



City Council Agenda 02/05/2019

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held on February 5, 2019 at 8:30 AM at the McNease Convention Center – South Meeting Room, 501 Rio Concho Drive, San Angelo, Texas, for the purpose of considering the following agenda items.

1. Call to Order

2. Chaplain Prayer

3. Pledges

4. Proclamations/Recognitions

- a. Recognition of San Angelo Central High School cheerleaders being named National Champions

5. Public Comment

Issues or items that are not on the Regular Agenda may be raised by the public at this time. Citizens should speak from the podium, begin by stating their name and limit remarks to less than three minutes. Council members may request that a discussed item be placed on a future agenda. The Council takes public comment on all Regular Agenda items during the discussion of those items.

6. Consent Agenda

- a. Consider approving the January 22, 2019 City Council regular meeting minutes (Julia Antilley)
- b. Consider awarding RFB REC-01-19 Senior Center Food and Nutrition for the Recreation-Senior Services Congregate Meal Program to Sysco West Texas (Lubbock, TX), in the amount of \$83,221.95 and authorizing the City Manager to execute all related documents (Sandra Aguilar)
- c. Consider approving:
 - 1. A Master Agreement with Killis Almond Architects and authorizing the City Manager to execute all related documents to restore the masonry at City Hall
 - 2. Task Order 1 in the amount of \$85,000 to research, investigate, document, and establish the causation and required masonry and waterproofing requirements for the repair and waterproofing of the exterior City Hall walls (Ron Lewis)
- d. Consider a resolution requesting that members of the 86th Legislature of Texas seek support of legislation that provides stewardship, health and well-being, and connectivity for local and state parks (Carl White)
- e. Consider ratifying COSADC's approval of updates to the Business, Retention & Expansion Program Plan, Incentives Policy, Guidelines and Marketing Plan (Shannon Scott)
- f. Consider ratifying bylaws for the Animal Shelter Advisory Committee (Morgan Chegwiddden)

g. Second reading and adoption of:

1. An ordinance for CP18-09, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Center Future Land Use to the Neighborhood Future Land Use, being 0.97 acres of land located at 2900 - 2920 Houston St.
2. An ordinance for Z18-24, a Rezoning from the Neighborhood Commercial (CN) Zoning District to the Single Family (RS-1) Zoning District, being 0.48 acres of land located at 2920, 2916, 2912 Houston St.
3. An ordinance for PD18-05, a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial (CG) Zoning District and a shared sign plan for off-site signage, being 9.93 acres of land located at 4206 South College Hills Blvd. and 3121 and 3131 Sunset Dr.
4. An ordinance for Z18-25, a Rezoning from the Low Rise Multifamily Residential (RM-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.915 acres of land located at 5205 South Bryant Blvd.
5. An ordinance for Z18-27, a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Low Rise Multifamily Residential (RM-1) Zoning District, being 1.18 acres of land located at 3608 N. Chadbourne St. (Jon James)

h. Second reading and adoption of:

1. An ordinance for CP18-08, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Center Future Land Use to the Neighborhood Future Land Use, being 0.97 acres of land located at 3210 - 3230 Abilene St.
2. An ordinance for Z18-23, a Rezoning from the General Commercial (CG) Zoning District to the Single Family (RS-1) Zoning District, being 0.48 acres located at 3218, 3214, 3210 Abilene St. (Jon James)

i. Second reading and adoption of an ordinance changing "Ellis Street" to "East Houston Harte Expressway Frontage Road" over a 2,900-ft. length of this street's right-of-way beginning at Montague Ave. and continuing east to its terminus past Smith Blvd. to the East Houston Harte Expressway Ramp (Jon James)

j. Consider authorizing the City Manager to negotiate and execute an agreement and any related documents with the Southern Drag Boat Association (SDBA) for the annual Drag Boat Races at Lake Nasworthy (Carl White)

7. Regular Agenda

- a. Update and discussion on water supply (Presentation made by Water Utilities Director Allison Strube)
- b. Consider ratifying COSADC's resolution authorizing the use of sales and use tax funds in an amount not to exceed \$300,147 to provide an Economic Development Incentive to Principal LED, LLC. (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott)

- c. Consider ratifying COSADC's resolution authorizing the use of sales and use tax funds in an amount not to exceed \$20,000 to provide an Economic Development Incentive to Carter-Fentress Engineering, LLC. (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott)
- d. Consider ratifying COSADC's resolution authorizing the use of sales and use tax funds in an amount not to exceed \$49,000 for professional marketing and consulting services relating to an assessment of industrial transportation facilities, industry needs, and identification of markets essential to the promotion of new industrial development opportunities as authorized under Chapter 505 of the Texas Local Government Code for Type B Development Corporation; and, authorizing the Board President to enter into a personal services marketing and consultant contract for such purposes with Roger Horton d/b/a Shea Transportation Consulting Services (Presentation made by Economic Development Project Manager Bob Schneeman)
- e. Consider a resolution adopting a Uniform Tax Abatement policy (Presentation made by Economic Development Project Manager Bob Schneeman)
- f. First hearing of an ordinance ordaining the city's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, and nominating Ethicon, Inc. to the Office of the Governor Economic Development & Tourism (EDT) through the Economic Development Bank as an Enterprise Project (Presentation made by Economic Development Project Manager Bob Schneeman)
- g. Public hearing and first reading of a budget ordinance to update the number of authorized fire fighters (Presentation made by Fire Chief Brian Dunn)
- h. Consider accepting Judge Allen Gilbert's letter of resignation as appointed Presiding Judge of the City of San Angelo Municipal Court to be effective February 28, 2019 (City Charter, Section 50) (Presentation made by Human Resources Director Bryan Kendrick)

8. Special Agenda

- a. Recognition of Judge Gilbert's 44 years of service to the City of San Angelo (Presentation made by Mayor Gunter and City Manager Daniel Valenzuela)
- b. Introduction of Special Guests

Note: a reception will immediately follow the Special Agenda. The Mayor will read the City Council into Closed Session approximately 30 minutes after the recess for the reception.

9. 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 551.074(a)(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee regarding board/commission appointments

10. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session, if needed
- b. Consider approving various board nominations:
 - Construction Board of Adjustment and Appeals:** Lyndon Butler (SMD6) to a second term ending February 2021
 - Development Corporation:** Dr. David Cummings (SMD5) to a second term ending February 2021
 - Fort Concho Museum Board:** Brandon Allen (SMD1) to a second term ending January 2021
 - Parks & Recreation Advisory Board:** Allison Watkins (Park Commission representative)
- c. Announcements and consideration of Future Agenda Items

11. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of San Angelo, Texas, on the 1st day of February 2019, at 9:12 a.m.



Julia Antilley, City Clerk

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

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

City Council regular meetings are broadcast on Channel 17-Government Access at 10:30 a.m. and 7:00 p.m. every day for two weeks beginning on the Thursday after each meeting.

Recognition

We congratulate the San Angelo Central High School cheerleaders for earning the title of National Champions at the National Cheer Association's annual competition, held on Saturday, January 26, 2019 in Dallas, Texas.

Central High School's cheer team competed against 23 other teams in their division in order to win this much sought-after national championship. This is the Bobcat's fourth overall title and its first title in this division. In addition to being named National Champions Overall, they were also named National Champions in Cheer and runner-up in the Fight Song categories.

This year's 28-member cheer team is coached by Matt Escue and Amanda Chambers. This is Matt's 16th year and Amanda's 2nd year coaching this group of outstanding young people.

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

THE CENTRAL HIGH SCHOOL CHEERLEADERS

for their achievement and positive determination to make a difference in our community.

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 5th day of February, 2019.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, January 22, 2019

Present:

Mayor Brenda Gunter
Mayor Pro tem Lane Carter, SMD 5
Council Member Tommy Hiebert, SMD 1
Council Member Harry Thomas, SMD 3
Council Member Billie F. DeWitt, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:34 a.m. on Tuesday, January 22, 2019, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Legislative Prayer

An invocation was provided by San Angelo Police Department Chaplain Gary Jenkins.

3. Pledges

The pledges were led by Addi Carson (3rd grade) and Cooper Carson (Kindergarten), both of Bonham Elementary.

4. Proclamations/Recognitions

January 20 - 26, 2019 was proclaimed San Angelo School Choice Week.

Shannon Scott was recognized as one of the recent 20 Under 40 honorees.

Bertha Garcia was recognized for her 24 years of service to the City of San Angelo.

5. Public Comment

No public comment was made.

6. Consent Agenda

- a. Approval of the January 8, 2019 City Council regular meeting minutes (Julia Antilley)
- b. Adoption of a resolution (English/Spanish) calling and ordering the General Election for May 4, 2019, authorizing the City Manager to execute an Interlocal Agreement for Joint Election, and providing for the holding of a joint election to be administered by the Tom Green County Election Administration (Julia Antilley) (Pg. 18, #2019-004)
- c. Award of WU-05-19 Liquid Ferrous Chloride for treatment purposes at the Water Reclamation Facility to Pencco, Inc. in the amount of \$96,600 annually, budgeted for purchase FY2019, and an option to extend for two additional one year periods for a total contract term of up to three years and authorizing the City Manager to execute any related documents (Lance Overstreet)
- d. Approval of a recreational license agreement with San Angelo Western Little League on public property located near the San Angelo Regional Airport (Mathis Field) and authorizing the City Manager to execute all related documents (Carl White)
- e. Second reading and adoption of an ordinance approving case Z18-21, a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and the Single-Family

Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, located at 909 W. Beauregard Ave. (Jon James) (Pg. 22, #2019-005)

- f. Second reading and adoption of an ordinance approving case Z18-22, a rezoning from the Single-Family Residential Zoning District to the Two-Family Residential Zoning District, located at 701-721 W. 15th St. (Jon James) (Pg. 25, #2019-006)
- g. Second reading and adoption of an ordinance amending the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019 for capital items, grants, and reimbursed expenses (Tina Dierschke) (Pg. 28, #2019-007)

Motion: Council Member DeWitt made a motion, seconded by Council Member Thomas, to approve the consent agenda in its entirety. The motion carried unanimously (5) ayes to (0) nays.

7. **Regular Agenda**

- a. Ratification of Amendment No. 1 in the amount of \$34,511 and approval of Amendment No. 2 in the amount of \$26,756 to Task Order 5 originally issued to Freese & Nichols in the amount of \$111,827 for the design of a storm water detention basin for Avenue P drainage improvements and authorizing the City Manager to execute all related documents (Presentation made by City Engineer Russell Pehl)

Citizen Steve Hampton requested clarification on the item.

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

- b. Approval of a professional service agreement under RFQ ES-01-19 to Centurion Planning & Design, LLC, in the amount of \$2,160,497 for design and construction phase services for the Chadbourne Street Improvement CIP project and authorizing the City Manager to execute all related documents (Presentation made by Assistant City Manager Rick Weise and Assistant City Engineer Andy Vecellio)

[Council Member Hiebert recused himself from the discussion.]

Citizen Steve Hampton expressed concern.

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the item, as presented. The motion carried (4) ayes, (0) nays, and (1) abstention with Council Member Hiebert abstaining from the vote.

- c. First reading and public hearing of an ordinance to change "Ellis Street" to "East Houston Harte Expressway Frontage Road" over a 2,900-foot length of this street's right-of-way beginning at Montague Avenue and continuing east to its terminus past Smith Boulevard to the East Houston Harte Expressway Ramp (Presentation made by Planning & Development Services Assistant Director Aaron Vanoy)

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

- d. First reading and public hearing for:
 - 1. An ordinance for CP18-08, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Center Future Land Use to the Neighborhood Future Land Use, being 0.97 acres of land located at 3210 - 3230 Abilene St.
 - 2. An ordinance for Z18-23, a Rezoning from the General Commercial (CG) Zoning District to the Single Family (RS-1) Zoning District, being 0.48 acres located at 3218, 3214, 3210 Abilene St. (Presentation made by Planning & Development Services Senior Planner Hillary Bueker)

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

e. First reading and public hearing for:

1. An ordinance for CP18-09, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Center Future Land Use to the Neighborhood Future Land Use, being 0.97 acres of land located at 2900 - 2920 Houston St.
2. An ordinance for Z18-24, a Rezoning from the Neighborhood Commercial (CN) Zoning District to the Single Family (RS-1) Zoning District, being 0.48 acres of land located at 2920, 2916, 2912 Houston St.
3. An ordinance for PD18-05, a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial (CG) Zoning District and a shared sign plan for off-site signage, being 9.93 acres of land located at 4206 South College Hills Blvd. and 3121 and 3131 Sunset Dr.
4. An ordinance for Z18-25, a Rezoning from the Low Rise Multifamily Residential (RM-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.915 acres of land located at 5205 South Bryant Blvd.
5. An ordinance for Z18-27, a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Low Rise Multifamily Residential (RM-1) Zoning District, being 1.18 acres of land located at 3608 N. Chadbourne St. (Presentation made by Planning & Development Services Senior Planner Hillary Bueker)

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

f. First reading and public hearing of an ordinance approving the abandonment of approximately 14,778 square feet of King Mill Dr. and 14,777 square feet of Wedgewood Ct. public right-of-ways; located within Block 101, Section 16C, Bentwood Country Club Estates (Presentation made by Planning & Development Services Senior Planner Hillary Bueker)

Citizen Anna Bartosh spoke regarding flooding and retention ponds.

[Council Member Thomas made a note that going forward items should not be brought to Council until drainage and flooding issues are addressed. This item should not be brought back for second reading until Engineering comments have been satisfied.]

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

g. Update and approval of allowing the City Manager to negotiate the buyback provision and execute any related documents regarding the Hot In Place Asphalt Recycler (HIPAR) (Presentation made by Operations Director Shane Kelton)

Citizens Lyleanne McClellan and Anna Bartosh spoke in favor of returning the HIPAR and the buyback clause.

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

h. Presentation regarding the 2018 Ports-to-Plains Alliance Annual meeting held in Del Rio October 30th-November 2nd, 2018 (Presentation made by Director of Economic Development Guy Andrews and COSADC Board Member John Bariou)

No action taken on this item.

- i. Progress report on the Airport Master Plan (Presentation made by Airport Director Jeremy Valgardson, Deputy Airport Director Mitch Sprunger, and Centurion Representative Molly Waller)

No action taken on this item.

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

No action taken on this item.

8. Closed Session

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

- a. Section 551.071(1)(A) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding Sheila Andrews vs The City of San Angelo
- b. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding municipal court contract negotiations
- c. Section 551.074(a)(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee regarding board/commission appointments

9. Follow Up and Administrative Issues

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

No items to discuss.

- b. Consider approving various board nominations:
Park Commission: Don Griffis (At-Large) to a 4th term ending January 2023, Bitsy Stone (At-Large) to a 3rd term ending January 2023, and Allison Watkins (At-Large) to a 1st full term ending January 2023

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

- c. Discussion of the May 2019 City Council Schedule regarding Election Canvassing

City Clerk Julia Antilley announced that the Election Canvassing will need to take place the second week of May, either the 14th or 15th, depending on the necessity of a runoff.

No action taken on this item.

- d. Announcements and consideration of Future Agenda Items

Council Member DeWitt asked for an update on the street project list.

Council Member Carter congratulated ASU's Livestock Judging Team for being named 1st place in the nation.

10. Adjournment

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to adjourn the meeting. The motion carried unanimously (5) ayes to (0) nays.

There being no further business, the meeting was adjourned at 12:40 p.m.

THE CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

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

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Sandra Aguilar, Recreation Supervisor - Senior Services, Senior Services, 325-481-2798

Meeting Date: February 5, 2019

Item type: Consent Item

Caption:

Consider awarding RFB REC-01-19 Senior Center Food and Nutrition for the Recreation-Senior Services Congregate Meal Program to Sysco West Texas (Lubbock, TX), in the amount of \$83,221.95 and authorizing the City Manager to execute all related documents (Sandra Aguilar)

Summary/History:

Recreation-Senior Services Congregate Meal program offers a hot meal for lunch for adults in the community, 60 years of age and over, from 11:00 am-12:30 pm, Monday thru Friday, at Santa Fe Crossing Senior Center. A participant must be registered, and the cost is a suggested donation of \$3. Guests are welcome for lunch at a \$6 cost.

Financial Impact:

Funding for the Senior Services Congregate Meal program comes from Title III C-1 grant received from Concho Valley Council of Governments-Area Agency on Aging and General Funds.

Other Information/Recommendation:

A Request for Bid for the purchase of food for the Senior Services Congregate Meal Program was sent out on December 27, 2018, with only Sysco West Texas submitting a response. We would like to award the bid to Sysco, since we previously had the last food purchasing contract with them and had no issue during the duration of the contract.

Attachments:

- | | | |
|----|-------------------|-----------------------|
| 1. | REC-01-19 Bid Tab | REC-01-19 Bid Tab.pdf |
|----|-------------------|-----------------------|

Presentation:

Approvals/Reviews:

Sandra Aguilar	Created/Initiated
Brent Casey	Approved
Carl White	Approved
Theresa James	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Julia Antilley	Final Approval



CITY OF SAN ANGELO
Bid Sheet
REC-01-19 Senior Food & Nutrition

Due Date: January 10, 2019 / 2:00p.m. Local Time

INVENTORY SUMMARY	Sysco West Texas	
	Delivery Days	Total Extended Cost
DAIRY PRODUCTS	2 days	\$ 8,270.84
PRODUCE	2 days	\$ 4,969.25
CANNED AND DRY	2 days	\$ 20,267.10
FROZEN FOODS	2 days	\$ 22,217.98
MEATS	2 days	\$ 15,957.42
SEAFOOD	2 days	\$ 3,362.96
POULTRY	2 days	\$ 8,176.40
GRAND TOTAL		\$ 83,221.95

Piggy Back Option	Yes
Payment Terms / Discount	n/a
Is this a Purchasing Co-Op Quote:	No
If so, which one?	n/a
Contract Number:	n/a

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Ron Lewis, Facilities Maintenance Manager, Facilities Maintenance, 325-481-2773

Meeting Date: February 5, 2019

Item type: Consent Item

Caption:

Consider approving:

1. A Master Agreement with Killis Almond Architects and authorizing the City Manager to execute all related documents to restore the masonry at City Hall
2. Task Order 1 in the amount of \$85,000 to research, investigate, document, and establish the causation and required masonry and waterproofing requirements for the repair and waterproofing of the exterior City Hall walls (Ron Lewis)

Summary/History:

During the 2010 renovation project for City Hall, some of the exterior limestone was found to be moving away from the existing structural members, anchorage was failing and mortar was failing and allowing water to infiltrate the envelope of the building. Immediate measures were taken to remove, re-secure and reset some of stone in the worst found condition. However, there was not adequate funding to do a comprehensive investigation to determine the extent of compromise to the envelope nor to design remedial structural details for repair.

Financial Impact:

Presently, there is \$378,000 available for the waterproofing and re-installation of the limestone blocks on the exterior of City Hall. When Task Order 1 (\$85,000) is completed, there will be additional task orders to continue the efforts to eliminate all through wall water infiltration into City Hall.

Other Information/Recommendation:

A preliminary study was prepared after the renovation from the information gathered during the project, along with investigation of the original building construction documents to determine some reasons for the limestone attachment failings and subsequent water infiltration through the stone and walls into the building.

Attachments:

Presentation:

Approvals/Reviews:

Ron Lewis
Theresa James
Michael Dane
Anthony Wilson
Candice Blake
Tina Dierschke

Created/Initiated
Approved
Approved
Approved
Approved
Approved

Theresa James
Becky Dunn
Julia Antilley

Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Carl White, Parks and Recreation Director, Parks and Recreation, 325-657-4450

Meeting Date: February 5, 2019

Item type: Consent Item

Caption:

Consider a resolution requesting that members of the 86th Legislature of Texas seek support of legislation that provides stewardship, health and well-being, and connectivity for local and state parks (Carl White)

Summary/History:

Staff recommends adoption of a Resolution requesting the members of the 86th Legislative Session of the State of Texas support passage of legislation that provides stewardship, health and well-being, and connectivity for local and state parks. The attached Resolution outlines many of the benefits of granting programs and the state park system.

The City of San Angelo has benefited directly by the granting programs provided by the Texas Parks and Wildlife Department. In the last 14 years, San Angelo has received approximately \$1,750,000 from these programs for parks, trails and boat ramp improvements. We are also blessed to have a State Park in our backyard and it needs better funding, as supported in this Resolution.

Financial Impact:

There is no financial impact for passing this resolution. Passing it, however, could result in legislation that makes more grant funding available for our community.

Other Information/Recommendation:

Attachments:

1. 19-242_PARKS_86TH_LEG_SUPPORT_RESO 19-242_PARKS_86TH_LEG_SUPPORT_RESO.doc

Presentation:

Approvals/Reviews:

Carl White	Created/Initiated
Carl White	Approved
Theresa James	Approved
Anthony Wilson	Approved
Julia Antilley	Approved
Tina Dierschke	Approved
Theresa James	Approved

Becky Dunn
Bryan Kendrick
Julia Antilley

Approved
Approved
Final Approval

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SAN ANGELO CITY COUNCIL REQUESTING THE MEMBERS OF THE 86th LEGISLATIVE SESSION OF THE STATE OF TEXAS TO SUPPORT LEGISLATION THAT PROVIDES STEWARDSHIP, HEALTH AND WELL BEING, AND CONNECTIVITY FOR LOCAL AND STATE PARKS.

WHEREAS, Texas municipalities, counties, and the state protect and enhance the public investment in parks and open space throughout the state by providing stewardship; and

WHEREAS, conservation of open space and making public lands accessible for public use is supported with the sporting goods sales tax and the land and water conservation fund; and

WHEREAS, conservation of water and natural resources enhances public access to nature, the out-of-doors and recreational amenities; and

WHEREAS, public utilization of parks and recreational amenities and services increases physical activity and improves health and wellness; and

WHEREAS, political subdivisions throughout the state depend upon legislative funding for the provision of services and programs that enhance public access to and use of parks and out-of-doors open space; and

WHEREAS, legislative support for improved recreational amenities, pathways and trails facilitates community goals relating to maintenance of quality of life that is safe and healthy; and

WHEREAS, support for parks and recreation connects communities to nature and the out-of-doors and has a positive economic impact locally, regionally and statewide; and

WHEREAS, it is the desire of the City Council for the City of San Angelo to present this Resolution to Greg Abbott, Governor of the State of Texas, Dennis Bonnen, Speaker of the House, and Dan Patrick, Lieutenant Governor, on behalf of all House and Senate members of the 86th Texas State Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS THAT: the City of San Angelo supports the members of the House and Senate of the 86th Legislature of the State of Texas in efforts to enthusiastically sponsor and adopt legislation that supports municipal, county and state stewardship of parks and open out-of-doors space, improving connectivity, public access, recreational opportunities, conservation of the natural environment, and public health and safety.

PASSED AND UNANIMOUSLY APPROVED by the City of San Angelo City Council on this 5TH day of February, 2019.

CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Secretary

APPROVED AS TO FORM:

Theresa James, City Attorney

APPROVED AS TO CONTENT

Carl White, Director of
Parks and Recreation

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Shannon Scott, Economic Development Specialist, Economic Development, 325.653.7197

Meeting Date: February 5, 2019

Item type: Consent Item

Caption:

Consider ratifying COSADC's approval of updates to the Business, Retention & Expansion Program Plan, Incentives Policy, Guidelines and Marketing Plan (Shannon Scott)

Summary/History:

The BREP Program Plan, Policy, Guidelines and Marketing Plan have not been updated since 2014. The COSADC staff felt it was time to update these items in order to reflect current demands and market trends. The most notable updates/changes include:

Combining the Program Plan, Policy and Guidelines into one document. (They were previously stand alone documents with a lot of redundant information).

Added capital investment incentive

Updated/re-worded job creation incentive

Eliminated life safety incentives that can be all encompassing within the capital investment incentive

Updated the tax abatement/rebate schedule for 4 years, starting at 100% for year 1, 90% for year 2, 80% for year 3, and 70% for year 4

Cleaned up the Business/Workforce Training section

Updated Marketing Plan to meet current demands/market trends

Financial Impact:

N/A

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|---|
| 1. | BREP Policy_Guidelines (Updated Draft) | BREP Policy_Guidelines (Updated Draft).docx |
| 2. | BREP Marketing Plan (Updated Draft) | BREP Marketing Plan (Updated Draft).docx |

Presentation:

Approvals/Reviews:

Shannon Scott	Created/Initiated
Guy Andrews	Approved
Theresa James	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Julia Antilley	Final Approval



Business, Retention & Expansion Program (BREP) Program Plan, Incentives Policy and Guidelines

BUSINESS RETENTION AND EXPANSION PROGRAM PLAN

The Business, Retention and Expansion Program is a community-based economic development strategy with a focus on “taking care of our own, by nurturing and supporting businesses already existing in the community.”

The health of our community relies on strong businesses that can sustain and create jobs. Supporting the development and growth of local businesses is fundamental in order to grow and sustain our community and our local economy. The Business, Retention & Expansion Program combines both short-term and long-term objectives in order to achieve this growth. For more information, or to see if your business qualifies, please contact Shannon Scott in the Economic Development Department at 325-653-7197.

SHORT-TERM OBJECTIVES

- Build relationships with existing businesses.
- Demonstrate and provide community support for local businesses.
- Address urgent business concerns and issues.
- Improve communication between the community and local businesses.
- Retain existing businesses and jobs where there is a risk of job loss.

LONG-TERM OBJECTIVES

- Increase the competitiveness of local businesses.
- Encourage job creation and new business development.
- Establish and implement strategic actions for local economic development.
- Create a stronger more viable local economy.

FOUR STAGE PROCESS:

1. Project Planning and Business Survey:

- Identify what resources (personnel, partners, financial) are available and formulate a work plan to promote and manage the project.
- Survey businesses to gather information and learn how the City of San Angelo Development Corporation and Economic Development Partners can support businesses.
- Identify those businesses eligible (based on NAICS codes) for half cent sales tax incentives and those for which other assistance may be more applicable.

2. Immediate Follow-up:

- Respond to specific business issues that may be critical to a business remaining or expanding in the community. A quick response to issues

helps to establish credibility of the community's BREP efforts and develops sincere relationships with the businesses.

3. Data Analysis and Recommendations:

- Utilize a secure and confidential BREP database to record, store and aggregate the results from the community's business survey.
- Analyze survey data and develop recommended action plans.

4. Implementation:

- Work with Economic Development Partners to address issues, opportunities and implementation of work plan.
- Establish a system of ongoing monitoring and tracking of action plans.

RESOURCES:

- Comprehensive sector-specific business survey questions (NAICS Codes).
- Promotional material.
- Information sessions for team members to learn how to effectively coordinate and implement BREP projects.

BUSINESS RETENTION AND EXPANSION ECONOMIC INCENTIVE POLICY GUIDELINES

To achieve the strategic goal of the creation and retention of primary jobs or expansion of local businesses, the City of San Angelo and the City of San Angelo Development Corporation have approved the Business, Retention & Expansion Program incentives.

These incentives are designed to encourage the support, development, and growth of local businesses by:

- Encouraging and empowering businesses that choose to expand their operations in the City of San Angelo.
- Lowering the cost of doing business for those who need the assistance to compete and retain existing jobs.
- Providing assistance to those legacy companies that have made their corporate headquarters in San Angelo.

Incentives will be available for existing business that:

- Have operated in the City of San Angelo for a minimum of 2 years.
- Will commit to a minimum of capital investment for a plant expansion and or addition of new equipment.

- Retain existing jobs and or create new jobs.
- Pay a prevailing wage rate based on the specific industry.

INCENTIVE TYPES

- 1) **Capital Investment:** A significant capital investment must be made in the form of a plant expansion, construction of a new facility, addition of equipment/inventory and any other items that the City of San Angelo Development Corporation Board deems relevant to the project.
- 2) **Job Creation:** The number of primary jobs created or retained based on the prevailing wage rate of the specific industry and may range from \$1,000 to a maximum of \$10,000 per job.
- 3) **Tax Abatement/Rebate:** An abatement or rebate of City property taxes on real property may be granted over the course of 4 years. A minimum capital investment must be made in the amount of at least \$500,000 in the form of a plant expansion, construction of a new facility, addition of equipment/inventory and any other items that the City of San Angelo Development Corporation Board deems relevant to the project. (In determining the rebate/abatement, the capital investment will be based on the rehabilitation and/or improvement).

The abatement will be calculated on the appraised value of improvements as follows:

<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>
100%	90%	80%	70%

- 4) **Other Code deficiencies:** Available to address building and fire code deficiencies including site plan issues.
- 5) **Financial assistance:**
 - a. Loan participation(s) with local financial institutions (guarantee, participate or lend directly).
 - b. Eligible infrastructure Improvements
 - c. Land Purchases, leasehold improvements, new construction, and eligible capital investments
- 6) **Business/Workforce Training:**
 - a. Business training programs which may be available through the Business Resource Center in cooperation with Howard College, and / or the Angelo State University Small Business Development Center.
 - b. Reimbursement is contingent upon business/company having an eligible NAICS code, fully completing the class/course, and showing proof of payment in full.

OTHER IMPORTANT INFORMATION

- All incentives are subject to eligibility under Chapters 501 and 505 Texas Local Government Code and funding availability. All projects covered under this policy are subject to final approval by the City of San Angelo Development Corporation and the City of San Angelo City Council. Incentives are usually customized for each grant application.
- All projects must meet the definition prescribed in Chapters 501 and 505 of the Texas Local Government Code and must adhere to the City of San Angelo Development Corporation Economic Incentive Guidelines. In addition, projects must meet current building standards, codes, permitting requirements and be current on all taxing obligations. Projects must also meet all the requirements of special programs such as ASU's Small Business Development Center and Howard College. The Tax Increment Reinvestment Zone may be an alternative as another option for incentives in the downtown or central business district.



Business, Retention & Expansion Program (BREP) Marketing Plan

BUSINESS, RETENTION & EXPANSION MARKETING PLAN

LONG TERM GOALS OF THE BREP PROGRAM

- Encourage job creation and new business development
- Establish and implement strategic actions for local economic development
- Create a stronger more viable local economy
- Increase the competitiveness of local businesses

SHORT TERM GOALS FOR THE MARKETING PLAN

GOAL 1: DEMONSTRATE AND PROVIDE COMMUNITY SUPPORT FOR LOCAL BUSINESSES

- Identify NAICS Eligible Companies in San Angelo using available listings
- Finalize screening of all NAICS codes against actual business activities
- Compile listing of specifically eligible companies to be the focus of the BREP marketing plan

GOAL 2: BUILD RELATIONSHIPS AND IMPROVE COMMUNICATIONS WITH EXISTING BUSINESSES

- Conduct regular visits and attend relevant networking events with local, eligible companies to foster new relationships and build upon existing ones
- Create marketing collateral and email lists to stay in contact with eligible businesses

GOAL 3: IDENTIFY & ADDRESS URGENT BUSINESS NEEDS AND CONCERNS

- Utilize existing survey questionnaire during interviews to determine the needs and opportunities for eligible businesses
- Utilize current technology, (Impact Data Source) to determine the best incentive package and ROI to suit each unique business need

GOAL 4: RETAIN EXISTING BUSINESSES AND JOBS WHERE THERE IS A RISK OF JOB LOSS

- Assemble responses for analysis
- Categorize / prioritize areas of interest
- Identify potential at risk job categories and / or industry sectors as well as affected companies
- Set priorities based on potential for job loss
- Develop list of companies to visit

GOAL 5: ENCOURAGE JOB CREATION AND NEW BUSINESS DEVELOPMENT

- Identify team members for initial visit
- Prioritize visits based on target industries
- Follow up on all contacts whether personal visit or inquiry

GOAL 6: IDENTIFY TRAINING REQUIREMENTS AND CAPABILITIES FOR HIGH DEMAND OCCUPATIONS

- Identify training programs eligible for COSADC funding
- Establish Board priorities for funding
- Work with Economic Development Partners such as Howard College and the Angelo State University Small Business Development Center to capitalize on training opportunities for qualifying businesses

GOAL 7: PROGRESS REPORTING / PROGRAM EFFECTIVENESS EVALUATION

- Keep weekly report to the COSADC Board updated and current with all BREP activities/projects
- Conduct in person interviews and showcase effectiveness of the BREP with local success stories and businesses that have utilized the program
- Revisit program and evaluate effectiveness annually

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Morgan Chegwidden, Assistant Director of Neighborhood Services, Neighborhood and Family Services, 325-657-4224

Meeting Date: February 5, 2019

Item type: Consent Item

Caption:

Consider ratifying bylaws for the Animal Shelter Advisory Committee (Morgan Chegwidden)

Summary/History:

In September 2018, council adopted a new ordinance regarding boards and committees. The main goal was to bring greater uniformity across all boards and commissions.

One requirement is that all boards must approve new bylaws within six months of adoption. This agenda item serves to comply with this requirement for the Animal Shelter Advisory Committee.

Attached are the bylaws adopted by the Animal Shelter Advisory Committee on January 17, 2019.

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | | |
|----|--|---|
| 1. | 19-animal services advisory board bylaws | 19-animal services advisory board bylaws.docx |
|----|--|---|

Presentation:

No

Approvals/Reviews:

Morgan Chegwidden	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Julia Antilley	Final Approval

**CITY OF SAN ANGELO
BYLAWS OF
ANIMAL SHELTER ADVISORY COMMITTEE**

ARTICLE I. PURPOSE

The purpose for which the Committee is organized is to advise members of the City Council and animal shelter staff on matters related to the health and safety of animals housed at the city's animal shelter as outlined in Texas Health and Safety Code, Chapter 823.

ARTICLE II. COMMITTEE MEMBERS

A. Responsibility of Committee Members

In addition to the purpose set out above, the vision of this committee is to assist the City of San Angelo in becoming a pet friendly community by promoting animal welfare, advocacy and providing community education in the hopes of establishing and maintaining a "no kill" community.

Committee members shall be required to visit and volunteer at the animal shelter on a monthly basis in an effort to remain educated and informed on shelter issues.

B. Committee Eligibility

Persons eligible for appointment to the Committee shall either serve in a specialized role as defined by position one through four or live within the city of San Angelo.

C. Regular Meetings, Notice and Quorum

Committee meetings shall be held the third Thursday of each month unless there is no business to discuss. Items may be placed on the agenda at the request of City Council, the Committee Chairperson and by the request and agreement of any two (2) current members. Agendas will be prepared by the City Liaison and reviewed by the chairperson prior to posting. Meetings shall be conducted by the Chairperson. Meetings shall be held in accordance with the Texas Open Meetings Act.

D. Special Meetings

Special meetings may be called by the chairperson and must be held within ten (10) days of the date called.

ARTICLE III. SUBCOMMITTEES

The chairperson shall appoint subcommittees as deemed necessary by the Committee. Each subcommittee shall exercise such power and carry out such functions as delegated by the Committee. Each subcommittee shall have the power to act only during the intervals between meetings of the Committee, and shall serve the Committee in an advisory capacity only.

Subcommittees shall be subject to the control of the Committee. Each subcommittee shall be comprised of a chairperson, who must be a member of the Committee, and one or more additional parties who may be, but are not required to be, Committee members. Any person who is not a Committee member and becomes a member of any subcommittee shall have the same responsibilities with respect to such subcommittee as a member of the Committee.

ARTICLE IV. AMENDMENTS TO BYLAWS

These Bylaws shall be adopted by the Committee and approved by the City of San Angelo City Council. The power to alter, amend, or repeal the Bylaws or to adopt new Bylaws is vested in the Committee Members, with ratification by the City of San Angelo City Council. Any alteration, amendment or repeal requires at least five (5) members of the Committee to vote in favor of such alteration, amendment or repeal in a meeting called for that purpose. Furthermore, any alteration, amendment or repeal shall not become effective nor have any force or effect whatsoever unless and until same has been approved by a written resolution passed by the City Council of San Angelo, Texas.

CERTIFICATE

This is to certify that the foregoing is a true and correct copy of the Bylaws of Animal Shelter Advisory Committee and that such Bylaws were duly adopted by the Committee on _____ and the San Angelo City Council on _____.

