

Zoning Request

ZC-22-26

5300 BLK S IH 35
Hampton Business Park LI



Summary

Request:	Zoning change from Future Development (FD) to Light Industrial (LI)		
Applicant:	Pamela Madere Jackson Walker, LLP 100 Congress Avenue, Suite 1100 Austin, Texas	Property Owner:	Alp Yilmaz San Marcos LLC & CCM San Marcos LLC 7700 Kempwood Drive, Houston, TX, 77055

Notification

Application:	May 9, 2022	Neighborhood Meeting:	N/A
Published:	June 26, 2022	# of Participants	N/A
Posted:	June 24, 2022	Personal:	June 24, 2022
Response:	None as of the date of this report		

Property Description

Legal Description:	48.718 acres, more or less, out of the W.H Van Horn-Third League, Abstract No 464, in Hays County		
Location:	Generally located on the I-35 South Frontage Road, approximately 1,000 ft south of the intersection of I-35 and Posey Road		
Acreage:	48.718 acres	PDD/DA/Other:	N/A
Existing Zoning:	ETJ (FD upon annexation)/ Agricultural Ranch	Proposed Zoning:	Light Industrial (LI)
Existing Use:	Vacant	Proposed Use:	Business Park
Existing Occupancy:	N/A	Occupancy:	N/A
Preferred Scenario:	Employment Area	Proposed Designation:	Same
CONA Neighborhood:	N/A	Sector:	N/A
Utility Capacity:	Extension Required at Developer's Expense	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	ETJ (Proposed HI)	Vacant/ Business Park	Employment Area/Low Intensity
South of Property:	Agricultural Ranch	Interstate	Employment Area
East of Property:	ETJ/General Commercial	Vacant	Employment Area
West of Property:	Heavy Industrial	H&H Industrial Park	Employment Area

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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					
Title : Planner, AICP			Date: July 7, 2022		

Commission Recommendation

<input checked="" type="checkbox"/>	Approval as Submitted	<input type="checkbox"/>	Approval with Conditions / Alternate	<input type="checkbox"/>	Denial
Speakers in favor or opposed None Recommendation from the Planning and Zoning Commission Meeting held July 12, 2022. A motion was made by Commissioner Sambrano, second by Commissioner Costilla to recommend approval of the request. The vote passed with an 8-0 vote For: Commissioners Agnew, Case; Costilla; Kelsey; Meeks; Mendoza; Sambrano, and Spell Against: 0 Absent: Garber					

History

The site is currently within the ETJ in Hays County – a request for annexation is being considered concurrently (AN-22-12). The annexation request covers approximately 72 acres (Hampton Business Park) and includes this application for Light Industrial (approximately 49 acres) as well as an application for Heavy Industrial (ZC-22-25) adjacent the railway and Heavy Commercial (ZC-22-27) along I-35.

Additional Analysis

See below.

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 <i>The site is located within an Employment Area in the Comprehensive Plan and per Table 4.1, Light Industrial Districts should be "considered" in this area.</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>There are no neighborhood character studies for this area at this time.</i>
		<u>X</u>	Whether the proposed zoning map amendment implements the policies of any applicable plan adopted by City Council
		<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 land is adjacent an existing Heavy Industrial zoning district and the use is consistent with the Employment Area designation in the Comprehensive Plan.</i>
<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 <i>The site is currently in the ETJ and will be zoned "FD" Future Development upon annexation. FD is intended to be a temporary zoning district and does not allow any significant development due to use and impervious cover restrictions.</i>
		<u>X</u>	Whether there is a need for the proposed use at the proposed location <i>The City does not have an adopted needs assessment for commercial or industrial land uses.</i>

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Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
<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>A fire station analysis map is included in the packet. The site would take access from Dorado Bluffs Rd and the I-35 Frontage road as part of the wider development – per the map the section of I-35 adjacent the development lies within an 8 minute response time for a Fire Station.</i>
		<u>X</u>	Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property <i>The surrounding land is predominantly undeveloped or industrial/ heavy commercial in nature. The site is located adjacent an existing industrial area – the land to the west is also zoned Heavy Industrial and contains the H&H Industrial Park – and the accompanying zoning requests for the adjacent are Heavy Industrial to the north and Heavy Commercial to the south. There are no residential neighborhoods adjacent the site.</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
		<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>N/A</u>	Any other factors which shall substantially affect the public health, safety, morals, or general welfare