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| Zoning Request | 101-103 Lockhart St |
| ZC-21-27 | |



Summary

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|-------------------|---|------------------------|---|
| Request: | Zoning change from D (Duplex) to ND-3 (Neighborhood Density -3) | | |
| Applicant: | Andrew Nance 109 E Hopkins Ste 208 San Marcos, TX, 78666 | Property Owner: | Ryan Bragg 411 Providence Drive San Marcos, TX, 75078 |

Notification

| | | | |
|---------------------|---------------------|------------------------------|----------------------------|
| Application: | 11/22/21 | Neighborhood Meeting: | 12/16/21 |
| Published: | 12/26/21 | # of Participants | 0 (applicant & staff only) |
| Posted: | 12/21/21 | Personal: | 12/17/21 |
| Response: | One general enquiry | | |

Property Description

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|------------------------------|---|--|--|
| Legal Description: | Lot 46 in the AM Ramsay Subdivision | | |
| Location: | Lockhart St and Third Street | | |
| Acreage: | 0.29 acres | PDD/DA/Other: | N/A |
| Existing Zoning: | Duplex | Proposed Zoning: | Neighborhood Density-3 |
| Existing Use: | Duplex | Proposed Use: | Residential – two zero lot line homes and one detached house |
| Existing Occupancy: | Restrictions Do Not Apply | Occupancy: | Restrictions Do Apply |
| Preferred Scenario: | Existing Neighborhood | Proposed Designation: | Same |
| CONA Neighborhood: | Millview East | Sector: | 7 |
| Utility Capacity: | Extension Required at Developer's Expense | Floodplain: | No |
| Historic Designation: | N/A | My Historic SMTX Resources Survey | No |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|--|--------------------------|---------------------------|
| North of Property: | MU – Mixed Use | Residential | Existing Neighborhood |
| South of Property: | SF 4.5/ SF-6 – Single Family | Residential | Existing Neighborhood |
| East of Property: | SF-6 – Single Family-6 | Residential | Existing Neighborhood |
| West of Property: | MR – Manufactured Home and Residential | Residential | Existing Neighborhood |

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Staff Recommendation

| | | | | | |
|-------------------------------------|------------------------------|--------------------------|--------------------|--------------------------|--------|
| <input checked="" type="checkbox"/> | Approval as Submitted | <input type="checkbox"/> | Alternate Approval | <input type="checkbox"/> | Denial |
| Staff: Julia Cleary | | Title : Planner | | Date: 01/6/22 | |

History

The site currently contains one duplex building. The requested zoning change will increase the allowed density of the site from 6 units per acre to 10 units per acre and will allow for the construction of one additional unit.

A request to change this site from D to ND-3 was previously denied by City Council on August 18, 2020. The Planning and Zoning Commission unanimously recommended approval of the application at their July 28, 2020 meeting.

An Existing Neighborhood Regulating Plan accompanies this application. The Regulating Plan proposes three lots with two zero lot line homes (to be converted from the existing duplex structure) and one additional detached zero lot line home.

Additional Analysis

ND-3 is the least intense Neighborhood Density District in the Land Development Code. The site is located in an “Existing Neighborhood” in the Preferred Scenario and a change from the existing “D” Duplex to ND-3 is “Not Preferred” in this area; the code recommends that a more intense designation of either ND-3.2 or ND-3.5 be “Considered” instead. However, staff is recommending approval of the requested less intense designation ND-3 due to the surrounding Single-Family zoning – according to the Single-Family Preservation Buffer approximately 46% of the surrounding land is zoned “single family”.

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 Changing from existing "D" Duplex to ND-3 in Existing Neighborhoods is "Not Preferred" according to Tables 4.1 and 4.3 in the Development Code – the Code recommends that the more intense districts of ND-3.2 and ND 3.5 be considered instead. However, due to the surrounding single-family residential uses, staff is supportive of the less intense ND-3 designation. |
| | | <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 No studies have been adopted at this time |
| | | <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 |
| <u>X</u> | | | Whether the proposed zoning will reinforce the existing or planned character of the area The ND-3 zoning and additional detached house is consistent with the existing residential character of the neighborhood. |
| <u>X</u> | | | Whether the site is appropriate for the development allowed in the proposed district Residential homes are appropriate for this site. |
| | <u>X</u> | | Whether there are substantial reasons why the property cannot be used according to the existing zoning The "D" Duplex zoning allows for several residential uses, including the existing rental. |

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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>The zoning change will allow for the construction of one additional single-family home. Although the City does not have an officially adopted housing needs assessment at this time, according to preliminary data in the City’s Comprehensive Plan update the City will need to provide between 42,000 and 54,000 new units by 2050 in order to accommodate the projected population growth of the region.</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 |
| <u>X</u> | | | Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property |
| <u>X</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 <i>There are no known environmental constraints on this site – it is not located in the floodplain, the Edwards Aquifer Recharge or the Edwards Aquifer Transition Zone.</i> |
| | | <u>X</u> | Any other factors which shall substantially affect the public health, safety, morals, or general welfare |

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| Evaluation | | | Compatibility of Uses & Density Criteria (Sec.4.1.2.5) |
|------------|--------------|----------|--|
| Consistent | Inconsistent | Neutral | |
| | | <u>X</u> | Helps prevent the impacts of high density uses on low density areas |
| <u>X</u> | | | Limits changes in neighborhood density categories unless directed by a small area plan or neighborhood character study |
| <u>X</u> | | | Encourages more opportunities for home ownership <i>The Neighborhood Regulating Plan proposes to divide the site into 3 individual lots/ homes which can be sold to individual owners.</i> |
| <u>X</u> | | | Ensures a diversity of housing to serve citizens with varying needs and interests <i>This proposal includes two attached houses, which is a limited housing type in San Marcos.</i> |