

<b>Zoning Request</b>	<b>5900 Block S IH 35 FD to HI</b>
<b>ZC-25-08</b>	



### Summary

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

### Notification

<b>Application:</b>	May 12, 2025	<b>Neighborhood Meeting:</b>	None required
<b>Published:</b>	July 6, 2025	<b># of Participants</b>	N/A
<b>Posted:</b>	July 3, 2025	<b>Personal:</b>	July 3, 2025
<b>Response:</b>	None as of date of this report		

### Property Description

<b>Legal Description:</b>	Samuel Craft Survey, Abstract A-89		
<b>Location:</b>	IH 35 southbound frontage road, directly south of Heldenfels Industrial Park, 1,000 feet south of the intersection of IH 35 and Industrial Fork		
<b>Acreage:</b>	7.30	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	None (ETJ)	<b>Proposed Zoning:</b>	Heavy Industrial
<b>Existing Use:</b>	Vacant – former commercial office	<b>Proposed Use:</b>	Industrial Park
<b>Existing Occupancy:</b>	Restrictions Do Not Apply	<b>Occupancy:</b>	Restrictions Do Not Apply
<b>Preferred Scenario:</b>	Commercial/ Employment Low	<b>Proposed Designation:</b>	Same
<b>CONA Neighborhood:</b>	N/A	<b>Sector:</b>	N/A
<b>Utility Capacity:</b>	Available (water/ wastewater request with annexation)	<b>Floodplain:</b>	No
<b>Historic Designation:</b>	N/A	<b>My Historic SMTX Resources Survey</b>	No

### Surrounding Area

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

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### Staff Recommendation

<b>X</b>	<b>Approval as Submitted</b>	Alternate Approval	Denial
Staff recommends <b><u>approval</u></b> of ZC-25-08.			
<b>Staff:</b> Lauren Clanton, AICP		<b>Title:</b> Chief Planner	<b>Date:</b> July 7, 2025

### History

This site is currently outside the City Limits and is accompanied by a request for annexation (AN-25-05).

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 the Emerson at Trace multifamily development, which is 1,000 feet from the site and across IH 35.

See additional analysis below.

### Comments from Other Departments

<b>Police</b>	No Comment
<b>Fire</b>	No Comment
<b>Public Services</b>	No Comment
<b>Engineering</b>	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. <b>Heavy Industrial zoning is appropriate for the Commercial/ Employment Low preferred scenario type.</b>
		<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. <b>Studies were not complete at the time of the request.</b>
		<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. <b>There are no development agreements in effect for this site.</b>
<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. <b>Surrounding uses are consistent with the proposed use.</b>
<u>X</u>			Whether the proposed zoning will reinforce the existing or planned character of the area. <b>The proposed zoning is consistent with the existing industrial uses and the characterization of the area as an industrial park.</b>
<u>X</u>			Whether the site is appropriate for the development allowed in the proposed district. <b>No known issues.</b>
<u>X</u>			Whether there are substantial reasons why the property cannot be used according to the existing zoning. <b>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.</b>

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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. <b><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></b>
<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 <b><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-25-05).</i></b>
<u>X</u>			Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property. <b><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></b>
		<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 <b><i>This is not a request for a Neighborhood Density District.</i></b>
<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. <b><i>There are no known environmental constraints on the property.</i></b>
<u>X</u>			Any other factors which shall substantially affect the public health, safety, morals, or general welfare <b><i>Staff is not aware of any other factors which would substantially affect the public health, safety, morals, or general welfare.</i></b>