ATTEST:

_____, City Liaison

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: February 5, 2019

Item type: Consent Item

Caption:

Second reading and adoption of:

1. An ordinance for CP18-09, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Center Future Land Use to the Neighborhood Future Land Use, being 0.97 acres of land located at 2900 - 2920 Houston St.
2. An ordinance for Z18-24, a Rezoning from the Neighborhood Commercial (CN) Zoning District to the Single Family (RS-1) Zoning District, being 0.48 acres of land located at 2920, 2916, 2912 Houston St.
3. An ordinance for PD18-05, a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial (CG) Zoning District and a shared sign plan for off-site signage, being 9.93 acres of land located at 4206 South College Hills Blvd. and 3121 and 3131 Sunset Dr.
4. An ordinance for Z18-25, a Rezoning from the Low Rise Multifamily Residential (RM-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.915 acres of land located at 5205 South Bryant Blvd.
5. An ordinance for Z18-27, a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Low Rise Multifamily Residential (RM-1) Zoning District, being 1.18 acres of land located at 3608 N. Chadbourne St. (Jon James)

Summary/History:

1. Second reading and adoption of an ordinance for CP18-09, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Center Future Land Use to the Neighborhood Future Land Use, being 0.97 acres of land located at 2900 - 2920 Houston Street.
2. Second reading and adoption of an ordinance for Z18-24, a Rezoning from the Neighborhood Commercial (CN) Zoning District to the Single Family (RS-1) Zoning District, being 0.48 acres of land located at 2920, 2916, 2912 Houston Street.
3. Second reading and adoption of an ordinance for PD18-05, a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial (CG) Zoning District and a shared sign plan for off-site signage, being 9.93 acres of land located at 4206 South College Hills Boulevard, and 3121 and 3131 Sunset Drive.
4. Second reading and adoption of an ordinance for Z18-25, a Rezoning from the Low Rise Multifamily Residential (RM-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.915 acres of land located at 5205 South Bryant Boulevard.
5. Second reading and adoption of an ordinance for Z18-27, a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Low Rise Multifamily Residential (RM-1) Zoning District, being 1.18 acres of land located at 3608 North Chadbourne Street.

Financial Impact:

N/A

Other Information/Recommendation:

On December 17, 2018, the Planning Commission unanimously recommended APPROVAL of all the above items.

On January 22, 2019 the City Council approved the first reading with a vote of 5-0

Attachments:

- | | | |
|----|-------------------------------|--|
| 1. | Staff Report (CP18-09/Z18-24) | CC Staff Report CP18-09 & Z18-24 Socha.pdf |
| 2. | Ordinance (Z18-24) | Z18-24 Ord.docx |
| 3. | Ordinance (CP18-09) | CP18-09 ORD.docx |
| 4. | Staff Report (Z18-25) | Staff Report (Z18-25).pdf |
| 5. | Ordinance (Z18-25) | Ordinance (Z18-25).docx |
| 6. | Staff Report (Z18-27) | Staff Report (Z18-27).pdf |
| 7. | Ordinance (Z18-27) | Ordinance (Z18-27).docx |
| 8. | Staff Report (PD18-05) | Staff Report (PD18-05).docx |
| 9. | Ordinance (PD18-05) | Ordinance (PD18-05).docx |

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Julia Antilley	Final Approval

CITY COUNCIL – January 22 & February 5, 2019

STAFF REPORT



APPLICATION TYPE:		CASES:	
Comprehensive Plan Amendment & Rezoning		CP18-09/Z18-24: Socha/COSA	
SYNOPSIS:			
A request for approval of an amendment to the Comprehensive Plan for the City of San Angelo to change the Future Land Use from Neighborhood Center to Neighborhood on the subject property, and a request for approval of a Rezoning from the Neighborhood Commercial (CN) Zoning District to the Single Family Residential (RS-1) Zoning District on the subject properties. The applicant is intending to construct new single family homes, and the Zoning Ordinance does not permit such use by right in the existing zoning district. A rezoning to the property would also warrant a Comprehensive Plan amendment as part of the criteria for approval per the Zoning Ordinance. City Staff has also included adjacent homes to clean up the future land use along the block.			
LOCATION:		LEGAL DESCRIPTION:	
CP/Z – 2912-2920 Houston Street CP – 2900-2908 Houston Street		Being Lots 11-16, Block 66, Hatcher Addition, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FUTURE LAND USE:
SMD District #2 – Tom Thompson Bluffs Neighborhood		CN – Neighborhood Commercial RS-1 – Single Family Residential	Neighborhood Center 0.97 acres
THOROUGHFARE PLAN:			
<u>Houston Street</u> – Urban Local Street, Required 50' min. ROW (60' Existing), 36' min. pavement with sidewalk or 40' without sidewalk (36' Existing). <u>Hassell Street</u> – Urban Local Street, Required 50' min. ROW (60' Existing), 36' min. pavement with sidewalk or 40' without sidewalk (30' Existing).			
NOTIFICATIONS:			
21 notifications were mailed within a 200-foot radius on November 30, 2018. One response has been received in support and zero in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a Comprehensive Plan Amendment changing the Future Land Use designation from "Neighborhood Center" to "Neighborhood," and APPROVAL of a Rezoning from the Neighborhood Commercial (CN) Zoning District to the Single-Family Residential (RS-1) Zoning District			
PROPERTY OWNER/PETITIONER:			
Larry Socha/ City of San Angelo			
STAFF CONTACT:			
Hillary Bueker Senior Planner (325) 657-4210, Extension 1547 hillary.bueker@cosatx.us			

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Rezoning request:

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The Comprehensive Plan amendment from Neighborhood Center to Neighborhood would allow a transition between the existing Future Land Use designations in the adjacent area and also allow for compatibility with the associated rezoning to Single Family Residential. Section 303 of the Zoning Ordinance states that the intent of the Single Family Residential Zoning District is to “provide opportunities for development of detached single-family residences at medium densities.” The rezoning will allow the continuation of the surrounding residential zoning, and more specifically, allow the applicant to construct the proposed homes.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The proposed development would comply with the Single Family Residential development standards. Each 7,000 square feet platted lot exceeds the minimum lot area of 6,000 square feet, the minimum lot frontage of 50 feet, and minimum lot depth of 100 feet in the Single Family Residential district. Any future buildings will be required to comply with all required setbacks including 25-foot front yard setbacks from Abilene Street, as well as a 5-foot side yard setbacks and the 20-foot rear yard setbacks.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** The property is located within an area that has mixed uses, but is comprised of mostly residential to the north and commercial to the east and west. The subject parcels fit in with the already platted and zoned residential lots surrounding, while allowing the future residence to be aware of the already developed commercial properties along the Houston Harte Expressway Frontage Road.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The property was zoned Single Family Residential District from 1954 to 2014 when a zone change was requested to neighborhood commercial in expectation of more commercial development along the Houston Harte Expressway. Since the anticipated commercial development was never realized, the Comprehensive Plan amendment and rezoning would make use of the land in a residential manner consistent with existing adjacent development.
5. **Effect on Natural Environment.** **Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the**

practical functioning of the natural environment. The Comprehensive Plan amendment and rezoning are anticipated to have little to no adverse impact on the natural environment. There may be minor air and noise pollution as the proposed improvements are built, but those would be temporary.

6. **Community Need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.** There has not been a demonstrated community need for a commercial use on the sites. These sites were originally planned for residential purposes and the new potential homes would not be allowed in the current CN Zoning District. Allowing these sites to rezone to Single Family Residential would be reflective of the continuing need for residential homes in the city, rather than allowing a continuance of a zoning designation that has not been fully utilized in the past.
7. **Development Patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.** The existing development pattern in the immediate area to the north is mostly residential, approving the Comprehensive Plan amendment and rezoning will allow the parcels to keep in continuity with the adjoining lots directly north of the subject properties.

Planning Commission Recommendation:

On December 17, 2018, the Planning Commission recommended APPROVAL of an amendment to the Comprehensive Plan for the City of San Angelo to change the Future Land Use from Neighborhood Center to Neighborhood on the subject property, and a request for approval of a Rezoning from the Neighborhood Commercial (CN) Zoning District to the Single Family Residential (RS-1) Zoning District on the subject properties. The following is the complete excerpt of the draft minutes from the December 17, 2018, meeting for this case:

Hillary Bueker, Senior Planner, presented the proposed Comprehensive Plan Amendment and associated Rezoning request. She explained that the applicant proposed to rezone the interior lots and the City decided to initiate a Comprehensive Plan Amendment for the easterly lots consistent with the proposed Rezoning. Ms. Bueker outlined Staff's rationale to approve both applications on the grounds that the Comprehensive Plan Amendment to "Neighborhood" allows for compatibility with the associated rezoning to RS-1; that the lots comply with all RS-1 standards; and that the parcels fit with the already platted surrounding residential lots.

Chair Stribling opened the meeting for public comment.

There was no public comment.

Commissioner Smith made a Motion to recommend APPROVAL of an amendment to the City of

San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Center Future Land Use to the Neighborhood Future Land Use, located at 2900 - 2920 Houston Street. Commissioner Uherik seconded the Motion. The Motion passed unanimously, 6-0.

Commissioner Brooks made a Motion to recommend **APPROVAL** of a Rezoning from the Neighborhood Commercial (CN) Zoning District to the Single Family (RS-1) Zoning District, located at 2920, 2916, 2912 Houston Street. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 6-0.

Recommendation:

Staff's recommendation is for the City Council to:

1. Recommend **APPROVAL** of a Comprehensive Plan Amendment, changing the Future Land Use designation from "Neighborhood Center" to "Neighborhood."
2. Recommend **APPROVAL** of a Rezoning from the Neighborhood Commercial (CN) Zoning District to the Single-Family Residential (RS-1) Zoning District.

Attachments:

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



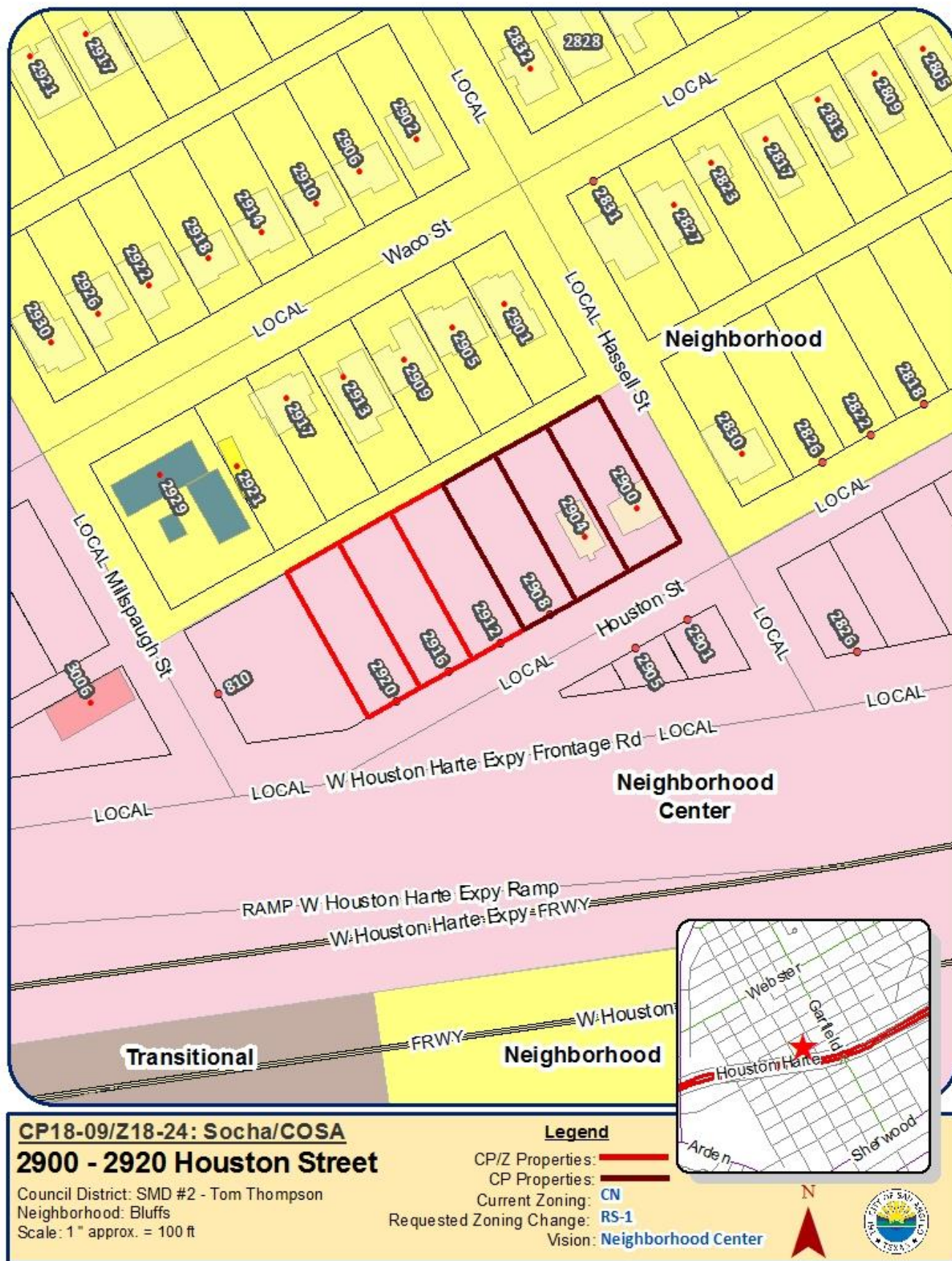
CP18-09/Z18-24: Socha/COSA
2900 - 2920 Houston Street

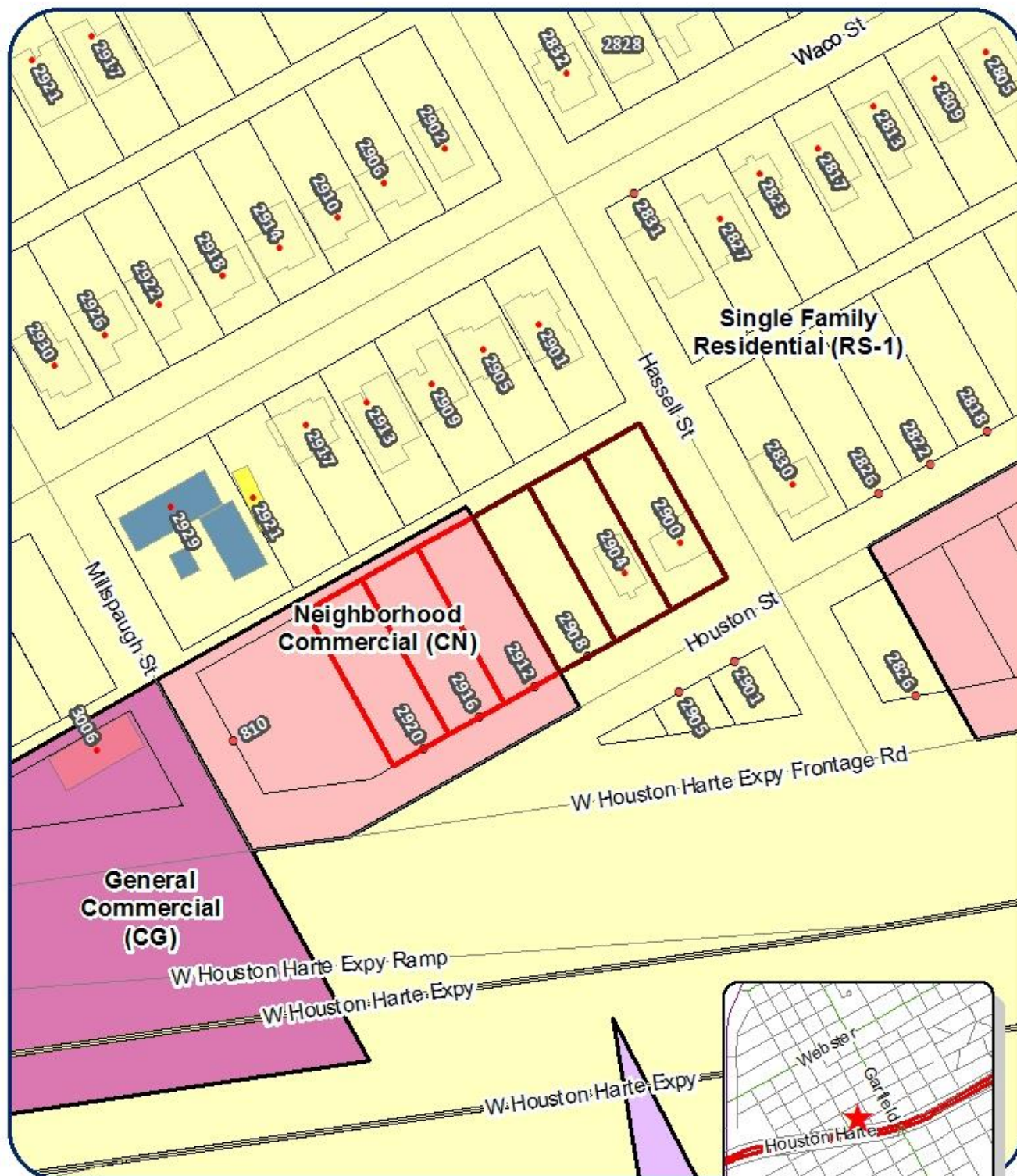
Council District: SMD #2 - Tom Thompson
 Neighborhood: Bluffs
 Scale: 1" approx. = 100 ft

Legend

CP/Z Properties: —
 CP Properties: —
 Current Zoning: **CN**
 Requested Zoning Change: **RS-1**
 Vision: **Neighborhood Center**







CP18-09/Z18-24: Socha/COSA
2900 - 2920 Houston Street

Council District: SMD #2 - Tom Thompson
 Neighborhood: Bluffs
 Scale: 1" approx. = 100 ft

Legend

CP/Z Properties: —
 CP Properties: —
 Current Zoning: CN
 Requested Zoning Change: RS-1
 Vision: Neighborhood Center



Effective January 3, 2017



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



Section 1: Basic Information

Name of Applicant(s): LARRY SOCHA
☒ Owner ☐ Representative (Notarized Affidavit Required)
P.O. Box 488 SAN ANGELO TX 76902
Mailing Address City State Zip Code
325-277-7536 rsocha.laddies@gmail.com
Contact Phone Number Contact E-mail Address
2920; 2916; 2912 HOUSTON ST. SAN ANGELO TX 76901
Subject Property Address City State Zip Code
LOT 11; 12; 13 BLOCK 66; HATCHER ADDITION SUBDIVISION
Legal Description (can be found on property tax statement or at www.torhgreencad.com)
Existing Zoning: CN Proposed Zoning: RS-1 Lot size: (50'x140') 7000 FT.²

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

Section 2: Site Specific Details

Existing Use of Property: VACANT LOT
*Proposed Use of Property: SINGLE FAMILY RESIDENCE
*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Owner Name (Print) LARRY SOCHA Signature [Signature] Company/Organization (If Applicable) Date 11/13/18

Representative Name (Print) Signature Company/Organization Date

FOR OFFICE USE ONLY:

☒ Verified Complete ☐ Verified Incomplete

Date of Application: 11 / 14 / 2018

Case No.: Z 18 -- 24

Fully-dimensioned site plan: ☐

Nonrefundable fee: \$ 662.50

Receipt #: 48193

Date paid: / /

Sign Deposit \$37.50

Receipt #:

Date paid: / /

Affidavit attached?

☐ Yes

☐ No

☐ N/A

Applicant's signature on information sheet?

☐ Yes

☐ No

Previous Zone Change Inquiry?

☐ Yes

☐ No

If yes, ZCI case no.: --

River Corridor Commission?

☐ Yes

☐ No

If yes, RCC meeting date: / /

Planning Commission hearing date: 12 / 17 / 2018

Date notifications due: 12 / 6 / 18

City Council hearing date: 1 / 22 / 18

Packets due date: / /

Publication date: / /

Reviewed/Accepted by: J. Fisher

Date: 11 / 14 / 2018

Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue

Application for Request to Amend Comprehensive Plan



Section 1: Basic Information

Name of Applicant(s): LARRY SOCHA

☒ Owner ☐ Representative (Notarized Affidavit Required)

P.O. Box 488 San Angelo TX 76902
Mailing Address City State Zip Code

325-272-7536 lsocha.laddies@gmail.com
Contact Phone Number Contact E-mail Address

2920, 2916, 2912 Houston St. San Angelo TX 76901
Subject Property Address City State Zip Code

Lot Size: 50' x 140' (7000 FT²) Zoning: CN → RS-1

Section 2: Site Specific Details

Existing Use of Property: VACANT LAND

Proposed Use of Property: SINGLE FAMILY, RESIDENTIAL

Existing Comprehensive Plan Land Use Designation: CN

Requested Comprehensive Plan Land Use Designation: RS-1

Reason(s) and justification(s) for requesting Comprehensive Plan Amendment:

EXISTING SINGLE FAMILY HOMES SURROUND THE LOTS
& THEY ARE SIZED APPROPRIATELY. THEY ARE NOT
ON LOOP 306. ACCESS RD. TAG NEEDED FOR
AFFORDABLE HOUSING EXISTS IN THE CITY FOR
LOWER PRICE POINTS UNDER \$200K. IT HAS
BEEN VACANT LOTS FOR 20 PLUS YEARS. THIS
DEVELOPMENT WILL ADD TO TAX BASE

Effective January 3, 2017

Section 3: Applicant(s) Acknowledgement

Please initial the following:

LS This process does NOT change the zoning on the property. Future applications filed for zone change will be evaluated by comparing the request against the Comprehensive Plan category, to insure consistency as required by the Local Government Code. This Code directs cities to make zoning decisions in accordance with this planning document.

LS Filing of this application is simply a request that the Planning Commission consider an amendment to the Comprehensive Plan map. Both the Planning Commission and City Council have the option to determine no amendment is necessary. If amendment is deemed necessary, staff will recommend updates based on the facts and evidence collected, and in accordance with the principles of the Comprehensive Plan adopted in 2009.

LS If approved, the Comprehensive Plan Amendment is applied to the property and runs with the land; it does not apply to the property owner(s).

LS The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a Comprehensive Plan Amendment request, the request must still go before City Council for final action.

LS If a Comprehensive Plan Amendment request is granted by City Council, a Zone Change application must still be filed to begin the rezoning process. While such applications may be filed concurrently, refund of a rezoning application fee is not possible; as such, it may be advisable to wait for a final decision on said Comprehensive Plan Amendment before proceeding with a rezoning request.

LS Comprehensive Plan Amendments are not done on a property by property basis, since zoning is largely based upon anticipating & mitigating the effects and unintended consequences land uses have on their surroundings. The neighborhood or area where your property lies will be evaluated and studied by staff, the Planning Commission, and City Council.

LS Areas will be examined no more than once per calendar year. The analysis, study, and evaluation by staff, the Planning Commission is a three month process; City Council must also adopt any changes.

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

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



Signature of licensee or authorized representative

11/14/18

Date

LARRY SOCHA

Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: CPA.: 18 -- 09

Planning Commission Date: 12 / 17 / 2018

City Council Date(s): 1 / 22 / 2019

Non-Refundable Fee: \$ 500.00

Receipt #: 48196

Date paid: 11 / 14 / 2018

Reviewed/Accepted by: J. Fisher

Date: 11 / 14 / 2018

Site Photos



Houston Street and West Houston Harte Expressway Frontage Road



Subject Properties



Homes behind Subject Properties



Adjacent Homes included in Comp Plan Amendment



CP18-09/Z18-24: Socha/COSA
2900 - 2920 Houston Street

Council District: SMD #2 - Tom Thompson
Neighborhood: Bluffs
Scale: 1" approx. = 125 ft

Legend

CP/Z Properties: —
CP Properties: —
Current Zoning: **CN**
Requested Zoning Change: **RS-1**
Vision: **Neighborhood Center**



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

(☒)

IN FAVOR

(☐)

IN OPPOSITION

REASON(S)

NAME:

ADDRESS:

SIGNATURE:

CP18-09 / Z18-24: Socha/COSA

Property owner number: 21

If you have any questions about these proceedings, please call Hillary Bueker, Senior Planner, with the City of San Angelo's Planning Division at (325) 657-4210 ext. 1547 or at hillary.bueker@cosatx.us.

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: **2912, 2916, AND 2920 HOUSTON STREET, CITY OF SAN ANGELO, TEXAS, compromising a total of 0.48-acres**, FROM NEIGHBORHOOD COMMERCIAL (CN) ZONING DISTRICT TO THE SINGLE FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z18-24

WHEREAS, 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 Residential (RS-1) Zoning District; and,

WHEREAS, on the 22th day of January, 2019, City Council held a public hearing on Z18-24, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

The real property located at 2912, 2916, and 2920 Houston Street, compromising a total of 0.48-acres in Hatcher Addition, Lots 11, 12, and 13, Block 66, City of San Angelo, Tom Green County, Texas.

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

SECTION 3: In all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

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

SECTION 5 The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

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

INTRODUCED on the **22nd day of January, 2019**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of February, 2019**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

Exhibit A (RS-1 Boundary Map)

Single Family Residential (RS-1)

Z18-24: Socha

2912 - 2920 Houston Street

Council District: SMD #2 - Tom Thompson

Neighborhood: Bluffs

Scale: 1" approx. = 100 ft

Legend

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



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, BEING **2900-2920 HOUSTON STREET, CITY OF SAN ANGELO, TEXAS, compromising a total of 0.97 ACRES**, FROM "NEIGHBORHOOD CENTER" TO "NEIGHBORHOOD;" PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP-18-09

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

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

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

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

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

SECTION 1: The Future Land Use Plan Map, a component of the adopted Comprehensive Plan for the City of San Angelo be and the same is hereby amended to change the Future Land Use designations of the following described parcels as outlined below:

2900-2920 Houston Street, compromising a total of 0.97 acres in Hatcher Addition, Block 66, Lots 11-16, City of San Angelo, Texas, from “Neighborhood Center” to “Neighborhood;”

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 **22th day of January, 2019**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of February, 2019**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

CITY COUNCIL – January 22, 2019
STAFF REPORT



APPLICATION TYPE:		CASE:	
Rezoning		Z18-25: Von Rosenberg	
SYNOPSIS:			
On December 16, 2014, City Council approved a previous rezoning request by the applicant on the property from General Commercial (CG) to Low Rise Multifamily Residential (RM-1). The applicant explained that the property has not developed residentially and is now requesting a rezoning back to commercial, from the RM-1 zone to Neighborhood Commercial (CN).			
LOCATION:		LEGAL DESCRIPTION:	
5205 South Bryant Boulevard; generally located southwest of South Bryant Boulevard and Kimrey Lane		Being Lot 1 in Block 1 in the Windwood Subdivision, Section 1, comprising a total of 0.915 acres.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #1 – Tommy Hiebert Glenmore Neighborhood	Low Rise Multifamily Residential (RM-1)	NC – Neighborhood Center	0.915 ac.
THOROUGHFARE PLAN:			
Kimrey Lane – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' with a 4-foot sidewalk Provided: 60' right-of-way, 24' pavement and no sidewalk (complied at time of platting) South Bryant Boulevard Frontage Road– Urban Arterial Street Required: 80' right-of-way, 64' pavement Provided: 300' right-of-way, 110' pavement			
NOTIFICATIONS:			
12 notifications mailed within 200-foot radius on December 4, 2018. None received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the rezoning from the Low Rise Multifamily Residential (RM-1) Zoning District to the Neighborhood Commercial (CN) Zoning District on the subject property.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner and Applicant:</i> Eric von Rosenberg, Von Rosenberg Custom Homes LLC			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: N/A

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any rezoning request:

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The subject property has a Future Land Use designation of “Neighborhood Center” in the City’s Comprehensive Plan which calls to “promote a mix of various uses at key intersections to encourage the necessary densification, and walkability necessary for Neighborhood Centers” and “establish transition areas to better ‘scale-down’ intensity of use from commercial centers to neighborhoods.” The proposed CN zoning would be consistent with these policies. The property serves as a transition area from the heavy commercial uses east of South Bryant Boulevard and residential neighborhood to the west. The CN also allows for scaled-down commercial activity consistent with the Neighborhood Center designation, and which can serve the nearby residential homes. The CN zoning allows a wide range of commercial uses, including retail stores, offices, banks, fitness gyms, and restaurants.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The Planning Division believes that the CN zoning is appropriate for this property given it has direct access onto the South Bryant Boulevard commercial corridor and its convenient location close to residential areas. The existing lot was platted as part of the Windwood Subdivision, Section One, filed for record with the Tom Green County Clerk on December 17, 2007. The property has a lot area of 0.915 acres, a minimum lot frontage of 170.40 feet and a minimum lot depth of 194.17 feet, exceeding the minimum CN requirements of 6,000 square feet for lot area, 50 feet frontage and 80 feet depth. There is an existing 6-foot high rock wall fence along the west side of the property, and 6-foot high wooden fence along the south side of the property, in compliance with Section 509.A. 1 of the Zoning Ordinance requiring an opaque privacy fence adjacent to residential zoning and uses. The privacy fences will provide additional security and screening from the adjacent residences west and south of the subject property. The CN zoning will also prohibit any outdoor storage extending more than 5 feet of any future building wall. This will minimize any unsightly visual clutter from being stored outside in close proximity to the adjacent residential area.

3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* The proposed CN will be compatible with the surrounding area which includes several religious institutions (Unity, Word of Life) along this expanse of South Bryant Boulevard, as well as Sonrisas Therapeutic Riding and Mosaic. It will also serve the surrounding residential community as there is currently no retail commercial uses within a mile of the subject property on the west side of South Bryant Boulevard. The existing privacy fencing along the west and south property lines will provide
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The property has remained vacant since at least 2007 when it was platted, and since 2014 when it was rezoned RM-1. At the time, the applicant was proposing an 11-unit apartment complex but no development took place. Given the property location on South Bryant Boulevard along a commercial corridor, the Planning Division supports the requested rezoning to CN.
5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* The Planning Division does not anticipate any negative effects on the natural environment. A review of grading, drainage, and stormwater would take place at the permit stage for any development of this lot.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The Planning Division believes that Neighborhood Commercial (CN) Zoning is appropriate and there will be a desired need for this type of development given its location along South Bryant Boulevard.
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.* There are no anticipated changes to existing development patterns. Southbound traffic can access the property from the South Bryant Boulevard Frontage Road. The Planning Division is concerned however, with access to the property travelling northbound as there is no direct access from South Bryant Boulevard northbound to the property. Vehicles would either have to access the property from the southwest via Ben Ficklin Road through to Kimrey Lane, or turnaround at the north end of Ben Ficklin Road and return southbound. Kimrey Lane being a local road in a residential neighborhood is not designed to accommodate larger commercial traffic volumes. However, the site being under 1 acre would limit large scale commercial uses and Staff believes the majority of traffic will access the site from South Bryant Boulevard, mitigating this impact. Regardless, Staff believes this issue alone would not be sufficient to recommend denial.

Planning Commission Recommendation:

On December 17, 2018, the Planning Commission recommended **APPROVAL** of the proposed Rezoning from the Low Rise Multifamily Residential (RM-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, located at 5205 South Bryant Boulevard. The following is the complete excerpt of the draft minutes from the December 17, 2018, meeting for this case:

Jeff Fisher, Senior Planner, presented the rezoning request. He explained that in 2014 the same applicant was approved for a rezoning of the subject property from General Commercial (CG) to Low Rise Multifamily Residential (RM-1) but due to market conditions no apartments were built and the property has remained vacant.

Mr. Fisher outlined Staff's rationale to approve the Rezoning to Neighborhood Commercial (CN) on the grounds that the CN zoning is consistent with the Future Land Use designation "Neighborhood Center"; that the lot complies with all CN standards; and that the existing rock fence along the west lot line and wooden fence along the south lot line provides screening from the adjacent residential properties. Mr. Fisher also explained that the CN limits the total floor area on the property as well as prohibits any outdoor storage past 5 feet from the building wall. He concluded his presentation with one concern, that even though Staff supports the request, there was no northbound access from South Bryant Boulevard which would require at least some vehicles to enter through Ben Ficklin Road and Kimrey Lane.

Chair Stribling opened the meeting for public comment.

Ms. Ami-Mizell Flint representing Mosaic located north of the property asked what uses were allowed in the CN zone.

Mr. Fisher responded that the CN zoning allows retail sales and services, offices, restaurants, gyms, and day cares, in addition to other similar uses.

Mr. Eric von Rosenberg, owner of the subject property expressed he was available to answer any questions.

Mr. Bruce Davidson, owner of surrounding property, spoke in opposition of the request. He expressed concerns with commercial traffic using Kimrey Lane which he believes is too narrow.

Chair Stribling asked about parking requirements for the CN Zone.

Mr. Fisher responded that parking is based on use, not zoning district. He provided some examples of parking for various uses, included retail stores which require one space per 200 square feet of accessible floor area to the public; one space per 300 square feet for offices; and one space per 400 square feet for private clubs. Mr. Fisher stated that he believes there is sufficient space on the property to accommodate these parking requirements.

Commissioner Jackson asked what the width was of Kimrey Lane.

Mr. Fisher responded that he believed it was approximately 24 to 26 feet, which is deficient under current standards, but that the lot was previously platted and would have met the required minimums at the time it was platted.

Chair Stribling spoke in support of the request and believes that the CN uses would generate less traffic than other commercial types of zoning.

Chair Stribling closed public comment.

