

<b>Zoning Request</b>	<b>NW Corner of SH 123 and Loop 110 Intersection Highway 123 Business Park</b>
<b>ZC-22-08</b>	



**Summary**

<b>Request:</b>	Zoning change from Light Industrial (LI) to Commercial (CM)		
<b>Applicant:</b>	Ed Theriot Doucet & Associates, Inc. 7401 B Hwy 71 W, Ste 160 Austin, TX 78735	<b>Property Owner:</b>	427 Lindsey Street Partnership, LTD 1407 Brown Street San Marcos, TX 78666

**Notification**

<b>Application:</b>	February 18, 2022	<b>Neighborhood Meeting:</b>	N/A
<b>Published:</b>	February 20, 2022	<b># of Participants</b>	N/A
<b>Posted:</b>	February 18, 2022	<b>Personal:</b>	February 18, 2022
<b>Response:</b>	None as of the date of this report		

**Property Description**

<b>Legal Description:</b>	5.01 acres, more or less, in the Cyrus Wickson Survey, Abstract No. 474		
<b>Location:</b>	Hwy 123 and E McCarty Lane		
<b>Acreage:</b>	5.01	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	“LI”, Light Industrial	<b>Proposed Zoning:</b>	“CM”, Commercial
<b>Existing Use:</b>	Vacant	<b>Proposed Use:</b>	Business Park
<b>Existing Occupancy:</b>	N/A	<b>Occupancy:</b>	N/A
<b>Preferred Scenario:</b>	Medium Intensity and Employment Area	<b>Proposed Designation:</b>	Same
<b>CONA Neighborhood:</b>	Cottonwood Creek	<b>Sector:</b>	5
<b>Utility Capacity:</b>	Available	<b>Floodplain:</b>	No
<b>Historic Designation:</b>	N/A	<b>My Historic SMTX Resources Survey</b>	No

**Surrounding Area**

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	“FD” Future Development	Warehouse/Outside Storage	Medium Intensity and Employment Area
<b>South of Property:</b>	“GC” General Commercial	Vacant	Medium Intensity
<b>East of Property:</b>	“GC” General Commercial	Vacant	Existing Neighborhood
<b>West of Property:</b>	“LI” Light Industrial	Manufacturing	Employment Area

**Staff Recommendation**

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<input checked="" type="checkbox"/> <b>Approval as Submitted</b>	<input type="checkbox"/> <b>Alternate Approval</b>	<input type="checkbox"/> <b>Denial</b>
<b>Staff:</b> Susan Walker	<b>Title:</b> Planner	<b>Date:</b> March 2, 2022

**Commission Recommendation**

<input checked="" type="checkbox"/> <b>Approval as Submitted</b>	<input type="checkbox"/> <b>Approval with Conditions / Alternate</b>	<input type="checkbox"/> <b>Denial</b>
<p><b>Speakers in favor or opposed:</b></p> <p>1. In Favor: Ed Theriot, Allen Wise, Lisa Marie Coppoletta</p> <p><b>Recommendation from the Planning and Zoning Commission Meeting held March 8, 2022.</b>  A motion was made by Commissioner Sambrano, second by Commissioner Mendoza to recommend approval of the request.  The vote passed with a 9-0 vote.</p>		

**History**

On March 8, 2022, the applicant submitted a letter to reduce the request of the zoning change to include only the area zoned "LI" Light Industrial. The letter has been included in this agenda packet. It should be noted that the assessment give in the staff report reflects the originally submitted 7.52 acres, and not the revised boundary.

**Additional Analysis**

See additional analysis below.

**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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ZC-22-08	



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
		<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
<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 <b>Surrounding properties are storage and manufacturing uses.</b>
<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>The property can be developed with uses that are allowed in the existing GC &amp; LI.</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

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Consistent	Inconsistent	Neutral	
		<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 <b><i>2013 Comprehensive Plan predicts 342% increase of impervious cover under the Preferred Scenario of development.</i></b>
		<u>X</u>	Any other factors which shall substantially affect the public health, safety, morals, or general welfare