



City Council Agenda 03/05/2019

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held on March 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's first all female Scout BSA Troop, Troop 374
- b. Proclamation of March 2019 as Developmental Disabilities Awareness Month

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 City Council minutes for the February 19, 2019 regular meeting, the February 26, 2019 special meeting, and the September 26, 2019 strategic planning workshop (Julia Antilley)
- b. Consider awarding a contract to King Consultants through a TIPS Job Order Contract #181101 in the amount of \$59,292 for the removal of asbestos in several wall cavities, replacement of gypsum board, wall preparation, and painting at the City Hall Annex (Ron Lewis)
- c. Consider awarding RFB SB-01-19 Cold Applied Crack Sealant Material to Allstates Coatings Company in the amount of \$197,700, budgeted annually, and authorizing the City Manager to execute any related documents (Patrick Frerich)
- d. Consider awarding RFP FIN-01-18/Electronic Payment Solutions to Automated Merchant Systems, Inc. and authorizing the City Manager to execute any related documents (Tina Dierschke)
- e. Consider awarding a contract to Gilbert Consultants for Municipal Court consulting services in the amount of \$60,000 and authorizing the City Manager to execute all related documents (Daniel Valenzuela)
- f. Second reading of an ordinance approving the abandonment and vacation of a 15-ft wide by 400-ft long, 0.137-acre (6,000-sq ft) public alley; located east of Bowie St. and south of E. 44th Street (Jon James)

7. Regular Agenda

- a. Second reading of an ordinance approving case PD19-01, a rezoning from the Neighborhood Commercial (CN) Zoning District to a Planned Development (PD) Zoning District to allow Neighborhood Commercial (CN) uses, as well as self-service storage and a single-family detached dwelling, located at 909 W. Beauregard Ave. (Presentation made by Planning & Development Services Director Jon James)
- b. Second reading of an ordinance approving case PD19-02, a request for approval of a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial/Heavy Commercial (CG/CH) Zoning District and an off-site sign with digital billboard face, located at 3410 Knickerbocker Rd. (Presentation made by Planning & Development Services Director Jon James)
- c. Second reading and public hearing of an amendment to the Zoning Ordinance, establishing new standards for regulating mobile food trucks on public and private property in the City of San Angelo (Presentation made by Planning & Development Services Director Jon James)
- d. Public hearing and first reading of an ordinance deleting Chapter 10 "Traffic Control", Article 10.01 "General Provisions", Section 10.01.019 "Commercial Vehicles Prohibited" and restricting the operation of certain Commercial Vehicles to Designated Truck Routes within the City of San Angelo (Presentation made by Operations Assistant Director Patrick Frerich)
- e. Discussion and possible action regarding a policy amendment to small cell nodes in the right of way (Presentation made by City Engineer Russell Pehl)
- f. Presentation on the last 5-years of Economic Development (Presentation made by Economic Development Director Guy Andrews)
- g. Consider ratifying a resolution by COSADC authorizing the use of sales and use tax funds in the amount of \$65,000, for the purposes of awarding a contract (DC-01-19) to Inter/Direct U.S.A., Ltd, d/b/a Community Development Strategies for expert services to prepare a comprehensive housing analysis that will assess overall housing needs in the competitive market area, to include workforce and affordable housing (Presentation made by Economic Development Director Guy Andrews)
- h. Consider ratifying a resolution by COSADC authorizing the sale of approximately 6.4 acres of land out of the San Angelo Business and Industrial Park to Jeff Prince Operating, LP at a price of \$25,000 per acre and authorizing the Board President to negotiate and execute a real estate sales contract (Presentation made by Economic Development Project Manager Robert Schneeman)

- i. Consider ratifying a resolution by COSADC authorizing the Board President to negotiate and execute a professional services agreement, with Centurion Planning and Design in an amount not to exceed \$7,500, relating to an approved project for additional professional engineering and surveying services required by TXDOT on permit applications for driveway access to a portion of the Remainder of Block 1 San Angelo Gateway Addition, Section 1 of the San Angelo Business & Industrial Park (Presentation made by Economic Development Project Manager Robert Schneeman)
- j. First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019, for capital items and grants (Presentation made by Finance Director Tina Dierschke)
- k. Update on Preliminary Design Phase and consideration of awarding Task Order 2 under RFQ WU-04-19 Engineering Services for Water System Improvements to the Hickory Groundwater Supply Development to Enprotec / Hibbs & Todd, Inc. in the amount of \$3,117,450, and authorizing the City Manager to execute any related documents (Presentation made by Scott Hibbs, P.E., Enprotec / Hibbs & Todd, Inc. and by Water Utilities Director Allison Strube)

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:

9. Follow Up and Administrative Issues

- a. Consider items discussed in Closed Session, if needed
- b. Consider approving various Board nominations:
 - Construction Board of Adjustment & Appeals:** Rodney Mayberry (SMD4) to a second term ending February 2021 and Brooks Wehner (SMD5) to a second term ending February 2021
 - Design & Historic Review Commission:** Stephen McLaughlin (SMD4) to a second term ending September 2020
 - Economic Development Corporation:** William Dendle (SMD2) to a second term ending February 2020 and Garland Freeze (SMD6) to a first term ending February 2021
 - Fort Concho Museum Board:** Wayland Cooksey (SMD4) to a second term ending January 2021 and Curtis Milbourn (SMD5) to a first term ending January 2021
 - Parks & Recreation Advisory Board:** Debbie Wilson to a first full term ending December 2020
- c. Announcements and consideration of Future Agenda Items

10. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of San Angelo, Texas, on the 1st day of March 2019, at 1:52 p.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 Scout BSA Troop 374 as San Angelo's first all-female troop. On February 1, 2019, for the first time, both young men and women ages 11 – 17 were welcomed into the iconic program for character and leadership development.

The principles of Scouting as outlined in Scout Law – trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent – are important values in today's society for both young men and women. Now, all-girl troops will be able to earn the same merit badges and accomplish the same advancements that boys have earned for nearly 109 years in the Boy Scout program. This marks the first time in history that young women can begin the journey toward the prestigious Eagle Scout rank.

The Scoutmaster for San Angelo's Scout BSA Troop 374 is Jenni Price-Fierro. The troop consists of eight girls who are currently working on their promotion to "Scout" rank by the end of this month while completing service projects, performing flag ceremonies, and preparing for summer camp.

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

SCOUT BSA TROOP 374

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 March, 2019.

Brenda Gunter
Mayor of the City of San Angelo

Proclamation

The month of March 2019 has been designated as Developmental Disabilities Month in order to celebrate and recognize people with disabilities.

Individuals with developmental disabilities, their families, friends, and neighbors and co-workers encourage everyone to focus on the abilities of all people; and

Individuals with developmental disabilities are entitled to enjoy, participate in and share the same benefits, privileges and protection afforded other citizens of our city, county, state and nation; and

I encourage all citizens to support opportunities for individuals with developmental disabilities that include full access to education, housing, employment and recreation; and

NOW, THEREFORE, in order to recognize the many contributions and challenges of citizens with developmental disabilities living in San Angelo, I, Brenda Gunter, Mayor of the City of San Angelo, on behalf of the City Council, do hereby proclaim the month of March 2019 as

“DEVELOPMENTAL DISABILITIES AWARENESS MONTH”

and encourage all citizens to observe the month with appropriate programs and activities. Furthermore, we encourage all citizens to seek information from those organizations with expertise in matters concerning professionals who support individuals with intellectual and developmental disabilities.

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 March, 2019.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, February 19, 2019

Present:

Mayor Brenda Gunter
Mayor Pro tem Lane Carter, SMD 5
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzales, SMD 4
Council Member Billie F. DeWitt, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:33 a.m. on Tuesday, February 19, 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 Ralph Hawkins.

3. Pledges

The pledges were led by Central High School 2018 Varsity Football Captains – Seniors Gunner Couch, Daylon Green, Maverick McIvor, and Jackson Timme.

4. Proclamations/Recognitions

No proclamations/recognitions were presented.

5. Public Comment

Sharon Troy, Housing Navigator at Disability Connection, spoke regarding the need for more accessible housing for those with disabilities.

Council Member Carter announced the need for volunteers at the March 2, 2019 Twin Buttes cleanup event.

6. Consent Agenda

- a. Approval of the February 5, 2019 City Council regular meeting minutes (Julia Antilley)
- b. Adoption of a resolution authorizing the City Attorney to begin termination of a Lake Nasworthy Residential Lot Lease and eviction proceedings for non-payment of annual rent (more than 90 days delinquent) on 2017 Willow Rd.; Lot 6, Group 13, Lake Nasworthy Addition (\$1,649) (Cindy Preas) (Pg. 79, #2019-021)
- c. Authorization of the City Manager to enter into a two (2) year commercial lease with DLH Wendland, LLC for 0.604 acres of land out of M. Himmer Survey No. 321, Abstract No. 355 and sign all documents necessary or convenient to remove land use restrictions on leased premises (Cindy Preas)
- d. Adoption of a resolution authorizing a tax resale deed (Quitclaim) to be executed by the Mayor on behalf of the City and all taxing units in the Tax Foreclosure Judgment or Tax Warrant to 10 W. 31st St.; W50' of E104.35' of S208.7' of Block 7, Mather Addition No. 1 (\$2,100) (Cindy Preas) (Pg. 80, #2019-022)

- e. Authorization of the City Manager to enter into a new Recreational and Agricultural Lease Agreement with Jackie O'Neal Wheat, Jr. and Julie E. Wheat for 0.31 acres out of Peter Duffy Survey 171, Abstract No. 133 and P. W. McNeese Survey 1, Abstract No. 5739 (Cindy Preas)
- f. Authorization of the sale of the following Lake Nasworthy property to the current residential lot lease holder for the appraised value and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the property (Cindy Preas):
 - 1. 2650 Kings Rd.; Lot 47, Block 1, Section 1, Group Fisherman's Road, Lake Nasworthy Addition (\$131,950)
 - 2. 3121 East Red Bluff Rd.; Lot 85, Block 4, Section 4, Group Red Bluff, Lake Nasworthy Addition (\$70,609)
- g. Award of FD-01-19 Vehicle Exhaust Removal System to Clean Air Concepts (Cincinnati, OH) in the amount of \$286,703 and authorizing the City Manager to execute all related documents. This system is funded \$81,665 by the City with remaining funds provided by a 2019 budgeted federal grant (Brian Dunn)
- h. Approval of a Memorandum of Understanding with AEP Texas North Division for energy consulting services (SCORE/City Smart Program) at no cost to the City and authorizing the City Manager to execute all related documents (Ron Lewis)
- i. Approval of Tax Increment Reinvestment Zone (TIRZ) incentive funding for one private project in the North TIRZ area for the property located at 2020 N. Bryant totaling \$75,000 and six private projects in the South TIRZ area for the properties located at 6 E. Concho, 8 E. Concho, 101 S. Chadbourne, 123 N. Chadbourne, 200 S. Magdalen and 305 W. Twohig totaling \$254,000 (Jon James)
- j. Adoption of a resolution authorizing the City Manager to apply for and accept a grant award under the Homeland Security Grant Program in the sum of \$7,291 with no City match for a 14' Search and Rescue series inflatable boat, a 25 HP Suzuki motor and trailer (Todd Sanford) (Pg. 81, #2019-023)
- k. Adoption of a resolution authorizing the City Manager to apply for and accept a grant award under the Homeland Security Grant Program in the sum of \$38,750 with no City match for an Emergency Management Rehab Trailer, rehab kit and 3000 watt generator (Todd Sanford) (Pg. 82, #2019-024)
- l. Second reading and adoption of a budget ordinance to update the number of authorized fire fighters (Brian Dunn) (Pg. 83, #2019-025)
- m. Approval of a Memorandum of Understanding between the City of San Angelo and the San Angelo Police Officer's Association for the completion of the Police Memorial Statue Project (Frank Carter)

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

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

Citizen Steve Hampton requested the average electric bill. [Mayor Gunter offered to provide that amount later date. However, staff provided the details to Mr. Hampton during the break.]

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve item 6h, as presented by Construction and Facilities Manager Ron Lewis. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member DeWitt made a motion, seconded by Council Member Gonzales, to approve item 6i, as presented by Planning & Development Services Director Jon James. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve item 6m, as presented by Assistant Police Chief David Howard. The motion carried unanimously (7) ayes to (0) nays.

7. Regular Agenda

- a. Report from the Convention & Visitors Bureau (CVB) and Chamber of Commerce Economic Development Council (Presentations made by CVB Director Diann Bayes and Chamber Vice President for Economic Development Michael Looney)

No action taken on this item.

- b. Public hearing and second reading adopting 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) (Pg. 85, #2019-026)

Ethicon Plant Manager Ray Gonzales thanked the City Council for their past and ongoing support.

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

- c. Public hearing and first reading of an amendment to the City of San Angelo's Code of Ordinances, Chapter 5, Sec. 5.02.033 Prohibited Licenses, establishing an exception or variance procedure for on-premise sale of alcoholic beverages at a restaurant less than 300-ft from a school facility in the Central Business District (Presentation made by Planning & Development Services Director Jon James)

Citizens Steve Hampton and Teri Jackson expressed concern and opposed the item.

Motion: Council Member Thomas made a motion, seconded by Council Member Thompson, to approve the item, as presented. The motion failed (3) ayes to (4) nays, with Mayor Gunter, Council Member Hiebert, Council Member Gonzales, and Council Member DeWitt casting the dissenting votes.

- d. First reading and public hearing of an ordinance approving case PD19-01, a rezoning from the Neighborhood Commercial (CN) Zoning District to a Planned Development (PD) Zoning District to allow Neighborhood Commercial (CN) uses, as well as self-service storage and a single-family detached dwelling, located at 909 W. Beauregard Ave. (Presentation made by Planning & Development Services Director Jon James)

Property owner Rob Watkins, designer Amberly Watkins, and realtor Steve Eustis spoke in favor of the item. Lamar Advertising employee Tommy Roberts spoke regarding the onsite billboard.

Motion: Council Member Carter made a motion, seconded by Council Member Hiebert, to approve the item, with conceptual landscape and architectural design changes

incorporated prior to second reading. The motion carried unanimously (7) ayes to (0) nays.

- e. First reading and public hearing of an ordinance approving case PD19-02, a request for approval of a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial/Heavy Commercial (CG/CH) Zoning District and an off-site sign with digital billboard face, located at 3410 Knickerbocker Rd. (Presentation made by Planning & Development Services Director Jon James)

Numerous citizens spoke both in favor and in opposition to the item. Comments were largely focused on the sign aspects, though some spoke regarding the zoning change.

Citizen Linda Wilson spoke regarding the sign and zoning change. Lamar Advertising's Tommy Roberts spoke in favor of relocating the static sign and rezoning to General Commercial. Citizen Susan Mertz spoke in opposition of relocating the sign. Planning Commission member Teri Jackson spoke in favor of relocating the sign. Citizen Duke Wilson spoke in opposition of relocating the sign. Sonic Drive-In representative David Bryant requested a zoning of General Commercial or higher usage. Executive Vice President of San Angelo Association of Realtors Candy Pool expressed concern over rezoning the property.

Motion: Council Member Carter made a motion, seconded by Council Member Thompson, to allow for a static sign relocation and change the zoning to Neighborhood Commercial. The motion failed (3) ayes to (4) nays, with Mayor Gunter, Council Member Hiebert, Council Member Thomas, and Council Member DeWitt casting the dissenting votes.

Citizen Linda Wilson spoke concerning property values. Citizen Steve Hampton spoke regarding the existing ordinance. Realtor Steve Eustis spoke regarding rezoning in the area. Lamar Advertising's Tommy Roberts clarified the existing sign permits and removal of existing sign.

Motion: Council Member Carter made a motion, seconded by Council Member Thomas to allow the static sign to move from the current location to the Sonic Drive-In property location via the Planned Development. The motion carried (4) ayes to (3) nays, with Mayor Gunter, Council Member Hiebert, and Council Member DeWitt casting the dissenting votes.

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales to change the property to General Commercial. The motion carried (4) ayes to (3) nays, with Mayor Gunter, Council Member Hiebert, and Council Member DeWitt casting the dissenting votes.

- f. First reading and public hearing of an ordinance approving the abandonment and vacation of a 15-ft wide by 400-ft long, 0.137-acre (6,000-sq ft.) public alley; located east of Bowie St. and south of E. 44th St., within Block 38 of the Lake View Addition (Presentation made by Planning & Development Services Director Jon James)

Citizen Ann Joseph spoke in support of the abandonment.

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

- g. Award of contracts for services related to the Hickory Groundwater Expansion project and potential funding from Texas Water Development Board and authorizing the City Manager to execute any related documents (Presentation made by Water Utilities Director Allison Strube)
 - 1. RFP WU-02-19 Bond Counsel to McCall, Parkhurst, & Horton LLP
 - 2. RFP WU-03-19 Financial Advisor to Specialized Public Finance Inc.

3. RFQ WU-04-19 Engineering Services for Water System Improvements to Enprotec / Hibbs & Todd

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

- h. 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 551.072 to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person on:
 - 1. The Gillis Addition
 - 2. City Farm
 - 3. 122 W. 1st St.
 - 4. Spring Creek Marina
- b. Section 551.074(a)(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee regarding:
 - 1. Board/commission appointments
 - 2. Appointing Judge Jay Daniel as Presiding Judge of the City of San Angelo Municipal Court effective February 28, 2019 (City Charter, Section 50)
- c. Section 551.071(2) to consult with an 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 contract negotiations with court consultant

9. Follow Up and Administrative Issues

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

Motion: Council Member Thompson made a motion, seconded by Council Member Carter, to appoint Jay Daniel as Presiding Judge of the San Angelo Municipal Court effective February 28, 2019. The motion carried unanimously (7) ayes to (0) nays.

- b. Approval of various Board nominations
 - Animal Shelter Advisory Committee:** Ryan Smith (city resident) to a second term ending January 2021, Carah Dunagan (city resident) to a first full term ending January 2021, and Morgan Chegwiddden (animal shelter daily operations)
 - Construction Board of Adjustments and Appeals:** Richard Hanby (Mayor/Realtor) to a second term ending February 2021
 - Development Corporation:** Edward Carrasco (SMD1) to a second term ending February 2020 and Max Puello (SMD3) to a first full term ending February 2021
 - Fort Concho Museum Board:** Monty Stanley (Mayor) to a third term ending January 2021 and Burley Smith (SMD3) to a first term ending January 2021
 - Keep San Angelo Beautiful Board:** Neil Townley (SMD1) to a first term ending September 2020
 - Parks and Recreation Advisory Board:** Kenneth Dierschke (SMD1) to a second term ending December 2020 and Laurie Dicello (SMD3) to a second term ending December 2020

Planning Commission: Teri Jackson (SMD3) to a second term ending January 2021

Tax Increment Reinvestment Zone Board: Jon Mark Hogg (SMD1) to a first term ending July 2020 and Tom Maurer (SMD6) to an unexpired term ending July 2019

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

c. Announcements and consideration of future agenda items

Mayor Gunter announced the February 26, 2019 3:00 p.m. Strategic Planning Workshop and requested a discussion and review of the road study at that time.

10. Adjournment

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

There being no further business, the meeting was adjourned at 2:12 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.)

City of San Angelo, Texas
Special City Council Meeting
Tuesday, February 26, 2019

Present:

Mayor Brenda Gunter
Mayor Pro tem Lane Carter, SMD 5
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzales, SMD 4
Council Member Billie F. DeWitt, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the special session of the San Angelo City Council to order at 3:02 p.m. on Tuesday, February 26, 2019 in the East Mezzanine of City Hall, 72 W. College Avenue, San Angelo, Texas 76903.

2. Special Agenda

- a. Approval of items related to the May 4, 2019 General Election:
 - Receipt of the Certification of Unopposed Candidates
 - Adoption of a resolution adopting an order declaring the election cancelled (Pg. 89, #2019-027)
 - Election of the unopposed candidates (SMD 1 - Tommy Hiebert, SMD 3 - Harold "Harry" Thomas, and SMD 5 - Lane Carter)

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

3. Adjournment

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

There being no further business, the meeting was adjourned at 3:03 p.m.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

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.)

City of San Angelo, Texas
Strategic Planning City Council Workshop
Tuesday, February 26, 2019

Present:

Mayor Brenda Gunter
Mayor Pro tem Lane Carter, SMD 5
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzales, SMD 4
Council Member Billie F. DeWitt, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the Strategic Planning Workshop session of the San Angelo City Council to order at 3:05 p.m. on Tuesday, February 26, 2019 in the East Mezzanine of City Hall, 72 W. College Avenue, San Angelo, Texas 76903.

2. Workshop Itinerary

a. Overview of Planning Workshop (Daniel Valenzuela)

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

b. Financial Update – Revenues & Expenses (Tina Dierschke)

Budget slides were presented by Finance Director Tina Dierschke with support from Assistant City Manager Michael Dane and Budget Manager Kim Holle.

c. Capital Improvement Priorities (Tina Dierschke/Staff)

Information was presented by City Management (Daniel Valenzuela, Rick Weiss, and Michael Dane), Finance Director Tina Dierschke, Operations Director Shane Kelton, Neighborhood and Family Services Assistant Director Morgan Chegwiddden, Water Utilities Director Allison Strube, and Facilities Maintenance Manager Ron Lewis.

d. Top 3 Strategic Priorities Update (Staff)

I. Infrastructure

a. Streets

b. Drainage

c. Water

II. Economic Development

a. Development Services

b. Development Projects

c. Commercial Development

d. Industrial

III. Public Safety

a. Police

b. Fire

Information was presented by City Management (Daniel Valenzuela, Rick Weiss, and Michael Dane), Operations Director Shane Kelton, Water Utilities Director Allison Strube, Planning &

Development Director Jon James, Economic Development Director Guy Andrews, Police Chief Frank Carter, and Fire Chief Brian Dunn.

- e. Establishing/Confirming Priorities for 2019/2020 (Daniel Valenzuela/Staff)

3. Adjournment

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

There being no further business, the meeting was adjourned at 6:37 p.m.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

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

Meeting Date: March 5, 2019

Item type: Consent Item

Caption:

Consider awarding a contract to King Consultants through a TIPS Job Order Contract #181101 in the amount of \$59,292 for the removal of asbestos in several wall cavities, replacement of gypsum board, wall preparation, and painting at the City Hall Annex (Ron Lewis)

Summary/History:

During wiring and painting of the 2nd floor City Hall Annex for PD to occupy some of the space, vermiculite was discovered. After research and testing by King Consultants it was determined to contain asbestos. Therefore, this proposal is for removal of gypsum wallboard, some wood paneling, some ceiling tile as necessary to completely remove the asbestos. Replacement of the gypsum board, tape and bedding, texture, painting, and baseboard installation is required to restore the areas back to use.

Financial Impact:

\$59,292.00 plus an additional square foot cost of \$2.50 to replace any damaged ceiling tile during the removal and re-installation process.

Funding is coming from salary savings.

Other Information/Recommendation:

Attachments:

- | | |
|---|--|
| 1. Estimate quote for City Hall Annex 2nd floor | Estimate quote for City Hall Annex 2nd floor.pdf |
|---|--|

Presentation:

Approvals/Reviews:

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



1205 E. 46th Street
Lubbock, Texas 79404
(806) 763-6157
1-800-658-6018

February 22, 2019

Ron Lewis
Construction & Facilities Manager
134 Henry O. Flipper Street
San Angelo, Texas 76903
JOC#181101

RE: Cost Estimate for Removal of Vermiculite and Replacement at City of San Angelo Annex

Dear Mr. Lewis,

Please find below my estimated cost for the removal of the sheetrock on one side of the walls that have vermiculite insulation in them and the removal and clean-up of the vermiculite.

The estimate also includes the reinstallation of sheetrock on these walls and the installation of R-11 unfaced insulation in these walls.

The estimate includes the replacement of 1,440 square feet of ceiling tile with 2x4 Armstrong Cortega tile. There is a square foot price listed below if it is necessary to replace more than 1,440 square feet or if there is less than this amount installed. The existing grid will be used.

ENVIRONMENTAL SPECIALISTS

BEDFORD
805 FOREST RIDGE, SUITE 107
76022
817.354.9890

ABILENE
1998 INDUSTRIAL BLVD, STE. C
79602
325.669.8487

SAN ANGELO
324 WEST 26TH STREET, STE. B
76901
325.944.0931

Estimated costs:

Asbestos Abatement of Vermiculite	\$16,352.40
Sheetrock, insulation & 1,440 square feet of ceiling replacement	\$15,072.00
Tape Bed and Texture and painting	\$11,667.60
Allowance for the replacement of wood or vinyl baseboard	\$ 3,500.00
Asbestos and replacement specifications	\$ 1,950.00
Asbestos Project management and air monitoring 10 days @ \$700.00 per day	\$ 7,000.00
Project Oversight for all replacement work	\$ 3,750.00
Total Estimated Cost	\$59,292.00

Square foot cost for acoustical lay in ceiling \$2.50
This square foot price will be used if there is more or less than the estimated amount of 1,440 square feet.

Please understand that this is an estimate; however, I did my best to estimate realistic costs in an effort to make sure that when we bid this project all costs will be covered. These figures do not include any carpet or replacement of lighting.

If there are any questions, please contact me at 806-763-6157.

Sincerely,



Henry King
Environmental Consultant & Construction Manager

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 5, 2019

Item type: Consent Item

Caption:

Consider awarding RFB SB-01-19 Cold Applied Crack Sealant Material to Allstates Coatings Company in the amount of \$197,700, budgeted annually, and authorizing the City Manager to execute any related documents (Patrick Frerich)

Summary/History:

The City of San Angelo solicited bids for the purchase of Class A Cold Applied Crack Sealant. Two responses were received.

Crack sealant is used to seal cracks in the asphalt roadway as a preventative maintenance procedure. This application is primarily used ahead of, and in preparation for, the seal coating procedure.

Bids were solicited for an annual purchase of approximately 30,000 gallons. Award of the bid will allow for a one-year purchase and delivery contract, with two additional one-year extensions, renewed automatically unless notice of cancellation is given by either the vendor or the City within 90 days of the current year's expiration date. An optional price escalation not to exceed 4% is allowed upon extension of the contract. The escalation request must be made within 30 days prior to the extension and documentation justifying the increase must be provided.

Financial Impact:

Purchases of Class A Cold Applied Crack Sealant are budgeted annually at \$197,700 from the Street and Bridge operating expense budget.

Other Information/Recommendation:

Staff recommends awarding RFB SB-01-19 to Allstates Coatings Company in the amount of \$6.59 per gallon, or \$197,700 annually, for one year with the option to extend two one-year terms, subject to optional pricing escalation not-to-exceed 4%.

Attachments:

1. SB-01-19 - Cold Applied Crackseal Material Bid Tab SB-01-19 - Cold Applied Crackseal Material Bid Tab.pdf

Presentation:

Approvals/Reviews:

Patrick Frerich
Patrick Frerich

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



CITY OF SAN ANGELO

RFB Bid Tabulation * SB-01-19/ Cold Applied Crack Sealant Material

01/23/2019 at 2:00 p.m.

Allstates Coating Company				Martin Asphalt Company	
Description	Annual Estimated Quantity (Gallons)	Unit Cost	Extended Cost	Amount of Drums	Pricing (per drum)
Class A Cold Applied Crack Sealant	30,000.00	\$ 6.59	\$ 197,700.00	1-12 Drums	\$483.00
		Total	\$ 197,700.00	13-20 Drums	\$405.88
				21-40 Drums	\$405.50
				41-80 Drums	\$395.84

Allstates Coating Company				Martin Asphalt Company	
Per Gallon Pricing	30,000.00		\$ 6.59		\$7.20
Per Drum Pricing (55 gallons)	55.00		\$ 362.45		\$395.84
Per Delivery Pricing (84 Drums)	84.00		\$ 30,445.80		\$33,250.56

Special Terms	84 drum minimum delivery	
Delivery Days	14-30 ARO	Mon-Fri
Piggy Back	Yes	Yes
Cooperative	No	No
Payment Terms	Net 30 days	
Payment Discount	N/A	N/A

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Tina Dierschke, Finance Director, Finance, 325-657-4268

Meeting Date: March 5, 2019

Item type: Consent Item

Caption:

Consider awarding RFP FIN-01-18/Electronic Payment Solutions to Automated Merchant Systems, Inc. and authorizing the City Manager to execute any related documents (Tina Dierschke)

Summary/History:

CentralSquare, our software vendor, informed us that they were terminating the Transaction Manager portion of their credit card process. We recognized the opportunity to update our web presence and improve service by offering a more modern client/customer experience and a more secure payment platform. In order to find the best value for the City, we accepted proposals for Electronic Payment Solutions on October 23, 2018 and received 14 responses, only three of which were certified integrators with our current software. We invited those three vendors for interviews and presentations and made our selection based on the proposal documents provided and quality of presentations.

Financial Impact:

Based on contract negotiation.

Other Information/Recommendation:

Attachments:

- | | |
|------------------------------|-------------------------------|
| 1. Memo-Council | Memo-Council.docx |
| 2. FIN-01-18 Ranking Sheet | FIN-01-18 Ranking Sheet.pdf |
| 3. FIN-01-18 Acknowledgement | FIN-01-18 Acknowledgement.pdf |

Presentation:

Approvals/Reviews:

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

Memo



Date: 2/25/2019
To: Candice Blake
From: Mary Cleveland
RE: FIN-01-18 Electronic Payment Solution

RFP FIN-01-18: 14 acknowledged responders

Committee Members:

Tina Dierschke – Finance Director
Ryan Gaddy – Assistant Finance Director
Mary Cleveland – Billing and Receipts Manager
Lance Overstreet – Assistant Water Utilities Director
Petra Trevino – Customer Service Manager
Cindy Preas – Real Estate Manager
Steven Thompson – Server Administrator

Eleven proposals were not listed as certified integrators with CentralSquare and did not qualify for recommendation.

The three remaining vendors were evaluated by the committee, and proposals were reviewed and scored according to the published selection criteria referenced in the RFP.

As a result of the rankings, the committee recommends awarding the contract to Automated Merchant Services.

Mary Cleveland
Billing and Receipts Manager
325.657.4240

Committee Member Summary		Total Points		
Category		LexisNexis VitalChek	ETS	GovPayNet
Cost to Customer/User through Convenience and Payment Processing Fees	140	125.00	135.00	130.00
Overall approach and methodology to be used to accomplish RFP requirements	140	130.00	118.00	120.00
Qualifications and Experience	175	67.00	70.00	70.00
Settlement, Fees, and Reporting Capabilities	140	125.00	130.00	130.00
References	105	100.00	100.00	103.00
Total Score	700	547.00	553.00	553.00
Ranking		12	8	8

CORE Business Technologies	JetPay	City Insight	First Billing	SpeedPay	Forte
129.00	133.00	125.00	129.00	128.00	125.00
120.00	133.00	125.00	139.00	130.00	133.00
70.00	65.00	70.00	168.00	70.00	68.00
125.00	130.00	130.00	130.00	135.00	135.00
103.00	100.00	100.00	105.00	102.00	97.00
547.00	561.00	550.00	671.00	565.00	558.00
12	6	10	2	5	7

Alacriti	Paymentus	Citybase	Automated Merchant Systems	MSB
135.00	125.00	132.00	139.00	130.00
120.00	138.00	130.00	137.00	120.00
70.00	141.00	70.00	172.00	70.00
120.00	120.00	135.00	139.00	131.00
98.00	105.00	100.00	105.00	98.00
543.00	629.00	567.00	692.00	549.00
14	3	4	1	11



CITY OF SAN ANGELO

RFP Acknowledgment * FIN-01-18/ Electronic Payment Solution

October 23, 2018 at 2:00pm

	Proposals Received	City	State
1	LexisNexis VitalChek	Brentwood	TN
2	ETS	Ashburn	VA
3	GovPayNet	Indianapolis	IN
4	CORE Business Technologies	East Providence	RI
5	JetPay	Pensacola	FL
6	City Insight	Detroit	MI
7	First Billing	Miamisburg	OH
8	SpeedPay	Denver	CO
9	Forte	Allen	TX
10	Alacriti	Piscataway	NJ
11	Paymenuts	Charlotte	NC
12	Citybase	Chicago	IL
13	Automated Merchant Systems	Lake Mary	FL
14	MSB	Austin	TX

	Mailed to:	City	State
1	Avolve Software	Scottsdale	AZ
2	First Billing	Miamisburg	OH
3	Invoice Cloud	Brownsville	TX
4	PayStar	Baton Rouge	LA
5	Paymentus	Charlotte	NC
6	Automated Merchant Systems	Lake Mary	FL
7	Bill2Pay	Clearwater	FL
8	First Data	Atlanta	GA
9	Selectron Technologies	Portland	OR
10	ETS Corporation	Ashburn	VA

NOTE: Include this form with your Agenda Memo

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Theresa James, City Attorney, City Clerk, X1413

Meeting Date: March 5, 2019

Item type: Consent Item

Caption:

Consider awarding a contract to Gilbert Consultants for Municipal Court consulting services in the amount of \$60,000 and authorizing the City Manager to execute all related documents (Daniel Valenzuela)

Summary/History:

This contract is to allow Allen Gilbert to serve as a consultant to Municipal Court and to serve as an associate judge on an as needed basis. Historically, Municipal court has had two judges. Declining citations and more efficient operations of the court will allow the court to operate with one judge.

During this time of transition of the court this contract will allow the court administrator and municipal court judge to draw on the vast experience of Allen Gilbert to ensure the court continues to move forward in a professional and efficient manner.

Financial Impact:

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Theresa James
Becky Dunn
Julia Antilley

Created/Initiated
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 5, 2019

Item type: Consent Item

Caption:

Second reading of an ordinance approving the abandonment and vacation of a 15-ft wide by 400-ft long, 0.137-acre (6,000-sq ft) public alley; located east of Bowie St. and south of E. 44th Street (Jon James)

Summary/History:

The applicant has requested the abandonment of a 15' x 400' unpaved alley within Block 38 of the Lake View Addition. Reasons for the request include safety and security concerns; the existing home being within five feet of the rear property line with vegetation; no public use of the alley; and utility connections for the home running through the alley. The applicant owns 4314 and 4312 Bowie Street located north (106' long) and south (100' long) of the westerly portion of the alley. She is requesting abandonment of the entire alley.

Financial Impact:

N/A

Other Information/Recommendation:

On January 28, 2019, Planning Commission unanimously recommended APPROVAL of the proposed abandonment and vacation of the full 15-foot wide by 400-foot long, 0.137-acre (6,000-square foot) public alley, subject to four Conditions of Approval as outlined in the Staff Report.

On February 19, 2019, City Council unanimously approved by a vote of 7-0, subject to four Conditions of Approval as outlined in the Staff Report.

