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| Zoning Request | 800BLK S Stagecoach Trail South End S Stagecoach Trail LI to CD-4 |
| ZC-24-10 | |



Summary

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|-------------------|---|------------------------|---|
| Request: | Zoning change from Light Industrial to Character District-4. | | |
| Applicant: | John David Carson Carson Select Investments, LP 407 S Stagecoach Trail, Ste 203 San Marcos, TX, 78666 | Property Owner: | John David Carson Carson Select Investments, LP 407 S Stagecoach Trail, Ste 203 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

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|------------------------------|---|--|---|
| Legal Description: | Approximately 56.76 acres out of the J.M Veramendi League, No.1 | | |
| Location: | Generally located west of the Union Pacific Railroad between the southwestern end of Gravel Street and S Stagecoach Trail | | |
| Acreage: | 56.76 acres | PDD/DA/Other: | N/A |
| Existing Zoning: | Light Industrial | Proposed Zoning: | Character District-4. |
| 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: | Light Industrial (Proposed CD-1)/ Multifamily-24 | Vacant | Open Space |
| South of Property: | Light Industrial | Hays County Government Center | Medium Intensity (South End) |
| East of Property: | Single Family-6/ Multifamily-12 | Residential/ Railroad | Low Intensity/ Open Space/ Existing Neighborhood |
| West of Property: | Future Development/ Light Industrial (Proposed CD-1 & CD-5) | Vacant | Medium Intensity (South End) |

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Staff Recommendation

| | | |
|--|---|---------------------------------|
| <input checked="" type="checkbox"/> Approval as Submitted | <input type="checkbox"/> Alternate Approval | <input type="checkbox"/> Denial |
| Staff: Julia Cleary, AICP | | |
| Title : Senior Planner | | Date: 11/6/2024 |

Commission Recommendation

| | | |
|--|---|---------------------------------|
| <input checked="" type="checkbox"/> Approval as Submitted | <input type="checkbox"/> Approval with Conditions / Alternate | <input type="checkbox"/> Denial |
| <p>Speakers in favor or opposed John David Carson (applicant) – in favor John Cradit -in favor Virginia Parker (Citizen Comment) – in favor</p> <p>Recommendation from the Planning and Zoning Commission Meeting held November 12th, 2024. A motion was made by Commissioner Costilla, second by Commissioner Burleson, 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)</p> <p>Discussion Topics: <i>Risks of Residential Development in the Floodplain</i> -Commissioner Agnew noted that CD-4 zoning would likely develop as residential and enquired about the risks of putting residential development in the floodplain. Staff responded that new construction would need to comply with the City's Flood Damage Prevention Ordinance and associated environmental regulations at the time of permitting in order to minimize risk.</p> | | |

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History

The majority of 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”)
- **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”) - *this request*

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. The site also abuts existing Single Family-6 zoning on Gravel Street to the north. However, as this property is currently already entitled under Light Industrial zoning, denial of this zoning change would not prevent this land from being developed. Character District -4 allows for smaller multifamily (large scale apartment complexes are not permitted under this district) with limited commercial on corners or as part of a mixed-use building and is classified as a less intense district than the existing Light Industrial district per Table 2.3 in the Land Development Code. The zoning change from Light Industrial would place the site in closer alignment with the Preferred Scenario designation of “Medium Intensity” and is also considered to have less of an impact on the adjacent single-family neighborhood than if the property were to develop under the existing Light Industrial zoning.

Comments from Other Departments

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|------------------------|------------|
| 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> (VisionSMTX) | | <u>X</u> (Ord 2018-03) | 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 old Comprehensive Plan – per Table 4.1 Character District-5 should be “Considered” within Medium Intensity zones. The “Neutral” designation is due to the fact that part of the site is designated as “Open Space” where Character Districts are “Not Preferred”. Nevertheless, it should be noted that under the proposed changed <u>is</u> consistent with the newly adopted VisionSMTX Preferred Scenario – CD-4 should be “Considered” in both Medium Intensity – Medium and “Conserve/ Reserve” designation where the existing zoning is Light Industrial.</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 majority of 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 |
| <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-4. The zoning change also reflects the Medium Intensity designation on the Preferred Scenario map, which calls for a “medium intensity mix of commercial and residential of different densities”.</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 the site is appropriate for the development allowed in the proposed district <i>It should be acknowledged that there are floodplain constraints on the site which will limit development on some parts of the site. There is also an existing creek which runs along the northern part of the site which is designated as a Water Quality Zone - with limited exceptions, no development is permitted within this area per Section 6.2.3.2.A of the Code. However, some of these areas could potentially be used as parkland/ open space to meet the parkland dedication requirements for residential development at the time of platting.</i> |
| | <u>X</u> | | Whether there are substantial reasons why the property cannot be used according to the existing zoning <i>The site could develop under the existing "Light Industrial" zoning district.</i> |
| <u>X</u> | | | Whether there is a need for the proposed use at the proposed location <i>No specific uses are proposed by the applicant at this time, however CD-4 allows for a variety of "missing middle" housing types including townhomes, courtyard housing, and small multifamily which is considered to be lacking in the City of San Marcos</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. There are 7-9 Firefighters within an 8-minute travel time per the "8-minute affective response force" fire map included in the packet.</i> |
| <u>X</u> | | | Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property <i>There are no uses permitted within the CD-4 zoning district which are anticipated to have significant adverse impacts on 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> |

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| Evaluation | | | Criteria for Approval (Sec.2.5.1.4) |
|------------|--------------|------------|---|
| Consistent | Inconsistent | Evaluation | |
| | | <u>X</u> | <p>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</p> <p><i>There is existing 100- year floodplain and floodway on this site. No change to the maximum allowed 80% impervious cover would occur as part of this zoning change – both the existing Light Industrial Zoning District and the proposed CD-4 district have impervious cover limits of 80%. There is an existing creek which runs along the northern part of the site which is designated as a Water Quality Zone - with limited exceptions, no development is permitted within this area per Chapter 6 of the Land Development Code.</i></p> |
| <u>X</u> | | | <p>Any other factors which shall substantially affect the public health, safety, morals, or general welfare</p> <p><i>There are no other factors which would substantially affect the public health, safety, morals, or general welfare of the community.</i></p> |