

# Zoning Request

## ZC-22-01

1601 E McCarty  
FD to CD-1



### Summary

<b>Request:</b>	Zoning change from Future Development to Character District 1		
<b>Applicant:</b>	James B. Griffin 100 NE Loop 410, Ste 650, San Antonio, TX 78216	<b>Property Owner:</b>	Edmund Jaster Hays County Partnership P.O. Box 481 Madisonville, TX 77864

### Notification

<b>Application:</b>	12/17/2021	<b>Neighborhood Meeting:</b>	N/A
<b>Published:</b>	12/19/2021	<b># of Participants</b>	N/A
<b>Posted:</b>	12/17/2021	<b>Personal:</b>	12/17/2021
<b>Response:</b>	None as of the date of this report		

### Property Description

<b>Legal Description:</b>	Cyrus Wickson Survey, Abstract 474		
<b>Location:</b>	Due north of the Rattler Rd and E McCarty Ln intersection		
<b>Acreage:</b>	17.420 acres	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	FD	<b>Proposed Zoning:</b>	CD-1
<b>Existing Use:</b>	Vacant	<b>Proposed Use:</b>	Detention /Open Space
<b>Existing Occupancy:</b>	N/A	<b>Occupancy:</b>	N/A
<b>Preferred Scenario:</b>	Open Space	<b>Proposed Designation:</b>	Same
<b>CONA Neighborhood:</b>	N/A	<b>Sector:</b>	N/A
<b>Utility Capacity:</b>	Available	<b>Floodplain:</b>	Yes
<b>Historic Designation:</b>	N/A	<b>My Historic SMTX Resources Survey</b>	No

### Surrounding Area

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	Vacant & LI	Vacant	Employment Area
<b>South of Property:</b>	Vacant	Vacant	Medium Intensity Zone
<b>East of Property:</b>	LI	Pavestone Landscaping	Open Space
<b>West of Property:</b>	GC & HI	Vacant	Open Space

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### Staff Recommendation

<input checked="" type="checkbox"/> <b>Approval as Submitted</b>	<input type="checkbox"/> Alternate Approval	<input type="checkbox"/> Denial
<b>Staff:</b> Will Rugeley, AICP		
<b>Title:</b> Planner		<b>Date:</b> 1/4/2022

### History

ZC-22-01 and ZC-22-02 seek zoning for industrial warehouse and distribution development pursuant to the CD-1 and LI Zoning District Regulations. An annexation request is being considered concurrent with both zoning change applications.

### Additional Analysis

The acreage associated with this zoning case is floodplain and is intended to serve as the development's detention area, if applicable.

### Comments from Other Departments

<b>Police</b>	No Comment
<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.2.5.1.4)
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
		<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 <b><i>A development agreement is not required because the property is requesting annexation into the City limits</i></b>
<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 <b><i>Detention facilities are authorized within all zoning districts</i></b>
		<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 <b><i>The CD-1 District is intended for the preservation of open space and to protect the most sensitive natural resources in San Marcos. It is primarily characterized by extensive, undisturbed landscapes; however, detention facilities are permitted within all zoning districts</i></b>
		<u>X</u>	Whether there are substantial reasons why the property cannot be used according to the existing zoning <b><i>The property is not zoned as it's located outside the City limits</i></b>
		<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 <b><i>The site is located adjacent to the City limits with access to existing utilities and E McCarty Ln.</i></b>
		<u>X</u>	Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property

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Consistent	Inconsistent	Neutral	
		<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 <b><i>The property is situated within the FEMA mapped 100- and 500-year floodplains</i></b>
<u>X</u>			Any other factors which shall substantially affect the public health, safety, morals, or general welfare