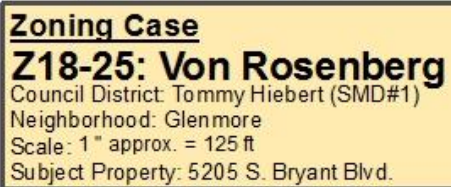
Commissioner Brooks made a Motion to recommend APPROVAL of a Rezoning from the Low Rise Multifamily Residential (RM-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, located at 5205 South Bryant Boulevard. Commissioner Smith seconded the Motion. The Motion passed unanimously, 6-0.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** the proposed rezoning from the Low Rise Multifamily Residential (RM-1) Zoning District to the Neighborhood Commercial (CN) Zoning District on the subject property.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Applicant's Response to Zoning Criteria
Application



Legend:

Current Zoning:

Requested Zoning:

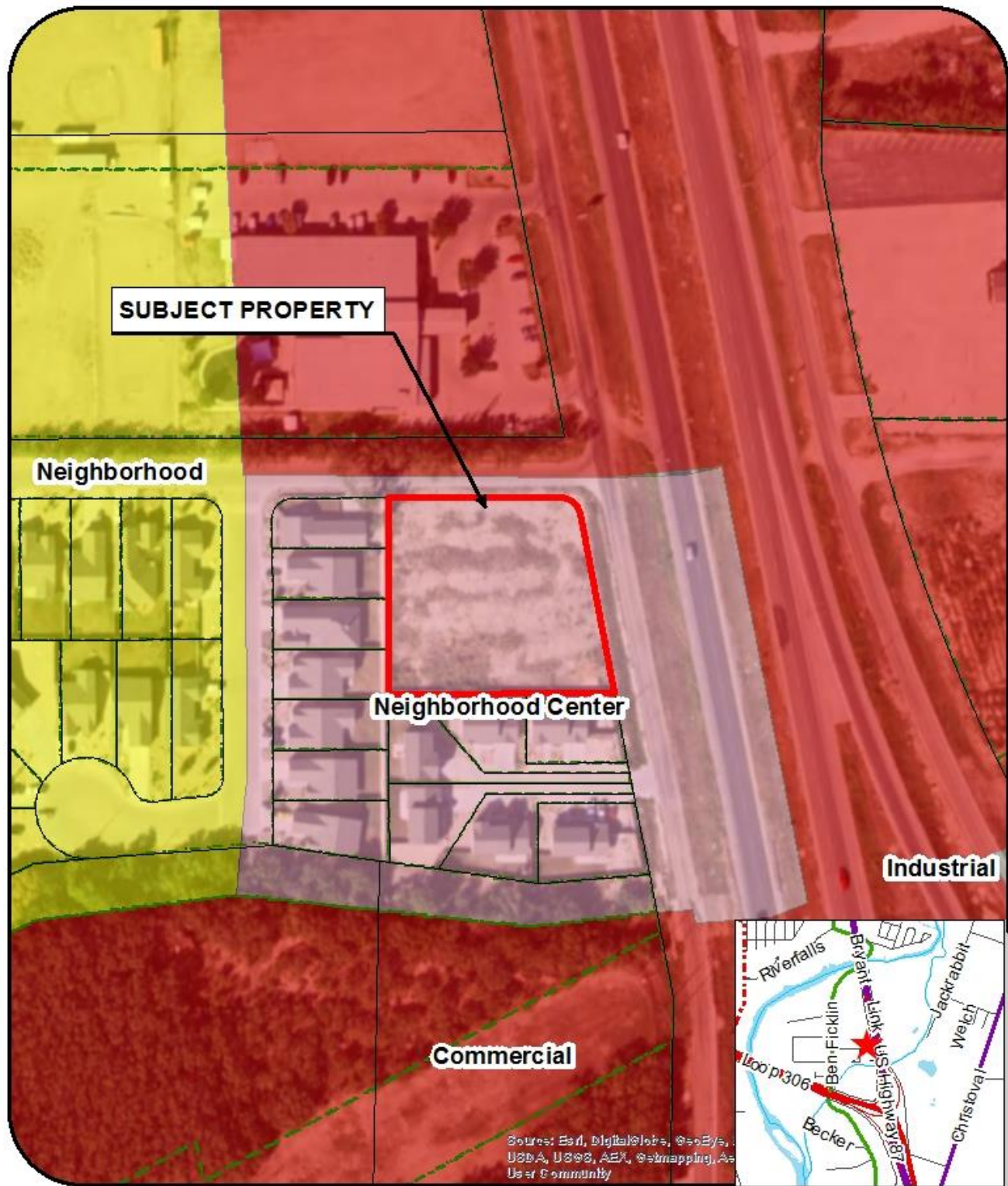
Vision:

RM-1

CN

Neighborhood Center

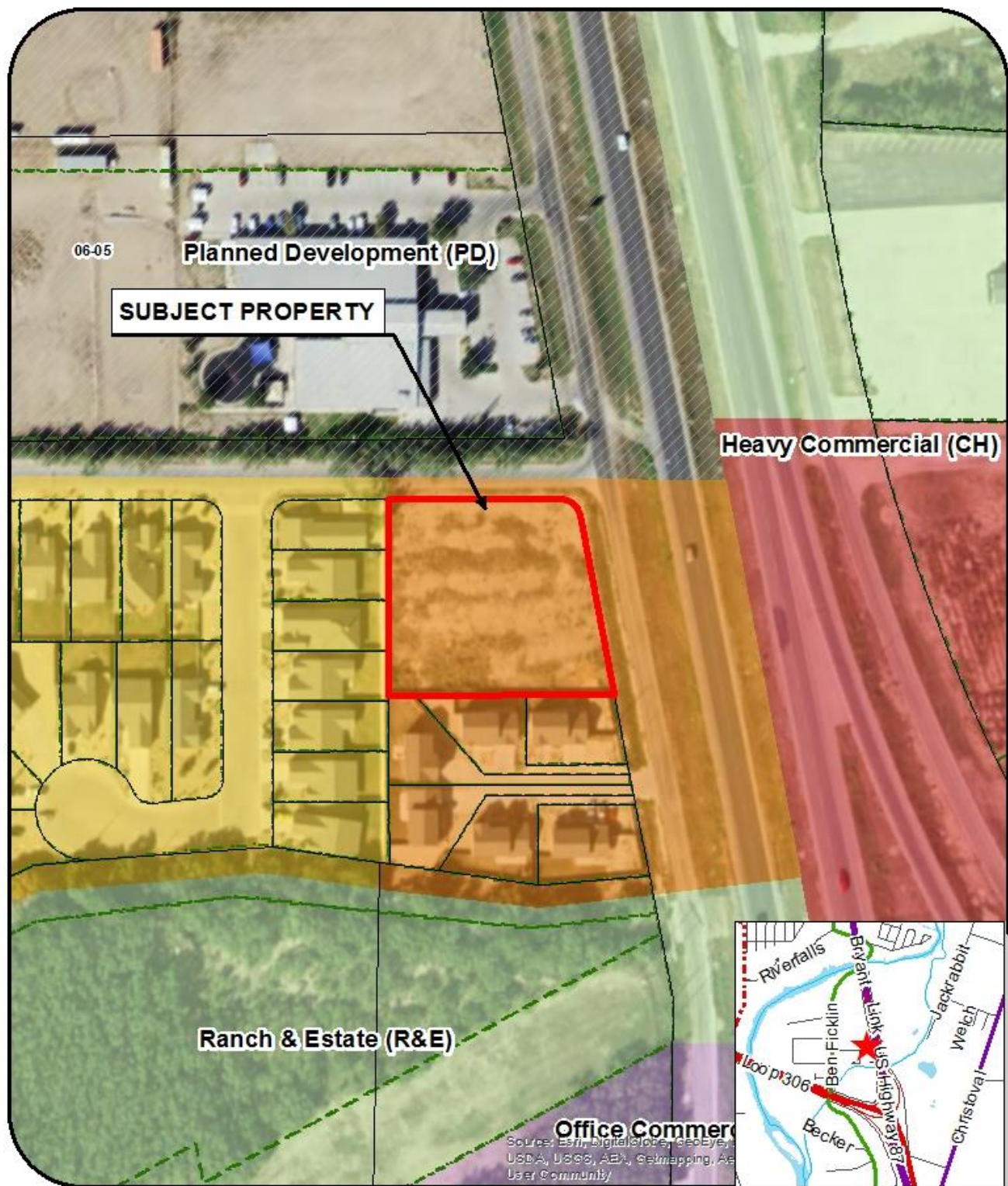




Zoning Case
Z18-25: Von Rosenberg
Council District: Tommy Hiebert (SMD#1)
Neighborhood: Glenmore
Scale: 1" approx. = 125 ft
Subject Property: 5205 S. Bryant Blvd.

Legend:
Subject Properties: —
Current Zoning: RM-1
Requested Zoning: CN
Vision: Neighborhood Center





Zoning Case
Z18-25: Von Rosenberg
Council District: Tommy Hiebert (SMD#1)
Neighborhood: Glenmore
Scale: 1" approx. = 125 ft
Subject Property: 5205 S. Bryant Blvd.

Legend:
Subject Properties: —
Current Zoning: RM-1
Requested Zoning: CN
Vision: Neighborhood Center



Photos of Site and Surrounding Area

NORTH



SOUTH



WEST



EAST



SOUTH AT PROPERTY



WEST AT PROPERTY



Sec. 212. Amendments to Text or Official Zoning Map

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

1. Compatible with Plans and Policies. Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.
CN zoning is compatible with future land use of Neighborhood Center.

2. Consistent with Zoning Ordinance. Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.
No, there would not be any conflict with the proposed construction

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 should be compatible since the proposed property is off Bryant and fronts a major commercial corridor.

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

This property showed no interest in selling to potential residential developers. We feel the use of the land is more suitable for commercial property.

5. Effect on Natural Environment. Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment

N/A

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

There is potential interest in a commercial project that would be suitable for this proposed ammendment.

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.

Since the lot would not require any re-configuration, and the location fronts Bryant, we feel the proposed amendment would be a logical and orderly pattern of urban development in the community.

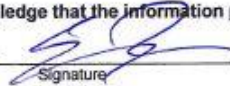
Hours of Operation: 8 AM -12 PM & 1PM – 5 PM 325-657-4210, #2 www.cosatx.us/planning

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

ERIC VONROSENBERG  VONROSENBERG - JUSTIN HAWES 11/14/2018
Owner Name (Print) Signature Company/Organization (If Applicable) Date

Representative Name (Print) Signature Company/Organization Date

FOR OFFICE USE ONLY:

☒ Verified Complete ☐ Verified Incomplete

Date of Application: 11/16/2018

Case No.: Z 18-25

Fully-dimensioned site plan: N/A

Nonrefundable fee: \$ 662.50

Receipt #: 51739

Date paid: 11/16/2018

Sign Deposit \$37.50

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

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

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

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

Planning Commission hearing date: 12/17/2018 Date notifications due: 12/6/2018

City Council hearing date: 1/22/2019 Packets due date: ____/____/____

Publication date: 1/2/2019

Reviewed/Accepted by: J. Fisher Date: 11/16/2018

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: **5205 South Bryant Boulevard; generally located southwest of South Bryant Boulevard and Kimrey Lane; comprising 0.915 acres;** FROM THE LOW RISE MULTIFAMILY RESIDENTIAL (RM-1) ZONING DISTRICT TO THE NEIGHBORHOOD COMMERCIAL (CN) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Z18-25: Von Rosenberg

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

WHEREAS, on the 22nd day of January, 2019, City Council held a public hearing on Z18-25, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

The real property generally located at 5205 South Bryant Boulevard, being Lot 1, in Block 1 in the Windwood Subdivision, Section 1, City of San Angelo, Tom Green

County, Texas, comprising 0.915 acres, shall henceforth be permanently zoned as follows:
Neighborhood Commercial (CN) Zoning District.

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

SECTION 3: In all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

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

SECTION 5 The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

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

INTRODUCED on the **22nd day of January, 2019**, and finally PASSED, APPROVED
AND ADOPTED on this the **5th day of February, 2019**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

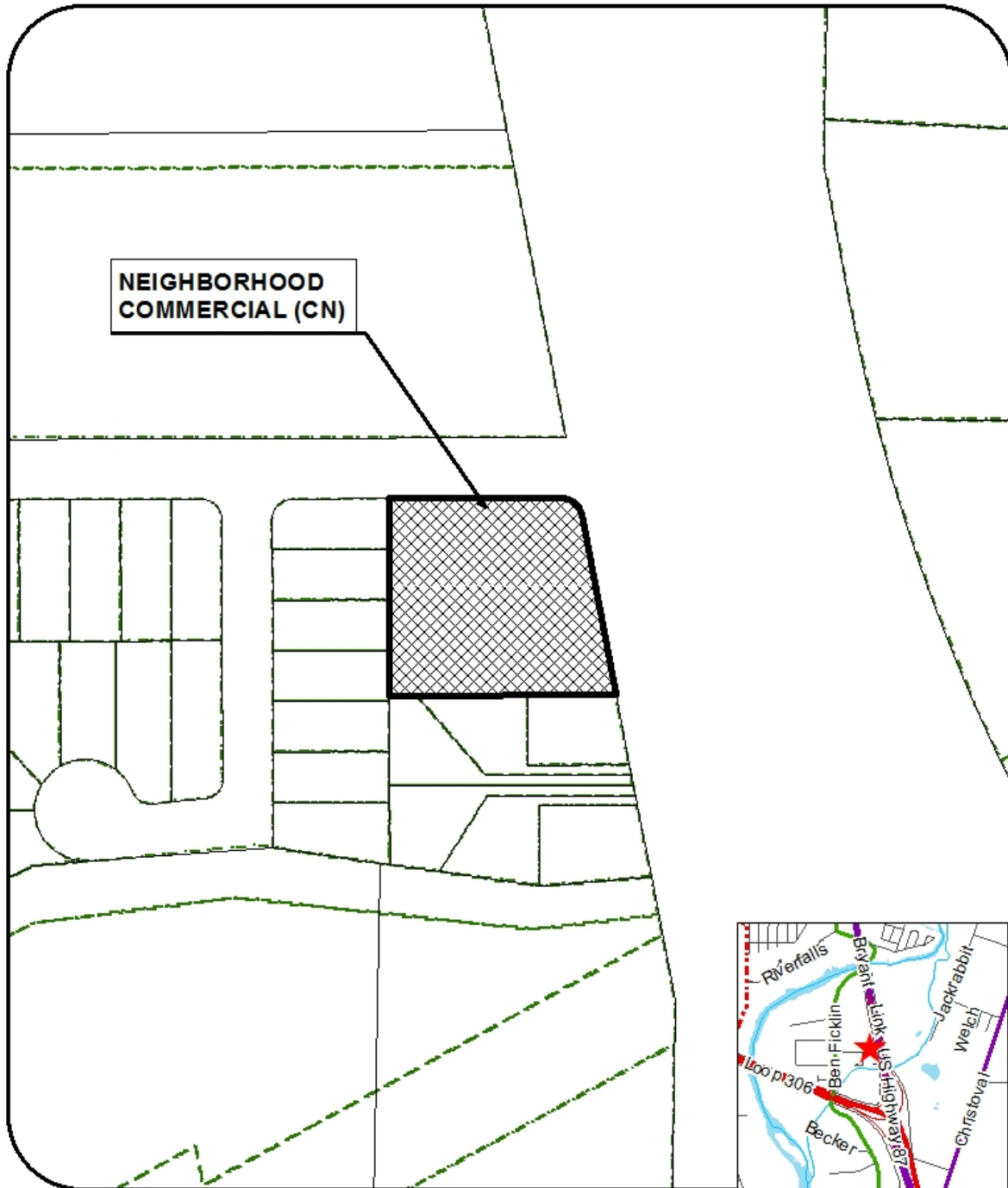
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A" (CN Boundary Map)



Zoning Case

Z18-25: Von Rosenberg

Council District: Tommy Hiebert (SMD#1)

Neighborhood: Glenmore

Scale: 1" approx. = 125 ft

Subject Property: 5205 S. Bryant Blvd.

Legend:

Subject Properties:

Current Zoning:

Requested Zoning:

Vision:

RM-1

CN

Neighborhood Center



CITY COUNCIL – January 22, 2019
STAFF REPORT



APPLICATION TYPE:	CASE:		
Rezoning	Z18-27: Brite Mara, LLC		
SYNOPSIS:			
The applicant has applied for this Rezoning request from General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) to Low Rise Multifamily Residential (RM-1). If approved, the RM-1 Zone will allow the existing apartment buildings by right and an expansion of this use on the entire property (see Additional Information).			
LOCATION:		LEGAL DESCRIPTION:	
3608 North Chadbourne Street; generally located southeast of the intersection of North Chadbourne Street and East 37 th Street		Being 1.18 acres in the James Williams Survey 121-1/2. Abstract A-5670 in the City of San Angelo	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #2 – Tom Thompson Lake View Neighborhood	CG/CH and RS-1	C – Commercial and N - Neighborhood	1.18 ac.
THOROUGHFARE PLAN:			
North Chadbourne Street – Urban Arterial Street Required: 80' right-of-way, 64' pavement Provided: 60' right-of-way, 52' pavement (complied at time of platting) East 37th Street – Urban Local Street Required: 50' right-of-way, 40' pavement and no sidewalk or 36' pavement with a 4-foot wide sidewalk Provided: 50' right-of-way, 40' pavement			
NOTIFICATIONS:			
19 notifications mailed within 200-foot radius on November 5, 2018. Zero received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Low Rise Multifamily Residential (RM-1) Zoning District, on the subject property.			
PROPERTY OWNER/PETITIONER:			
Property Owner and Applicant: Michael Weeks, Brite Mara LLC			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			



Additional Information: On March 12, 1973, the City Planning Commission approved a Special Permit that allowed apartments on the RS-1 portion of the property, formerly “R-1”. The CG/CH portion, then “C-2” allowed apartments by right. The apartments on the subject property were constructed in 1976 according to the Tom Green County Appraisal District. The west building and approximately 40 feet of the east building are located entirely in the CG/CH portion which no longer allows apartments by right. This portion of the apartment complex lost its legal non-conforming status on August 19, 2018, due to water and sewer service being terminated a year earlier according to Water Utilities. Section 604 of the Zoning Ordinance indicates that a non-conforming use loses its status if not operated during a continuous period of 12 months. The applicant recently approached the City to obtain permits to repair the apartments partially damaged by weather. On November 19, 2018, the Planning Commission approved a Partial Reconstruction of a Non-Conforming Use (Multifamily Apartment Complex) under Section 605.B.2 of the Zoning Ordinance on the property (NCU18-01). The approval allowed the owner to obtain building permits for all remaining work on the buildings partially damaged by weather. The owner is now seeking the subject rezoning to legalize the existing apartments on the entire property and allow their expansion.

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any rezoning request:

1. **Compatible with Plans and Policies. *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.*** The subject property has a Future Land Use designation of “Commercial” in the City’s Comprehensive Plan. While these are typically “single-use centers consisting of large retail and office clusters that seek visibility and convenient access offered by frontage onto the major street network”, the Commercial polices also call to “establish transition areas between commercial areas and nearby neighborhoods.” The Planning Division believes that the existing apartments serve as a transition between commercial uses and zoning to the north, west, and south, and the single-family residential zoning to the east. In addition, this particular 2/3 mile corridor along North Chadbourne Street between 30th and 38th Streets contains many other pre-existing residential uses that front onto North Chadbourne Street. The apartments on the subject property have existed since 1976 according to the Tom Green County Appraisal District. A small triangular piece along the east portion of the property is designated “Neighborhood” which support multi-family apartments.
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 apartment complex will comply with all RM-1 development standards including lot area, lot width, lot depth, setbacks, maximum number of units/acre and parking. The property is 1.18 acres, has a minimum lot frontage of 120 feet, and a minimum lot depth of 450 feet, well exceeding the minimum lot area of 7,000 square feet, minimum lot frontage of 60 feet, and minimum lot depth of 100 feet.

The building appears to be setback 25 feet as required from the front property line facing North Chadbourne Street but regardless would be legal non-conforming in this respect. The existing apartment complex contains 22 units and the RM-1 standards allow 25 units/acre or $1.18 \times 25 = 30$ units. There are currently 43 striped parking spaces on the property and the complex requires 38 parking spaces in compliance. As a condition of approval of NCU18-01, the applicant will be required to provide two accessible parking spaces in accordance with ADA standards.

3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* The property is adjacent to commercial buildings to the south and north, single-family residential uses to the east, and vacant CG/CH property to the west. As indicated, the apartment complex has existed since 1976 and provides a transition between the commercial uses and residential dwellings. The majority of the apartment complex is screened from the commercial auto repair business to the south with a 6-foot high brick wall along the south property line. The property is also located along the Concho Valley Transit bus route that runs along North Chadbourne Street and is close to nearby commercial amenities. For these reasons, the Planning Division is satisfied that the existing apartment complex is compatible with the surrounding area.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* As indicated, the west building and portion of the east building are no longer allowed by right without a Rezoning. The CG/CH zoning which has existed since 2000, does not allow apartments by right. Termination of water and sewer service on August 19, 2017 and no usage within one year removed its legal non-conforming status. Therefore, the RM-1 zoning would be appropriate as it would allow the existing apartments by right.
5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* The Planning Division does not anticipate any negative effects on the natural environment. The site has been paved and adequate parking has been provided.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The applicant believes there is a demonstrated need for apartments in this area. They provided Planning Staff with a Demographic Analysis and Comparable Rent Summary showing the proposed rents are consistent with nearby multi-family properties. The Planning Division is satisfied that a rezoning to allow the existing apartment complex to be reoccupied is appropriate given this property's location close to other residential uses, transit access, and nearby commercial amenities.

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.* There are no anticipated changes to existing development patterns. The apartment complex has direct and abutting access to North Chadbourne Street, a major arterial road, close to nearby commercial amenities.

Planning Commission Recommendation:

On December 17, 2018, the Planning Commission recommended **APPROVAL** of the proposed Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Low Rise Multifamily Residential (RM-1) Zoning District, on the subject property. The following is the complete excerpt of the draft minutes from the December 17, 2018, meeting for this case:

Jeff Fisher, Senior Planner, presented the rezoning request. He explained that last month the Planning Commission approved a related request for a Partial Reconstruction of the apartment building from damage due to inclement weather. Mr. Fisher indicated that the Partial Reconstruction only allowed the owner to repair the apartment complex, but not to occupy it as it had lost its legal non-conforming status due to more than 12 months of inactivity without water service. He explained that Staff found a Special Permit which allowed apartments on the RS-1 portion of the lot but not the full lot, and therefore, and that this Rezoning request would allow the owner to re-occupy the entire apartment complex.

Mr. Fisher outlined Staff's rationale to approve the Rezoning to Low Rise Multifamily (RM-1) on the grounds that the "Commercial" Future Land Use designation supports transitional uses and the apartment complex provides a transition between adjacent commercial and residential uses; that the existing apartment complex complies with all RM-1 standards; and that the apartment complex has existing on the property since 1976 and located along an arterial road and a Concho Valley Transit bus route.

Chair Stribling opened the meeting for public comment. There was no public comment.

Chair Stribling spoke in support of the request and believes the Rezoning is consistent with the area.

Commissioners Jackson and Spano agreed.

Commissioner Jackson made a Motion to recommend APPROVAL of a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Low Rise Multifamily Residential (RM-1) Zoning District, located at 3608 North Chadbourne Street. Vice Chair Spano seconded the Motion. The Motion passed unanimously, 6-0.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** the proposed Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Low Rise Multifamily Residential (RM-1) Zoning District, on the subject property.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Aerial Photo of Property
Demographic Analysis and Comparable Rent Summary
Application
Applicant's Response to Zoning Criteria



Zoning Case

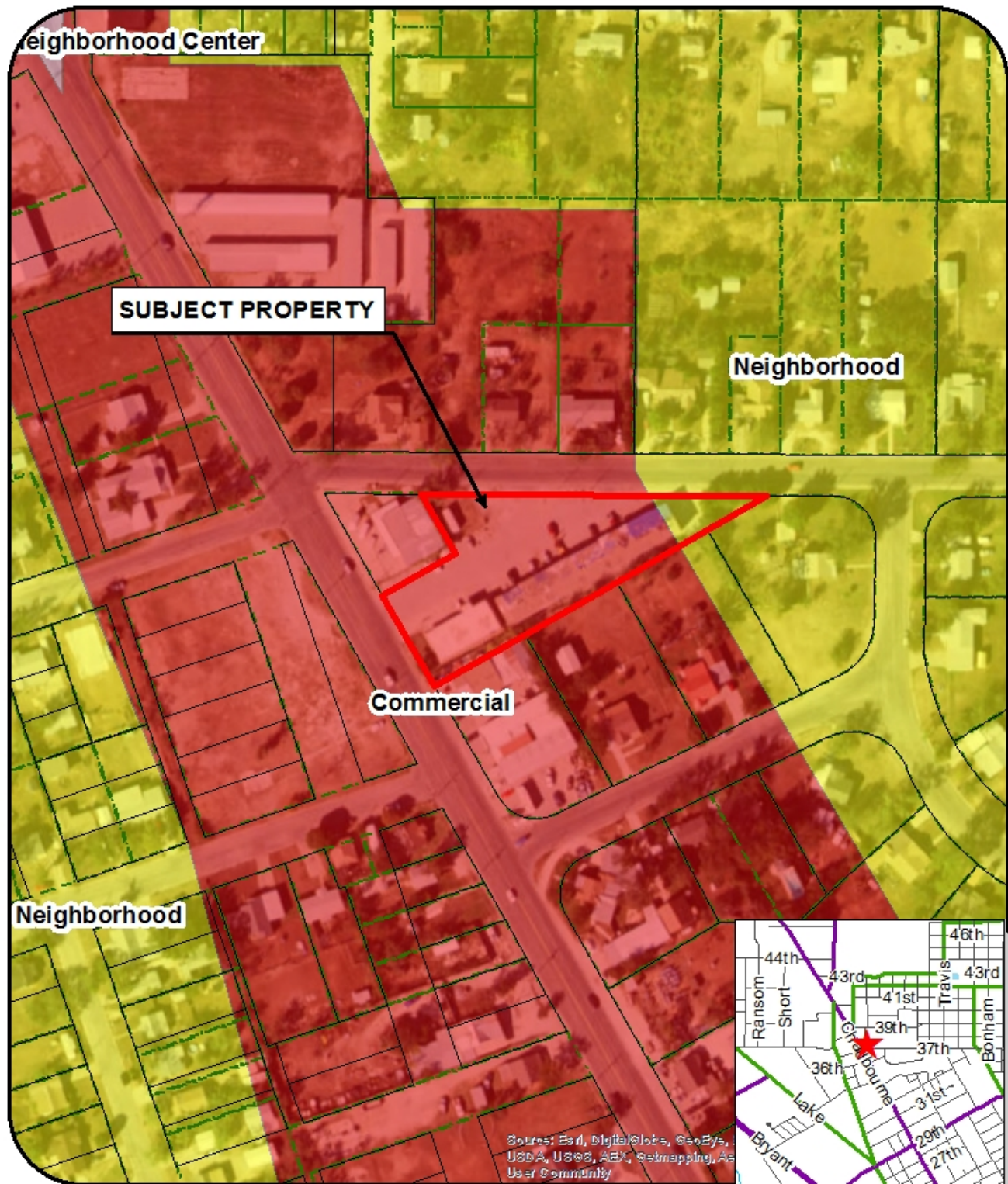
Z18-27: Weeks (Brite Mara LLC)

Council District: Tom Thompson (SMD#2)
Neighborhood: Lake View
Scale: 1" approx. = 150 ft
Subject Property: 3608 N. Chadbourne St.

Legend:

Subject Properties: —
Current Zoning: **CG/CH and RS-1**
Requested Zoning: **RM-1**
Vision: **Commercial and Neighborhood**





Zoning Case

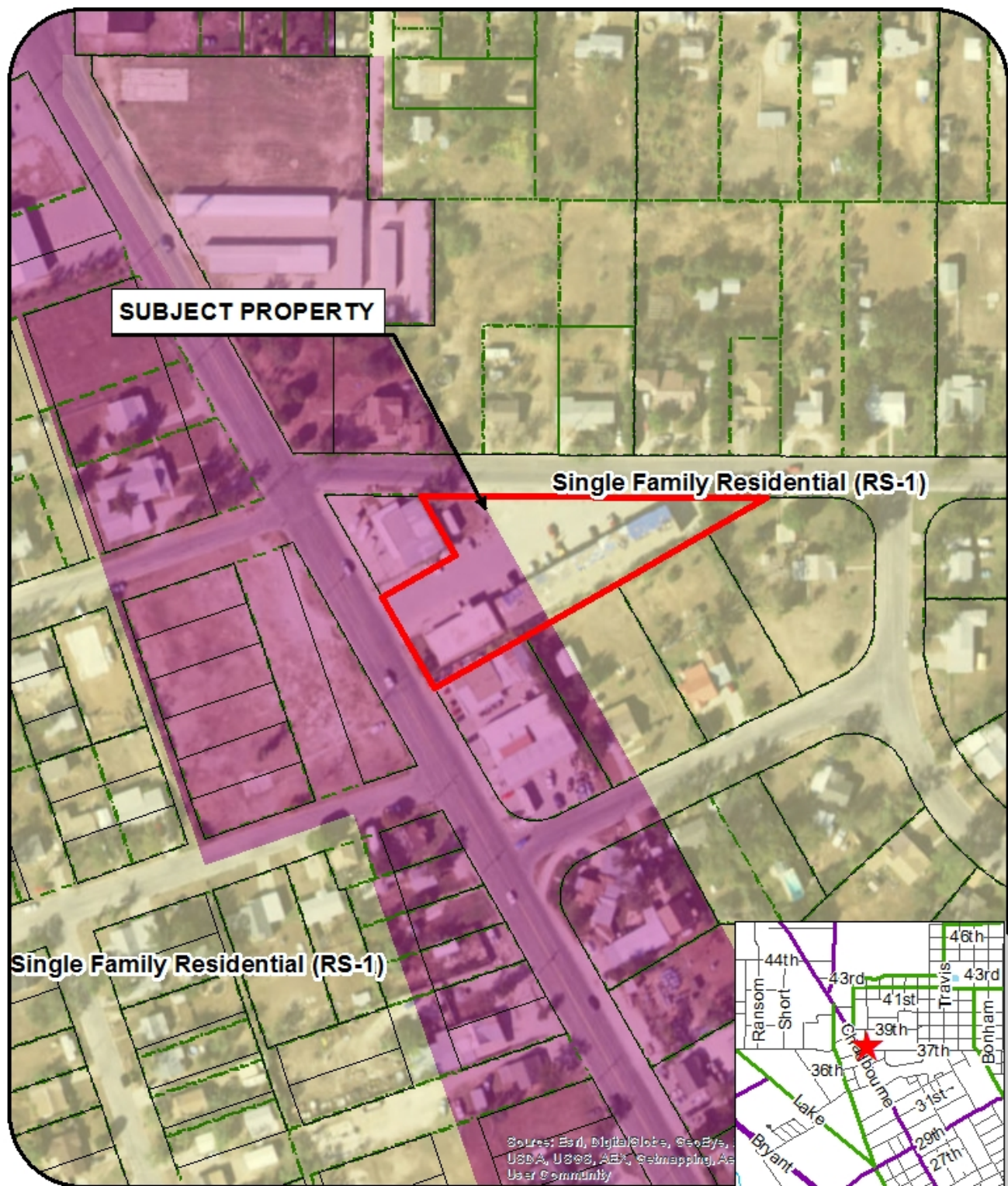
Z18-27: Weeks (Brite Mara LLC)

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Legend:

Subject Properties: —
Current Zoning: **CG/CH and RS-1**
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Zoning Case

Z18-27: Weeks (Brite Mara LLC)

Council District: Tom Thompson (SMD#2)
Neighborhood: Lake View
Scale: 1" approx. = 150 ft
Subject Property: 3608 N. Chadbourne St.

Legend:

Subject Properties: —
Current Zoning: **CG/CH and RS-1**
Requested Zoning: **RM-1**
Vision: **Commercial and Neighborhood**



Photos of Site and Surrounding Area

NORTH



SOUTH



WEST



EAST LOOKING AT PROPERTY



FRONT BUILDING



REAR BUILDING



Photos of Site and Surrounding Area

LOOKING NORTH AT EAST 37TH STREET



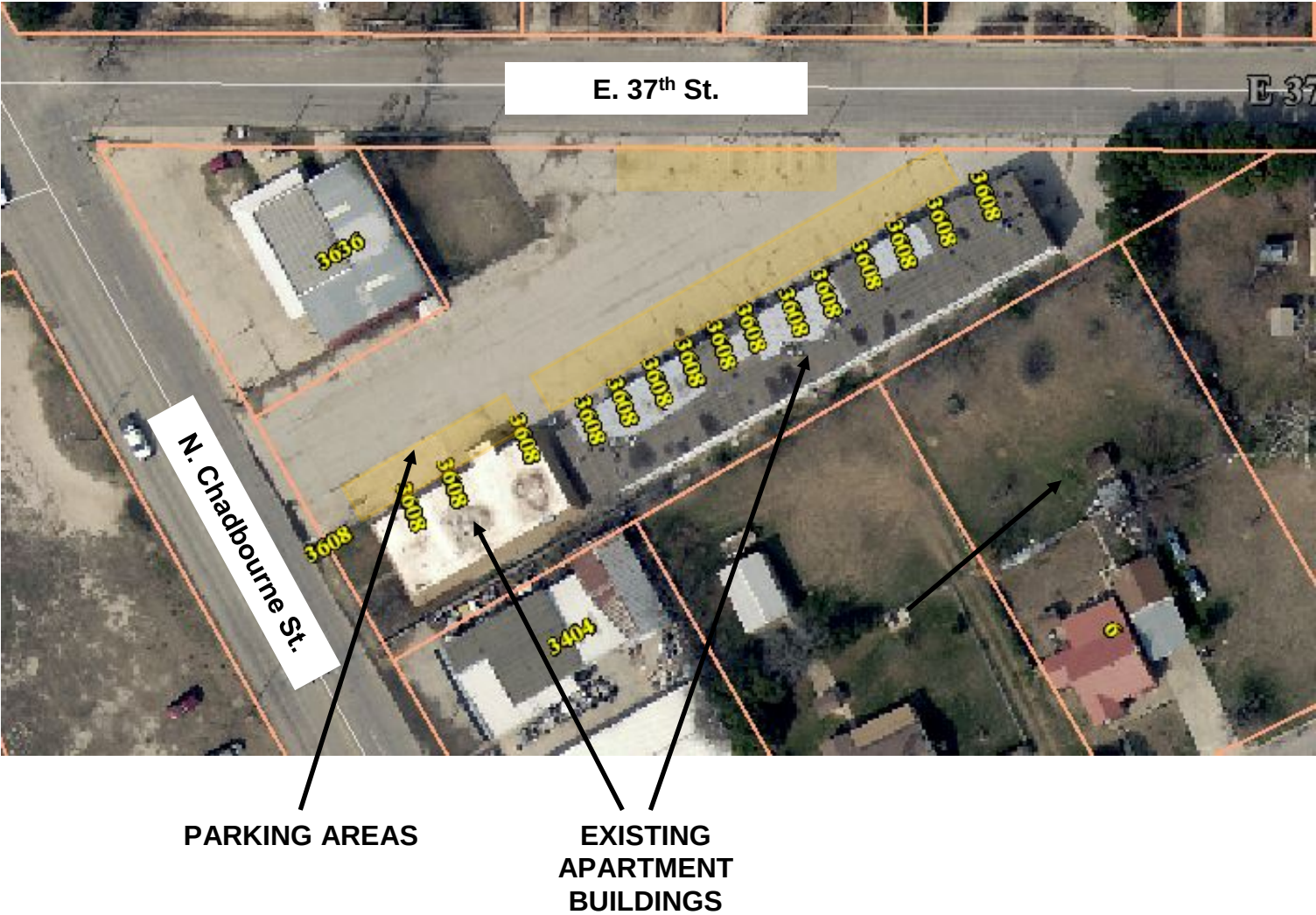
EXISTING PARKING AREA



EXISTING PLAYGROUND AREA FACING E. 37TH ST.



Aerial Photo of Property





DATE: 11/04/2018

FROM: Weeks Realty & Investment Company, LLC.

**RE: RESULTS OF DEMOGRAPHIC ANALYSIS AND COMPARABLE RENTS
FOR 3608 N CHADBOURNE**

Dear Mr. Fisher,

Brite Mara LLC has purchased the former apartment complex at 3608 N. Chadbourne in San Angelo. The primary objective of this purchase is to provide the community with affordable housing for the area. We do intend on keeping this property for the long term and improving its current condition. This residential complex was hit by a natural disaster. Our plan for the community is to repair all damages, improve the overall complex, and provide the area with housing that was once available.

As part of our initial due-diligence prior to purchasing the property, we called or visited all the nearby multi-family properties and inquired about several items: 1. Their current occupancy rates. 2. The length of their waiting list if they are full, and 3. What they charge for rent for 1, 2 and 3 bedroom units. From that research, we found that currently, the rental rate for the area ranges between \$450-\$650/month for a one-bedroom unit. The price of two-bedroom units range from \$550-\$850 and three-bedroom units range from \$675-\$950 and in many cases, the nearby units are full. Based on this data, this is what we plan to charge for our units.

\$600	8 - 1 bedrooms
\$675	9 - 2 bedrooms
\$900	4 - 3 bedrooms

Regards,

Michael Weeks

Michael Weeks, PhD
Broker & Owner
Weeks Realty & Investment Co., LLC
112 S. Gordon
Alvin, TX 77511
Michael@gmail.com
(832) 651-7409

Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue



Application for Approval of a Zone Change

Section 1: Basic Information

Name of Applicant(s): Michael Weeks, Member Brite Mara LLC

☒ Owner ☐ Representative (Notarized Affidavit Required)

Mailing Address: 104 Sandra Palmer Stephenville TX 76401

Contact Phone Number: 832-651-7409 Contact E-mail Address: michael@weeksrc.com

Subject Property Address: 3608 N. Chadbourne St San Angelo, TX 76903

Legal Description (can be found on property tax statement or at www.tcomrsencad.com): 1.18 acres in the James Williams Survey 121-1/2 Abstract A-5670
in the city of San Angelo

Existing Zoning: CG/CIT Proposed Zoning: CN Lot size: 1.18 Acres
FRS1

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

Section 2: Site Specific Details

Existing Use of Property: Apartment Buildings

*Proposed Use of Property: Same

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Owner Name (Print) Michael Weeks, member Signature [Signature] Company/Organization (If Applicable) Brite Mara LLC Date 11/19/18

Representative Name (Print) _____ Signature _____ Company/Organization _____ Date _____

FOR OFFICE USE ONLY:

☒ Verified Complete ☐ Verified Incomplete

Date of Application: 11/19/2018

Case No.: Z-18-27

Fully-dimensioned site plan: ☐ N/A

Nonrefundable fee: \$662.50

Receipt #: 52900

Date paid: 11/19/2018

Sign Deposit \$37.50

Receipt #: _____

Date paid: ____/____/____

Affidavit attached?

