

Zoning Request	1500BLK Post Rd W.N Goforth Post Rd CD-4
ZC-24-11	



Summary

Request:	Zoning change from Single Family-6 to Character District-4		
Applicant:	Shelton Eubanks SMTX Rentals LLC 136 Iron Horse New Braunfels TX 78132	Property Owner:	Shelton Eubanks SMTX Rentals LLC 136 Iron Horse New Braunfels TX 78132

Notification

Application:	11/08/2024	Neighborhood Meeting:	N/A
Published:	12/29/2024	# of Participants	N/A
Posted:	12/27/2024	Personal:	12/27/2024
Response:	None as of the date of this report		

Property Description

Legal Description:	Lots 6, 7, 8, 9, 10, 11, and 12 in the W.N Goforth First Suburban Addition, and an unplatted 1.65-acre tract of land in the J.M Veramendi Survey.		
Location:	On the western side of Post Road, approximately 600 ft northeast of the intersection between Post Rd and Lime Kiln Rd		
Acreage:	3.7 acres	PDD/DA/Other:	N/A
Existing Zoning:	Single Family-6	Proposed Zoning:	Character District-4
Existing Use:	Vacant/ Single Family	Proposed Use:	Townhomes/ Small Multifamily
Existing Occupancy:	Restrictions Do Apply	Occupancy:	Restrictions Do Not Apply
Preferred Scenario:	Mixed Use-Low	Proposed Designation:	Same
CONA Neighborhood:	Millview East	Sector:	7
Utility Capacity:	Available	Floodplain:	Yes
Historic Designation:	N/A	My Historic SMTX Resources Survey	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	Single Family-6	Residential	Neighborhood Low / Mixed Use-Low
South of Property:	Manufactured Home and Residential	Railroad/ Residential	Neighborhood Low
East of Property:	General Commercial/ Multifamily-18/ Multifamily-24	Railroad/ Multifamily	Neighborhood-High
West of Property:	Single Family - 6	Vacant	Neighborhood Low

Staff Recommendation

<input checked="" type="checkbox"/> Approval as Submitted	<input type="checkbox"/> Alternate Approval	<input type="checkbox"/> Denial
Staff: Julia Cleary, AICP	Title : Senior Planner	Date: 01/08/2025

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History

Part of the subject property (Lot 12) previously housed the former Bismark Filling Station, an historic gas/ service station which ceased operations in the late 1980s. On July 11th 2024, the Historic Preservation Commission voted to postpone the demolition of the filling station structure. The demolition delay expired on November 17th, 2024.

The site is designated as Mixed Use- Low on the VisionSMTX Preferred Scenario. The designation was specifically requested by the property owners during the VisionSMTX Comprehensive Plan rewrite process. The requested amendment was considered by the Planning and Zoning Commission at their meeting on April 11th, 2023, was presented to Council at their meeting on September 19th, 2023 and ultimately approved with the Comprehensive Plan adoption on October 15, 2024.

Additional Analysis

See additional analysis below.

Comments from Other Departments

Police	No Comment
Fire	No Comment
Public Services	No Comment
Engineering	No Comment

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>The site is designated as Mixed Use-Low on the Preferred Scenario Map. Per the Equivalency Table adopted under the adopting Ordinance for the Vision SMTX Comprehensive Plan, Character District-4 should be "Considered" in Mixed Use Low designations.</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>X</u>	Whether the proposed zoning map amendment implements the policies of any applicable plan adopted by City Council <i>There is no specific plan adopted for the Post Rd corridor.</i>
		<u>N/A</u>	Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect <i>There is no development agreement in effect for this site.</i>
<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>CD-4 allows for residential, small scale multifamily and limited commercial on corners with an overall height limit of 3 stories. This is considered to be compatible with the surrounding uses in the area which includes a mixture of single family, commercial, and medium and large-scale multifamily uses.</i>

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Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			Whether the site is appropriate for the development allowed in the proposed district <i>The site is located adjacent existing multifamily development and is served by existing pedestrian, bike and public transportation connections; an existing sidewalk and painted bike lane run along the front of the site and a CARTS bus stop is located approximately 400ft from the site on Uhland Rd.</i>
	<u>X</u>		Whether there are substantial reasons why the property cannot be used according to the existing zoning <i>Under its current zoning, the site could be developed/ maintained as single family lots.</i>
<u>X</u>			Whether there is a need for the proposed use at the proposed location <i>Although the City does not have an adopted housing needs assessment, small scale multifamily products are generally considered to be a product that is needed in the City of San Marcos.</i>
<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 <i>There are existing water and wastewater lines adjacent the site. Per the fire station map included in the packet, there are approximately 14 firefighters within 8 minutes travel of the site.</i>
<u>X</u>			Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property <i>The proposed rezoning is not anticipated to have any adverse impacts on property in the vicinity of the subject property.</i>
		<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 <i>This is not a request for a Neighborhood Density district.</i>
		<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 <i>Approximately 25% of the site is located within the 100-year floodplain, 7.25 % is in the Edwards Aquifer Recharge zone and 92.85% is located within the Edwards Aquifer Transition Zone. The zoning change would increase the permitted impervious cover allowed by right on the site from 50% to 80%. It should be noted that impervious cover will be limited in the Recharge Zone to 30% per Table 6.4 of the Land Development Code and all development within the floodplain will be need to comply with the City's Flood Damage Prevention Ordinance which requires new structures to be 2ft above the base flood elevation. Proposals must also demonstrate that there will be no additional runoff generated by the development.</i>
<u>X</u>			Any other factors which shall substantially affect the public health, safety, morals, or general welfare <i>There are no other factors which are anticipated to substantially impact public health, safety, morals, or general welfare.</i>