

Zoning Request

ZC-23-04

2700 N IH 35



Summary

Request:	Zoning change from FD and MH to HC		
Applicant:	Kimley-Horn 7401 Southwest Parkway, Building 3, Suite 100 Austin, TX 78735	Property Owner:	Laurel Wehrman, Allan Wehrman, and Nathan Werhman PO Box 273 San Marcos, TX 78667

Notification

Application:	12/21/2022	Neighborhood Meeting:	N/A
Published:	12/25/2022	# of Participants	N/A
Posted:	12/19/2022	Personal:	12/22/2022
Response:	1 general inquiry		

Property Description

Legal Description:	16.234 +/- acres of land, more or less, Joel Miner Survey, Abstract 321 Hays County, Texas		
Location:	Intersection of the north bound frontage of IH 35 and Saddle Run Way		
Acreage:	16.234 acres	PDD/DA/Other:	N/A
Existing Zoning:	FD and MH	Proposed Zoning:	HC
Existing Use:	Vacant and Residential	Proposed Use:	Office/Distribution
Existing Occupancy:	N/A	Occupancy:	N/A
Preferred Scenario:	Low Intensity	Proposed Designation:	Same
CONA Neighborhood:	N/A	Sector:	6
Utility Capacity:	Available	Floodplain:	Yes
Historic Designation:	N/A	My Historic SMTX Resources Survey	N/A

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	MH and HC	Vacant	Employment Area
South of Property:	FD	Vacant	Low Intensity and Medium Intensity
East of Property:	MH	Manufactured Housing	Low Intensity
West of Property:	HC	IH 35	Employment Area and Low Intensity

Staff Recommendation

<input checked="" type="checkbox"/> Approval as Submitted	<input type="checkbox"/> Alternate Approval	<input type="checkbox"/> Denial
Staff: Craig Garrison	Title : Planner	Date: January 4, 2023

Zoning Request

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Commission Recommendation

<input type="checkbox"/> Approval as Submitted	<input type="checkbox"/> Approval with Conditions / Alternate	<input checked="" type="checkbox"/> <u>Denial</u>
Speakers in favor or opposed Ben Green – Civil Engineer – In Favor Lisa Marie Coppoletta - Opposed		
Recommendation from the Planning and Zoning Commission Meeting held January 10, 2023 A motion was made by Commissioner Agnew, second by Commissioner Sambrano to recommend <u>denial</u> of the request. The motion passed with a 8-0 vote For: 8 Garber, Case, Kelsey, Castilla, Agnew, Spell, Sambrano, Meeks Against: 0 Absent: 0		
Discussion Topics: Saddlebrook community is in too close proximity to this proposed project that may have heavy truck traffic.		

History

N/A

Additional Analysis

The three parcels are currently occupied by a single family home. The property is adjacent to Saddlebrook manufactured housing community, the Whisper Planned Development District and the Whisper South development. Whisper is a mixed-use development with Heavy Commercial and Light Industrial planned adjacent to this property. This is proposed rezoning is congruent with extending the types of uses found in the Heavy Commercial district along I 35 frontage.

The type of development proposed is described as “multi-tenant flex buildings intended for small office users who need warehousing and regularly engage in distribution services.”

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 <i>Proposed use promotes diverse local economic environment</i>
		<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. <i>Studies were not complete at the time of the request.</i>
		<u>N/A</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 <i>The existing character is manufactured housing and the planned character in the Whisper developments is Heavy Commercial / Industrial</i>
<u>X</u>			Whether the site is appropriate for the development allowed in the proposed district
<u>X</u>			Whether there are substantial reasons why the property cannot be used according to the existing zoning <i>A portion of the property is zoned FD, which is a placeholder for future zoning</i>
		<u>X</u>	Whether there is a need for the proposed use at the proposed location
<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>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

Zoning Request	2700 N IH 35
ZC-23-04	



Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
		<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
		<u>X</u>	Any other factors which shall substantially affect the public health, safety, morals, or general welfare