

Zoning Change PDD-17-01 3200 Hunter Road Halcyon PDD



Summary: The applicant is requesting a zoning change from “P” Public and Institutional District to “PDD” Planned Development District with a base zoning classification of “MU” Mixed Use for approximately 20.246 acres located at 3200 Hunter Road.

Applicant: Halcyon Concepts, LP
8133 Mesa Drive Ste 200
Austin, TX 78759

Property Owner: First Baptist Church
325 W McCarty Lane
San Marcos, TX 78666

Notification: Personal notifications of the public hearing were mailed on Friday, October 13, 2017 to all property owners within 200 feet of the subject property. Additionally, signs were posted on the site. Published Notification was posted in the San Marcos Daily Record on November 5, 2017.

Response: A summary of citizen comments has been included in the packet.

Property/Area Profile:

Legal Description: Approximately 20.246 acres out of the John Williams Survey, Abstract No. 471

Location: 3200 Hunter Road

Existing Use of Property: Vacant

Proposed Use of Property: Continuing Care Retirement Community (CCRC)

Preferred Scenario Map: Area of Stability - New Development

Existing Zoning: “P” Public and Institutional

Proposed Zoning: “PDD” – Planned Development District with “MU” Mixed Use base Zoning

Utility Capacity: Water service is available to the site and the applicant will extend and provide wastewater service to the site.

Area Zoning & Land Use:

	Zoning	Existing Land Use
N of Property	ETJ	Single Family
S of Property	ETJ	Single Family
E of Property	ETJ	Texas State University (Star Park)
W of Property	P	First Baptist Church

Case Summary

The subject property consists of approximately 20.246 acres, more or less out of the John Williams Survey. The property is located at the intersection of McCarty Lane and Hunter Road. Surrounding uses include the First Baptist Church, and uses located outside the City Limits including the Quarry Springs Neighborhood across McCarty Lane, Texas State University's Star Park across Hunter Road, and a single family home to the south of the property.

The site is identified as *Area of Stability - New Development* on the Preferred Scenario Map as the property is greater than 20 acres. The property is currently zoned "P" Public and Institutional and the applicant is requesting a zoning change to "PDD" with a base zoning of "MU" Mixed Use. This application does **not** require a Preferred Scenario Amendment (PSA) as Mixed Use "MU" and Planned Development District "PDD" is allowed within an *Area of Stability – New Development* area. The subject property is also across the street from an area of Medium Intensity on the Preferred Scenario Map along Hunter Road.

Currently, the property owner can develop the property in accordance with "P" Public and Institutional zoning which is restricted to various public and recreational uses such as museums, parks, schools, government uses and hospitals. The proposed PDD with Mixed Use zoning would allow a variety of uses which align with the needs of the Continuing Care Retirement Community (CCRC) including, professional office, independent living homes and apartments, assisted living, nursing and hospice care facilities, adult day care, and various associated accessory uses.

The Halcyon PDD consists of a variety of proposed land uses and staff worked with the applicant to create a PDD document that is a hybrid of standards from the City's Land Development Code as well as the proposed CodeSMTX. If this request for a PDD is not granted, the applicant would be able to develop the property with allowable and conditional uses within a "P" Public and Institutional District as outlined in the Land Development Code.

Planning Department Analysis

The subject property is within an *Area of Stability – New Development* designation on the Preferred Scenario Map. *Vision San Marcos Comprehensive Plan* states that *"being located in an area of stability does not mean that these areas should not or will not change. It means that any changes, whether new developments, zoning requests, or public improvements should be carefully planned and implemented so that the character of the area remains."* Specifically, the designation of *New Development* is described in the Comprehensive Plan as areas where change is anticipated as these sites are greater than 20 acres.

The applicant intends the future use of the property to include retirement living and care facilities and shall be restricted to occupancy by persons age 55 or greater or persons with disabilities requiring regular care. Each dwelling unit shall be occupied by at least one (1) person meeting these occupancy restrictions. The PDD establishes definitions and standards for the uses within the CCRC, outlines vehicular and pedestrian infrastructure, open space, and building design. The attached PDD establishes development standards for the subject property that are a hybrid of the existing Land Development Code and proposed Code SMTX and are intended to yield higher quality development. A summary of the PDD standards, as submitted by staff, are provided in the attached Code Comparison Table.

The zoning change request has been reviewed using *Vision San Marcos: A River Runs Through Us* as well as the guidance criteria in Section 1.5.1.5 of the Land Development Code. A review worksheet is attached to this report, which details the analysis of the zoning change using Comprehensive Plan Elements.

The proposed PDD, as submitted by staff, was reviewed in accordance with Section 4.2.6 "Planned Development Districts" within the City of San Marcos Land Development Code (LDC). More specifically, Section 4.2.6.1 states:

“PD districts are intended to implement generally the goals and objectives of the City's Comprehensive Plan. PD districts are also intended to encourage flexible and creative planning, to ensure the compatibility of land uses, to allow for the adjustment of changing demands to meet the current needs of the community, and to result in a higher quality development for the community than would result from the use of conventional zoning districts.”

