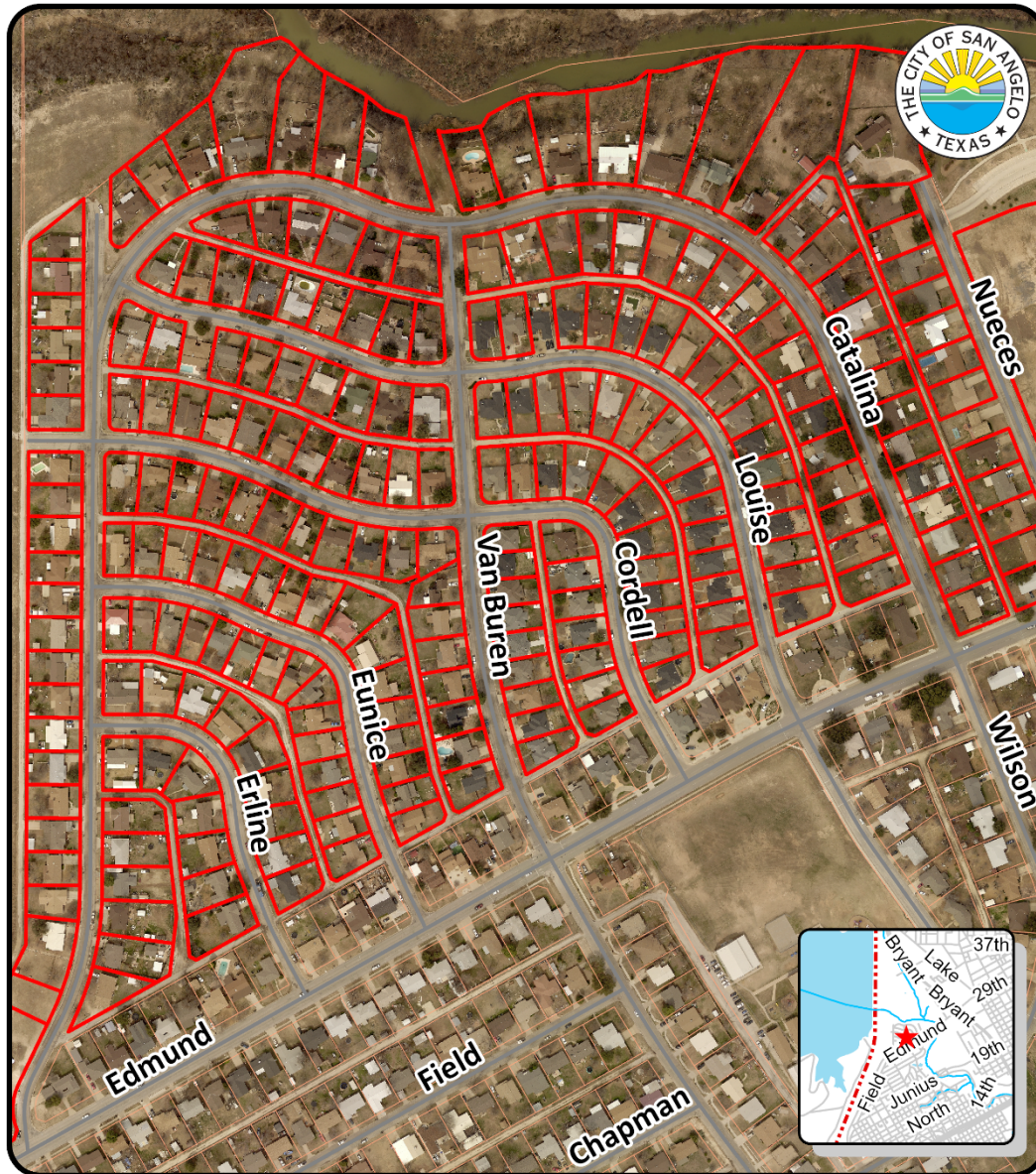
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* The proposed rezoning will not conflict with the Zoning Ordinance. This allows for carports and other open structures to have a reduced setback typically designed for properties which have no garage or only a single garage.
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 area which faces Edmund and to the south already has the open structure overlay. This simply allows this neighborhood to have the ability to construct open structures with the correct permits and design.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* This would change the front setbacks for an open structure allowing the structure to be within 5' of the front property line. On most streets there is a 5' right of way and the property line, thus an additional 5' back of the property line would give a clear view of over 10' and the structure must be open so visibility can be maximized.
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.* None anticipated at this time.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Open structures have been popping up in the neighborhood. This request to expand the Open Structure Map would allow the open structures; however, many of those would still need to come into compliance with design.
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 development patterns for San Angelo have seen over the past few years seen more open structures being erected in various parts of town. This would allow those structures to be legal; provide permits and design are correct under the Open Structure Overlay.

Recommendation:

Staff recommends **APPROVAL** of the request to expand the Open Structure Overlay map to area of Angelo Heights neighborhood: The 1000, 3000, and 4000 blocks of Catalina Dr., 2000 and 3000 blocks of Nueces Dr., 1000 blocks of Louise Dr, 1000 blocks of Cordell Dr., 2700 Block of Eunice Dr., and the 2700 Block of Erline Dr.

Attachments:

