

<b>Conditional Use Permit</b>	<b>R33129</b>
<b>CUP-24-70</b>	<b>Loft Apartments</b>



**Summary**

<b>Request:</b>	New Conditional Use Permit for loft apartments		
<b>Applicant:</b>	Tres Smyth POBox 875 Dilley, TX 78017	<b>Property Owner:</b>	Tres Smyth POBox 875 Dilley, TX 78017
<b>CUP Expiration:</b>	N/A	<b>Type of CUP:</b>	Use: Loft Apartments
<b>Interior Floor Area:</b>	TBD	<b>Outdoor Floor Area:</b>	N/A
<b>Parking Required:</b>	TBD	<b>Parking Provided:</b>	TBD
<b>Days &amp; Hours of Operation:</b>	N/A		

**Notification**

<b>Posted:</b>	11/22/24	<b>Personal:</b>	11/22/24
<b>Response:</b>	None as of the date of this report		

**Property Description**

<b>Legal Description:</b>	Block 2 Lot 6 in the Katy Addition of San Marcos Subdivision (1895)		
<b>Location:</b>	Along the West side of McGehee Street, approximately 180 feet North of Cheatham Street		
<b>Acreage:</b>	0.391 acres	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	Community Commercial (CC)	<b>Proposed Zoning:</b>	Same
<b>Existing Use:</b>	Undeveloped	<b>Proposed Use:</b>	Office and Loft Apartment
<b>Preferred Scenario:</b>	Mixed Use Low Place Type	<b>Proposed Designation:</b>	Same
<b>CONA Neighborhood:</b>	East Guadalupe	<b>Sector:</b>	4
<b>Utility Capacity:</b>	By Developer if not available	<b>Floodplain:</b>	Yes
<b>Historic Designation:</b>	N/A	<b>My Historic SMTX Resources Survey:</b>	Yes, Low (Vacant)

**Surrounding Area**

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	Character District 5 Downtown (CD-5D)	Railroad	Conservation/Cluster Place Type
<b>South of Property:</b>	Community Commercial (CC)	Restaurant, Service (Patio Dolcetto, Holden Roofing)	Neighborhood Transition Place Type
<b>East of Property:</b>	Public and Institutional (P)	Park (Rio Vista)	Conservation/Cluster Place Type
<b>West of Property:</b>	Community Commercial (CC)	Office	Mixed Use Low Place Type

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**Staff Recommendation**

Approval as Submitted	<input checked="" type="checkbox"/> <b>Approval with Conditions</b>	<input type="checkbox"/> Denial
<ol style="list-style-type: none"> <li>1. The development shall not be rented by the bedroom;</li> <li>2. The development shall not be marketed as student housing;</li> <li>3. The height of the structure shall not be greater than 3 stories / 50 feet;</li> <li>4. The use of loft apartments shall not be permitted on the ground floor;</li> <li>5. The building and site shall meet all other Codes and Ordinances; and</li> <li>6. The Conditional Use Permit shall not expire.</li> </ol>		
<b>Staff:</b> Kaitlyn Buck	<b>Title:</b> Planner	<b>Date:</b> 10/4/24

**History**

This is a new request.

**Additional Analysis**

The applicant is proposing to build an office and storage facility for his contracting business. The applicant is requesting the use of “loft apartment” to allow the construction of an apartment above the first floor. The applicant’s intent is that the apartment be used part-time by employees.

**Comments from Other Departments**

<b>Police</b>	No Calls Reported
<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. 2.8.3.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.
		<u>N/A</u>	The proposed use is consistent with any adopted neighborhood character study for the area. <b>Studies were not complete at the time of the request.</b>
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.
<u>X</u>			The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods. <b>The proposed use is compatible with and preserves the character and integrity of adjacent developments. Additional development standards shall be met at the time of site permitting.</b>
<u>X</u>			The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
<u>X</u>			The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets. <b>Any development on the subject property would require the applicant to bring McGehee Street into compliance with current fire safety codes.</b>
<u>X</u>			The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. <b>No visual impacts are expected to cause adverse effects on adjacent properties.</b>
<u>X</u>			The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood.