



# **Consent Agenda**

## **ZC-23-19**

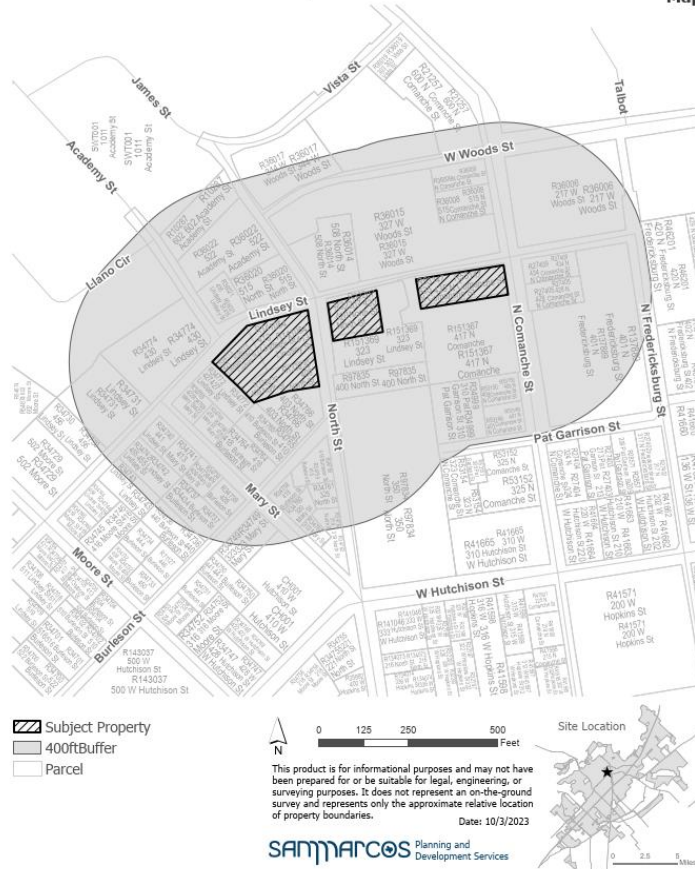
### **North & Lindsey Street Zoning Change**

Consider approval of Ordinance 2024-16, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-23-19, by rezoning approximately 1.94 acres of land generally located at the south side of Lindsey Street between North Comanche Street and North Street, and southwest of the intersection between Lindsey Street and North Street from Multifamily-12 “MF-12” District, Multifamily-18 “MF-18” District, and Multifamily-24 “MF-24” District to Character District 5 “CD-5” and Character District-5 Downtown “CD-5D” Districts, or, subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date.



# Property Information

- Approximately 2 acres
- Located near the intersection of Lindsey and North St
- Located within City Limits south of Texas State University Campus.



# Context & History

- Currently contains several residential structures (houses), a small multifamily developments with parking lots.
- Surrounding Uses
  - Texas State University
  - Residential/ Multifamily
- Preferred Scenario Amendment concurrently being considered for western part of site (PSA-23-02).
- Conditional Use Permit for Purpose Built Student Housing (CUP-23- 22) and 7 Story Building Height (AC-23-09) are also being considered concurrently.

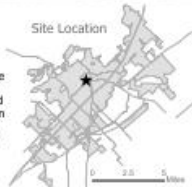
ZC-23-19

North Lindsey St CD-5D - 419 North St

Aerial



0 80 160 320 Feet



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Date: 2/12/2024

**SAN MARCOS** Planning and Development Services

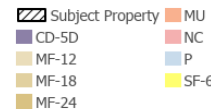
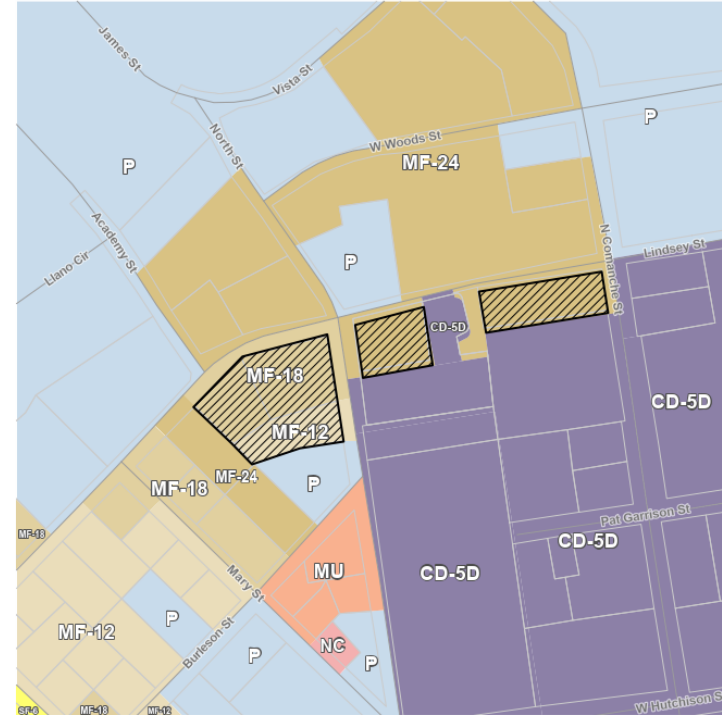
# Context & History