☐ Yes ☐ No

☒ N/A

Applicant's signature on information sheet?

☒ Yes ☐ No

Previous Zone Change Inquiry?

☐ Yes ☐ No

If yes, ZCI case no.: ____-____

River Corridor Commission?

☐ Yes ☐ No

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

Planning Commission hearing date: 12/17/2018

Date notifications due: ____/____/____

City Council hearing date: 1/22/19

Packets due date: ____/____/____

Publication date: 1/7/19

Reviewed/Accepted by: J. Fisher

Date: 11/19/2018

Sec. 212. Amendments to Text or Official Zoning Map

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

1. Compatible with Plans and Policies. Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.

The existing use of the property as a Multi-Family Apartment Complex is compatible with the commercial designation.

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

The apartment complex as-is meets all RM-1 standards.

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.

There are existing apartment complexes already in the area. Several within a 1/2 mile radius.

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

No changed conditions this has
been an apartment complex for 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, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment

No impact. Site already exists.

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

Demographic analysis has shown
that there is a need for housing in 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.

Since apartment complex is existing,
there will be no change to development.

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: **3608 North Chadbourne Street; generally located southeast of the intersection of North Chadbourne Street and East 37th Street; comprising 1.18 acres;** FROM THE GENERAL COMMERCIAL/HEAVY COMMERCIAL (CG/CH) ZONING DISTRICT AND SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT TO THE LOW RISE MULTIFAMILY RESIDENTIAL (RM-1) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Z18-27: Brite Mara, LLC

WHEREAS, 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 Residential (RM-1) Zoning District and,

WHEREAS, on the 22nd day of January, 2019, City Council held a public hearing on Z18-27, 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 RESIDENTIAL (RM-1) ZONING DISTRICT;

The real property generally located at 3608 North Chadbourne Street; generally located southeast of the intersection of North Chadbourne Street and East 37th Street, comprising 1.18 acres in the James Williams Survey 121-1/2, Abstract 5670, City of San Angelo, Tom Green County, Texas as more particularly describe on Exhibit “A” of this Ordinance, shall henceforth be permanently zoned as follows: Low Rise Multifamily Residential (RM-1) Zoning District.

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning & Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit “A”** of this Ordinance (“RM-1” Boundary Map).

SECTION 3: In all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

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

SECTION 5 The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

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

INTRODUCED on the **22nd day of January, 2019**, and finally PASSED, APPROVED
AND ADOPTED on this the **5th day of February, 2019**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

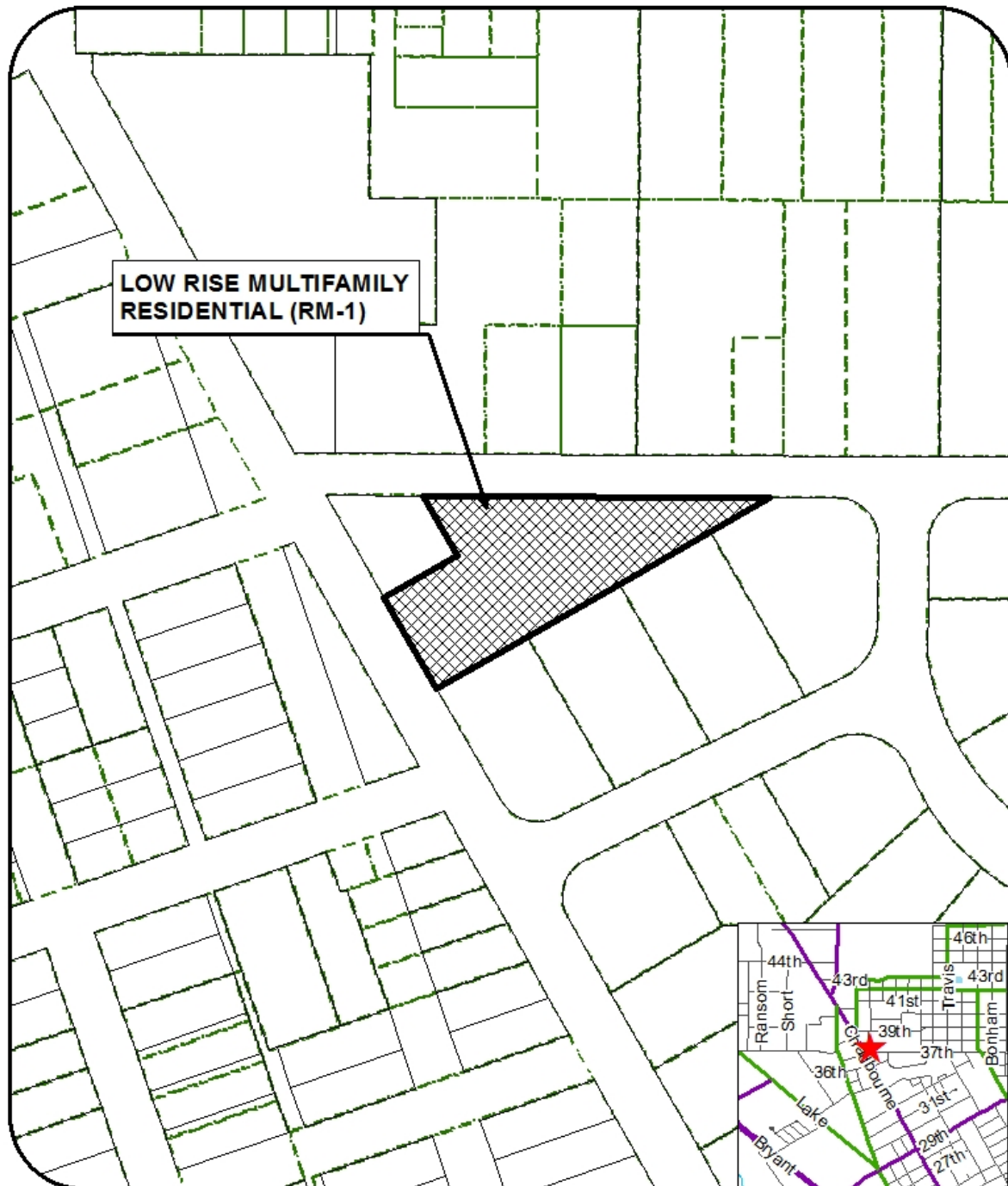
APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A" (RM-1 Boundary Map)

1.18 acres in the James Williams Survey 121-1/2, Abstract 5670 as more particularly described in that certain General Warranty Deed, Miguel Torres Rosales, Grantor, and Brite Mara, LLC, Grantee, recorded on October 4, 2018, in Tom Green County Real Property Records as Instrument No. 201812977



Zoning Case

Z18-27: Weeks (Brite Mara LLC)

Council District: Tom Thompson (SMD#2)

Neighborhood: Lake View

Scale: 1" approx. = 150 ft

Subject Property: 3608 N. Chadbourne St.

Legend:

Subject Properties:

Current Zoning:

Requested Zoning:

Vision:

CG/CH and RS-1
RM-1
Commercial and
Neighborhood



CITY COUNCIL – January 22, 2019
STAFF REPORT



APPLICATION TYPE:		CASE:	
Planned Development (Rezoning)		PD18-05: United Supermarkets LLC / Texas State Bank	
SYNOPSIS:			
The applicant has applied for a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for uses permitted in the General Commercial (CG) Zoning District as well as a shared sign plan to allow off-site signage (see Additional Information).			
LOCATION:		LEGAL DESCRIPTION:	
4206 South College Hills Boulevard; 3121 and 3131 Sunset Drive, located southeast of South College Hills Boulevard and Sunset Dr.		Being Lot 3-B in Block B in the Replat of Lot 3, Block B of the Replat of Block B, College Hills South Business Park, Section Two; and being Lot 1 in Block C and Lot 4A in Block B, in the Replat of all of Block C and portions of Block B, College Hills South Business Park, Section Two, comprising a total of 9.93 acres.	
SM DISTRICT /		ZONING:	FLU:
SMD District #5 – Lane Carter Vista del Arroyo Neighborhood		General Commercial /Heavy Commercial (CG/CH)	C - Commercial
			SIZE:
			9.93 ac.
THOROUGHFARE PLAN:			
South College Hills Boulevard – Urban Arterial Road Required: 80' right-of-way, 64' pavement Provided: 100' right-of-way, 64' pavement Sunset Drive – Urban Collector Street Required: 60' right-of-way, 50' pavement Provided: 80' right-of-way, 56' pavement			
NOTIFICATIONS:			
33 notifications mailed within 200-foot radius on December 5, 2018. One received in support, none in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for uses permitted in the General Commercial (CG) Zoning District as well as a shared sign plan to allow off-site signage on the subject property, subject to five conditions of approval.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owners and Applicants:</i> Mr. Joe Rollins, Director of Real Estate United Supermarkets LLC Mr. Casey W. Barrett, President/CEO Texas Bank			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: The applicants, United Supermarkets (Market Street Supermarket) and Texas Bank are requesting the Planned Development (PD) Rezoning to allow shared signage on their properties. Specifically, Market Street is seeking to place their logo onto a new shared sign with Texas State Bank on the bank's property at 4206 South College Hills Boulevard. This new sign would increase visibility to Market Street for traffic travelling along South College Hills Boulevard, as the only access from this street is through a narrow driveway that extends 400 feet to the parking lot. The Sign Ordinance prohibits Market Street from doing so because it considers the Market Street's signage to be an "off-site sign". Off-site signs are only allowed in CG/CH zoning districts adjacent to certain thoroughfares and College Hills Boulevard and Sunset Drive are not on this list. This left the applicants with the only option of rezoning the properties to a PD to allow for off-site signage. The new PD would essentially treat these shared signs as on-premise signs within the boundaries of the PD, subject to the same standards for on-premise freestanding signs. As part of the request, the Planning Division is recommending an underlying General Commercial (CG) Zoning, removing the heavy commercial (CH) portion which is not appropriate for this area surrounded by retail and residential homes.

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Rezoning request:

1. **Compatible with Plans and Policies. *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.*** The subject property has had a Future Land Use designation of "Commercial" which "are often single-use centers consisting of large retail and office clusters that seek visibility and convenient access offered by frontage on the major street network." The proposed rezoning will be consistent with the Commercial policies. The applicants are not proposing to change the existing land uses on the property, which comprise of Market Street (supermarket), gas station, convenience store, and bank, all of which will be permitted uses in the CG zone.
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 lots and uses will comply with the minimum CG development standards. As indicated, all of the existing land uses – supermarket, convenience store, gas station, and bank are allowed uses in the CG underlying zoning district of the PD Ordinance. The proposed PD will require the new freestanding signs to be subject to the commercial district standards for on-site signs. The proposed shared sign will comply with all of the provisions for a freestanding sign. This sign as proposed will be double-faced, 15 feet tall, and 150-square feet in size, constructed of a natural stone base and aluminum panel lettering. There will be a small 15-square foot area for changing LED display for Texas Bank. The sign will include advertising for Texas Bank, Market Street and United Express, the fuel station/convenience store connected to Market Street. As a condition of approval, the Planning Division recommends a total of one freestanding sign on South College Hills and one on Sunset Drive to avoid an overstock of signage and visual clutter within this area that is close to residential

neighborhoods. In addition, the Planning Division recommends that all future freestanding signage have a base and outside frame constructed of a masonry (brick, stone) or stucco product consistent with current signs. Inside displays may be constructed of other materials, with final review and approval from the Planning Director.

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 Planning Division believes that the proposed PD Ordinance will be compatible with the surrounding area. The sign will face South College Hills Boulevard and at 150 square feet, is only 60% of the maximum allowable sign area for freestanding signs in the CG Zoning District of 250 square feet. The applicant's rendering shows that the sign will be located outside of the sight triangle former from College Hills Boulevard and the driveway approach, and not impede the vision of the nearby "Compass" bank sign located further east.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* As indicated, the Sign Ordinance does not allow shared signage when one of the businesses is not located on the same property. The Rezoning will achieve three objectives – allow shared signage; remove the heavy commercial (CH) portion of the zoning which is not conducive to this area; and limit the number of overall signs and place minimum design standards, reducing visual clutter.
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.* N/A.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The Planning Division believes there a community need given the unique property characteristics. Vehicles searching for Market Street travelling northbound on College Hills Boulevard may not see Market Street given it is setback over 400 feet from its narrow property frontage. Allowing shared signage solves this problem and allows Texas Bank in future to also place signage on the Market Street sign on Sunset Drive.
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.* There are no anticipated changes to existing development patterns. As indicated, the new sign will be located outside of the sight triangle, and setback 20 feet from the front property line.

Planning Commission Recommendation:

On December 17, 2018, the Planning Commission recommended **APPROVAL** of the proposed Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial (CG) Zoning District and a shared sign plan for off-site signage, located at 4206 South College Hills Boulevard, and 3121 and 3131 Sunset Drive. The following is the complete excerpt of the draft minutes from the December 17, 2018, meeting for this case:

Jeff Fisher, Senior Planner, presented the PD rezoning request. He explained that Market Street intends to construct a shared sign with Texas State Bank on the Texas State Bank property facing South College Hills Boulevard. Mr. Fisher further explained that this sign is considered an “off-site” sign under the Sign Ordinance and requires a PD Rezoning to allow this shared sign. Mr. Fisher displayed a rendering of the sign and its proposed location facing South College Hills Boulevard. The rendering confirmed that the 15-foot tall sign will not impede vision of the adjacent Compass Bank sign located further east.

Mr. Fisher outlined Staff’s rationale to approve the Rezoning on the grounds that the existing commercial uses and signage are consistent with the “Commercial” Future Land Use designation; all uses will comply with the underlying CG standards; and that all uses are compatible with the commercial uses in the area.

Chair Stribling opened the meeting for public comment.

Mr. Kevin Little, owner of surrounding property, spoke in support of the request.

Chair Stribling closed public comment.

Commissioner Jackson made a Motion to recommend APPROVAL of the proposed Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial (CG) Zoning District and a shared sign plan for off-site signage, located at 4206 South College Hills Boulevard, and 3121 and 3131 Sunset Drive, subject to five conditions of approval as presented. Commissioner Uherik seconded the Motion. The Motion passed unanimously, 6-0.

Recommendation:

Staff’s recommendation is for City Council to **APPROVE** the Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for uses permitted in the General Commercial (CG) Zoning District as well as a shared sign plan to allow off-site signage on the subject property, subject to **five conditions of approval**:

1. Except as otherwise specified or limited below, the use and development of the subject property shall generally conform to the General Commercial (CG) Zoning District, unless specified as otherwise.

2. Any sign within the PD Zoning District advertising for any business within the PD shall be considered an on-premise sign, subject to the applicable commercial development standards of the Sign Ordinance.
3. A maximum of two freestanding signs shall be allowed within the PD, one adjacent to South College Hills Boulevard and one adjacent to Sunset Drive.
4. No freestanding sign shall be located within any 30 foot by 30 foot sight triangle measured from property lines at an intersection of two streets, or at the intersection of a street and driveway approach.
5. All freestanding signs shall have a base and outside frame constructed of a masonry (brick, stone) or stucco product consistent with current signs. Inside displays may be constructed of other materials. New signage and changes to the proposed and existing signage shall be subject to final review and approval from the Planning Director.

Note:

1. A sign permit shall be required for all new signage from the Permits and Inspections Division.

Attachments:

Aerial Map

Future Land Use Map

Zoning Map

Photographs

Response Letters

Site Plan

Proposed Sign on Property

Sign Rendering

Application

**Zoning Case****PD18-05: United Supermarkets/Texas Bank**

Council District: Lane Carter (SMD#5)

Neighborhood: Vista del Arroyo

Scale: 1" approx. = 225 ft

Subject Property: 4206 College Hills Blvd, 3121 and 3131 Sunset Drive

Legend:

Subject Properties:

Current Zoning:

Requested Zoning:

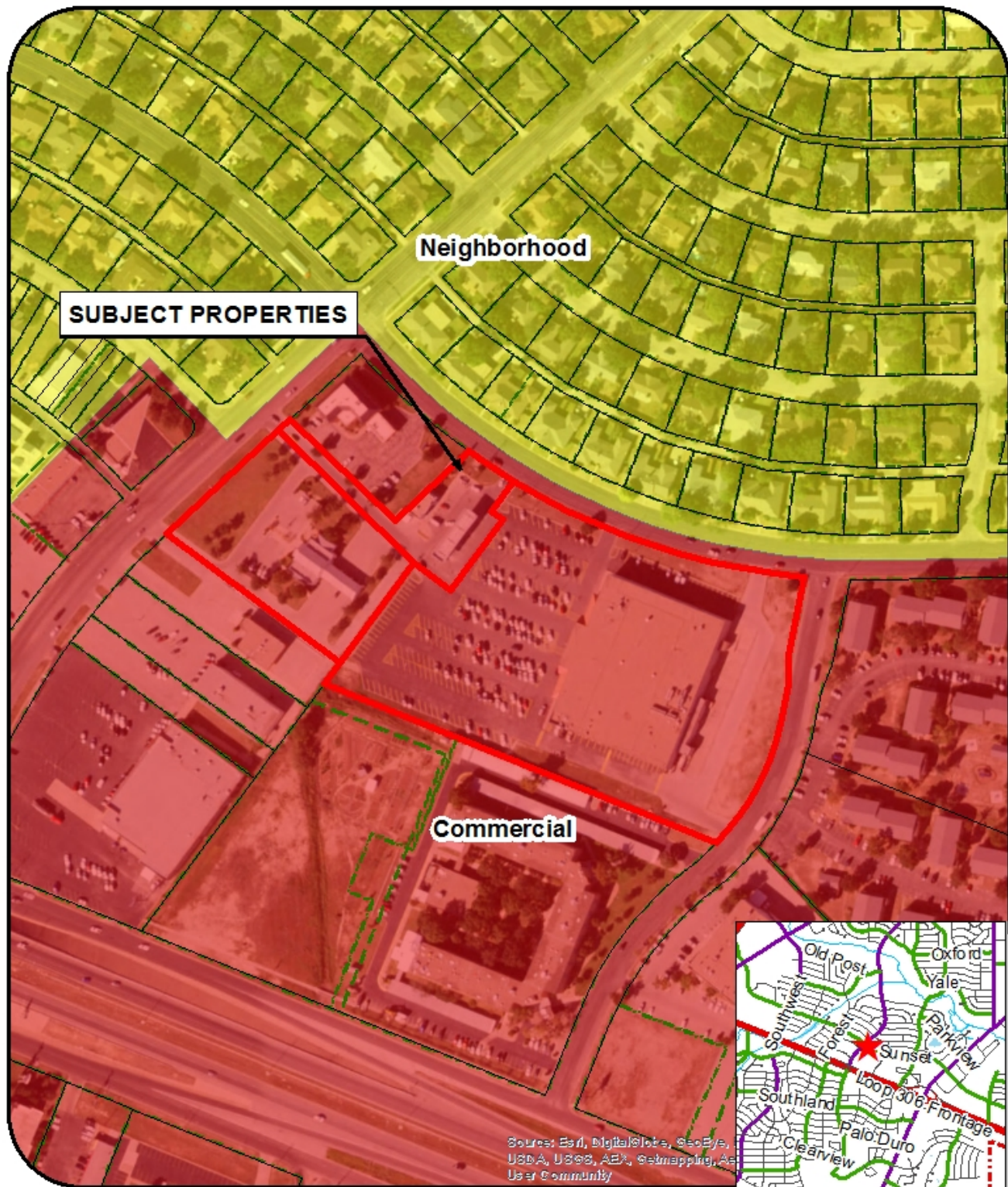
Vision:

CG/CH

PD

Commercial



**Zoning Case****PD18-05: United Supermarkets/Texas Bank**

Council District: Lane Carter (SMD#5)

Neighborhood: Vista del Arroyo

Scale: 1" approx. = 225 ft

Subject Property: 4206 College Hills Blvd, 3121 and 3131 Sunset Drive

Legend:

Subject Properties:

Current Zoning:

Requested Zoning:

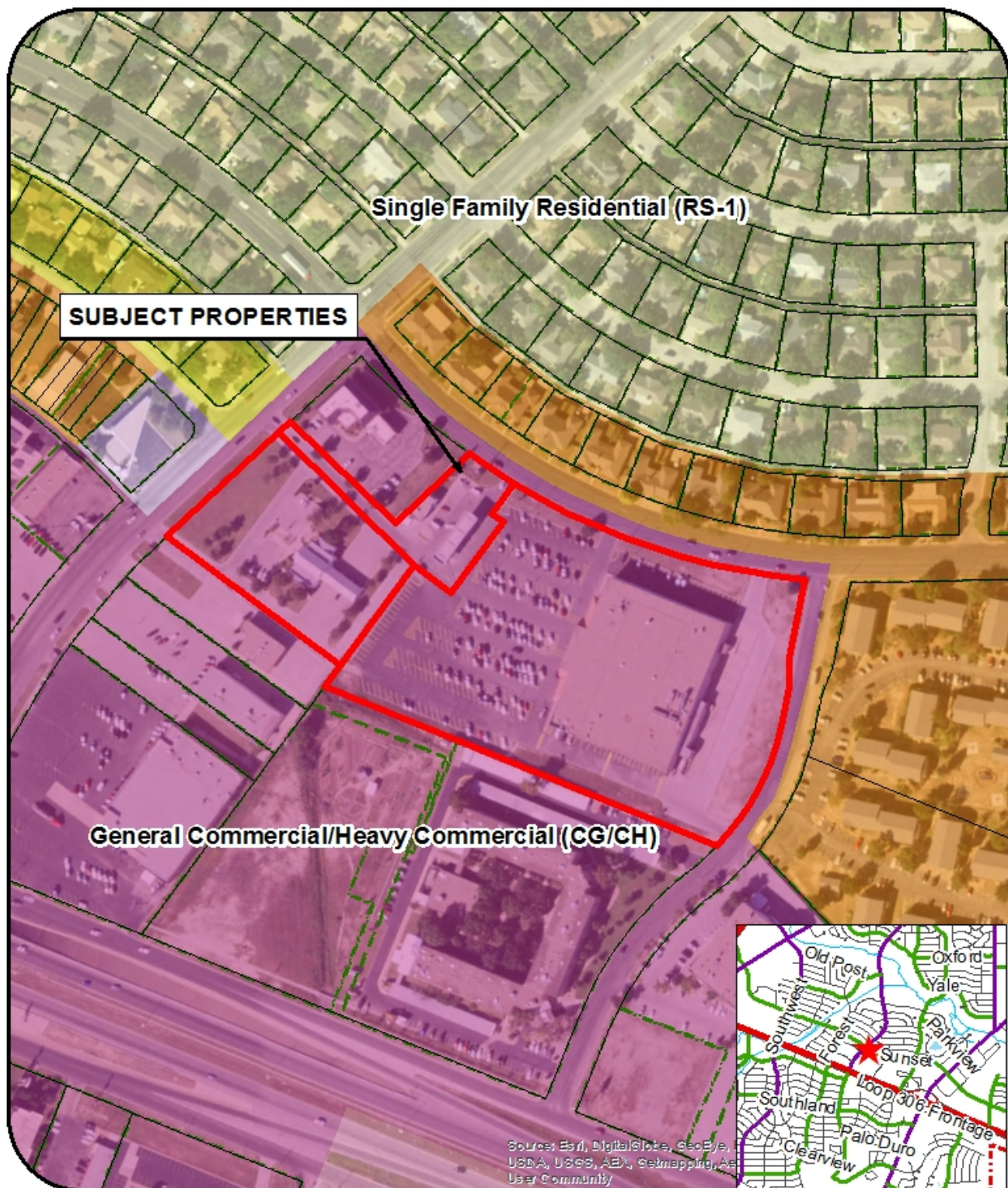
Vision:

CG/CH

PD

Commercial



**Zoning Case****PD18-05: United Supermarkets/Texas Bank**

Council District: Lane Carter (SMD#5)

Neighborhood: Vista del Arroyo

Scale: 1" approx. = 225 ft

Subject Property: 4206 College Hills Blvd, 3121 and 3131 Sunset Drive

Legend:

Subject Properties:

Current Zoning:

Requested Zoning:

Vision:

CG/CH

PD

Commercial



Photos of Site and Surrounding Area

EXISTING SIGN TO BE REMOVED



NORTH



EAST



PROPOSED NEW SIGN LOCATION



WEST



**DRIVEWAY ENTRANCE TO MARKET STREET
(FROM COLLEGE HILLS DRIVE)**



Photos of Site and Surrounding Area

EAST



**DRIVEWAY ENTRANCE TO MARKET STREET
(FROM COLLEGE HILLS DRIVE)**



LOOKING SOUTH ON SUNSET DRIVE



EXISTING SIGN ON SUNSET DRIVE



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



IN FAVOR

()

IN OPPOSITION

REASON(S)

Anything for the
good of Market Street
Great asset to neighborhood
San Angelo

NAME:

Fred Homeyer

ADDRESS:

3113 Lindenwood

SIGNATURE:

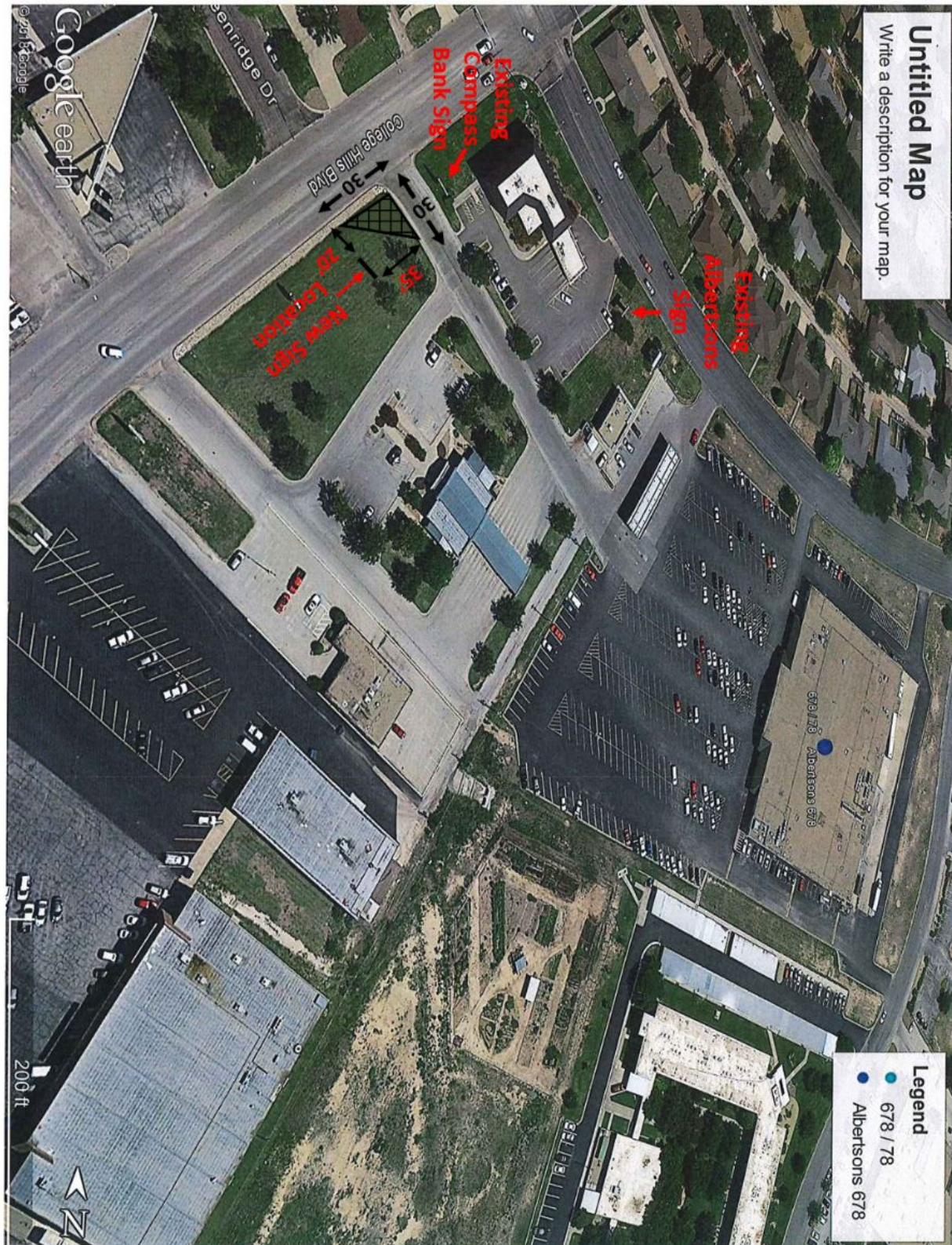
Fred Homeyer

PD18-05: United Supermarkets LLC / Texas Bank

property owner number: 14

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

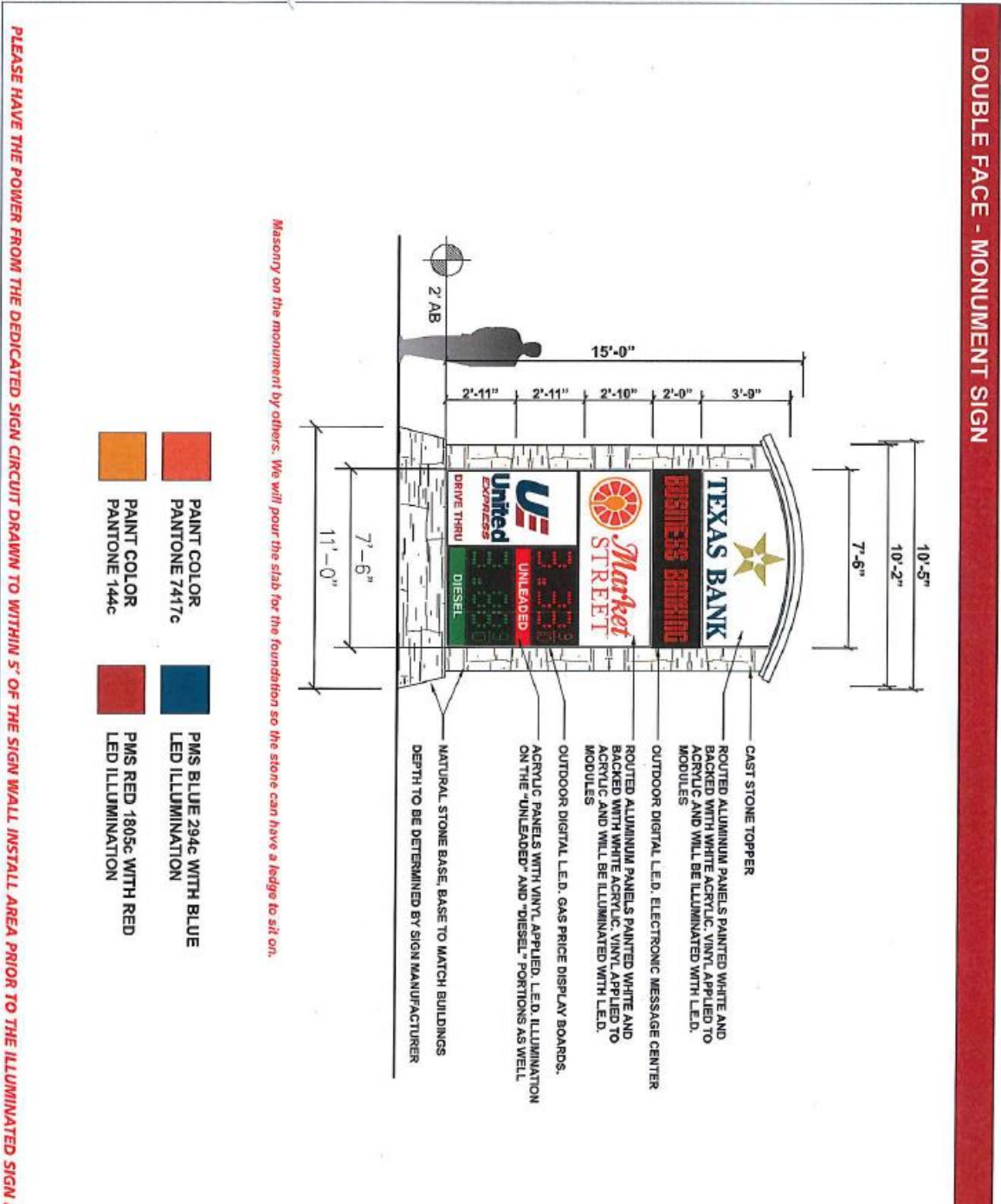
Site Plan



Proposed Sign on Property



Sign Rendering



Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue



Application for Approval of a Zone Change

Section 1: Basic Information

Name of Applicant(s): United Supermarkets, LLC and Texas State Bank
☐ Owner ☒ Representative (Notarized Affidavit Required)
 Mailing Address: 7830 Orlando Ave Lubbock Tx 79423
 City State Zip Code
 Contact Phone Number: 806-791-8110 Contact E-mail Address: jrollins@unitedtexas.com
 Subject Property Address: 4206 College Hills Blvd. San Angelo Tx 76904
 City State Zip Code
 Legal Description (can be found on property tax statement or at www.texasgencad.com):
Aves 2.012, Lot 3-B, Being 2.012 acres R/P of Lot 3, Blk: B, Sub: College Hills So BSN PARK
3131 Sunset Drive and 3121 Sunset Drive
 Existing Zoning: CGCH Proposed Zoning: PD* Lot size: 2.012 acres
 (Zoning Map available on [City Maps](#))
 * PD with underlying CG zoning district that allows and offside sign on a separate lot which will be shared by Texas State Bank and United/Market Street and also allows additional signage as part of a master sign plan.

Section 2: Site Specific Details

Existing Use of Property: Commercial Bank
 *Proposed Use of Property: Commercial Bank but we are requesting approval to construct a shared sign to be shared by Texas State Bank and United/Market Street. (Proposed sign is attached hereto)
 *Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

Staff Report – PD18-05: United Supermarkets, LLC / Texas State Bank
January 22, 2019

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

<u>X Casey Barnett, CEO</u>	<u>[Signature]</u>	<u>Texas State Bank</u>	<u>December 5, 2018</u>
Owner Name (Print)	Signature	Company/Organization (If Applicable)	Date
<u>Joe R. Rollins</u>	<u>[Signature]</u>	<u>United Supermarkets, LLC</u>	<u>November 12, 2018</u>
Representative Name (Print)	Signature	Company/Organization	Date

FOR OFFICE USE ONLY:

☒ Verified Complete ☐ Verified Incomplete

Date of Application: 11 / 16 / 2018Case No. PD 18-05 ofFully-dimensioned site plan: ☒Nonrefundable fee: \$ 662.50Receipt #: 52933Date paid: 11 / 16 / 2018

Sign Deposit \$37.50

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

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

If yes, ZCI case no.: ____-____

River Corridor Commission? ☐ Yes ☒ No

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

Planning Commission hearing date: 12 / 17 / 2018Date notifications due: 12 / 6 / 2018City Council hearing date: 1 / 22 / 2019

Packets due date: ____/____/____

Publication date: 1 / 9 / 2019Reviewed/Accepted by: J. FisherDate: 11 / 16 / 2018

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTIES: **4206 South College Hills Boulevard, 3121 and 3131 Sunset Drive, located southeast of South College Hills Boulevard and Sunset Drive; comprising 9.93 acres;** FROM GENERAL COMMERCIAL/HEAVY COMMERCIAL (CG/CH) TO THE PLANNED DEVELOPMENT (PD) ZONING DISTRICT TO ALLOW FOR USES PERMITTED WITHIN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AND A SHARED SIGN PLAN FOR OFF-SITE SIGNAGE; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: PD18-05: United Supermarkets LLC and Texas State Bank

WHEREAS, 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 (PD) Zoning District and,

WHEREAS, on the 22nd day of January, 2019, City Council held a public hearing on PD18-05, 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 (PD) ZONING DISTRICT;

The real properties generally located at 4206 College Hills Boulevard, being Lot 3-B in Block B in the Replat of Lot 3, Block B of the Replat of Block B, College Hills South Business Park, Section Two; and 3121 and 3131 Sunset Drive, being Lot 1 in Block C and Lot 4A in Block B, in the Replat of all of Block C and portions of Block B, College Hills South Business Park, Section Two; located southeast of South College Hills Boulevard and Sunset Drive; and combined comprising 9.93 acres; City of San Angelo, Tom Green County, Texas, shall henceforth be permanently zoned as follows: Planned Development (PD) Zoning District.

