

PSA-15-05

Preferred Scenario Amendment

IH-35 and Posey Road



Summary: The applicant is requesting a change from Area of Stability to Employment Center on the Preferred Scenario Map.

Applicant: Gunnarson Outdoor
1801 South IH-35
San Marcos, TX 78666

Property Owners: George and Bobbie Gilbert: 15 Timbercrest, San Marcos, TX 78666

Notification: Courtesy notice sent on January 8 with updates at Neighborhood Commission January 20; Planning & Zoning Commission January 26; and City Council February 2.

Personal notice sent and signs posted on February 11 for the Public Hearing to be held on February 23.

Response: The update to the Neighborhood Commission was held on January 20 but no one spoke in regards to this specific request. No one spoke in regards to this request at the P&Z meeting on January 26. The update to City Council was given on February 2 and no one spoke in regards to this request.

Subject Property:

Location: Intersection of IH-35 and Posey Road

Legal Description: Approximately 50.643 acres, more or less, out of the William H. Van Horn Survey, Tract 12

Sector: A portion of the property is located in Sector Four (4)

Current Zoning: The portion of the property located within the City Limits is Agricultural Ranch District (AR)

Current Preferred Scenario Designation:	Area of Stability	Proposed Preferred Scenario Designation:	Employment Center
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Surrounding Area:		Zoning	Existing Land Use	Preferred Scenario
	N of Property	AR & outside City Limits	Vacant & Texas State Transportation Center	Stability
	S of Property	AR & outside City Limits	Vacant	Stability
	E of Property	GC	Toyota Dealership	Stability
	W of Property	Outside City Limits	PEC Electric Station	Stability

Preferred Scenario Amendments, Generally:

With the adoption of *Vision San Marcos*, the City's comprehensive plan, the Preferred Scenario Map replaced the City's previous Future Land Use Map, and the process for requesting changes to the Map was amended. In order for a property to develop, the appropriate zoning must be in place. If a zoning change is necessary, the underlying designation on the Preferred Scenario, (Area of Stability, Intensity Zone, or Employment Area) must support the proposed zoning. This determination is made by using the Preferred Scenario Map and Land Use Intensity Matrix from *Vision San Marcos*, as well as the Zoning Translation Table in the Land Development Code. If the proposed zoning is not permitted based on the Preferred Scenario and Intensity Matrix designation, an applicant may request an amendment to the Preferred Scenario.

The Comprehensive Plan recommends that amendments to the Preferred Scenario Map only be considered twice per year, and this language was adopted as part of the City's Land Development Code. Preferred Scenario Amendment requests should be carefully examined using the tools provided in *Vision San Marcos*.

The process adopted in the Land Development Code in response to *Vision San Marcos* also separates the zoning request from the Preferred Scenario Request. Only with an approval recommendation from the Planning and Zoning Commission and a motion for approval by the City Council can an applicant file for a zoning change request.

Standard procedures for reviewing and taking action on zoning change and planned development district requests have not changed as part of this process except as noted above.

Property Description & Current Conditions:

The subject site consists of approximately 50.643 acres, more or less, out of the William H. Survey. The property is located at the intersection of IH-35 and Posey Road, directly opposite from the Toyota dealership. The Texas State Transportation Center is located to north of the property.

This site is identified as an Area of Stability on the Preferred Scenario Map. Given the size of the site, it is considered New Development on the Land Use Intensity Matrix. This matrix, attached, provides general uses that *Vision San Marcos* recommends in this type of area. Also attached is the Zoning Translation Table. This table is currently part of the Land Development Code and indicates what types of zoning can be requested for properties based on their Preferred Scenario Map classification. The site currently falls under the LS-ND (Low Intensity and Area of Stability – New Development) column.

Currently the site consists of vacant land. The majority of the property lies in the Extraterritorial Jurisdiction (ETJ) with only approximately 100 feet of the front portion of the property in the City Limits. This portion of the property was annexed in 1986 and has been zoned Agricultural Ranch District, "AR", since at least the mid-1990s if not earlier. Surrounding land uses include a Transportation Center for Texas State, vacant land, and a car dealership.

If this request is not granted, the applicant is able to maintain and develop under the existing zoning category or apply for a change to single family residential zoning districts, up to SF-6, multifamily districts up to MF-12 and some commercial under the Neighborhood Commercial district, "NC". Due to the size of the site, SmartCode is also an allowed zoning category to request. A Planning and Zoning Commission recommendation and City Council approval would be required for any proposed zoning changes. A summary of what is currently permitted at this location is attached.