- Existing Zoning:  
Zoning District (MF-12/ MF-18/ MF-24)
  - Allows multifamily development up to 4 stories high with 75% impervious cover.
- Proposed Zoning:  
CD-5D east of North Street & CD-5 west of North Street
  - Allows a mixture of uses up to 5 stories with 100% impervious cover

ZC-23-19

North Lindsey St CD-5D - 419 North St

Zoning



0 100 200 400 Feet

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Date: 9/28/2023



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# Comprehensive Plan Analysis

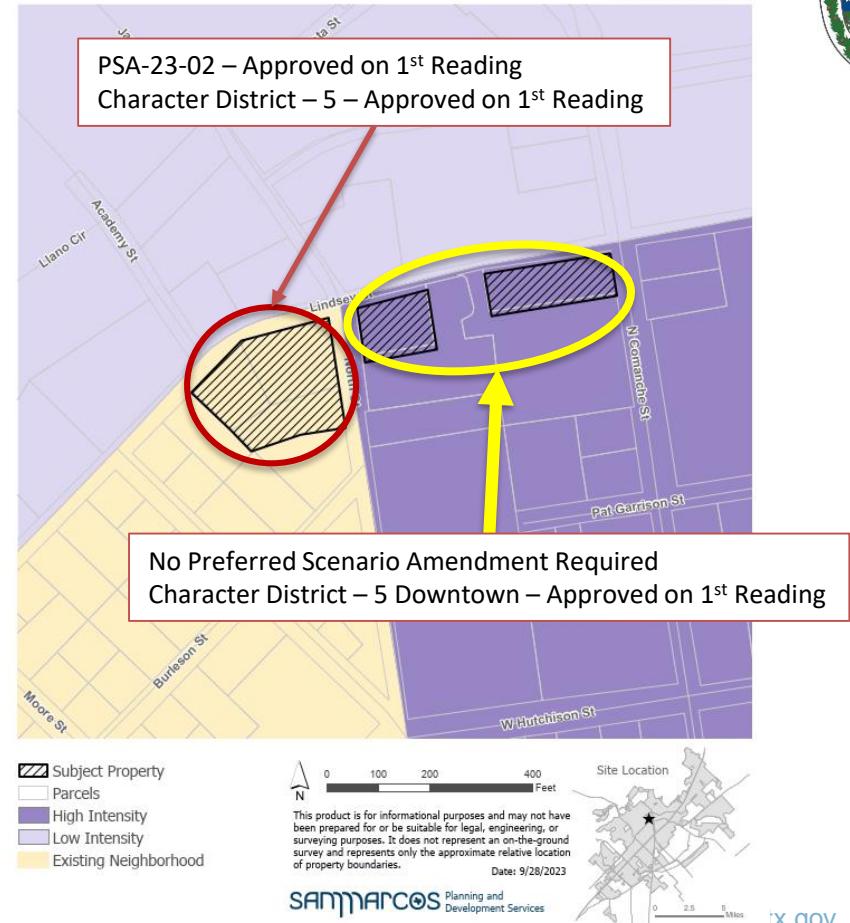
## Step 1: Where is the property located on the Comprehensive Plan?