Attachments:

- | | |
|--|--|
| 1. Staff Report (Lakeview_Blkc38Alley) | Staff Report (Lakeview_Blkc38Alley).docx |
| 2. Ordinance (Lakeview Blkc38 Alley) | Ordinance (Lakeview Blkc38 Alley).docx |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved

Becky Dunn
Julia Antilley

Approved
Final Approval

CITY COUNCIL – February 19, 2019
STAFF REPORT



APPLICATION TYPE:		CASE:	
Alley Right-of-way Abandonment		Lakeview Addition, Block 38 (A. Joseph)	
SYNOPSIS:			
The applicant has requested the abandonment of a 15' x 400' unpaved alley within Block 38 of the Lake View Addition. Reasons for the request include safety and security concerns; the existing home being within five feet of the rear property line with vegetation; no public use of the alley; and utility connections for the home running through the alley. The applicant owns 4314 and 4312 Bowie Street located north (106' long) and south (100' long) of the westerly portion of the alley. She is requesting abandonment of the entire alley.			
LOCATION:		LEGAL DESCRIPTION:	
South of East 44 th Street; west of Bonham Street; north of East 43 rd Street; and east of Bowie Street		Being a 0.137 acres (6,000 square feet) alley located within Block 38 of the Lake View Addition, between Lots 1-8 and 9-16	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #2 – Tom Thompson Lake View Neighborhood	RS-1 – Single-Family Residential	Neighborhood	0.137 acres (6,000 square feet)
THOROUGHFARE PLAN:			
N/A. Alley was approved as part of the Lake View Addition, filed for record September 11, 1908 with the Tom Green County Clerk.			
NOTIFICATIONS:			
16 notifications mailed directly adjacent the proposed abandonments on January 7, 2019. One letter was received in support, and one in opposition. However, the opposition letter appears to be a support letter because it assumes the alley is becoming a right-of-way when it is actually proposed to be closed (see attached).			
STAFF RECOMMENDATION:			
Staff recommends <u>APPROVAL</u> of the Alley Right-of-Way Abandonment request, subject to three Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
Ms. Anne Joseph			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Ext. 1550 jeff.fisher@cosatx.us			

Additional Information:

On August 4, 2009, a previous owner was denied a partial abandonment request of this alley by City Council. The request was to abandon only the westerly 106 feet of the alley abutting the current applicant's properties. In the 2009 Staff Report, the Planning Division recommended denial on the grounds the applicant did not establish a public benefit and would leave a dead-end alley. They recommended instead that the entire alley be abandoned.

Public Comments:

City Staff circulated all relevant municipal departments, as well as public and private utility companies. There are no City services within the alley area to be abandoned. The City's Operations Department expressed their support for the alley abandonment as it is undeveloped and not being used by the City. Frontier Communications and AEP will require a public utility easement within the abandonment area for the existing AEP power poles and attached Frontier communication lines. The alley is required to be unobstructed (no buildings, structures, or fences allowed) but gates may be installed. The applicant may alternatively pay AEP and Frontier to reroute their facilities.

Rationale:

Planning Staff reviewed all relevant history, ordinances, policies, and conducted a site visit to the property on January 8, 2019, to determine the appropriateness of abandoning this public alley right-of-way.

- *Traffic patterns:* Planning Staff believe that existing or anticipated traffic patterns would not be negatively affected if the alley was abandoned and sold to adjacent land owners. A site visit confirms that the alley is unpaved (caliche or grass) and there are no rear access drives to abutting land owners or rear garages or carports.
- *Utilities:* There are no City utilities in the alley. Water and sewer lines are located along Bowie Street and East 44th Street.
- *Community Impact:* The City had sent abutting alley owners and those within 200 feet public notice of the meeting. Responses received included two in support and one that although As a condition of approval, Planning Staff recommends that all abutting owners comply with the abandonment requirements within 12 months of approval.
- *Public Benefit:* The Planning Division agrees with the 2009 opinion of Planning Staff, which recommended approval only for an entire alley to "allow that space to be more effectively integrated with adjoining private property owners, in a way which would enhance the long-term upkeep and appearance of this space. Closing the entire alley would benefit all owners and not only one or a few.

Planning Commission Recommendation:

On January 28, 2019, the Planning Commission recommended unanimous **APPROVAL** of the proposed abandonment and vacation of a 15-foot wide by 400-foot long, 0.137-acre (6,000-square foot) public alley, **subject to the four Conditions of Approval as presented (see below)**. The following is the complete excerpt of the draft minutes from the January 28, 2019, meeting for this case:

Jeff Fisher, Senior Planner, presented the proposed alley right-of-way abandonment request. He explained that the original purpose of alleys in the City was to provide rear access to properties and also for trash pickup, the latter which is not being applied at present. Mr. Fisher outlined Staff's rationale to approve the alley abandonment on the grounds that there are no negative impacts; that the alley is unpaved and there are no known rear garages or carports from a recent site visit; that there were no negative responses from residents to date; and that closing the entire alley and not just one part would benefit all owners. Mr. Fisher explained that there was one letter received in favor and one in opposition but that the opposition letter appeared to be in support as the resident believed the alley was being opened, not closed. Mr. Fisher also communicated to Commissioners that an attempt was made in 2009 to close a portion of the alley by a previous homeowner who owned the same lots that the current applicant owns, but that this request was denied by Council.

Chair Stribling asked to confirm that the applicant of the request owns five of the lots.

Mr. Fisher responded that this was correct.

Chair Stribling asked if all of the adjacent property owners have to agree.

Mr. Fisher responded this was correct and that the City Attorney's Office would agree as well.

Dan Saluri, Deputy City Attorney agreed and stated this was an official policy position that the Planning Division has been implementing.

Jon James, Planning Director, confirmed this, but stated that the Planning Commission had the ability to provide an alternative recommendation.

Commissioner Jackson asked if the alley could be fenced in given there was a utility easement.

Mr. Fisher responded that AEP was opposed to fencing as they have an existing utility line in the alley and would need to be able to obtain access.

Commissioner Smith asked what the benefit would be for owners if the alley was closed.

Jon James, Planning Director, replied that a benefit would be additional setback measured to the new property line.

Ms. Anne Joseph, applicant, and owner of 4312 and 4314 Bowie Street, spoke on behalf of the request.

She mentioned that she could put a gate across the alley to limit foot traffic and vandalism.

Commissioner Smith asked Ms. Joseph asked if she has spoken to the neighbors.

Ms. Joseph responded that she spoke to the resident #4 on the notification list who had no objection.

Mr. Eddie Garza, resident #6 on the notification list, was concerned with having to maintain the alley and would be okay with the abandonment as he could maintain his portion.

Chair Stribling closed public comment.

Commissioner Jackson made a Motion to recommend APPROVAL of the proposed abandonment and vacation of a 15-foot wide by 400-foot long, 0.137-acre (6,000-square foot) public alley, specifically located between Lots 1-16 within Block 38 of the Lake View Addition, subject to four Conditions of Approval as presented. Commissioner Smith seconded the Motion. The Motion passed unanimously 7-0.

City Council - Change of Conditions

The Planning Commission at their January 28, 2019 Meeting approved the following four conditions:

1. Per the Code of Ordinances, Section A9.008, payment per the assessment formula outlined in the fee schedule shall be remitted for all of the abandoned alley right-of-way, should the vacation and abandonment be approved;
2. Verification of the recordation of quit claim deed(s) officially abandoning the City's claim to the entirety of the abandoned alley shall be provided;
3. Submit, obtain approval, and official recording of a subdivision replat absorbing all of the abandoned right-of-way into adjacent lot(s) meeting all requirements of the Land Development and Subdivision Ordinance within 18 months of City Council's decision; and,
4. The applicant shall provide as part of the replat an unobstructed utility easement to the satisfaction of AEP and Frontier Communications for all present and future utilities, or pay to reroute these lines.

After the Planning Commission Meeting, the applicant's engineer contacted City Staff about an exemption from platting requirements given that most of the lots are owned by separate ownership, and there are no known plans to develop any of the lots. The Planning Division concurs and is hereby recommending the removal of the plat requirement (Condition #4 above) and requiring the easement separately and not part of a plat. The new recommendations will now have 3 conditions instead of 4 as written below, with some minor changes as per the City Attorney's Office.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** the proposed abandonment and vacation of a 15-foot wide by 400-foot long, 0.137-acre (6,000-square foot) public alley; generally located south of East 44th Street; west of Bonham Street; north of East 43rd Street; and east of Bowie Street; more specifically located between Lots 1-16 within Block 38 of the Lake View Addition, **subject to three Conditions of Approval:**

1. Prior to delivery of any quitclaim deed for recording, conveyances of the entire alley right-of-way to be abandoned must be accepted by adjoining property owners in proportion to their interests or any combination thereof as consented to by such property owners, by depositing with the Planning Director the fees required as set forth at Subsection 4.2 hereof within 180 days of the day of adoption of this ordinance.
2. Full payment pursuant to the assessment formula outlined in Section A9.0008 of Appendix "A" Fee Schedule of the Code of Ordinances shall be remitted to the Director of Planning for all of the abandoned alley right-of-way, plus recording fees.
3. City quitclaim deeds shall reserve unto City a utility easement for the full width and length of the abandoned alley right of way.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Alley Abandonment Exhibit
Photographs
Response Letters
Applicant Letter
Application



Alley Abandonment Case File

Joseph

Council District: Tom Thompson (SMD#2)

Neighborhood: Lake View

Scale: 1" approx. = 100 ft

15' x 400' alley in Block 38, Lake View Addition

Legend

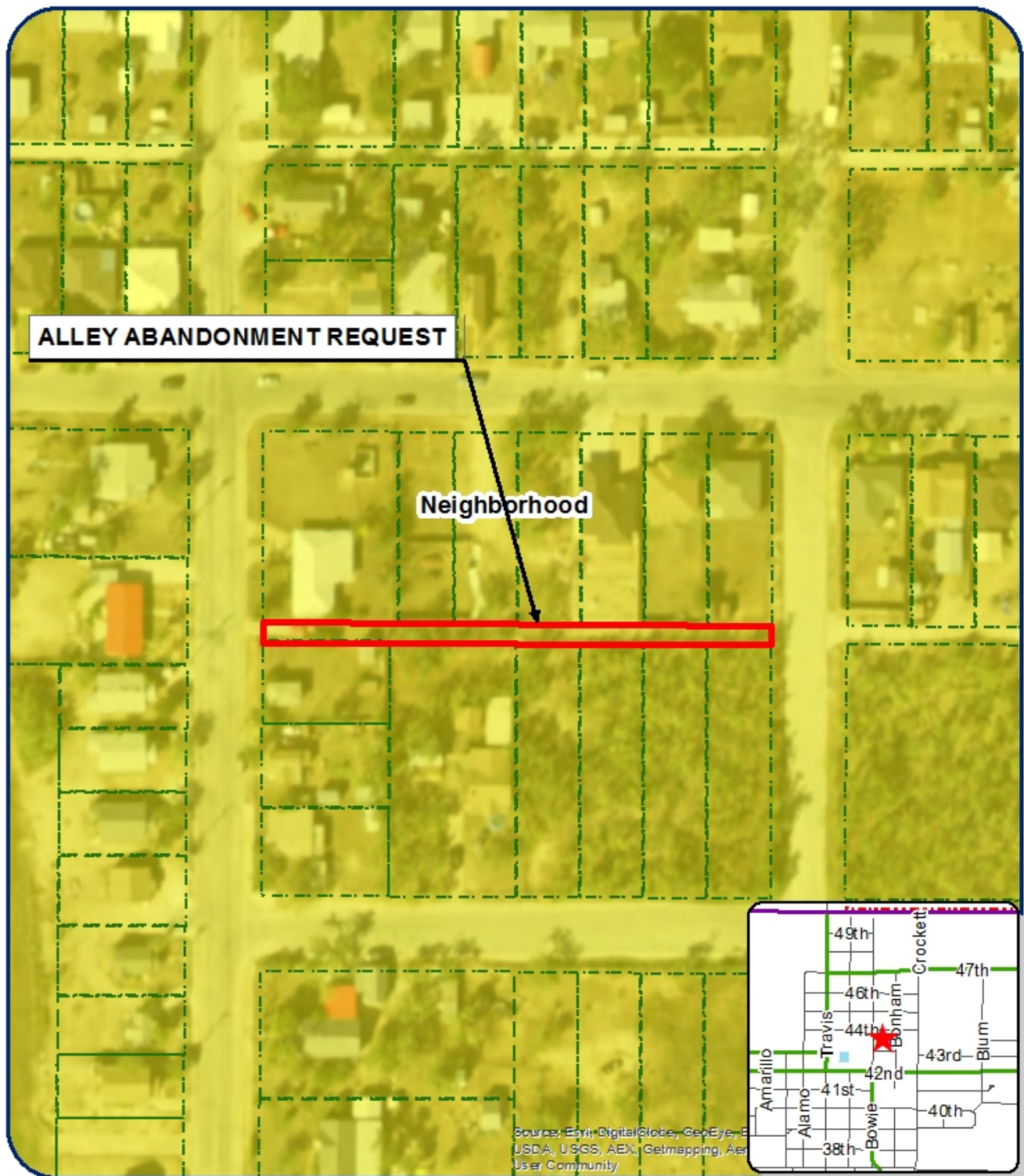
Subject Properties: —

Current Zoning: RS-1

Requested Zoning Change: N/A

Vision: Neighborhood





Alley Abandonment Case File

Joseph

Council District: Tom Thompson (SMD#2)

Neighborhood: Lake View

Scale: 1" approx. = 100 ft

15' x 400' alley in Block 38, Lake View Addition

Legend

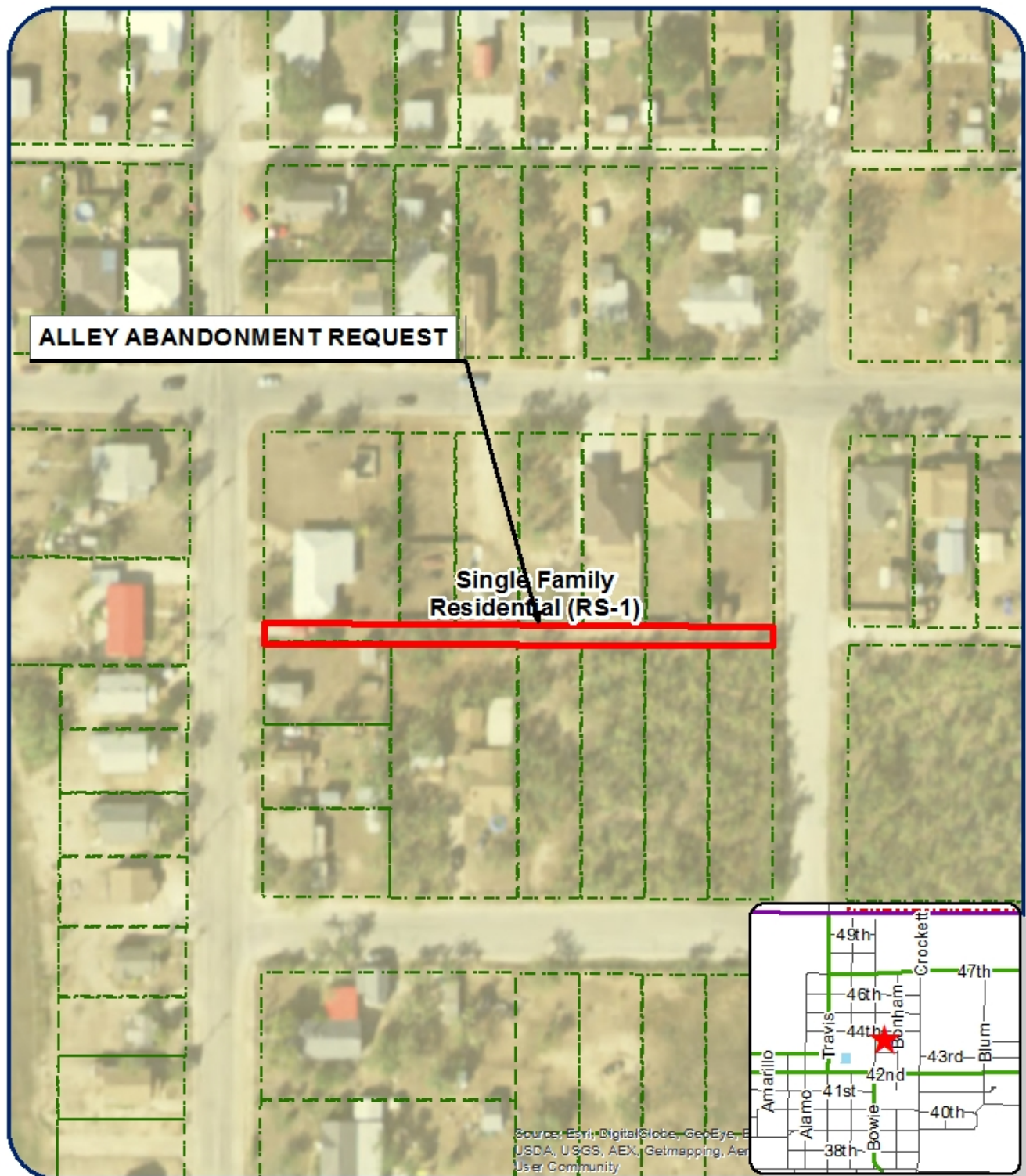
Subject Properties: —

Current Zoning: RS-1

Requested Zoning Change: N/A

Vision: Neighborhood





Alley Abandonment Case File

Joseph

Council District: Tom Thompson (SMD#2)

Neighborhood: Lake View

Scale: 1" approx. = 100 ft

15' x 400' alley in Block 38, Lake View Addition

Legend

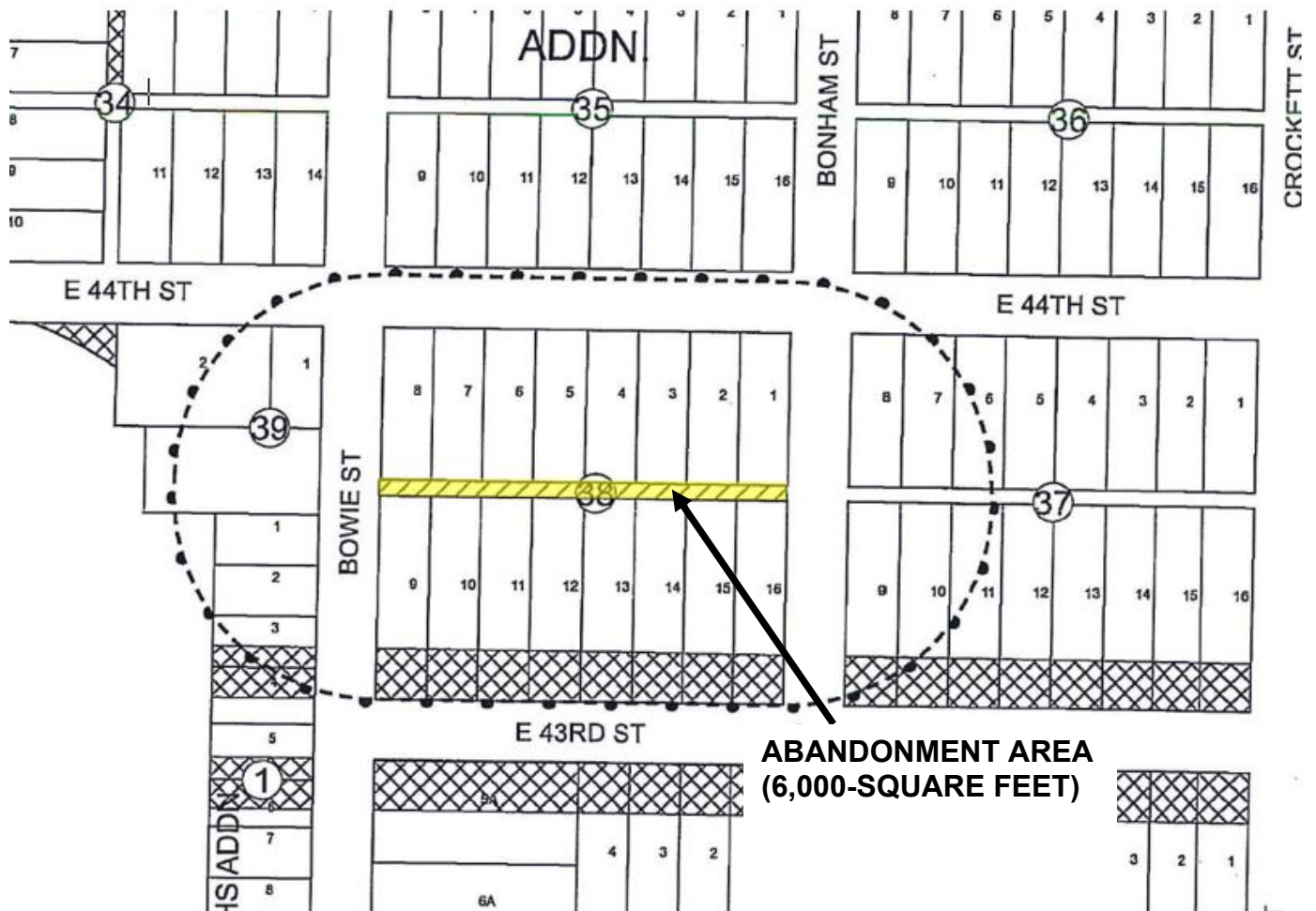
Subject Properties: —

Current Zoning: RS-1

Requested Zoning Change: N/A

Vision: Neighborhood





Photos of Site and Surrounding Area

LOOKING EAST DOWN ALLEY



LOOKING WEST DOWN ALLEY



SEPARATE ALLEY TO EAST



CLOSE-UP OF ALLEY LOOKING EAST



LOOKING NORTH ON BOWIE ST



LOOKING SOUTH ON BOWIE ST



TO BE FORMALLY ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU
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) Good Neighbor

NAME: Kenneth Ray Griffen Sr

ADDRESS: 4304 Bowie St
San Angelo, Tx 76903

SIGNATURE: Kenneth Ray Griffen

Alley Abandonment Request – Block 38, Lake View Addition
Applicant: Ms. Anne Joseph

Property owner number: 7

If you have any questions about these proceedings, please call Jeff Fisher, Senior Planner, with the City of San Angelo's Planning Division at 325-657-4210, Extension 1550. The Planning Division staff may also be reached by email at jeff.fisher@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)

NAME:

Kevin Collins

ADDRESS:

2111 Clubhouse Lane

SIGNATURE:



Street Right-of-way Abandonment: King Mill Drive and Wedgewood Court

Property owner number: 7

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 52 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

() IN FAVOR

(☒) IN OPPOSITION

REASON(S) I strongly oppose the proposed alley
right of way between lots 1-16 within Block 38 of
the Lakeview Addition. Eventhough traffic doesn't
run through our back alley, we have been faced with
burglary from our backyard. Also, we have had to deal
with Lakeview students hiding in our back alley and
smoking cigarettes. It is an inconvenience to me as
it is now, having to deal with burglars and smoking
students. I feel that if the alley becomes a right of way,
students and just the public in general will be speeding
through the alley, like they already do on 44th st where the posted
speed is 30 mph, but everyone speeds through it making it dangerous
for our families and children.

NAME:

Silvia Landeros

ADDRESS:

709 E. 44th Street

San Angelo, TX 76903

SIGNATURE:

Silvia Landeros

Alley Abandonment Request – Block 38, Lake View Addition
Applicant: Ms. Anne Joseph

Property owner number: 11

If you have any questions about these proceedings, please call Jeff Fisher, Senior Planner, with the City of San Angelo's Planning Division at 325-657-4210, Extension 1550. The Planning Division staff may also be reached by email at jeff.fisher@cosatx.us.

This is to share my concerns for both the continuing safety of the residents at 4314 Bowie, as well as the continuing safeguarding of the property at said residential address.

Working with the understanding that an area running adjacent to my home has always been designated as an active alley, I would expect that all codes were properly met when my house was built in 1960. As time passes, however, various new safety concerns are addressed in new or updated codes and the safety concern addressing the proximity of an active street or alleyway to the wall of a residence, and, any major gas or electric connections which have been established are of primary concern to me and are among the aspects which I ask for help with ensuring ongoing safety of residents and integrity of property at 4314 Bowie Street.

The south wall of my house has windows and a door, and, at its southernmost positioning, the wall is less than 5' to the alleyway/property line. When one steps out of the kitchen, one would be within arms-length of any vehicle that might be traversing the alleyway.

Furthermore, the electric and gas hook-ups are between the southernmost wall and the property line for the alleyway, making the gas meter less than 4' from the alleyway property line, and, the electric meter approximately 4 ½' from the said line.

The sewer line from the house is made of "orangeburg" and runs down the alleyway, evidently having been protected over the years, however, by a rose bush which has draped over the fenceline since long before I moved into the house in 2011, thereby preventing any traffic from running over that part of the length of the alley. If the bush is cut back, that protection will no longer be afforded to it.



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

**Application to Abandon Right-of-way for
Street(s) and/or Alley(s)**



Section 1: Basic Information

Name of Applicant(s): Anne Joseph

☒ Owner ☐ Representative (Affidavit Required)

P.O. Box 3083 San Angelo Texas 76902-3083

Mailing Address City State Zip Code

(325) 655-1061 annejoseph12345@yahoo.com

Contact Phone Number Contact E-mail Address

N/A San Angelo Texas 76903

Subject Property Address City State Zip Code

SUBD: LAKEVIEW ADDITION, BLK: 38, ALLEYWAY

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

Lot Size: 15' X 400' (alley width x alley length) Zoning: RS-1

Section 2: Site Specific Details

Subdivision Name: Lakeview Addition

Lots and/or Blocks Affected*: Block: 38 alleyway

General Description of Location*: Block 38 in north San Angelo's Lakeview Addition is the first block due east of Lakeview's stormwater retention pond, and, it is the second block due west of Lake View High School. The area designated as an alleyway in 1908 runs east/west, measuring 15' x 400'.

Reason for Abandonment*: #1) The status quo of the designated alleyway in Block 38 is one wherein it is not being used, nor has it been used, for through (vehicular) traffic.

#2) The west end of the designated alleyway has a

house built in 1960 (the address is 4314 Bowie) which has its OWN sewer line (made of

*Use attachment if necessary.
Orangeburg pipe) running down what turns out to be the west end of the designated alleyway. In addition, there is a water spigot running city water for the house which is situated in the very alleyway in question. Further, on the south end of the house there are windows and the kitchen door which give on to the "alleyway," making for a potentially hazardous situation for residents of 4314 Bowie IF the status quo is disrupted, and also, whereas the south wall of the house is LESS THAN 5' from the designated alleyway property line, so too are the gas meter, gas line, and, the electric meter, ALL of which are positioned between the south wall and the designated alleyway's property line.

#3) ALLEY ABANDONEMENT SEEMS TO BE THE ONLY WAY TO LEGALLY MAINTAIN THE STATUS QUO WHICH CURRENTLY PROTECTS THE INTEGRITY OF PROPERTY AND THE SAFETY OF RESIDENTS AT 4314 BOWIE STREET.

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

Section 3: Applicant's acknowledgement

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

Signature of licensee or authorized representative
affirming the truth of the above statement.

18 December 2018

Date

Anne Joseph

Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Date of Application: 12/18/2018

Non-Refundable Fee: \$525.00

Receipt #: 82101

Date paid: 12/18/2018

Date of hearing by Planning Commission: 1/28/2019

Date of hearing by City Council: 2/19/2019

Reviewed/Accepted by: Jeff Fisher

AN ORDINANCE PROVIDING FOR ABANDONMENT AND VACATION OF A 15-FOOT WIDE, 0.137-ACRE (6,000-SQUARE FOOT) PUBLIC ALLEY RIGHT-OF-WAY RUNNING EAST/WEST BETWEEN BONHAM AND BOWIE STREETS, NORTH OF EAST 43RD STREET AND SOUTH OF EAST 44TH STREET; AUTHORIZING CONVEYANCE THEREOF BY QUITCLAIM DEED TO ABUTTING PROPERTY OWNERS; AND PROVIDING TERMS AND CONDITIONS OF ABANDONMENT AND CONVEYANCE.

WHEREAS, the City Council of the City of San Angelo, Texas, acting pursuant to law, is of the opinion that a 15-foot wide, 0.137-acre (6,000-square foot) public alley right-of-way running east/west between Bonham and Bowie streets; north of East 43rd Street and south of East 44th Street; located adjacent to Lots 1-16 within Block 38 of the Lake View Addition, Tom Green County, Texas, is no longer needed for public use and therefore deems it advisable to abandon said portion of alley right-of-way; and,

WHEREAS, the City Council is of the opinion that the best interest and welfare of the public will be served by conditionally conveying the underlying abandoned public alley to the abutting property owners;

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

SECTION 1: The public street and alley right-of-way located in the City of San Angelo, generally described as a 15-foot wide, 0.137-acre (6,000-square foot) public alley right-of-way running east/west between Bonham and Bowie streets; north of East 43rd Street and south of East 44th Street; located adjacent to Lots 1-16 within Block 38 of the Lake View Addition, Tom Green County, Texas, more particularly described and depicted in **Exhibit “A,”** attached hereto and made a part hereof for all purposes, be and the same is hereby vacated, abandoned and closed insofar as the right, title and easement of the public are concerned, subject to the conditions and restrictions herein set forth.

SECTION 2: The abandonments and conveyances provided for herein are made and accepted subject to all present zoning and deed restrictions, if the latter exist, and all existing easements, if any, whether apparent or not, aerial, surface, underground or otherwise.

SECTION 3: The abandonments and conveyance provided for herein shall extend only to the public right, title, easement and interest and shall be construed to extend only to the interest which the governing body for the City of San Angelo may legally and lawfully abandon and vacate.

SECTION 4: The following conditions precedent to the abandonment shall apply and be part of the consideration for conveyance by quitclaim deed(s) of the underlying tracts of land to owners of abutting properties:

4.1. Prior to delivery of any quitclaim deed for recording, conveyances of the entire alley right-of-way to be abandoned must be accepted by adjoining property owners in proportion to their interests or any combination thereof as consented to by such property owners, by depositing with the Planning Director the fees required as set forth at Subsection 4.2 hereof within 180 days of the day of adoption of this ordinance.

4.2. Full payment pursuant to the assessment formula outlined in Section A9.0008 of Appendix "A" Fee Schedule of the Code of Ordinances shall be remitted to the Director of Planning for all of the abandoned alley right-of-way, plus recording fees.

4.3. City quitclaim deeds shall reserve unto City a utility easement for the full width and length of the abandoned alley right of way.

SECTION 5: The terms and conditions set forth hereinabove shall be applicable to the conveyances of right's-of-way herein provided for, and shall be binding upon Grantees thereof and their heirs, successors and assigns.

SECTION 6: Upon confirmation from the Planning Director of compliance with conditions hereinabove set forth, the Mayor of the City of San Angelo is hereby authorized to execute and deliver quit claim deeds conveying the subject tracts of abandoned rights-of-way described and depicted in **Exhibit "A,"** to the owners of the designated abutting properties.

SECTION 7: Upon confirmation from the Planning Director of compliance with conditions hereinabove set forth, the City Clerk is hereby authorized and directed to certify a copy of this adopted Ordinance for recordation in the Official Real Property Records of Tom Green County, Texas, wherein the tracts of land are located.

INTRODUCED on the **19th day of February 19, 2019**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of March 2019**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

Exhibit “A”

FIELD NOTES

For the abandonment of a 6,000-Square Feet Alley located in Block 38 of the Lake View Addition, duly recorded with the Tom Green County Clerk on May 10, 1910, more particularly described by metes and bounds as follows:

Beginning at the southwest corner of Lot 8 of said Block 38 of the Lake View Addition;

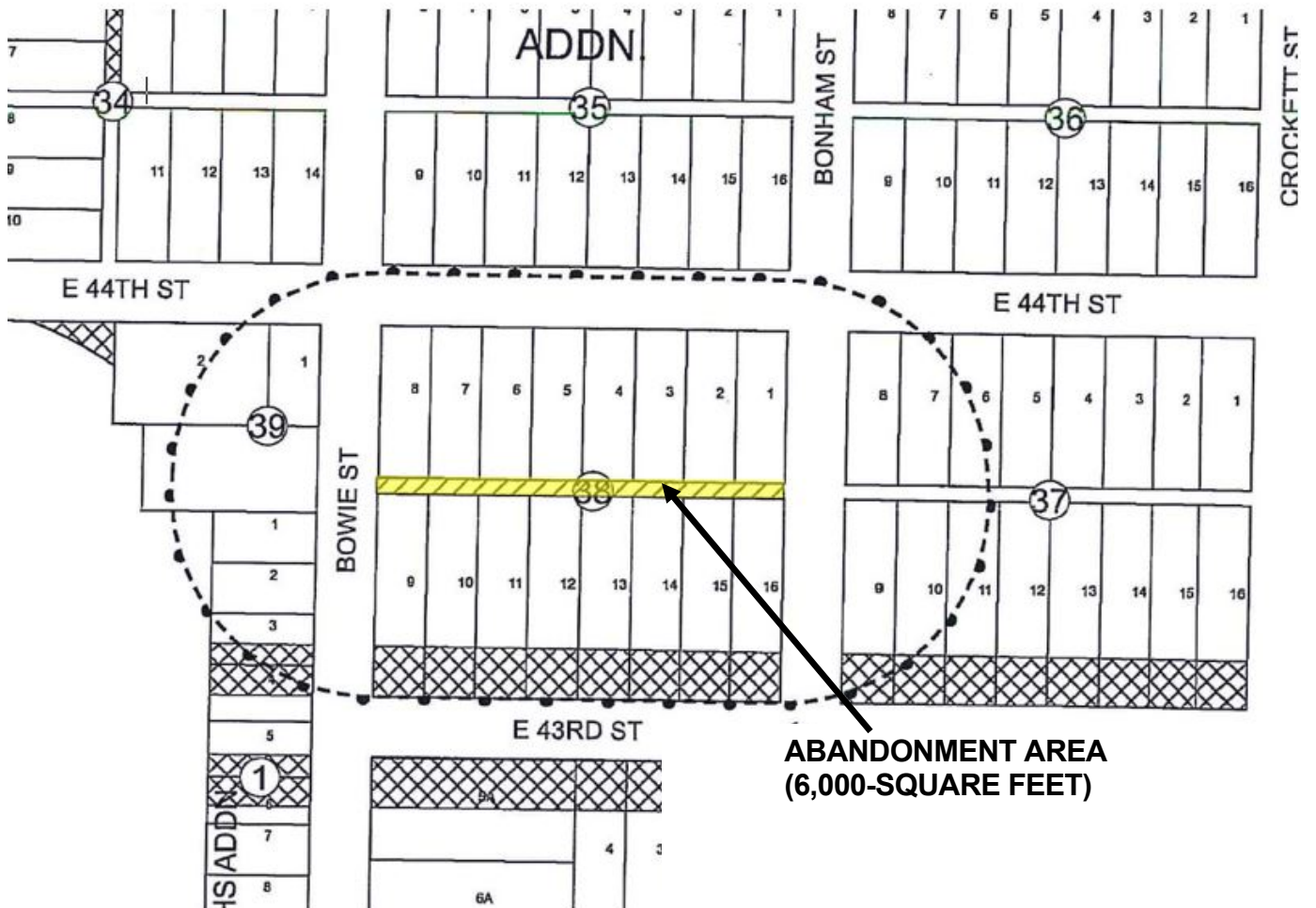
Thence extending east 400 feet to the southeast corner of Lot 1 of said Block 38 of the Lake View Addition;

Thence extending south 15 feet to the northeast corner of Lot 16 of said Block 38 of the Lake View Addition;

Thence extending west 400 feet to the northwest corner of Lot 9 of said Block 38 of the Lake View Addition;

Thence extending north 15 feet to the place of beginning and containing an area of 6,000-Square Feet.

