

Zoning Request	South End Stagecoach Trail LI/GC to CD-5
ZC-24-08	



Summary

Request:	Zoning change from Light Industrial and General Commercial to Character District-5.		
Applicant:	John David Carson Carson Haysco Holdings, LP San Marcos, TX, 78666	Property Owner:	John David Carson Carson Haysco Holdings, LP San Marcos, TX, 78666

Notification

Application:	10/4/2024	Neighborhood Meeting:	N/A
Published:	10/27/2024	# of Participants	N/A
Posted:	10/24/2024	Personal:	10/24/2024
Response:	None as of the date of this report		

Property Description

Legal Description:	Lots 1, 2 and 3, Block B and Lot 1, Block C in the Hays County Government Center Final Plat, and an unplatted 1.33-acre tract of land situated in the J.M Veramendi League, No.1.		
Location:	Intersection of S Stagecoach Trail and Wonderworld Drive, and S Stagecoach Trail and Dutton Drive		
Acreage:	21.46 acres	PDD/DA/Other:	N/A
Existing Zoning:	Light Industrial and General Commercial	Proposed Zoning:	Character District-5
Existing Use:	Vacant	Proposed Use:	No specific uses proposed at this time.
Existing Occupancy:	N/A	Occupancy:	Restrictions do not apply
Preferred Scenario:	Medium Intensity Zone and Open Space	Proposed Designation:	Same
CONA Neighborhood:	Dunbar	Sector:	1
Utility Capacity:	Available	Floodplain:	Yes
Historic Designation:	N/A	My Historic SMTX Resources Survey	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	General Commercial/ Light Industrial	Hays County Government Center/ Vacant	Medium Intensity (South End)
South of Property:	Heavy Commercial/ General Commercial	Bank	Medium Intensity (South End) and Open Space
East of Property:	General Commercial/ Light Industrial	Hays County Government Center/ Vacant	Medium Intensity (South End) and Open Space
West of Property:	Character District-5/ Light Industrial	Various commercial uses (restaurant, bank, air conditioning services)	Medium Intensity (South End)

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Staff Recommendation

<u>X</u>	Approval as Submitted	Alternate Approval	Denial
Staff: Julia Cleary, AICP Title : Senior Planner Date: 11/6/2024			

Commission Recommendation

<u>X</u>	Approval as Submitted	Approval with Conditions / Alternate	Denial
Speakers in favor or opposed John David Carson (applicant) – in favor John Cradit -in favor Todd Derkacz – in favor Virginia Parker (Citizen Comment) – in favor Recommendation from the Planning and Zoning Commission Meeting held November 12th, 2024. A motion was made by Commissioner Kelsey, second by Commissioner Costilla, to recommend approval of the request. The vote passed with an 8-0 vote. For: 8 (Agnew, Burleson, Case, Costilla, Dunn, Garber, Kelsey, Meeks) Against: 0 Absent: 1 (Spell) Discussion Topics: <i>Map Symbolology</i> -Commissioner Agnew asked for clarification on the green color shown on the Environmental Features map. Staff responded that it was caused by the mixing of the other layers and did not denote a specific feature.			

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History

The site is located within the “South End” Medium Intensity Zone designation in the 2013 Comprehensive Plan, which is “*anticipated to build out with a medium intensity mix of commercial and residential of different densities, with the Hays County Government Center drawing strong economic growth*”.

The request is one of three zoning change requests for this site:

- **ZC-24-08** (General Commercial” GC” /Light Industrial” LI” to Character District-5 “CD-5”) – *this request*
- **ZC-24-09** (Future Development “FD” / General Commercial” GC”/ Light Industrial “LI” to Character District-1 “CD-1”)
- **ZC-24-10** (Light Industrial “LI” to Character District-4 “CD-4”)

No specific uses have been proposed by the applicant at this time.

Additional Analysis

There are several environmental constraints within the site, most notably the 100-year floodplain and floodway within the property. However, as this property is currently already entitled under General Commercial and Light Industrial zoning, denial of this zoning change would not prevent this land from being developed. The uses in the proposed CD-5 zoning district; which include multifamily, commercial, offices, retail, and services, are considered to be in alignment with the “Medium Intensity” designation in the Comprehensive Plan. Part of the request area is called out as “Open Space” on the Comprehensive Plan, however this portion is located within a platted drainage easement (Bk 15, Pg 34-36) and so development will be limited on this part of the site.