- Existing Preferred Scenario: Existing Neighborhood (PSA in process) and High Intensity
- “The future vision for downtown includes compactness, great streets, pedestrian and bike accessibility, and public spaces for social interaction.” (Vision San Marcos)

ZC-23-19

North Lindsey St CD-5D - 419 North St

Preferred Scenario  
(Ord. 2018-03)



# Comprehensive Plan Analysis\*

**Step 2:** Is the request consistent with the Comprehensive Plan / District Translation Table?

**“Character District-5D” (CD-5D) within a “High Intensity Zone” and “Existing Neighborhood”**

**TABLE 4.1 COMPREHENSIVE PLAN / DISTRICT TRANSLATION**

DISTRICT CLASSIFICATION	COMPREHENSIVE PLAN DESIGNATIONS				
	OPEN SPACE/ AGRICULTURAL	LOW INTENSITY	EXISTING NEIGHBORHOOD	MEDIUM OR HIGH INTENSITY ZONE	EMPLOYMENT CENTER
Conventional Residential	NP	NP	C	PSA	PSA
Neighborhood Density Districts	NP	NP	See Section 4.1.2.4 - 4.1.2.5	NP	NP
Character Districts	NP	See Section 4.1.2.6	PSA	C	NP
Special Districts	PSA	NP	PSA	NP	C
Legend	PSA = Not Allowed (PSA Required)		NP=Not Preferred		C = Consider

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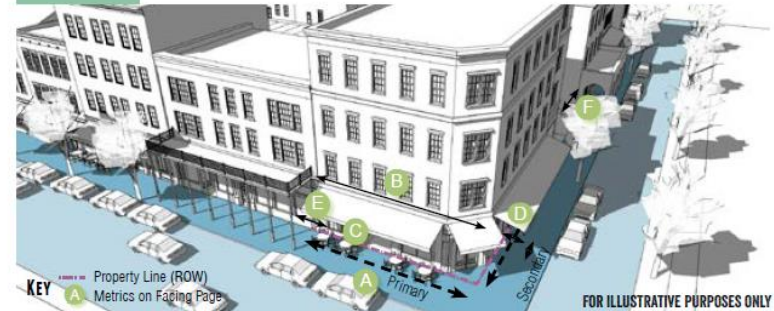
# Zoning Analysis

- Promotes Mixed Use and Pedestrian-Oriented Activity
- Accessory Dwelling, Townhouse, Apartment, Live/Work, Mixed Use Shopfront, Civic Building
- Higher Density Residential, Commercial, and Retail Uses
- Downtown Design Standards Apply in CD-5D*
- Proposed Use: Purpose Built Student Housing – CUP is required



## CD-5D

### SECTION 4.4.3.14 CHARACTER DISTRICT - 5 DOWNTOWN



#### GENERAL DESCRIPTION

The CD-5D district is intended to provide for mixed use, pedestrian oriented development in downtown. To promote walkability and to encourage street level retail activity, auto-oriented uses are restricted.

#### DENSITY

Impervious Cover	100% max.
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#### TRANSPORTATION

Block Perimeter	2,000 ft. max.	Section 3.6.2.1
Streetscape Type	Main Street	Section 3.8.1.6

#### BUILDING TYPES ALLOWED

Accessory Dwelling	Section 4.4.6.1
Townhouse	Section 4.4.6.6
Apartment	Section 4.4.6.9
Live/ Work	Section 4.4.6.10
Mixed Use Shopfront	Section 4.4.6.13
Civic Building	Section 4.4.6.14

# Environmental Analysis




- No 100-year floodplain or floodway on the site.
- Majority of the site is identified as “Moderately Constrained” on the Land Use Suitability Map.
- Located within the Edwards Aquifer Transition Zone


ZC-23-19

North Lindsey St CD-5D - 419 North St

Environmental  
Features



 Subject Property  
 Parcels  
 Transition Zone  
 Minor

 0 100 200 400 Feet

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 Date: 9/28/2023

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# Infrastructure

- **Streets**

- Streetscape Improvements
- Transportation Master Plan
- Block perimeter (2,000 feet)
- Bicycle & Sidewalk connections

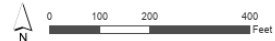
- **Utilities**

- City of San Marcos Water / Wastewater
- City of San Marcos Electric

ZC-23-19

North Lindsey St CD-5D - 419 North St

Thoroughfare Plan



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Date: 9/28/2023

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## Criteria for Approval (Section 2.5.1.4)

-  1. Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan and preferred scenario map;
-  2. Whether the proposed zoning map amendment is consistent with any adopted small area plan or neighborhood character study for the area;
-  3. Whether the proposed zoning map amendment implements the policies of any applicable plan adopted by City Council;
4. Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect;

## Criteria for Approval (Section 2.5.1.4)



5. 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;



