

# Preferred Scenario Map Amendment Request

PSA-23-02

Southwest of the Intersection  
between North St and Lindsey St



## Summary

<b>Request:</b>	Change from Existing Neighborhood to Growth Area-High Intensity (Downtown) on the Preferred Scenario Map.		
<b>Applicant:</b>	Shannon Mattingly, Drenner Group 2705 Bee Cave Rd, Ste 100 Austin, TX 78746	<b>Property Owner:</b>	Daryl Burtshell, 409 North St, San Marcos, 78666 Peggy Taylor, 415 North St, San Marcos TX 78666

## Notification

<b>Application:</b>	August 16, 2023	<b>Neighborhood Meeting:</b>	September 28, 2023/ Jan 31 2024
<b>Published:</b>	February 11, 2024	<b># of Participants</b>	11 (1 <sup>st</sup> Meeting) & 46 (2 <sup>nd</sup> meeting, including 8 participants on Zoom)
<b>Posted:</b>	February 7, 2024	<b>Personal:</b>	February 7, 2024
<b>Response:</b>	See attached comments		

## Property Description

<b>Legal Description:</b>	1.13 acres, more or less, out of the J.M Veramendi Survey, Abstract 17		
<b>Location:</b>	Southwest of the intersection between Lindsey St and North St.		
<b>Acreage:</b>	1.13	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	MF-12/ MF-18	<b>Proposed Zoning:</b>	CD-5D
<b>Existing Use:</b>	Residential	<b>Proposed Use:</b>	Purpose Built Student Housing
<b>Existing Occupancy:</b>	Restrictions Do Not Apply	<b>Occupancy:</b>	Restrictions Do Not Apply
<b>Preferred Scenario:</b>	Area of Stability-Existing Neighborhood	<b>Proposed Designation:</b>	Growth Area-High Intensity Zone (Downtown)
<b>CONA Neighborhood:</b>	Downtown	<b>Sector:</b>	8
<b>Utility Capacity:</b>	Adequate	<b>Floodplain:</b>	No
<b>Historic Designation:</b>	N/A	<b>My Historic SMTX Resources Survey</b>	Yes – High/ Medium

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**Surrounding Area**

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	MF-24/ P	Texas State Campus	Low Intensity
<b>South of Property:</b>	P	Sorority House	Existing Neighborhood
<b>East of Property:</b>	MF-24/ CD-5D	Multifamily	High Intensity-Downtown
<b>West of Property:</b>	MF-24	Multifamily	Existing Neighborhood

**Staff Recommendation**

<b>X</b>	<b>Approval as Submitted</b>		<b>Alternate Approval</b>		<b>Denial</b>
<b>Staff: Julia Cleary, AICP</b>		<b>Title: Senior Planner</b>		<b>Date: February 21<sup>st</sup>, 2024</b>	

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## History

This property is currently “Existing Neighborhood” on the Preferred Scenario map. Per the current Comprehensive Plan, Existing Neighborhoods are “*Established, primarily residential areas intended to maintain their existing character and to follow development and redevelopment patterns that are compatible with the existing character.*” The applicant is requesting a change to “High Intensity – Downtown” in order to request Character District 5 Downtown (CD-5D) Zoning for a larger student housing development.

Currently, the property is zoned Multifamily-12 and Multifamily-18 which allow 12 and 18 multifamily units per acre respectively. Student Housing is a “Conditional” Use under these zoning districts.

## Additional Analysis

The Comprehensive Plan includes a tool called the Land Use Suitability Map. Staff noted that in general, the majority of the property is located on land considered to be minimally constrained. There is no floodplain or floodway on the property, and the property is not located within the Edwards Aquifer Recharge Zone.

The property contains several existing residential structures identified on the Historic Resources Survey; 419 North St is identified as “High Priority”, and 409 North St and 413 Lindsey St are classified as “Medium Priority.” These structures would be subject to the City’s Demolition Delay Ordinance.

The nearest lots which are zoned Single Family (SF-6) are west of Moore Street, over 600 feet from the subject property. Nearby zoning consists of Character District 5 Downtown, Multifamily 24, 18, and 12, Mixed Use, and Public. To the south, the property zoned Public is used as a sorority house and to the north is Texas State University. The remainder of properties in the vicinity are multifamily and student housing.