Exhibit "A"
SURVEY PLAN



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 5, 2019

Item type: Regular Item

Caption:

Second reading of an ordinance approving case PD19-01, a rezoning from the Neighborhood Commercial (CN) Zoning District to a Planned Development (PD) Zoning District to allow Neighborhood Commercial (CN) uses, as well as self-service storage and a single-family detached dwelling, located at 909 W. Beauregard Ave. (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant has applied for a Rezoning from the from the Neighborhood Commercial (CN) Zoning District to a Planned Development (PD) Zoning District. The PD would allow Neighborhood Commercial (CN) uses that includes offices, and the additional uses of Self-Service Storage and a Single-Detached Dwelling with an approved concept plan. The applicant's concept plan delineates a new 15,750-square foot indoor storage facility with a 1,834 square foot area for offices. The indoor storage facility will include individual storage units for customers. The proposed office area is for a new Chick-Fil-A corporate office.

Financial Impact:

N/A

Other Information/Recommendation:

On January 28, 2019, Planning Commission unanimously recommended APPROVAL of the Rezoning from the Neighborhood Commercial (CN) Zoning District to a Planned Development (PD) Zoning District to allow Neighborhood Commercial (CN) uses, as well as self-service storage and a single-family detached dwelling, being 1.47 acres of land located at 909 West Beauregard Avenue, subject to seven conditions of approval as outlined in the Staff Report.

On February 19, 2019, City Council unanimously approved by a 7-0 vote, subject to seven conditions of approval as outlined in the Staff Report.

Attachments:

- | | | |
|----|------------------------|-----------------------------|
| 1. | Staff Report (PD19-01) | Staff Report (PD19-01).docx |
| 2. | Ordinance (PD19-01) | Ordinance (PD19-01).docx |

Presentation:

Jon James

Approvals/Reviews:

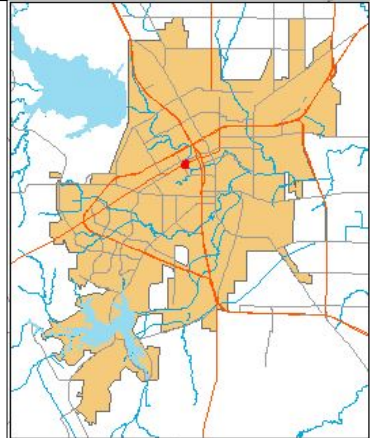
Jeff Fisher	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved

Tina Dierschke
Theresa James
Becky Dunn
Julia Antilley

Approved
Approved
Approved
Final Approval

CITY COUNCIL – February 19, 2019
STAFF REPORT



APPLICATION TYPE:		CASE:	
Planned Development (Rezoning)		PD19-01: First Financial Trust	
SYNOPSIS:			
The applicant has applied for a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to a Planned Development (PD) Zoning District. The PD would allow Neighborhood Commercial (CN) uses that includes offices, and the additional uses of Self-Service Storage and a Single-Detached Dwelling with an approved concept plan. The applicant's concept plan delineates a new 15,750-square foot indoor storage facility with a 1,834 square foot area for offices. The indoor storage facility will include individual storage units for customers. The proposed office area is for a new Chick-Fil-A corporate office.			
LOCATION:		LEGAL DESCRIPTION:	
909 West Beauregard Avenue; located at the southeast corner of West Beauregard Avenue and South Park Street		Being the north 175 feet of Block 39 in the Angelo Heights Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #5 – Lane Carter Santa Rita Neighborhood	CG/CH and RS-1	NC – Neighborhood Center	1.47 ac.
THOROUGHFARE PLAN:			
West Beauregard Avenue – Urban Arterial Street Required: 80' right-of-way, 64' pavement Provided: 100' right-of-way, 80' pavement with 5-foot sidewalks on both sides South Park Street – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' with a 4-foot sidewalk Provided: 60' right-of-way, 40' pavement and no sidewalk			
NOTIFICATIONS:			
10 notifications mailed within 200-foot radius on January 11, 2019. A total of 20 responses were received in favor (two letters and a petition with 18 signatures), and three of these within the 200-foot radius. Six letters were received opposed, and one of these was within the 200-foot radius.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL the Rezoning from the Neighborhood Commercial (CN) Zoning District to a Planned Development (PD) Zoning District to allow Neighborhood Commercial (CN) uses, as well as Self-Service Storage and a Single-Detached Dwelling, subject to seven conditions of approval.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner:</i> First Financial Trust and Asset Management Company <i>Applicant:</i> Erica Carter, Carter-Fentress Engineering			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: The property is located within the River Corridor and any new construction or exterior reconstruction will require a River Corridor Review to be approved by the Design and Historic Review Commission (DHRC). An Urban Design Review (UDR) is not required because the proposed building floor area is under 25,000 square feet. A subdivision replat is also not required as deed research confirms that the lot was surveyed and platted in its original configuration before July 5, 1950. The applicant submitted an associated request for a Rezoning (Z18-21) on the property for Neighborhood Commercial (CN). The case was unanimously approved by City Council at first reading on January 8, 2019, with a second reading and final decision on January 22, 2019. If the PD19-01 is approved, it will supersede any previous approval for Z18-21. **Therefore, the recommendation below has been amended to reflect the new CN Zoning, a Rezoning from CN to PD.**

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 is designated “Neighborhood Center” in the City’s Comprehensive Plan. This designation “promotes a mix of various uses at key intersections to encourage the necessary infill, densification, and walkability necessary.” It also calls to replace “CG/CH zoning on commercial corridors with better-specified zoning classifications that prohibit incompatible uses and focus on built form; as well as establishing “transition areas to better scale-down intensity of use from commercial centers to neighborhoods.” The proposed development achieves all of these objectives.

The new office and self-service storage building will provide an enhanced streetscape improvement, replacing the abandoned auto dealership on the property. Unlike other self-service storage facilities which contain a large number of small, metal-clad structures, the proposed building will appear visually as a professional office building from the outside. The building will be constructed of quality limestone veneer and EIFS along the entire facades facing West Beauregard Avenue and South Park Street, consistent with surrounding buildings. The development will provide a transition between the auto repair businesses and restaurants to the west and north that generate higher traffic volumes, and the residential neighborhood and park to the south and east. The proposed PD will eliminate the CG/CH zoning that would have allowed heavier commercial uses such as industrial repair, service and storage of heavy equipment, consistent with the Comprehensive Plan.

2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The proposed PD will have an underlying Neighborhood Commercial (CN) Zoning. The proposed development will comply with all CN Zoning standards. The lot is 460 feet wide, 170 feet in depth, and 1.47 acres in area, well exceeding the minimum lot area of 6,000 square feet, lot width of 50 feet, and lot depth of 80 feet for CN zoning. The proposed uses require eight parking spaces (6 for office plus 2 for self-service storage) and 12 are provided in compliance. The CN zoning will also prohibit any outdoor storage greater than 5 feet

from the building wall. This prohibition, as well as an existing 6-foot high metal fence along the south property line, will mitigate any impacts on the residential property to the south. Gate access will be remote operated allowing immediate access to the property after hours, preventing vehicles from idling on the paved shoulder of West Beauregard Avenue. A Knox Box will be installed on at least one of the gates for Fire Department access.

3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* The proposed development will be consistent with the surrounding area. As indicated, the quality architectural materials will improve the aesthetics of the property, and are consistent with neighboring buildings. The proposed landscaped areas and new sidewalk along South Park Street will enhance the streetscape and improve pedestrian connectivity through the area.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The property contains an abandoned auto dealership building that is no longer in use. The existing CG/CH zoning would allow heavy commercial uses inconsistent with the retail commercial uses along West Beauregard Avenue, and the residential development and river/park area to the south. A PD Rezoning to allow offices, self-service storage uses inside a building, and a future single-detached residential dwelling would be in keeping with the surrounding area and current development trends.
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 southeast of the property contains a steep grade covered in vegetation, and the east-most 30 feet are in a floodway. The proposed development will be located within the flat, paved area on the west and northeast of the property, staying clear of the floodway. Any grading, drainage and storm water issues will be addressed at the permitting stage, preventing any environmental effects.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The proposed development would serve several community needs. The self-service storage facility will service the surrounding Santa Rita neighborhood, predominantly a residential neighborhood lacking an adequate supply of storage facilities. In addition, the applicant indicates that the office area will be used as a corporate office for Chick-Fil-A in San Angelo.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The rezoning will not alter the current lot configuration and access will be provided from West Beauregard Avenue, a major arterial road, and from South Park Street. Self-service storage facilities are typically low traffic generators. Automatic remote gate access will ensure that vehicles will not idle along the paved

shoulder on West Beauregard Avenue, enhancing overall traffic safety.

Planning Commission Recommendation:

On January 28, 2019, the Planning Commission recommended **APPROVAL by a vote of 4-1** of the Rezoning from the Neighborhood Commercial (CN) Zoning District to a Planned Development (PD) Zoning District to allow Neighborhood Commercial (CN) uses, as well as Self-Service Storage and a Single-Detached Dwelling, located at 909 West Beauregard Avenue, **subject to seven conditions of approval (see below)**. The following is the complete excerpt of the draft minutes from the January 28, 2019, meeting for this case:

Prior to the presentation, Commissioners Brooks and Uherik recused themselves due to conflict of interest.

Jeff Fisher, Senior Planner, presented the PD rezoning request. He explained that the same applicant recently received approval from City Council to rezone the subject property to Neighborhood Commercial (CN) Zoning District (Z18-21) and has now applied for this PD rezoning. Mr. Fisher explained that the proposed PD would be for two separate businesses, a 15, 570-square foot service storage facility and a 1, 834-square foot office building for Chick-Fil-A corporate offices. Mr. Fisher explained that unlike typical self-service storage facilities which have multiple small outdoor metal buildings, this facility would have all storage units located in one building with higher architectural standards on the building including a limestone base and EIFS stucco above as opposed to metal.

Mr. Fisher outlined Staff's rationale to approve the Rezoning on the grounds that the proposal is consistent with the Neighborhood Center designation in the City's Comprehensive Plan; the rezoning will remove the CG/CH portion which would allow heavy commercial uses; and that quality materials will be used and the building will look like a retail-office building from the outside and not individual metal storage units.

Chair Stribling asked what proposed uses would be allowed in the CN zoning currently.

Mr. Fisher replied that offices are allowed by-right but that the self-service storage and single-family dwelling would require a conditional use in the CN District.

Vice Chair Spano asked what the plan was for signage on the property.

Mr. Fisher responded that the PD typically does not regulate signage. He mentioned that Staff would not be in support of the existing billboard sign if it was new today because the sign is not located in a corridor that would allow billboard signs. He explained that a condition of approval will be that this sign is removed at the end of its lease.

Chair Stribling opened the meeting for public comment and directed that the applicants present first.

Mr. Steve Eustis, real estate agent, representing the owner and applicant, indicated that 55% of the property is on a steep slope and is undevelopable. He indicated that the existing zoning would allow a vehicle service facility and that a storage facility would be a better use given it is a low traffic generator and storage would be fully within the building. Mr. Eustis also explained the site would have security measures and be landscaped. He passed out a letter that included signatures of support to the Commission.

Mr. Fisher indicated there were 18 signatures in support and asked Mr. Eustis how many of there were in the 200-foot mailing notification area.

Mr. Eustis responded that he did not know for sure but that the addresses were on the sheet and that regardless these residents were concerned about the project.

Commissioner Jackson spoke in support of the request. She explained that the PD was the best option for the property given that the property is commercial, and is better than what is there now.

Vice Chair Spano explained that the developer and residents deserve a decision today and that the developer has followed all of the rules.

Ms. Amberly Watkins, daughter of the potential buyer Robert Watkins, explained that she worked on the architectural finishes on the building and believes that the EIFS stucco and limestone are attractive and were inspired by the West Texas Rehab facility. She expressed her support for the project and believes that self-service storage is needed in this area for Santa Rita residents.

Mr. Robert Watkins spoke in support of the project. He explained that he did not have a meeting with the residents because he was not aware of any opposition. He further explained that his letter with the 18 signatures in support was determined as a result of his door knocking efforts. Mr. Watkins also thanked Planning Staff and the Planning Director for their work on the case.

Chair Stribling opened the remaining public comment to anyone interested in speaking about the case, and limited speakers up to 2 minutes each.

Mr. Ron Champion, resident of 305 South Park Street spoke in opposition of the request, indicating he did not want storage units at this location.

Ms. Heidi Brooks, a resident of the surrounding neighborhood, spoke in opposition of the request. She expressed concerns about hazardous materials that could be stored in the units and the lack of control over potential fire hazards. Ms. Brooks also indicated that the billboard sign should be removed. She requested that this vote be tabled to allow time to discuss the project with the neighbors.

Ms. Anna Rinaldo, HR Director for Act As One, Inc. representing the Chick-Fil-A offices explained that more space was needed and this location is ideal given involvement with business in downtown San Angelo and local high schools.

Mr. Tommy Roberts, representing Lamar Signs spoke regarding the existing billboard sign. He expressed that he is not in favor of the City removing billboards at the end of their leases. However, he explained that he has discussions with the Planning Director about relocating this billboard for a project in a different location, and that he would be in support of moving this billboard from this property if necessary.

Me. Kyle Kuner, Marketing Executive of Act as One, Inc., indicated that approval of offices in this location would allow the company to grow and work with local high schools on a “leadership academy” project. He also explained that approval of the self-service storage units would also Chick-Fil-A to utilize some of this space if needed.

Ms. Tina Bean expressed her support for the Chick-Fil-A offices but not the 116 storage units. She expressed concerns with up to 116 vehicles coming in and out of the property. She asked if this was “spot zoning”.

Commissioner Jackson responded this would not be considered spot zoning.

Mr. Watkins responded that an average customer may only visit once or twice per year, which makes the 116 vehicle estimate misleading. He explained this is why there are only 9 parking spaces needed on-site and gates will be located after 5pm with 24-7 surveillance. Mr. Watkins also explained that the units would be small and not require large items being moved to the site.

Chair Stribling asked where self-service storage units are allowed by-right.

Mr. Fisher responded that this use is allowed by right in the CG, CH, CBD, OW, ML, MH, and CG/CH Districts. He clarified that a PD rezoning to allow the storage units would include more criteria than a conditional use (CU).

Jon James, Planning Director, indicated that another difference is the PD requires Council approval as well, whereas a CU requires only Planning Commission approval.

Commissioner Smith indicated that a self-service storage facility is a low impact development whereas an auto service facility allowed in the current zoning would generate much more traffic.

Commissioner Jackson made a Motion to recommend APPROVAL of the proposed Rezoning from the Neighborhood Commercial (CN) Zoning District to a Planned Development (PD) Zoning District to allow Neighborhood Commercial (CN) uses, as well as Self-Service Storage and a Single-Detached Dwelling, located at 909 West Beauregard Avenue, subject to seven conditions of approval as presented. Vice Chair Spano seconded the Motion. The Motion passed 4-1 with Vice Chair Spano and Commissioners Jackson, Smith, and Self voting in favor and Chair Stribling voting against.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** the Rezoning from the Neighborhood Commercial (CN) Zoning District to a Planned Development (PD) Zoning District to allow Neighborhood Commercial (CN) uses, as well as Self-Service Storage and a Single-Detached Dwelling, **subject to seven conditions of approval:**

1. Except as otherwise specified or limited below, the development of the subject property shall generally conform to the Neighborhood Commercial (CN) Zoning District, unless specified as otherwise.
2. Overall site use shall be in accordance with the approved Concept Plan. Major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director, provided no changes to the Zoning Ordinance are required.
3. Prior to any future development and/or building permits being issued on the property, the applicant shall submit a final site plan, building elevations with colors and materials, and a landscape plan to the Planning Director for review and approval.
4. All self-service storage shall be contained within the proposed 15,750-square foot building shown on the approved Concept Plan.
5. Gate access shall be provided by automatic remote control and a Knox Box to the satisfaction of the San Angelo Fire Department.
6. Any lighting located south of the 15,750-square foot building shall be shielded, downward emitting and configured in such a manner as to satisfactorily minimize or eliminate light trespass onto surrounding properties.
7. The existing non-conforming billboard sign shall be removed at the end of its current lease.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Response Letters
Site Plan
Elevations and Materials
Application



Zoning Case

PD19-01: First Financial Trust

Council District: Lane Carter (SMD#5)

Neighborhood: Santa Rita

Scale: 1" approx. = 100 ft

Subject Property: 909 West Beauregard Avenue

Legend:

Subject Properties:

Current Zoning:

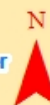
Requested Zoning:

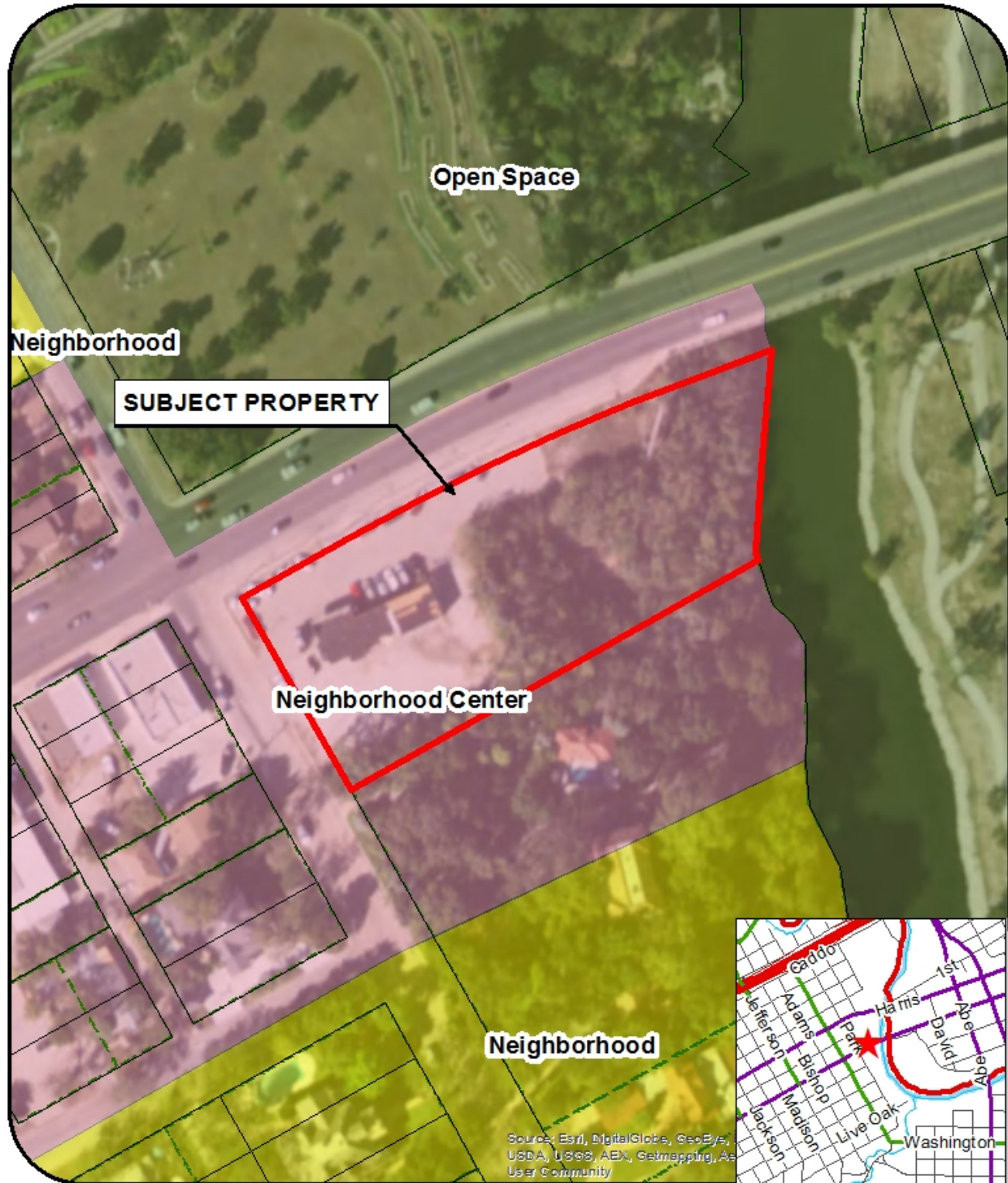
Vision:

CG/CH and RS-1

PD

Neighborhood Center





Source: Esri, DigitalGlobe, GeoEye,
USDA, USGS, Aero, GeoMapping, Aero
User Community

Zoning Case

PD19-01: First Financial Trust

Council District: Lane Carter (SMD#5)

Neighborhood: Santa Rita

Scale: 1" approx. = 100 ft

Subject Property: 909 West Beauregard Avenue

Legend:

Subject Properties:

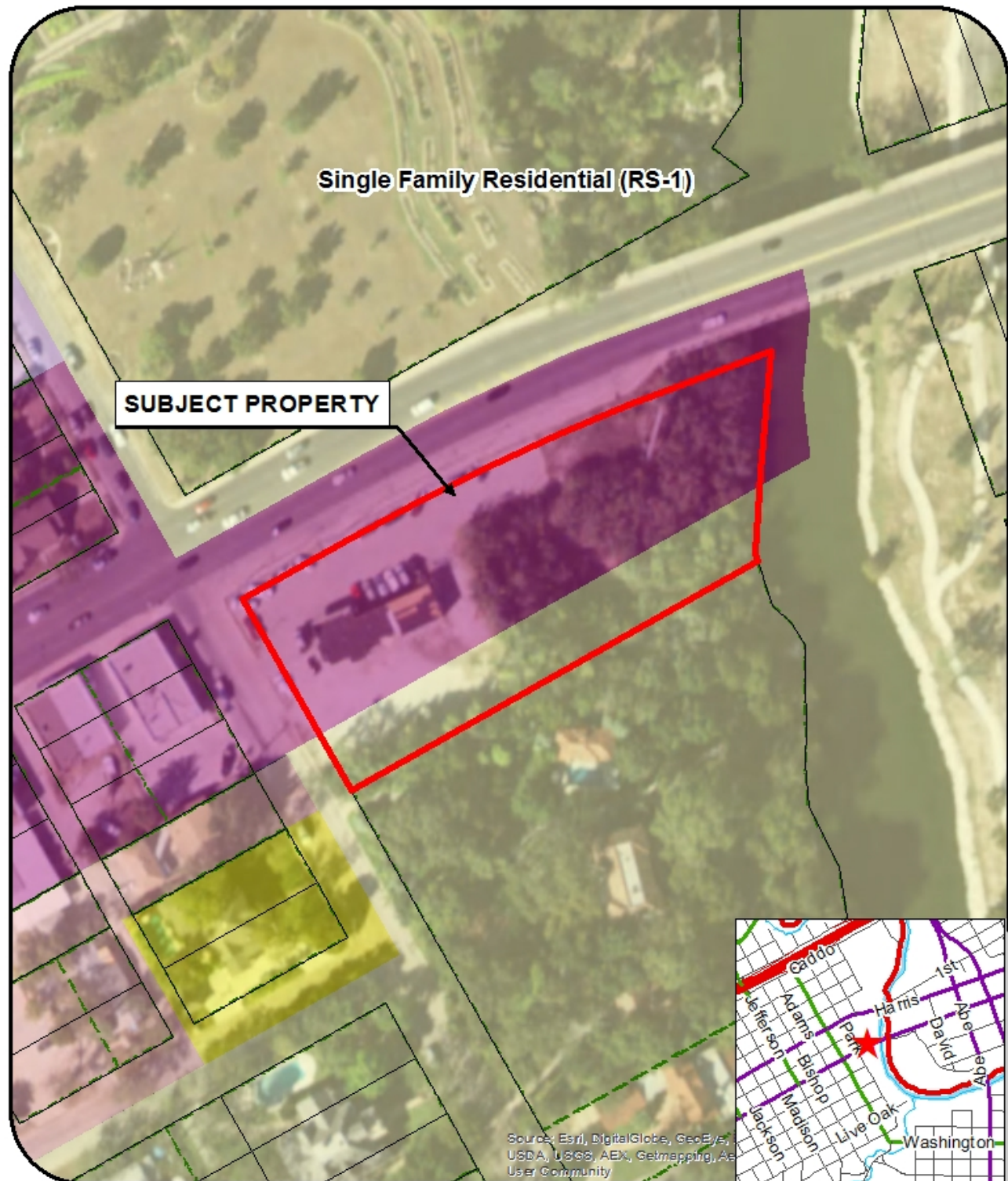
Current Zoning:

Requested Zoning:

Vision:

CG/CH and RS-1
PD
Neighborhood Center





Zoning Case

PD19-01: First Financial Trust

Council District: Lane Carter (SMD#5)

Neighborhood: Santa Rita

Scale: 1" approx. = 100 ft

Subject Property: 909 West Beauregard Avenue

Legend:

Subject Properties:

Current Zoning:

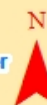
Requested Zoning:

Vision:

CG/CH and RS-1

PD

Neighborhood Center



Photos of Site and Surrounding Area

WEST



EAST



NORTH



SOUTHEAST AT PROPERTY



EAST AT PROPERTY



REAR OF PROPERTY



Letters of Support

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.

(X) IN FAVOR () IN OPPOSITION

REASON(S)

The corner will look
much better and be kept-up.

NAME:

Janet Harvey

ADDRESS:

201 S. Park St.

San Angelo

SIGNATURE:

Janet Harvey

PD19-01: First Financial Trust
property owner number: 5

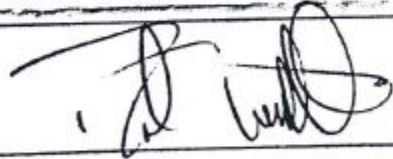
If you have any questions about these proceedings, please call Mr. Jeff Fisher, Senior Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at jeff.fisher@cosatx.us.

2

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) LIVE NEXT DOOR AND AGREE w/
THE PROPOSED PROJECT.

NAME: ROBERT & LAUREN WATKINS
ADDRESS: 208 S PARK ST SAN ANGELO, TX 76901

SIGNATURE: 

PD19-01: First Financial Trust
property owner number: 10

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.

Some good reasons to approve the proposed project at 909 E Beauregard

Rec'd Jan. 28/19
at PC Mtg.
if

(18) 3-20

1. The project is fully supported by our local COSA Planning & Development Department.

Response - The owner of this property is currently seeking a PD zoning approval which contains restrictive and inclusive elements in the site plan. We have met with the city in organized meetings, small meetings, and on ground at the location to incorporate numerous requirements and additions to ensure that this project protects the river corridor and neighborhood. We have sought this zoning to make sure it is engineered and designed in the best possible way for a great overall outcome.

2. More than 20 specific and random neighborhood residential owners as well as business owners have been contacted by phone or in person or both.

Response - The city mailed out required notifications to all owners within a certain distance of the potential project. To our knowledge no objections were mailed back from this mail out. Also, multiple residents and business owners have been contacted in person within a several block radius of the proposed project. A list of these contacts with their responses has been attached. We had every respondent agree with a yes to the proposed project except for one resident who selected "no objections."

3. The developers of the property live either adjacent to the proposed project or one block over on S. Washtington St.

Response - We take great pride living in Santa Rita and have no plans to do anything, but help improve our neighborhood. Our approach to this project has been slow and detailed working with engineers, city representatives, other business owners, other self storage developers, and many residents. It would be counter productive for us to be in support of any project this close to our personal residences, and both our residential and business neighbors, which would diminish our quality of living or property values.

4. The proposed project will add jobs and increase the tax base/revenue for San Angelo.

Response - This is a viable and sustainable project which will add to our tax base and create more jobs in our community. Approval of this PD eliminates an unsightly building that needs to be removed and replaces that building with a project that will add growth to our community.

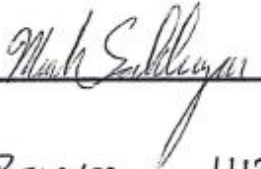
5. Many of the homes in Santa Rita have no garages and limited closet storage and owners desire more convenient self storage.

Response - During a canvass of the neighborhood it became very apparent that many residents and business owners in our immediate area are storing items several miles away in other self storage facilities. A large percentage of individuals indicated they were ready to lease at 909 E. Beauregard if and when the project is completed.

Neighborhood Vote on Proposed Planned Development for 909 E Bearegard Ave., San Angelo, TX

Name - PRINT	Signature	Address	For = YES Against = No Yes/No
1. Rattarachai Hernandez	[Signature]	221 South park	Yes
Misty Fine Jason Fine	[Signature]		yes
2. Jason Fine	[Signature]	303 S. Washington	Yes
3. Robert & Bonnie Densing	[Signature]	123 S. Park	Yes
4. Amberly Watkins	[Signature]	210 S. Washington	yes
5. Andrew Truett	[Signature]	202 S Washington	Yes
Curt Slaughter	[Signature]	209 S Washington	Yes
301 Lane Slaughter	[Signature]		yes
6. Asha Speck	[Signature]	219 S. WASHINGTON	Yes
7. GSA CARRY	[Signature]	216 S PARK	Agree
HUGH STONE	[Signature]	304 SOUTH PARK	
8. BLISSY STONE	[Signature]		YES
9. Aubrey Wilson	[Signature]	505 S Bishop St.	Yes
1. Valerie H. Matthews	[Signature]	511 S. Bishop	yes
2. Joe Vasquez	[Signature]	224 S Bishop	yes
3. Shaer Nocha	[Signature]	1018 Rio Grande	Yes

Neighborhood Vote on Proposed Planned Development for 909 E Bearegard Ave., San Angelo, TX

Name	Signature	Address	Yes/No
(432) 661-0034			
14. Joseph Barron		712 N. Washington St	yes
15. Tyler Henderson (Bodacious BBQ)		218 N. Washington St.	yes
16. Mark Eschberger (Tony) GC DISTRIBUTING		1207 W Bearegard	Yes
17. Graig Belcher Riverview Restaurant	GRAIG BELCHER	1113 W. BEAUREGARD AVE	YES
18. Carlos Esbrada		800 W. Ave D	Yes
19.			
20.			
21.			
22.			
23.			
24.			
26.			
27.			

Some of the objections we have heard regarding the proposed project at 909 E Beauregard

1. The proposed project will lower property values in the neighborhood.

Response - It is hard to imagine that given the current state of the dilapidated building on the referenced property that any project approved under the current CN guidelines given properly engineered and constructed wouldn't be a major improvement from both a financial and visual perspective with regards to the neighborhood (residential & business).

2. The proposed project (specifically the self storage unit aspect) will present an increased fire hazard.

Response - If approved, the self storage and offices will have state of the art cameras with 24/7 surveillance and smoke detectors that are capable of dialing directly to the central monitoring station. In turn, the fire department can be dispatched immediately in case of an emergency.

Lastly, we have had multiple visits with both Thomas Truett, current COSA Fire Inspector Marshall, and also Brent Donahue. Based on these consultations, all of their requested modifications are currently included in the COSA approved site plan.

3. The proposed project will increase the likelihood that chemicals will end up in the river.

Response - No hazardous nor illegal product(s) will be permitted to be stored at the proposed facility. Also, this property will be under 24/7 surveillance and will be checked visually multiple times per day by on-site personnel. All storm water run-off will be engineered and approved by COSA City Planners and Erica Carter, Carter-Fentress Engineering Firm.

4. From the golf course side of the river, we will see the project and it will be unsightly.

Response - The overall scope of the project is slightly smaller than the potential building blueprint. We worked with COSA to ensure the project would fit inside of the natural tree wall facing the river from the back of the lot and also the tree wall on the residential side of the lot. As a result, even during the winter months, it will be virtually invisible from the river side. During the growing season, the project will most likely not be seen from any point of view down by the river.

Note: Several photos down at the river level were taken to make this determination (the height of the existing lighting poles were measured against the proposed building and site plans).

5. I just don't like this project idea.

Response - Most objections have come from the self storage side of this project. In fact, this concept is actually already listed under CN with conditional use. However, there is quite a range in quality and aesthetics when comparing self storage. The current proposal is for a PD (planned development) which gives COSA significantly more opportunity to upgrade the site plan. For example, there will not be roll-up doors on the outside of the property and the materials and landscape have been upgraded. We feel this is a win for the community and don't object to higher quality materials and more landscaping. Reasonably, a majority of residents and business owners and COSA employees working with this project have favorably supported this concept.

Current Businesses just west of proposed project

Southside of Beauregard (from Park St. to Bishop)

Law Offices - Conoly Brooks
JBlair Salon
Posh Salon
GA Auto Glass
JL Audio
State Farm Office
GC Distributing
Treadwell Photography
The Wolslager Foundation
Law Offices of Don Payne, Todd Simmons, Evan Pierce-Jones
BOBO's Kitchen - Restaurant
Bodacious BBQ Restaurant
Taco's OJ Restaurant
Rita's Book Exchange

North side of Beauregard (from Park St. to Bishop)

Peasant Village Restaurant
Cano's Watch & Jewelry Repair
Texas Gun Shop
Aladdin Carpet
Kirbo's Office Systems
B & R Construction
Shipping Point
Vacant
Vacant
Dedicated Tattoos

909 E Beauregard Ave - corner of Beauregard & Park (from CG/CH to CN to PD)

Allowed Uses for CN District

Group living, and day care (for children or adults)
Meeting areas for religious institutions, public, nonprofit, or charitable uses providing service to the community, and public safety & emergency services;
Vehicle services (performed while the customer waits);
Offices (business, government, professional, medical or financial, retail sales, and small animal veterinary clinic; and
Restaurants, entertainment-oriented businesses, repair-oriented businesses, and personal service-oriented businesses

Allowed via Conditional Use

Household living, schools, bed and breakfasts, commercial parking lots, **self service storage facilities**, vehicle washes, and waste-related services

Stribling Co

From: Lisa Curry <lisacurry1234@icloud.com>
Sent: Monday, January 28, 2019 8:30 AM
To: striblingco@wcc.net
Subject: Watkins

#8 on
petition

Sent from my iPhone

Sent from my iPhone

Good Evening Travis,

I've heard several

opinions from both sides today.