Aerial Map
Future Land Use – Comprehensive Plan
Zoning Map
Notice Map



Affected Properties Exhibit

Open Structure Overlay Expansion

Council District: #2 Tom Thompson

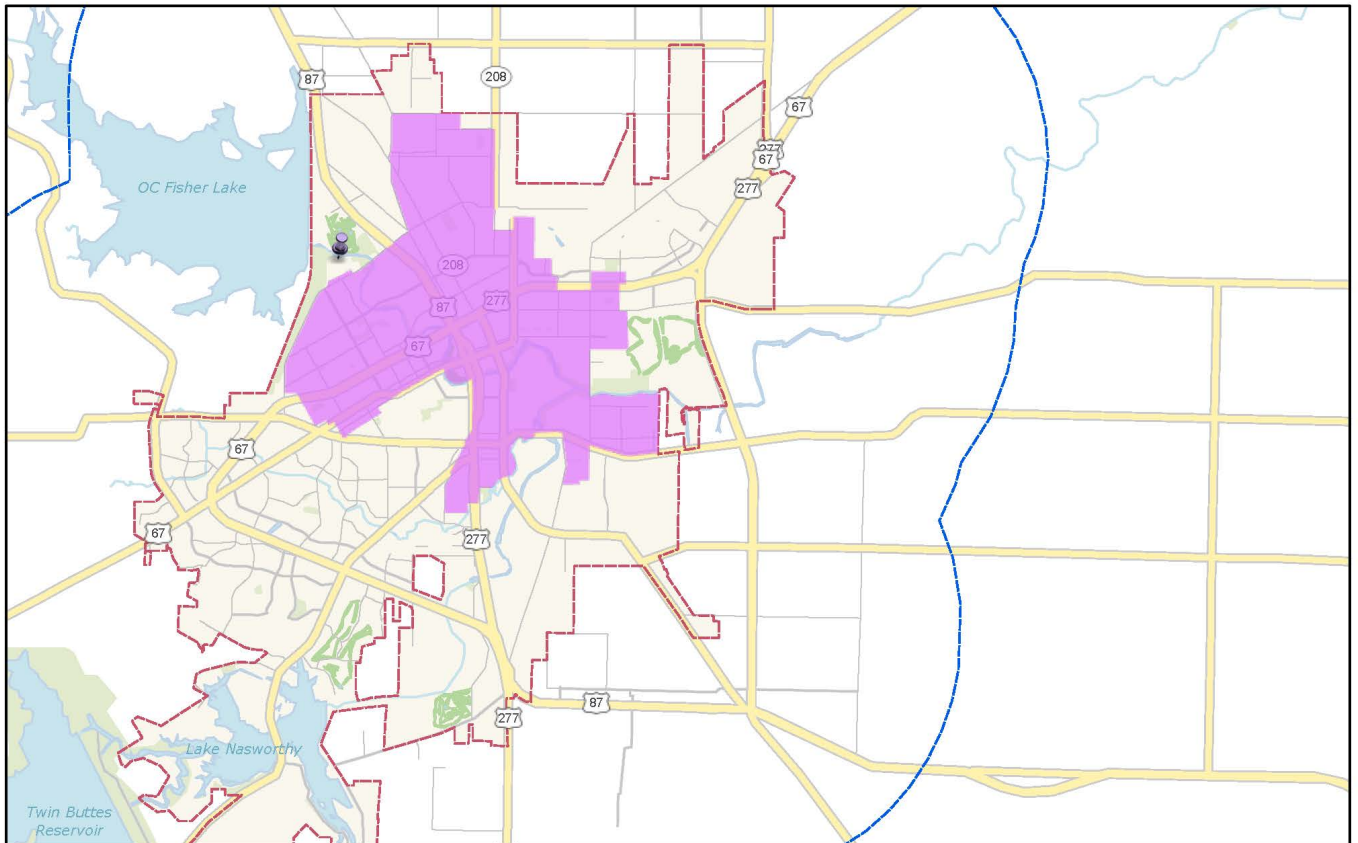
Neighborhood: Angelo Heights

Scale: 0 0.010.03 0.06 0.09 0.12 Miles

Affected Properties: —

N

Open Structure Overlay



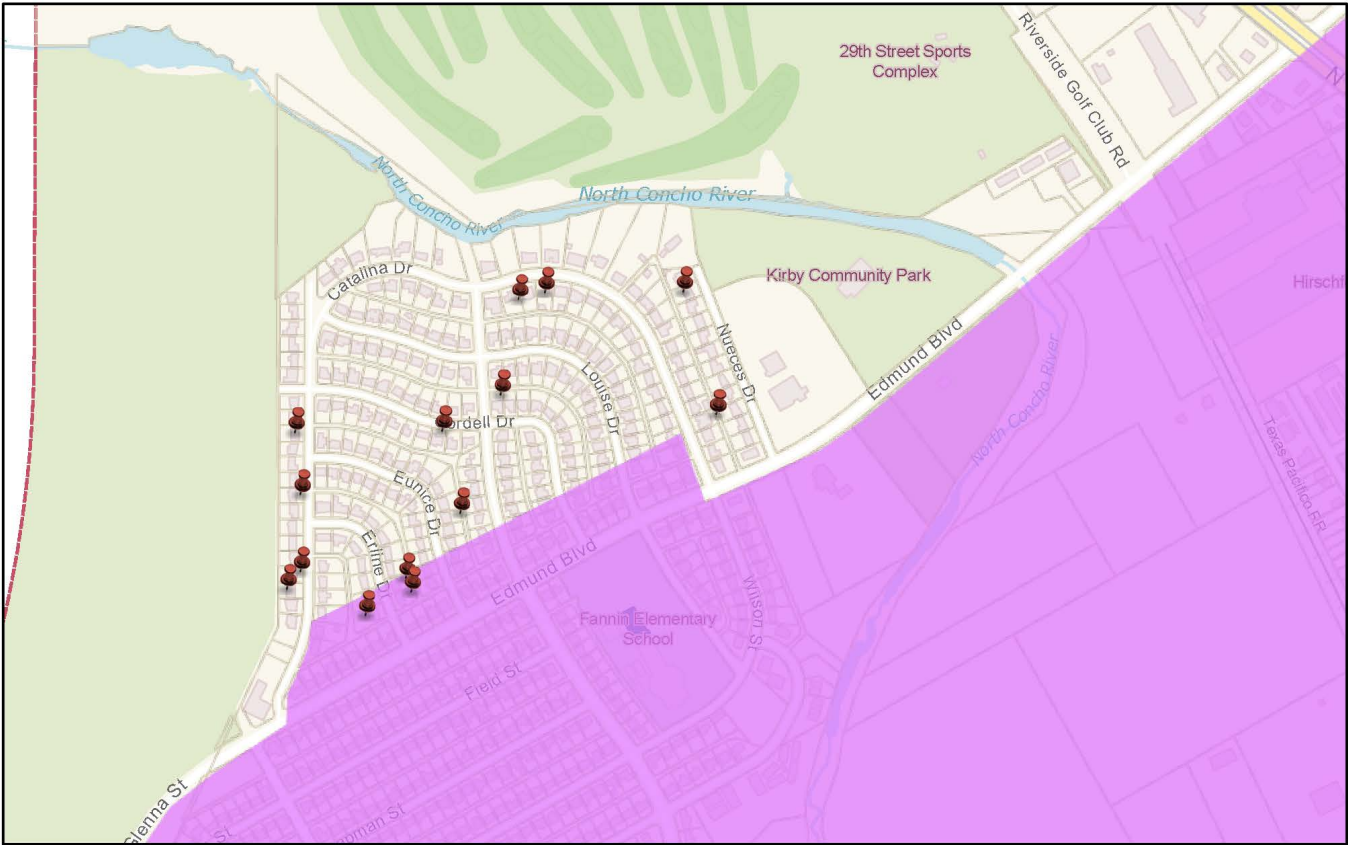
11/20/2023, 7:10:46 AM

 Open Structures Overlay Zone

1:144,448
0 1 2 4 mi
0 1.5 3 6 km
COSA GIS Division

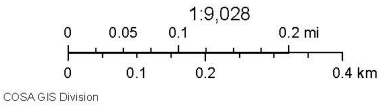
ArcGIS Web AppBuilder
none | COSA GIS Division | COSA GIS Divisions | City of San Angelo Copyright 1987-2014 |

Open Structure extension



11/15/2023, 3:15:28 PM

- Open Structures Overlay Zone
- Parcels







REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: February 20, 2024

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance for PD23-08, a request to rezone from the Ranch & Estate zoning district to the Planned Development zoning district with an underlying General Commercial zoning, allowing kennels, parking, exercise area, staff area and the housing of dogs, cats, and small animals awaiting adoption, being 5.436 acres located at 1521 S. Concho Park Dr. (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)

Staff Recommendation:

Adopt

Summary/History:

The applicant, the City of San Angelo Community Development Department, has applied for a rezoning of Abst: A-0059 S-0166 Survey: G Blum; 5.436 acres (Old SAFD Fire Training Center); from Ranch and Estate (R&E) to a Planned Development (PD) with an underlying base of General Commercial (CG). This is a temporary location while the main animal shelter is being renovated. This location, being city owned, is a good distance away from current residential areas and along a major thoroughfare where visibility could assist in future adoption events. The Planning Commission voted 6-0 in favor of the recommendation of the planned development.

Funding Source(s):

Financial Impact:

NA

Other Information/Recommendation:

The Planning Commission at their January 2024 meeting, voted unanimously to recommend approval, 6-0.

Attachments:

- | | |
|------------------------------|--------------------------------|
| 1. Staff Report PD23-08 rev. | Staff Report PD23-08 rev..docx |
| 2. Ordinance (PD23-08) | Ordinance (PD23-08).docx |

Presentation:

Aaron Vannoy

Approvals/Reviews:

Sherry Bailey

Sherry Bailey

Brandon Dyson

Aaron Vannoy

Theresa James

Heather Stastny

Created/Initiated

Approved

Approved

Approved

Approved

Final Approval

STAFF REPORT – PD23-08

Planning Commission: January 22, 2024

City Council 1st reading: February 20, 2024



APPLICATION TYPE:		CASE:	
Rezoning		PD23-08: 1521 S Concho Park Drive	
SYNOPSIS:			
The applicant, the City of San Angelo Community Development Department, has applied for a rezoning of Abst: A-0059 S-0166 Survey: G Blum; 5.436 acres (Old SAFD Fire Training Center); from Ranch and Estate (R&E) to a Planned Development (PD) with an underlying base of General Commercial (CG) and Open Space (OP). This allows a base zoning of Open Space on existing City Land with recreational and Open Space plans and with the ability to allow commercial development and perhaps the eventual sale of a portion of the property (2 acres) located at 1521 S Concho Park Drive.			