6. Whether the proposed zoning will reinforce the existing or planned character of the area;



7. Whether the site is appropriate for the development allowed in the proposed district;



8. Whether there are substantial reasons why the property cannot be used according to the existing zoning;



9. Whether there is a need for the proposed use at the proposed location;

# Criteria for Approval (Section 2.5.1.4)



10. 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;



11. Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property;

12. 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;

# Criteria for Approval (Section 2.5.1.4)



13. 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;



14. Any other factors which shall substantially affect the public health, safety, morals, or general welfare.



# Recommendation

- Staff recommended **approval** of ZC-23-19 as presented.
- The Planning and Zoning Commission recommended **denial** of ZC-23-19 for the for the area covered by PSA-23-02 (west of North St)with a 9-0 vote.
- The Planning and Zoning Commission recommended **approval** of ZC-23-19 for the remaining property (Parcels 332207 and R53147).
- **Discussion Topics:**
  - Subsequent approvals
  - Impervious cover and flooding
  - Loss of existing apartments
  - Lack of need
  - Growth of the University/ acquisition of adjacent properties.





ARCHITECTURE • LAND PLANNING • LANDSCAPE DESIGN • CONSTRUCTION ADMINISTRATION •  
**KELLY GROSSMAN**

**APPROXIMATE UNIT TOTALS:**  
750 BEDROOMS  
300 UNITS  
PARKING PROVIDED: 0.75 SPACES PER BED PLUS 20 PUBLIC SPACES  
NOTE\* ALL NUMBERS SUBJECT TO CHANGE BASED ON FINAL SITE PLAN APPROVAL

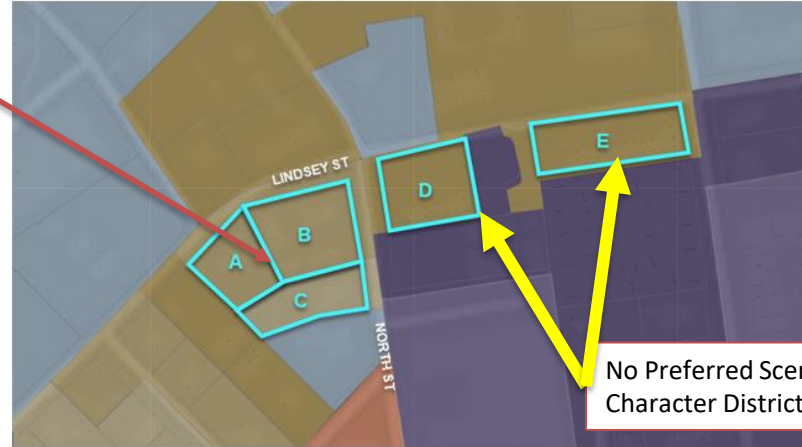
# Birds Eye View



# Parcel Configuration

PSA-23-02 – Approved on 1<sup>st</sup> Reading  
Character District – 5 – Approved on 1<sup>st</sup> Reading

Zoning Exhibit and Parcel Information  
McLain Multifamily



No Preferred Scenario Amendment Required  
Character District – 5 Downtown – Approved on 1<sup>st</sup> Reading

TRACT	Parcel Number	Property Owner	Mailing Address	Property Address	Lot	Block	Subdivision	Acreage	Preferred Scenario (Existing)	Existing Zoning	Proposed Zoning
A	R34773	Peggy and Brett Taylor	PO Box 40 Martindale, TX 78655-0040	421 Lindsey Street	Part of 10 & 11	14	Lindsey and Harvey Addition	0.301	Existing Neighborhood	MF-24	CD-5D
B	R141054	Peggy and Brett Taylor	PO Box 40 Martindale, TX 78655-0040	413 & 419 North Street	9-A	14	Lindsey and Harvey Addition	0.49	Existing Neighborhood	MF-18	CD-5D
C	R133230	Daryl Burtschell	2301 Willow Arbor San Marcos, TX 78666	499 North Street	4A	14	Lindsey and Harvey Addition	0.339	Existing Neighborhood	MF-12	CD-5D
D	R32207	Matt Kenyon	4284 E. Cesar Chavez St Austin, TX 78702	420 North Street	17A		DP Hopkins	0.3639	High Intensity	MF-24	CD-5D
E	R53147	Matt Kenyon	4284 E. Cesar Chavez St Austin, TX 78702	435 N. Comanche St	N 1/2 Lots 1-3	2	PC Woods Addition	0.473	High Intensity	MF-24	CD-5D

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