I'm not the best for political issues.

I appreciate all for opening up concerns that I had no idea of...and I expressed these concerns to Robert Watkins. He stated his side as well as showed me his plans and his vision for our-neighborhood.

I did sign his petition stating I am not objecting. Meaning, I at this time I really can't give the city a solid yes or no on this matter.

I can express that Robert and his family have given over and beyond to this community.

It is evident that properties managed and owed by Mr Watkins are to highest level and continued to be maintained and have increased in value. As his next door neighbor Robert has always had an open door and has come to me with any concerns of improvements to our lots on the Concho River.

I feel in no way the new property to be developed on the corner of S. Park and Beauregard would be any different.

I understand concerns of present and future property owners. Also the-future request for building structures as such in our specific area.

Can standards be made at this juncture?

Additionally, if plans Mr Watkins showed me are approved will there be someone to oversee that the plan will be executed to that level or even better? As I know there is concern from the neighbors about the river view.

I am sure environmental, fire hazards, transient and property values will be addressed by city council and an agreement can be made that will benefit our neighborhood and the Watkins.

Sincerely,

Lisa Curry

Sent from my iPhone

Letters of Opposition

Opposer

1

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

(X)

IN OPPOSITION

REASON(S) Storage Units are put in a "warehouse" district for a reason; not a historical neighborhood!

The aesthetics are Not in keeping with the surrounding area: 1) historical homes, 2) an office building (stucco). 3) The International Water Lilly Garden. 4) The Concho River and Santa Fe Golf Course

No community need. Storage units & "climate controlled" storage units surround the area.

NAME: Conoly D. Brooks, III

Home: ADDRESS: 404 S. Park / Office: 101, 105, 109 S. Park
San Angelo, TX. 76901

SIGNATURE: Conoly Brooks III

PD19-01: First Financial Trust
property owner number: 1

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.

2

Stribling Co

From: Travis Stribling <travisstribling@gmail.com>
Sent: Sunday, January 27, 2019 8:40 PM
To: striblingco@wcc.net
Subject: Fwd: Storage Units at S. Park and Beauregard

Please print 7 copies.

Begin forwarded message:

From: Tommy Darwin <tjdarwin@gmail.com>
Date: January 27, 2019 at 8:13:52 PM CST
To: travisstribling@gmail.com
Subject: Storage Units at S. Park and Beauregard

Mr. Stribling:

I have just been made aware of a proposal to build storage units at the intersection of S. Park and Beauregard, requiring an exception to current zoning regulations that limit use of that land to residences and small office buildings.

As a resident of San Angelo and the Santa Rita neighborhood, I am writing to strongly oppose allowing this exception. Given the proximity of that location to the Concho River, Central High School and residences, building storage units would create serious disruptions to traffic and quality of life. There is a reason that storage units are typically in industrial areas, similar to the U-Haul storage units on Bryant avenue. There is no regulation of what is placed in storage units, so the danger of fires, leaks, and other problems poses a real threat to those living and working in the immediate area.

More importantly, as soon as regulations allow for ad hoc exceptions they are no longer regulations at all. They are at best guidelines, to be manipulated by those with power and connections. At the very least, proponents of a zoning exception should be required to go through the full effort to change the regulations themselves. Allowing exceptions sets dangerous precedent, circumventing the proper processes by which policy and regulations are determined by and subject to the full scrutiny and judgment of City Council and the citizens of San Angelo -- as it should be.

Thank you for your service to our community

Sincerely,

Tommy Darwin

Stribling Co

From: Travis Stribling <travisstribling@gmail.com>
Sent: Sunday, January 27, 2019 8:41 PM
To: striblingco@wcc.net
Subject: Fwd: Storage Units at S. Park and Beauregard

Please print 7 copies.

Begin forwarded message:

From: Tommy Darwin <tjdarwin@gmail.com>
Date: January 27, 2019 at 8:22:15 PM CST
To: travisstribling@gmail.com
Subject: Storage Units at S. Park and Beauregard

Mr. Stribling:

One more thought on this issue. As you consider the exception, I strongly encourage you NOT to just consider this single location. Make the decision as if it will be a regulation for the entire city, meaning that anyone could build storage units, with all the inherent risks, anywhere in the city that is similarly zoned. Including, presumably, next to your own home. That is the only way to fairly make an exception - as if it will become the regulation and not just an exception.

Thank you for considering this point of view.

Tommy Darwin

3

Stribling Co

From: Travis Stribling <travisstribling@gmail.com>
Sent: Sunday, January 27, 2019 8:05 PM
To: striblingco@wcc.net
Subject: Fwd: Case: PD19-01: First Financial Trust
Attachments: January 27 Zoning.docx; Untitled attachment 00026.html

Please print 7 copies.

Begin forwarded message:

From: Ron Champion <roncha48@gmail.com>
Date: January 27, 2019 at 1:59:04 PM CST
To: "Travisstribling@gmail.com" <Travisstribling@gmail.com>
Cc: Troy Harvey <troy_harvey@bellsouth.net>
Subject: Case: PD19-01: First Financial Trust

Dear Chairman Stribling:

Please find attached a letter we wish to have included in your Planning and Zoning Commission meeting scheduled for tomorrow concerning proposed zoning change for property located at 909 W. Beauregard Ave.

We plan to attend the Commission meeting tomorrow but should you wish to discuss this matter sooner, please call me at 305/450-3272.

Thank you for your consideration of our concern.

Sincerely,
Ron Champion
305 S. Park Street

Sent from [Mail](#) for Windows 10

4

Stribling Co

From: Travis Stribling <travisstribling@gmail.com>
Sent: Sunday, January 27, 2019 8:05 PM
To: striblingco@wcc.net
Subject: Fwd: Rob Watkins' Plans for Storage units

Please print 7 copies

Begin forwarded message:

From: "Cheri Holt" <cholt1@suddenlink.net>
Date: January 27, 2019 at 5:39:07 PM CST
To: <travisstribling@gmail.com>
Subject: Rob Watkins' Plans for Storage units

TRAVIS,

My name is Cheri Holt, I purchased a Lot and built a home at 323 S. Park St., a year ago. I am a retired Realtor after more than 25 years. I am well aware of how Public Storage Units Can devalue residential property, not to mention the lack of control as to what's stored in them, or fire hazards. I'm surprised that the River Corridor Commission would even consider such a thing. Storage units, in general, belong in and around land areas that are currently used by electric companies, for their servicing. Not an established neighborhood like S. Park St., off the Beauregard Bridge, or in and around Public Parks. I' am opposed to Rob Watkins Plans of building Storage Units off Park St., or around Beauregard Bridge. Please consider this my "No" vote for tomorrow's meeting. I will try to attend meeting in the morning, but if I do not show it's because I'm recovering from Cancer surgery. Appreciate your taking the time to read my vote, and taking action on our behalf in the Santa Rita neighborhood.

Thanks,

Cheri Holt

323 S. Park St.
cholt1@suddenlink.net
325-655-6014

5

Stribling Co

From: Travis Stribling <travisstribling@gmail.com>
Sent: Sunday, January 27, 2019 8:04 PM
To: striblingco@wcc.net
Subject: Fwd: S. Park and Beauregard zoning issue

Rocky,

Please print 7 copies

Begin forwarded message:

From: Christy Youker <christyyouker@gmail.com>
Date: January 27, 2019 at 7:46:28 PM CST
To: travisstribling@gmail.com
Subject: S. Park and Beauregard zoning issue

I am writing in regards to the proposal put forward to this committee for an office building as well as storage units to be constructed at the corner of South Park and Beauregard. As a citizen of San Angelo, a resident of this neighborhood, and a parent of a child at Central High School, I am voicing my concern. This is clearly a residential area. It is my understanding that storage units are not to be built in these areas. Why is this an exception? Compounding this is the fact that this location is directly adjacent to the Concho River. This is a very unique feature of San Angelo and the region. The city has worked hard to improve the river embankment and build trails. This particular spot should be spared of this type of construction. There is a reason our city has zoning - we need to respect that and not make an exception. As you drive up Beauregard into downtown, as you come to the bridge, and anticipate seeing the river - along with a quaint restaurant and gardens - you see storage units?? This isn't what we want San Angelo to become.

In addition, this is a highly trafficked area around the high school, heading towards the loop and a popular restaurant at lunch and dinner. The straights are not wide. Having additional traffic on these small streets is inviting trouble. This is a beautiful area of San Angelo as you come into downtown, please honor our zoning and deny this request for storage units.

Thank you.

--

Christy Youker
resident of SMD 1
San Angelo

6

January 27, 2019

Planning and Zoning Commission

City of San Angelo, Texas

RE: Case PD19-01: First Financial Title (Hearing Date January 28, 2019)

Dear Honorable Members:

It has come to our attention as home owners located just a couple of blocks from the intersection of S. Park Street and W. Beauregard Ave. of a requested Zoning Change for property located at 909 W. Beauregard Ave. to be rezoned to allow for a construction of a commercial office **And** the construction of rental storage units.

We **DO NOT OPPOSE** the conversion of this once used car lot to converted to a office building not unlike the one located just across the street from this property but we **DO OPPOSE** the requested zoning change to include for the construction of Rental Storage Units.

The City has made significant improvements to the Concho River in this area and is truly a jewel enjoyed by residents and visitors. Approving a zoning change on the subject property to allow for the development of Rental Storage Units would significantly deviate from the wonderful and thoughtful work of the City to beautiful this neighborhood and would harm the tranquility of the neighborhood.

We are grateful for your continuing efforts to serve our community by serving on this important Commission. Your task of balancing the requests of individuals and businesses for zoning changes with the long term goals of ensuring planned and purposeful development protecting the integrity of San Angelo neighborhoods will be strengthened by consistent and sustainable zoning is challenging.

In this instance we would request that the **Zoning Change Request be Tabled** to allow for those requesting the change to work with the neighborhood to develop a plan that is supported by both parties.

Thank you for your consideration of this request.

Sincerely,

s/Ronald D. Champion/Troy Harvey

305 S. Park Street

San Angelo, Texas 78901

ROUND & GILLIS

218 South Washington Street
San Angelo, TX 76901

7

Dear Members of The Planning
& Zoning Board:

It is Sunday evening and I
just found out there is a meeting
Friday morning. I possibly allow
a 116 unit warehouse to be put on
the corner of Ark. & Beauregard!
I have seen the place. To put
a multi-unit like this in a
beautiful & historic residential neigh-
borhood seems inconceivable.
Warehouses belong in industrial
areas.

For years, concerned people have
tried to acquire this property. The
Kerby who restored the house next door
wanted to buy it to protect their
privacy by putting town houses there.
The Guecun wanted it for an
adjunct to the Guecun. But there
was always an impass due to the
Gledson's reluctance to sell. And,

ROUND & GILLIS

218 South Washington Street
San Angelo, TX 76901

now, to see this nice property put to such
an unnecessary ~~property~~ ^{property} is used.

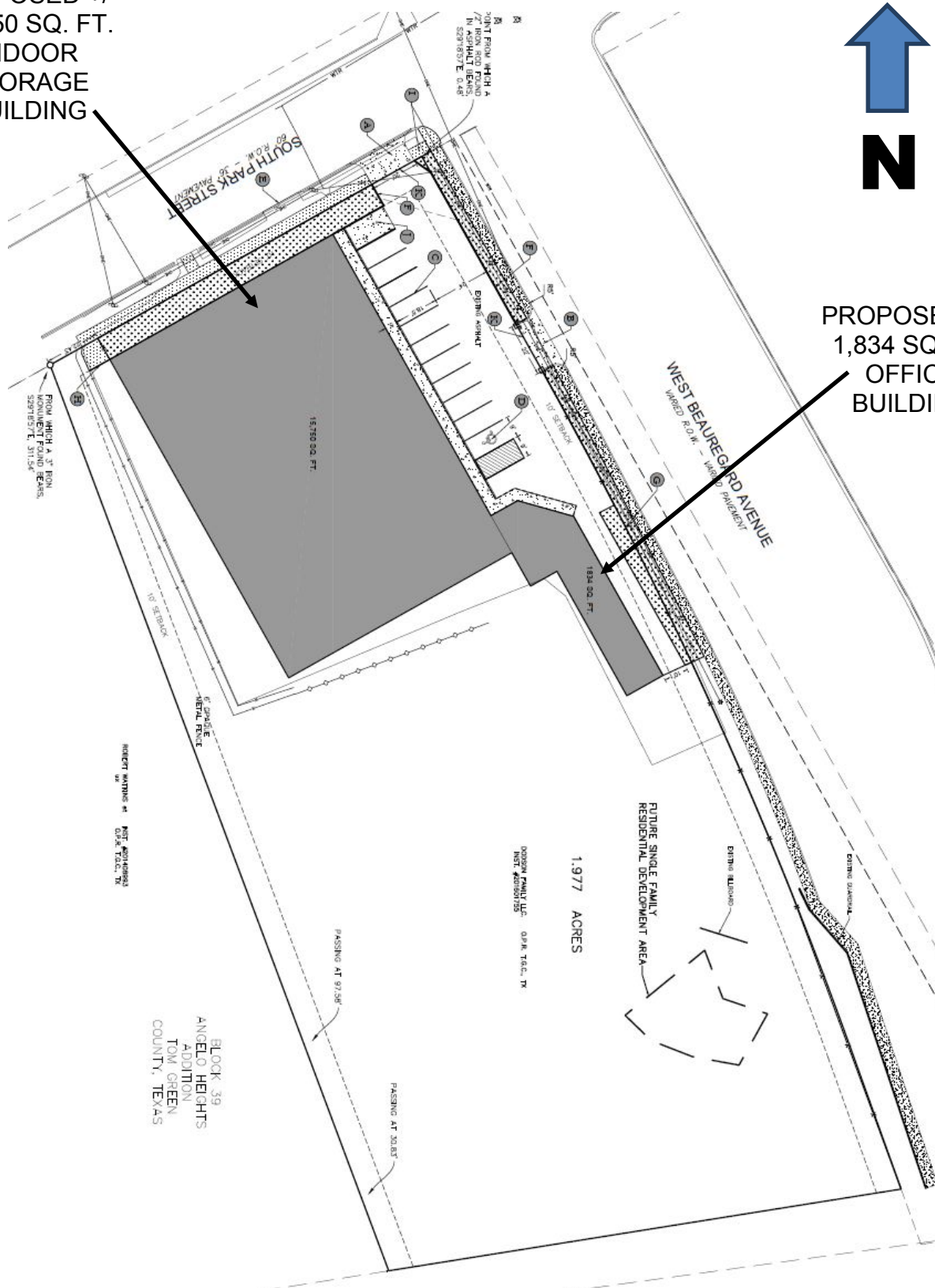
I strongly object to this plan. I
have lived in this neighborhood for
70 years and have seen its revival
and restoration. And a huge building
like this would be a permanent
eyesore completely out of place. I would
hope, if this lot is developed some-
times, it will be with some sensi-
tivity to its location in one of the
most beautiful residential areas in
San Angelo,

Sincerely,
Richard Round

PROPOSED +/-
15,750 SQ. FT.
INDOOR
STORAGE
BUILDING



PROPOSED +/-
1,834 SQ. FT.
OFFICE
BUILDING



Elevations and Materials



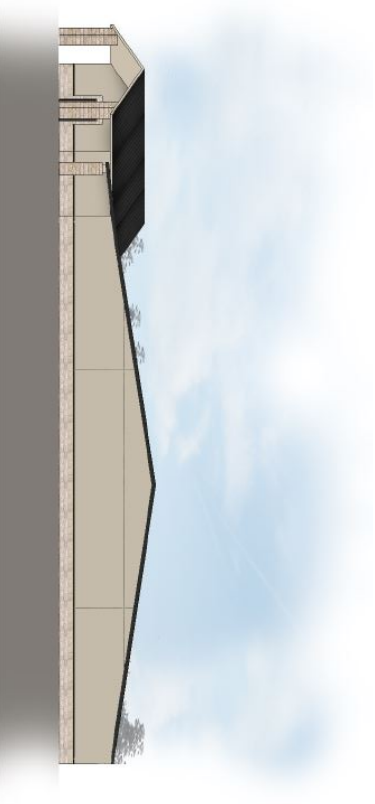
Limestone-Lueders Stone Veneer,
White/Tan



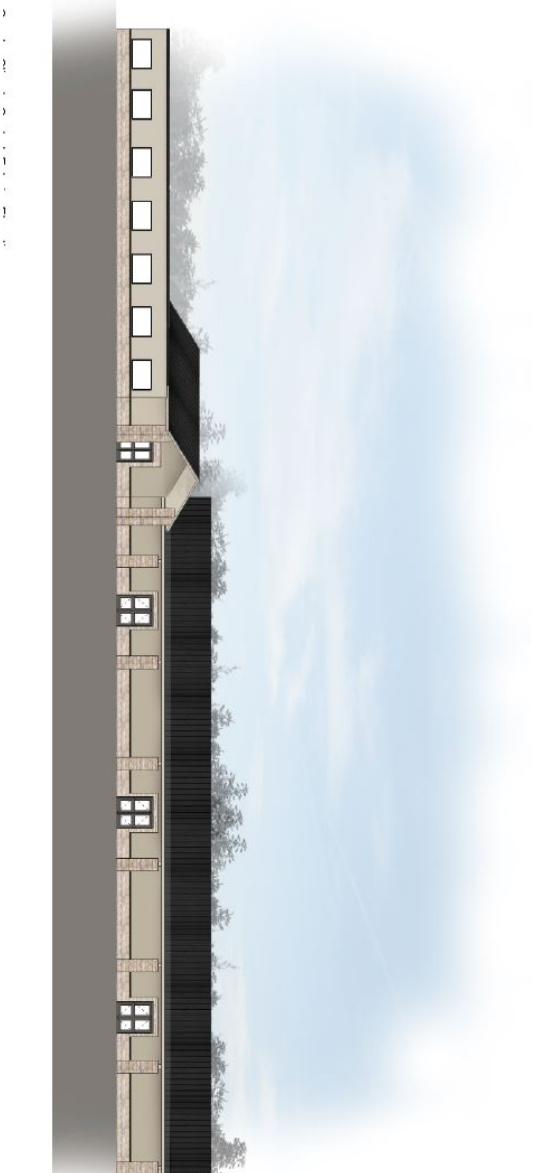
EIFS- Golden Meadow



Metal Roof- Burnished Slate, Doors and
Windows to Match.



Concho Climate Control Exterior Elevation
1/8" = 1' - 0"



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): <u>First Financial Trust and Asset Management Company, Trustee David Byrd, Executive Vice President</u>		
☒ Owner ☐ Representative (Notarized Affidavit Required)		
P.O. Box 5291		San Angelo Texas 76902
Mailing Address		City State Zip Code
325-659-5968		ecarter@fentresseng.com
Contact Phone Number		Contact E-mail Address
909 West Beauregard		San Angelo Texas 76901
Subject Property Address		City State Zip Code
Blk: 39, Subd: ANGELO HEIGHTS ADDITION, NORTH 175 FEET OF BLOCK 39		
Legal Description (can be found on property tax statement or at www.tomorrencad.com)		
Existing Zoning: <u>RS-1 & CG/CH</u> Proposed Zoning: <u>PD</u> Lot size: <u>1.47 Acres</u>		
(Zoning Map available on City Maps)		
Section 2: Site Specific Details		
Existing Use of Property: <u>Existing vacant building to be demolished.</u>		
*Proposed Use of Property: <u>Multi-use 15,500 sq. ft. building comprising of self storage units and offices and a single family dwelling with underlying CN zoning.</u>		
*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.

David Byrd		First Financial Trust and Asset Management Company, N. A.	12/27/2018
Owner Name (Print)	Signature	Company/Organization (If Applicable)	Date
Erica Carter		Carter-Fentress Engineering	12/27/2018
Representative Name (Print)	Signature	Company/Organization	Date

FOR OFFICE USE ONLY:

☒ Verified Complete ☐ Verified Incomplete

Date of Application: 12/31/2018

Case No.: PD 19 - 04

Fully-dimensioned site plan: ☒

Nonrefundable fee: \$ 725.00

Receipt #: 96369

Date paid: 12/31/2018

Sign Deposit \$37.50

Receipt #: _____

Date paid: 12/31/2018

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: 1/28/2019

Date notifications due: ____/____/____

City Council hearing date: 2/19/2019

Packets due date: ____/____/____

Publication date: ____/____/____

Reviewed/Accepted by: J. Fisher

Date: 12/31/2018

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.

Office already consistent with neighborhood commercial designation. The additional uses Of Self Service Storage and a Single Family dwelling are consistent given the surrounding area Contains both residential and commercial.

2. Consistent with Zoning Ordinance. Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.
Proposed Development will comply with CN 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 homes to the south and similar small scale commercial uses to the west and the north.

4. Changed Conditions. Whether and the extent to which there are changed conditions that require an amendment.
Previous auto dealership no longer exists and the building remains vacant.

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
Proposed development will stay clear of the floodplain.

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

- 1) The proposed development will remove a visible eyesore to the neighborhood and Business district on the river as the current building is dilapidated and falling apart.
2) If approved and completed, Act As One, Inc. (DBA Chick-Fil-A of San Angelo) will locate its

Corporate offices to the east end of the property. Chick-Fil-A is actively involved in many areas of Business in San Angelo and would be a strong addition to the River Corridor.

- 3) If approved and completed, the west side of the project would be a well-designed and constructed climate-controlled self storage facility. The main audience for this business would Be Santa Rita where many homes lack sufficient storage and Downtown San Angelo lacking close proximity to most newer self storage.

7. Development Patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community. Existing lot is exempt from platting and lot configuration will not change. Convenient Access from West Beauregard and South Park Street. The development is right at an Intersection. The Sidewalk on South Park will further enhance connectivity.

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: **909 West Beauregard Avenue; located at the southeast corner of West Beauregard Avenue and South Park Street; comprising 1.47 acres;** FROM THE NEIGHBORHOOD COMMERCIAL (CN) ZONING DISTRICT TO A PLANNED DEVELOPMENT (PD) ZONING DISTRICT TO ALLOW NEIGHBORHOOD COMMERCIAL (CN) USES, AS WELL AS SELF-SERVICE STORAGE AND A SINGLE-DETACHED DWELLING; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: PD19-01: First Financial Trust

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 19th day of February, 2019, City Council held a public hearing on PD19-01, 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 property generally located at 909 West Beauregard Avenue, at the southeast corner of West Beauregard Avenue and South Park Street, being the north 175 feet of Block 39 in the Angelo Heights Addition, Tom Green County, Texas, and comprising a total of 1.47 acres, 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 development of the subject property shall generally conform to the **Neighborhood Commercial (CN) Zoning District**, unless specified as otherwise.

SECTION 4. Overall site use shall be in accordance with the approved **Concept Plan** shown in **Exhibit “A”** of this Ordinance. Major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director, provided no changes to the Zoning Ordinance are required.

SECTION 5: Prior to any future development and/or building permits being issued on the property, the applicant shall submit a final site plan, building elevations with colors and materials, and a landscape plan to the Planning Director for review and approval.

SECTION 6: All self-service storage shall be contained within the proposed 15,750-square foot building shown on the approved Concept Plan.

SECTION 7: Gate access shall be provided by automatic remote control and a Knox Box to the satisfaction of the San Angelo Fire Department.

SECTION 8: Any lighting located south of the 15,750-square foot building shall be shielded, downward emitting and configured in such a manner as to satisfactorily minimize or eliminate light trespass onto surrounding properties.

SECTION 9: The existing non-conforming billboard sign shall be removed at the end of its current lease.

SECTION 10: 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 11: 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 12: 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 13: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **19th day of February, 2019**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of March, 2019**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

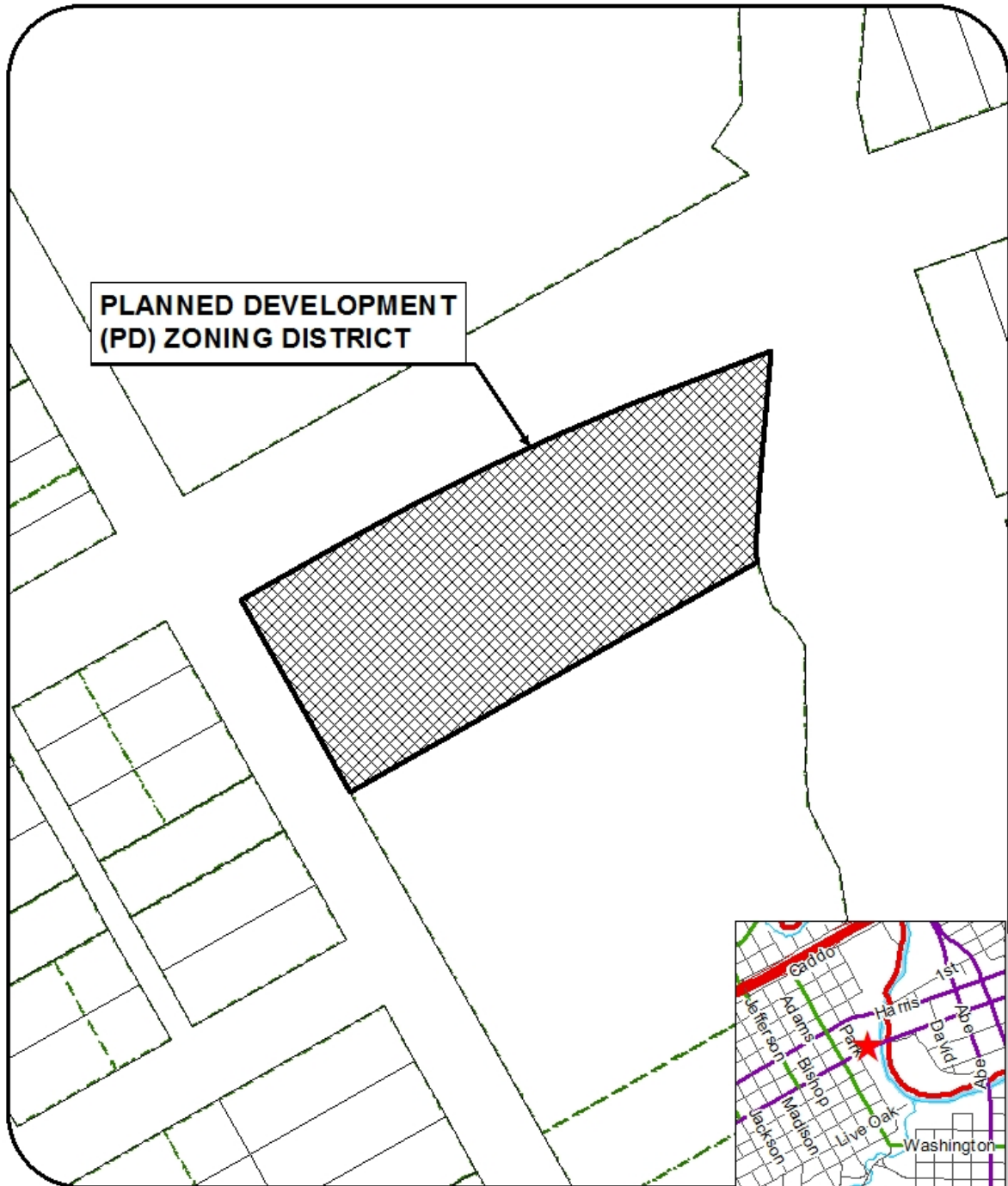
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A" (PD Boundary Map)



Zoning Case

PD19-01: First Financial Trust

Council District: Lane Carter (SMD#5)

Neighborhood: Santa Rita

Scale: 1" approx. = 100 ft

Subject Property: 909 West Beauregard Avenue

Legend:

Subject Properties:

Current Zoning:

Requested Zoning:

Vision:

CN

PD

Neighborhood Center



Approved Concept Plan



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 5, 2019

Item type: Regular Item

Caption:

Second reading of an ordinance approving case PD19-02, a request for approval of a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial/Heavy Commercial (CG/CH) Zoning District and an off-site sign with digital billboard face, located at 3410 Knickerbocker Rd. (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

A request for approval of a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial/Heavy Commercial (CG/CH) Zoning District and an off-site sign with digital billboard face on the subject properties. The applicant is intending to add a digital billboard sign to the existing Sonic location. Section 420 of the Zoning Ordinance does not permit such use by right in the existing zoning district. (Presentation by Jon James)

The applicant has requested the Planned Development underlying zoning be changed to CG with static billboards on both sides after hearing public comments and Planning Commission discussion.

Financial Impact:

N/A

Other Information/Recommendation:

On January 28, 2019, the Planning Commission voted to recommend approval of the Planned Development with a vote of 4-3.

On February 19, 2019, the City Council voted to approve a Planned Development with CG underlying zoning and a static billboard on First Reading by a vote of 4-3.

Attachments:

- | | |
|--|---|
| 1. Ordinance (PD) | 19-299_PD19-02_ORD.docx |
| 2. Staff Report (PD) | CC Staff Report PD19-02.pdf |
| 3. CN - CG Comparison Chart | CNvsCG.pdf |
| 4. 2019-Feb Opposition Letters PD19-02 | 2019-Feb Opposition Letters PD19-02.pdf |

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

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: **3410 Knickerbocker Road, being 1.148 acres**, FROM THE GENERAL COMMERCIAL/HEAVY COMMERCIAL (CG/CH) ZONING DISTRICT TO THE PLANNED DEVELOPMENT (PD) ZONING DISTRICT TO ALLOW FOR USES PERMITTED WITHIN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AND AN OFF-SITE SIGN; AND PROVIDING FOR SEVERABILITY

RE: PD19-02: K MOORE INVESTMENTS

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 19th day of February, 2019, City Council held a public hearing on PD19-02, 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 **Planned Development (PD)** District to allow uses permitted within the General Commercial (CG) zoning district and an off-site sign.

3410 Knickerbocker Road; Lot 2, Block 1, GTEDS Subdivision; being 1.148 acres, 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 (PD Boundary Map).

SECTION 3. Except as otherwise specified or limited below, the development of the subject property shall generally conform to the **General Commercial (CG) Zoning District**, unless specified as otherwise. Major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission

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

SECTION 4: Prior to any future development and/or building permits being issued on the property, the applicant shall submit a final site plan to the Planning Director for review and approval.

SECTION 5: The off-site sign shall be static on both sides and is prohibited from adding digital or animated signs elements except pursuant to an approved amendment to this Planned Development.

SECTION 6: The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended herein shall remain in full force and effect.

SECTION 7: 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 8: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **19th day of February, 2019**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of March, 2019**.

THE CITY OF SAN ANGELO

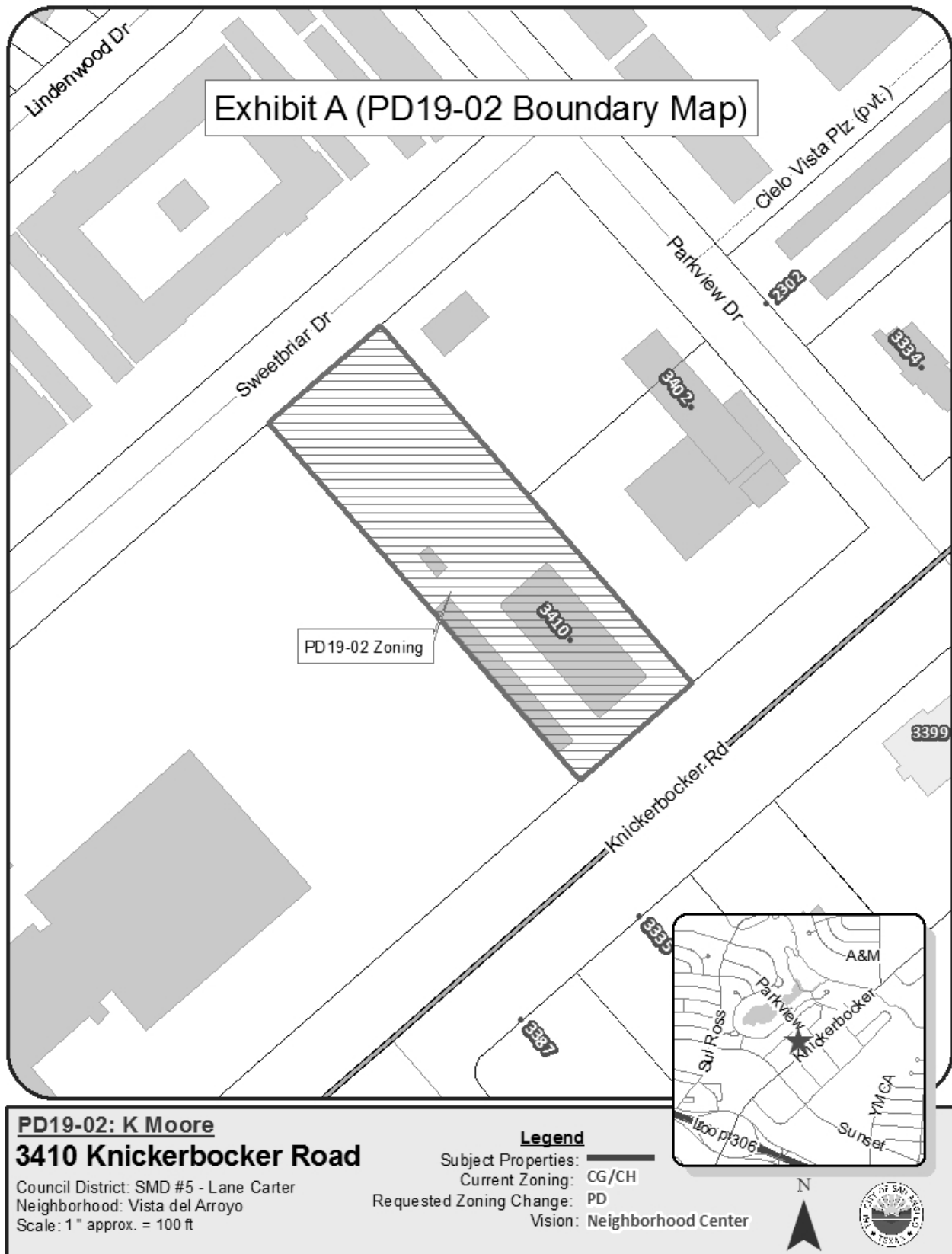
Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney



CITY COUNCIL – FEBRUARY 19 & MARCH 5, 2019
STAFF REPORT



APPLICATION TYPE:		CASES:	
Rezoning - Planned Development		PD19-02: K Moore Investments	
SYNOPSIS:			
A request for approval of a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial/Heavy Commercial (CG/CH) Zoning District and an off-site sign with digital billboard face on the subject properties. The applicant is intending to add a digital billboard sign to the existing Sonic location. Section 420 of the Zoning Ordinance does not permit such use by right in the existing zoning district. The applicant has requested the Planned Development underlying zoning be changed to CG with static billboards on both sides after hearing public comments and Planning Commission discussion.			
LOCATION:		LEGAL DESCRIPTION:	
3410 Knickerbocker Road		Being Lots 2, Block 1, GTEDS Subdivision, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FUTURE LAND USE:
SMD District #5 – Lane Carter Vista del Arroyo Neighborhood		CG/CH – General Commercial/ Heavy Commercial	Neighborhood Center
			SIZE:
			1.148 acres
THOROUGHFARE PLAN:			
<u>Knickerbocker Road</u> –Urban Major Arterial Street, Required 80’ min. ROW (120’ Existing), Required 64’ min. pavement width (87’ Existing). <u>Sweetbriar Drive</u> –Urban Local Street, Required 50’ min. ROW (62’ Existing), Required 36’ with a 4’ sidewalk or 40’ min. pavement width (40’ Existing).			
NOTIFICATIONS:			
8 notifications were mailed within a 200-foot radius on January 8, 2019. One responses received in support Four response received in opposition (three - outside 200-foot Notice).			
STAFF RECOMMENDATION:			
Staff recommends DENIAL of a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial/Heavy Commercial (CG/CH) Zoning District and an off-site sign with digital billboard face.			
PROPERTY OWNER/PETITIONER:			
K MOORE INVESTMENTS LP			
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 subject properties are designated “Neighborhood Center” in the City’s Comprehensive Plan which intends to “encourage more pedestrian-friendly character which are more integrated with and connected to their surroundings.” The proposed rezoning would not fall in line with this policy as it would continue to allow heavy commercial uses if the site were redeveloped as well as allowing an off-site sign (billboard) in a location where new such signs are not allowed per adopted ordinances.
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 Sonic building would be conforming in both the existing zoning district as well as the proposed Planned Development (PD). Allowing the underlying zoning in the PD to remain CG/CH would allow heavy commercial uses in the future if they site were to redevelop which would be in contrast to the future land use of neighborhood center. As stated above the PD also proposes to allow a billboard sign in a location where such a sign is currently prohibited. Generally it is not recommended to use the Planned Development process simply to circumvent otherwise applicable rules except as part of an overall “planned development” that is unique in ways that warrant special rules.
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 subject property is located within an area with mostly commercial uses along Knickerbocker Road with residential directly adjacent to the west along Sweetbriar Drive. If the subject parcel obtained approval for the PD it would not fit in with the surrounding area where billboards are prohibited and heavy commercial could be detrimental to the residential living adjacent.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* Staff believes there are adequate areas in town where off-site signs are allowed. The current ordinances, approved by the City Council, designated this area as one where billboards are generally not appropriate and should not be allowed. For this reason, Staff believes no conditions have changed that should allow this PD to include an off-site sign.
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 PD is anticipated to have little to no adverse impact on the natural environment.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* There has not been any demonstrated community need for additional off-site signs (billboards) and if the site were to redevelop staff does not believe this location would have a community need for heavy commercial.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The existing development pattern in this area along Knickerbocker Road is predominately commercial with residential directly adjacent the west. This rezoning to PD would allow the addition of an off-site sign as well as keep the possibility of heavy commercial in an area that the future land use suggests should be neighborhood scale commercial. This would not result in a logical or orderly pattern of development in keeping with the majority of adjoining lots directly adjacent to the subject properties.