LOCATION:		LEGAL DESCRIPTION:	
1521 S Concho Park Drive		Abst: A-0059 S-0166 Survey: G Blum; 135 acres (Old SAFD Fire Training Center);	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Glenmore Neighborhood	R&E to PD	Open Space and General Commercial	5.436 Acres
THOROUGHFARE PLAN:			
E. Avenue L: Major Throughfare, 90 Feet width – ROW; 56 feet – paving: Existing 135 ft. ROW; 51 ft. paving S. Concho Park Dr. Local Street 100 ft. ROW 36 ft. paving			
NOTIFICATIONS:			
4 notifications mailed within 200-foot radius on 12/27/2023. We have received zero in support and zero in opposition at this time.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the rezoning from Ranch & Estate to Planned Development of the property located at 1521 S Concho Park Drive with three conditions .			
PROPERTY OWNER/PETITIONER:			
Owner: City of San Angelo Petitioner: Community Development Department			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Ext 1546 Sherry.bailey@cosatx.us			

Additional Information: The petitioner intends to convert existing structure for indoor animal pens. They also intend to build exercise pens or yards, additional holding pens and exercise pens. The 3,900 sq. ft. building will be converted into storage and staff offices. Later on, staff would like to convert some of the property into event areas and parking for animal support event workers and people who want to come out and work with the animals. There would also be an area along the river for trail development and public river use or exercise area.

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 has this area as Open Space with some 2 acres of Commercial development. The intended use would fit with the Comprehensive Plan.
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 zoning in the area is Ranch & Estate, which lends itself to one acre lots and open space. The intended use on the City land is compatible with that use.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** The surrounding area is zoned R&E, with Single Family Residential across the local street. There is a small area of commercial zoning where E. Avenue L joins Paint Rock Road. The proposed use would be consistent with the small area of retail commercial.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** This area was used as a Fire Training Center but has not been used that way for a number of years. This area has been in a holding pattern for a number of years.
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 are no anticipated adverse effects on neighboring properties.
6. **Community Need.** **Whether and the extent to which the proposed amendment addresses a demonstrated community need.** Staff believes that this type of use would have greater visibility at this site and therefore a better chance of meeting the needs of the community service.
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.** It provides a compatible transition for a low density use area.

