

Zoning Change

ZC-15-03

2805 Hunter Road



Summary: The applicant is requesting a zoning change from Mobile Home (MH) to Multi-family (MF-24) for 9.717 at 2805 Hunter Rd.

Applicant: Brandt Klutts
PO Box 483
Boerne, TX 78006

Property Owners: Brandt Klutts
PO Box 483
Boerne, TX 78006

Notification: Personal notifications of the public hearing were mailed on Friday, May 27, 2015 to all property owners within 200 feet of the subject property and the Neighborhood Commission and CONA representatives. A sign was also placed on the site.

Response: None to date.

Property/Area Profile:

Legal Description: 9.717 acres out of the Juan M Veramendi Survey, Abstract #17

Location: 2805 Hunter Road north of McCarty Lane.

Existing Use of Property: Mobile Home Park

Proposed Use of Property: Multi-family

Future Land Use Map: Medium Intensity

Existing Zoning: MH (Mobile Home)

Proposed Zoning: MF-24 (Multi-family)

Utility Capacity: Adequate water exists.

Sector: Sector 9

Area Zoning and Land Use Pattern:

	Zoning	Existing Land Use	Preferred Scenario
N of Property	MF-18	Single-family Residential	Medium Intensity
S of Property	MF-18	Multi-family Residential	Medium Intensity
E of Property	GC	Big-box retail / railroad	Medium Intensity
W of Property	ETJ	Single-family Residential	Area of Stability

Case Summary

The subject site consists one approximately 9.717 acre unplatted parcel out of the Juan M Veramendi Survey. The subject property fronts onto Hunter Road. Surrounding uses include a mix of multi-family and single-family residential as well as big-box retail to the rear. The property is currently being used as a mobile home park.

The applicant is requesting a zoning change from Mobile Home (MH) to Multi-family (MF-24) for the entire property. Prior to any site or building permit being issued, the property will need to be platted. A Watershed Protection Plan Phase 2 will need to be approved due to an increase in impervious cover.

MF-24 zoning would allow the construction of apartments, as well as other less-dense residential structures, e.g. duplexes, townhomes, or single-family structures. No plans have been submitted at this time; however, all requirements in the Land Development Code must be met.

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 a Medium Intensity zone on the Preferred Scenario Map and is in a Mixed Residential Area based on the surrounding zoning.

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 a Medium Intensity zone. Multi-family 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. Over 100% of additional impervious cover can be anticipated due to the site currently being minimally developed.
- The subject property is “low-moderately” constrained according to the Land Use Suitability Map – this is due mainly to the location within the Edwards Aquifer Transition Zone and the site's location in the Cottonwood Creek Watershed.
- The CFPO fields are within walking distance to the development.
- The subject property is not located in a wastewater or water “hot spot”. Water and wastewater service is available to the subject property.
- The travel demand model does not anticipate traffic flow problems in this 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 area is currently by a mix of multi-family and single-family with some retail to the rear. With the exception to the property to the north, which is zoned MF-18, nearby single-family residences are separated by a major arterial, Hunter Road, and a retaining wall.</i></p> <p><i>The Preferred Scenario Map designates this area to be developed more densely than current conditions.</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 continue to be used as a mobile home site SF-6 zoning classification.

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

Staff evaluation: The property to the south has recently developed as multi-family.

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

Staff evaluation: Development of this site could provide additional affordable housing options for San Marcos residents.

- (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 achieve diversified housing options to serve citizens with varying needs and interests. The proposed rezoning will contribute to a diverse range of housing options.

Staff presents this request to the Commission and recommends approval.

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 17, 2015

Name**Title****Date**