

**Zoning Request
ZC-24-03**

**2807 Hunter Road
MF-18 to CD-5**



Summary

Request:	Zoning change from MF-18 to CD-5		
Applicant:	Loretta Sanders 444 Longcope Loop San Marcos, TX 78666	Property Owner:	Loretta Sanders & Carol Rybarski 444 Longcope Loop San Marcos, TX 78666

Notification

Application:	8/29/2024	Neighborhood Meeting:	N/A
Published:	9/8/2024	# of Participants	N/A
Posted:	9/6/2024	Personal:	9/6/2024
Response:	6 comments received in opposition		

Property Description

Legal Description:	Tract 116 in the Juan M Veramendi Survey		
Location:	East of Hunter Road, approximately 225 feet Southwest of S Reimer Ave		
Acreage:	1.132 acres	PDD/DA/Other:	N/A
Existing Zoning:	MF-18	Proposed Zoning:	CD-5
Existing Use:	Vacant	Proposed Use:	Zoning to Sell
Existing Occupancy:	N/A	Occupancy:	N/A
Preferred Scenario:	Medium Intensity Zone	Proposed Designation:	Same
CONA Neighborhood:	Hunter's Hill	Sector:	9
Utility Capacity:	Available	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	(GC)	Gas Station (Shell)	Medium Intensity Zone
South of Property:	(MF-18)	Multifamily	Medium Intensity Zone
East of Property:	(GC)	Offices (So High Sports & Fitness)	Medium Intensity Zone
West of Property:	(ETJ)	Single Family Residential (Quarry Springs Neighborhood)	Low Intensity Zone

Staff Recommendation

<input checked="" type="checkbox"/>	Approval as Submitted	<input type="checkbox"/>	Alternate Approval	<input type="checkbox"/>	Denial
Staff: Kaitlyn Buck					
			Title: Planner	Date: 9/18/2024	

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Commission Recommendation

Approval as Submitted	Approval with Conditions / Alternate	<u>X</u>	Denial
<p>Speakers in favor or opposed:</p> <ol style="list-style-type: none">1) Loretta Sanders, in favor2) William McDonald, in favor3) J.W. Kanedy, in opposition4) Paulina Safarki, in opposition <p>Recommendation from the Planning and Zoning Commission Meeting held September 24, 2024: A motion was made by Commissioner Spell, second by Commissioner Burleson to recommend approval of a lesser intense zoning district, Neighborhood Commercial District (N-CM).</p> <p>The vote passed with a 9-0 vote.</p> <p>For (9): Agnew, Burleson, Case, Costilla, Garber, Kelsey, Meeks, Spell, Dunn Against (0): Absent (0):</p> <p>Discussion Topics: The following topics were discussed: (a) general concerns specific to standards within CD-5 as it relates to the subject property, (b) uses allowed within CD-5, (c) if CD-4 is a viable lesser intense zoning option, (d) the desirability for multifamily development in this area of town, (e) lesser intense zoning district options, (f) traffic impacts. The applicant agreed to Neighborhood Commercial District (N-CM) as a lesser intense zoning of the property.</p>			

History

This is a new request.

Additional Analysis

See additional analysis below.

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
		<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 Studies were not complete at the time of the request.
		<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 The subject property does not have a 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
<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 Reasons why the property cannot be used according to the existing zoning were not found at this time.
<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 No adverse impacts have been determined at this time.
		<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
<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. Water quality and environmental impacts will be reviewed at time of site development.
<u>X</u>			Any other factors which shall substantially affect the public health, safety, morals, or general welfare. No factors have been determined at this time.