

Preferred Scenario Map Amendment Request PSA-25-02

904 Francis Harris Lane

Conservation/Cluster to
Commercial/Employment Low



Summary

Request:	Change from Conservation/Cluster to Commercial/Employment Low on the Preferred Scenario Map.		
Applicant:	Armbrust & Brown, PLLC, 100 Congress Ave, #1300 Austin, TX, 78701	Property Owner:	Highlander SM One, LLC P.O Box 470249, Fort Worth, TX 76147 Donald and Germaine Tuff C/O: Kristen Quinney Porter P.O Box 312643, New Braunfels, TX 78131

Notification

Application:	September 30, 2025	Neighborhood Meeting:	N/A
Published:	December 28, 2025	# of Participants	N/A
Posted:	December 23, 2025	Personal:	December 19, 2025
Response:	See attached comments		

Property Description

Legal Description:	Approximately 199.49 +/- acres of land, more or less, out of the A.M Esnaurizar Survey, Abstract No. 6		
Location:	Generally located on the western side of Francis Harris Lane, south of the intersection between Grant Harris Rd and Francis Harris Lane		
Acreage:	199.49 +/-	PDD/DA/Other:	N/A
Existing Zoning:	CD-2.5/ ETJ	Proposed Zoning:	Light Industrial
Existing Use:	Vacant/Residential	Proposed Use:	Data Center
Preferred Scenario:	Conservation/Cluster	Proposed Designation:	Commercial/Employment Low
CONA Neighborhood:	N/A	Sector:	N/A
Utility Capacity:	Available (no data available for water and electricity as these will not be provided by the City of San Marcos)	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey	No There is an existing cemetery within the boundary of the site, however the cemetery is not included within this request.

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Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	None (ETJ)	Vacant/ Rural Residential	Conservation/Cluster
South of Property:	Heavy Industria/ ETJ	Power Plant/ Agricultural/ Rural Residential	Conservation/Cluster & Commercial/Employment Low
East of Property:	Heavy Industria/ ETJ	Power Plant/ Vacant	Conservation/Cluster & Commercial/Employment Low
West of Property:	None (ETJ)	Vacant	Conservation/Cluster

Staff Recommendation

X	Approval as Submitted		Alternate Approval		Denial
Staff: Julia Cleary, AICP		Title: Senior Planner		Date: Jan 8, 2026	

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History

This is a resubmittal of a previous Preferred Scenario Amendment (PSA-25-01) which was considered on first reading by Council on 8/19/2025. Although Council voted 5-2 to approve PSA-25-01, the motion failed because it did not receive the 6 necessary votes in order to overturn a recommendation of denial from the Planning and Zoning Commission.

This request for a Preferred Scenario Amendment from “Conservation/Cluster” to “Commercial/Employment Low” covers 199.49 acres of land on the western side of Francis Harris Lane and is accompanied by the following applications:

- ZC-25-13 - Zoning change from Character District 2.5 (CD 2.5) and Future Development (FD) to Light Industrial (LI) (Resubmittal of ZC-25-13).
- AN-25-02 - Annexation request for the southwestern part of the site located outside of the city limits (approx. 64 acres). This application was approved by Council on first reading on 8/19/2025 and was postponed by the applicant to align with the associated zoning change and Preferred Scenario Amendment.

The applicant is requesting the Preferred Scenario Amendment and associated zoning change in order to construct a data center. Data centers are considered a Light Industrial use and are permitted under either Light Industrial or Heavy Industrial zoning. No proposed site plans have been received at this time.

The northeastern 137-acre tract that is currently within the City limits was annexed and zoned to Character District 2.5 (CD-2.5) on August 2, 2022 (Ord. 2022-45). CD-2.5 zoning predominantly allows single family residential development. Due to concerns regarding the proposed residential use adjacent the Hays Energy Power Plant located on the other side of Francis Harris Lane, Council requested that a restrictive covenant (Hays County Clerk Inst. 22049761) be placed on the site which would require the developer to notify potential residents on the site of the adjacent power plant and potential noise/industrial lighting impacts, as well as additional construction requirements for all homes within 1,500 feet of the power plant.

Additional Analysis

Page 110 of the adopted Vision SMTX Comprehensive Plan states that the existing "Conservation/Cluster Place Type identifies areas where development would be discouraged over the life of the Comprehensive Plan" and that "Development that does occur within conservation and reserve areas should be low impact to the natural environment by using a variety of development techniques and strategies". Conversely, the requested Commercial/Employment Low would "facilitate lower density, auto-oriented retail, office and industrial type uses" (Vision SMTX Comprehensive Plan, p.102). Key extracts from the Comprehensive Plan regarding the two Place Types are included in the packet, along with a copy of the Comprehensive Plan / District Translation Table 4.1 which shows which zoning districts are allowed under each Place Type (see attachment "PSA-25-02 Place Types Comparison").

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Staff's recommendation for approval is based on the analysis that commercial/industrial uses are preferable to a new residential subdivision adjacent to the existing power plant, which is permitted by right under the current zoning for most of the site.

Comments from Other Departments

Police	No Comment
Fire	No Comment
Public Services	No Comment
Engineering	No Comment
Economic Development	The proposed use is a target industry under the Economic Development Policy identified as a desirable industry for the City of San Marcos. Target industry: Information Technology.

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Evaluation			Criteria for Approval (Sec. 2.4.2.4)
Consistent	Inconsistent	Neutral	
		<u>X</u>	Whether the proposed amendment is consistent with other policies of the Comprehensive Plan
		<u>N/A</u>	Whether the proposed amendment is consistent with any adopted small area plan or neighborhood character study for the area. <i>There is no neighborhood character study in effect for this area.</i>
<u>X</u>			Whether the proposed amendment promotes the orderly and efficient growth and development of the community and furthers the public health, safety, and general welfare of the City. <i>The request will allow commercial/ industrial uses next to the existing power plant</i>
		<u>X</u>	The proposed amendment corrects an error or meets the challenge of some changing condition, trend, or fact
<u>X</u>			Whether the proposed amendment constitutes a substantial benefit to the City as a whole and is not solely for the good or benefit of a particular landowner or owners at a particular point in time <i>The PSA would enable the associated zoning change from CD 2.5 (residential) to Light Industrial which will prevent a residential neighborhood from being constructed next to an existing heavy industrial use.</i>

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Evaluation			Criteria for Approval (Sec. 2.4.2.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>Whether the proposed amendment will impact:</p> <ul style="list-style-type: none"> • Adjacent properties. • Existing or future land use patterns <i>There is an existing Power Plant across the street on Francis Harris Lane. Due to the presence of the power plant, commercial or industrial uses are preferable to residential uses within this site.</i> • Existing or planned public services and facilities <i>The site is located within the Pedernales service area for electricity and Crystal Clear CCN for water. There are existing wastewater lines along Francis Harris Lane.</i> • Existing or planned transportation networks or greenways <i>A proposed Transportation Master Plan (TMP) thoroughfare runs along the northern boundary of the site – this should be incorporated into the development during the platting process. Grant Harris Lane is not dedicated right-of-way and so currently the divided lots along the northern boundary of the site do not have direct street frontage. Constructing the required TMP road will provide direct street frontage to these lots. However, it should be noted that Preferred Scenario Amendments and Zoning Changes do not change the requirement to incorporate TMP improvements when platting.</i> • The natural environment, including the quality and quantity of water and other natural resources, flooding, and wildlife management <i>The site is not located within the floodplain, Edwards Aquifer Recharge Zone or San Marcos River Corridor.</i>