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

SECTION 3: Except as otherwise specified or limited below, the use and development of the subject property shall generally conform to the **General Commercial (CG) Zoning District**, unless specified as otherwise.

SECTION 4. Any sign within the PD Zoning District advertising for any business within the PD shall be considered an on-premises sign, subject to the applicable commercial development standards of the Sign Ordinance.

SECTION 5: A maximum of two freestanding signs shall be allowed within the PD, one adjacent to South College Hills Boulevard and one adjacent to Sunset Drive.

SECTION 6: No freestanding sign shall be located within any 30 foot by 30 foot sight triangle measured from property lines at an intersection of two streets, or at the intersection of a street and driveway approach.

SECTION 7: All freestanding signs shall have a base and outside frame constructed of a masonry (brick, stone) or stucco product consistent with current signs. Inside displays may be constructed of other materials. New signage and changes to the proposed and existing signage shall be subject to final review and approval from the Planning Director.

SECTION 8: 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 9. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended under Sections 1 and 2 of this Ordinance shall remain in full force and effect.

SECTION 10: 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 11: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **22nd day of January, 2019**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of February, 2019**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

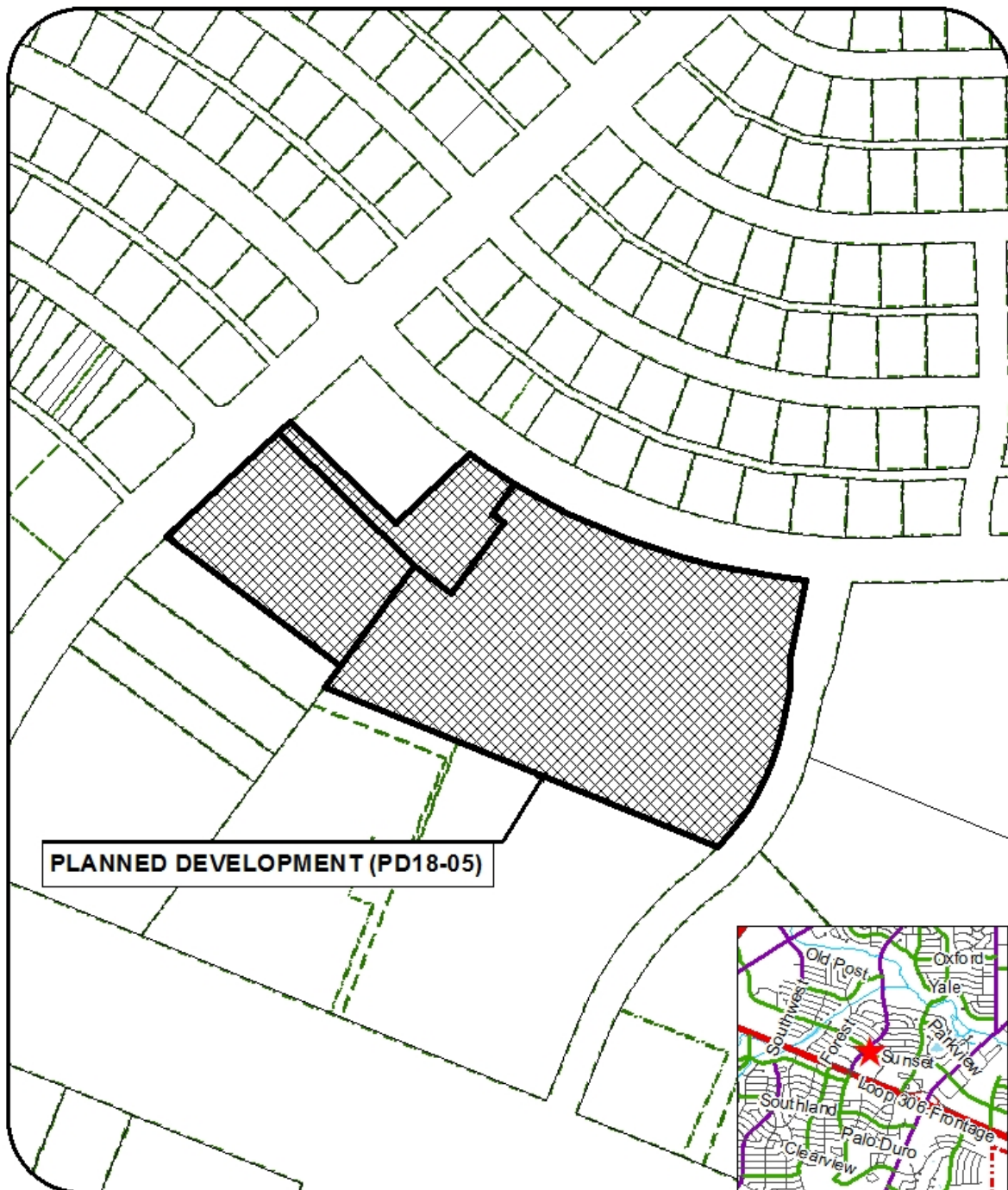
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A" (PD Boundary Map)



Zoning Case

PD18-05: United Supermarkets/Texas Bank

Council District: Lane Carter (SMD#5)

Neighborhood: Vista del Arroyo

Scale: 1" approx. = 225 ft

Subject Property: 4206 College Hills Blvd, 3121 and 3131 Sunset Drive

Subject Properties:

Current Zoning:

Requested Zoning:

Vision:

Legend:

CG/CH

PD

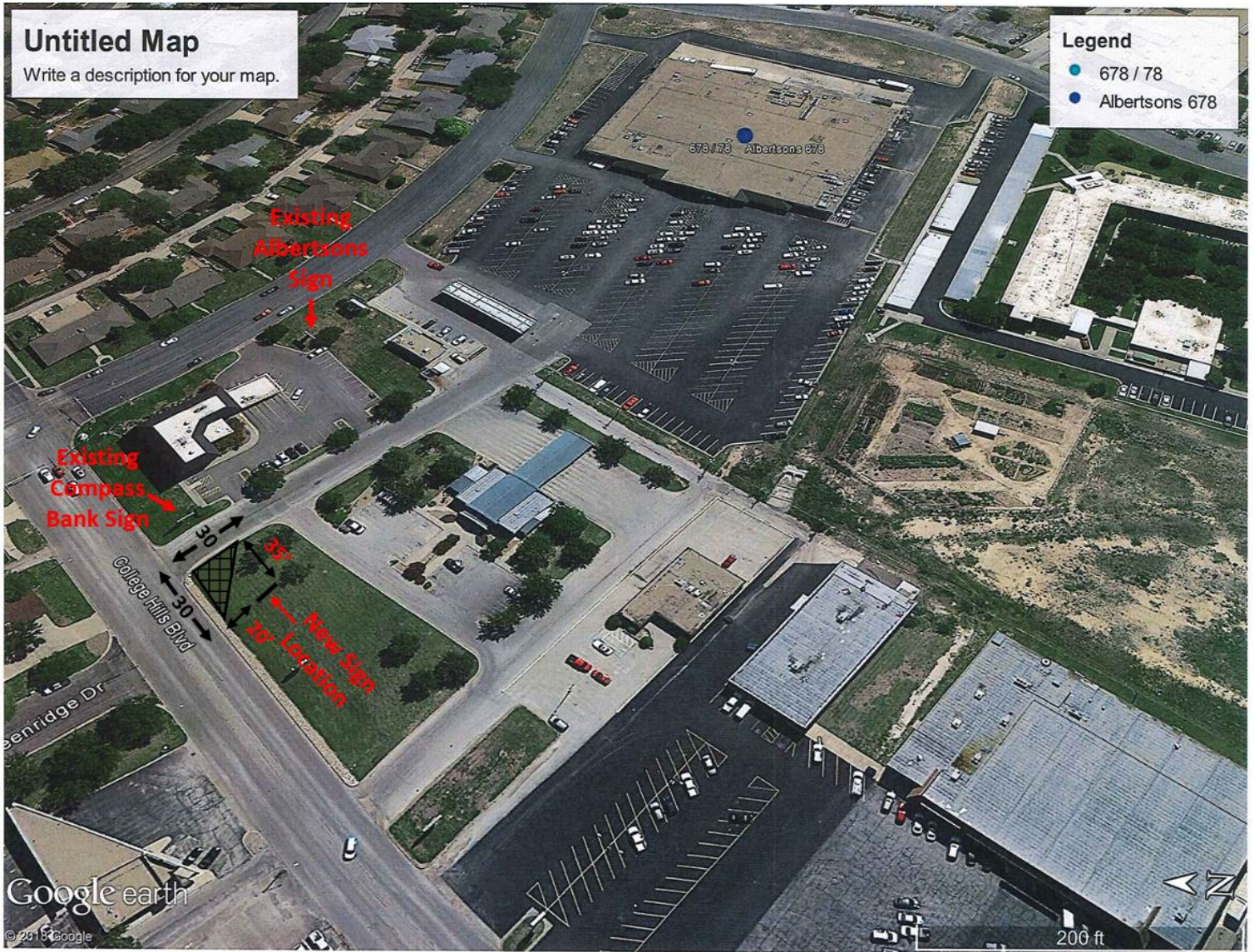
Commercial

N



EXHIBIT "A"

Approved Concept Plan



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: February 5, 2019

Item type: Consent Item

Caption:

Second reading and adoption of:

1. An ordinance for CP18-08, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Center Future Land Use to the Neighborhood Future Land Use, being 0.97 acres of land located at 3210 - 3230 Abilene St.
2. An ordinance for Z18-23, a Rezoning from the General Commercial (CG) Zoning District to the Single Family (RS-1) Zoning District, being 0.48 acres located at 3218, 3214, 3210 Abilene St. (Jon James)

Summary/History:

A request for approval of an amendment to the Comprehensive Plan for the City of San Angelo to change the Future Land Use from Neighborhood Center to Neighborhood on the subject property, and a request for approval of a Rezoning from the General Commercial (CG) Zoning District to the Single Family Residential (RS-1) Zoning District on the subject properties. The applicant is intending to construct new single family homes, and the Zoning Ordinance does not permit such use by right in the existing zoning district. A rezoning to the property would also warrant a Comprehensive Plan amendment as part of the criteria for approval per the Zoning Ordinance. City Staff has also included an adjacent home to clean up the future land use along the block

Financial Impact:

N/A

Other Information/Recommendation:

On December 17, 2018, Planning Commission unanimously recommended APPROVAL of the comprehensive plan amendment and rezoning.

On January 22, 2019, City Council approved the first reading with a vote of 5-0

Attachments:

- | | |
|------------------------|--|
| 1. Staff Report (CP/Z) | CC Staff Report CP18-08 & Z18-23 Socha.pdf |
| 2. Ordinance (Z) | Z18-23 Ord.docx |
| 3. Ordinance (CP) | CP18-08 ORD.docx |

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker
Jon James

Created/Initiated
Approved

Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Julia Antilley	Final Approval

CITY COUNCIL – January 22 & February 5, 2019

STAFF REPORT



APPLICATION TYPE:		CASES:	
Comprehensive Plan Amendment & Rezoning		CP18-08/Z18-23: Socha/COSA	
SYNOPSIS:			
A request for approval of an amendment to the Comprehensive Plan for the City of San Angelo to change the Future Land Use from Neighborhood Center to Neighborhood on the subject property, and a request for approval of a Rezoning from the General Commercial (CG) Zoning District to the Single Family Residential (RS-1) Zoning District on the subject properties. The applicant is intending to construct new single family homes, and the Zoning Ordinance does not permit such use by right in the existing zoning district. A rezoning to the property would also warrant a Comprehensive Plan amendment as part of the criteria for approval per the Zoning Ordinance. City Staff has also included an adjacent home to clean up the future land use along the block.			
LOCATION:		LEGAL DESCRIPTION:	
CP/Z – 3210 – 3218 Abilene Street CP – 3222 – 3230 Abilene Street		Being Lots 9-14, Block 47, Hatcher Addition, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FUTURE LAND USE:
SMD District #6 – Billie DeWitt Bluffs Neighborhood	CG – General Commercial RS-1 – Single Family Residential	Neighborhood Center	0.97 acres
THOROUGHFARE PLAN:			
<u>Howe Street</u> – Urban Local Street, Required 50’ min. ROW (54’ Existing), 36’ min. pavement with sidewalk or 40’ without sidewalk (22’ Existing). <u>Abilene Street</u> – Urban Local Street, Required 50’ min. ROW (60’ Existing), 36’ min. pavement with sidewalk or 40’ without sidewalk (28’ Existing).			
NOTIFICATIONS:			
13 notifications were mailed within a 200-foot radius on November 30, 2018. Two response have been received in support and One in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a Comprehensive Plan Amendment changing the Future Land Use designation from “Neighborhood Center” to “Neighborhood,” and APPROVAL of a Rezoning from the General Commercial (CG) Zoning District to the Single-Family Residential (RS-1) Zoning District			
PROPERTY OWNER/PETITIONER:			
Czech Homes LLC - Russell Socha/ City of San Angelo			
STAFF CONTACT:			
Hillary Bueker Senior Planner (325) 657-4210, Extension 1547 hillary.bueker@cosatx.us			

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Rezoning request:

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The Comprehensive Plan amendment from Neighborhood Center to Neighborhood would allow a transition between the existing Future Land Use designations in the adjacent area and also allow for compatibility with the associated rezoning to Single Family Residential. Section 303 of the Zoning Ordinance states that the intent of the Single Family Residential Zoning District is to “provide opportunities for development of detached single-family residences at medium densities.” The rezoning will allow the continuation of the surrounding residential zoning, and more specifically, allow the applicant to construct the proposed homes.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The proposed development would comply with the Single Family Residential development standards. Each 7,000 square feet platted lot exceeds the minimum lot area of 6,000 square feet, the minimum lot frontage of 50 feet, and minimum lot depth of 100 feet in the Single Family Residential district. Any future buildings will be required to comply with all required setbacks including 25-foot front yard setbacks from Abilene Street, as well as a 5-foot side yard setbacks and the 20-foot rear yard setbacks.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** The property is located within an area that has mixed uses, but is comprised of mostly residential to the north and commercial to the south. The subject parcels fit in with the already platted and zoned residential lots surrounding, while allowing the future residence to be aware of the already developed commercial properties immediately south.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The property was zoned Single Family Residential District from 1954 to 1999 when a zone change was request to general commercial in expectation of more commercial development along the recently developed Houston Harte Expressway. Since the anticipated commercial development was never realized, the Comprehensive Plan amendment and rezoning would make use of the land in a residential manner consistent with existing adjacent development.

5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* The Comprehensive Plan amendment and rezoning are anticipated to have little to no adverse impact on the natural environment. There may be minor air and noise pollution as the proposed improvements are built, but those would be temporary.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* There has not been a demonstrated community need for a commercial use on the sites. These sites were originally planned for residential purposes and the new potential homes would not be allowed in the current CG Zoning District. Allowing these sites to rezone to Single Family Residential would be reflective of the continuing need for residential homes in the city, rather than allowing a continuance of a zoning designation that has not been fully utilized in the past.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The existing development pattern in the immediate area to the north is mostly residential, approving the Comprehensive Plan amendment and rezoning will allow the parcels to keep in continuity with the adjoining lots directly north of the subject properties.

Planning Commission Recommendation:

On December 17, 2018, the Planning Commission recommended APPROVAL of an amendment to the Comprehensive Plan for the City of San Angelo to change the Future Land Use from Neighborhood Center to Neighborhood on the subject property, and a request for approval of a Rezoning from the General Commercial (CG) Zoning District to the Single Family Residential (RS-1) Zoning District on the subject properties. The following is the complete excerpt of the draft minutes from the December 17, 2018, meeting for this case:

Hillary Bueker, Senior Planner, presented the proposed Comprehensive Plan Amendment and associated Rezoning request. She explained that the applicant proposed to rezone the interior lots and the City decided to initiate a Comprehensive Plan Amendment for the corner lot consistent with the proposed Rezoning. Ms. Bueker outlined Staff's rationale to approve both applications on the grounds that the Comprehensive Plan Amendment to "Neighborhood" provides a transition between the existing residential lands to the north and commercial lands to the south; that the lots comply with all RS-1 standards; and that the parcels fit with the surrounding residential lots.

Chair Stribling opened the meeting for public comment.

Mr. Russell Socha, the applicant, spoke in support of his request. He indicated that he owns the subject properties including the City-initiated lots to be rezoned, and that building is already taking place around the properties.

Chair Stribling closed public comment.

Commissioner Jackson made a Motion to recommend APPROVAL of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Center Future Land Use to the Neighborhood Future Land Use, located at 3210 - 3230 Abilene Street. Vice Chair Spano seconded the Motion. The Motion passed unanimously, 6-0.

Commissioner Brooks made a Motion to recommend APPROVAL of a Rezoning from the General Commercial (CG) Zoning District to the Single Family (RS-1) Zoning District, located at 3218, 3214, 3210 Abilene Street. Commissioner Smith seconded the Motion. The Motion passed unanimously, 6-0.

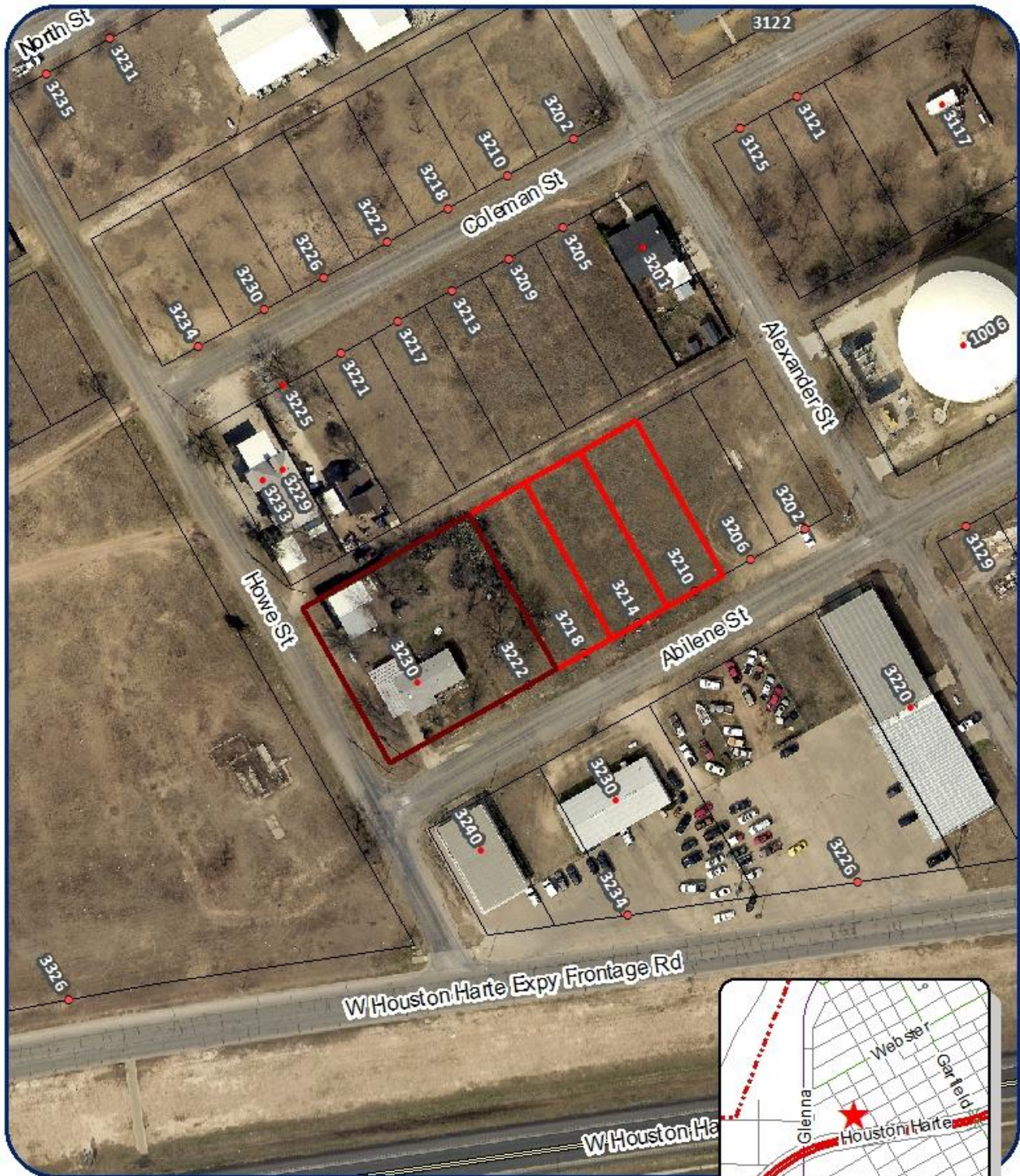
Recommendation:

Staff's recommendation is for the City Council to:

1. Recommend **APPROVAL** of a Comprehensive Plan Amendment, changing the Future Land Use designation from "Neighborhood Center" to "Neighborhood."
2. Recommend **APPROVAL** of a Rezoning from the General Commercial (CG) Zoning District to the Single-Family Residential (RS-1) Zoning District.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Applications
Photographs
Notification Map
Resident Letter



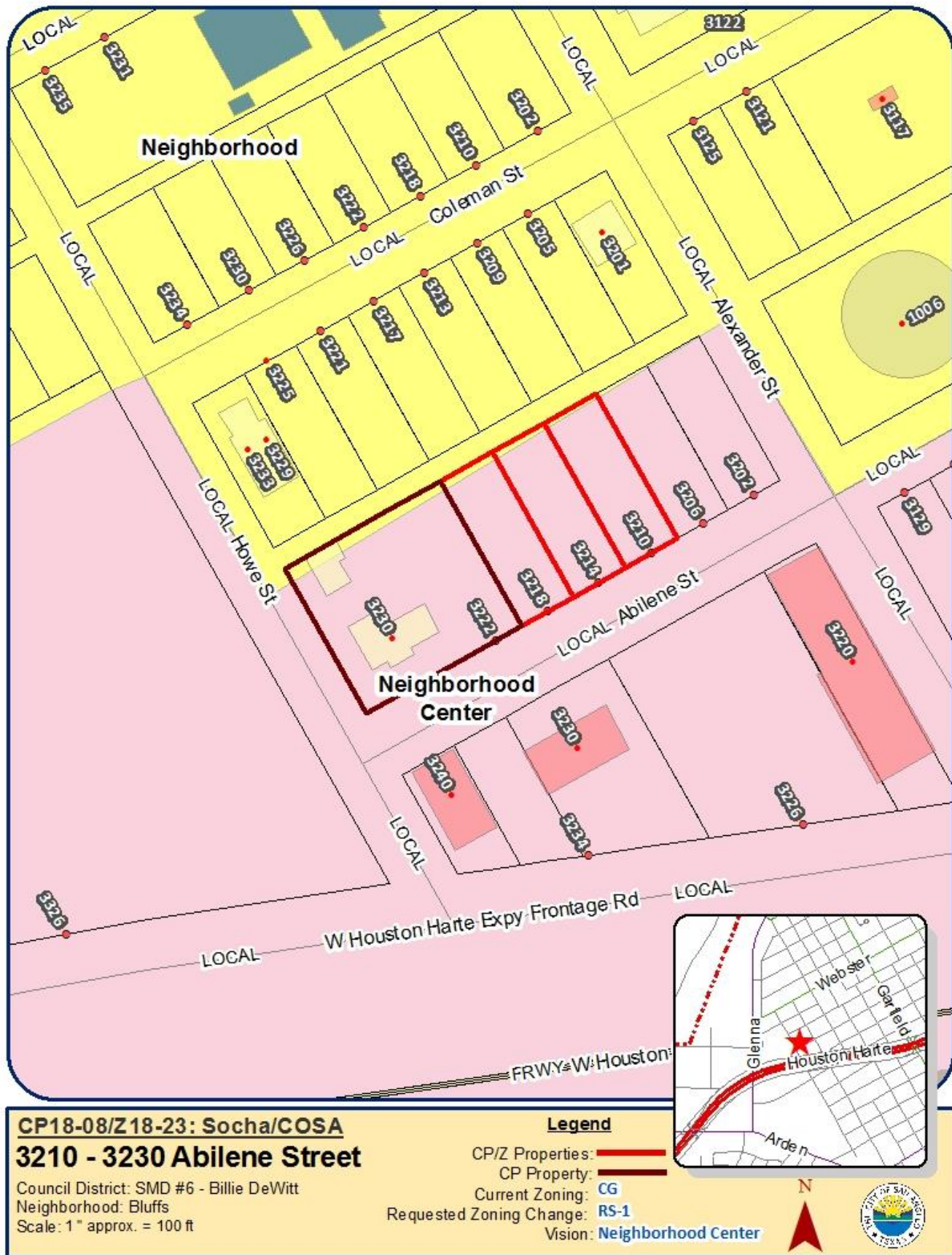
CP18-08/Z18-23: Socha/COSA
3210 - 3230 Abilene Street

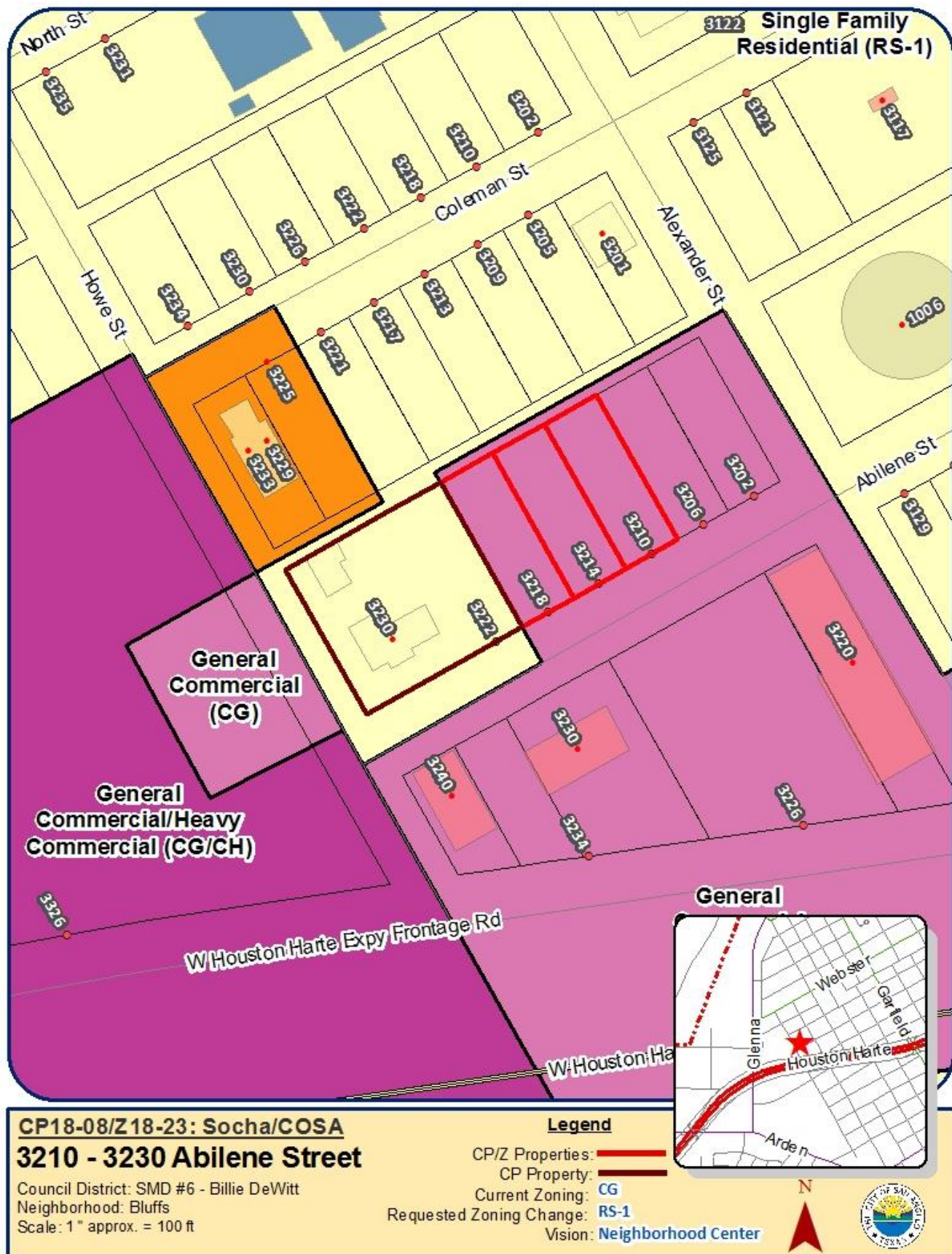
Council District: SMD #6 - Billie DeWitt
Neighborhood: Bluffs
Scale: 1" approx. = 100 ft

Legend

CP/Z Properties: —
CP Property: —
Current Zoning: **CG**
Requested Zoning Change: **RS-1**
Vision: **Neighborhood Center**







Effective January 3, 2017



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



Section 1: Basic Information

Name of Applicant(s): RUSSEN Socha (Czech Homes, LLC)
☒ Owner ☐ Representative (Notarized Affidavit Required)
Mailing Address: P.O. Box 488 SAN ANGELO TX 76902
325-277-7536 rsocha.laddies@gmail.com
Contact Phone Number: 3218, 3214, 3210 ABILENE ST. SAN ANGELO TX 76901
Subject Property Address: LOT 12, 13, 14 BLOCK 47, HATCHER ADDITION SUBDIVISION
Legal Description (can be found on property tax statement or at www.tomgreencad.com)

Existing Zoning: CIG Proposed Zoning: RS-1 Lot size: 50' x 140' / 7000 FT²

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

Section 2: Site Specific Details

Existing Use of Property: VACANT LOT
*Proposed Use of Property: SINGLE FAMILY RESIDENCE
*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

RUSSELL SOCHA [Signature] Green Homes LLC 11/13/18
 Owner Name (Print) Signature Company/Organization (If Applicable) Date

 Representative Name (Print) Signature Company/Organization Date

FOR OFFICE USE ONLY:

☒ Verified Complete ☐ Verified Incomplete

Date of Application: 11 / 14 / 2018

Case No.: Z 18 - 23

Fully-dimensioned site plan: ☐

Nonrefundable fee: \$ 662.50

Receipt #: 48193 Date paid: ____/____/____

Sign Deposit \$37.50

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

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

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

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

Planning Commission hearing date: 12 / 17 / 2018 Date notifications due: 12 / 5 / 2018

City Council hearing date: 1 / 22 / 2019 Packets due date: ____/____/____

Publication date: ____/____/____

Reviewed/Accepted by: J. Fisher Date: 11 / 14 / 2018

Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue



Application for Request to Amend Comprehensive Plan

Section 1: Basic Information

Name of Applicant(s): Russell Socha (CZCCA Homes, LLC)
☒ Owner ☐ Representative (Notarized Affidavit Required)
 Mailing Address: P.O. Box 488 City: San Angelo State: TX Zip Code: 76902
325-277-7536 Contact Phone Number rsocha.laddies@gmail.com Contact E-mail Address
 Subject Property Address: 3218-3214; 3210 ABILONG ST. City: San Angelo State: TX Zip Code: 76901
 Lot Size: 50' x 140' / 7000 FT.² Zoning: CG → RS-1

Section 2: Site Specific Details

Existing Use of Property: VACANT LOTS
 Proposed Use of Property: SINGLE FAMILY RESIDENTIAL
 Existing Comprehensive Plan Land Use Designation: CN
 Requested Comprehensive Plan Land Use Designation: RS-1

Reason(s) and justification(s) for requesting Comprehensive Plan Amendment:

EXISTING SINGLE FAMILY HOMES SURROUND
THESE LOTS & THEY ARE SIZED APPROPRIATELY.
THEY ARE NOT ON LOOP 306 ACCESS RD
THE NEED FOR AFFORDABLE HOUSING.
IT HAS BEEN VACANT LOTS SINCE DEVELOPMENT.
ADDS TO TAX BASE

Effective January 3, 2017

Section 3: Applicant(s) Acknowledgement

Please initial the following:

RS This process does NOT change the zoning on the property. Future applications filed for zone change will be evaluated by comparing the request against the Comprehensive Plan category, to insure consistency as required by the Local Government Code. This Code directs cities to make zoning decisions in accordance with this planning document.

RS Filing of this application is simply a request that the Planning Commission consider an amendment to the Comprehensive Plan map. Both the Planning Commission and City Council have the option to determine no amendment is necessary. If amendment is deemed necessary, staff will recommend updates based on the facts and evidence collected, and in accordance with the principles of the Comprehensive Plan adopted in 2009.

RS If approved, the Comprehensive Plan Amendment is applied to the property and runs with the land; it does not apply to the property owner(s).

RS The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a Comprehensive Plan Amendment request, the request must still go before City Council for final action.

RS If a Comprehensive Plan Amendment request is granted by City Council, a Zone Change application must still be filed to begin the rezoning process. While such applications may be filed concurrently, refund of a rezoning application fee is not possible; as such, it may be advisable to wait for a final decision on said Comprehensive Plan Amendment before proceeding with a rezoning request.

RS Comprehensive Plan Amendments are not done on a property by property basis, since zoning is largely based upon anticipating & mitigating the effects and unintended consequences land uses have on their surroundings. The neighborhood or area where your property lies will be evaluated and studied by staff, the Planning Commission, and City Council.

RS Areas will be examined no more than once per calendar year. The analysis, study, and evaluation by staff, the Planning Commission is a three month process; City Council must also adopt any changes.