Request: Change from Area of Stability to Employment Center on the Preferred Scenario Map

The applicant is proposing to install an off-premise freestanding sign located on the portion of the property inside the City Limits, approximately 2.3 acres, that is currently zoned "AR." These types of signs are only allowed in the following zoning categories: Community Commercial ("CC"), General Commercial ("GC"), Heavy Commercial ("HC"), Light Industrial ("LI"), and Heavy Industrial ("HI"). None of these categories are currently allowed under the existing Preferred Scenario designation of LS-ND and require the site to be designated as Employment Center on the Preferred Scenario map. The applicant has indicated that the intent is to rezone the portion of the property inside the City Limits as "GC." Before a sign permit for a new off-premise sign permit can be issued, Section 6.3.3.4(e) of the Land Development Code requires the applicant to first remove an existing off-premise sign that has a total area equal to or greater than the total area proposed for the new sign. The applicant has indicated to staff that an existing sign was removed on January 8, 2015 to make way for the construction of the Hilton Garden Inn on the southbound frontage of IH-35, south of River Ridge Parkway.

The change to Employment Center essentially removes any independent residential use from being requested. Mixed Use (MU) and Vertical Mixed Use (VMU) are zoning classifications that could be requested. Both allow residential but include it

as part of a mixture of uses that includes retail and office. Also, heavy commercial options as well as light and heavy industrial options would be available.

If the request is granted, the site would be classified as an Employment Center on the Zoning Translation Table (EC). There is no classification of Employment Center on the Land Use Intensity Matrix but there is a 'General Note' that states uses in potential Employment Centers include industrial, office parks, and retail malls with standards. Employment Centers, typically, are located on large sites with excellent road and rail access as well as access to water and sewer infrastructure. The list of general uses and applicable zoning categories can be found in the attachments.

Vision San Marcos Plan Elements:

Economic Development (ED)

The ED chapter of *Vision San Marcos* looks specifically at the strategies of the Core 4 Collaboration moving forward. The three collaborative actions identified by the Core 4 are 1) Preparing the 21st Century Workforce, 2) Competitive Infrastructure and Entrepreneurial Regulation and 3) Creating the Community of Choice. Staff analyzed this request based on the three action items to determine if the request supports, contradicts or is neutral toward the actions and provides the following table of the analysis:

ECONOMIC DEVELOPMENT – Furthering the goal of the Core 4 through the three strategies

STRATEGY	SUMMARY	Supports	Contradicts	Neutral
Preparing the 21 st Century Workforce	Provides / Encourages educational opportunities			Applicant has not indicated that educational facilities will be included.
Competitive Infrastructure & Entrepreneurial Regulation	Provides / Encourages land, utilities and infrastructure for business			Applicant has not indicated that infrastructure will be extended.
The Community of Choice	Provides / Encourages safe & stable neighborhoods, quality schools, fair wage jobs, community amenities, distinctive identity			Applicant has not indicated that opportunities for jobs and services will be included.

Environment & Resource Protection (ERP)

The ERP chapter of *Vision San Marcos* provides useful analysis tools. The Land Use Suitability Map considers the constraints as listed in the table below in its creation to determine what areas are most suitable for development. The water quality model provides a watershed-level analysis of the impacts of adding impervious cover for developments.

The majority of the land use suitability for this site is a one (1) and a two (2), the least constrained. Two corners of the property are shown as a three (3), moderately constrained. The table below indicates the scores for this site for each of the variables used in creating the Land Use Suitability Map and the results of the water quality model. Please refer to the attached Land Use Suitability and Environmental Features maps for further clarification.

ENVIRONMENT & RESOURCE PROTECTION – Land Use Suitability & Development Constraints

	1 (least)	2	3 (moderate)	4	5 (most)
Level of Overall Constraint	X	X			
Constraint by Class					
Cultural	X				
Edwards Aquifer	X				
Endangered Species	X				
Floodplains	X				
Geological	X				

Slope	X				
Soils	X				
Vegetation	X				
Watersheds	X				
Water Quality Zone	X			X	X

ENVIRONMENT & RESOURCE PROTECTION – Water Quality Model Results

Located in Subwatershed:	York Creek Watershed				
	0-25%	25-50%	50-75%	75-100%	100%+
Modeled Impervious Cover Increase Anticipated for watershed	X				
Notes: No additional impervious cover was anticipated, or modeled, in this subwatershed. There were no additional recommendations for this watershed in the Plan.					

Land Use (LU)

The LU chapter of *Vision San Marcos* focuses on the Preferred Scenario Map. This site is located in an Area of Stability. It is in relatively close proximity to other Employment Centers. A map is attached which shows a detailed view of the preferred scenario zones within and surrounding this property.

Neighborhoods & Housing (NH)

The NH chapter of *Vision San Marcos* focuses on the Neighborhood Character Studies which are currently being conducted alongside the Code SMTX project, the update to the Land Development Code. The site is not located in a designated neighborhood or designated Neighborhood Character Study Area.

Parks, Public Spaces & Facilities (PPSF)

The PPSF chapter of *Vision San Marcos* discusses the City's recreational facilities as well as the water, wastewater and other public infrastructure. The table below is an analysis of the facilities in the area. Water service is available in the area but wastewater service is not. While water and wastewater are not utilities necessary for the installation of an off-premise sign, any future development of the property would require that wastewater service be established. As the majority of the property is outside the City Limits, this would be handled through an Out of City Utility Extension request which is required to be approved by City Council. The water service area is indicated as a low maintenance area.