Comments from Other Departments

Police	No Comment
Fire	No Comment
Public Services	No Comment
Engineering	No Comment

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Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan ¹ and preferred scenario map <i>The majority of the site is designated as “Medium Intensity” within the Comprehensive Plan – per Table 4.1 Character District-5 should be “Considered” within Medium Intensity zones. A portion of the site is designated as Open Space in the Comprehensive Plan where CD-5 is “Not Preferred” however this portion of the site is located within a platted drainage easement (Bk 15, Pg 34-36) and so development will be limited on this part of the site.</i>
		<u>N/A</u>	Whether the proposed zoning map amendment is consistent with any adopted small area plan or neighborhood character study for the area <i>Studies were not complete at the time of the request.</i>
<u>X</u>			Whether the proposed zoning map amendment implements the policies of any applicable plan adopted by City Council <i>The request is within the South End Medium Intensity Zone within the Comprehensive Plan which is “anticipated to build out with a medium intensity mix of commercial and residential of different densities, with the Hays County Government Center drawing strong economic growth”.</i>
		<u>N/A</u>	Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect <i>There is no development agreement in effect for this site.</i>
<u>X</u>			Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses shall be appropriate in the immediate area of the land to be reclassified <i>CD-5 allows for a mixture of residential and commercial uses including office, retail and multifamily. The request also abuts existing CD-5 zoning to the west/ south of the site.</i>
<u>X</u>			Whether the proposed zoning will reinforce the existing or planned character of the area <i>The surrounding area comprises commercial uses, governmental services and multifamily/ residential development which is consistent with the mixture of residential and commercial uses allowed in CD-5.</i>
<u>X</u>			Whether the site is appropriate for the development allowed in the proposed district <i>The district encourages higher density development with a minimum height of 2 stories, with enhanced site design standards (including a prohibition on parking in front of the building). This higher density is appropriate given the site’s frontage onto Wonderland Drive and proximity to the Hays County Government Center and I-35.</i>

¹ Please note that this application was submitted prior to the adoption of the new VisionSMTX Comprehensive Plan and so is being assessed against the Comprehensive Plan/Preferred Scenario in effect at the time of submittal (Ord 2018-03) as opposed to the new Preferred Scenario map in effect at the time of the P&Z/ Council meeting.

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Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
	<u>X</u>		Whether there are substantial reasons why the property cannot be used according to the existing zoning <i>The property can currently be developed for commercial and industrial uses under the existing General Commercial and Light Industrial Zoning.</i>
		<u>X</u>	Whether there is a need for the proposed use at the proposed location <i>No specific uses have been proposed by the applicant at this time. CD-5 allows for a variety of commercial and residential uses, all of which are considered appropriate in this part of the city.</i>
<u>X</u>			Whether the City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, public safety, and emergency services, while maintaining sufficient levels of service to existing development <i>The request is located adjacent existing roads and utilities.</i>
<u>X</u>			Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property <i>No significant adverse impacts are anticipated to adjacent properties.</i>
		<u>N/A</u>	For requests to a Neighborhood Density District, whether the proposed amendment complies with the compatibility of uses and density in Section 4.1.2.5 <i>This is not a request for a Neighborhood Density District.</i>
		<u>X</u>	The impact the proposed amendment has with regard to the natural environment, including the quality and quantity of water and other natural resources, flooding, and wildlife management <i>There is floodplain within the site and the zoning change would represent an increase in impervious cover allowed by right (100% impervious cover allowed in CD-5 compared to 80% in Light Industrial or General Commercial). However, it should be noted that approximately 4 ½ acres of the site (approx. 20% of the total request area) is covered by an existing drainage easement/ water quality zone where impervious cover is limited regardless of the zoning per Section 6.2.3.2.A of the Land Development Code.</i>
<u>X</u>			Any other factors which shall substantially affect the public health, safety, morals, or general welfare <i>There are no other factors which shall substantially affect the public health, safety, morals, or general welfare.</i>