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

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



Signature of licensee or authorized representative

11/14/18
Date

Russeu Socha
Printed name of licensee or authorized representative

Cosatch Homes LLC
Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: CPA.: 18 -- 08

Planning Commission Date: 12 / 17 / 2018

City Council Date(s): 1 / 22 / 2019

Non-Refundable Fee: \$ 500.00 Receipt #: 48196 Date paid: 11 / 14 / 2018

Reviewed/Accepted by: J. Fisher Date: 11 / 14 / 2018

Site Photos



Looking Northeast at the Subject Properties

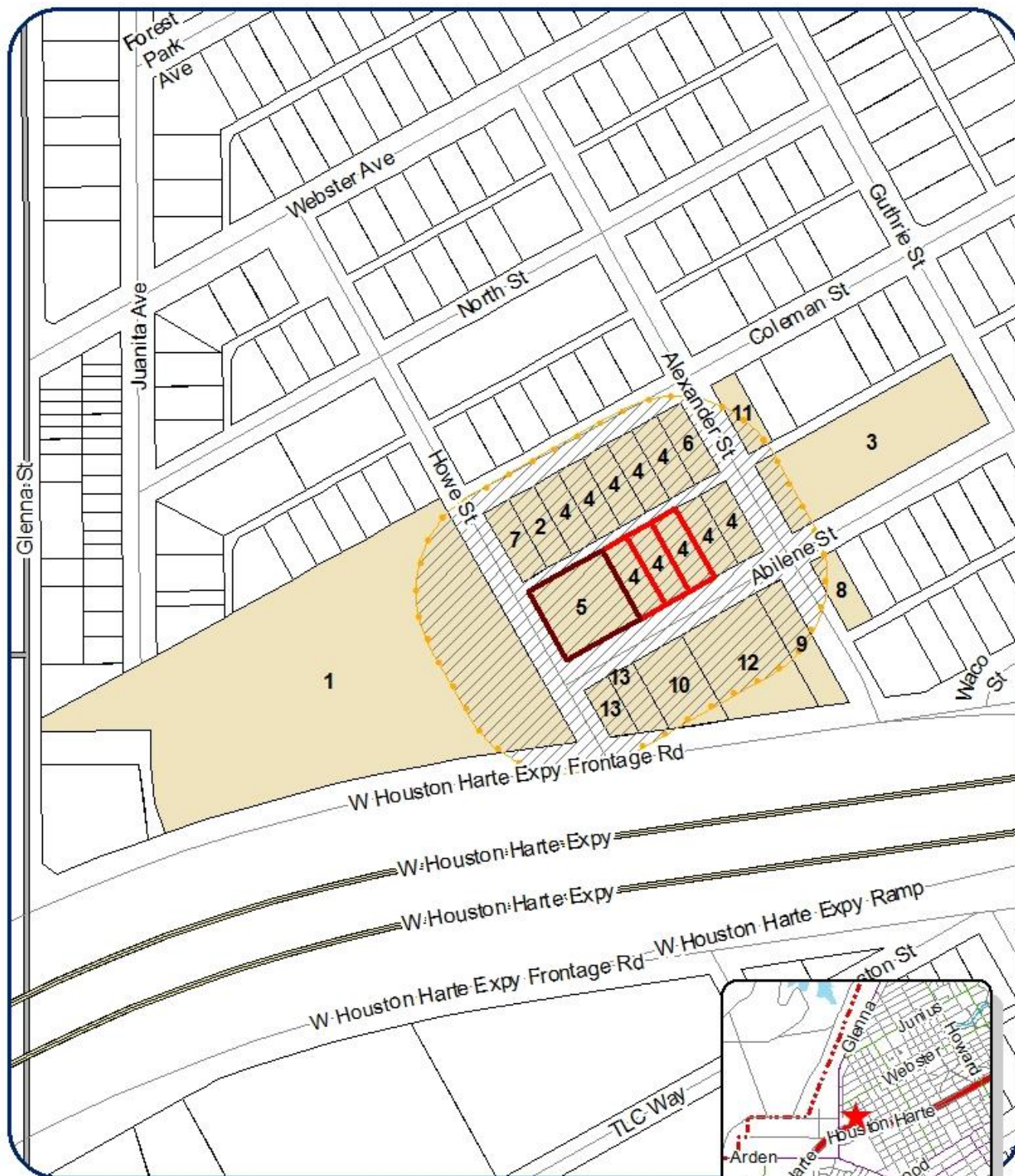




Looking Northwest at the Subject Properties



Commercial Properties South of Subject Property



CP18-08/Z18-23: Socha/COSA

3210 - 3230 Abilene Street

Council District: SMD #6 - Billie DeWitt

Neighborhood: Bluffs

Scale: 1" approx. = 225 ft

Legend

CP/Z Properties: —

CP Property: —

Current Zoning: CG

Requested Zoning Change: RS-1

Vision: Neighborhood Center



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

(☒) IN FAVOR (☐) IN OPPOSITION

REASON(S) _____

NAME: Runion Dev Co

ADDRESS: 3240 W Houston Hartle Eddy

SIGNATURE: 

CP18-08 / Z18-23: Socha/COSA

Property owner number: 13

If you have any questions about these proceedings, please call Hillary Bueker, Senior Planner, with the City of San Angelo's Planning Division at (325) 657-4210 ext. 1547 or at hillary.bueker@cosatx.us.

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

(☒) IN FAVOR (☐) IN OPPOSITION

REASON(S) Planning on Building our Home
There.

NAME: _____

ADDRESS: _____

SIGNATURE: James Diana Morales

CP18-08 / Z18-23: Socha/COSA

Property owner number: 11

If you have any questions about these proceedings, please call Hillary Bueker, Senior Planner, with the City of San Angelo's Planning Division at (325) 657-4210 ext. 1547 or at hillary.bueker@cosatx.us.

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

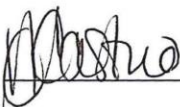
() IN FAVOR

(X) IN OPPOSITION

REASON(S) There has been more activity with crime and going through trash and other's property. With more houses closer together the neighborhood will not be a quiet place anymore. We rather not have more house built in that area. The only thing it has invited is theft.

NAME: Diego & April Castro

ADDRESS: 3025 Coleman St.
San Angelo, TX 76901

SIGNATURE: 

CP18-08 / Z18-23: Socha/COSA

Property owner number: 2

If you have any questions about these proceedings, please call Hillary Bueker, Senior Planner, with the City of San Angelo's Planning Division at (325) 657-4210 ext. 1547 or at hillary.bueker@cosatx.us.

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: **3210, 3214, AND 3218 ABILENE STREET, CITY of SAN ANGELO, TEXAS, compromising a total of 0.48-acres**, FROM GENERAL COMMERCIAL (CG) ZONING DISTRICT TO THE SINGLE FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z18-23

WHEREAS, 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 Residential (RS-1) Zoning District; and,

WHEREAS, on the 22th day of January, 2019, City Council held a public hearing on Z18-23, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

The real property located at 3210, 3214, and 3218 Abilene Street, compromising a total of 0.48-acres in Hatcher Addition, Lots 12, 13, and 14, Block 47, City of San Angelo, Tom Green County, Texas.

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

SECTION 3: In all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

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

SECTION 5 The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

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

INTRODUCED on the **22nd day of January, 2019**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of February, 2019**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

Exhibit A (RS-1 Boundary Map)

Single Family Residential (RS-1)

Z18-23: Socha

3210 - 3218 Abilene Street

Council District: SMD #6 - Billie DeWitt

Neighborhood: Bluffs

Scale: 1" approx. = 100 ft

Legend

Subject Property:

Current Zoning: CG

Requested Zoning Change: RS-1

Vision: Neighborhood Center



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, BEING **3210-3230 ABILENE STREET, CITY OF SAN ANGELO, TEXAS, compromising a total of 0.97 ACRES**, FROM "NEIGHBORHOOD CENTER" TO "NEIGHBORHOOD;" PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP-18-08

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

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

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

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

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

SECTION 1: The Future Land Use Plan Map, a component of the adopted Comprehensive Plan for the City of San Angelo be and the same is hereby amended to change the Future Land Use designations of the following described parcels as outlined below:

3210-3230 Abilene Street, compromising a total of 0.97 acres in Hatcher Addition, Block 47, Lots 9-14, City of San Angelo, Texas, from "Neighborhood Center" to "Neighborhood;"

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 **22th day of January, 2019**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of February, 2019**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: February 5, 2019

Item type: Consent Item

Caption:

Second reading and adoption of an ordinance changing "Ellis Street" to "East Houston Harte Expressway Frontage Road" over a 2,900-ft. length of this street's right-of-way beginning at Montague Ave. and continuing east to its terminus past Smith Blvd. to the East Houston Harte Expressway Ramp (Jon James)

Summary/History:

Second reading and adoption of an ordinance to change "Ellis Street" to "East Houston Harte Expressway Frontage Road", over a 2,900-foot length of this street's right-of-way beginning at Montague Avenue and continuing east to its terminus past Smith Boulevard to the East Houston Harte Expressway Ramp

Financial Impact:

N/A

Other Information/Recommendation:

On December 17, 2018, the Planning Commission unanimously recommended APPROVAL of all the above items.

On January 22, 2018, the City Council approved the first reading with a vote of 5-0

Attachments:

- | | |
|--|--|
| 1. Staff Report (Ellis St to E Houston Harte Expway) | Staff Report (Ellis St to E Houston Harte Expway).docx |
| 2. Ordinance (Ellis St to E Houston Harte Expway) | Ordinance (Ellis St to E Houston Harte Expway).docx |

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Julia Antilley	Final Approval

CITY COUNCIL – January 22, 2019
STAFF REPORT



APPLICATION TYPE:		CASES:	
Street Name Change		Ellis Street	
SYNOPSIS:			
The applicant has requested approval of a Street Name Change for a portion of Ellis Street to “East Houston Harte Expressway.” If approved, the 2,900-foot length of this street's right-of-way beginning at Montague Avenue and continuing east to its terminus past Smith Boulevard to the East Houston Harte Expressway Ramp, would be renamed “East Houston Harte Expressway” (See Additional Information).			
LOCATION:		LEGAL DESCRIPTION:	
Ellis Street, from Montague Avenue to its terminus past Smith Boulevard to the East Houston Harte Expressway Ramp.		Being a +/- 2,900-foot length of this street's right-of-way from Montague Avenue to its terminus past Smith Boulevard to the East Houston Harte Expressway Ramp, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #4 – Lucy Gonzales Paulann Neighborhood	CO, CN, CG, OW	Transitional, Commercial, Neighborhood Center	325 Linear Feet
THOROUGHFARE PLAN:			
Ellis Street (a portion of East Houston Harte Expressway Frontage Road – TXDOT Freeway – Right-of-way 440’, paving width 40’ (State road not subject to City minimum requirements).			
NOTIFICATIONS:			
Six notifications were mailed to properties directly adjacent to the street segment and within 200 feet on December 6, 2018. One response has been received in support and zero in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the street name change to “East Houston Harte Expressway Frontage Road,” subject to one (1) Condition of Approval.			
PETITIONERS:			
Tina Kolster Kolster Welding			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Street Name Change: The applicant owns a business at the immediate southeast corner of Montague Street and Ellis Street. She is requesting the proposed street name change because she claims commercial vehicles and customers have difficulty finding her property using GPS and electronic searches. She indicates part of this confusion is that the portion of Ellis Street between Bell Street and Montague Avenue is one block south, and this portion of Ellis Street acts as part of the East Houston Harte Frontage Road. She believes that changing this portion of Ellis Street to “East Houston Harte Expressway” would be consistent with the portion of this road between Bell Street and Montague Avenue with the same name, and allow her business and future businesses along this stretch of Ellis Street to have a Houston Harte Expressway address.

The following are three guidelines which the Division uses to determine the applicability and appropriateness of any proposed street name change.

1. Whether the street name change would confuse motorists and emergency vehicles

The Planning Division circulated the request to San Angelo Police (SAPD); TXDOT; and City Engineering, Operations, Traffic Operations, Fire Marshal’s Office, and 911 addressing, and all are in favor of the request. In addition, SAPD also believes that renaming this portion will help make mapping and addressing consistent for First Responders and the Police Department. 911 Addressing and SAPD request that “Frontage Road” is added to the end of the name so it will be “**East Houston Expressway Frontage Road**”, consistent with the existing street segment west and east of the subject portion. The Planning Division believes that changing this portion of Ellis Street to East Houston Harte Expressway Frontage Road will not confuse motorists or emergency vehicles, and will improve traffic circulation and functionality of this portion of Ellis Street. As indicated, this portion of Ellis Street is separate from the Ellis Street one block south, and serves as part of Houston Harte Expressway. Renaming this portion of Ellis Street to East Houston Harte Expressway Frontage Road will allow commercial and customer traffic, as well as Police and 9-1-1 services to easily identify addresses along this street portion. There are currently no “Ellis Street” addresses along this portion of Ellis Street between Montague Avenue and Smith Boulevard except for the applicant’s which can be changed if this application is approved.

2. Whether there is the same or similar name to the proposed street name

Portions of the same street between North Bell Street and Montague Street, and east of Smith Boulevard are already named East Houston Harte Expressway Frontage Road. Therefore, it is both logical and functional to rename this segment the same to allow a continuous segment of the street with the same name.

Traffic Operations will not require changing any street signs as the existing signs along this portion of Ellis Street already are labelled to reflect “Houston Harte Expressway Frontage Road”.

3. Whether or not there is a justified reason to rename the street such as the naming for the betterment of the community or to honor a public figure

Renaming the street “East Houston Harte Expressway” will avoid confusion of duplication of Ellis Streets (existing portion and the portion one block south). The Planning Division believes the renaming will be for the betterment of the community as a whole.

Planning Commission Recommendation:

On December 17, 2018, the Planning Commission recommended **APPROVAL** of a request to change “Ellis Street” to “East Houston Harte Expressway Frontage Road”, over a 2,900-foot length of this street's right-of-way beginning at Montague Avenue and continuing east to its terminus past Smith Boulevard to the East Houston Harte Expressway Ramp, subject to one condition of approval as presented. The following is the complete excerpt of the draft minutes from the December 17, 2018, meeting for this case:

Jeff Fisher, Senior Planner, present the proposed street name change request. He explained that the request was initiated by the property owner located at the southeast corner of Montague Avenue and Ellis Street. Mr. Fisher indicated that this owner claimed that customers were unable to locate their property with a Montague Avenue address using electronic and phone searches and that this portion of Ellis Street located adjacent to Houston Harte Expressway acts as the frontage road and not Ellis Street. Mr. Fisher explained that essentially there are two “Ellis Streets” – the Ellis Street one block south of the Expressway, and the Ellis Street along the Expressway which acts as the Houston Harte Expressway Frontage Road and is labelled as such west and east of the portion in question.

Mr. Fisher outlined Staff’s rationale for approval on the grounds that the proposed street name change will reduce confusion for motorists, renaming the street “East Houston Harte Expressway Frontage Road” consistent with the segments of the same street west and east of the portion in question; that all City departments; TXDOT and the San Angelo Police Department were in support; and that the renaming will avoid duplication and confusion of two Ellis Streets.

Commissioner Jackson asked to see the location map. She asked Mr. Fisher asked why the street signs already say “Houston Harte Expressway Frontage Road”. Mr. Fisher indicated that he did not know how the signs were originally changed, and that the City’s Traffic Operations Division was currently looking into this.

Commissioner Jackson indicated that there were other sections of Ellis Street that also have this problem, as well as other portions of the Expressway Frontage Road with different names.

Mr. Fisher agreed.

Commissioner Jackson also asked why other portions of the frontage road were not renamed Ellis Street.

Mr. Fisher responded this would exacerbate the problem because the real Ellis Street is located one block south so would make more sense to rename Ellis Street adjacent to the Expressway to the Houston Harte Expressway Frontage Road.

Vice Chair Spano acknowledged the confusion of naming Expressway frontage roads with different names.

Chair Stribling expressed support for the street name change, indicating it is a step in the right direction.

Mr. Fisher concurred and concluded that the proposed request would allow the business owner to obtain a Houston Harte address and remove at least a portion of the street name problem going forward.

Chair Stribling opened the meeting for public comment. There was no public comment.

Commissioner Uherik made a Motion to recommend APPROVAL of a request to change “Ellis Street” to “East Houston Harte Expressway Frontage Road”, over a 2,900-foot length of this street's right-of-way beginning at Montague Avenue and continuing east to its terminus past Smith Boulevard to the East Houston Harte Expressway Ramp, subject to the one condition of approval as presented. Vice Chair Spano seconded the Motion. The Motion passed unanimously, 5-0.

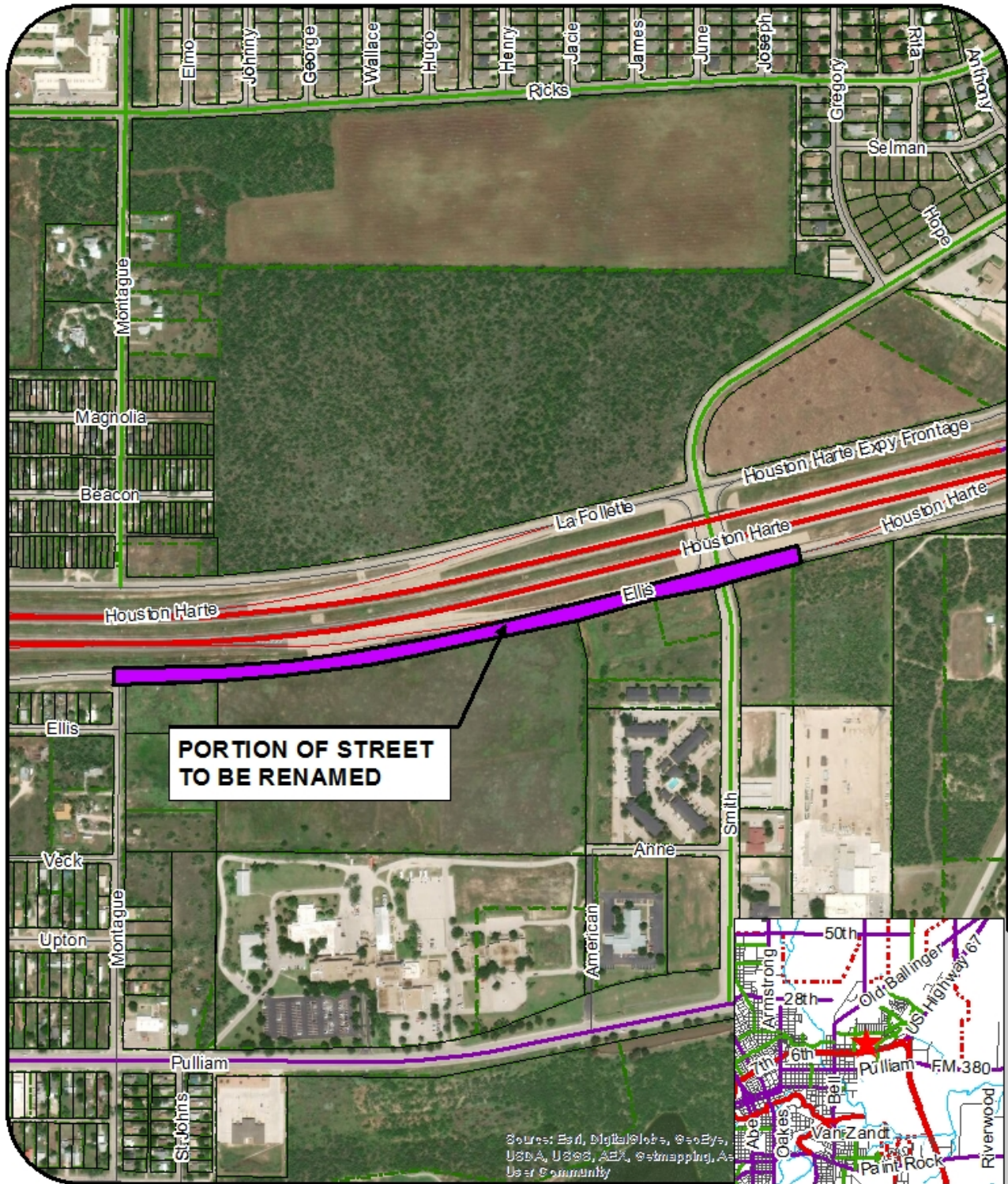
Recommendation:

Staff’s recommendation is for City Council to **APPROVE** the street name change from Ellis Street to **“East Houston Harte Expressway Frontage Road,”** of the +/- 2,900-foot length of this street's right-of-way from Montague Avenue to its terminus past Smith Boulevard to the East Houston Harte Expressway Ramp, **subject to one (1) Condition of Approval:**

1. A request to the City’s 911 Addressing Coordinator shall be submitted for an address/street name change for addresses affected by the street name change.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Notify Map
Response Letter
Application



Street Name Change

Ellis Street

Council District: Lucy Gonzales (SMD#4)

Neighborhood: Paulann

Scale: 1" approx. = 525 ft

Ellis St to East Houston Harte Expressway

Legend:

Subject Properties:

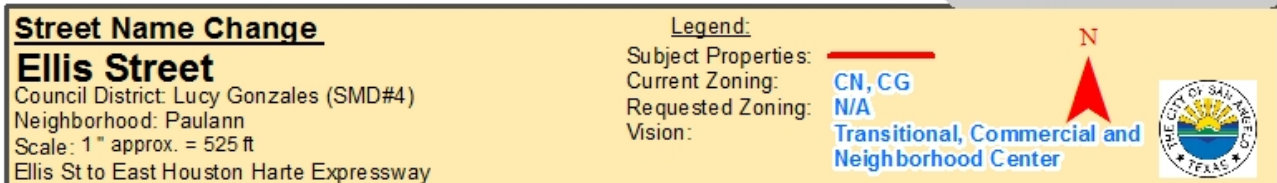
Current Zoning: CN, CG

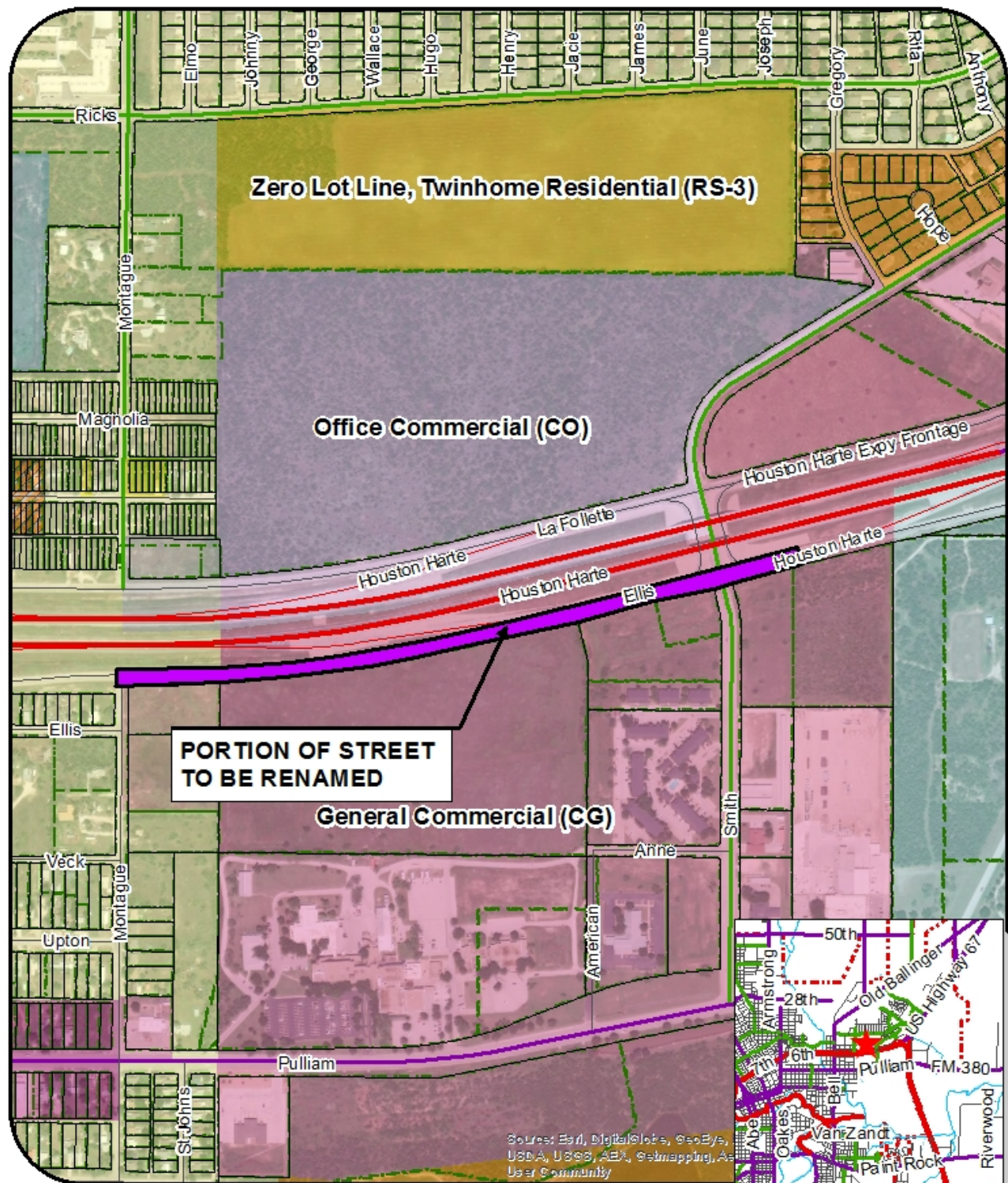
Requested Zoning: N/A

Vision:

Transitional, Commercial and
Neighborhood Center







Street Name Change

Ellis Street

Council District: Lucy Gonzales (SMD#4)

Neighborhood: Paulann

Scale: 1" approx. = 525 ft

Ellis St to East Houston Harte Expressway

Legend:

Subject Properties:

Current Zoning: CN, CG

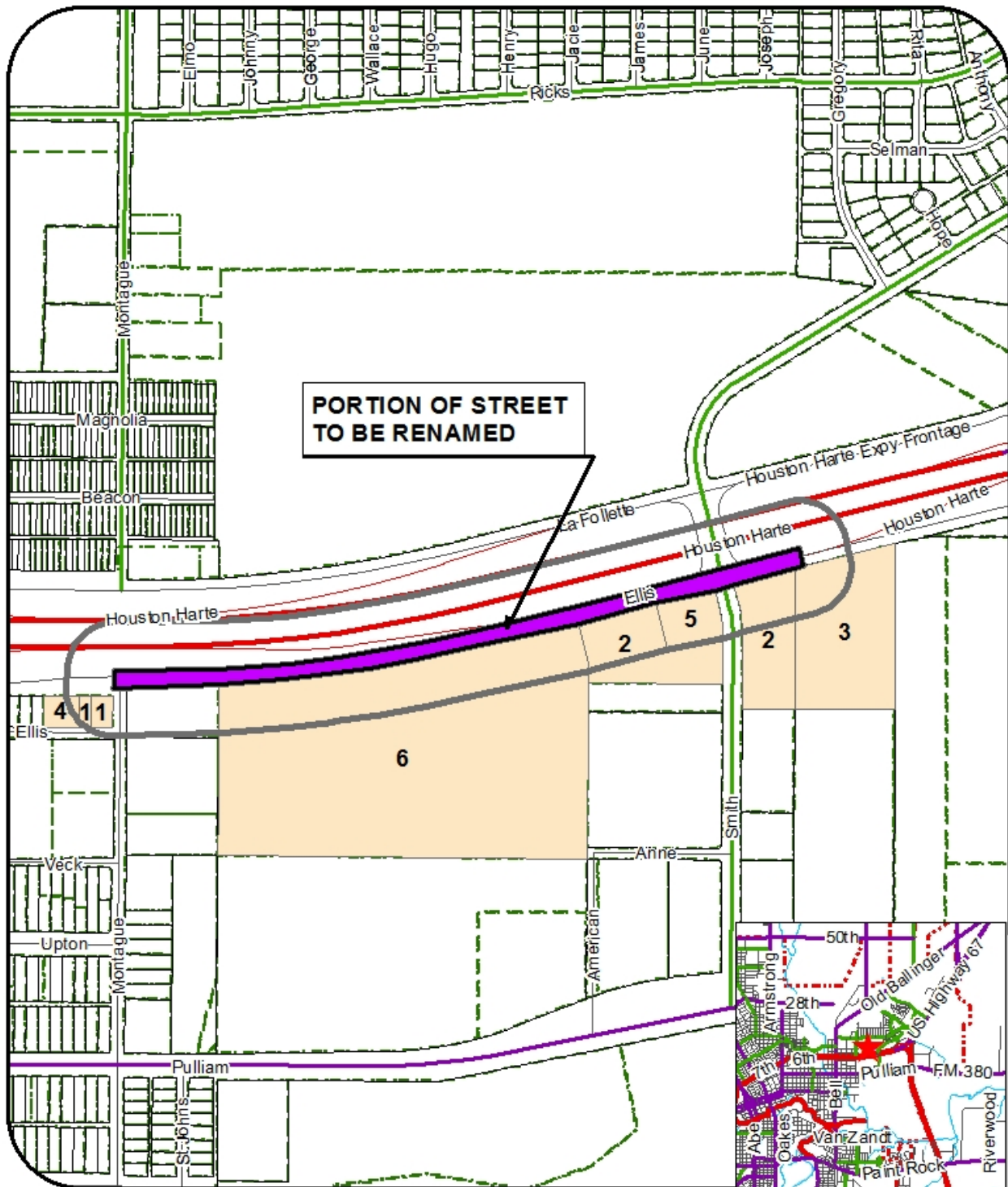
Requested Zoning: N/A

Vision:

Transitional, Commercial and
Neighborhood Center

N





Street Name Change

Ellis Street

Council District: Lucy Gonzales (SMD#4)

Neighborhood: Paulann

Scale: 1" approx. = 525 ft

Ellis St to East Houston Harte Expressway

Legend:

Subject Properties:

Current Zoning:

Requested Zoning:

Vision:

CN, CG

N/A

Transitional, Commercial and
Neighborhood Center

N



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

(☒)

IN FAVOR

(☐)

IN OPPOSITION

REASON(S) _____

NAME: Daniel Baker, Regal Oil, Inc.

ADDRESS: 424 N. Main

San Angelo, TX 76903

SIGNATURE: Daniel W. Baker

Street Name Change: A portion of Ellis Street

Property owner number: 5

If you have any questions about these proceedings, please call Hillary Bueker, Senior Planner, with the City of San Angelo's Planning Division at telephone number (325) 657-4210. The Planning Division staff may also be reached by email at hillary.bueker@cosatx.us.

Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Ave
Application for Naming/Renaming a Street



REVISED

Section 1: Basic Information

Name of Applicant(s): Kolster Welding

☒ Owner ☐ Representative (Affidavit Required)

1024 N. Bell	San Angelo	TX	76903
Mailing Address	City	State	Zip Code
325-895-1949	kolsterwelding@suddenlinkmail.com		
Contact Phone Number	Contact E-mail Address		

Section 2: Property Characteristics

Is the street public? ☒ Yes ☐ No Is street private? ☐ Yes ☐ No

Describe request for street to be named/changed: Ellis Street to East Houston Harte Expressway

From the intersection of: Montague Avenue to: Smith Blvd

Describe reason(s) for request to name or rename the street: see attached

Use attachment, if necessary, including where applicable, the legal description of land adjacent to street requested to be named/renamed:
see attached

Section 3: Applicant(s) Acknowledgement

Please initial the following:

tk I/we understand that a separate fee will be required from the applicant for any new signage installation.

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

Tina Kolster 12-6-18
Signature of licensee or authorized representative Date

Tina Kolster
Printed name of licensee or authorized representative

Kolster Welding
Name of business/Entity of representative

FOR OFFICE USE ONLY

Reviewed/Accepted by: J. Fisher Date: 11/16/18 ☒ Verified Complete ☐ Verified Incomplete

Assigned to: Planning

Nonrefundable application fee: \$ 625.00 COSA Signage cost: \$ _____ Date paid: 11/16/18 Receipt No. 51784

Planning Commission hearing date: 12/17/2018 City Council hearing date(s): 1/22/19

Hours of Operation: 8 AM -12 PM & 1PM – 5 PM 325-657-4210, #2 www.cosatx.us/planning

11-16-18

There are a few reasons for our request:

Currently the 911 address for our property is 2025 Ellis Street however when entering that address into a smart phone or a map online the point it takes you to is several blocks away on the West side of N. Bell Street at the intersection of Ellis Street and N. Archer. The reasons for our request are as follows:

1. Difficulty in finding 2025 Ellis Street when there are a few Ellis Street's on the map
2. Future deliveries and mail will not be delivered to our correct location with this error in street naming
3. Emergency response will not be as quick due to the difficulty in finding our location and confusion of our address
4. Customer access will be an issue as well if someone tries to find us online therefore our success could be hindered due to the confusion
5. Future development on this stretch of Ellis Street will not have the same dilemma is we are granted the street renaming
6. When using a smart phone map, the portion of Ellis Street we are requesting the name change for is already named Houston Harte Frontage Road

We believe the street name change will not confuse or hinder motorists and emergency vehicles, in fact we believe this will greatly assist in motorists and emergency vehicles finding our location.

Thank you for your consideration in this matter.

Jina Kolster

Fisher, Jeff

From: Tina Kolster <tina@citizensstatebk.com>
Sent: Wednesday, October 17, 2018 1:04 PM
To: Fisher, Jeff
Subject: Kolster Welding Address Change

Hi Jeff,

I want to thank you for working with us on our request for an address change. When we purchased the property and started the process for construction we obtained a 911 address for the property of 2025 Ellis Street. We have finally received the permit and have begun the construction process. In doing so, when we ordered limestone to start the pad, the driver of the trucks were asked to deliver to 2025 Ellis Street. They were unable to find our property location due to the fact that when you enter that address into any device, phone, etc, it points you to Ellis Street west of Bell Street. We received a phone call from the drivers and explained they were on the wrong end of Ellis and pointed them in the correct direction. From Bell Street east to Montague is Ellis Street however this particular Ellis Street is one block south of Houston Harte which makes our 2025 Ellis Street even more confusing when we are on the corner of Houston Harte and Montague.

For future delivery of materials, mail, etc, emergency response and customer access, we would like to request that the name of the street be changed to match what is on the map which is **Houston Harte Frontage Road**. We believe this request is relevant and logical due to map confusion. This request should greatly improve the 911 responders being able to find our location should we need them. Lastly, we believe this request will discard any potential for confusion when our customers are trying to locate us for our services. Leaving the address 2025 Ellis Street has the potential to hinder our success due to customers not being able to locate our property. Currently, there are no other houses/buildings facing north on the frontage road from Bell Street going east therefore no other property owners will be affected at this time. However, if anyone in the future builds a home or commercial building on this portion of the frontage road they will have the same issue we are facing currently. Our hope is that we are able to change the address/street name for our location and therefore future construction on this portion will not have this same issue.

Again, I want to thank you for assisting in this matter. Please feel free to let me know if you have any questions.
Thank you!

Tina M. Kolster

Citizens State Bank
319 W. Harris
San Angelo, Texas 76903
325.657.0099 phone
325.653.1254 fax
325.763.8449 cell
NMLS # 586030

AN ORDINANCE CHANGING THE NAME OF ELLIS STREET, A STATE ROAD ON THE CITY'S MAJOR THOROUGHFARE PLAN OF APPROXIMATELY 2,900 LINEAR FEET EAST/WEST RIGHT-OF-WAY BETWEEN MONTAGUE AVENUE AND ITS TERMINUS PAST SMITH BOULEVARD TO THE EAST HOUSTON HARTE EXPRESSWAY RAMP FROM "ELLIS STREET" TO "EAST HOUSTON HARTE EXPRESSWAY FRONTAGE ROAD," PROVIDING FOR PERMANENTLY AFFIXING ANY NECESSARY GEOGRAPHICAL AND ADDRESS-RELATED REFERENCES THERETO; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a portion of Ellis Street is classified as a State Road (TXDOT) in the City's Major Thoroughfare Plan that runs east/west between Montague Avenue and its terminus past Smith Boulevard to the East Houston Harte Expressway Ramp in northeast San Angelo; and

WHEREAS, the TXDOT right-of-way immediately west of this segment between North Bell Street and Montague Avenue, and immediately east of this segment between Montague Avenue and its terminus at North Loop 306 are already named "East Houston Harte Expressway Frontage Road"; and,

WHEREAS, the City of San Angelo is a home rule municipality having exclusive control over the public streets of the municipality which control extends to assigning street names to highways within the jurisdictional limits of the city since the Texas Department of Transportation is specifically prohibited from naming a street with any name other than a regular highway number; and,

WHEREAS, the proposed street name change will provide for consistent street name identification, allow for proper wayfinding, and reduce confusion to motorists and emergency vehicles given there is already an "Ellis Street", a local street, located one block south between North Bell Street and Montague Street; and,

WHEREAS, the proposed street name change has been reviewed and endorsed by all relevant departments and agencies including the City of San Angelo, TXDOT, and the San Angelo Police Department;

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

SECTION 1: Ellis Street, extending east/west between Montague Avenue and its terminus past Smith Boulevard to the East Houston Harte Expressway Ramp in northeast San Angelo is hereby re-named: "East Houston Harte Expressway Frontage Road".

SECTION 2: Geographical and address related references to said street shall be updated and permanently affixed, identifying said street as “East Houston Harte Expressway Frontage Road”.

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 become effective from and after the date of adoption.

INTRODUCED on the **22nd day of January, 2019**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of February, 2019**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Carl White, Parks and Recreation Director, Parks and Recreation, 325-657-4450

Meeting Date: February 5, 2019

Item type: Regular Item

Caption:

Consider authorizing the City Manager to negotiate and execute an agreement and any related documents with the Southern Drag Boat Association (SDBA) for the annual Drag Boat Races at Lake Nasworthy (Carl White)

Summary/History:

The Drag Boat Races have been hosted in cooperation with the Chamber of Commerce at Lake Nasworthy, initially the first 10 years, and then by Lucas Oil the last 2 years. The events have been successful and popular and have been mutually beneficial to Lucas Oil, the Chamber of Commerce, the City of San Angelo and the city overall. We want the events to continue.

