

<b>Zoning Request</b>	<b>1200 Old Martindale Road</b>
<b>ZC-18-09</b>	



### Summary

<b>Request:</b>	The applicant is requesting a zoning change from “NC” Neighborhood Commercial to “N-MS” Neighborhood – Main Street for .977 acres, more or less, out of the Juan M Veramendi Survey, Tract 31, located at 1200 Old Martindale Road.		
<b>Applicant:</b>	Jonathon Gonzalez 1600 River Road Apt. 126 San Marcos, TX 78666	<b>Property Owner:</b>	Michelle McWatters 505 Alabama Street San Marcos, TX 78666

### Notification

<b>Application:</b>	June 19, 2018	<b>Neighborhood Meeting:</b>	July 2, 2018
<b>Published:</b>	July 8, 2018	<b># of Participants</b>	1
<b>Posted:</b>	July 6, 2018	<b>Personal:</b>	July 6, 2018
<b>Response:</b>	None as of the date of this report		

### Property Description

<b>Legal Description:</b>	.977 acres, more or less, out of the Juan M Veramendi Survey, Tract 31		
<b>Location:</b>	Intersection of River Road and Old Martindale Road		
<b>Acreage:</b>	.977 acres	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	Neighborhood Commercial	<b>Proposed Zoning:</b>	Neighborhood – Main Street
<b>Existing Use:</b>	Vacant Building	<b>Proposed Use:</b>	Pet Grooming
<b>Preferred Scenario:</b>	Existing Neighborhood	<b>Proposed Designation:</b>	Existing Neighborhood
<b>CONA Neighborhood:</b>	Blanco Gardens	<b>Sector:</b>	6
<b>Utility Capacity:</b>	Adequate		

### Surrounding Area

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	Multifamily-24 (MF-24)	CM Allen Homes	Existing Neighborhood
<b>South of Property:</b>	Heavy Commercial (HC) / Single Family-Rural (SF-R)	Self-Storage / Single Family	Existing Neighborhood
<b>East of Property:</b>	Community Commercial (CC) / Future Development (FD)	Automotive Repair and truck storage / Quarry	Existing Neighborhood
<b>West of Property:</b>	Heavy Commercial (HC)	Self-Storage	Existing Neighborhood

### Staff Recommendation

<input checked="" type="checkbox"/>	Approval as Submitted	<input type="checkbox"/>	Approval with Conditions / Alternate	<input type="checkbox"/>	Denial
<b>Staff:</b> Will Parrish					
			<b>Title :</b> Planner	<b>Date:</b> July 18, 2018	

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**Commission Recommendation**

<input checked="" type="checkbox"/>	Approval as Submitted	<input type="checkbox"/>	Approval with Conditions / Alternate	<input type="checkbox"/>	Denial
At their July 24, 2018 Planning and Zoning Commission Meeting, the Commission recommended <b>approval</b> of the Zoning Change from SF-6 to ND-3 with a vote of 7-0.					

**History**

This property was formally used as a day care for children. The property owner is proposing to use the existing building as a grooming facility at this time, and add a parking lot to the rear of the property. The applicant has stated that they may construct a new structure in the future that would conform to the regulating plan.

**Additional Analysis**

The current zoning, Neighborhood Commercial does not allow for animal care facilities. Neighborhood-Main Street does allow for indoor animal care. The San Marcos Development Code states that the N-MS district is:

“Intended to serve as a pedestrian oriented mixed use corridor located within close proximity to primarily residential areas.”

Due to the location within an Existing Neighborhood on the Preferred Scenario Map, an Existing Neighborhood Regulating Plan is required to accompany the request. Any development of the site must comply with the attached Regulating Plan, in which the applicant identified the potential future building type as Neighborhood Shopfront.

**Comments from Other Departments**

<b>Police</b>	No Comment
<b>Fire</b>	No Comment
<b>Public Services</b>	No Comment
<b>Engineering</b>	No Comment

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Evaluation			Compatibility of Uses & Density Criteria (Sec.4.1.2.5)
Consistent	Inconsistent	Neutral	
		<u>X</u>	Helps prevent the impacts of high density uses on low density areas
		<u>X</u>	Limits changes in neighborhood density categories unless directed by a small area plan or neighborhood character study
		<u>X</u>	Encourages more opportunities for home ownership
		<u>X</u>	Ensures a diversity of housing to serve citizens with varying needs and interests

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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 <b>Neighborhood Density Districts are identified as districts that may be "Considered" within Existing Neighborhoods as identified on the Comprehensive Plan.</b>
		<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
		<u>N/A</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 <b>Proposed use is not allowed by right within the Neighborhood Commercial Zoning District.</b>
		<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 <b>The property currently has a commercial zoning district.</b>

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<u>X</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 <b>Section 4.1.2.5 identifies this request as a “Consider” due to the fact that the request is to go from NC to N-MS.</b>
	<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 <b>Applicant is proposing to re-use the existing structure, and future development must comply with the new environmental standards approved with the San Marcos Development Code.</b>
	<u>N/A</u>	Any other factors which shall substantially affect the public health, safety, morals, or general welfare