Planning Commission Recommendation:

On January 28, 2019, the Planning Commission recommended APPROVAL of a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial/Heavy Commercial (CG/CH) Zoning District and an off-site sign with digital billboard face. The following is the complete excerpt of the draft minutes from the January 28, 2019, meeting for this case:

Hillary Bueker, Senior Planner, presented the PD rezoning request. She explained that the applicant is proposing to erect a static digital billboard sign and that the nearest billboard is 800 feet from the proposed sign.

Ms. Bueker outlined Staff's rationale to deny the proposed request on the grounds that the CG/CH Zoning is inconsistent with the Future Land Use of "Neighborhood Center"; that a digital billboard face is not currently allowed in the Zoning Ordinance on this property; and that it is not compatible with the existing commercial or residential area. Ms. Bueker indicated she received one response letter in support, and three opposed, with two of the opposed outside the 200-foot circulation area. She handed out the letters to the Commissioners.

Commissioner Jackson asked if the existing billboard sign would be removed with the new sign being placed onto the PD site.

Ms. Bueker confirmed that this was correct.

Chair Stribling asked if there is a condition of the PD Rezoning that the existing billboard would come down.

Ms. Bueker responded that it would not be a condition of approval.

Jon James, Planning Director responded that the existing sign would have to come down regardless because it would not be far enough away from the new sign.

Chair Stribling opened the meeting for public comment.

Mr. Tommy Roberts, representing Lamar signs, indicated that the billboard sign will be 10 feet by 21 feet, smaller than the existing sign. He explained that he is essentially shifting the new sign 65 feet over from the old sign. Mr. Roberts then referenced a Federal Highway Administration report that found a digital sign is only slightly more distracting than a non-digital billboard.

Chair Stribling asked the applicant why they could not put a digital component onto the existing billboard.

Mr. Roberts replied that this was because the current sign is non-conforming.

Dan Saluri, Deputy City Attorney, explained that a condition cannot be imposed to remove the old billboard not on the same property as the PD.

Mr. James indicated that in this case the old sign is not on the same property, and therefore, cannot be made a condition of this PD.

Ms. Lynn Deering spoke in support of the request.

Ms. Linda Wilson, resident of 2428 Lindenwood Drive, expressed her opposition to the request and indicated she had submitted a letter expressing her opposition. She explained that she supported private enterprise but did not want the billboard sign close to her house. She expressed concerns with the sign being digital which could be lit 24 hours a day, 7 days a week.

Ms. Susan Mertz, a local resident, also expressed opposition to her request. She indicated that she was pro-business but also has to live with commercial zoning and uses on Knickerbocker Road.

Ms. Janie Delaney, a resident on Vista Del Arroyo Drive, expressed her opposition and that a 10-foot by 21-foot digital billboard sign would be horrible for this area.

Ms. Kelly Jance-Briget, a local resident, indicated that she believes that the sign is a distraction.

Mr. Jason Hankins with Lamar Advertising explained that the lights on the billboard sign would be reduced to 3% at night.

Ms. Janie Smith of 2506 Vista Del Arroyo Drive, expressed her opposition and that she wanted to protect the quality of the neighborhood.

Mr. David Bryant, Director of Sonic in San Angelo, indicated that the franchisee has been operating since 1995 and is highly successful.

Ms. Courtney Carson of Lamar Advertising expressed her support for the billboard sign. She explained that the sign directs people to local businesses.

Commissioner Brooks his opinion that the sign would be bad for the neighborhood.

Vice Chair Spano made a Motion to recommend APPROVAL of the proposed Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial/Heavy Commercial (CG/CH) Zoning District and an off-site sign with digital billboard face, located at 3410 Knickerbocker Road. Commissioner Smith seconded the Motion. The Motion passed 4-3 with Vice Chair Spano, and Commissioners Smith, Jackson, and Self voting in favor, and Chair Stribling, and Commissioners Brooks and Uherik voting against

The applicant has requested the Planned Development underlying zoning be changed to CG with static billboards on both sides after hearing public comments and Planning Commission discussion.

Recommendation:

Staff's recommendation is for the Planning Commission to recommend **DENIAL** of a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial/Heavy Commercial (CG/CH) Zoning District and an off-site sign with digital billboard face.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Site Plan
Application
Photographs
Notification Map
Resident Letter



PD19-02: K Moore

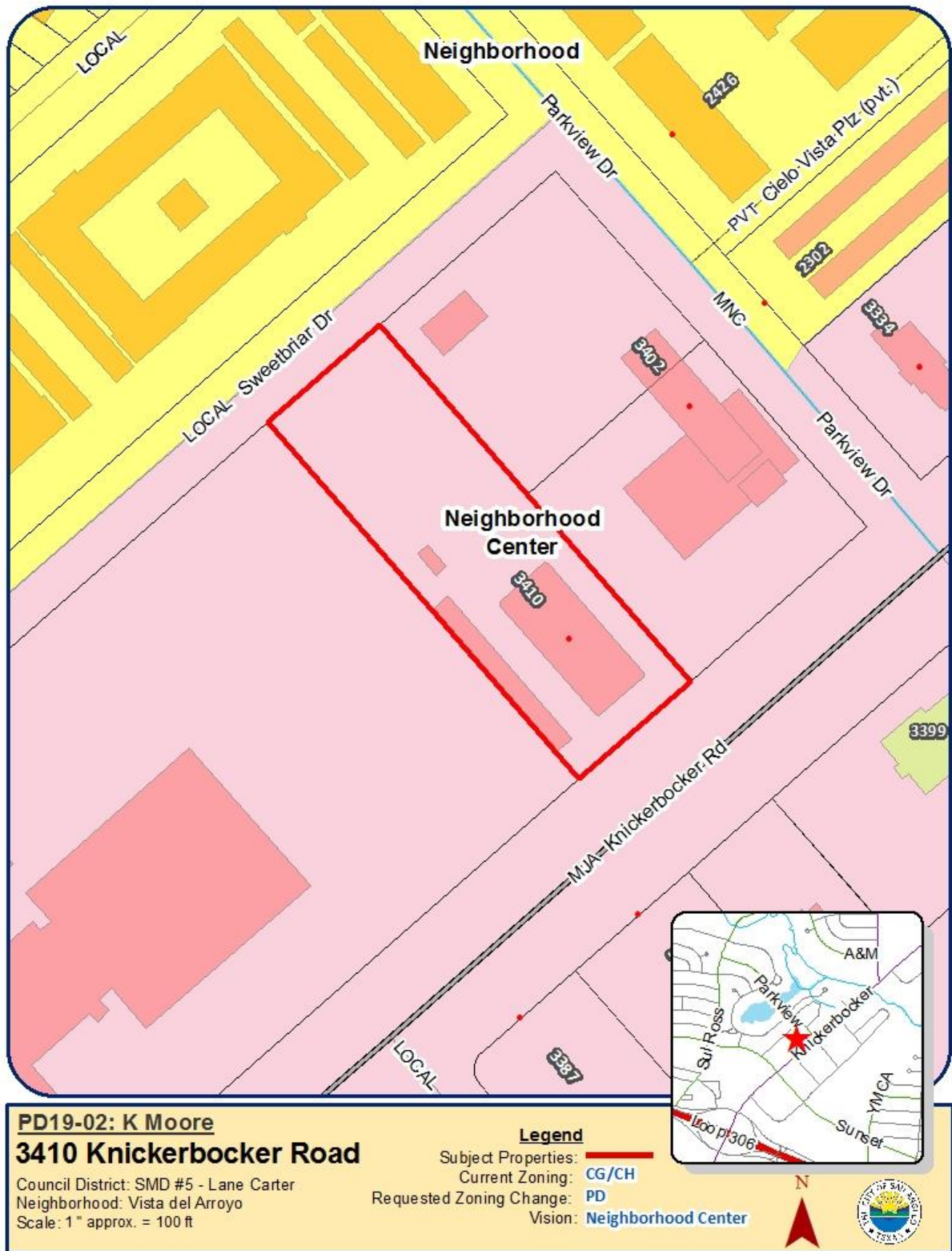
3410 Knickerbocker Road

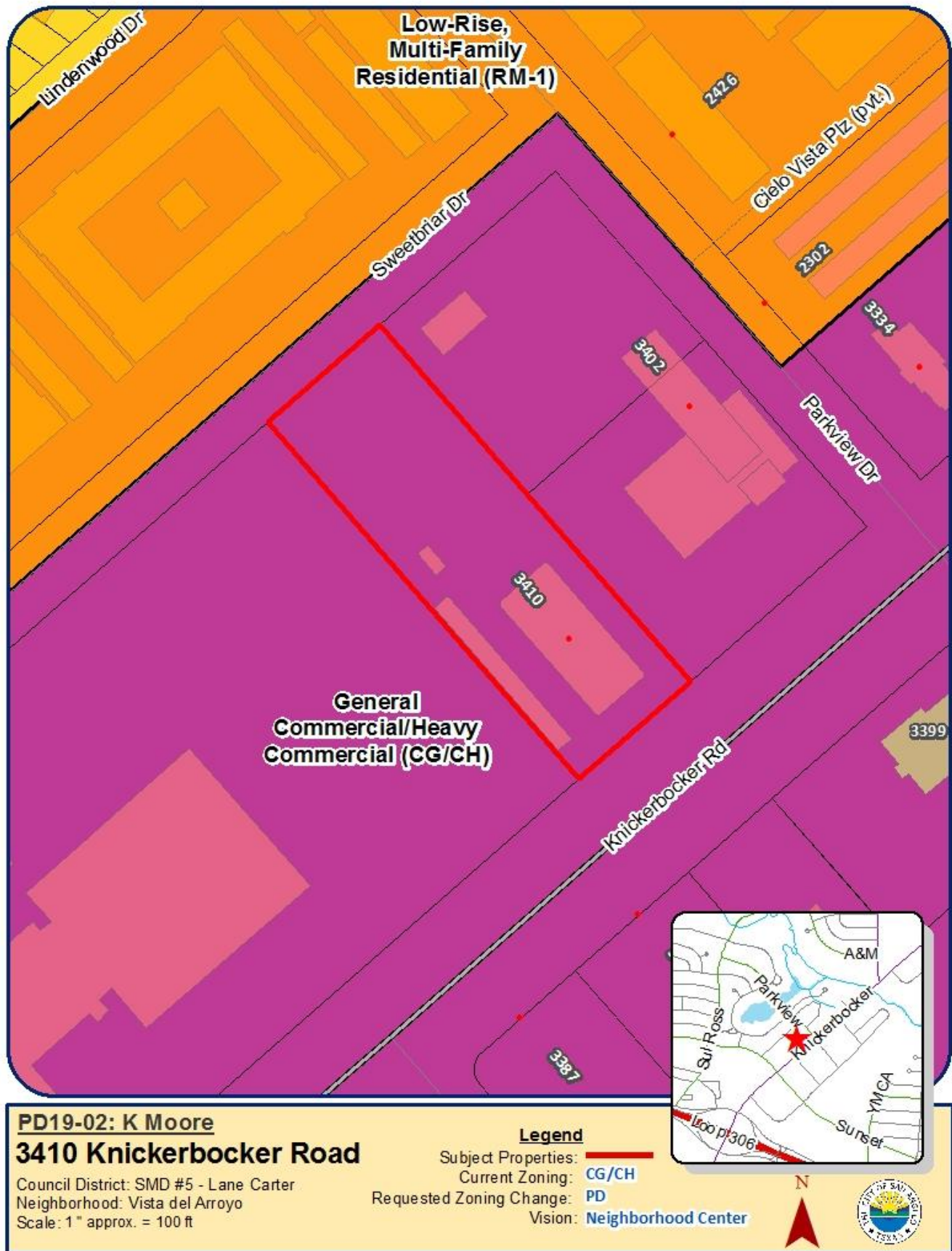
Council District: SMD #5 - Lane Carter
Neighborhood: Vista del Arroyo
Scale: 1" approx. = 100 ft

Legend

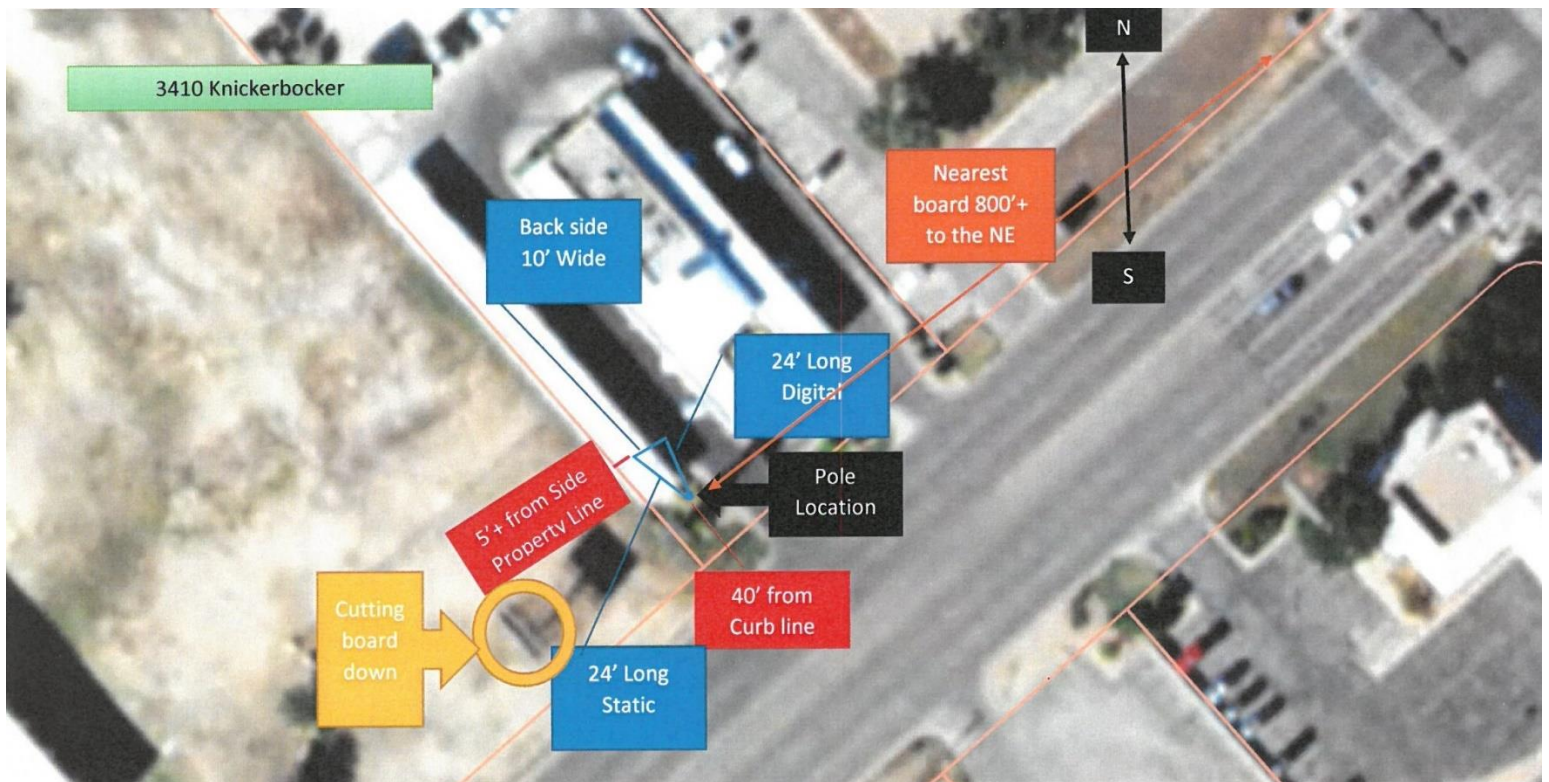
Subject Properties: —
Current Zoning: CG/CH
Requested Zoning Change: PD
Vision: Neighborhood Center







Site Plan



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): K Moore Investments

☒ Owner

☐ Representative (Notarized Affidavit Required)

PO Box 60006

San Angelo

TX

76906

Mailing Address

City

State

Zip Code

512-771-7421 keith@mooresonics.com / jhankins@lamar.com / troberts@lamar.com

Contact Phone Number

Contact E-mail Address

3410 Knickerbocker San Angelo, TX 76906

Subject Property Address

City

State

Zip Code

Lot: 2, Blk: 1, Subd: GTEDS S/D, BEING 1.148 ACRE **SONIC**

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

Existing Zoning: CG/CH Proposed Zoning: PD w CG/CH Underlying Lot size: 1.148 Acres

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

*Tommy Roberts GM/UP
harmen
903-920-2399*

Section 2: Site Specific Details

Existing Use of Property: Fastfood (Sonic)

*Proposed Use of Property: Fastfood (Sonic) and Off-Site Sign (Digital)

*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.

<u>Keith Moore</u> Owner Name (Print)	<u>[Signature]</u> Signature	<u>K Moore Investments</u> Company/Organization (If Applicable)	<u>12-21-18</u> Date
<u>Jason Hankins</u> Representative Name (Print)	<u>[Signature]</u> Signature	<u>Lamar</u> Company/Organization	<u>12/21/18</u> Date

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: 12 / 28 / 18

Case No.: PD 19 - 02

Fully-dimensioned site plan: ☐

Nonrefundable fee: \$ 125

Receipt #: 96495 Date paid: 12 / 28 / 18

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: 1 / 28 / 19 Date notifications due: 1 / 11 / 19

City Council hearing date: 2 / 19 / 19 Packets due date: 2 / 8 / 19

Publication date: 1 / 30 / 19

Reviewed/Accepted by: H. Bueker Date: 1 / 4 / 19

Site Photos



Knickerbocker Frontage



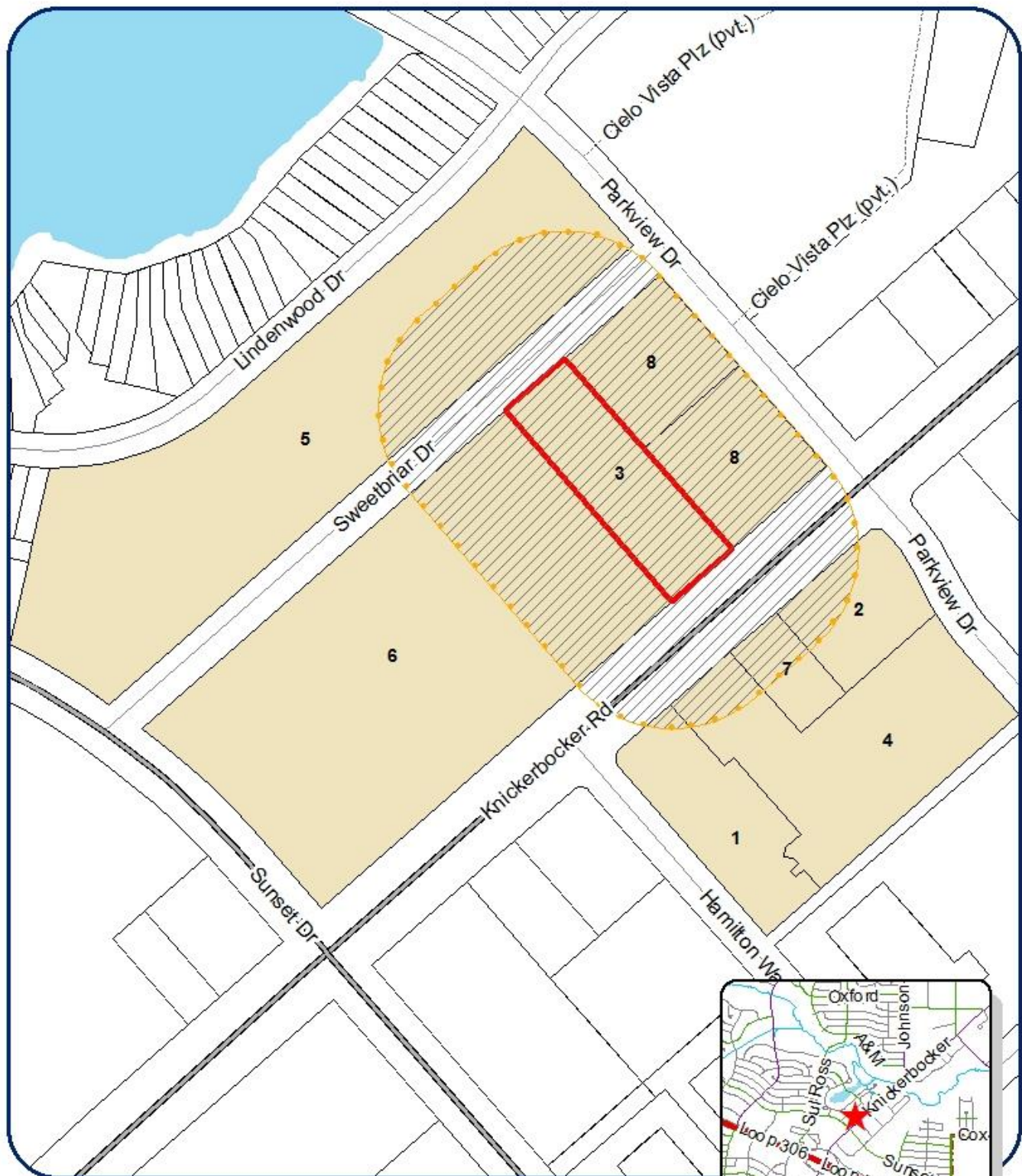
Existing Billboard Adjacent



Looking North at Subject Property



Rear of Subject Property along Sweetbriar Drive



PD19-02: K Moore

3410 Knickerbocker Road

Council District: SMD #5 - Lane Carter

Neighborhood: Vista del Arroyo

Scale: 1" approx. = 200 ft

Legend

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



Bueker, Hillary

From: Jason Hankins <jhankins@lamar.com>
Sent: Friday, January 18, 2019 7:24 AM
To: Bueker, Hillary
Cc: Fisher, Jeff; Tommy Roberts
Subject: Re: Proposal for Jan 28th zoning meeting

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

On behalf of our future landowner:

City of San Angelo, Texas

Attn: Planning Division Staff and Planning Commissioners

52 West College Avenue

San Angelo, TX 76903

Re: Rezoning Request, PD19-02, 3410 Knickerbocker Road

Dear Staff and Planning Commissioners:

I am the owner of the property located at 3410 Knickerbocker Road, and am in support of the rezoning request to permit an off-site sign with digital billboard face at this location. The digital boards are a great way to help businesses in the community grow and reach their customers with their advertisements and keep in touch with news, products and events. Lamar's boards are popular and they are needing a new location to meet the advertising needs of the local businesses. A digital board on this property seems to be a good fit in this area.

Lamar is a good company and keeps their boards in good condition.

Sincerely,

Keith Moore

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) The site is not zoned for this type of use
and the sign would directly impact the single family dwellings as well
as the multi-family dwellings. It would also be a visual and/or
distraction including light pollution. It will be seen from our
residences. This is one more issue that will impact our property
values. The first being Champion's Car Wash which violates
city noise levels, as well as excess water run off to our lake.
No further signage is needed for a business sitting directly
streetside less than 20 yards from a red light. It is also a
distraction to drivers approaching a busy intersection near a hospital
and fire/emergency area in the area. Furthermore, home owners will see
the sign for hours of the day
NAME: Susan and Mort Mertz
ADDRESS: FNB-Mertz - 3399 Knickerbocker
home is at the top of the
hillside on around the lake.
2618 Parkview Drive, San Angelo, Texas 76904

SIGNATURE: Susan G. Mertz M J Mertz

PD19-02: K Moore

Property owner number: 2 FNB-Mertz

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 or by email at hillary.bueker@cosatx.us.

January 17, 2019

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

RE: Notice Of Public Hearing
PD-19-02: K Moore

To Whom It May Concern:

My husband and I live at 2428 Lindenwood Drive on the corner of Parkview and Lindenwood. We have received Notice of the proposed Zoning changes in the above mentioned PD-19-02: K Moore proposal.

We are in opposition to any zoning changes at this time. The area in question has already been allowed to incorporate a business that has caused devaluation of our property by \$20,000.00. We do not wish to have another business interest encroach into an area of residences whereby the interests of private property owners is ignored.

A Billboard, lighted, digital sign is proposed by a business that occupies street side frontage less than 20 yards from two of the city's busiest intersections. This is also an area where an entrance to a hospital emergency room intersects and the Parkview corner is the Emergency access for the local EMT and Fire Dpt.

A Billboard such is this will pose a distraction to drivers in this already congested area. NO new businesses or sign should be allowed until a full and non partisan review of the current zoning of the area is completed. This is an area of single family residences and should be zoned with those concerns in mind.

Noise, Water violations, lighted areas for security of businesses and increased traffic into neighborhoods have all been forced upon residents of the areas surrounding a zoned area that was at one time on the limits of the city, but times have changed and new protections are needed. A drive down Knickerbocker and a onsite inspection with residents and authorities can more easily clarify these issues.

Again, we oppose any new signs or business permits being issued until zoning that protects residential property values is addressed.

Very Truly Yours,


Mr. (And Mrs. Duke G. Wilson

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) Please re-consider the sign + zoning change.
Seems like one more time money trumps quality. We
as citizens of this neighborhood are dealing daily with
the new car wash which just kinda slipped in.
It's a BIG RED BEAST!! Are these new signs
going to be BIG BEASTS as well? It's a huge
adjustment visually. My husband & I just completed
a major 10 mo. remodel adding on a massive outdoor
porch. Is this going to be our new view, digital
billboards?? I will gladly have all of you over for
coffee to see first hand our side of all this.

NAME:

Jeanie & Mike Smith

ADDRESS:

3506 Vista del Arroyo Dr

San Angelo, TX 76904

SIGNATURE:

Jeanie Smith

PD19-02: K Moore

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 or by email 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)

This re-zoning to allow for an enormous digital billboard, which can be seen from our backyard, will present an obtrusive interference into our peaceful neighborhood. We wholeheartedly object to any re-zoning of property adjacent to our quiet residential neighborhood.

NAME:

Graham and Janie DeLaney

ADDRESS:

3708 Vista Del Arroyo Drine
San Angelo, TX 76904

SIGNATURE:

Janie DeLaney Graham DeLaney

PD19-02: K Moore

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 or by email at hillary.bueker@cosatx.us.

CN vs. CG

Use Category	Short Definition (see also Chap. 8)	Nonresidential Districts	
		CN	CG
Residential			
Household Living	residential occupancy of a dwelling by a “household”	C	C
Recovery Facility, Alcohol and Drug	residential programs that provide care and training or treatment for psychiatric, alcohol or drug problems	-	A
Institutional and Civic			
College	institutions of higher learning	-	A
Community Services	public, nonprofit, or charitable uses providing service to the community	A	A
Day Care	care, protection and supervision for children or adults on a regular basis	A	A
Detention Facilities	facilities for detention of incarcerated people	-	S
Golf Course, Golf Driving Range	facilities for golf, including practice areas	S	S
Hospital	medical or surgical care, with overnight care	-	C
Parks and Open Areas	natural areas consisting mostly of vegetative landscaping, outdoor recreation, gardens, etc.	A	A
Religious Institutions	meeting areas for religious activities	A	A
Safety Services	public safety and emergency services	A	A
Schools	elementary, middle, or high school level schools	A	A
Special Event, Type 1	fund-raising, business promotion, special and seasonal events	A	A
Special Event, Type 2	carnival, concert, circus, fair or festival	-	A
Utilities, Basic	infrastructure that needs to be located in or near the area where the service is provided	A	A
Commercial			
Alcoholic Beverages Sales for On-Premises Consumption (added to Use Table 2003)	establishment where alcoholic beverages are sold for consumption on the premises, except for certain restaurants where such beverages are provided as a supplemental service		C
Auto and Boat Dealer	sales of cars, light trucks and boats	-	A
Bed & Breakfast	a single-family dwelling offering overnight accommodations	A	A
Campground/ Recreational Vehicle Park	temporary, often overnight accommodations for camping units and recreational vehicles	-	S
Game Hall	a game arcade, bingo, billiard or pool hall	-	C
Office	activities in an office setting focusing on business, government, professional, medical or financial services	A	A
Parking, Commercial	parking not accessory to an allowed use, fees may be charged	C	A
Recreation and Entertainment, Outdoor	large commercial uses that provide continuous recreation or entertainment	-	S

A=Allowed Use

C=Conditional Use

S=Special Use

CN vs. CG

Rental, Equipment	firms leasing or renting heavy vehicles, equipment and machinery under 3.5 tons to the public, may also provide product repair	-	C
Retail Sales and Service	firms involved in the sale or [of] new or used products to the public, may provide personal services, entertainment or product repair	A	A
Self-Service Storage	uses providing separate storage areas for individuals or businesses	C	A
Short-Term Rental	A single-family dwelling offering overnight accommodations	C	C
Vehicle Repair	service to passenger vehicles, light or medium trucks, other consumer motor vehicles, generally, the customer does not wait at site while service is being performed	-	C
Vehicle Service, Limited	direct services to vehicles where the customer generally waits nearby while the service is performed	A	A
Vehicle Wash	automatic or non-automatic facilities for washing vehicles	C	A
Veterinary Clinics, Small Animals	offices and clinics for small, non-hoofed animals	A	A
Industrial			
Industrial Service	firms servicing industrial, business or consumer machinery, equipment, products or byproducts	-	C
Manufacturing, Craft by Artisan	processing and/or fabrication goods made ready for sale to consumers, on-site or elsewhere, where processing or fabrication is of substantially low intensity with an emphasis on handiwork	-	A
Warehouse and Freight Movement	firms involved in storage or movement of goods	-	C
Waste-Related Use	uses that receive recycled materials or wastes for disposal on-site or transfer to another location, uses that collect sanitary wastes, or that produce goods or energy from composting	C	C
Wholesale Trade	firms involved in sale, lease, or rental of products for industrial, institutional, or commercial business	-	C
Other			
Entertainment Event, Major	activity or structure that draws large numbers of people to specific events	-	S
Firearms Range	indoor or outdoor facilities for discharging firearms	-	S
Passenger Terminals	facilities for the arrival or departure of airplanes, trains or buses	-	C
Telecommuni-cations Facilities	devices and supporting elements necessary to produce electromagnetic radiation operating to produce a signal	C	C

A=Allowed Use

C=Conditional Use

S=Special Use

Mr. James,

My name is Janie DeLaney, and I live on Parkview Lake at 3708 Vista del Arroyo Drive. I spoke at the planning and zoning meeting recently regarding the Lamar sign, which would be placed on the Knickerbocker Sonic property. I spoke against approving the sign, either digital or static. I realize that it will be coming up for a second reading at the Tuesday Council meeting, and I want to register my disapproval. Please convey my opinion to the council, and urge them to maintain the current sign ordinance. I do plan to be at Tuesday's meeting to voice my opinion.

Thank you,

Janie DeLaney
(325) 944-1911

Name: *Mart L. Mertz*

Date: *2-28-19*

Notice of Protest

I, *Mart L. Mertz*, the owner of the property at *2618 Parkview Dr.*, San Angelo Texas, 76904, hereby protests the re-zoning of the property at 3410 Knickerbocker Rd., in San Angelo, Texas as proposed in Case no. 19-02, from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District.

Sign:

By:

Title:

Please uphold the City Sign Ordinance

Email to: jon.james@cosatx.us
Director of Planning, City of San Angelo

Name: *The First National Bank of Meritor*

Date: *2-28-19*

Notice of Protest

I, *FNB-Meritor*, the owner of the property at *3399 Knickerbocker Rd*, San Angelo Texas, 76904, hereby protests the re-zoning of the property at 3410 Knickerbocker Rd., in San Angelo, Texas as proposed in Case no. 19-02, from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District.