This fall, we received a letter from the Lucas Oil Drag Boat Races organization informing us they were no longer going to be holding the races. Not long afterwards, we received notice from the Southern Drag Boat Race Association (SDBA) requesting they be allowed to host the events.

We have held meetings with the organization to discuss this matter. The SDBA has requested to enter into agreement with the City to host the event, with only a change in the amount of payment to the City for the use of the parks (Spring Creek and Middle Concho) for the event. The past 2 years, Lucas Oil Drag Boat Races paid the City \$12,500 for use of the parks for the events; the SDBA has requested a reduction in this amount to \$8,000. Staff supports this reduction. (The amount is comparable to the amount we would collect from the entrance gates at these parks for the weekend.)

The basic terms of the agreement would include:

- * a 1-year term, with no option to extend.
- * a "rental" fee for the use of the parks for the event of \$8,000.
- * SDBA to coordinate, prepare, operate, manage and execute the event.
- * SDBA to clean and return the parks to the same condition before the events, after each event
- * waiver of the applicable ordinances as previously done the years past (which will be brought to Council separately in Resolution format; requested ordinance waivers include: coordination of camping and parking for the event, entrance gate fees, permits for street closures, tents, vendors and signs,

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- * waiver of the applicable ordinances as previously done the years past (which will be brought to Council separately in Resolution format; requested ordinance waivers include: coordination of camping and parking for the event, entrance gate fees, permits for street closures, tents, vendors and signs, provisions regulating the water of Lake Nasworthy, such as "No Wake" zones, and waiver to allow vendors within 500 feet of boat ramps and City-owned property leased for commercial purposes, which has been the practice of past races).
- * 1 event in June.
- * SDBA must complete and submit a Special Event Application as part of the agreement.

We seek Council's approval moving forward with this agreement.

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- * SDBA must complete and submit a Special Event Application as part of the agreement.

We seek Council's approval moving forward with this agreement.

Financial Impact:

There is no new cost for entering into this agreement.

The City would be paid a negotiated flat fee each year to have use of the parks for the events.

Other Information/Recommendation:

Attachments:

1. 19-224 COSA & SOUTHERN DRAG BOAT ASSN. 19-224 COSA & SOUTHERN DRAG BOAT ASSN..docx

Presentation:

Approvals/Reviews:

Carl White
Theresa James
Rick Weise
Anthony Wilson

Created/Initiated
Approved
Approved
Approved

Julia Antilley
Tina Dierschke
Theresa James
Becky Dunn
Julia Antilley

Approved
Approved
Approved
Approved
Final Approval

**SPECIAL EVENT CONTRACT
BY AND BETWEEN
THE CITY OF SAN ANGELO
AND
SOUTHERN DRAG BOAT ASSOCIATION**

This Special Event Contract ("Agreement") effective _____, ("Effective Date") is entered into by and between the City of San Angelo, a Texas home rule municipal corporation ("City") and the Southern Drag Boat Association ("SDBA" or "Promoter").

RECITALS

WHEREAS, SDBA desires to be the promoter and sponsor of an annual drag boat racing event called the "**CRAIG PARTUSCH MEMORIAL SHOWDOWN IN SAN ANGELO**" (the "Event") on the waters of Lake Nasworthy, a lake owned by the City of San Angelo, Texas, and on lake park land; and,

WHEREAS, the City Council, pursuant to Chapter 9, Article 9.03 *Lake Nasworthy—Twin Buttes*, may authorize special events with temporary variances from prohibitions and requirements of city ordinances, for sporting and recreational purposes on Lake Nasworthy; and,

WHEREAS, on _____, pursuant to consideration of factors set forth in Article 9.03, Council authorized a special event known as the **CRAIG PARTUSCH MEMORIAL SHOWDOWN IN SAN ANGELO** on the waters of Lake Nasworthy to be promoted and sponsored by SDBA upon terms and conditions included herein.

NOW THEREFORE, for and in consideration of the premises, undertakings and mutual covenants of the parties set forth herein, and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged by each of the parties, the City of San Angelo and SDBA agree as follows:

Section 1. Recitals. The foregoing recitals are true and correct and are hereby incorporated into and made a part of this Agreement.

Section 2. Authorization for Special Events. Prior to the event Promoter shall submit at a special event application on forms approved by the Director of Parks and Recreation (the "Director") for any boat race to be conducted on the waters of Lake Nasworthy sponsored by Promoter. The terms and conditions of the special event application and permit, including reasonably required variances from the prohibitions and requirements of city ordinances, shall be as required by and subject to the approval of the Director, consistent with the provisions of this Agreement.

Section 3. Lease of Park Land. (a) Leased Premises. This Special Event shall include the lease by City as Landlord to Promoter as Tenant of the following park lands for Eight Thousand Dollars (\$8000) inclusive of three (3) days on which the event is to be conducted, plus the five (5) days preceding the event for set up and three (3) days immediately following the last day of the event for tear down and clean up, for a total lease term of eleven (11) days:

Spring Creek Park and Middle Concho Park as more particularly described and depicted on **Exhibit "A"**, attached hereto and made a part of this Agreement for all purposes (hereinafter collectively the "Leased Premises").

Rent for Leased Premises shall be payable in advance of the event and shall accompany the required Application for Special Event to be submitted to the Director.

(b) Landlord Preparation. City shall prepare the Leased Premises just prior to the Tenant set up day for the lease term by mowing the grass and removal of trash. Tenant shall be solely responsible for set up, tear down and clean up of the Leased Premises following the special event.

(c) Tenant Public Fees. Fees charged by Tenant for access to or use of Leased Premises during a special event shall be subject to pre-approval by the Director.

(d) Security. In addition to rent, Tenant shall be solely responsible for providing reasonable security for the authorized special event and use of Leased Premises, as approved by the San Angelo Police Department.

(e) Miscellaneous Lease Provisions.

- i. Tenant may operate all terrain vehicles in and about the Leased Premises;
- ii. Tenant may designate or restrict access to areas for parking, camping, vendors, racers and crews, and spectators. No RV camping not sponsored by Tenant will be allowed at Spring Creek, except on property under separate lease to a third party that is utilized for RV parking which Tenant shall permit continuous ingress and egress across Leased Premises for RV park purposes.
- iii. Tenant is permitted to set up Tents and post signs subject to regulation set out in the Special Event Permit or as otherwise directed by the Director.
- iv. Tenant may close park driveways on Leased Premises as approved by the Director and designated by Tenant on maps.
- v. Tenant may prohibit access to the race area by unauthorized persons and boats until after the track is disassembled within the tear down period provided for.
- vi. Tenant may restrict access to the Leased Premises for exclusive use of Tenant for Special Event purpose for the time periods designated in the Permit.
- vii. Tenant may prohibit awnings and coolers larger than 50 quarts in the designated spectator viewing and vending areas.
- viii. Tenant may prohibit camping at locations in the Leased Premises, other than in the designated RV vehicle parking areas.
- ix. Boats shall not be permitted in Middle Concho Park of the Leased Premises for the term of the Permit.
- x. Tenant fees charged to the public relating to the Special Event pursuant to the lease shall be subject to prior approval of the Director.
- xi. Tenant shall provide:
 - a minimum total of fifty (50) Port-A-Potties, two (2) of which shall be ADA accessible. Thirty (30) including one of the ADA accessible Port-A-Potties shall be provided in the Spring Creek Park area. Twenty (20) including one of the ADA accessible Port-A-Potties shall be provided in the Middle Concho Park area;
 - adequate garbage dumpsters as determined by the Director of Parks and Recreation;
 - maintain the permanent restroom facilities;
 - provide security through the San Angelo Police Department (SAPD) as recommended by the SAPD;
 - work with the SAPD in developing a mutually agreeable plan for traffic control;

- provide, set up and remove barricades reasonably necessary for the direction of vehicular traffic and for designation of parking, camping, spectators, vendors, racers, crews and other necessary designated areas;
- provide designated parking areas, including designated RV and ADA parking spaces;
- provide all necessary employees and volunteers reasonably necessary to safely and efficiently conduct the Special Event;
- require vendors to obtain all permits required under city ordinance, including but not limited to Sales and Use Tax, and present proof thereof to the Tenant prior to conducting business.
- Tenant is required to use the City Concessionaire exclusively for the sale of any alcoholic beverages.

The City Manager or his designee shall have full authority to enforce Tenant compliance with the foregoing requirements and, in Landlord's sole discretion, to correct any deficiency in Tenant compliance, including the authority to immediately suspend the Special Event Permit and Tenant operation of the Special Event until such deficiencies as determined in the sole discretion of the City Manager or his designee, are corrected.

Section 4. Initial Term. This contract shall commence on the Effective Date first herein above provided and continue for a period of One (1) year, at which time this Agreement shall automatically expire and be of no further force or effect, unless earlier terminated.

Section 5. Compliance with Federal, State and Local Laws. Promoter shall be solely responsible for securing such permits as may be required and for compliance by Promoter and Promoter's employees, agents, subcontractors, and licensees with ordinances and other applicable federal, state and local laws and regulations in the promotion, sponsorship and conduct of each special event conducted pursuant to this Agreement.

Section 6. INDEMNIFICATION. Promoter shall indemnify, defend and hold harmless City and its officials, employees and agents (collectively referred to as "Indemnitees") and each of them from and against all loss, costs, penalties, fines, damages, claims, expenses (including reasonable attorney's fees) or liabilities (collectively referred to as "Liabilities") by reason of any injury to or death of any person or damage to or destruction or loss of any property arising out of, resulting from, or in connection with (i) the performance or non-performance of the promotion, sponsorship and conduct of special events (hereinafter collectively "Services") contemplated by this Agreement but only to the extent caused by the negligent acts, errors or omissions, intentional torts, intellectual property infringement, or a failure to pay a subcontractor or supplier committed by Promoter or Promoter's agent, consultant under contract, or another entity over which Promoter exercises control, or its employees, agents or sub-providers (collectively referred to as "Promoter") (ii) the failure of Promoter to comply with any of the paragraphs herein or the failure of Promoter to conform Services or work to statutes, ordinances, or other regulations or requirements of any governmental authority, federal, state or local, in connection with the performance of this Agreement. Promoter expressly agrees to indemnify and hold harmless the Indemnitees, or any of them, from and against all liabilities which may be asserted by an employee or former employee of Promoter, or any of its sub-providers, as provided above, for which Promoter's liability to such employee or former employee

would otherwise be limited to payments under State Workers' Compensation or similar laws. Nothing herein shall require Promoter to indemnify, defend, or hold harmless any Indemnatee for the Indemnatee's own gross negligence or willful misconduct. Any and all indemnity provided for in this Agreement shall survive the expiration of this Agreement and the discharge of all other obligations owed by the parties to each other hereunder and shall apply prospectively not only during the term of this Agreement and any extension thereof but thereafter so long as any liability could be asserted in regard to any acts or omissions of Promoter in performing Services under this Agreement.

Section 8. Insurance. Promoter shall, at all times during the term hereof, maintain such insurance coverage as may be required by City of the types and in the amounts specified in **Exhibit "B"** attached hereto, which by this reference is incorporated into this Agreement for all purposes, and with insurers licensed to do business in Texas. All insurance required herein shall be drawn in the name of Promoter, with City, its council members, board and commission members, officials, agents, guests, invitees, consultants and employees named as additional insureds, except on coverage for Workers' Compensation. Every policy required above shall be primary insurance. Any insurance or self-insurance benefits carried by City, its officers, or its employees, shall be excess and not contributory to that provided by Promoter. All such insurance, including renewals, shall be subject to the approval of City for adequacy of protection and evidence of such coverage shall be furnished to City on Certificates of Insurance indicating such insurance to be in force and effect and providing that it will not be canceled during the performance of Services under this Agreement without thirty (30) calendar days prior written notice to City. Completed Certificates of Insurance shall be filed with City's Risk Manager at City Hall, 72 W. College Avenue, San Angelo, Texas 76903 prior to the performance of Services hereunder, provided, however, that Promoter shall at any time upon request file duplicate copies of the policies of such insurance with City.

The procurement of insurance coverage by Promoter shall not be construed to be a limitation upon Promoter's liability or as a full performance on its part of Promoter's indemnification requirements under this Agreement. Promoter's obligations are, notwithstanding any policy of insurance, for the full and total amount of any damage, injury or loss caused by or attributable to its activities conducted at or upon the premises. Failure of Promoter to maintain adequate coverage shall not relieve Promoter of any contractual responsibility or obligation.

Promoter shall require its insurance carrier(s), with respect to all insurance policies, to waive all rights of subrogation against City, its council members, board and commission members, officials, agents, guests, invitees, consultants and employees.

Promoter shall cause each subprovider and sub-subprovider of Promoter to purchase and maintain insurance of the types and in the amounts specified in **Exhibit "B"** hereto. Promoter shall require subproviders and sub-subproviders to furnish copies of certificates of insurance to Promoter's Risk Manager evidencing coverage for each subprovider and sub-subprovider.

If, in the judgment of City, prevailing conditions warrant the provision by Promoter of additional liability insurance coverage or coverage which is different in kind, City reserves the right to require the provision by Promoter of an amount of coverage different from the amounts or kinds previously required and shall afford written notice of such change in requirements thirty (30) days prior to the date on which the requirements shall take effect. Should Promoter fail or refuse to satisfy the requirement of changed coverage within thirty (30) days following City's written notice, Promoter shall be deemed in default of this Agreement.

Section 9. Default. If Promoter fails to comply with any term or condition of this Agreement or of the terms of a Special Event Application approved by the Director as herein provided, then Promoter shall be in default. Upon the occurrence of a default hereunder, City, in addition to all remedies available to it by law, may immediately upon written notice to Promoter, terminate this Agreement whereupon all rights and privileges of Promoter under this Agreement shall immediately terminate and City shall not be responsible for any direct or indirect damages suffered by Promoter as a result of termination of the Agreement. Promoter understands and agrees that termination of this Agreement under this section shall not release Promoter from any obligation accruing prior to the effective date of termination.

Section 10. Non-discrimination. Promoter represents and warrants to City that Promoter does not and will not engage in discriminatory practices prohibited by law and that there shall be no discrimination in connection with Promoter's performance under this Agreement on account of race, color, sex, religion, age, handicap, marital status or national origin. Promoter further covenants that no otherwise qualified individual shall, solely by reason of his/her race, color, sex, religion, age, handicap, marital status or national origin, be excluded from participation in, be denied services, or be subject to discrimination under any provision of this Agreement.

Section 11. Assignment. This Agreement shall not be assigned by Promoter, in whole or in part, without the prior written consent of City, which may be withheld or conditioned, in City's sole discretion.

Section 12. Notices. All notices or other communications required under this Agreement shall be in writing and shall be given by hand-delivery or by registered or certified U.S. Mail, return receipt requested, addressed to the other party at the address indicated herein or to such other address as a party may designate by notice given as herein provided. Notice shall be deemed given on the day on which personally delivered; or, if by mail, on the third day after being posted or the date of actual receipt, whichever is earlier.

TO CITY:

City of San Angelo

Attn: Dir. of Parks & Recreation
702 S. Chadbourne Street
San Angelo, Texas 76903

TO PROMOTER:

Southern Drag Boat Association

Attn: _____
xxx
xxx

Telephone No.: (325) 657-4450

Telephone No.: (____) _____

Section 13. Amendment. This Agreement may not be amended except upon written agreement executed by each of the parties hereto.

Section 14. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. The parties hereto agree that venue of any suit brought for any breach of this Agreement is exclusively fixed in any court of competent jurisdiction in Tom Green County, Texas.

Section 15. Successors and Assigns. This Agreement shall be binding upon the parties hereto, their heirs, executors, legal representatives, successors, or permitted assigns.

Section 16. Independent Contractor. Promoter performs Services under this Agreement as an independent contractor, and not as an agent or employee of City. Accordingly, neither Promoter or Promoter's agents, employees or sub-providers (hereinafter collectively "Promoter's Workers") shall attain, nor be entitled to, any rights or benefits under the Civil Service or Pension Ordinances of City, nor any rights generally afforded classified or unclassified employees of City. Promoter further understands that Texas Workers' Compensation benefits available to employees of City are not available to Promoter's Workers, and agrees to provide all wages and other compensation due Promoter's Workers, and workers' compensation insurance for any Worker, employee or agent of Promoter rendering Services under this Agreement.

Section 17. Survival of Remedies. Anything in this Agreement to the contrary notwithstanding, the provisions of this agreement relating to indemnity and any other provisions which by their nature should survive termination or expiration of this Agreement, shall so survive.

Section 18. Entire Agreement of the Parties. This Agreement, and any written Special Event Applications approved pursuant to this Agreement, represent the entire and integrated agreement between the parties with respect to the subject matter hereof. All prior negotiations, representations or agreements with respect to the subject matter hereof not expressly incorporated into this Agreement are hereby superseded and cancelled.

SOUTHERN DRAG BOAT ASSOCIATION

By: _____

(print name)

ITS: _____
(office held)

CITY OF SAN ANGELO

ATTEST:

Julia Antilley, City Clerk

By: _____
Daniel Valenzuela, City Manager

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Carl White, Director of Parks & Recreation

Theresa James, City Attorney

APPROVED FOR RISK

Charles Hagen, Risk Manager

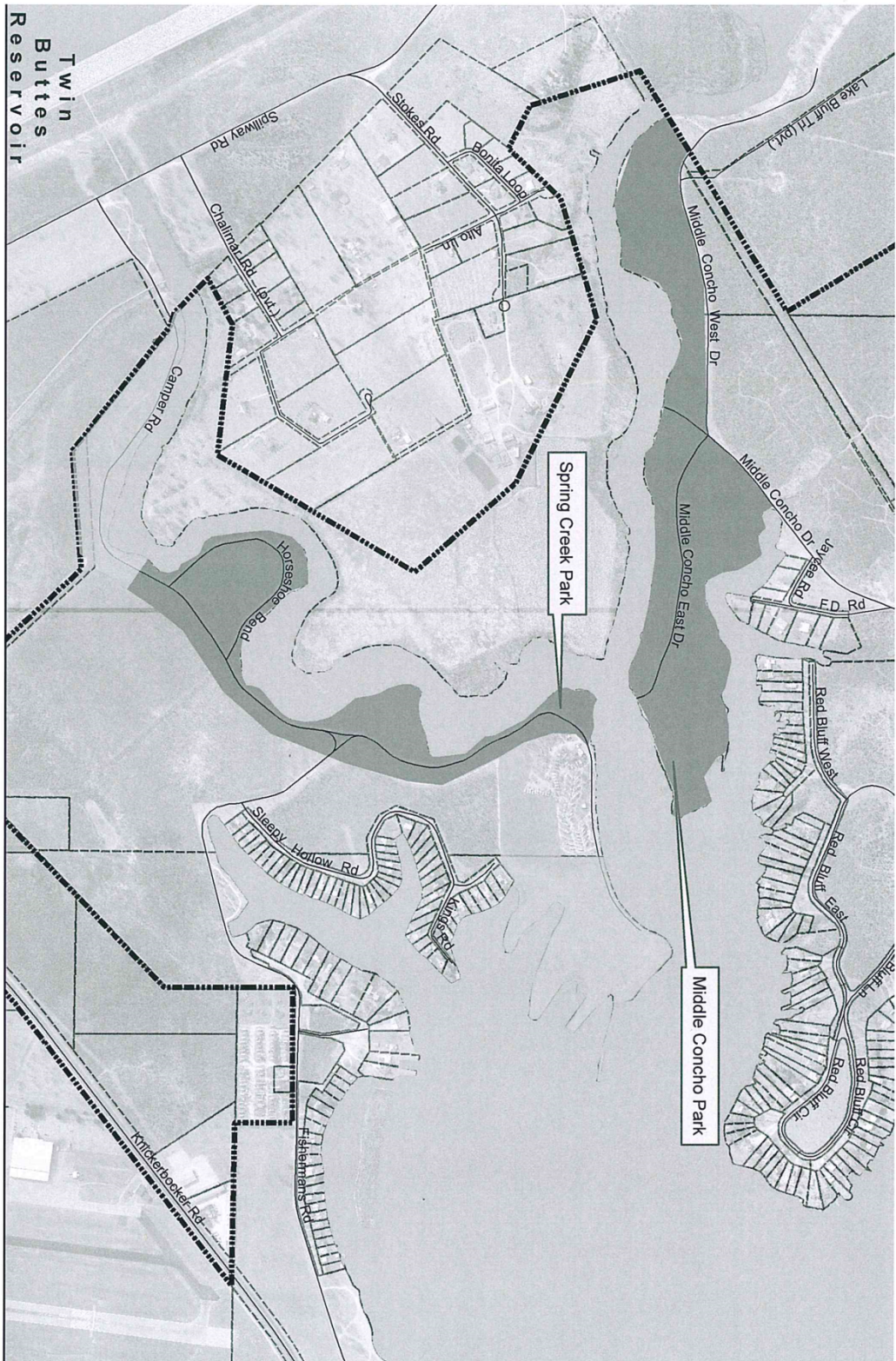
EXHIBIT “A”

Description and Depiction of Leased Prmises

(following pages)

Spring Creek Park being sixty (60) acres more or less and located adjacent to the waters of Lake Nasworthy, City of San Angelo, Tom Green County, Texas, as depicted on following diagram.

Middle Concho park being ninety (90) acres more or less and located adjacent to the waters of Lake Nasworthy, City of San Angelo, Tom Green County, Texas, as depicted on following diagram.



Middle Concho Park and Spring Creek Park at Lake Nasworthy

EXHIBIT "B"

SPECIAL INSURANCE RIDER

TYPES AND AMOUNTS OF INSURANCE REQUIRED. Promoter shall obtain and continuously maintain in effect at all times during the term hereof, at Promoter's sole expense, insurance coverage as follows with limits not less than those set forth below:

1.1 Commercial General Liability. This policy shall be an occurrence-type policy and shall protect Promoter and additional insureds against all claims arising from bodily injury, sickness, disease or death of any person (other than Promoter's employees) and damage to property of City or others arising out of the act or omission of Promoter or its agents and employees. This policy shall also include protection against claims for the contractual liability assumed by Promoter under the paragraph of this Agreement entitled "Indemnification," including completed operations, products liability, contractual coverage, broad form property coverage, explosion, collapse, underground, premises/operations, and independent contractors (to remain in force for two years after final payment). Coverage limits shall not be less than:

\$2,000,000.00	General Aggregate
\$1,000,000.00	Products – Completed Operations
\$1,000,000.00	Personal & Advertising Injury
\$1,000,000.00	Each Occurrence
\$ 100,000.00	Fire Damage (any one fire)

1.2 Business Automobile Liability. This policy shall be written in comprehensive form and shall protect Promoter and the additional insureds against all claims for injuries to members of the public and damage to property of others arising from the use of motor vehicles and shall cover operation on and off the premises of all motor vehicles licensed for highway use, whether they are owned, non-owned or hired. Coverage shall be as follows:

\$ 1,000,000.00	Combined Single Limit
-----------------	-----------------------

1.3 Workers' Compensation and Employer's Liability. If Promoter hires any employees, Promoter shall maintain Workers' Compensation and Employer's Liability insurance, which shall protect Promoter against all claims under applicable state workers' compensation laws and employer's liability. The insured shall also be protected against claim for injury, disease or death of employees which for any reason, may not fall within the provisions of a workers' compensation law. Coverage shall not be less than:

Statutory Amount	Workers' Compensation
\$ 500,000.00	Employer's Liability, Each Accident
\$ 500,000.00	Employer's Liability, Disease - Each Employee
\$ 500,000.00	Employer's Liability, Disease - Policy Limit

If Promoter uses contract labor, Promoter shall require its sub-provider to maintain the above referenced coverage and furnish copies of certificates of insurance as required herein.

1.4 Liquor Liability. In the event Promoter plans to distribute, serve, or sell alcoholic beverages, the Promoter shall obtain Liquor Liability coverage in the amount indicated below. The insurance shall protect the Promoter and the additional insureds against all claims arising from bodily injury, sickness, disease or death of any person (other than Promoter's employees) or damage to the property of others, which arises out of the sale or distribution of alcoholic beverages. Coverage shall be no less than:

\$1,000,000.00 Combined Single Limit, each occurrence

1.5 Environmental Liability. This insurance shall be maintained in force for the full period of this Contract and cover losses caused by pollution conditions including, but not limited to, any spill, underground pollution or any other environmental impairment. It shall apply to bodily injury; (including death) property damage, including loss of use of damaged property or of property that has not been physically injured; cleanup costs; including, but not limited to, any costs required under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and defense, including costs and expenses incurred in the investigation, defense, or settlement of claims. If coverage is written on a claims made basis, Contractor warrants that any retroactive date applicable to coverage under the policy precedes the effective date of this Contract, and continuous coverage will be maintained or an extended discovery period will be exercised for a period of two (2) years beginning from the time the Contract has expired. Coverage shall not be less than:

\$1,000,000.00	per loss
\$2,000,000.00	Annual aggregate

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Allison Strube, Water Utilities Director, Water Utilities, 325-657-4209

Meeting Date: February 5, 2019

Item type: Regular Item

Caption:

Update and discussion on water supply (Presentation made by Water Utilities Director Allison Strube)

Summary/History:

With the very beneficial rainfall San Angelo received in the latter part of 2018, the surface water supplies for the City have increased. Twin Buttes went from 8% full at the start of September and rose to 59% by the end of the year. A similar increase occurred at O.H. Ivie with 14% at the start of September and 50% by the end of the year.

Colorado River Municipal Water District (CRMWD) increased O.H. Ivie's projection to July 2021 during the last part of 2018. With their January 2019 operations model and the continued rise in O.H. Ivie, they are now projecting Ivie's last pumping date to be February 2022. These projections take into consideration a worst case scenario. They assume zero inflow and take into consideration evaporation on the reservoir.

Upon having this projection from CRMWD, COSA Water Utilities takes this into consideration for the "months' supply" projection. Based on reservoir elevations on January 30, 2019, the City has approximately 66 months of water supply. Similar to CRMWD's projections, this is a worst case scenario. This assumes zero inflow and takes into consideration evaporation on the reservoirs of approximately 67 inches (5.6 feet) per year.

It is important to also note there was an increase in average daily production from the Water Treatment Plant for 2018 which also guides these calculations above. The numbers below show the year and average daily water produced for that particular year.

- 2014: 11.31 MGD
- 2015: 11.70 MGD
- 2016: 11.48 MGD
- 2017: 11.90 MGD
- 2018: 12.71 MGD

Financial Impact:

No impact.

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Allison Strube	Created/Initiated
Allison Strube	Approved
Theresa James	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Julia Antilley	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Shannon Scott, Economic Development Specialist, Economic Development, 325.653.7197

Meeting Date: February 5, 2019

Item type: Regular Item

Caption:

Consider ratifying COSADC's resolution authorizing the use of sales and use tax funds in an amount not to exceed \$300,147 to provide an Economic Development Incentive to Principal LED, LLC. (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott)

Summary/History:

Principal LED, LLC manufactures LED lighting fixtures at their facility located at 3490 Venture Drive, San Angelo, Texas. They currently purchase component parts from China and Southeast Asia to aid in this manufacturing, but this project will allow them to move the component manufacturing to their headquarters in San Angelo, TX. They currently have 71 employees, and anticipate hiring up to 64 additional employees in 3 years with an average salary of \$35,000 per FTE. They also plan on making a capital investment of \$2.4 million which will include a facility expansion and purchase of additional equipment. The incentives will total \$300,147 which will include \$100,000 for the \$2.4 capital investment, \$2,500 per FTE up to 64 FTE's, and up to \$40,147 for a property tax rebate for a value not to exceed \$300,147.

Financial Impact:

\$300,147 in total incentives:

\$100,000 once the capital investment of \$2.4 million is made

\$2,500 per FTE job creation up to 64 FTE's

Up to \$40,147 for Property Tax rebates for values not to exceed \$5 million

Other Information/Recommendation:

Attachments:

1. 19-264_COSADC_PRINCIAL LED_EDA_RESO_REDLINE 19-264_COSADC_PRINCIAL LED_EDA_RESO_REDLINE
(002) (002).docx

Presentation:

Approvals/Reviews:

Shannon Scott
Guy Andrews
Theresa James

Created/Initiated
Approved
Approved

Anthony Wilson
Candice Blake
Tina Dierschke
Theresa James
Becky Dunn
Julia Antilley

Approved
Approved
Approved
Approved
Approved
Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION BOARD OF DIRECTORS AUTHORIZING THE USE OF SALES AND USE TAX FUNDS IN AN AMOUNT NOT TO EXCEED \$300,147.00, TO PROVIDE AN ECONOMIC DEVELOPMENT INCENTIVE TO 2V LED, LLC, F/K/A PRINCIPAL LED, LLC FOR A PROJECT RELATED TO BUSINESS ENTERPRISES THAT CREATE OR RETAIN PRIMARY JOBS, AS AUTHORIZED FOR A TYPE B CORPORATION UNDER LOCAL GOVERNMENT CODE CHAPTER 505 SUBCHAPTER D.

WHEREAS, The voters of the City of San Angelo on November 2, 2010 approved the use of sales and use tax proceeds for the continued economic development projects authorized under Section 4B of the Act, including but not limited to, the development, promotion, creation, retention, or expansion of business enterprises that create or retain primary jobs, including suitable infrastructure, and,

WHEREAS, 2V LED, LLC, f/k/a PRINCIPAL LED, LLC (hereinafter 2V LED) is a business enterprise engaged in the manufacture and assembly of LED lighting fixtures and other electrical and sign related components at its facilities in San Angelo, and is in the process of expanding its business; and,

WHEREAS, 2V LED intends to retain existing full time primary jobs and would like to create a minimum of fifteen (15) new Full Time Equivalent Primary Jobs (FTE's); and,

WHEREAS, 2V LED would like to invest a minimum of TWO MILLION FOUR HUNDRED THOUSAND DOLLARS (\$2,400,000) in capital improvements to its plant and acquisition of manufacturing and assembly equipment, and,

WHEREAS, 2V LED has applied with COSADC under the Business Retention and Expansion Program (BREP) for incentivisation of its business expansion plans and the Board has determined that the Project will promote or develop an expanded business enterprise that creates or retains primary jobs; and,

WHEREAS, at least sixty (60) days prior to undertaking a project, a public notice of the specific project shall be published and at least one public hearing shall be held by the Development Corporation prior to expending funds on the Project in compliance with the requirements of the Development Corporation Act, Sections 505.159 and 505.160 of the Local Government Code and

WHEREAS, on February 27th , 2019, the City of San Angelo Development Corporation held a Public Hearing on the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION THAT:

The City of San Angelo Development Corporation offers this Resolution authorizing the use of sales and use tax funds as an economic development incentive to 2V LED, LLC, f/k/a PRINCIPAL LED, LLC (hereinafter 2V LED), in an amount not to exceed \$300,147.00; authorizing the Director of Economic Development to prepare an economic development performance agreement with 2V LED in compliance with the Development Corporation Act and as approved by the City Attorney; authorizing the COSADC Board President to execute said agreement and related documents; and recommending to City Council ratification of the incentive and approval of the economic development performance agreement.

CITY OF SAN ANGELO DEVELOPMENT CORPORATION

ATTEST:

By: _____
Todd Kolls, President

Nora Nevarez , Corporate Secretary

RATIFIED by City Council this _____ day of _____, 2019.

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, Interim City Clerk

APPROVED FOR CONTENT

APPROVED AS TO FORM

Shannon Scott, Business Retention &
Expansion Coordinator

Dan T. Saluri, Deputy City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Shannon Scott, Economic Development Specialist, Economic Development, 325.653.7197

Meeting Date: February 5, 2019

Item type: Consent Item

Caption:

Consider ratifying COSADC's resolution authorizing the use of sales and use tax funds in an amount not to exceed \$20,000 to provide an Economic Development Incentive to Carter-Fentress Engineering, LLC. (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott)

Summary/History:

Carter-Fentress Engineering, LLC provides civil engineering and project management services for residential & commercial land developers and municipalities in Central & West Texas. They currently have 3 employees and anticipate hiring 4 additional employees within 3 years with an average salary of \$34,860 per FTE. They also plan on making a capital investment of \$200,000 for the purchase of a new building. The incentives will total \$20,000 which will include \$16,000 once the capital investment of \$200,000 is made as well as \$1,000 per FTE for job creation up to 4 FTE's.

Financial Impact:

\$20,000

\$16,000 once the capital investment of \$200,000 is made

\$1,000 per FTE job creation up to 4 FTE's

Other Information/Recommendation:

Attachments:

- | | | |
|----|--------------------------------------|--|
| 1. | 19-218_COSADC_CARTER_FENTRESS_P_RESO | 19-218_COSADC_CARTER_FENTRESS_P_RESO.pdf |
|----|--------------------------------------|--|

Presentation:

Approvals/Reviews:

Shannon Scott	Created/Initiated
Guy Andrews	Approved
Theresa James	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved

Becky Dunn
Julia Antilley

Approved
Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION BOARD OF DIRECTORS AUTHORIZING THE USE OF SALES AND USE TAX FUNDS IN AN AMOUNT NOT TO EXCEED \$20,000.00, TO PROVIDE AN ECONOMIC DEVELOPMENT INCENTIVE TO FENTRESS ENGINEERING, LLC D/B/A CARTER—FENTRESS ENGINEERING, FOR A PROJECT RELATED TO BUSINESS ENTERPRISES THAT CREATE OR RETAIN PRIMARY JOBS, AS AUTHORIZED FOR A TYPE B CORPORATION UNDER LOCAL GOVERNMENT CODE CHAPTER 505 SUBCHAPTER D.

WHEREAS, The voters of the City of San Angelo on November 2, 2010 approved the use of sales and use tax proceeds for the continued economic development projects authorized under Section 4B of the Act, including but not limited to, the development, promotion, creation, retention, or expansion of business enterprises that create or retain primary jobs, including suitable infrastructure, and

WHEREAS, Fentress Engineering, LLC, d/b/a Carter--Fentress Engineering (hereinafter Carter--Fentress) intends to retain existing full time primary jobs and would like to create a minimum of four (4) new Full Time Equivalent Primary Jobs (FTE's); and,

WHEREAS, Carter—Fentress would like to invest a minimum of \$200,000, in the purchase and improvement of an office building for relocating its expanded business in San Angelo ; and,

WHEREAS, Carter--Fentress has applied with COSADC under the Business Retention and Expansion Program (BREP) for incentivization of its business expansion plans and the Board has determined that the Project will promote or develop an expanded business enterprise that creates or retains primary jobs; and,

WHEREAS, at least sixty (60) days prior to undertaking a project, a public notice of the specific project shall be published and at least one public hearing shall be held by the Development Corporation prior to expending funds on the Project in compliance with the requirements of the Development Corporation Act, Sections 505.159 and 505.160 of the Local Government Code and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION THAT:

The City of San Angelo Development Corporation offers this Resolution authorizing the use of sales and use tax funds as an economic development incentive to FENTRESS ENGINEERING, LLC, d/b/a/ CARTER FENTRESS ENGINEERING, in an amount not to exceed \$20,000; authorizing the Director of Economic Development to prepare an economic development performance agreement with FENTRESS ENGINEERING, LLC, d/b/a/ CARTER FENTRESS ENGINEERING, in compliance with the Development Corporation Act and as approved by the City Attorney; authorizing the COSADC Board President to execute

said agreement and related documents; and recommending to City Council ratification of the incentive and approval of the economic development performance agreement.

CITY OF SAN ANGELO DEVELOPMENT CORPORATION

ATTEST:

By: _____
Todd Kolls, President

Nora Nevarez, Corporate Secretary

RATIFIED by City Council this _____ day of _____, 2019.