Recommendations:

Staff recommends **APPROVAL** of the rezoning from Single-family Residential to Planned Development Abst: A-0059 S-0166 Survey: G Blum; 5.436 acres (Old SAFD Fire Training Center located at 1521 S Concho Park Drive with **three conditions**:

Conditions of Approval:

1. Any new signage will require approval from the Planning and Development Services department.
2. All new site lighting on the premises shall be shielded, downward emitting and configured in such as manner as to satisfactorily minimize or eliminate light trespass onto adjacent residential uses or lands.
3. A site development plan will need to be submitted showing the different land use areas, building development plans, fenced area plans and the recreational, trail area that is to be set aside for development.

Attachments:

Approved Plat
Zoning Map
Notice Map

Red triangle is 2 acres for Animal Control use



Aerial Map

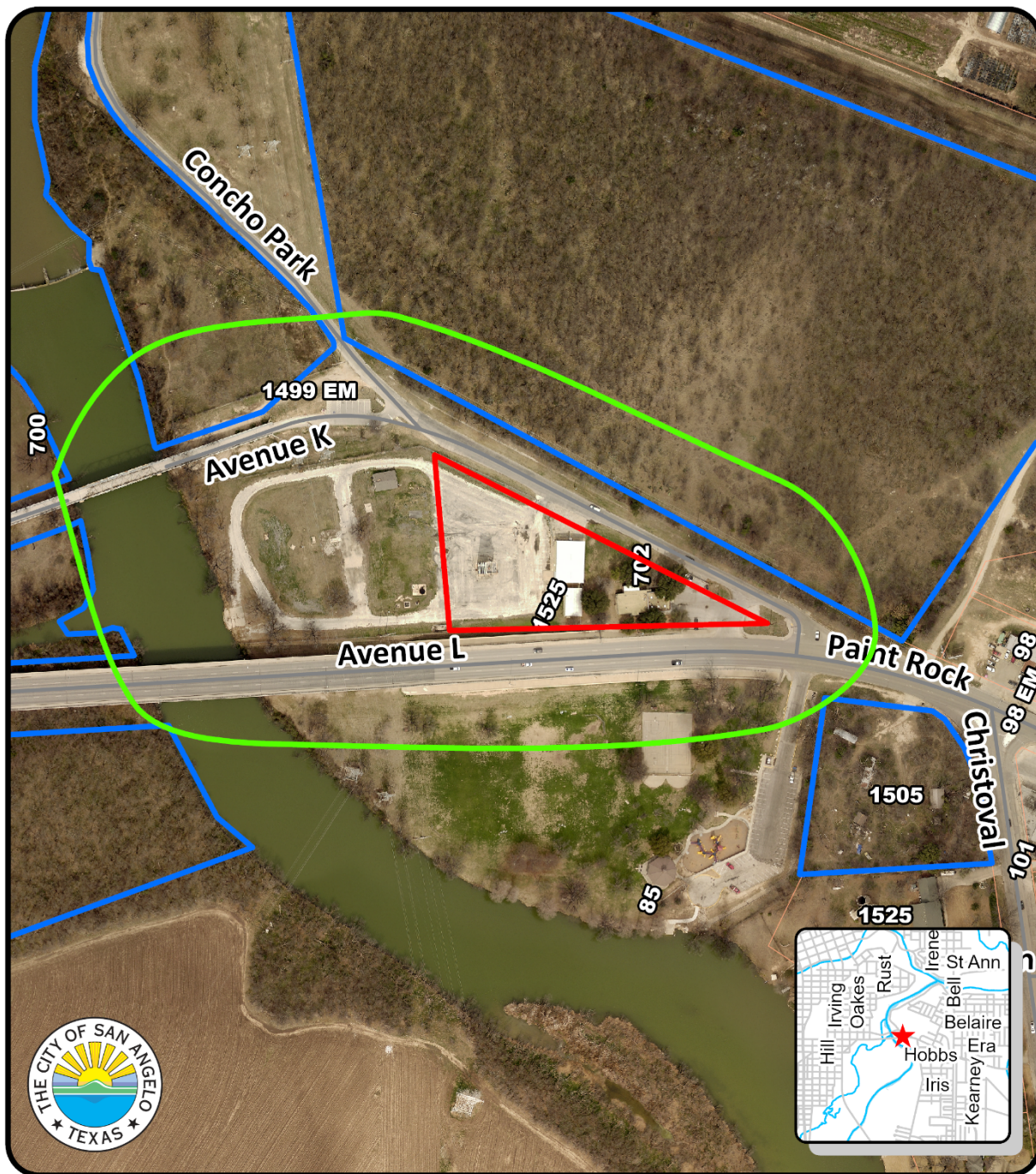
PD23-08: 1521 S Concho Park

Council District: #3 Harry Thomas
Neighborhood: Glenmore

Subject Properties: —

Scale: 0 0.01 0.03 0.05 0.08 0.1 Miles





200' Notification Map
PD23-08: 1521 S Concho Park

Council District: #3 Harry Thomas
Neighborhood: Glenmore

Scale: 0 0.010.03 0.05 0.08 0.1 Miles

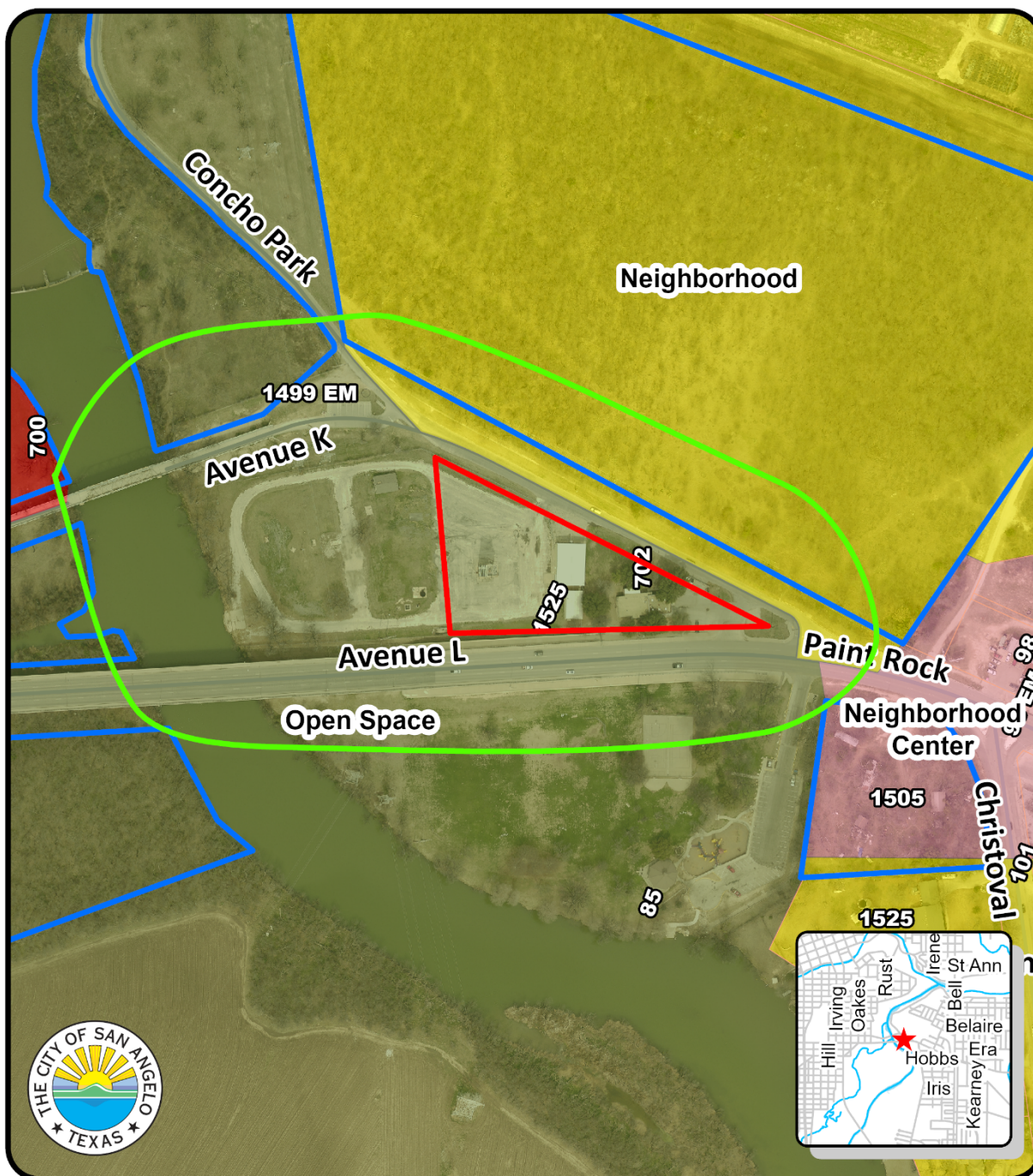
Subject Properties: —

200' Buffer: —

Notified Properties: —

N





Vision Map

PD23-08: 1521 S Concho Park

Council District: #3 Harry Thomas
 Neighborhood: Glenmore

Scale: 0 0.01 0.03 0.05 0.08 0.1 Miles

Subject Properties:



200' Buffer:



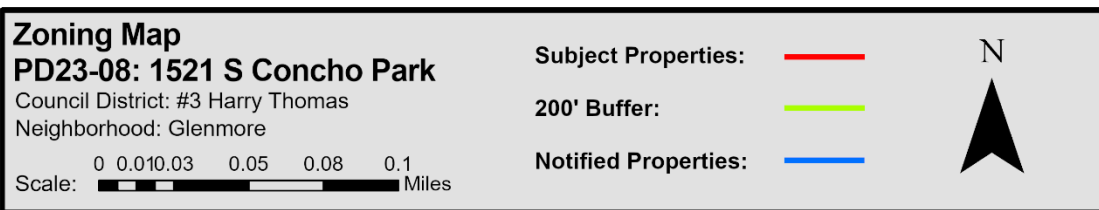
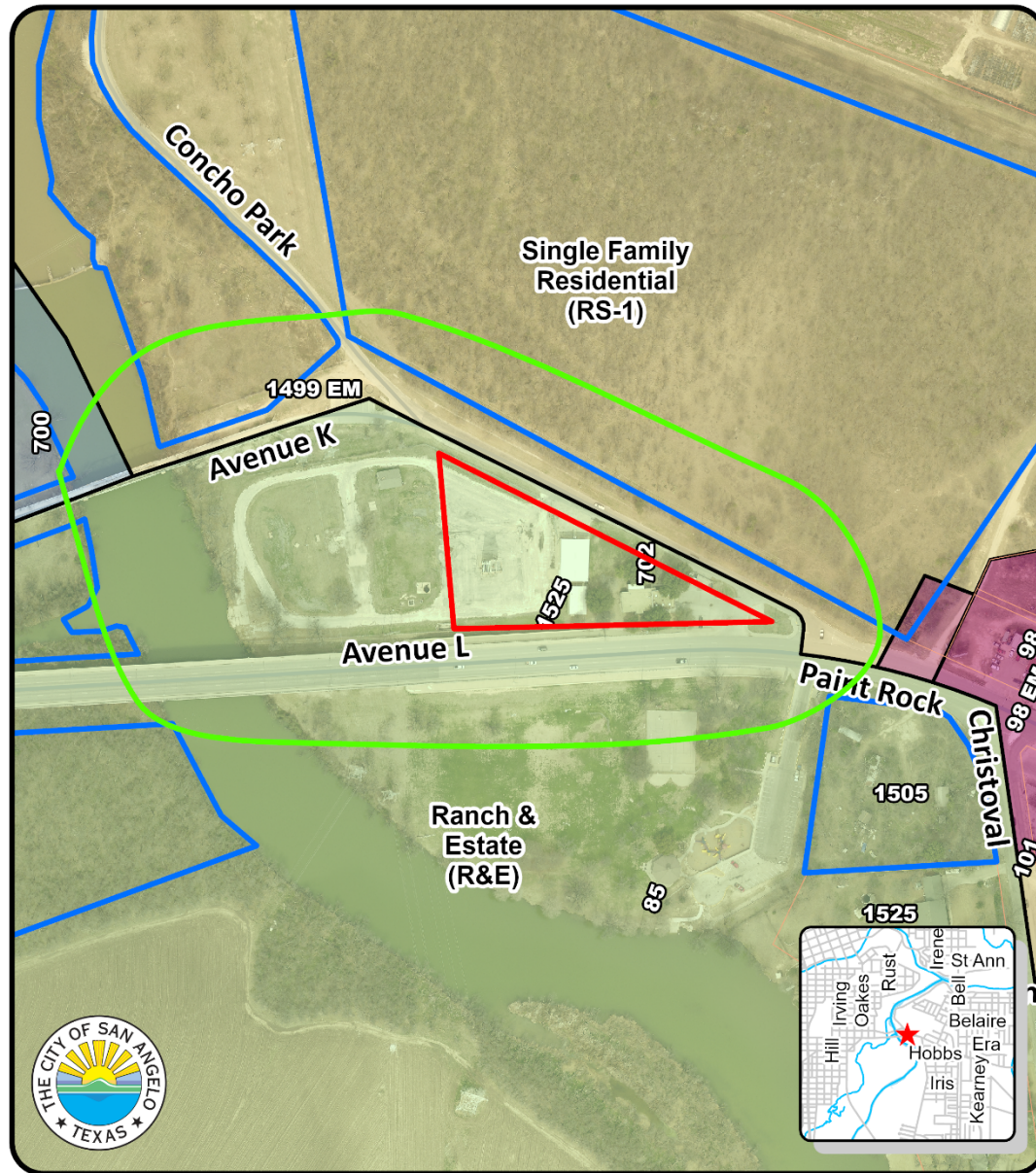
Notified Properties:



N



Planned Development (PD with underlying Open Space and General Commercial)







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: **APPROXIMATELY 5.436 ACRES LOCATED AT 1521 SOUTH CONCHO PARK DRIVE**; FROM THE RANCH AND ESTATE (R&E) ZONING DISTRICT TO A PLANNED DEVELOPMENT (PD) ZONING DISTRICT WITH AN UNDERLYING BASE ZONING OF GENERAL COMMERCIAL (CG); PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: PD23-08: 1521 SOUTH CONCHO PARK DRIVE

WHEREAS, on the 22nd day of January, 2024, 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 (PD23-08) Zoning District to allow for an underlying base zoning of General Commercial (CG) subject to the development standards as outlined in the Ordinance, and,

WHEREAS, on the 20th day of February 2024, City Council held a public hearing on PD23-08, 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 (PD23-08) ZONING DISTRICT:

The real property is generally located at 1521 South Concho Park Drive, City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit “A” of this Ordinance.

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 property shall be subject to all applicable regulations contained in **Exhibit “B”** 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 **20th day of February, 2024** , and finally PASSED, APPROVED AND ADOPTED on this the **5th day of March, 2024**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

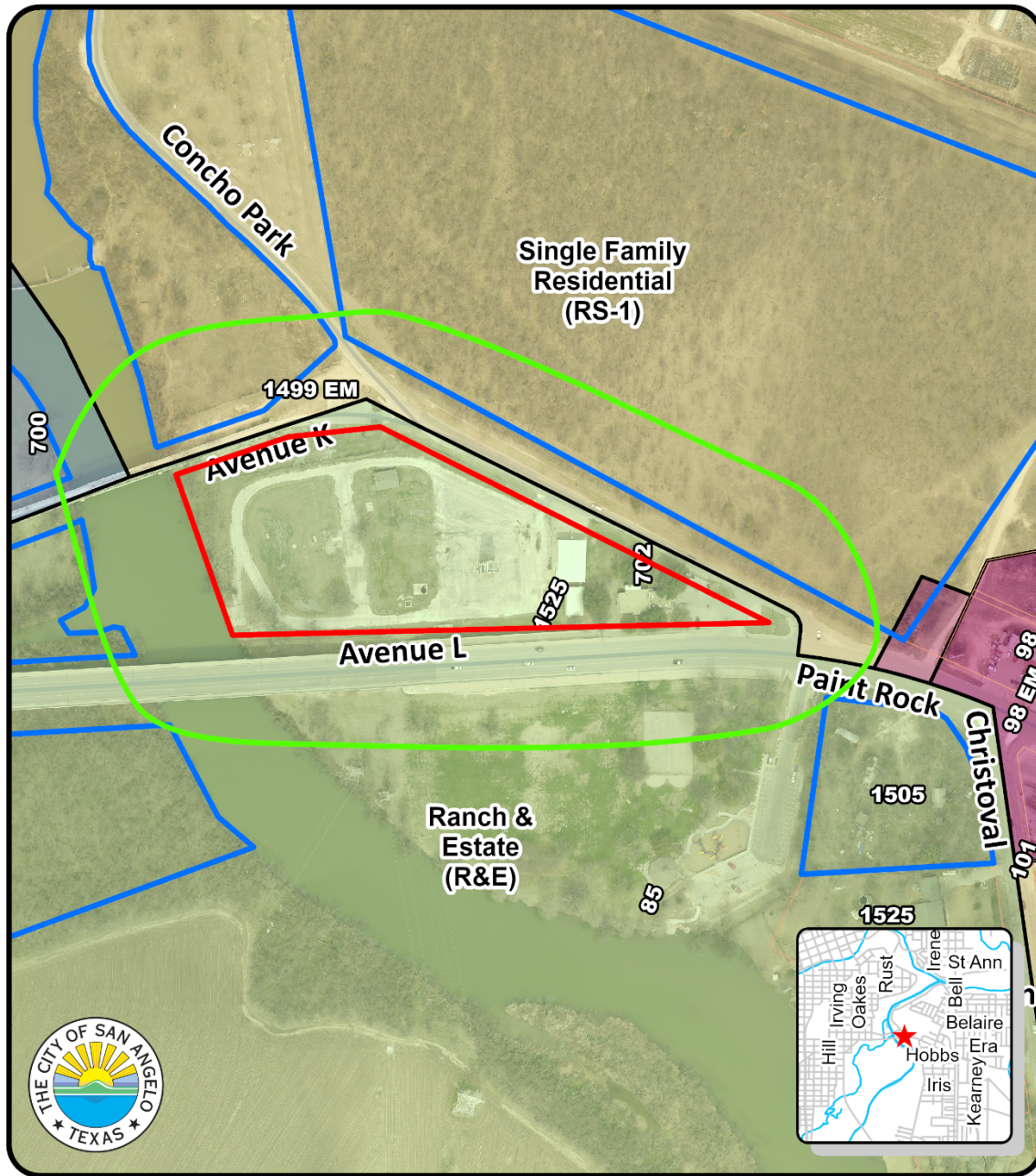
ATTEST:

APPROVED AS TO FORM:

Heather Stastny, City Clerk

Theresa James, City Attorney

Exhibit "A" (PD Boundary Map)



Zoning Map

PD23-05: 1521 S Concho Park

Council District: #3 Harry Thomas

Neighborhood: Glenmore

Scale: 0 0.010.03 0.05 0.08 0.1 Miles

Subject Properties:



200' Buffer:



Notified Properties:



N



Exhibit “B”

Applicable Regulations

The underlying zoning of PD23-08 shall be General Commercial (CG) with allowed uses including kennels, parking, exercise area, staff area and the housing of dogs, cats and small animals awaiting adoption, subject to the following regulations:

1. Any new signage will require approval from the Planning and Development Services department.
2. All new site lighting on the premises shall be shielded, downward emitting and configured in such a manner as to satisfactorily minimize or eliminate light trespass onto adjacent residential uses or lands.
3. A site development plan will need to be submitted showing the different land use areas, building development plans, fenced area plans and the recreational trail area this is to be set aside for recreational development.
4. Upon sale of any portion of the property, the Planned Development (PD23-08) as to that portion sold, will be revoked and the underlying General Commercial (CG) zoning district will apply.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: February 20, 2024

Item type: Regular Item

Caption:

Consider a request for an appeal of the Planning Commission's denial of Conditional Use 23-53 for a Short Term Rental located at 2301 Palms Court (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)

Staff Recommendation:

Approve

Summary/History:

CU23-53 2301 Palms Ct, a request for a Conditional Use for a Short Term Rental was heard by the Planning Commission on December 18, 2023. The Planning Commission voted 5-0 to Deny the Conditional Use for a Short Term Rental. The property was operating as a Short Term Rental prior to seeking a conditional use. There are several surrounding neighbors which are opposed to the Conditional Use. Currently, we have a record of 7 properties within the 200' notification area which are opposed and zero in favor at this time. Mainly, property owners believe deed restrictions would prevent this from happening in their neighborhood. However, the City can not consider restrictions on items such as this. City staff have reviewed the request compared to the Zoning Ordinance Sec 406. At this time, we recommend approval based on the information provided.

Funding Source(s):

Financial Impact:

Other Information/Recommendation:

Attachments:

- | | | |
|----|---------------------------|---|
| 1. | CU23-53 200' Notification | [http][v][CU23-53 200' Notification].docx |
| 2. | CU23-53 Letter of Denial | CU23-53 Letter of Denial.docx |

Presentation:

Aaron Vannoy

Approvals/Reviews:

Sherry Bailey

Jon James

Aaron Vannoy

Brandon Dyson

Aaron Vannoy

Theresa James

Heather Stastny

Created/Initiated

Approved

Approved

Approved

Approved

Approved

Final Approval



The City Of
San Angelo, Texas
Planning Division
52 West College Avenue, 76903

PHELPS DON TRUSTEE/PHELPS FMLY TRT
8124 FM 2111
WINTERS, TX 79567-7443

NOTICE OF PUBLIC HEARING

RE: CU23-53 Appeal

1/25/2024

An appeal has been filed on the conditional use case located at **2301 Palms Court**, San Angelo, Texas. On Monday, December 18, 2023, the Planning Commission for the City of San Angelo **denied the conditional use request for a short-term rental at 2301 Palms Court**. The appeal on this case will be heard by City Council with a public hearing on **Tuesday, February 20, 2024, at 8:30 AM in McNease Convention Center 501 Rio Concho Dr., San Angelo, Texas 76903**.

Operator: Crystal Grubbs 432-528-6903/979-480-4320

This hearing is open to any interested person. Opinions, objections and/or comments on this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form you may cut off, fill out, and mail. Comments are also accepted by email, as listed below.

The attached map shows the notification area of this request. Only the property bounded by the red line on the map is being considered for this request. The green boundary line around the subject property is the notification area.

If you have questions or would like to submit a comment about these proceedings, please contact **the planning department** at telephone 325-657-4210 or by email address planning@cosatx.us.

CASE #: CU23-53 Appeal

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Name: PHELPS DON TRUSTEE/PHELPS FMLY TRT
Parcel I.D.: 29655
Address: 8124 FM 2111