PARKS, PUBLIC SPACES AND FACILITIES –Availability of parks and infrastructure

	YES	NO
Will Parks and / or Open Space be Provided?		X
Will Trails and / or Green Space Connections be Provided?		X
Maintenance / Repair Density	Low (maintenance)	High (maintenance)
Wastewater Infrastructure	X	
Water Infrastructure	X	
Public Facility Availability		
	YES	NO
Parks / Open Space within ¼ mile (walking distance)? City Council recently approved an Out of City Utility Extension request for the 45 acre property located north of the subject property across Posey Road. The extension of wastewater facilities, while not needed to install a billboard, is needed for future development of the subject property.		X

Wastewater service available?		X
Water service available?	X	

Transportation

A Travel Demand Model (TDM) was created to analyze the traffic impacts of growth in San Marcos. The table below is a summary of the TDM results and other transportation modes surrounding the site. The TDM analyzes the overall transportation network of the existing network and the Preferred Scenario. It is not a measure of the impact of this particular change. The results of the TDM indicate that some improvements along Posey Road may be required. The Texas Department of Transportation (TxDOT) has plans to reconstruct the Posey Road overpass starting this year.

TRANSPORTATION – Level of Service (LOS), Access to sidewalks, bicycle lanes and public transportation

		A	B	C	D	F
Existing Daily LOS	Posey Road	X				
	Southbound Frontage IH-35	X				
Existing Peak LOS	Posey Road	X				
	Southbound Frontage IH-35	X				
Preferred Scenario Daily LOS	Posey Road	X				
	Southbound Frontage IH-35	X				
Preferred Scenario Peak LOS	Posey Road			X		
	Southbound Frontage IH-35	X				
The Transportation Demand Model shows that both Posey Road and the Southbound Frontage of IH-35 remain a LOS A in both Existing Daily and Peak as well as in the Preferred Scenario Daily. The TDM does show deterioration in LOS for Posey Road to a LOS C in the Preferred Scenario Peak.						
			N/A	Good	Fair	Poor
Sidewalk Availability (Required to build.)		X				
There are no existing sidewalks. They will be required to be built along Posey Road and the Southbound Frontage Road of IH-35 at the time of development of the site.						
			YES		NO	
Adjacent to existing bicycle lane?					X	
Adjacent to existing public transportation route?			X			
Notes: The property is situated along a CARTS route however the closest stop is located at the Outlet Mall on the northbound side of IH-35.						

Staff Analysis:

Comments from Other Departments

There have been no other comments or concerns from other departments.

Planning Department Analysis

The Comprehensive Plan, *Vision San Marcos* describes Employment Centers as areas where new development, such as industrial, manufacturing, large office park and intense commercial uses are appropriate. *Vision San Marcos* further states that businesses that provide long-term sustainable employment opportunities should be encouraged in employment centers and are typically located on large sites with excellent access to road and rail transportation and have access to water and sewer infrastructure. Planning Department staff, following a review of *Vision San Marcos*, finds that this request is generally consistent with the plan.

The installation of the off-premise freestanding sign itself will not promote economic development but designating the site as an Employment Center has the potential to promote economic development and employment opportunities, developing a site that is adjacent to the IH-35 corridor. In addition to the zoning categories listed in the Zoning Translation Table, new zoning categories, specific to Employment Centers, may be available with the completion of Code SMTX.

At this time the City Council is considering the request which will change the City's Preferred Scenario Map. As many options for development may occur with or without the approval of this request, the City Council should consider all aspects of this staff report, the attached maps and figures as well as the existing Codes in their decision. A summary of what may be permitted at this location, if the map amendment is approved, is attached. Any changes in zoning following this request would be required to follow the standard process of notice and public hearing. Zoning requests are considered separately and would require a full staff analysis for consistency with the Comprehensive Plan as well as any other applicable standards.

Recommendations & Options for Action:

Based on the analysis provided in this report, staff recommends approval of the request to change from an Area of Stability to an Employment Center as submitted.

Options for the City Council include:

- Approval of the request as submitted
- Alternative recommendation
- Denial of the request

Planning Department Recommendation:	
<input checked="" type="checkbox"/>	Approve as submitted
<input type="checkbox"/>	Alternative
<input type="checkbox"/>	Denial

The City Council's Responsibility:

Following receipt of the recommendation of the Planning and Zoning Commission, the Code requires the City Council to hold a public hearing, receive public comment regarding the proposed Preferred Scenario Amendment and approve, deny or modify the requested amendment by adoption of the ordinance.

After considering the public input, your decision should consider whether the amendment is consistent with the following policies of the Comprehensive Plan as stated in section 1.4.1.5 of the Land Development Code:

- Is the request in an area suitable for development as shown on the Land Use Suitability Map and if not what development constraints exist;
- Is the request consistent with the Neighborhood Character Study for the area;
- Is the request near existing parks and public utilities; and,
- Based on the Travel Demand Model, is the request in an area with sufficient roadway capacity.

Prepared by:

Alison Brake, CNU-A

Planner

February 9, 2016

Name

Title

Date