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, Interim City Clerk

APPROVED FOR CONTENT

APPROVED AS TO FORM

Shannon Scott, Business Retention &
Expansion Coordinator

Dan T. Saluri, Deputy City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: February 5, 2019

Item type: Regular Item

Caption:

Consider ratifying COSADC's resolution authorizing the use of sales and use tax funds in an amount not to exceed \$49,000 for professional marketing and consulting services relating to an assessment of industrial transportation facilities, industry needs, and identification of markets essential to the promotion of new industrial development opportunities as authorized under Chapter 505 of the Texas Local Government Code for Type B Development Corporation; and, authorizing the Board President to enter into a personal services marketing and consultant contract for such purposes with Roger Horton d/b/a Shea Transportation Consulting Services (Presentation made by Economic Development Project Manager Bob Schneeman)

Summary/History:

Staff is recommending engaging Shea Transportation Consulting Services to assist in evaluating future transportation requirements, Industrial needs related to transportation and the feasibility of providing for those needs. There are several transportation-related proposals at the Federal, State and National level potentially affecting the City of San Angelo including the proposed IH 14, & IH 27 corridors and the proposed rail crossing to be completed in 2019 at the Texas – Mexico border in Presidio, Texas.

Staff believes an assessment of transportation-related facilities and industrial needs will aid in identifying and promoting new industrial development opportunities in the region and provide for growth and expansion of business enterprises that create and retain primary jobs.

COSADC unanimously (5-0) approved the resolution at its meeting of January 23, 2019.

Financial Impact:

\$49,000 from Acct. # 452-900 Future Projects to a new project. Budget amendment required.

Other Information/Recommendation:

Attachments:

1. 19-121_COSADC_HORTON_SHEA__CONSULT_RESO 19-121_COSADC_HORTON_SHEA__CONSULT_RESO.pdf

Presentation:

Robert Schneeman

Approvals/Reviews:

Robert Schneeman
Guy Andrews

Created/Initiated
Approved

Theresa James
Anthony Wilson
Candice Blake
Tina Dierschke
Theresa James
Becky Dunn
Julia Antilley

Approved
Approved
Approved
Approved
Approved
Approved
Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION BOARD OF DIRECTORS AUTHORIZING THE USE OF SALES AND USE TAX FUNDS IN AN AMOUNT NOT TO EXCEED \$49,000, FOR PROFESSIONAL MARKETING AND CONSULTING SERVICES RELATING TO AN ASSESSMENT OF INDUSTRIAL TRANSPORTATION FACILITIES, INDUSTRY NEEDS, AND IDENTIFICATION OF MARKETS ESSENTIAL TO THE PROMOTION OF NEW INDUSTRIAL DEVELOPMENT OPPORTUNITIES AS AUTHORIZED UNDER CHAPTER 505 OF THE TEXAS LOCAL GOVERNMENT CODE FOR TYPE B DEVELOPMENT CORPORATION; AND, AUTHORIZING THE BOARD PRESIDENT TO ENTER INTO A PERSONAL SERVICES MARKETING AND CONSULTANT CONTRACT FOR SUCH PURPOSES WITH ROGER HORTON, d/b/a SHEA TRANSPORTATION CONSULTING SERVICES.

WHEREAS, on November 2, 2010, voters of the City of San Angelo adopted a ballot proposition approving the use of sales and use tax proceed for the continued economic development projects authorized under Section 4B of the Texas Development Corporation Act (hereinafter the “Act”), and,

WHEREAS, there are several transportation related proposals at the Federal, State and National level potentially affecting the City of San Angelo including the proposed IH 14, & IH 27 corridors and the proposed rail crossing to be completed in 2019 at the Texas – Mexico border in Presidio, Texas, and,

WHEREAS, the Board has determined that there is a need for an assessment of industrial transportation facilities in the region and of industry needs for purposes of identifying and promoting new industrial development opportunities dependent upon diversification and expansion of transportation facilities; and,

WHEREAS, the assessment of transportation related facilities and industrial needs is necessary to identify and promote new industrial development opportunities in the San Angelo region and provide for growth and expansion of business enterprises that create and retain primary jobs;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION THAT:

Section 1. The foregoing recitals are true and correct and are adopted as part of this Resolution.

Section 2. The City of San Angelo Development Corporation hereby authorizes the use of tax funds in an amount not to exceed \$49,000, for professional marketing and consulting services relating to an assessment of industrial transportation facilities, industry needs, and identification of markets essential to the promotion of new industrial development opportunities.

Section 3. The Board president is hereby authorized and directed to negotiate and execute on behalf of COSADC a personal services marketing and consultant contract for such purposes with Roger Horton, dba SHEA Transportation Consulting Services in a form approved by the City Attorney; and recommending City Council approval.

PASSED, APPROVED, and ADOPTED on this the 23rd day of January, 2019.

CITY OF SAN ANGELO
DEVELOPMENT CORPORATION

Todd Kolls, President

ATTEST:

Nora Nevarez, Corporation Secretary

APPROVED AS TO FORM

APPROVED AS TO CONTENT

Dan Saluri, Deputy City Attorney

Guy Andrews, Director of
Economic Development

RATIFIED by City Council this _____ day of _____, 2019.

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: February 5, 2019

Item type: Regular Item

Caption:

Consider a resolution adopting a Uniform Tax Abatement policy (Presentation made by Economic Development Project Manager Bob Schneeman)

Summary/History:

The city last adopted a policy by ordinance effective November 15, 2016, establishing guidelines and criteria for tax abatement, which terminated by its own terms on the second anniversary from the date of its adoption.

In order to maintain the eligibility of the city to participate in tax abatement pursuant to Chapter 312 of the Texas Tax Code, the city must adopt guidelines and criteria for tax abatement.

Financial Impact:

No impact at this time.

Other Information/Recommendation:

Attachments:

- | | |
|--|---|
| 1. 19-288_ED_TAX_ABATE_POLICY_RESO_02-05-19
(002) | 19-288_ED_TAX_ABATE_POLICY_RESO_02-05-19
(002).pdf |
|--|---|

Presentation:

Robert Schneeman

Approvals/Reviews:

Robert Schneeman	Created/Initiated
Guy Andrews	Approved
Theresa James	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved

Becky Dunn
Julia Antilley

Approved
Final Approval

RESOLUTION # _____

**A RESOLUTION OF THE CITY OF SAN ANGELO
ADOPTING A UNIFORM TAX ABATEMENT POLICY**

WHEREAS, the City of San Angelo, is a Texas home rule municipal corporation, a taxing unit eligible to participate in tax abatement pursuant to Chapter 312 of the Texas Tax Code; and,

WHEREAS, the city last adopted a policy by ordinance effective November 15, 2016, establishing guidelines and criteria for tax abatement, which policy has terminated on the second anniversary from the date of its adoption, on its own terms and pursuant to Chapter 312; and,

WHEREAS, in order to maintain the eligibility of the city to participate in tax abatement pursuant to Chapter 312 of the Texas Tax Code, the city shall adopt guidelines and criteria for tax abatement;

NOW THEREFORE BE IT RESOLVED BY THAT:

Section 1. The foregoing recitals are true and correct, and are adopted as part of this Resolution.

2. The city adopts this policy of tax abatement (“policy”) for qualified businesses that proposes a project (“project”) to develop, redevelop and improve taxable qualifying real property or tangible personal property located on the real property, or both (“property”). The city is willing to provide a subsidy to a property owner(s) in the form of a special exemption from certain ad valorem taxes provided the real property owner and, where applicable, its lessee, agrees to accept and abide by this policy. The city will, on a case-by-case basis, give consideration to providing tax abatement as a stimulation for economic development. Nothing herein shall imply or suggest that the city is under any obligation to provide tax abatement to any applicant. All applicants shall be considered on a case-by-case basis, and the decision to approve or deny tax abatement shall be at the discretion of the city council. (1996 Code, sec. 2.1901; Ordinance adopted 11/4/97; Ordinance adopted 11/15/16)

Section 2. The following definitions are adopted and applicable to this policy:

Abatement period. (Hereinafter defined) is seven years; limited, however, to no more than five tax years next following the timely and successful completion of the project. The period of time that the taxes are abated will be referred to as the “abatement period.”

Actual construction. Site improvement activity initiated more than thirty days prior to the submission of an application for tax abatement and is concluded with the completion of the project qualifying for tax abatement under this policy.

First tax year. The commencement of construction of the project.

Permanent job. A full-time or full-time equivalent employment position created by the qualified business in which a minimum of 2,080 hours are required annually.

Property owner. As appropriate to the context, either or both of the following:

- (1) The owner of qualifying real property.
- (2) A person or business entity which leases qualifying real property and owns qualifying tangible personal property located on said real property.

Qualified business. A person or business entity that meets the following criteria:

- (1) The person or business entity owns qualifying real property (“real property owner”); or
- (2) The person or business entity leases qualifying real property from the real property owner (“lessee”) and authorizes its lessor real property owner to contract on its behalf for tax abatement on the lessee's qualifying tangible personal property; and
- (3) The real property owner or its lessee is engaged in or has provided substantial commitment to initiate the active conduct of trade or business **in a reinvestment zone; and**
- (4) The real property owner or its lessee is engaged in one or more of the following activities:
 - (A) “Manufacturing,” as defined by the Standard Industrial Classification (SIC), series 2000 and 3000.
 - (B) “Regional distribution facilities,” as defined by SIC Code series 4200, and as further defined by SIC Code 4200, and as further defined by serving areas outside the San Angelo Metropolitan Statistical Area (MSA).
 - (C) “Data processing services,” as defined by SIC Code series 4800 or SIC Code series 7300.
 - (D) “Telecommunications services,” as defined by SIC Code series 4800 or SIC Code series 7300.
 - (E) “Renovation or restoration” of any commercial building located in a district established by ordinance by the city council as an historic, cultural, heritage, or conservation district, if the value added to the ad valorem tax base is certified by the director of the county appraisal district to be equal to, or greater than, \$30,000.00. Tax abatement will be available for rental residential buildings. Abatement is not available for homes or apartments occupied by their owners. Building enlargement costs do not qualify.
 - (F) “Corporate offices” of eligible businesses and other businesses, including retail establishments, not necessarily listed in the SIC series in subsections (A), (B), (C), and (D) above, as the job and capital criteria are met for the corporate office location.
- (5) The person or business entity or its lessee **creates new permanent jobs and capital investment and** generally imports new wealth into the city.

Tax year. A calendar year.

Section 3. Subject to the remaining terms of this policy, the abatement of ad valorem taxes on property shall be according to the following formula:

(1) For projects eligible under Section 2, in the definition of “Qualified business” subsections (4)(A), (B), (C), (D), and (F):

Percent of Created Value to be Abated	Capital Cost of the Project* or Permanent Jobs**	
0%	\$0–\$249,999	0–4
20%	\$250,000–\$500,000	5
30%	\$500,001–\$750,000	10
40%	\$750,001–\$1,000,000	15
50%	\$1,000,001–\$2,500,000	20
60%	\$2,500,001–\$5,000,000	25
75%	Over \$5,000,000	30

*Minimum \$250,000 capital required

**Minimum of 5 jobs required to be created, regardless of capital investment

(2) For projects eligible under Section 2 in the definition “Qualified business” subsections (4)(E): 100% of created value to be abated.

Section 4. Prior to beginning the actual construction work on the project proposed for tax abatement, the real property owner requesting tax abatement and its lessee, where the request includes a request for tax abatement on the lessee's qualifying tangible personal property, must submit an official application form to the city and:

- (1) Provide the city with:
 - (A) A description of the project clearly defining the work to be performed;
 - (B) A statement agreeing to expend a designated amount (“project cost”) for the project;
 - (C) A separate statement agreeing that the required minimum number of full-time jobs will be created (“required jobs”) and maintained during the term of the contract; and

(D) An explanation as to how the project will provide long-term significant positive economic benefit to the community, the city and its taxpayers.

(2) Furnish the city with a written statement that tax abatement will be a significant factor in determining whether the project for the development, redevelopment or improvement of the property will take place.

(3) Agree to execute a contract (herein so called) with the city containing the covenants and conditions required by the city.

Section 5. Should the city agree to grant an abatement to the property owner after compliance with the procedure outlined in Sections 1 through 4 hereinabove, then:

(1) Subject to the terms and conditions of the contract, a stipulated percentage as set forth in Section 3 hereinabove, of those particular ad valorem real and personal property taxes (“taxes”) which are generated by virtue of fair market value created (“created value”) solely due to the construction and completion of the project on the real property will be abated.

(2) The period of construction (“construction period”) for the project shall not go beyond the end of the third tax year. During the construction period the property owner must actually expend the project cost and within six months next following the completion of the project must submit to the city receipts verifying expenditures, and a statement that the required jobs have been created. On January 1st of each tax year following completion of the project, the property owner must submit a statement to the city that the required jobs have been continuously maintained.

(3) Within six months next following the end of the construction period, the project must be in operation, i.e., it must actively serve the purpose for which it is designed.

(4) In the event the project is either:

(A) Not complete at the minimum cost by the end of the construction period;

(B) Is timely completed at the minimum cost but is not operational within six months next following the end of the construction period, unless granted a six-month extension by the city council;

(C) Is timely completed at the minimum cost of less than \$5,000,000.00 but the required jobs are not created or maintained as set forth in subsection (2); or

(D) Is timely completed at the minimum cost, is operational within six months next following the end of the construction period and, meets the permanent job requirements as defined in Section 3 hereinabove, but its operations are discontinued for a continuous period of twelve months; then the contract shall terminate with respect to the project and so shall the abatement of taxes for the created value of the project. The taxes otherwise abated with respect to the project shall be paid to the city on the date specified by law, or, if such date has passed, then within sixty (60) days of the accelerated termination of the abatement period.

(5) Employees and/or designated representatives of the city will have access to the project during the term of the contract for inspection purposes so as to determine if the terms and conditions of the contract are being met. All inspections will be made only after the giving of twenty-four (24) hours' prior notice and will only be conducted in such a manner as to not unreasonably interfere with the construction and/or operation of the project. Inspections will be made with representatives of the property owner, and in accordance with its safety standards.

(6) In the event that:

(A) The property owner allows its ad valorem taxes owed the city to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or contest; or

(B) The property owner violates any of the terms and conditions of the contract, and fails to cure during the cure period (as hereinafter provided);

then the contract may be terminated by the city, and all taxes otherwise abated by virtue of the contract will be recaptured and paid to the city by the property owner within sixty (60) days of the termination.

(7) If on January 1st of any tax year the legally determined fair market value of all realty improvements owned by the real property owner within the jurisdiction of the city ("realty improvements") is less than the legally determined fair market value of all realty improvements as of January 1st of the calendar year in which the contract is executed ("base value") and/or in the event that the real property owner reduces its ad valorem taxes on personal property otherwise payable to the city by participation in a foreign trade zone or by having otherwise taxable property exempt pursuant to special legislation, e.g., the "freeport amendment" ("special treatment"), then the abatement otherwise available shall be reduced for each dollar that the fair market value of realty improvements is less than the base value and, also, for each dollar of tax reduction attributable to special treatment; provided, however, that in no event shall the offset exceed the created value of the project otherwise subject to the abatement of taxes.

(8) If on January 1st of any tax year the legally determined fair market value of all tangible personal property owned by a lessee owning qualifying tangible personal property within the jurisdiction of the city ("personal property") is less than the legally determined fair market value of all personal property as of January 1st of the calendar year in which the contract is executed ("base value") and/or in the event that the lessee reduces its ad valorem taxes on personal property otherwise payable to the city by participating in a foreign trade zone, then the abatement otherwise available shall be reduced for each dollar that the fair market value of personal property is less than the base value and, also, for each dollar of tax reduction attributable to special treatment; provided, however, that in no event shall the offset exceed the created value of the project otherwise subject to the abatement of taxes.

(9) Notwithstanding any other provision herein to the contrary, in the event the city adopting this policy is required to adopt a tax rate which would subject the city to a tax rollback election under section 26.07 of the Property Tax Code, and this increase is caused by requirements set forth by the state; mandated by the judiciary; expenses required to repair, rebuild or rehabilitate improvements which are damaged or destroyed; or due to a significant decline in value of a major industrial complex located in the jurisdiction of the city, then the city may allocate the

taxable value necessary to reduce the actual rate below the rollback rate to the owners of abated property based on the owner's pro-rata share of the total abated value for the current tax year.

(10) Should the city determine that the property owner is in default in the terms and conditions of the contract, then the city will notify the property owner at the address stated in the contract of such claimed default, and if such is not cured within sixty (60) days from the date of such notice (“cure period”), the contract may be terminated by the city. Any notice of default shall be in writing and shall be given by personal delivery or by certified mail, return receipt requested. In the event the notice is effected by personal delivery, the date and hour of actual delivery shall be the time and date of such notice to the business. Absent a postal strike or the stoppage of the mails, in the event of delivery of notice by registered or certified United States mail, the date and hour following 48 hours after the date and hour at which the sealed envelope containing the notice is deposited in the United States mail, properly addressed, and with postage prepaid, shall be the time and date of such notice to the property owner.

Section 6. The city shall have the final decision with respect to interpretation of the policy and, also, as to whether the minimum standards set forth in this Policy have been met by the property owner.

Section 7. The policy shall terminate on the second anniversary from the date of its adoption by the city.

PASSED, APPROVED AND ADOPTED on this the 22nd day of January, 2019.

THE CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

Approved As To Content:

Approved As To Content:

Guy Andrews, Director of
Economic Development

Tina Dierschke, Director of
Finance

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: February 5, 2019

Item type: Consent Item

Caption:

First hearing of an ordinance ordaining the city's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, and nominating Ethicon, Inc. to the Office of the Governor Economic Development & Tourism (EDT) through the Economic Development Bank as an Enterprise Project (Presentation made by Economic Development Project Manager Bob Schneeman)

Summary/History:

Ethicon, Inc. a subsidiary of Johnson & Johnson, located at 3348 Pulliam Street in San Angelo is a manufacturer of medical supplies/devices and has been one of San Angelo's largest employers since 1964. In 2012 Ethicon was nominated by the City of San Angelo as an Enterprise Zone and that application was approved by the Governor's Office. That Enterprise Zone status was in effect for a term of 5 years until August 2017. Ethicon has requested the City again nominate them as an Enterprise Zone which makes them eligible for certain rebates of State sales & use taxes on a sliding scale dependent upon the amount of capital investment and the number of jobs created or retained up to a maximum of \$7,500 per job and a maximum of \$3.75M. The highest reimbursement amounts are for newly created jobs only.

The Texas Enterprise Zone Program (EZIP) is a state sales and use tax refund program designed to encourage private investment and job creation in economically distressed areas of the state. The program is run by the Governor's Office of Economic Development.

Staff recommends approval.

Financial Impact:

No impact at this time.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---------------------------------------|---|
| 1. | 19-288_ED_ETHICON_ENTERPRISE_P_ORD(1) | 19-288_ED_ETHICON_ENTERPRISE_P_ORD(1).pdf |
|----|---------------------------------------|---|

Presentation:

Approvals/Reviews:

Robert Schneeman

Created/Initiated

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS, ORDAINING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE (ACT), PROVIDING TAX INCENTIVES, DESIGNATING A LIASON FOR COMMUNICATION WITH INTERESTED PARTIES, AND NOMINATING ETHICON, INC. TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM (EDT) THROUGH THE ECONOMIC DEVELOPMENT BANK (BANK) AS AN ENTERPRISE PROJECT (PROJECT).

WHEREAS, the City Council of the City of San Angelo, Texas ("City") desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in severely distressed areas of the city and to provide employment to residents of such area; and

WHEREAS, the project or activity is not located in an area designated as an enterprise zone; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Act, Ethicon, Inc. has applied to the City for designation as an enterprise project; and

WHEREAS, the City finds that Ethicon, Inc. meets the criteria for tax relief and other incentives adopted by the City on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, pursuant to notice of public hearing posted and published in compliance with the requirements of the Texas Government Code, Chapter 2303 "Enterprise Zones" and Chapter 551 "Texas Open Meetings Act", a public hearing to consider this ordinance was held by the City Council on February 05, 2019;

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

Section 1: The City nominates Ethicon, Inc. for enterprise project status.

Section 2: The following local incentives, at the election of the governing body, are or will be made available to the nominated project or activity of the qualified business.

- 1) The City may abate taxes on the increase in value of real property improvements and eligible personal property. The level of abatement shall be based upon the extent to which the business receiving the abatement creates jobs for qualified employees, in accordance with the City of San Angelo Tax Abatement Policy.
- 2) The City may provide business and industrial development services, including:
 - (a) Chapter 380 agreement;
 - (b) Tax Increment Financing;
 - (c) Freeport Exemption;
 - (d) Industrial District Designation; or
 - (e) Local sales tax refunds

- 3) The City may provide regulatory relief to businesses, including:
 - a) Zoning changes or variances;
 - b) Exemptions from unnecessary building code requirements, impact fees, or inspection fees; or
 - c) Streamlined permitting.
- 4) The City may provide enhanced municipal services to businesses, including:
 - a) Improved police and fire protection;
 - b) Institution of community crime prevention programs; or
 - c) Special public transportation routes or reduced fares.
- 5) The City may provide improvements in community facilities, including:
 - a) Capital improvements in water and sewer facilities;
 - b) Road repair; or
 - c) Creation or improvement of parks.
- 6) The City may provide improvements to housing, including:
 - a) Low-interest loans for housing rehabilitation, improvement, or new construction; or
 - b) Transfer of abandoned housing to individuals or community groups.
- 7) The City may provide business and industrial development services, including:
 - a) Low-interest loans for business;
 - b) Use of surplus school buildings or other underutilized publicly owned facilities as small business incubators;
 - c) Provision of publicly owned land for development purposes, including residential, commercial, or industrial development;
 - d) Creation of special one-stop permitting and problem resolution centers or ombudsmen; or
 - e) Promotion and marketing services.
- 8) The City may provide job training and employment services to businesses, including:
 - a) Job training and employment services;
 - b) Retraining programs;
 - c) Literacy and employment skills programs;
 - d) Vocational education; or
 - e) Customized job training.

Section 3: The enterprise zone areas within the City are reinvestment zones in accordance with the Texas Tax Code, Chapter 312.

Section 4: The City of San Angelo City Council directs and designates its Business, Retention & Expansion Coordinator as the City's liaison to communicate and negotiate with the EDT through the Bank and enterprise project(s) and to oversee zone activities and communications with qualified businesses and other entities in an enterprise zone or affected by an enterprise project.

Section 5: The City finds that Ethicon, Inc. meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- (a.) Ethicon, Inc. is a “qualified business” under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body’s jurisdiction, located outside of an enterprise zone and at least thirty-five percent (35%) of the business’ new employees will be residents of an enterprise zone, economically disadvantaged individuals, or veterans; and
- (b.) There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities in the area; and
- (c.) The designation of Ethicon, Inc. as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

Section 6: The enterprise project shall take effect on the date of designation of the enterprise project by Economic Development and Tourism (EDT) and terminate five (5) years from the date on which the designation is made, as required by Section 2303.404 of the Act.

Section 7: This ordinance shall take effect from and after its passage as the law and charter in such case provides.

PASSED AND APPROVED this __5th__ day of _February_____, 2019_____.

PASSED AND ADOPTED this the __19th__ day of _February_____, 2019_____.

CITY OF SAN ANGELO, TEXAS

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Guy Andrews,
Economic Development Director

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Stephanie Collins, Office Manager, Fire Department, 325-657-4355

Meeting Date: February 5, 2019

Item type: Regular Item

Caption:

Public hearing and first reading of a budget ordinance to update the number of authorized fire fighters (Presentation made by Fire Chief Brian Dunn)

Summary/History:

This amendment to the ordinance is to correct the number of firefighter positions listed in the ordinance. The number of firefighter positions increased by 8 from the SAFER grant. This grant paid for 75 percent of the costs for the first 2 years and 35 percent of the costs for the third year. The city is responsible for all costs after that period of time. The total number of classified personnel is 179 with 90 them being firefighters.

Financial Impact:

Other Information/Recommendation:

Attachments:

1. 19-051 ORD revising 2018 19 classification plan (1) 19-051 ORD revising 2018 19 classification plan (1).docx

Presentation:

Approvals/Reviews:

Stephanie Collins
Brian Dunn
Theresa James
Tina Dierschke
Theresa James
Becky Dunn
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval

**AN ORDINANCE OF THE CITY OF SAN ANGELO
AMENDING THE BUDGET ORDINANCE FOR THE FISCAL
YEAR BEGINNING OCTOBER 1, 2018, AND ENDING
SEPTEMBER 30, 2019, FOR THE CLASSIFICATION PLAN FOR
AUTHORIZED FIRE POSITIONS.**

WHEREAS the City of San Angelo City Council approved a budget for fiscal year 2018-2019;
and

WHEREAS, Exhibit "D" to the 2018-19 budget ordinance approves a classification plan for
authorized police and fire positions as is set out in Chapter 2, Article 2.08. Section 2.08.002 of the City
of San Angelo Code of Ordinances; and

WHEREAS since the passage of the budget the San Angelo has received a grant that pays for
additional fire positions, which requires the classification plan to be amended.

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

The City's budget for fiscal year 2018-2019 is hereby amended by revising the Fire Department
classification plan in Exhibit "D" of the adopted 2018-2019 budget as follows:

Fire Department – Civil Service

Fire Chief	1
Assistant Chief	2
Battalion Chief	4
Fire Captain	12
Fire Lieutenant	20
Fire Engineer (or Driver)	50
Fire Fighter	90
Total Fire Department – Civil Service	179

INTRODUCED on the ____th day of _____, 2019, and APPROVED and ADOPTED on
this ____ day of _____ 2019.

ATTEST:

CITY OF SAN ANGELO, TEXAS:

Julia Antilley, City Clerk

Brenda Gunter, Mayor

APPROVED AS TO FORM:

Theresa James, City Attorney



APPLICATION FOR BOARDS and COMMISSIONS

Name: Lyndon Butler
Address: _____
City: San Angelo (unless otherwise noted) Zip: 76901
Phone (Home): _____ (Office): _____
Resident of San Angelo since: 2008 SMD: _____
Are you a registered voter of San Angelo? Yes: X No: _____
Occupation / Business Affiliation: HVAC - Butler's HVAC
Occupation / Business Address: 2929 Canyon Creek
Position: Owner
Email: _____

By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

X _____ 3-10-17
Applicant's Signature Date

NOTE: This application is information of public record.* Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

RETURN TO: City of San Angelo, c/o City Clerk, 72 W. College, San Angelo, Texas 76903

Applying for:

- ____ Airport Advisory Board
- ____ Animal Shelter Adv Cmm*
- ____ Civic Events Adv Board
- ____ Civil Service Commission
- ☒ Construction Board of Adj/Apps*
- ____ Design & Historic Review Cmm*
- ____ Development Corporation
- ____ Downtown Development Cmm*
- ____ Fort Concho Museum Board
- ____ Park Commission
- ____ Parks & Recreation Adv Board
- ____ Planning Commission
- ____ Public Art Commission*
- ____ Public Housing Authority
- ____ Tax Incrmt Reinvsmnt Zone Board*
- ____ Water Advisory Board*
- ____ Zoning Board of Adjustment

*specific membership criteria requirements apply-See back page for more information

Recommended by:

Tell us about yourself. Feel free to attach additional sheets, if necessary.

Based on you board selection, do you meet the membership criteria*? Yes No If so, which criteria: Much Contractor
(see back page for board criteria)

Education and/or Professional Licenses: Class A Environmental Air License
Class A Commercial Refrigeration License TACLA28560C

Current Municipal and Civic Organization Memberships (Positions & Dates): None

Previous Municipal Experience (Positions, Dates, Where): None

What personal qualifications can you bring to this board? Business Experience in HVAC
New Construction, Replacements and Repairs

What is your personal vision for the City? I would like to see more honesty

Why do you want to serve on this board? I was asked to help. I think it
would be a good experience and good way to serve

Anything else you would like for us to know? _____

*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 at 657-4405.

For Office Use Only:

Appointed by: _____

City App/Reapp Date: _____

Term Dates: To _____

From _____

Franco, Maria

From: info@cosatx.us
Sent: Wednesday, March 29, 2017 10:23 AM
To: Kendrick, Bryan; Franco, Maria
Subject: City of San Angelo, TX: Boards and Commissions application

A new entry to a form/survey has been submitted.

Form Name: Boards and Commissions application
Date & Time: 03/29/2017 8:22 AM
Response #: 58
Submitter ID: 15535
IP address: 66.76.173.6
Time to complete: 10 min. , 32 sec.

Survey Details

Page 1

NOTE: This application is information of public record.

Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

1. Personal information

Name: David A. Cummings
Address: [REDACTED]
ZIP code: 76901
Home/mobile phone: [REDACTED]
Office/mobile phone: [REDACTED]
Resident of San Angelo since (year): 2008
City Council Single-Member District in which you reside: 5
Registered San Angelo voter? (yes or no) Y
Occupation/business affiliation: Physician/Shannon Clinic/Shannon Oncology Center
Occupation/business address: 102 N Magdalen Suite 110
Title/position: Medical Oncology
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**
3/29/17

4. **Applying for:**

NOTE: Specific membership requirements apply to boards/commissions marked with an asterisk. See the bottom page at [this link](#) for more details.

(o) Development Corporation

5. **Recommended by:**

(Name): Not answered

6. **Based on your board selection, do you meet the membership criteria?**
(o) Yes

7. **If so, which criteria?**
Not answered

8. **Tell us about yourself.**

Education and/or professional licenses:

BA - Baylor University

MD - Texas Tech University Health Sciences Center

Internal Medicine Residency - Scott & White Hospital
Medical Oncology Fellowship - Scott & White Hospital

ABIM Board Certified Medical Oncology

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

San Angelo Symphony Board of Directors 2012- present

San Angelo Symphony President 2016-2017

Texas Southwest Council Boy Scouts of America Board of Directors 2010-2015

Texas Southwest Council Boy Scouts of America President 2014-2015

Texas Southwest Council Boy Scouts of America Advisory Board 2015-present

Concho Valley County Medical Society 2013-present

Concho Valley County Medical Society President 2016

Previous municipal experience (positions, dates, where):

N/A

What personal qualifications can you bring to the board?

Leadership positions held on several community organizations

What is your personal vision for the City?

To be the best West Texas destination to live and visit

Why do you want to serve on this board?

To help grow San Angelo as a place to work and live and recruit and retain business development

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 have been convicted of a MISDEMEANOR or FELONY, and/or placed on probation, fined or given a suspended sentence such as pretrial diversion or deferred adjudication in court within the last ten years, disclosure of such should be forwarded under separate cover. For a complete copy of the Code of Ethics, contact the City Clerk at 325-657-4405.

Thank you,
City of San Angelo, TX

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.



APPLICATION FOR BOARDS and COMMISSIONS

Name: Brandon S. Allen
Address: [REDACTED]
City: San Angelo (unless otherwise noted) Zip: 76904
Phone (Home): [REDACTED] (Office): [REDACTED]
Resident of San Angelo since: 2003 SMD: _____
Are you a registered voter of San Angelo? Yes: X No: _____
Occupation / Business Affiliation: Department of the Army Civilian
Occupation / Business Address: 340 Ft. Lancaster Blvd, GAFB, 76908
Position: Supervisory Training Specialist (INTEL)
Email: brandon.allen.24@us.af.mil [REDACTED]

By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

X ALLEN.BRANDON.SHANE.1187437730 Digitally signed by ALLEN.BRANDON.SHANE.1187437730
DN: cn=ALLEN.BRANDON.SHANE.1187437730, o=USAF, ou=USAF, email=ALLEN.BRANDON.SHANE.1187437730@us.af.mil, c=US 8 Jul 2016

Applicant's Signature

Date

NOTE: This application is information of public record.* Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

RETURN TO: City of San Angelo, c/o City Clerk, 72 W. College, San Angelo, Texas 76902-1751

Applying for:

- ☐ Airport Advisory Board
- ☐ Animal Shelter Adv Cmm*
- ☐ Civic Events Adv Board
- ☐ Civil Service Commission
- ☐ Construction Board of Adj/Apps*
- ☐ Design & Historic Review Cmm*
- ☐ Development Corporation
- ☐ Downtown Development Cmm*
- ☒ Fort Concho Museum Board
- ☐ Park Commission
- ☐ Parks & Recreation Adv Board
- ☐ Planning Commission
- ☐ Public Art Commission*
- ☐ Public Housing Authority
- ☐ Tax Incrmt Reinvsmt Zone Board*
- ☐ Water Advisory Board*
- ☐ Zoning Board of Adjustment

*specific membership criteria requirements
apply-See back page for more information

Recommended by: LTC Hallock

Tell us about yourself. Feel free to attach additional sheets, if necessary.

Based on you board selection, do you meet the membership criteria*? Yes X No ☐ If so, which criteria: City Resident
(see back page for board criteria)

Education and/or Professional Licenses: M.A.- Organizational Leadership (2013), American Military University
18 hours towards M.S. Intelligence, Security Studies, and Analysis, ASU, projected to graduate spring 2017

Current Municipal and Civic Organization Memberships (Positions & Dates): Member of Sentinel Foundation since
2003 / Member of SGT Audie Murphy Club since 2008

Previous Municipal Experience (Positions, Dates, Where): _____

What personal qualifications can you bring to this board? Over 25 years of leadership and experience working
with the military and local community. Ability to work and communicate well with others.

What is your personal vision for the City? See San Angelo continue its' reputation as the most military-friendly
city in the US.

Why do you want to serve on this board? Would like to see Ft. Concho continue to serve as a gateway to promoting
and maintaining outstanding military-civilian relationships. Happy to help in any way that I can.

Anything else you would like for us to know? I am honored that to be considered for the board and appreciate
your consideration.

*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 at 657-4405.

For Office Use Only:

Appointed by:

CiCo Appt/Reappt Date:

Term Dates: To

From



APPLICATION FOR BOARDS and COMMISSIONS

Name: Allison Watkins
Address: [REDACTED]
City: San Angelo (unless otherwise noted) Zip: 76901
Phone (Home): [REDACTED] (Office) [REDACTED]
Resident of San Angelo since: 2009 SMD: 5
Are you a registered voter of San Angelo? Yes: ☒ No: ☐
Occupation / Business Affiliation: Texas AgriLife Extension
Occupation / Business Address: 113 W. Beauregard
Position: County Extension Agent - Horticulture
Email: [REDACTED]

By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

X Allison Watkins 3-11-16
Applicant's Signature Date

NOTE: This application is information of public record.* Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

RETURN TO: City of San Angelo, c/o City Clerk, 72 W. College, San Angelo, Texas 76903

Applying for:

- ☐ Airport Advisory Board
- ☐ Animal Shelter Adv Cmm*
- ☐ Civic Events Adv Board
- ☐ Civil Service Commission
- ☐ Construction Board of Adj/Apps*
- ☐ Design & Historic Review Cmm*
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- ☒ Park Commission
- ☐ Parks & Recreation Adv Board
- ☐ Planning Commission
- ☐ Public Art Commission*
- ☐ Public Housing Authority
- ☐ Tax Incrmt Reinvsmt Zone Board*
- ☐ Water Advisory Board*
- ☐ Zoning Board of Adjustment

*specific membership criteria requirements apply-See back page for more information

Recommended by:

Tell us about yourself. Feel free to attach additional sheets, if necessary.

Based on you board selection, do you meet the membership criteria*? ☒ Yes ☐ No If so, which criteria: City resident
(see back page for board criteria)

Education and/or Professional Licenses: Master of Science in Horticulture; certified
Arboret

Current Municipal and Civic Organization Memberships (Positions & Dates): San Angelo Garden Club
2009-present

Previous Municipal Experience (Positions, Dates, Where): _____

What personal qualifications can you bring to this board? Horticulture, Landscape expertise

What is your personal vision for the City? _____

Why do you want to serve on this board? _____

Anything else you would like for us to know? _____

*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 have been convicted of a MISDEMEANOR or FELONY, and/or placed on probation, fined or given a suspended sentence such as pretrial diversion or deferred adjudication in court within the last ten years, disclosure of such should be forwarded under separate cover. For a complete copy of the Code of Ethics, contact the City Clerk at 657-4405.

For Office Use Only:

Appointed by: _____

CiCo Appt/Reappt Date: _____

Term Dates: To _____

From _____