This Preferred Scenario Amendment request is for a portion of a larger project, and the following applications have been submitted:

- Zoning Change from MF-12/MF-18 and MF-24 to CD-5D (ZC-23-19)
  - This is the next item on the agenda. Staff is recommending approval.
- Conditional Use Permit for Student Housing (CUP-23-22)
  - This item will be considered after the zoning change request. Staff is providing a neutral recommendation, with several, optional, conditions should the Commission choose to recommend approval.
- Alternative Compliance request to allow for an increase from 5 to 7 stories (AC-23-09)
  - This item will be considered last. Staff is recommending partial approval with conditions for the part of the site east of North St (i.e. *not* the land which is subject to this PSA request).

The City is currently in the process of re-writing the Comprehensive Plan. If this Preferred Scenario Amendment is approved the property would be given a “Mixed Use Medium” designation on the new map.

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## Comments from Other Departments

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

Evaluation			Criteria for Approval (Sec. 2.4.2.4)
Consistent	Inconsistent	Neutral	
		<u>X</u>	<p>Whether the proposed amendment is consistent with other policies of the Comprehensive Plan</p> <p><b><i>The request is consistent with Land Use Goal 1 of the Comprehensive Plan (Direct Growth, Compatible with Surrounding Uses) as it is adjacent to existing CD-5D and multifamily zoning in the Downtown High Intensity Zone and is over 600ft from any Single-Family zoning districts.</i></b></p> <p><b><i>It is also considered consistent with part of Housing Goal 2 (Housing Opportunities for Texas State University in Appropriate Areas) given the site's location immediately adjacent to the University Campus.</i></b></p> <p><b><i>Many other policies exist in the Comprehensive Plan which do not address or consider the expansion of the Downtown High Intensity Zone.</i></b></p>
		<u>N/A</u>	<p>Whether the proposed amendment is consistent with any adopted small area plan or neighborhood character study for the area.</p> <p><b><i>Studies were not complete at the time of this request (this site is not located within the boundaries of the 2008 or 2023 Downtown Plans).</i></b></p>
<u>X</u>			<p>Whether the proposed amendment promotes the orderly and efficient growth and development of the community and furthers the public health, safety, and general welfare of the City</p> <p><b><i>The proposed amendment intensifies the land use classification in an area where there is already existing multifamily development. Infrastructure currently exists in the area and the proposed redevelopment will improve some public infrastructure.</i></b></p>

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Evaluation			Criteria for Approval (Sec. 2.4.2.4)
Consistent	Inconsistent	Neutral	
		<u>N/A</u>	The proposed amendment corrects an error or meets the challenge of some changing condition, trend, or fact
<u>X</u>			<p>Whether the proposed amendment constitutes a substantial benefit to the City as a whole and is not solely for the good or benefit of a particular landowner or owners at a particular point in time</p> <p><b><i>The amendment will allow additional housing and potential commercial opportunities adjacent to the City core and Texas State University. Providing additional housing adjacent to the university will allow more students, or faculty/staff if traditional multifamily is constructed, to live within walking distance of campus, potentially reducing the need for car ownership. A student housing development at this location may decrease the demand for student housing within established single-family neighborhoods.</i></b></p>
<u>X</u>			<p>Whether the proposed amendment will impact:</p> <ul style="list-style-type: none"> <li>• Adjacent properties. <b><i>All abutting properties to the East, South, and West are existing multifamily uses which is consistent with the proposed end-use of the subject property. The property to the north is Texas State University.</i></b></li> <li>• Existing or future land use patterns <b><i>See above response.</i></b></li> <li>• Existing or planned public services and facilities <b><i>The proposed redevelopment of the property will improve some public infrastructure.</i></b></li> <li>• Existing or planned transportation networks or greenways <b><i>The redevelopment of the property will be required to install sidewalks and streetscape improvements in accordance with the Development Code.</i></b></li> <li>• The natural environment, including the quality and quantity of water and other natural resources, flooding, and wildlife management <b><i>The subject property is currently developed and includes existing impervious cover. The redevelopment of the site may impact existing natural resources on the site in addition to providing new natural resources such as street trees. The subject property is not located within the</i></b></li> </ul>

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			<i>Floodplain and is located within a 3 (moderately constrained) designation on the Land Use Suitability Map.</i>
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