

Zoning Request ZC-25-01

6000 Block S IH 35 FD to HI



Summary

Request:	Zoning change from Future Development "FD" to Heavy Industrial "HI"		
Applicant:	Pamela Madere Jackson Walker, LLP 100 Congress Ave. Suite. 1100 Austin, TX 78701	Property Owner:	Tim Hatch San Marcos Business Park, LP 2211 S IH 35 Suite 103 Austin, TX 78741

Notification

Application:	December 30, 2024	Neighborhood Meeting:	None required
Published:	March 23, 2025	# of Participants	N/A
Posted:	March 21, 2025	Personal:	March 21, 2025
Response:	None as of date of this report		

Property Description

Legal Description:	Samuel Craft Survey, Abstract A-89		
Location:	IH 35 southbound frontage road, directly south of Heldenfels Industrial Park, 1,500 feet south of the intersection of IH 35 and Industrial Fork		
Acreage:	15.48	PDD/DA/Other:	N/A
Existing Zoning:	None (ETJ)	Proposed Zoning:	Heavy Industrial
Existing Use:	Vacant land	Proposed Use:	Industrial Park
Existing Occupancy:	Restrictions Do Not Apply	Occupancy:	Restrictions Do Not Apply
Preferred Scenario:	Commercial/ Employment Low	Proposed Designation:	Same
CONA Neighborhood:	N/A	Sector:	N/A
Utility Capacity:	Available (water/ wastewater request with annexation)	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	ETJ	Industrial Park	Commercial/ Employment Low
South of Property:	General Commercial (GC)	IH 35, Vacant/ Agricultural	Mixed Use Medium, Commercial/ Emp. Medium
East of Property:	Heavy Industrial (HI), Agricultural Ranch (AR), Commercial (CM)	Light Industrial, Heavy Equipment Rental, IH 35, Vacant/ Agricultural	Conservation/ Cluster, Commercial/ Emp. Low, Neighborhood Medium
West of Property:	ETJ	Vacant, RV Park	Commercial/ Employment Low

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Staff Recommendation

X	Approval as Submitted	Alternate Approval	Denial
Staff recommends <u>approval</u> of ZC-25-01.			
Staff: Lauren Clanton, AICP		Title: Chief Planner	Date: March 24, 2025

Commission Recommendation

X	Approval as Submitted	Alternate Approval	Denial
Recommendation from the Planning and Zoning Commission Meeting held April 8, 2025.			
<p>Speakers in favor or opposed: Chris Bradford (in favor) Ian Roberts (in favor)</p> <p>A motion was made by Commissioner Costilla, second by Commissioner Spell, to recommend approval of the request. The vote passed with an 8-0 vote For: 8 (Agnew, Burleson, Case, Costilla, Dunn, Meeks, Spell, van Oudekerke) Against: 0 Absent: 0</p> <p>Discussion Topics: Definition of Use – Commissioner Agnew asked whether Light Industrial had been determined as the best categorization of an Industrial Park under Chapter 5 of the Development Code. Staff responded affirmatively. Zoning history – Commissioner Agnew asked the history of the strip of Heavy Industrial zoning between the site and the highway. Staff responded that the Heavy Industrial zoning is the result of an annexation of the highway that was zoned Industrial due to adjacent uses.</p>			

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History

This site is currently outside the City Limits and is accompanied by a request for annexation (AN-25-01).

The property is unplatted. Prior to this annexation request, the property was within the Extraterritorial Jurisdiction (ETJ).

Additional Analysis

The property is surrounded by the ETJ on its north and west sides. General Commercial zoning lies to the south across the highway. IH 35 right-of-way adjacent to the subject property was annexed in 1986, and portions have been rezoned from the original Agricultural Ranch zoning. The strip of land zoned Heavy Industrial adjacent to the property along IH 35 was zoned Industrial in 1995 and later changed to Heavy Industrial as part of a citywide rezoning effort.

The property is located south of Heldenfels Industrial Park, and light industrial uses including concrete suppliers and heavy equipment rentals lie to the east. This general location at IH 35 and Industrial Fork is generally known as an industrial park and would be consistent with the proposed zoning. The closest residential area is an RV park 500 feet west of the site, which is currently separated from the proposed industrial park by vacant land. Other multifamily development is 900 feet away and across IH 35.

See additional analysis 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. Heavy Industrial zoning is appropriate for the Commercial/ Employment Low preferred scenario type.
		<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. Studies were not complete at the time of the request.
		<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. There are no development agreements in effect for this site.
<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. Surrounding uses are consistent with the proposed use.
<u>X</u>			Whether the proposed zoning will reinforce the existing or planned character of the area. The proposed zoning is consistent with the existing industrial uses and the characterization of the area as an industrial park.
<u>X</u>			Whether the site is appropriate for the development allowed in the proposed district. No known issues.
<u>X</u>			Whether there are substantial reasons why the property cannot be used according to the existing zoning. The site will be automatically zoned as Future Development (FD) upon annexation. Per Section 4.4.1.1 of the Development Code, FD is intended to be a temporary zoning district for properties that shall develop in the future but have been newly annexed and/or are not yet ready to be zoned for a particular use.

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	Evaluation		Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
		<u>X</u>	Whether there is a need for the proposed use at the proposed location. <i>This industrial park will be adjacent to existing Heldenfels Industrial Park. While other industrial parks already exist in the area, the proposed location serves to provide a venue for an industrial park that is preferable to other, more central parts of town with a higher concentration of residential uses.</i>
<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>The property will be served by Crystal Clear SUD water, City of San Marcos wastewater, and Pedernales Electric, per the annexation service agreement (concurrent case AN-25-01).</i>
<u>X</u>			Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property. <i>Uses to the north and east are industrial in nature and match the intensity of use proposed on the site. Land to the west is largely agricultural. The location of the subject property adjacent to IH 35 concentrates the impacts of this use along the highway.</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 <i>This is not a request for a Neighborhood Density District.</i>
<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. <i>There are no known environmental constraints on the property.</i>
<u>X</u>			Any other factors which shall substantially affect the public health, safety, morals, or general welfare <i>Staff is not aware of any other factors which would substantially affect the public health, safety, morals, or general welfare.</i>