Sign:

By: *Mal G. Meritor*

Title: *Chairman*

And uphold City Sign Ordinance

Email to: jon.james@cosatx.us
Director of Planning, City of San Angelo

Susan Alley Mertz
February 28, 2019

Notice of Protest

I, Susan Alley Mertz, the owner of the property at 2618 Parkview Drive, San Angelo Texas, 76904, hereby protests the re-zoning of the property at 3410 Knickerbocker Rd., in San Angelo, Texas as proposed in Case no. 19-02, from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District.

Susan Alley Mertz

By: Susan Alley Mertz
Its: Homeowner

From: Susan Alley Mertz

Date: February 28, 2019

To: Jon Johns, Director, City of San Angelo Planning Department

CC: Mort Mertz

Subject: 3412 Knickerbocker (Sonic Drive In property zoning change) and attached letter of protest regarding Ordinance Change

My name is Susan Mertz and I am homeowner living at 2618 Parkview Drive. My husband, Mort, and I have owned this home since 2000.

I wish to **protest** the rezoning of the site located at 3410 Knickerbocker Road for any type of new sign/billboard or zoning changes, as originally recommended by the City of San Angelo Planning Department, who **denied** the Lamar Sign Company request to build a new sign on the Sonic Drive In property, as written in documents dated January 28, 2019 to the City of San Angelo Planning Commission.

I would like to present why Planning and Zoning case no: PD19-03: K Moore Investments, proposed by the Lamar Company at 3410 Knickerbocker must be protested and denied for a second time on Tuesday, March 5, 2019 at the City of San Angelo Regular Council meeting.

Points to Consider:

The City of San Angelo is violating the City Sign Ordinance, which prohibits new billboards along Knickerbocker regardless if they are static or digital. (Section 12.04.006, Off-site regulations)

The City of San Angelo Sign Ordinance was put in place to reduce signs/billboards on Knickerbocker, not add to them. Furthermore, the impact of the digital billboard that shall ultimately be built by Lamar Signs will not be a positive long range decision. It shall only lead to the increase of more large scale billboards on Knickerbocker. You can't put the Genie back in the bottle.

Digital signs or billboards, built, maintained and promoted by companies such as Lamar, have been under intense scrutiny by municipalities and other organizations for negatively impacting surrounding property values, the increase of unwanted light density and traffic safety as drivers take their eyes off the road to view the rotating ads. (See *City of Cedar Park vs. Reagan National Outdoor Advertising of Austin, Inc.*, September 24, 2018.)

(Google: City or Municipal Sign Ordinances for Austin, Houston, Fort Worth, Balcones Heights, Boerne, Bulverde, Fair Oaks Ranch, Garden Ridge, Helotes, Kirby, Leon Valley, Olmos Park, Shertz, Selma, Shavano Park, Terrell Hills and Universal City, to name a few in the San Antonio SMSA.)

The zoning change and proposed Lamar sign/billboard are within a 200 foot radius of an emergency corner access at Parkview and Knickerbocker for local EMT and Fire Department. Furthermore, this intersection has high traffic volumes since Parkview is used to bypass major intersections at College Hills and Sunset as well as Knickerbocker at Sunset. This sign could impact the safety and efficiency of the City's transportation system by increasing confusion and distractions to pedestrians and motorists, while limiting motorists' ability to see pedestrians, obstacles, other vehicles, and traffic signs.

The stop light at Knickerbocker and Parkview is also disregarded many times a day. It is a dangerous intersection and the additional distraction of a digital billboard needs to be addressed by the City.

A digital sign will adversely will impact the Vista Del Arroyo neighborhood. It will adversely impact the quality of life enjoyed by residents. Many homeowners or apartment residents who reside near or on Town Lake will be viewing it 24 hours a day from their homes. Nor will residents have any control over the content as each ad will change every eight seconds.

Light and visual pollution will be a major issue. To personalize this, imagine if you were to see a two and half story digital billboard from your home day and night, with changing ads every eight seconds in which you had no control. I doubt you would be very happy to co-exist with this visual nuisance.

City of San Angelo property owners and residents must have stricter protection from further noise, light, water and other violations as stated in our City Zoning and Planning Ordinances.

As a resident, I look towards my Planning and Zoning Commission and City Council to consider residents needs and quality of life when evaluating commercial growth, especially along this portion of Knickerbocker.

I would like to request that the City of San Angelo investigate and enact new legislation to protect our neighborhood in future land use changes or additions to the Comprehensive Long-Range Plan. We simply can't have billboards of any kind or new heavy commercial business such as the Champion Car Wash at Parkview and Knickerbocker and the disruptive loud blower noise, water run-off and traffic violation on Parkview to happen again.

Thank you very much for your consideration.

Very sincerely yours,

Susan Mertz

2618 Parkview Drive San Angelo, Texas 76904

Dear Jon,

Having been unable to attend the meeting yesterday due to illness, I wanted to clearly clarify the position of my husband and I as it relates to the proposed changes in the city's active sign ordinance.

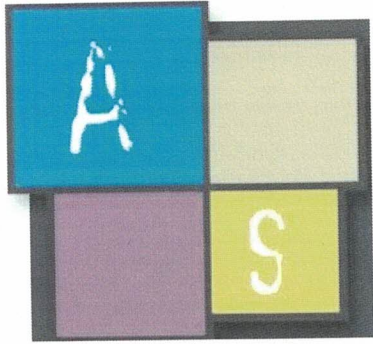
Our previous dealings with the representative of Lamar Signs were done without our knowledge of the existing ordinance forbidding any "new" signage on Knickerbocker. Had we been advised by the County Commissioners of this ordinance we would never have suggested a compromise allowing a static sign. We were simply victims of non-information.

We, as homeowners and concerned citizens do not believe reversing the ordinance accomplishes any positive results. Quite the contrary it sets a dangerous precedent, once established will have to be re-litigated at city expense.

The established litigation supporting sign ordinances is clear and compelling. The corridor in question does not need cluttered and distracting signage as it was clearly the intent of the ordinance to prevent. When an ordinance is reversed as is the wish of Lamar signs, what does that decision do to weaken the city's position on protecting other areas of the city such as historical or riverfront property?

I ask that you vigorously oppose this permit application and any changes to the sign ordinance as it stands

Linda Wilson
325-899-1177



**Arroyo Square Apartments
2431 College Hills Blvd.
San Angelo, Texas 76904
325-944-4429**

Notice of Protest

Horseshoe Bay Investments, LLC, the owner of the property at 2431 College Hills Blvd San Angelo, Texas 76904, hereby protests the re-zoning of the property at 3410 Knickerbocker Rd., in San Angelo, Texas as proposed in Case no. 19-02, from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District.

Agent for Owner
Patricia Tafoya
Property Manager

A handwritten signature in dark ink, appearing to read 'Patricia Tafoya', written over the printed name.

Horseshoe Bay Investments, LLC
DBA Cielo Vista Apartments
February 28, 2019

Notice of Protest

Horseshoe Bay Investments, LLC, the owner of the Cielo Vista Apartments at 34 Cielo Vista Drive hereby protests the re-zoning of the property at 3410 Knickerbocker Rd., in San Angelo, Texas as proposed in Case no. 19-02, from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District.

Bryan Barrows

Bryan Barrows

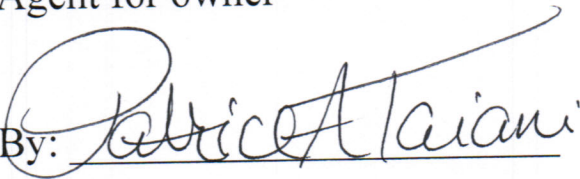
Managing Partner

Cielo Vista Apartments
34 Cielo Vista Plaza
San Angelo, Texas 76904
(325) 949-5739

Notice of Protest

Horseshoe Bay Investments, LLC, the owner of the property at 34 Cielo Vista Plaza, hereby protests the re-zoning of the property at 3410 Knickerbocker Rd., in San Angelo, Texas as proposed in Case no. 19-02, from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District.

Agent for owner

By: 

Patrice A. Taiani

Its:

Property Manager

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 5, 2019

Item type: Regular Item

Caption:

Second reading and public hearing of an amendment to the Zoning Ordinance, establishing new standards for regulating mobile food trucks on public and private property in the City of San Angelo (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

Update since First Reading:

Based on discussion and direction from Council on first reading of the ordinance and after meeting with a number of interested food truck operators, staff is recommending the following changes to the proposed ordinance:

- Exempts private catering activities
- Clarified that the limitation of not locating in the right-of-way within 200 feet of a residence does not apply to snow cones and prepackaged food vendors (ice cream trucks)
- Added a definition for "Snow Cone Vendor"
- Clarified that the limit on operating within 100 feet of a restaurant applies to operating in the right-of-way and not on public property
- Changed from 4 to 6 hours for operation in residential areas at apartments, churches, schools, etc.
- Require all-weather surface for all food trucks
- For food trucks in the public right-of-way, changed from a 4 hour limit to a 12 hour limit (but still subject to parking restrictions)
- Clarified that commissaries must meet all applicable zoning regulations for the relevant zoning district

On January 30, 2018, the City of San Angelo held its first public Food Truck Forum, allowing mobile food unit owners the opportunity to come together and provide suggestions for improvement of the City's permitting process. As a result staff became aware there were a few issues that the permit holder wanted to see addressed from the City's Planning & Development Services Department. To continue with the improvements, on September 5, 2018, Planning Staff hosted a public forum to discuss proposed changes to the Zoning Ordinance regulations. Most of the citizen in attendance were currently associated with a food truck business and raised some of their questions and concerns. The proposed regulations include comments from food truck owners as well as staff's proposed regulations based on comparison city research.

Financial Impact:

N/A

Other Information/Recommendation:

On November 19, 2018 the Planning Commission recommended APPROVAL of the proposed text amendment.

On January 8, 2019 the City Council voted to approve on first reading with a vote of 6-1

Attachments:

- | | | |
|----|---|---|
| 1. | Staff Report (TA) | Memo_Food Truck_CC (2019-1-08).pdf |
| 2. | Exhibit A (TA) | FOOD_TK_ORD_EX_A_Updated.pdf |
| 3. | Ordinance (TA) | 19-194_PL_FOOD_TK_ORD_01-03-19.docx |
| 4. | CC Item 7a Health Dept Permit Supplemental Info | CC Item 7a Health Dept Permit Supplemental Info.pdf |
| 5. | Designated Food Truck Locations in Parks | Designated Food Truck Locations in Parks.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

MEMO

**Meeting**

Date: January 8 & 22, 2019

To: City Council

From: Hillary Bueker
Senior Planner

Agenda Item: Text Amendment to Chapter 12, Exhibit "A" Zoning Ordinance, establishing a new Section regulating mobile food trucks in the City of San Angelo.

Background:

On January 30, 2018, the City of San Angelo held its first public Food Truck Forum, allowing mobile food unit owners the opportunity to come together and provide suggestions for improvement of the City's permitting process. As a result staff became aware there were a few issues that the permit holder wanted to see addressed from the City's Planning & Development Services Department. In response to this forum, the City quickly eliminated the need for Itinerant Merchant's permits, and the need for applicants to visit five different divisions.

To continue with the improvements, on September 5, 2018, Planning Staff hosted a public forum to discuss proposed changes to the Zoning Ordinance regulations. Most of the citizen in attendance were currently associated with a food truck business and raised some of their questions and concerns. The attached proposed regulations include comments from food truck owners as well as staff's proposed regulations based on comparison city research.

Planning Commission Recommendation:

On November 19, 2018, the Planning Commission recommended APPROVAL of a Text Amendment to Chapter 12, Exhibit "A" Zoning Ordinance, establishing a new Section regulating mobile food trucks in the City of San Angelo. The following is the complete excerpt of the draft minutes from the November 19, 2018, meeting for this case:

Hillary Bueker, Senior Planner, present the proposed new standards for regulating food trucks in San Angelo. She explained that this item had already been to a public forum.

Mrs. Bueker outlined the sections of the proposed ordinance, which apply to mobile food trucks on private property. She explained that the current Zoning Ordinance only allows mobile food

trucks where restaurants are allowed, in zoning districts that allowed “Retail Sales and Service”. The new revisions, she explained, would allow mobile food trucks in all commercial, manufacturing, and industrial zoning districts, as well as in residential districts subject to certain restrictions, including a maximum of four hours in a 24-hour period and at least 100 feet from homes when on church and school properties, and only four hours in a 24-hour period on apartment properties. She further explained that a food truck can operate up to 3 consecutive days on a property, but must then vacate the same location for 3 days. Mrs. Bueker then outlined requirements for mobile food trucks on public property, which included no parking within 50 feet of an operating restaurant, written permission if locating near a school, and no on-street parking within 200 feet of homes or apartments unless downtown. Mrs. Bueker concluded her presentation that mobile food trucks wanting to operate for more than 3 days must be at the same location as their commissary and on a paved surface.

Commissioner Smith asked what would happen if a private event lasted 6 hours.

Mr. Aaron Vannoy, Development Administrator, explained that because this would be a private event and not public, a health permit would not be required and these rules would not apply.

Vice Chair Spano asked for a timeframe on when an ordinance would be brought to Council.

Mrs. Bueker responded that Staff was aiming for the second City Council Meeting in December.

Chair Stribling opened the meeting for public comment.

There was no public comment.

Commissioner Jackson made a Motion to RECOMMEND APPROVAL of a Text Amendment to Chapter 12, Exhibit “A” Zoning Ordinance, establishing new standards for regulating mobile food trucks on public and private property in the City of San Angelo. Commissioner Smith seconded the Motion. The Motion passed unanimously, 7-0.

City Council Requested Action:

APPROVE the Text Amendment to Chapter 12, Exhibit “A” Zoning Ordinance, establishing a new Section regulating mobile food units.

Attachment: Draft Mobile Food Unit Regulations

EXHIBIT “A”

Sec. 310 Use Table

Use Category	Short Definition (see also Chap. 8)	*	Residential Districts								Nonresidential Districts								
			R&E	RS1	RS2	RS3	RM1	RM2	MHP	MHS	CN	CO	CG	CH	CBD	OW	ML	MH	CG/CH
Commercial																			
Mobile Food Units	Defined in Texas Food Establishment Rules	*	See Article 4 for Specific Use Regulations								A	A	A	A	A	A	A	A	A

Sec. 419. Mobile Food Units

A. Purpose

1. To establish the requirements for Mobile Food Units in order to:
 - a. Maintain and improve property values by ensuring a minimum level of development quality relating to mobile food units
 - b. Provide direction to business owners that have the opportunity to increase jobs and business.
 - c. Offer opportunities for new and existing food establishments to provide food choices where full restaurants may not be possible.
 - d. Adapt to an evolving economy and support local entrepreneurship.

B. Applicability

1. The provisions of this section shall apply to the operation of mobile food units within the city limits.
2. No new food service permits for a mobile food unit may be approved unless the applicable provisions of this section are met.
3. No Certificate of Occupancy shall be issued for any property unless the applicable provisions of this section are met.
4. Reoccupying a structure that has been vacant for more than two years requires compliance with applicable provisions of this section.
5. The Provisions of this section shall not apply to private catering activities which are not open to the public

EXHIBIT “A”

C. General Requirements - Mobile Food Units

1. Mobile food units are permitted to conduct business in all commercial and manufacturing zoning districts, the Central Business District and Office-Warehouse zoning districts and where Industrial uses are permitted.
2. Mobile food units may operate on residentially zoned properties that have approved conditional/special uses for non-residential uses.
3. Mobile food units may operate up to 4-6 hours in a 24 hour period in residentially zoned areas on non-residential use properties that do not have an approved conditional/special use and, except for snow cone and prepackaged vendors, must be at least 100 feet from a residential structure.
4. Mobile food units may operate up to 4-6 hours in a 24 hour period within a multi-family residentially zoned property with the property manager’s written permission as to location and times of operation. A copy of the written permission shall be kept within the mobile food unit at all times.
5. A mobile food unit shall not locate on any private or public property other than as legally permitted in parks or within street right-of-way, without written permission of the property owner to do so. A copy of the owner’s written permission to operate in a specific location shall be kept within the mobile food unit at all times.
6. A mobile food unit can operate from one location for up to 3 consecutive days but must then vacate that location for at least 3 days.
7. A mobile food unit located ~~at one location for more than 4 hours~~ on private property, except for a commissary location, shall require a minimum of an improved all-weather parking surface.
8. A mobile food unit shall not occupy one location within the public right-of-way for more than ~~4 hours~~ 12 hours, or as limited by current parking regulations including downtown, except with an approved special event or street closure permit.
9. A mobile food unit shall not operate in the public right-of-way within 100 feet of a public entrance of a permanent food service establishment when open for business. This buffer may be reduced upon written consent from the owner of that food service establishment agreeing to location and times of operation of the mobile food unit. A copy of the written agreement shall be kept within the mobile food unit at all times.
10. Mobile food units shall not operate within 200 feet of a public or private school without written consent as to location and times for operation from the authorized school authority. A copy of the school’s written consent shall be kept within the mobile food unit at all times.

EXHIBIT “A”

11. Except for snow cone and prepackaged vendors, All mobile food units shall not park in the right-of-way within 200 feet of a residential structure, except in the Central Business District (CBD) zoning district.
12. Mobile food units shall only be allowed to park in compliance with current parking regulations.
13. A mobile food unit shall not locate in such a manner or location that obstructs, or can reasonably be expected to result in the obstruction of, any sidewalk, street, alley or other public place by causing people or vehicles to congregate at or about the mobile food unit, unless in accordance with an approved special event or street closure permit.
14. A mobile food unit shall not block any fire lane, drive aisle, or access to any parcel or alley.
15. No mobile food unit shall locate in such a manner as to restrict or obstruct line of sight visibility at or near an intersection of a driveway, approach or alleyway with a street, or at or near a street intersection within an adequate line of sight visibility.
16. Each mobile food unit operator shall be responsible for proper disposal of solid waste associated with the business.
17. Mobile food units shall only be allowed in designated areas within City parks.
18. Mobile food units shall not operate in residentially zoned areas or parks between the hours of 10:30 p.m. And 7:00 a.m.

D. Mobile Food Unit at Commissary

1. A mobile food unit may only operate at a location for more than 3 consecutive days if located at their commissary, except in accordance with an approved special event or street closure permit.
2. A mobile food unit operating from its commissary shall be parked on a paved surface.
3. A mobile food unit operating from its commissary must comply with all setback lines established by the subject property’s zoning district.

E. Commissary Requirements

1. A commissary is only allowed in a zoning district that allows retail sales and service, either by right or with an approved conditional or special use for retail sales and service.
2. Mobile food unit commissaries shall comply with ~~screening~~ regulations contained in the zoning ordinance.
3. Mobile food units shall submit a site plan for a commissary location when:
 - a. New certificate of occupancy or change of occupancy for a new commissary is needed.
 - b. Expansion or other improvements to a commissary that would normally trigger site plan review for any building/site expansion is proposed.

EXHIBIT “A”

- c. There is an intent to operate a food truck from the commissary for more than 3 days per week.
4. A mobile food unit commissary that is located within an overlay zone, or other established district, shall comply with all district standards and shall obtain all necessary approvals.

Section 804 Definitions

MOBILE FOOD UNIT – as defined in 25 Texas Administrative Code, chapter 228, also known as the Texas Food Establishment Rules.

COMMISSARY – A Central Preparation Facility or servicing area as defined in 25 Texas Administrative Code, chapter 228, also known as the Texas Food Establishment Rules.

SNOW CONE VENDOR - A vendor that serves shaved or crushed ice with flavored syrup and other prepackaged foods and drinks. In no case, shall a snow cone stand serve cooked or heated food

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY OF SAN ANGELO CODE OF ORDINANCES, CHAPTER 12 "PLANNING AND DEVELOPMENT," EXHIBIT "A" "ZONING ORDINANCE," ARTICLE 3 "USE REGULATIONS," ADDING A ROW TO SUBPART 310 "USE TABLE," FOR "MOBILE FOOD UNITS;" ARTICLE 4 "SPECIFIC USE STANDARDS," REDESIGNATING SUBPART "412-419" AS "411-418", AND ADDING A NEW SUBPART "419" "MOBILE FOOD UNITS"; ADDING DEFINITIONS FOR MOBILE FOOD UNIT AND COMMISSARY TO ARTICLE 8 "DEFINITIONS" SECTION 804 "DEFINED TERMS"; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1: Chapter 12 "Planning and Development," Exhibit A "Zoning Ordinance" of the City Code of Ordinances, Article 3 "Use Regulations," Section 310 "Mobile Food Units" is added as shown on Exhibit "A."

Section 2: Chapter 12 "Planning and Development," Exhibit A "Zoning Ordinance" of the City Code of Ordinances, Article 4 "Specific Use Standards," Section "412-419" be redesignated as "411-418".

Section 3: Chapter 12 "Planning and Development," Exhibit A "Zoning Ordinance" of the City Code of Ordinances, Article 4 "Specific Use Standards," Section 419 "Mobile Food Units" is added as shown on Exhibit "A."

Section 4: Chapter 12 "Planning and Development," Exhibit A "Zoning Ordinance" of the City Code of Ordinances, Article 8 "Definitions", Section 804 "Defined Terms" is amended by adding definitions for Mobile Food Unit and Commissary as shown on Exhibit "A".

Section 5: All provisions of Chapter 12 "Planning and Development," Exhibit A "Zoning Ordinance" of the City Code of Ordinances, Article 4 "Specific Use Standards," not amended or repealed hereby shall remain in full force and effect.

Section 6: 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 7: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the 8th day of January, 2019, and finally PASSED, APPROVED and ADOPTED on this the 5th day of March, 2019.

CITY OF SAN ANGELO

BY: _____

Brenda Gunter, Mayor

ATTEST:

Bryan Kendrick, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

San Angelo—Tom Green County Health Department

72 WEST COLLEGE

SAN ANGELO, TEXAS 76903



December 4, 2018

Dear Mobile Food Unit Permit Holder,

On October 2015, the State of Texas adopted new Texas Food Establishment Rules (TFER), which the City of San Angelo adopted locally on December 2015. On January 30, 2018, the City of San Angelo held its first public Food Truck Forum, allowing mobile food unit owners the opportunity to come together and provide suggestions for improvement of the City's permitting process. In conclusion, there were a few issues that you the permit holder wanted to see addressed, and a few others that needed to be addressed from the TFER standpoint, as well as from the City's Planning & Development Services Department. Immediately, the City eliminated the need for Itinerant Merchant's permits and police background checks. Also eliminated was the need for applicants to visit five different divisions; the City responded, making the Environmental Health Division the one-stop drop off for mobile food unit applications.

Additionally, the Planning & Development Services Department, and the Fire Marshall and Environmental Health Divisions instilled new processes based on additional conversations and adopted TFER, and additional changes are being made to the Code of Ordinances. While no changes to the TFER or Health regulations are proposed, look for other Code of Ordinance changes to occur late Winter or early Spring. Some changes do allow for more freedom; however, the City will allow a 6 month window to come into compliance with other changes being proposed to the Code of Ordinances. After the 6 month window, no additional grace period will be granted and non-compliance issues will be handled accordingly; mobile food units will not be permitted to operate until compliance is achieved.

IMPORTANTLY, beginning with the Permit Renewal Process 2019, and every year after, mobile units shall demonstrate mobility by bringing the mobile unit to the City's parking lot, behind 122 W. 1st Street during the month of January, Monday through Friday from 9:00 a.m.—11:00 a.m. (excluding Holidays or Ice Closures / Delays). Also, units must be fully operational to satisfy inspections of the Environmental and Fire Marshall's offices. Unlike Renewal Units, New Units will make an appointment for their initial inspection throughout the year.

Through this whole review process, it was also determined that each Mobile Food Unit must now carry their own separate Permit, and therefore, the Unit will no longer be considered as an additional area. This change is based on discussion with the Legal Department and our understanding of the Texas Food Establishment Rules (TFER) which determines that a health permit is granted to either a Fixed Location, a Mobile Unit, or a Temporary Event.

Please read the **enclosed Mobile Unit Licensing Inspection Process** as there are paperwork requirements addressed under the **New Unit and Renewal Unit** sub-heading, as well as, other requirements listed under the other sub-heading—**Items Required for Inspections**.

Please don't hesitate to contact us with any questions or concerns.
Sincerely,

Sandra J. Villarreal, Director of Health
Health Services Department
657-4493

/

Jon James, Director
Development & Planning Department
657-4755



MOBILE UNIT LICENSING INSPECTION PROCESS

The following information is intended to assist mobile operators navigate the application and physical inspection of their mobile unit as part of the licensing process. A physical inspection by the Environmental Health Division and the Fire Prevention and Safety Division is required annually for licensing; mobile units must be fully functioning. In addition, the Texas Food Establishment Rules, Subchapter H, §228.221, Mobile Food Units, states that the regulatory authority shall require a Mobile Food Unit operator to demonstrate that the vehicle is readily moveable. The NEW UNIT inspection is by appointment only. RENEWAL UNIT inspections are held Monday through Friday throughout the month of January (except during Ice Days / Delays or Holidays) from 9:00a.m. to 11:00 a.m. Inspections will occur in the parking lot behind 122 W. 1st Street.

NEW UNIT and RENEWAL UNIT:

- All new and renewal mobile units are required to submit the following paperwork to the Environmental Health Office along with the application and permit fee:
 - Valid Texas Driver's License
 - Current Vehicle License Plate and Registration
 - Proof of Insurance
 - Proof of Texas Sales and Use Tax permit
 - Commissary Agreement
 - Restroom Agreement
 - Certified Food Protection Manager Certification
- New Unit inspection fees are pro-rated throughout the year. Please call for permit fee amount.
- Renewal Unit Inspection / permit fees are \$150.00 per year, **PER UNIT**. Mobile units are not considered an extension of a fixed food facility (i.e. additional area); they are considered a food establishment based on the Texas Food Establishment Rules and require a separate permit. Renewal permit fees are due by January 31; **THERE IS NO GRACE PERIOD AFTER THIS DATE**. A \$25 late fee will be assessed after that date; additionally, if renewal inspection is not performed and permit and late fee not paid by the end of February, the mobile unit will not be permitted to operate and the City will use all legal remedies, including citations until the mobile unit comes into compliance.

ITEMS REQUIRED FOR INSPECTION:

1. Power source (i.e. a generator). Power is not provided at the inspection site
2. Water (must fill tanks at commissary prior to inspection). Water is not provided at the inspection site.
Note: We recommend filling tank(s) the morning of the inspection to assist with preventing freezing.
3. If the mobile unit has a ventilation hood, it is required to hold a piece of paper.
4. Bring your food grade hose (if applicable), thermometer, soap, paper towels, sanitizer, and test strips.
5. Post business name on each side of the vehicle with a minimum of 4-inch letters.

FOOD SERVICE PERMIT RENEWAL / NEW PERMIT APPLICATION (MUST COMPLETE)

NOTE: This form must be filled out completely. Application for a permit to operate does not guarantee that a permit will be granted. Permit approval is based upon compliance with state and local health ordinances. Contact Environmental Health Services for further details regarding permit application procedures.

1. **Establishment (Business) Name:** _____ **Phone:** _____
Establishment Address: _____ **Zip:** _____
Days & Hours of Operation: _____
Email Address: _____
2. **Owner's Name** (not Manager): _____ **Phone:** _____
Date of Birth: _____ **Drivers License Number/State:** _____
Residence Address: _____ **ZIP:** _____
_____ and _____
Corporation's Name: _____ **Phone:** _____
Business Address(if different from establishment): _____ **ZIP:** _____
3. **Mail Permits/Renewals to:** _____
Mailing Address: _____ **Zip:** _____
4. **Type of Establishment:** () Restaurant/ Delicatessen, () Tavern/Bar, () Child Care, () Mobile Vendor
() Hospital, () School () Supermarket () Convenience Store () Bakery () Other
SERVICE TYPE: () Seated Service () Carry out () Caterer **# of ADDITIONAL SERVICE AREAS:** _____
5. **Mobile Units Only** (list each add. vehicle on back of application, delivery only vehicles not required to list) **Attach Commissary Agreement and Restroom Agreement to application**
Call Police Dept. Records Division for Itinerant Merchants Permit at 657-4250.
Vehicle: () Truck () Van () Step Van () Trailer () Pushcart () Car () Other (specify) _____
Vehicle Make _____ **Model** _____ **Year** _____
Color _____ **License #** _____ **State** _____ **VIN#** _____
Type of Food to be Sold _____

RENEWAL INFORMATION:

All permits expire January 31st. You will be mailed an annual renewal form/application and Risk Form each year which must be completed and returned with the permit fee. Permit will not be issued if incomplete application and risk form are not returned; a late fee will be charge if payment is received after due date in addition to the following note.

NOTE: PER COUNCIL DIRECTIVE, IF YOU HAVE NOT RENEWED YOUR PERMIT BY FEBRUARY 28, WE ARE HEREBY AUTHORIZED TO CLOSE YOUR ESTABLISHMENT (FIXED OR MOBILE) IMMEDIATELY UNTIL YOUR PERMIT IS RENEWED.

All permits are non-transferable upon sale, transfer of ownership/location and permit fee will not be refunded.

Make checks payable to: City of San Angelo - Environmental Health

Food Establishment Permit: \$150.00 per year (pro-rated for New Establishments thru January 31); each Additional Service Area \$25.00; Call for prorated fee if this is an application for a new establishment or change of ownership or location.

Non- profit exempt from annual fee only, not late fees.

\$25.00 late fees applied the day after expiration date and for each month thereafter past the expiration date.

Attach fees to application and mail to the address provided at the top of this form.

All of the information contained in this application is true and correct to the best of the applicant's knowledge and belief. Applicant acknowledges that the permit applied for shall be subject to all provisions of the codes and statutes and all rules adopted under the codes and statutes of the State of Texas governing food service establishment, retail food stores, mobile food units and roadside food vendors and the City of San Angelo Code of Ordinances. Applicant also acknowledges they have read all guidance documents provided and agree to comply fully with its provisions.

Signature of Applicant

Date

Printed Name of Applicant

Date



San Angelo-TGC Health Department * Environmental Health Division * 72 W. College, San Angelo, TX 76903
Phone: (325)657-4493, FAX: (325)657-4553

RISK ASSESSMENT FORM

Facility Name: _____ Address: _____

City/State/ZIP: _____ Phone: _____

Name(s) of Person(s) in charge: _____

SIGNATURE OF PERSON FILLING OUT FORM: _____ DATE: _____

Number of Additional Areas: _____ (ex. Bar, Bakery, Snack Bar, Deli, Market, etc...contains a hand wash sink and prep area)

Attach copy of a menu please, if applicable.

*****Circle the highest number that pertains from Boxes A, B, C, D, E – Guidance on back *****

A. Type of Food Preparation: 1. Complex Preparation: (Cook/Chill/Reheat/Hold/Serve): Specialized Processes: (Smoking/Curing/Modified Atmosphere Packaging) 35 2. Cook/Hold/Serve with same day service: 28 3. Cook/Serve – Immediate Service: (No holding or time used as Public Health Control) 21 4. Preparation of RTE Foods with No Cooking: 14 5. No Preparation: 7	D. Food Served or Sold: 1. Cooked chicken, cooked ground beef, roast beef, ham, turkey, egg products, raw shellfish 30 2. Pork, sausage, cooked rice, cooked pinto beans, won-ton Salads (macaroni , potato , tuna), gravy, BBQ beef and ribs, chicken fried steak, stew, egg rolls, fried 24 3. Fish, shellfish, shrimp, beef steak, chili, tamales, enchiladas, burritos, tacos, guacamole dip, milk, cheese, cream filled pastries, fruit pies, baked potatoes, cut melons, raw seed sprouts, refried beans, cannelloni; reheated Potentially Hazardous Foods/Time & Temperature Control as Safety food (precooked meat and Poultry. 18 4. Packaged Time Temperature Control for Safety (NO PREP), Products cut or sold, shell eggs sold, cold deli meats, Luncheon meats, hot dogs, corn dogs, pizza, pasta dishes, Vegetable salads, cooked vegetables, pancakes, manicotti, Onion rings, anchovies, cakes, and cookies 12 5. Non-Time Temperature Control for Safety (WITH PREP), ice (bagged or open handling), popcorn, snow cones 6
B. Population Served: 1. HSP/Senior Citizens/ Child Care/Immuno-compromised 5 2. General Population 1 3. Retail Food Store 0	E. Average # of Meals/Customers Served Per Day: 1. 400+ 15 2. 301-400 12 3. 201-300 9 4. 101-200 6 5. 1-100 or Occasional Use i.e. Mobil Unit or Church 3 Retail Food Store 0
C. # of Employee/Volunteers Preparing Food: 1. 17+ employees 20 2. 13-16 employees 16 3. 9-12 employees 12 4. 5-8 employees 8 5. 1-4 employees 4	FOR OFFICE USE ONLY Total indices circled: _____ Permit Fee: _____ 81-105 (4 times / year) Choking Poster: (\$2 ea) _____ 45-80 (3 times / year) Date issued: _____ <44 (2 times / year) Permit #: _____ Seasonal/temporary (1 time/year) Receipt #: _____ Inspector: _____

San Angelo—Tom Green County Health Department

Phone 325-657-4493
72 W. College
SAN ANGELO, TEXAS 76903



CENTRAL PREPARATION FACILITY / SERVICING AREA AGREEMENT

****Please Print or Type Plainly; Incomplete Applications will not be processed****

Commissary Name _____ Phone #(____) _____

Address _____
(Street) (City) (State) (Zip)

The following services may be performed at my commissary:

(Check the appropriate items)

- | | |
|---|---|
| ☐ Wash, rinse, and sanitize all food contact surfaces | ☐ Service area is covered |
| ☐ Wash out truck/mobile | ☐ Dispose of waste water |
| ☐ Fill with fresh water | ☐ Store mobile unit |
| ☐ Storage of good/single service articles
(Paper goods) | ☐ Service area has nonabsorbent
Floor |
| ☐ Have use of inside preparation facilities | ☐ Have access to facility at all times. |
| ☐ Limited access to facility | ☐ Access Hours _____ |
| ☐ Solid Waste / Garbage Disposal | |

PROVIDE A CURRENT COMMISSARY INSPECTION REPORT FROM LOCAL REGULATORY AUTHORITY

Comments:

The Food Establishment and/or Mobile Vehicle (circle applicable) listed below has permission to use my facility to perform the items checked above. I certify that this information is true and correct.

