

Zoning Change

ZC-15-06



Summary: The applicant is requesting a zoning change from General Commercial (GC) to Heavy Industrial (HI) for 101.199 acres in the 1300 block of East McCarty Lane.

Applicant: Jones & Carter, Inc.
1000 Central Pkwy North, #100
San Antonio, TX 78232

Property Owners: WUSD Properties
PO Box 1300
Wimberley, TX 78676

Notification: Personal notifications of the public hearing were mailed on Friday, June 12, 2015 to all property owners within 200 feet of the subject property. Signs were also placed on the site.

Response: None to date.

Property/Area Profile:

Legal Description: 101.199 acres out of the Juan M Veramendi Survey, Abstract #17

Location: 1300 block of E McCarty Lane

Existing Use of Property: Vacant

Proposed Use of Property: Unknown

Preferred Scenario Map: Employment Center

Existing Zoning: GC (General Commercial)

Proposed Zoning: HI (Heavy Industrial)

Utility Capacity: A wastewater extension will be required for site development.

Sector: Sector 5

Area Zoning and Land Use Pattern:

	Zoning	Existing Land Use	Preferred Scenario
N of Property	ETJ	PODS Storage (Under Construction)	Employment Center
S of Property	CC	Vacant	Open Space
E of Property	ETJ	Vacant	Open Space
W of Property	GC	Vacant	Employment Center

Case Summary

The subject site consists of approximately 101.199 acres of vacant, unplatted land out of the Juan M Veramendi Survey. The subject property fronts onto McCarty Lane and is currently the termination point of Leah Ave. With the exception of the PODS storage facility to the north, the property is abutted by vacant land.

The applicant is requesting a zoning change from General Commercial (GC) to Heavy Industrial (HI) for the entire property. Prior to any site or building permit being issued, the property will need to be platted, which will include road and wastewater extensions. A Watershed Protection Plan Phase 2 will need to be approved due to an increase in impervious cover. Public Improvement Construction Plans will be required for the construction of the road and wastewater line.

Heavy Industrial zoning would allow most commercial, manufacturing, industrial, and wholesale uses. The zoning application does not indicate a proposed use for the property.

Planning Department Analysis

The zoning change request has been reviewed using *Vision San Marcos: A River Runs Through Us* as well as the guidance criteria in Section 1.5.1.5 of the Land Development Code.

The property is located within an Employment Center on the Preferred Scenario Map. A review worksheet is attached to this report, which details the analysis of the zoning change using Comprehensive Plan Elements. Staff finds this request is consistent with the Comprehensive Plan Elements summarized below:

- The property lies within an Employment Center. Heavy Industrial is an eligible zoning category within this area; therefore, a Preferred Scenario Amendment is not required.
- The subject property is located in the Cottonwood Creek watershed. A significant addition of impervious cover can be anticipated due to the site currently being undeveloped.
- The subject property is “low-moderately” constrained according to the Land Use Suitability Map – this is due mainly to the proximity to Cottonwood Creek.
- There are currently no parks within walking distance to the subject property.
- The subject property is not located in a wastewater or water “hot spot”. Water service is available to the subject property, however, wastewater service is not.
- The travel demand model indicates current and future traffic issues in this area, which are likely due to the proximity of the San Marcos High School. The construction of Leah Avenue and another road to the rear of the property would be required, reducing traffic congestion in the area.

In addition, the consistency of this proposed change to the LDC criteria is described below:

Evaluation		Neutral	Criteria (LDC 1.5.1.5)
Consistent	Inconsistent		
X			Change implements the policies of the adopted Master Plan, including the land use classification on the Future Land Use Map and any incorporated sector plan maps <i>The change is consistent with the Preferred Scenario Map and Comprehensive Plan Elements in Vision San Marcos. See the analysis above and the attached Comprehensive Plan Worksheet.</i>
		X	Consistency with any development agreement in effect <i>No development agreements are in effect for this property.</i>

Evaluation		Neutral	Criteria (LDC 1.5.1.5)
Consistent	Inconsistent		
X			<p>Whether the uses permitted by the proposed change and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified</p> <p><i>The majority of the area is currently undeveloped, with the exception of the PODS storage facility, which would be permitted in a Heavy Industrial zoning category.</i></p> <p><i>The Preferred Scenario Map designates this area to be developed with commercial and industrial uses.</i></p>
X			<p>Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area</p> <p><i>There are no Capital Improvement Plan projects anticipated in the immediate area.</i></p>
X			<p>Other factors which substantially affect the public health, safety, morals, or general welfare</p> <p><i>None noted.</i></p>

Additionally, the Commission should consider:

- (1) Is the property suitable for use as presently zoned?

Staff evaluation: The property could be developed as a commercial use under the current zoning designation.

- (2) Has there been a substantial change of conditions in the neighborhood surrounding the subject property?

Staff evaluation: There have not been recent changes to the surrounding properties with the exception of the PODS site development.

- (3) Will the proposed rezoning address a substantial unmet public need?

Staff evaluation: An industrial development on a lot of this size has the potential for significant job creation.

- (4) Will the proposed rezoning confer a special benefit on the landowner/developer and cause a substantial detriment to the surrounding lands?

Staff evaluation: There is no special benefit to the landowner.

- (5) Will the proposed rezoning serve a substantial public purpose?

Staff evaluation: One goal within the Comprehensive Plan is to enhance and diverse local economic environment that is prosperous, efficient, and provides improved opportunities for residents. The proposed rezoning will contribute to this goal.

Staff recommends **approval** of the zoning change request.

The Commission's Responsibility:

The Commission is required by law to hold a public hearing and receive public comment regarding the proposed zoning. After considering the public input, the Commission is charged with making an advisory recommendation to the City Council regarding the request. The City Council will ultimately decide whether to approve or deny the zoning change request. The Commission's advisory recommendation to the Council is a discretionary decision.

Prepared by:

Tory Carpenter, CNU-A

Planner

June 12, 2015

Name**Title****Date**