Email: planning@cosatx.us

I am in favor ☐

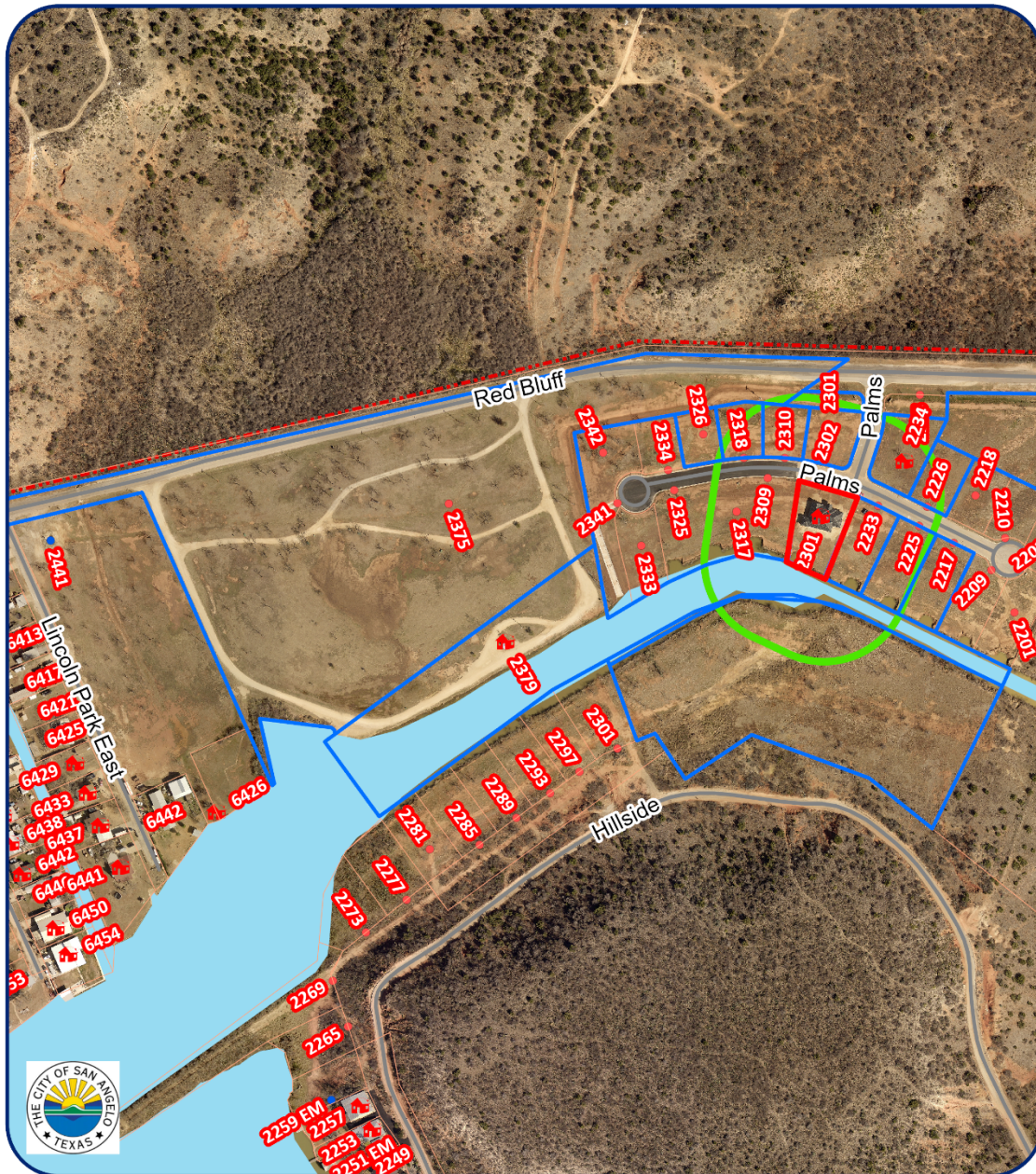
I am opposed ☐

Additional Comments:

Signature: _____



The City Of
San Angelo, Texas
Planning Division
52 West College Avenue, 76903



200' Notification Map

CU23-53 - 2301 Palms Ct

Council District: #1 Tommy Hiebert

Neighbourhood: Nasworthy

Scale: 0 0.01 0.03 0.06 0.09 0.12
Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —

N





The City Of

San Angelo, Texas

Planning Division

52 West College Avenue, 76903

December 19, 2023

Crystal Grubbs/Justin Sowards
2301 Palms Court
San Angelo, TX 76904
crysgrubbs@utexas.edu

Subject: CU23-53: 2301 Palms Court: A request for approval of a Conditional Use to allow a short term rental as defined in sec. 406 the Zoning Ordinance in RS-1 residential zoning, located at 2301 Palms Court..

In accordance to City of San Angelo Ordinance, Chapter 12, Exhibit A, Article 4, Section 406, #4, the above Conditional Use application for a short term rental, on the aforementioned property was **Denied** by the Planning Commission at their meeting on December 18, 2023. The decision was based on the fact that the applicants are operating a Short-Term Rental without receiving approval from the Planning Commission, being inspected by the Building Permits Division and having applied for and received a Change of Occupancy from the Building Department. (Your listing on AB&B and Verbo showed past rentals) Also, the Planning Department has received nine letters of complaint from adjacent property owners and a copy of the CC&R's of the subdivision as cited by the letters of complaint limiting occupancy to owners and their families.

You have 30 days from the 18th of December to file an appeal of the Planning Commission action with the City Council. The letter requesting the appeal should be directed to the Asst. Director of Planning or to myself.

You listed the 2301 Palms Court address as your contact address, but I received the meeting notice back so I am sending this letter by email.

If you have any questions concerning these proceedings, please do not hesitate to contact me at 325-657-4210, Extension 1546.

Sincerely,

Sherry Bailey
Sherry L. Bailey
Principal Planner
City of San Angelo

Survey Details

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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: Katherine Bunker
Address: [REDACTED]
ZIP code: 76901
Home/mobile phone: [REDACTED]
Office/mobile phone: [REDACTED]
Resident of San Angelo since: (year) 2007
City Council Single-member District in which you reside: 5
Registered San Angelo voter? (yes or no) yes
Occupation/business affiliation: Angelo State Universit
Occupation/business address: 2601 W. Avenue N San Angelo, TX 76909
Title/position: Instructor
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

9/20/2023

4. Applying for:

(o) Public Art Commission

5. Recommended by:

(Name): Julie Raymond

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:

Masters in Fine Arts, Sculpture from Texas Tech University

Bachelor of Arts, Incarnate Word University

Current municipal and civic organization memberships (positions and dates):

Member of San Angelo Art Club (2022-present)

Honorary Sister of Tau Beta Sigma (2021)

Previous municipal experience (positions, dates, where):

Naturalist at San Angelo Nature Center, 2008-2017

What personal qualifications can you bring to the board?

Experience as a working artist for over twenty years, with multiple national and regional awards

Experience as an art instructor at the middle school through university levels

Experience judging VASE art competitions for SAISD

Experience with art installations at SAMFA and other galleries and spaces

What is your personal vision for the City?

San Angelo is and should remain the arts capital of Texas. We have some of the most interesting public art displays in the area, and we should be proud of and enhance them.

Why do you want to serve on this board?

I want to help keep the public art in San Angelo vibrant, interesting, and enduring.

Is there anything else you would like to share about yourself?

N/A

The City Council adopted the Code of Ethics for members of the City Council and for the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation. Therefore, all members shall comply with the laws of the nation, the State 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's Office at [325-657-4405](tel:325-657-4405).

Thank you,
City of San Angelo, TX