NAME OF MOBILE / FOOD ESTABLISHMENT _____

VEHICLE MAKE _____ YEAR _____ VEHICLE LIC. # _____

VEHICLE IDENTIFICATION # _____

NAME OF VEHICLE OPERATOR _____

OPERATOR'S ADDRESS _____ PHONE # _____

DATE OF BIRTH ____/____/____ DRIVER'S LIC. # _____

COMMISSARY OWNER'S SIGNATURE _____ DATE _____



San Angelo Environmental Health Division
72 West College, Room 214
San Angelo, TX 76903
325-657-4493

Use of Restroom Agreement For Mobile Food Establishments

The Mobile Food Establishment owner/operation must ensure that approved toilet facilities are available to employees. The restroom must be readily accessible within one hundred (100') feet of the mobile food service during all times of operation and if at any one location for more than one hour.

The restroom must be provided with adequate hand washing facilities and be fully plumbed to city water and sewer (or an approved septic system). Port-a-Potty units are not allowed. Adequate hot and cold running water must be available. Thorough documentation of restroom accessibility is necessary for Permit approval. Provide documentation noting the route and exact location of the restroom. Indicate how many feet it is from the mobile food unit to the restroom. Restroom keys must be provided for employee use of the restroom if the business hours of the food service are different from the business with the restroom. (ALL these items must be addressed and documented.) Place a check next to which of the following is available at the restroom location:

- ☐ Hot water at hand-wash sink(s) at or above 100°F
- ☐ Hand washing cleanser: ☐ Liquid ☐ Powder ☐ Bar Soap
- ☐ Hand drying provision: ☐ Disposable towels ☐ Heated-air drying device ☐ Continuous clean towel system
- ☐ Required sign or poster which notifies food employees to "wash their hands" clearly visible
- ☐ Key accessibility to restroom (if applicable)
- ☐ Distance from food service to restroom (in feet): _____
- ☐ Food service hours of operation: _____
- ☐ If seating is provided, then a plumbed restroom allowing customer access must be available within 100 feet.

Restroom Accessibility Information: Name of Business: _____
Address: _____ City: _____ Zip: _____
Contact Person: _____ Title: _____ Phone: _____
Business Hours of Operation: _____
Email (if applicable): _____
What retail/service activity takes place at this facility? _____

Mobile Unit/Vendor Information: Name of Business: _____
Owner/Operator: _____ Phone: _____
Address: _____ City: _____ Zip: _____
Days/Time at Restroom: _____
Email (if applicable): _____

(Restroom Owner/Agent – Printed Name & Title)

(Mobile/Vendor – Printed Name & Title)

(Restroom Owner/Agent – Signature & Date)

(Mobile/Vendor – Signature & Date)

This agreement between the owner/agent of the restroom and the owner/vendor of the mobile food unit operation signifies that both parties agree to the allowed use of the restroom facilities as specified. **Note that this agreement is not transferrable.** Should there be a change in ownership of either the restroom or mobile food unit owners, or should there be any modification or cancellation of this agreement between parties, then the Environmental Health Division's Food Service permit may be suspended.



Mobile Food Establishment Name: _____

Commissary Name: _____

Commissary Address: _____

Environmental Health/Mobiles/3_21_13

List of Parks where food truck parking is designated

Permitted food truck vendors may park in the public parking areas at the following parks and park locations:

- Bart DeWitt Park (including the downtown skate park, old Neff's area parking lot and parking area off Concho Ave.)
- El Paseo de Santa Angela and Old Town (except parking areas adjacent to Los Panchitos Restaurant)
- Glenmore Park
- Kirby Park
- Dr. Martin Luther King, Jr. Memorial Park
- Padron Park
- Producers Park
- Red Arroyo Trail
- Santa Fe Park
- Santa Fe Park, East (aka "Kids' Kingdom")
- Unidad Park

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 5, 2019

Item type: Regular Item

Caption:

Public hearing and first reading of an ordinance deleting Chapter 10 "Traffic Control", Article 10.01 "General Provisions", Section 10.01.019 "Commercial Vehicles Prohibited" and restricting the operation of certain Commercial Vehicles to Designated Truck Routes within the City of San Angelo (Presentation made by Operations Assistant Director Patrick Frerich)

Summary/History:

The effective and safe distribution of goods and services within San Angelo is critical to our commercial and developing areas. Designated Truck Routes specify roadways that are conducive with such travel and their respective infrastructure. The City of San Angelo is seeking approval from City Council for designating specific roadways within the city limits as allowable to truck traffic with all other roadways restricted from such traffic, except as provided as an exception to the ordinance.

The City of San Angelo currently allows vehicles of all classifications to travel any roadway within the city except 40 roadway sections defined in Section 10.01.019 "Commercial Vehicles Prohibited from Using Certain Streets" of the Code of Ordinances. Aside from these sections, all classifications of vehicles are currently allowed to travel any city street. Commercial truck traffic exceeding 33,000 GVWR places elevated levels of stress on the roadway. Restricting such traffic on lesser roadways could result in extending the life of city roadways as well as positively impacting issues such as noise, pollution, traffic congestion, and safety.

Financial Impact:

Initial installation costs for signs would be approximately \$20,000. Additional annual maintenance costs are expected to be \$2,000 for maintaining, repairing, and replacing signs as necessary.

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|---|
| 1. | 16-062 Designated Commerical Vehicle Ordinance - amended | 16-062 Designated Commerical Vehicle Ordinance - amended.docx |
|----|--|---|

Presentation:

Approvals/Reviews:

Patrick Frerich
Shane Kelton

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

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 10 “TRAFFIC CONTROL”, ARTICLE 10.01 “GENERAL PROVISIONS” OF THE CODE OF ORDINANCES OF THE CITY OF SAN ANGELO, TEXAS BY DELETING AND REPLACING SECTION 10.01.019 “COMMERCIAL VEHICLES PROHIBITED”; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council has placed a priority on improving and maintaining the roadways within the City of San Angelo; and

WHEREAS, roads are designed and built to withstand traffic from certain size vehicles; and

WHEREAS, to protect the roadways from unnecessary wear and tear, the City Council finds it necessary to designate commercial vehicle routes in San Angelo, Texas.

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

SECTION 1. THAT Chapter 10 “Traffic Control”, Article 10.01 “General Provisions”, Section 10.01.019 “Commercial Vehicles Prohibited” is hereby deleted and replaced as set out below.

“Sec. 10.01.019 Commercial Vehicles.

(A) Definitions.

The following definitions shall apply to this Section.

1. *Commercial Vehicle.* Every vehicle designed, maintained, or used primarily for the transportation of property and whose registered gross vehicle weight rating or combined vehicle weight rating exceeds 33,000 pounds.
2. *Designated Truck Routes.* Routes designated and approved by City Council for use by Commercial Vehicles within the City of San Angelo and kept on file in the Office of the Director of Planning and Development.
3. *Public Utility.* A company that provides electrical, gas, cable, internet, or phone service to the general public.

(B) Operation of Commercial Vehicles

Commercial vehicles shall only be operated within the City limits on Designated Truck Routes.

(C) Exceptions

Commercial vehicles may travel on streets or parts of streets not designated as Designated Truck Routes under the following exceptions:

1. Police, fire, emergency, maintenance, garbage, or other similar vehicles operating at the direction of the city, county, state, or public utility.
2. Vehicles with a gross combined weight rating exceeding 33,000 pounds with truck Federal Highway Administration classification of less than class 8. This exception does not apply to a vehicle in tow of a trailer and combined gross weight of the vehicle and trailer exceeds 33,000 pounds.
3. Commercial vehicles used in the delivery or pick up of cargo from businesses or temporary sites, performing service calls, or traveling to or from maintenance locations so long as:
 - (a) Such destinations are not located on or accessible from a Designated Truck Route;
 - (b) The routes traveled to such destinations are as direct from and to Designated Truck Routes as possible; and
 - (c) Travel to and from such destinations by commercial vehicles are controlled, limited, and only as necessary.
4. Commercial vehicles travelling on officially established detours.
5. Commercial vehicles leaving from or returning to its customary storage location where the vehicle can be legally parked or stored while not in use.

(D) Presumption

Any person operating a Commercial Vehicle upon any street or highway which is not a Designated Truck Route as provided for herein, shall have in their possession for inspection of police officers a log book or evidence of destination and point of origin to justify the presence of said vehicle. Failure to have such log book or evidence in his possession shall not be an offense but shall create a presumption that such person is unlawfully operating the Commercial Vehicle in violation of this Article.

(E) Penalty

Any person violating the provisions of this Article shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with the general penalty provision found in section 1.01.009 of this code.”

SECTION 2. THAT any person, firm or corporation violating any provisions of this article shall be guilty of a misdemeanor and upon conviction shall be subject to a fine as provided for in Section 1.01.009 of this Code. Each day of such violation shall constitute a separate offense.

SECTION 3. THAT the terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 4. THAT this Ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by law.

INTRODUCED with public hearing on the 5th day of March, 2019 and finally PASSED,
APPROVED AND ADOPTED on this the 19th day of March, 2019.

THE CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Russell Pehl, City Engineer, Engineering Services, 325-657-4201

Meeting Date: March 5, 2019

Item type: Regular Item

Caption:

Discussion and possible action regarding a policy amendment to small cell nodes in the right of way (Presentation made by City Engineer Russell Pehl)

Summary/History:

Engineering's design manual for small cell nodes in the public right of way (ROW) require the electric meter to be placed on the power pole where the proposed node is to be located to reduce the number of structures in the ROW. American Electric Power (AEP) owns the majority of the poles in the ROW and they do not allow meter's to be placed on their poles. Thus requiring an additional structure in the ROW.

Financial Impact:

No fiscal impact.

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Russell Pehl	Created/Initiated
Russell Pehl	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: Robert Schneeman, Economic Development Coordinator, Economic Development, 325.653.7197

Meeting Date: March 5, 2019

Item type: Regular Item

Caption:

Presentation on the last 5-years of Economic Development (Presentation made by Economic Development Director Guy Andrews)

Summary/History:

See attached Power Point

Financial Impact:

N/A

Other Information/Recommendation:

Attachments:

1. Council power point - COSADC Incentives 3-5-19 R Council power point - COSADC Incentives 3-5-19 R.pptx

Presentation:

Guy Andrews

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	Approved
Julia Antilley	Final Approval



City Council

March 5, 2019



City of San Angelo Development Corporation Incentives



City of San Angelo Development Corporation Incentives

- There is no such thing as “free money”
- All incentives are earned
- A “partnership” between COSADC and the business is shaped with a legal agreement
- Incentives are not paid until certain conditions outlined in the agreement are met
- All agreements must be approved by the COSADC Board of Directors and City Council



City of San Angelo Development Corporation Incentives

- San Angelo has a Type B economic development corporation
- This allows us to provide economic incentives, but also to do community development related projects.
- This gives us flexibility to undertake projects whenever opportunities arise.



5 Year COSADC/BREP Projects

- Direct jobs created: 56
- Capital Investment in community: \$3,163,000
- Direct increase in taxable property values: \$2,589,040
- Average income of new jobs created: \$54,852.81
- Incentives paid: \$587,822



5 Year Chamber of Commerce Projects

- Direct jobs created: 401
- Capital Investment in community: \$167,070,000
- Direct increase in taxable property values: N/A
- Average income of new jobs created: N/A
- Incentives paid: \$0



5 Year Land Sales Industrial Park

- Approximately 123 Acres Sold
- Total Sales Revenue = \$ 2,627,630
- Total Appraised Value of Improvements resulting from sales = \$86,831,633
- Increase in Appraised Taxable Value = \$24,457,053 (adjusted for estimated previous location appraised values)



5 Year Ballot Projects

- 2014 - \$4,949,087
- 2015 - \$5,124,086
- 2016 - \$9,104,034
- 2017 - \$7,868,410
- 2018 - \$5,910,641

Total - \$32,956,258

5 Year Average - \$6,591,252





City Council

March 5, 2019



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 5, 2019

Item type: Regular Item

Caption:

Consider ratifying a resolution by COSADC authorizing the use of sales and use tax funds in the amount of \$65,000, for the purposes of awarding a contract (DC-01-19) to Inter/Direct U.S.A., Ltd, d/b/a Community Development Strategies for expert services to prepare a comprehensive housing analysis that will assess overall housing needs in the competitive market area, to include workforce and affordable housing (Presentation made by Economic Development Director Guy Andrews)

Summary/History:

See attached Memo

Financial Impact:

\$65,000 from Account Number 452-900 Future Projects to a new project; Budget amendment required.

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|--|
| 1. | 18-739-
1_COSADC_CDS_AWARD_PROJECT_RESO_DRAFT2 | 18-739-
1_COSADC_CDS_AWARD_PROJECT_RESO_DRAFT2.pdf |
| 2. | Memorandum - RFP DC-01-19 Housing Analysis -
COSADC (2) | Memorandum - RFP DC-01-19 Housing Analysis - COSADC
(2).pdf |

Presentation:

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	Approved
Julia Antilley	Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION (COSADC) BOARD OF DIRECTORS AUTHORIZING THE USE OF SALES AND USE TAX FUNDS IN THE SUM OF \$65,000.00, FOR PURPOSES OF AWARDING A CONTRACT TO INTER/DIRECT U.S.A., LTD, D/B/A COMMUNITY DEVELOPMENT STRATEGIES (CDS) FOR EXPERT SERVICES TO PREPARE A COMPREHENSIVE HOUSING ANALYSIS THAT WILL ASSESS OVERALL HOUSING NEEDS IN THE COMPETITIVE MARKET AREA, TO INCLUDE WORKFORCE AND AFFORDABLE HOUSING, FOR A PROJECT 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, projects suitable for the promotion of development and expansion of affordable housing; and,

WHEREAS, the City of San Angelo published a request for proposals, RFP No. DC-01-19 Housing Analysis, for a comprehensive housing analysis for the city and its extra territorial jurisdiction suitable for the promotion of development and expansion of workforce and affordable housing to fulfill current and future needs; and,

WHEREAS, the proposal submitted by Community Development Strategies (a d/b/a of Inter/Direct U.S.A., LTD, hereinafter "CDS") is the highest ranked proposal for a reasonable fee and the Board recommends award of RFP No. DC-01-19 to CDS for a fee of \$65,000; 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 awarding of RFP No. DC-01-19 Housing Analysis to Community Development Services, a d/b/a of Inter/Direct U.S.A., LTD (CDS) subject to City Council ratification, and authorizing the use of sales and use tax funds for a contract with CDS for expert services to prepare a comprehensive housing analysis that will assess overall housing supply, needs and future demand in the City of San Angelo and its extra territorial jurisdiction, including workforce and affordable housing, in an amount of \$65,000; authorizing the COSADC Board President to execute said agreement and related documents; and recommending to City Council ratification of the award and contract.

PASSED, APPROVED, and ADOPTED on this the 27th day of February, 2019.

CITY OF SAN ANGELO DEVELOPMENT CORPORATION

ATTEST:

By: _____
Todd Kolls, President

Nora Nevarez, Corporate Secretary

RATIFIED by City Council this 5th day of February, 2019.

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, Interim City Clerk

APPROVED FOR CONTENT

APPROVED AS TO FORM

Guy D. Andrews
Director of Economic Development

Dan T. Saluri, Deputy City Attorney

MEMORANDUM

Date: February 27, 2019

From: Guy D. Andrews
Economic Development Director
City of San Angelo Development Corporation | 325-653-7197

To: City of San Angelo Development Corporation Board of Directors

Ref: RFP: DC-01-19 / Housing Analysis – Request to Enter Into Contract

SUMMARY:

The need for a comprehensive housing analysis for San Angelo has been under discussion for several months with the various stakeholder groups impacted by the study.

The purpose of the proposed study is to provide a credible third-party opinion concerning the balance of existing housing products relative to a desired quantity, price, type and quality mix. The underlying framework for this type of strategic gap analysis is the evaluation of supply and demand within the context of the economic conditions and trends that influence development opportunities in the market area. The housing analysis investigates the nature and magnitude of demand for all types and prices of for-sale and rental housing deemed to be appropriate for the San Angelo area. The ensuing report/plan presents conclusions and recommendations including possible developer incentives and realistic target opportunities for new development and redevelopment to fulfill current and future needs.

The City of San Angelo Development Corporation (COSADC) staff requests approval to enter into a contract with Community Development Strategies (CDS) concerning RFP: DC-01-19 / Housing Analysis.

RFP: DC-01-19 / Housing Analysis was published on January 23, 2019 with responses due by 2:00 p.m. on February 7, 2019. The Scope of Services Requested attached as Exhibit A.

Proposals mailed to three potential vendors. Only CDS responded to those e-mails. Four proposals received because of the e-mails and publication of the RFP. A list attached as Exhibit B.

The Selection Process attached for reference as Exhibits C.

CDS was the most qualified and the low cost bidder to conduct the Housing Analysis. The Ranking Worksheet RFP Acknowledgement * DC-01-19 / Housing Analysis and Written Justification attached as Exhibits D and E respectively.

The committee that performed the evaluation included:

Guy Andrews – Director of Economic Development - COSADC

Michael Looney – Vice-President of Economic Development – San Angelo Chamber

Bob Schneeman – Economic Development Project Manager - COSADC

Nora Nevarez – Economic Development Assistant - COSADC



CITY OF SAN ANGELO
PURCHASING DIVISION
 72 West College Avenue, San Angelo, Texas 76903
 Tel: (325) 657-4219

2. SCOPE OF SERVICES REQUESTED

The City of San Angelo is accepting proposals for a housing analysis encompassing the City Limits and the extraterritorial jurisdiction (ETJ) of San Angelo, Texas.

Key elements of the scope of work will include:

- A. Definition of the Competitive Market Area (CMA) for San Angelo, Texas
- B. Review of socio-demographic trends and patterns in the CMA
 - a. Analysis of population growth trends
 - b. Review of market area demographic data (age, income, education, household data)
 - c. General economic and employment overview as a housing demand driver
 - d. Special attention to current and future housing needs of military personnel stationed at Goodfellow AFB, students attending Angelo State University, Howard College and growing employers in the area
 - e. Implications from the above relative to planning for future housing needs
- C. Review of CMA support factors
 - a. Shopping, retail, and entertainment services
 - b. Educational facilities and services
 - c. Parks, health care, recreational and community facilities
 - d. Road and infrastructure improvements
- D. Assessment of active and planned housing developments in the CMA
- E. Analysis of existing housing supply/stock characteristics – for-sale and rental
 - a. Price trends
 - b. New development
 - c. Market role of older / "legacy" residential supply
- F. Evaluation of the adequacy of the existing affordable housing stock
- G. Analysis of affordable and workforce housing relative to appropriate ratios and likely future conditions and needs
- H. General projection of demand for both for-sale and rental housing units based on projected household growth and renter shares of total households
- I. Evaluation of latent demand for move-up homes due to resale market constraints/conditions and/or lack of availability of suitable housing inventory and related opportunities for down-cycling of older housing toward affordability
- J. Estimates of demand for single family and townhome / duplex housing products
- K. Estimates of demand for rental units (various types)
- L. Assessment of demand for urban / downtown housing types
- M. Assessment of credit worthiness among demand segments
- N. Overall opportunities for developing various types of housing in the market area
- O. Housing price ranges and rental rates deemed achievable
- P. Exploration of developer incentives needed to encourage affordable housing programs
- Q. Assessment of need for modifications to existing codes, zoning, permitting procedures or city policies/regulations that could impact development of affordable and workforce housing
- R. Preparation of a market report containing the findings, conclusions and recommendations



CITY OF SAN ANGELO
RFP Acknowledgment * DC-01-19 / Housing Analysis
 February 7, 2019 at 2:00pm

	Proposals Received	City	State
1	RCLCO	Austin	TX
2	CDS	Houston	TX
3	Economic & Planning Systems	Denver	CO
4	Matrix Design Group	Grapevine	TX

	Mailed to:	City	State
1	Comm. Develop. Svcs. (CDS)	Houston	TX
2	Housing Research Center	El Paso	TX
3	Residential Strategies (RSI)	Dallas	TX

NOTE: Include this form with your Agenda Memo



CITY OF SAN ANGELO
PURCHASING DIVISION
 72 West College Avenue, San Angelo, Texas 76903
 Tel: (325) 657-4219

4. SELECTION PROCESS

A selection committee will evaluate and rank the proposals in relation to the published selection criteria within 45 days after the opening.

The City reserves the right to negotiate the final fee schedule, prior to recommending any contract.

The City's process is as follows:

1. The City will evaluate and rank the proposals in relation to the published selection criteria within 45 days after the opening.
2. The City reserves the right to revise the proposal and then request "Best and Final Offers" from the top candidates following the initial evaluation.
3. The City then will select the proposal that offers the best value based on the published selection criteria and its ranking evaluation.
4. Following the selection, the contract negotiation process begins and the City will negotiate first with the highest ranked offer. At this stage, the City may discuss modifications to the proposed scope, time and price. Modifications are not required, and if they are discussed but not agreed to by the City and the respondent, a final contract may still be negotiated and agreed upon based on the original response to the RFP. If the two parties are unable to reach a final agreement, the City will inform that respondent in writing that negotiations are ended.
5. The City may then negotiate with the next ranked respondent. This continues in the order of the selection ranking until a contract is reached or all proposals are rejected.

The proposals will be evaluated based on the criteria and weighting detailed below.

Item	Criteria	Points
1	Completeness and conformity of the reply to the RFP	40
2	Overall approach and methodology to be used to accomplish the RFP requirements	30
3	Staff Qualifications and Organization Experience	20
4	References	5
5	Fees	5
Total		100

Ranking Worksheet
RFP Acknowledgment * DC-01-19 / Housing Analysis

Committee Member: Guy Andrews		RCLCO	CDS	Economic & Planning Systems	Matrix Design Group
Category	Max Pts				
Submission Evaluation	100	70	100	80	90
Total Score		100	70.00	100.00	80.00
90.00					
Committee Member: Bob Schneeman		RCLCO	CDS	Economic & Planning Systems	Matrix Design Group
Category	Points				
Submission Evaluation	100	71	100	88	91
Total Score		100	71.00	100.00	88.00
91.00					
Committee Member: Michael Looney		RCLCO	CDS	Economic & Planning Systems	Matrix Design Group
Category	Points				
Submission Evaluation	100	75	100	65	76
Total Score		100	75.00	100.00	65.00
76.00					
Committee Member: Nora Nevarez		RCLCO	CDS	Economic & Planning Systems	Matrix Design Group
Category	Points				
Submission Evaluation	100	59	100	75	80
Total Score		100	59.00	100.00	75.00
80.00					
Committee Member Summary					
Category	Total Points	RCLCO	CDS	Economic & Planning Systems	Matrix Design Group
Submission Evaluation	400	275.00	400.00	308.00	337.00
Total Score		400	275.00	400.00	308.00
Ranking			4	1	3
					2

Attach a Written Justification for each company's ranking and forward to Purchasing
NOTE: Attach the Committee Member Summary and the Written Justification to your Agenda Background Memo

JUSTIFICATION FOR AWARD OF CONTRACT

Community Development Services (CDS) – RANKING #1 - \$65,000

- Provided the most complete proposal with no gaps in the scope of services.
- Only provider that specifically included San Angelo's ETJ as requested in the scope of services.
- Lowest overall costs of \$65,000 that is all-inclusive without optional costs.
- Proposal included significant personal involvement of stakeholders and surveys of major employers as requested in the scope of services. "These findings will be augmented with qualitative information derived from interviews with real estate professionals, business leaders, major employers, university administrators, military base personnel and other selected knowledgeable parties to validate the extent to which San Angelo is currently underserved".
- Special attention to Goodfellow AFB, Angelo State University, and Howard College emphasized in the proposal as requested in the scope of services.
- CDS has the most Texas, including West and Central Texas regional experience, with studies conducted in Odessa, Midland, Amarillo, Sweetwater, and Brownwood.
- Data derived in the recently completed Odessa study will be beneficial in projecting the impact of oil and gas activities.
- CDS has experience in conducting studies in communities that include colleges and universities, and air force bases such as Vance AFB in Enid, Oklahoma.
- The President of CDS and the Senior Market Analyst will be conducting the analysis.
- Most of CDS studies originated from economic development organizations with similar goals that the City of San Angelo Development Corporation is trying to achieve.
- Experience with CDS illustrates they can produce meaningful results that can be utilized by builders and developers as well as the financial community, including HUD, and other community stakeholders.

Matrix Design Group – RANKING #2 - \$91,555

- Complete and in conformity in reply to the RFP.
- Overall approach and methodology was very good.
- Good references, but limited experience with Texas communities.
- Highest total costs at \$91,555. This company is also a civil engineering company that utilizes similar fee mechanisms including overhead costs for seven positions that range from a consultant to the Executive Vice President level.

Economic & Planning Systems, Inc. (EPS) – RANKING #3 - \$65,040 with optional costs of \$20,000

- Complete and in conformity in reply to the RFP.
- Overall approach and methodology were good.
- Second highest costs of \$85,040 due to items requested in the scope of services listed as optional costs of \$20,000 for conducting surveys.
- Good references, but limited experience with Texas communities. The only Texas studies were for San Antonio and Plano that are in metro areas where the demographics are very different from our region.

RCLCO – RANKING #4 - \$61,000 but not a firm price

- Not in conformity in reply to the RFP. No emphasis on Goodfellow AFB, Angelo State University, and Howard College.
- Missed the overall scope and focused on affordable and workforce housing rather than the overall housing situation.
- Did not include surveys and employment trends and stated it would rely on the City for that kind of data.
- Data driven methodology with very limited personal interface with the community stakeholders.
- Experience more focused on developers than overall community.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 5, 2019

Item type: Regular Item

Caption:

Consider ratifying a resolution by COSADC authorizing the sale of approximately 6.4 acres of land out of the San Angelo Business and Industrial Park to Jeff Prince Operating, LP at a price of \$25,000 per acre and authorizing the Board President to negotiate and execute a real estate sales contract (Presentation made by Economic Development Project Manager Robert Schneeman)

Summary/History:

Jeff Prince Operating, LP has offered \$25,000 per acre for a tract of land located in Phase 1 of the Industrial park, more specifically located at the northeast corner of the intersection of Loop 306 and FM 380. (See attached exhibit) The exact configuration and acreage will be determined by a survey on the ground and the total sales price will be calculated accordingly. COSADC unanimously approved the sale at its meeting on February 27, 2019.

Financial Impact:

Approximately \$160,000 revenue to account no. 392-200. Exact amount to be determined upon receipt of survey and verification of exact acreage. (\$25,000 per acre)

Other Information/Recommendation:

Attachments:

1. 18- 892_COSADC_PRINCE_6.4_ACRES_INDUST_PK_RESO(2) 2.6 Acre Contract Exhibit	18- 892_COSADC_PRINCE_6.4_ACRES_INDUST_PK_RESO(2).pdf 6 Acre Contract Exhibit.pdf
--	---

Presentation:

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	Approved
Julia Antilley	Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION BOARD OF DIRECTORS AUTHORIZING THE SALE OF APPROXIMATELY 6.4 ACRES OF LAND OUT OF THE SAN ANGELO BUSINESS AND INDUSTRIAL PARK TO JEFF PRINCE OPERATING, LP AT A PRICE OF \$25,000.00 PER ACRE; AUTHORIZING THE BOARD PRESIDENT TO NEGOTIATE AND EXECUTE A REAL ESTATE SALES CONTRACT IN A FORM APPROVED BY THE CITY ATTORNEY; AND RECOMMENDING RATIFICATION BY CITY COUNCIL.

WHEREAS, on September 19, 2000, the City of San Angelo ("CITY") conveyed to the City of San Angelo Development Corporation ("COSADC") 406.674 acres of land, restricted to use as an industrial park; and

WHEREAS, COSADC has recorded a Declaration of Covenants, Conditions and Restrictions and an amendment to said Declaration, the same relating to development of the land as an industrial park; and,

WHEREAS the COSADC Board has determined that the sales price is an adequate consideration and that the proposed sale of approximately 6.4 acres of land to Jeff Prince Operating LP shall be subject to said use restrictions and Declaration of Covenants, Conditions and Restrictions, as amended,

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

The Board hereby authorizes the sale of 6.4 acres of land out of the San Angelo Business and Industrial Park, being out of the remainder of Block 1, San Angelo Gateway Addition Section 1, as recorded in Plat Cabinet "F," Slide # 17, Records of Tom Green County, Texas, to Jeff Prince Operating, LP at a price of \$25,000.00 per acre, the exact area to be determined by a survey on the ground; authorizes the Board President to prepare and execute a real estate sales contract with Jeff Prince Operating, LP in a form approved by the City Attorney; and recommends ratification by City Council

ADOPTED on this the 27th day of February, 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

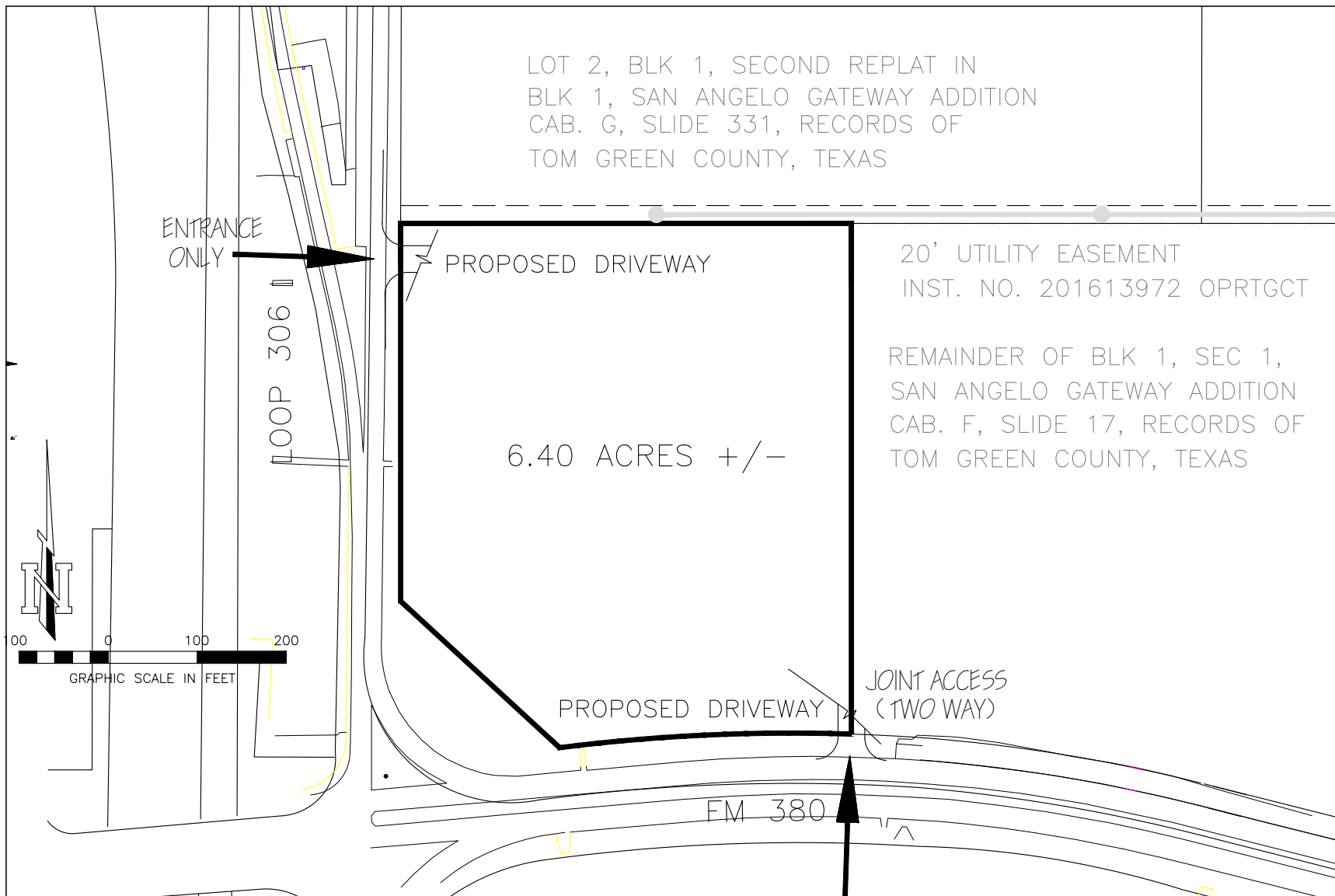
Guy Andrews, Director of
Economic Development

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

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 5, 2019

Item type: Executive Session Item

Caption:

Consider ratifying a resolution by COSADC authorizing the Board President to negotiate and execute a professional services agreement, with Centurion Planning and Design in an amount not to exceed \$7,500, relating to an approved project for additional professional engineering and surveying services required by TXDOT on permit applications for driveway access to a portion of the Remainder of Block 1 San Angelo Gateway Addition, Section 1 of the San Angelo Business & Industrial Park (Presentation made by Economic Development Project Manager Robert Schneeman)

Summary/History:

Jeff Prince Operating, LP has offered \$25,000 per acre for a tract of land located in Phase 1 of the Industrial park, more specifically located at the northeast corner of the intersection of Loop 306 and FM 380. (See attached exhibit) The exact configuration and acreage will be determined by a survey on the ground and the total sales price will be calculated accordingly. As a condition of sale, COSADC is required to obtain a TXDOT driveway permit for two access drives to the property. In order to obtain the TXDOT permit, plans and drainage calculations are required to be prepared by a Professional Engineer. COSADC unanimously approved this item at its meeting on February 27, 2019.

Financial Impact:

\$7,500 from Account No. 452-900 Future Projects to a new project; Budget amendment required.

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|--|
| 1. | 19-343_COSADC_CENTURION_DRIVWAY_PMT_RESO (003) | 19-343_COSADC_CENTURION_DRIVWAY_PMT_RESO (003).pdf |
| 2. | Engineering Scope of Services - SABAIP Site Plan | Engineering Scope of Services - SABAIP Site Plan.pdf |
| 3. | 6 Acre Contract Exhibit | 6 Acre Contract Exhibit.pdf |

Presentation:

Approvals/Reviews:

Robert Schneeman
Guy Andrews
Theresa James
Anthony Wilson
Candice Blake

Created/Initiated
Approved
Approved
Approved
Approved

Tina Dierschke
Theresa James
Becky Dunn
Julia Antilley

Approved
Approved
Approved
Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION AUTHORIZING THE BOARD PRESIDENT TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT, WITH CENTURION PLANNING AND DESIGN IN A SUM NOT TO EXCEED \$7,500, RELATING TO AN APPROVED PROJECT FOR ADDITIONAL PROFESSIONAL ENGINEERING AND SURVEYING SERVICES REQUIRED BY TXDOT ON PERMIT APPLICATIONS FOR DRIVEWAY ACCESS TO A PORTION OF THE REMAINDER OF BLOCK 1 SAN ANGELO GATEWAY ADDITION SECTION 1 OF THE SAN ANGELO BUSINESS & INDUSTRIAL PARK, SUBJECT TO APPROVAL OF THE CITY COUNCIL.

