

Zoning Request	115 Flint Ridge Road (Lot 2, La Cima Fire Station)
ZC-21-04	



Summary

Request:	Zoning change from “FD” Future Development to “CC” Community Commercial		
Applicant:	Natural Development Austin, LLC 11612 FM 2244, Bldg. 1, Ste. 140 Austin, TX 78738	Property Owner:	Lazy Oaks Ranch, LP, La Cima Commercial LP, and LCSM PH 1-1, LLC 303 Colorado, Suite 2300 Austin, TX 78701

Notification

Application:	March 8, 2021	Neighborhood Meeting:	N/A
Published:	March 28, 2021	# of Participants	N/A
Posted:	March 25, 2021	Personal:	March 26, 2021
Response:	None as of the date of this report		

Property Description

Legal Description:	Lot 2, La Cima Fire Station		
Location:	115 Flint Ridge Road		
Acreage:	1.197	PDD/DA/Other:	Resolution 2020-179R
Existing Zoning:	“FD” Future Development	Proposed Zoning:	“CC” Community Commercial
Existing Use:	Vacant / Rural	Proposed Use:	No proposed use currently
Existing Occupancy:	N/A	Occupancy:	N/A
Preferred Scenario:	Low Intensity Zone	Proposed Designation:	Same
CONA Neighborhood:	N/A	Sector:	N/A
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:	ETJ	Power Station	Low Intensity Zone
South of Property:	ETJ	Vacant (Part of La Cima)	Low Intensity Zone
East of Property:	ETJ	Vacant (Part of La Cima)	Low Intensity Zone
West of Property:	ETJ / SF-4.5	Vacant & Single Family (Part of La Cima)	Low Intensity Zone

Staff Recommendation

<input checked="" type="checkbox"/> Approval as Submitted	<input type="checkbox"/> Alternate Approval	<input type="checkbox"/> Denial
Staff: Alison Brake, CNU-A	Title: Historic Preservation Officer	Date: April 8, 2021

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Commission Recommendation

X	Approval as Submitted	Approval with Conditions / Alternate	Denial
Speakers in favor or opposed			
1. Eric Willis – in favor; applicant/developer			
Recommendation from the Planning and Zoning Commission Meeting held April 13, 2021			
A motion was made by Commissioner Agnew, second by Commissioner Kelsey to recommend approval of the request. The vote passed with an 8-0 vote			
For: Garber, Moore, Agnew, Kelsey, McCarty, Costilla, Sambrano, Rand			
Against:			
Absent: Spell			
Discussion Topics:			
Commissioner Agnew stated that this was a good location for commercial development. Commissioner Sambrano had minor concerns regarding adjacent power substation.			

History

This property is part of the larger La Cima Development included in a Development Agreement with the City of San Marcos originally adopted September 16, 2014 (Resolution 2014-131R); amended most recently in 2020 (Resolution 2020-179R). This agreement regulates issues including but not limited to the schedule of annexation, the permitted uses and development standards, impervious cover, environmental and water quality standards and architectural design standards. The Future Development (“FD”) zoning classification is a default classification for newly annexed land. Per the development agreement, Community Commercial (“CC”) is an allowable zoning request. Lot 2, La Cima Fire Station provides for development of one (1) commercial lot and one (1) new street, Flint Ridge Road. The zoning request is being processed concurrently with an annexation request for the property.

The City of San Marcos will provide water and wastewater services at the site. The developer has extended water and wastewater facilities through the site. Pedernales Electric Cooperative will provide electric service to this development.

Additional Analysis

Upon annexation, the property will be zoned “FD”, the default classification for newly annexed land. The annexation request will be considered prior to the zoning change by City Council. See Comprehensive Plan Analysis Checklist and Criteria Checklists.

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>		<p>Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan and preferred scenario map <i>The change in zoning is not consistent with the Preferred Scenario Map. However, the request is consistent with the development agreement which regulates use standards.</i></p>
		<u>N/A</u>	<p>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 time of request.</i></p>
<u>X</u>			<p>Whether the proposed zoning map amendment implements the policies of any applicable plan adopted by City Council <i>Resolution 2014-131 was approved in 2014 and amended in 2020 (Resolution 2020-179R) between the City of San Marcos and Lazy Oaks Ranch, LP. CC is an allowable use per Section 1.04(A)(2) of the agreement.</i></p>
<u>X</u>			<p>Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect <i>Uses allowed within the Community Commercial zoning district are compatible and appropriate for this area. This area is depicted on the Conceptual Land Use Plan within the Development Agreement as Community Commercial.</i></p>
<u>X</u>			<p>Whether the proposed zoning will reinforce the existing or planned character of the area <i>Approval of this zoning change would allow the property to develop according to the approved development agreement.</i></p>
<u>X</u>			<p>Whether the site is appropriate for the development allowed in the proposed district <i>Approval of this zoning change would allow the property to develop according to the approved development agreement.</i></p>
		<u>N/A</u>	<p>Whether there are substantial reasons why the property cannot be used according to the existing zoning <i>The property is currently not zoned as it is located outside of the city limits.</i></p>

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<u>X</u>			<p>Whether there is a need for the proposed use at the proposed location <i>The rezoning does serve a substantial public purpose by providing commercial uses for the growing development.</i></p>
<u>X</u>			<p>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 property will be served with City water and wastewater per the approved development agreement.</i></p>
<u>X</u>			<p>Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property <i>The proposed rezoning will not have a significant adverse impact on property in the vicinity. As the La Cima Development grows, a need for commercial uses also increases.</i></p>
		<u>N/A</u>	<p>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 request is not for a Neighborhood Density District.</i></p>
<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 <i>Standards are in place per the approved development agreement to lessen the impact of the development to the natural environment.</i></p>
<u>X</u>			<p>Any other factors which shall substantially affect the public health, safety, morals, or general welfare <i>None noted.</i></p>