Staff finds that the PDD, as submitted by staff, is consistent with the Comprehensive Plan Elements summarized below:

- The request meets the intent of the Preferred Scenario Map and the Land Use Intensity Matrix;
- The property is considered constrained on the Land Use Suitability Map primarily due to the presence of a steep slope along Hunter Road, and it's location at the start of the Cottonwood Creek Watershed;
- The project will be required to provide open space;
- The property is located at the intersection of Hunter Road and West McCarty Lane and will be providing additional transportation and pedestrian infrastructure; and
- The project includes the extension of public utilities.

Evaluation		Neutral	Criteria (LDC 1.5.1.5)
Consistent	Inconsistent		
X			<p>Whether the zoning map amendment implements the policies of the plan elements in the adopted Comprehensive Plan.</p> <p><i>The change is consistent with the Preferred Scenario Map and Comprehensive Plan Elements in Vision San Marcos. See the analysis above and the attached Comprehensive Plan Worksheet.</i></p>
		X	<p>Consistency with any development agreement in effect</p> <p><i>No development agreements are in effect for this property.</i></p>
X			<p>Whether the uses permitted by the proposed change and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified</p> <p><i>The proposed PDD establishes an alternate land use matrix to ensure the development is compatible with surrounding uses and the adjacent major arterials.</i></p>
		X	<p>Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area</p> <p><i>There are no Capital Improvement Plan projects anticipated in the immediate area.</i></p>
		X	<p>Other factors which substantially affect the public health, safety, morals, or general welfare</p> <p><i>None noted.</i></p>

Additionally, the Commission should consider:

(1) Is the property suitable for use as presently zoned?

Staff evaluation: The property is currently zoned “P” Public and Institutional and can be developed in accordance with allowable uses in “P” zoning.

(2) Has there been a substantial change of conditions in the neighborhood surrounding the subject property?

Staff evaluation: The Kissing Tree Planned Development District (formerly known as Paso Robles) has commenced construction. The development has a base zoning of Mixed Use and is planned for 3,450 dwelling units, an 18-hole golf course, and is similarly age-restricted.

(3) Will the proposed rezoning address a substantial unmet public need?

Staff evaluation: The project is proposing to provide nursing, living, amenity, and community facilities and services to seniors and the disabled community as well as include professional office uses.

(4) Will the proposed rezoning confer a special benefit on the landowner/developer and cause a substantial detriment to the surrounding lands?

Staff evaluation: There is no special benefit to the landowner.

(5) Will the proposed rezoning serve a substantial public purpose?

Staff evaluation: Transportation, utility, and pedestrian infrastructure will be provided as part of this development. The project has the potential to provide continuing care retirement services as well as professional employment opportunities.

Applicant Concerns and Additional Considerations

The applicant has expressed concerns with the block standards, vehicular access, and cut and fill requirements outlined in the Planned Development District Standards as provided by staff. These concerns are identified in red in the Code Comparison Table. The applicant submitted a letter describing these areas of concern for the Commission's consideration. Please reference the attached applicant letter.

Cut and Fill: Staff is recommending that the cut and fill standards meet the current Land Development Code requirements. The applicant is proposing to add further exemptions to the cut and fill standards such as exempting parking, internal drives, building footprints, and other areas and increase the allowable administrative approval from 8 feet to 12 feet. The applicant is proposing to submit a Variance request to the current Land Development Code cut and fill standards at a later date.

Block and Access: The PDD as submitted by staff waives the 7 acre block requirement for multifamily development, however, it includes standards for block and vehicular access in accordance with the proposed CodeSMTX to ensure that adequate public facilities are provided through public streets and stub-outs. Alternatively, the applicant is requesting to utilize internal gated private drives within the development and not connect to adjacent properties.

The Land Development Code states that new development must be supported by adequate levels of public facilities and services. The block and access requirements proposed in the PDD, as submitted by staff, are intended to provide safe and convenient vehicular and pedestrian access within the development, connections to adjacent future developments, and to lessen traffic congestion. These requirements are achieved in the PDD by the construction of public streets, sidewalks, and shared travel bike lanes in accordance with CodeSMTX and proposed Transportation Master Plan cross-sections as well as providing stub streets to adjacent properties for future extensions of these facilities. Furthermore, the LDC discusses the intent of cut and fill requirements. These standards are intended to help reduce storm water runoff and resulting erosion by ensuring that post construction layout is integrated into the natural environment through cut and fill limitations. Per the LDC, any deviations from these cut and fill standards must be approved by a Variance to the City Council and may not be modified through a petition for a Planned Development District.

At their October 24, 2017 meeting, the Planning and Zoning Commission recommended **approval** of the PDD with the condition that the PDD **exclude the interior public roads and block perimeter requirements**. In addition to the PDD, as submitted by staff, a copy of the revised PDD document, exhibits, and Code Comparison Table is provided in the packet to reflect the change recommended by the Planning and Zoning Commission.

Staff provides this request to the Commission with a recommendation of approval as submitted by staff.

Planning Department Recommendation:	
X	Approve as submitted by staff
	Approve with conditions or revisions as noted
	Alternative
	Denial

The Council's Responsibility:

To hold a discussion regarding the proposed zoning change. When the item is placed on the agenda for consideration, the Council is required by law to hold a public hearing and receive public comment regarding the proposed zoning. After considering the public input, the Council is charged with making a decision regarding the request. The City Council will ultimately decide whether to approve or deny the zoning change request.

Prepared by:

Andrea Villalobos, CNU-A	Planner	November 1, 2017
Name	Title	Date