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, City is the owner and operator of the San Angelo Business and Industrial Park ; and,

WHEREAS, on October 25, 2017, COSADC adopted a resolution approving a project for professional engineering and surveying services for infrastructure for the San Angelo Business and Industrial Park; and

WHEREAS, a proposed sale of 6.4 acres of land out of the San Angewlo Business and Industrial Park will require TxDOT approval of permits for access driveways and related facilities, which application will require professional surveying and engineering services; and,

WHEREAS, as a part of said permit application TXDOT requires preliminary engineering design drawings reflecting grading and drainage patterns and calculations prepared by a Professional Engineer ; and,

WHEREAS COSADC has requested and received a proposal to perform said preliminary engineering design services; from Centurion Planning and Design in the amount of \$7,120;

NOW, THEREFORE, BE IT RESOLVED by the city of San Angelo Development Corporation Board of Directors that:

The Board President is hereby authorized to negotiate and execute a professional services contract with CENTURION PLANNING & DESIGN, LLC, in a form approved by the City Attorney for professional engineering, surveying services not to exceed \$7,500, required for driveway access permits from the Texas Department of Transportation under the Project, and recommends that City Council approve this resolution.

ADOPTED on this the 27th day of February, 2019.

CITY OF SAN ANGELO
DEVELOPMENT CORPORATION

ATTEST:

Todd Kolls, President

Nora Nevarez, Corporation Secretary

Ratified by City Council this 4th day of December, 2018.

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, Interim City Clerk

APPROVED AS TO FORM

APPROVED AS TO CONTENT

Dan Saluri, Deputy City Attorney

Guy Andrews, Director of
Economic Development



SCOPE OF WORK

San Angelo Business Park Tract 25 Site Plan

San Angelo, Texas

January 8, 2019

The following Scope of Work (SOW) describes the consultant work effort required to provide basic professional engineering services for providing a site grading plan and driveway permit for Tract 25 at the San Angelo Business and Industrial Park in San Angelo, Texas.

The general scope of work will include the following:

- Design of a site grading plan for Tract 25 in the San Angelo Business and Industrial Park
- Sizing of drainage elements associated with the grading of the tract
- Completion of TxDOT Form 1058 to request a Driveway Permit for the site
- Submission of TxDOT Form 1058 to TxDOT on owners behalf (if requested)

No geotechnical investigation, surveying, or materials testing of any kind is included in the scope of this project.

ELEMENT 1 – Site Grading Plan

Preparation of a site grading plan utilizing topographic survey information provided to Centurion by the City of San Angelo Development Corporation (COSADC). If required, detention ponds will be sized and located on the property as part of the grading plan. Consultant anticipates producing a single sheet showing all necessary grading items.

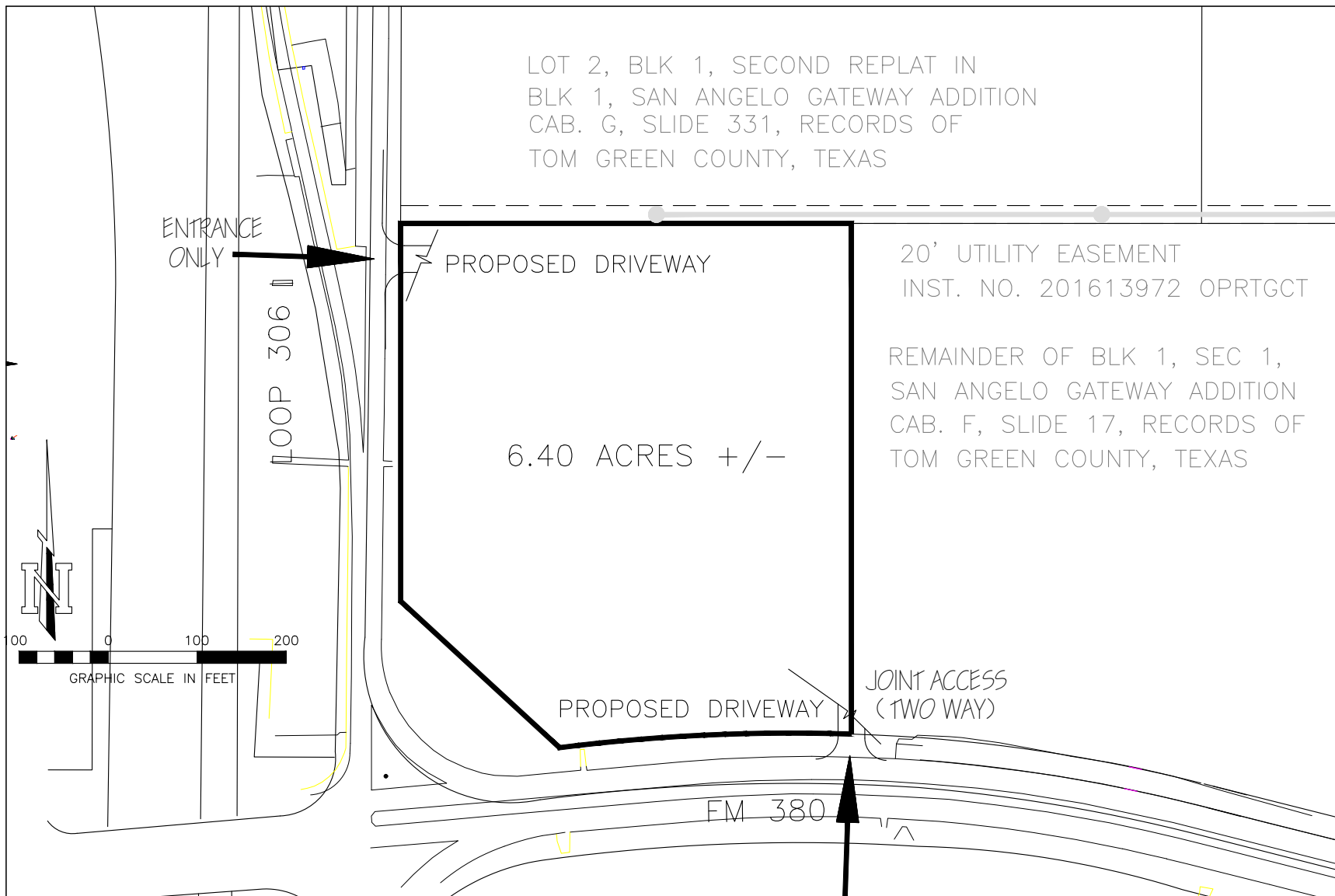
ELEMENT 2 – TxDOT Driveway Permit

The Consultant will fill out TxDOT Form 1058 – Permit to Construct Access Driveway Facilities on Highway Right of Way with all information required for submittal. Consultant will then either submit Form 1058 to TxDOT for processing, or deliver the form to the Owner to submit themselves.

PROJECT DESIGN FEE

The table below lists the design fees associated with each of the three elements listed above, as well as the total design fee for the project.

Element	Description	Fee
1	Site Grading Plan	\$6,120
2	TxDOT Driveway Permit	\$1,000
	TOTAL	\$7,120



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Manager, City Clerk, 325-657-4211

Meeting Date: March 5, 2019

Item type: Regular Item

Caption:

First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019, for capital items and grants (Presentation made by Finance Director Tina Dierschke)

Summary/History:

This proposed amendment contains the following items (additional information attached):

- Police Bullet Proof Vest Grant
- Police Justice Assistance Grant to purchase electronic control devices
- Hickory Water Supply engineering design for final phase

Financial Impact:

See Exhibit A of the ordinance.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | |
|----------------------------------|------------------------------------|
| 1. Ordinance 01.22.19 | Ordinance 01.22.19.docx |
| 2. BA Memos ALL 3.19.19 | BA Memos ALL 3.19.19.pdf |
| 3. 03.19.19 FIN Budget Amendment | 03.19.19 FIN Budget Amendment.pptx |

Presentation:

Approvals/Reviews:

Kimberly Holle
Tina Dierschke
Becky Dunn
Julia Antilley

Created/Initiated
Approved
Approved
Final Approval

**AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING
THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER
1, 2018, AND ENDING SEPTEMBER 30, 2019, FOR CAPITAL
ITEMS, AND GRANTS.**

WHEREAS the City of San Angelo has determined that certain budgeted amounts should be amended due to project changes and unforeseen circumstances, and

WHEREAS the resources necessary for these changes are available;

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 be amended by the amounts contained in Exhibit A.

INTRODUCED on the 5th day of March, 2019, and APPROVED and ADOPTED on this 19th day of March, 2019.

ATTEST:

CITY OF SAN ANGELO, TEXAS:

Julia Antilley, City Clerk

Brenda Gunter, Mayor

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Tina Dierschke, Finance Director

Theresa James, City Attorney

City of San Angelo
Proposed Budget Amendment
Exhibit A

Fund	Total Revenue Amendment	Total Expense Amendment	Net Benefit/(Cost)
Intergovernmental Fund	\$36,929	\$36,929	\$-
Hickory Water Supply	\$-	\$586,519	(\$586,519)
Total	\$36,929	\$623,448	(\$586,519)

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
Police Tasers	Justice Assistance Grant	\$24,619	\$24,619	\$-
Police Bulletproof Vests	Bulletproof Vest Partnership Grant	\$12,310	\$12,310	\$-
Hickory Water Supply Final Phase	Hickory Water Supply Fund Balance and Interest	\$-	\$586,519	(\$586,519)
Total		\$36,929	\$623,448	(\$586,519)

Memo

To: Tina Dierschke, Finance Director

From: Frank Carter, Chief of Police

Date: 03/05/19

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for 2017 Justice Assistance Grant to purchase electronic control devices. Tom Green County is a sub-grantee for this direct award.

Source of Funding:

Department of Justice – Office of Justice Programs. Edward Byrne Justice Assistance Grant.

Funding previously approved? If so, by City Manager or City Council and when?

Yes, has been approved by council.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue:			0
JAG Grant	0	24,619	24,619
			0
Expense:			0
Safety Supplies	0	17,661	17,661
Transfer to Tom Green County	0	6,958	6,958

Additional Comments:

Increase revenue account for total amount of grant. (\$24,619)

Increase expenditure account for City's portion of grant. (\$17,661)

Increase transfer to Tom Green County for their portion of the grant. (\$6,958)

Memo

To: Tina Dierschke, Finance Director

From: Frank Carter, Chief of Police

Date: 03/05/19

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Received Bulletproof Vest Partnership (BVP) Grant funding. Need to adjust budget to accommodate anticipated revenue and expense.

Source of Funding:

Bulletproof Vest Partnership (BVP) Grant.

Funding previously approved? If so, by City Manager or City Council and when?

Acceptance of grant has been approved bu council.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue:			0
BVP Grant	0	12,310	12,310
			0
Expense:			0
Bulletproof Vest Expense	0	12,310	12,310
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Allison Strube, Water Utilities Director

Date: 02/26/19

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Utilize interest earned from Texas Water Development Board loan to pay for the engineering design phase of the Hickory final phase.

Source of Funding:

Fund balance of Hickory Water Supply (Fund 516) in the amount of \$580,869 and interest year to date of \$5,650

Funding previously approved? If so, by City Manager or City Council and when?

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Hickory Water Supply	1,961,999	586,519	2,548,518
			0
			0
			0
			0
			0

Additional Comments:



City Council

March 5, 2019



Budget Amendment

General Fund

Revenue

Expense

Reimbursed Expenses

\$101,851

Code Compliance Abatement

\$101,851



Budget Amendment

Intergovernmental Fund	Revenue	Expense
Justice Assistance Grant	\$24,619	
Safety Supplies		\$17,661
Transfer to Tom Green County		\$6,958



Budget Amendment

Intergovernmental Fund	Revenue	Expense
Bulletproof Vest Partnership Grant	\$12,310	
Bulletproof Vest Expense		\$12,310



Budget Amendment

Hickory Water Supply Fund

Revenue

Expense

Engineering Design Phase

\$586,519





City Council

March 5, 2019



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 5, 2019

Item type: Regular Item

Caption:

Update on Preliminary Design Phase and consideration of awarding Task Order 2 under RFQ WU-04-19 Engineering Services for Water System Improvements to the Hickory Groundwater Supply Development to Enprotec / Hibbs & Todd, Inc. in the amount of \$3,117,450, and authorizing the City Manager to execute any related documents (Presentation made by Scott Hibbs, P.E., Enprotec / Hibbs & Todd, Inc. and by Water Utilities Director Allison Strube)

Summary/History:

The City of San Angelo developed a groundwater supply and treatment system to add the Hickory Aquifer to its water supply portfolio. The Hickory groundwater supply consists of four major components: wellfield; groundwater storage and pumping; transmission piping; and groundwater treatment using ion exchange technology. The current capacity of the Hickory system is approximately 9,400 acre-feet per year (ac-ft/yr). This project will expand the Hickory system to reliably produce and treat the maximum production capacity from the Hickory Aquifer of 12,000 ac-ft/yr.

The preliminary design phase (Task Order 1) was authorized by City Council on March 20, 2018. The base contract and Task Order 1 were authorized under WU-04-18. Since that time City Council has awarded Enprotec / Hibbs & Todd WU-04-19 Engineering Services for Water System Improvements and Task Order 2 will be executed under those documents.

The Task Order 1 that was previously awarded included a preliminary design report complete with recommendations on the number of additional wells to meet production capacity and appropriate redundancies and separate cost estimates for the well field improvements and treatment plant upgrades. It also included assistance and coordination in applying for financial assistance with entities such as the Texas Water Development Board (TWDB).

Task Order 2 includes the preparation for the final construction drawings, contract documents, and specifications for the drilling of additional wells, the expansion of the wellfield collections and transmission system, increased treatment plant capacity, and the rehabilitation of the clearwell storage facility of the existing water treatment plant. They will also provide technical criteria, written descriptions, and design data for the City's use in filing applications for permits from or approvals of governmental authorities having jurisdiction to review or approve the final design of the project. They will also assist the City in consultations with these authorities, and revise the drawings, contract documents and specifications in response to directives from such authorities (including any environmental permitting). Anticipated permits or approvals are: City of San Angelo building official, the Texas Commission on Environmental Quality (TCEQ) and the TWDB. Please see the attached anticipated scope of work for more details.

In addition to the Hickory system improvements, we are in need of rehabilitating and upgrading the clearwell at the Water Treatment Plant (WTP). The existing clearwell was constructed in 1947 and since that time the concrete structure has deteriorated and maintenance and repairs are becoming more extensive and expensive. In addition, the way the current clearwell is built, the utility has severe limitations on making necessary repairs or performing maintenance without impacting the operations of the WTP and potentially impacting water deliveries. The proposed improvements include building and replacing the existing clearwell with two 2,500,000 gallon prestressed concrete tanks. This

improvement will allow for increased flexibility on maintenance and operation, as well as, optimization of disinfection strategies.

Financial Impact:

The original Texas Water Development Board loan of \$120,000,000 has remaining funds from the initial project to partially fund Task Order 2 of this contract. With the budget amendment item on this City Council meeting we are requesting an amendment to the existing budget of \$586,519 (\$580,869 will be from fund balance of Hickory Water Supply, Fund 516 and \$5,650 will be from interest earned year to date). This will be provide \$2,367,990 that will be available from the original loan to pay for a portion of this task order.

The remaining \$749,460 will be funded by the Water Capital funds and will be reimbursed once the expansion loan is secured from the TWDB for the final phase of the project.

Other Information/Recommendation:

Staff recommends that Task Order 2 be awarded to Enprotec / Hibbs & Todd, Inc. and the City Manager be authorized to execute any related documents.

Attachments:

1. Scope of Services for Task Order 2
- Scope of Services for Task Order 2.pdf

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

**Attachment A: Scope of Services for Task Order No. 2
to the
Engineering Services Agreement
Hickory Groundwater Supply System Expansion**

The City of San Angelo (Owner) developed a groundwater supply and treatment system to add the Hickory Aquifer to its water supply portfolio. The Hickory groundwater supply consists of four major components: wellfield; groundwater storage and pumping; transmission piping; and groundwater treatment using ion exchange technology. The current capacity of the Hickory system is approximately 8.4 million gallons per day (MGD), or 9,400 acre-feet per year (ac-ft/yr). This project will expand the Hickory system to reliably produce and treat the maximum production capacity from the Hickory Aquifer of 12,000 ac-ft/yr (Hickory Expansion Project or Project).

The Hickory Expansion Project will be developed in accordance with applicable regulations of the Texas Commission on Environmental Quality (TCEQ), and all other appropriate federal, state, and local laws. In general, the Scope of Services for developing the Hickory Expansion Project under the Engineering Services Agreement are anticipated to include:

- Task Order 1 – Basis of Design Report (Preliminary Design Phase), and Application for Financial Assistance
- Task Order 2 – Environmental Clearance, Permitting and Regulatory Coordination, Design Phase Level II (60%) and Level III (100%)
- Task Order 3 – Project Bidding or Contractor Selection using Alternative Delivery such as Construction Manager at Risk (CMAR) and/or Competitively Sealed Proposals (CSP)
- Task Order 4 – Construction Phase, Start-up, Commissioning Performance Validation of Facilities
- Task Order 5 – Post-Construction/Warranty Phase

The Engineer will provide engineering services supporting development of Final Design Drawings and Specifications in accordance with the detailed scopes outlined below.

A. Design Phase

Under Task Order No. 1, the Engineer completed the Preliminary Design Phase with the issuance of the Basis of Design Report for the Project. The Basis of Design Report relies on a series of Technical Memoranda developed by the Engineer. These included:

- Technical Memorandum No. 1 – Aquifer Supply and Development
- Technical Memorandum No. 2 – Well Production, Collection and Transmission
- Technical Memorandum No. 3 – Radium Treatment (Groundwater Treatment Plant)
- Technical Memorandum No. 4 – Residuals Management
- Technical Memorandum No. 5 – Supplemental Water Treatment Plant Needs

After delivery to Owner of the Basis of Design Report produced during Task Order 1, subject to any Owner-directed modifications or changes to the Project, Engineer shall:

1. Prepare an Engineering Feasibility Report for Texas Water Development Board (TWDB) review and approval, in accordance with the TWDB-0555 guidance document.
2. Prepare final Drawings, Contract Documents and Specifications indicating the scope, extent, and character of the Work to be performed and furnished by the Contractor.

- a. Specifications shall conform to the 16-division format of the Construction Specifications Institute.
 - b. The Contract Documents will be prepared using Engineers Joint Contract Documents Committee (EJCDC) 2018 Contract Documents along with the TWDB Required Forms. The Engineer will work in conjunction with Owner's Legal Staff and the TWDB to prepare the Contract Documents.
3. The final Drawings, Contract Documents and Specifications will be set up for procurement of up to four (4) separate Contractors as follows:
 - a. Contractor for Aquifer Wellfield Development
 - b. Contractor for Wellfield Collection and Transmission System Improvements
 - c. Contractor for Radium Treatment Plant and Residuals Management System Improvements (Groundwater Treatment Plant Improvements)
 - d. Contractor for Clearwell Storage at the existing water treatment plant (WTP)
4. It is anticipated that the Construction Projects may be delivered via an alternative delivery method, such as Construction Manager At-Risk (CMAR) or competitively sealed proposals (CSP).
5. Provide technical criteria, written descriptions, and design data for Owner's use in filing applications for permits from or approvals of governmental authorities having jurisdiction to review or approve the final design of the Project; assist Owner in consultations with such authorities; and revise the Drawings, Contract Documents and Specifications in response to directives from such authorities (including any environmental permitting). Anticipated permits or approvals are: City of San Angelo building official, the Texas Commission on Environmental Quality (TCEQ) and the TWDB.
6. Perform or provide the following additional Design Phase tasks or deliverables in addition to those outlined above and/or under the Engineering Services Master Agreement established for the Project:

Aquifer Wellfield Development

1. Design five (5) new municipal drinking water wells per the recommendations from Technical Memorandum No. 1.

 Design modifications for up to eleven (11) existing municipal drinking water wells to lower production pumps to accommodate increased pumping, per the recommendations from Technical Memorandum No. 1.

 Design modifications for up to four (4) existing municipal drinking water wells to replace pump motors to accommodate increased pumping, per the recommendations from Technical Memorandum No. 1.
2. Develop 60% and 100% level Opinions of Probable Construction Cost (OPCC) for the capital cost of the recommended wellfield development.

3. Review 60% and 100% design drawings and specifications at 60% and 100% Design Review Meetings with the Owner. Based on these meetings, develop specific criteria for wellfield operations, staffing, instrumentation, control systems and automation, support facilities, hazard mitigation, project delivery method, equipment procurement alternatives, and other issues that might impact wellfield design, layout and supporting infrastructure.
4. Incorporate the Owner's review comments into revised drawing and specifications for ultimate incorporation into the Aquifer Wellfield Development construction contract package.

Wellfield Collection and Transmission Improvements

1. Design well site and well enclosure improvements for up to five (5) new municipal drinking water wells per the recommendations from Technical Memorandum No. 2.
2. Design wellfield collection improvements to support the inclusion of groundwater from the proposed five (5) new municipal drinking water wells into the existing wellfield collection system per the recommendations from Technical Memorandum No. 2.
3. Design replacement for the existing Pipeline "S" in the existing wellfield collection system to support increased flows from additional groundwater transport through this line per the recommendations from Technical Memorandum No. 2.
4. Design replacement of up to three (3) of the existing large booster pumps as well as installation of a new fourth large booster pump at the existing wellfield Booster Pump Station per the recommendations from Technical Memorandum No. 2.
5. Design new electrical service and site electrical improvements at each of the proposed five (5) new well sites per the recommendations from Technical Memorandum No. 2.
6. Design new backup power improvements at up to five (5) well sites per the recommendations from Technical Memorandum No. 2.
7. Design site electrical, backup power and additional Variable Frequency Drive (VFD) improvements at the existing wellfield Booster Pump Station site per the recommendations from Technical Memorandum No. 2.
8. Design improvements to the existing Supervisory Control and Data Acquisition (SCADA) system per the recommendations from Technical Memorandum No. 2 and the results of the pilot study under Authorized Additional Services below.
9. Develop 60% and 100% level Opinions of Probable Construction Cost (OPCC) for the capital cost of the recommended groundwater collection and transmission improvements.
10. Review 60% and 100% design drawings and specifications at 60% and 100% Design Review Meetings with the Owner. Based on these meetings, develop specific criteria for wellfield and booster pump station operations, staffing, instrumentation, control systems and automation, support facilities, hazard mitigation, project delivery method, equipment procurement alternatives, and other issues that might impact well site and/or booster pump design, layout and supporting infrastructure.
11. Incorporate the Owner's review comments into revised drawings and specifications for ultimate incorporation into the Wellfield Collection and Transmission Improvements construction contract package.

Groundwater Treatment Plant Improvements

1. Design improvements to the existing groundwater transmission sleeve valve system per the recommendations from Technical Memorandum No. 3.
2. Design improvements to the existing slipstream oxygenation system in the existing groundwater treatment plant (GWTP) per the recommendations from Technical Memorandum No. 3.
3. Design improvements to the existing oxidation contactors system including adding a new 5th train to the existing GWTP per the recommendations from Technical Memorandum No. 3.
4. Completion of improvements to the existing pressure filter system including addition of a new 4th train to the existing GWTP per the recommendations from Technical Memorandum No. 3.
5. Design improvements to the existing Water Remediation Technology (WRT) Radium Removal System in the existing GWTP including two additional new trains of three treatment vessels each per the recommendations from Technical Memorandum No. 3.
6. Design all piping, valving and necessary other appurtenance improvements to provide for a fully functioning GWTP per the recommendations of Technical Memorandum No. 3.
7. Design electrical and SCADA improvements at the existing GWTP per the recommendations from Technical Memorandum No. 3.
8. Develop 60% and 100% level Opinions of Probable Construction Cost (OPCC) for the capital cost of the recommended GWTP Improvements.
9. Review 60% and 100% design drawings and specifications at 60% and 100% Design Review Meetings with the Owner. Based on these meetings, develop specific criteria for GWTP operations, staffing, instrumentation, control systems and automation, support facilities, hazard mitigation, project delivery method, equipment procurement alternatives, and other issues that might impact GWTP design, layout and supporting infrastructure.
10. Incorporate the Owner's review comments into revised drawings and specifications for ultimate incorporation into the GWTP Improvements construction contract package.

Waste Residuals Management System

1. Design improvements to the existing backwash holding tank per the recommendations from Technical Memorandum No. 4.
2. Design an expansion to the existing backwash holding system for the existing GWTP per the recommendations from Technical Memorandum No. 4.
3. Design a new solids thickening system for the GWTP, consisting of multiple trains of thickening equipment and storage basins per the recommendations from Technical Memorandum No. 4.
4. Design a new solids dewatering system for the GWTP, consisting of multiple trains of dewatering equipment, dewatering building and dewatered solids storage and containerizing system per the recommendations from Technical Memorandum No. 4.

5. Design all piping, valving and necessary other appurtenance improvements to provide for a fully functioning residuals management system to support the GWTP per the recommendations of Technical Memorandum No. 4.
6. Design electrical and SCADA improvements necessary for the new residuals management system to support the GWTP per the recommendations from Technical Memorandum No. 4.
7. Develop 60% and 100% level Opinions of Probable Construction Cost (OPCC) for the capital cost of the recommended waste residuals management system improvements, and incorporate costs into the GWTP Improvements OPCC.
8. Incorporate waste residuals management system in the design drawings and specifications for 60% and 100% Design Review Meetings associated with the GWTP Improvements. Based on these meetings, develop specific criteria for GWTP residuals management system operations, staffing, instrumentation, control systems and automation, support facilities, hazard mitigation, project delivery method, equipment procurement alternatives, and other issues that might impact GWTP residuals management system design, layout and supporting infrastructure.

WTP Finished Water Storage

1. Design improvements to the existing finished water storage system including replacement of the existing buried 5.0 million gallon (MG) cast-in-place clearwell with two new 2.5 MG buried prestressed concrete clearwells per the recommendations from Technical Memorandum No. 5.
2. Design improvements to the proposed finished water storage system, potentially including mixing and/or aeration improvements to the proposed new 2.5 MG buried clearwells per the recommendations from Technical Memorandum No. 5.
3. Design improvements to the existing piping, valving and related appurtenance systems related to the finished water storage improvements per the recommendations from Technical Memorandum No. 5.
4. Design electrical and SCADA improvements for the new finished water storage improvements per the recommendations from Technical Memorandum No. 5.
5. Develop 60% and 100% level Opinions of Probable Construction Cost (OPCC) for the capital cost of the recommended finished water storage.
6. Review 60% and 100% design drawings and specifications at 60% and 100% Design Review Meetings with the Owner. Based on these meetings, develop specific criteria for instrumentation, control systems and automation, support facilities, hazard mitigation, project delivery method, equipment procurement alternatives, and other issues that might impact finished water storage design, layout and supporting infrastructure.
7. Incorporate the Owner's review comments into revised drawings and specifications for ultimate incorporation into the Clearwell Storage improvements construction contract package.

B. Authorized Additional Services

Engineer shall advise Owner that Engineer is commencing to perform or furnish the Authorized Additional Services of the types listed below. For such Authorized Additional Services, Engineer need not request or obtain specific advance written authorization from Owner. Engineer shall cease performing or furnishing such Authorized Additional Services upon receipt of written notice to cease from Owner.

1. Provide necessary field surveys and topographic and utility mapping for Engineer's design purposes for the following project components:
 - a. Five (5) new well locations
 - b. Wellfield piping and electrical corridors to serve the five (5) new well locations
 - c. Clearwells at the existing surface water treatment plant
2. Provide necessary property, boundary, easement, right-of-way, and other special surveys or data, including establishing relevant reference points, for the following project components:
 - a. Eight (8) new well location property surveys; includes five (5) wells to be constructed under this project and three (3) sites for future well locations.
 - b. Eight (8) new sanitary control easements; includes five (5) sanitary control easements for the wells to be constructed under this project and three (3) easements for future well locations.
 - c. Wellfield piping and electrical corridor easements to serve the eight (8) new well sites; includes five (5) wells to be constructed under this project and three (3) sites for future well locations.
3. Provide geotechnical explorations and tests of subsurface conditions for the following project components:
 - a. Five (5) new well locations (for electrical/control buildings)
 - b. Wellfield piping and electrical corridors
 - c. Clearwells at the existing surface water treatment plant
4. Provide for a pilot study to ascertain observed interruptions of service throughout the backhaul radio communication network. The study will include deployment of alternate wireless data radios than those currently being utilized. Operation, reliability, bandwidth, and latency readings will be recorded through at least one month's time but no longer than two months. The pilot study will include a spectrum analysis of existing wireless communications being propagated by others in the area specific to the deployed alternate radios. Availability of alternate data communications, e.g. fiber optic dedicated circuit, fiber optic internet 'cloud' services, and DSL communication service will be determined. Operation costs and availability of each service will be ascertained. Required equipment for proper internet protection will be listed. Results, findings and recommendations will be reported in a Technical Memorandum and presented to the Owner. The preferred solution will be identified and will be used to direct the final design effort for the SCADA system improvements.
5. Conduct necessary Environmental Services to complete TWDB environmental clearance requirements:

- a. Prepare proposed Project descriptions and graphics necessary to obtain environmental approval of regulatory agencies. This task also includes coordination with local, state and federal agencies, as identified in the TWDB's guidance document for developing Environmental Information Documents (EID), TWDB-0801.
 - b. Develop a draft EID document (and/or a draft categorical exclusion [CE] document), in conformance with TWDB's guidance document TWDB-0801. This document will include a description of proposed improvements at each potentially disturbed site in the Project, associated graphics of proposed improvements, discussion of compliance with the Endangered Species Act and the Historical Preservation Act, as well as a discussion of any anticipated geological, archaeological, biological and socio-economical impacts to the community from completing the proposed project.
 - c. Provide archaeological and/or biological support services as may be required to fully develop the EID or CE document.
 - d. Review the draft EID (and/or draft CE) at an Environmental Information Document Review Meeting with the Owner.
 - e. Incorporate Owner's review comments into a revised EID (and/or revised CE). Submit the revised EID (and/or revised CE) to TWDB for review and approval.
 - f. Assist the Owner in responding to TWDB questions and/or comments on the draft EID (and/or draft CE) during review of the EID (and/or CE) by the TWDB.
 - g. Assist the Owner in advertisement of the Public Hearing required to officially submit the EID for environmental clearance (a public hearing is not required for a CE).
 - h. Assist the Owner in conducting the EID Public Hearing.
 - i. Incorporate TWDB review comments (if any) and the meeting notes from the EID Public Hearing into the finalized EID. Submit a final copy of the EID to the Owner, TWDB, TCEQ and EPA for their records.
6. Provide technical criteria, written descriptions, and design data for Owner's use in filing applications for permits from or approvals of governmental authorities having jurisdiction (including the Hickory UWCD No. 1) to review or approve the final design; assist Owner in consultations with such authorities; and revise the Drawings and Specifications in response to directives from such authorities, as appropriate.

C. Additional Services

The following Additional Services are not included in the initial authorization for this Task Order No. 2. Additional Services will be performed by the Engineer only if authorized by the Owner in writing.

1. Services resulting from significant changes in the scope, extent, or character of the portions of the Project designed or specified by Engineer, or the Project's design requirements, including, but not limited to, changes in size, complexity, Owner's schedule, character of construction, or method of financing; and revising previously accepted studies, reports, Drawings, Specifications, or Construction Contract Documents when such revisions are required by changes in Laws and Regulations enacted subsequent to the Effective Date or are due to any other causes beyond Engineer's control.

2. Providing renderings or models for Owner's use, including services in support of building information modeling or civil integrated management.
3. Undertaking investigations and studies including, but not limited to:
 - a. detailed consideration of operations, maintenance, and overhead expenses;
 - b. the preparation of feasibility studies (such as those that include projections of output capacity, utility project rates, project market demand, or project revenues) and cash flow analyses, provided that such services are based on the engineering and technical aspects of the Project, and do not include rendering advice regarding municipal financial products or the issuance of municipal securities;
 - c. preparation of appraisals;
 - d. evaluating processes available for licensing, and assisting Owner in obtaining process licensing;
 - e. detailed quantity surveys of materials, equipment, and labor; and
 - f. audits or inventories required in connection with construction performed or furnished by Owner.
4. Preparing for, coordinating with, participating in and responding to structured independent review processes, including, but not limited to, construction management, cost estimating, project peer review, value engineering, and constructibility review requested by Owner; and performing or furnishing services required to revise studies, reports, Drawings, Specifications, or other documents as a result of such review processes.
5. Other additional services performed or furnished by Engineer not otherwise provided for in this Task Order No. 2.

1. Personal information

Name: Curtis Milbourn
Address: [REDACTED]
ZIP code: 76904
Home/mobile phone: [REDACTED]
Office/mobile phone: [REDACTED]
Resident of San Angelo since (year): 1984
City Council Single-Member District in which you reside: 6
Registered San Angelo voter? (yes or no) yes
Occupation/business affiliation: Texas Leadership Charter Academy
Occupation/business address: PO Box 61726, San Angelo, TX 76906
Title/position: Human Resources Director
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

01/08/2019

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) Fort Concho Museum Board

5. Recommended by:

(Name): Jason Pierce

6. Based on your board selection, do you meet the membership criteria?

(o) Yes

7. If so, which criteria?

Recommended for participation by a current Board member and interviewed by Mr. Robert Bluthardt, whom I have known for years.

8. Tell us about yourself.

Education and/or professional licenses:

I moved to San Angelo in 1984 where I served four years at Goodfellow AFB in the USAF (1984-1988). After my honorable discharge I worked for 22 years at the San Angelo Police Department where I retired as a lieutenant (1988-2010). In 2012 I was asked to do contract work for Texas Leadership Charter Academy and in 2013 asked to take the position of Human Resources Director for TLCA.

In 1993 I graduated from Angelo State University with a Bachelor of Arts degree and in 1999 graduated from ASU with a

Master of Arts (History) degree. I was also named the Distinguished Graduate Student of the Year by ASU's College of Liberal and Fine Arts.

I have written a number of nationally and regionally published historical articles, enjoy reading and gaming as hobbies and am an avid baseball fan.

I am married and have three grown children.

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

None

Previous municipal experience (positions, dates, where):

San Angelo Police Department (February 1988 to March 2010)

What personal qualifications can you bring to the board?

A deep understanding of personnel issues from a Human Resources standpoint and a solid understanding of history and its importance. I have have technical writing and research skills.

What is your personal vision for the City?

I wish to leave the city a better place than it was before my time. I believe I did this at the San Angelo Police Department as was the supervisor immediately responsible for establishing the K-9 Unit and the Public Information Program--both of which are in existence nearly nine years after my retirement.

Why do you want to serve on this board?

History is my passion and Fort Concho is a local treasure. I believe my participation on the Board of Directors will create greater diversity and, as a result, a broader view that the board will have on the various issues it will be responsible for.

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

Nothing at this time.

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 325-657-4405.

Thank you,
City of San Angelo, TX

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