

Zoning Request ZC-23-08

Cottonwood Creek Phase 3



Summary

Request:	Zoning change from GC to CD-4		
Applicant:	Doucet and Associates 7401 B Hwy 71 W. Suite 160 Austin, Texas, 78735	Property Owner:	Cottonwood Creek JDR, Ltd. 330 Wonder World Dr. Suite 300 San Marcos, TX 78666

Notification

Application:	2/3/2023	Neighborhood Meeting:	N/A
Published:	2/29/2023	# of Participants	N/A
Posted:	1/21/2023	Personal:	1/21/2023
Response:	Seven responses received.		

Property Description

Legal Description:	Cottonwood Creek, Phase 3, Unit 9		
Location:	Northwest corner of Rattler Road and Monterrey Oak		
Acreage:	1.811 acres	PDD/DA/Other:	N/A
Existing Zoning:	GC	Proposed Zoning:	CD-4
Existing Use:	Vacant	Proposed Use:	Townhomes
Existing Occupancy:	N/A	Occupancy:	N/A
Preferred Scenario:	Low Intensity Zone	Proposed Designation:	Same
CONA Neighborhood:	Cottonwood Creek	Sector:	Sector 5
Utility Capacity:	Adequate	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	P	Open Space	Open Space
South of Property:	TH	Park/Open Space	Low Intensity
East of Property:	PH-ZL	Residential	Low Intensity
West of Property:	P	Open Space	Open Space

Staff Recommendation

<input checked="" type="checkbox"/> Approval as Submitted	<input type="checkbox"/> Alternate Approval	<input type="checkbox"/> Denial
Staff: Craig Garrison		
Title : Planner		Date: 2/8/2023

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Commission Recommendation

<input checked="" type="checkbox"/>	Approval as Submitted	<input type="checkbox"/>	Approval with Conditions / Alternate	<input type="checkbox"/>	Denial
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Speakers in favor or opposed
 Ed Theriot – Applicant’s representative – In Favor
 Lisa Marie Coppoletta – Neutral

Recommendation from the Planning and Zoning Commission Meeting held January 10, 2023
 A motion to deny was made by Commissioner Spell, no second.
 A motion to approve was made by Kelsey, second by Commissioner Castilla to recommend approval of the request.
 The vote passed with a 6-1 vote, with Commissioner Spell dissenting.

For: 7 (Garber, Case, Kelsey, Castilla, Agnew, Meeks)
Against: 1 (Spell)
Absent: 1 (Sambrano)

Discussion Topics:
 Commissioner Spell discussed the need to keep commercial uses that service the adjacent community.

History

The subject property is a part of the Cottonwood Creek Master Plan. The existing zoning of GC allows a large variety of commercial uses and the area is shown as commercial on the existing master plan.

Additional Analysis

A change to CD-4 Zoning District will allow commercial uses while also allowing a variety of residential options as well. When the Cottonwood Creek Master Plan is renewed in 2023, this area can better reflect the future residential use, as necessary.

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 and preferred scenario map
		<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
		<u>X</u>	Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect
<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
<u>X</u>			Whether the proposed zoning will reinforce the existing or planned character of the area
<u>X</u>			Whether the site is appropriate for the development allowed in the proposed district
		<u>X</u>	Whether there are substantial reasons why the property cannot be used according to the existing zoning
		<u>X</u>	Whether there is a need for the proposed use at the proposed location
<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
		<u>X</u>	Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property
		<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
<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
		<u>X</u>	Any other factors which shall substantially affect the public health, safety, morals, or general welfare