

**Zoning Request  
ZC-18-04  
450 Academy Oaks  
(59.734 Acres)**



**Summary:** The applicant is requesting to zone 59.734 acres, more or less, described as La Cima Phase 1, Section 1, located west of Old Ranch Road 12 from "FD" Future Development to "SF-4.5" Single Family consistent with an approved Development Agreement (Resolution 2014-131R).

**Applicant:** Doug Goss  
11612 FM 2244  
Building 1, Suite 140  
Austin, TX 78738

**Property Owners:** LCSM Ph. 1-1, LLC  
303 Colorado, Suite 2300  
Austin, TX 78701

**Notification:** Personal notifications of the public hearing were mailed on Friday, April 13, 2018 to all property owners within 200 feet of the subject property. Additionally, signs were posted on the site. Notice for the May 15, 2018 City Council Meeting was published in the April 29, 2018 San Marcos Daily Record.

**Response:** There have been no citizen comments as of the staff report date.

**Property/Area Profile:**

**Legal Description:** 59.734 acres, Phase 1, Section 1, La Cima Subdivision  
**Location:** West of Old Ranch Road 12, north of West Centerpoint Road  
**Existing Use of Property:** Vacant  
**Proposed Use of Property:** Single Family  
**Preferred Scenario Map:** Area of Stability  
**Existing Zoning:** Future Development ("FD")  
**Proposed Zoning:** Single Family (SF-4.5)  
**Utility Capacity:** Adequate  
**Sector:** Sector 2

**Area Zoning and Land Use Pattern:**

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>N of Property</b>	Outside City Limits	San Marcos Academy	Area of Stability
<b>S of Property</b>	Outside City Limits	Vacant	Area of Stability

<b>E of Property</b>	Outside City Limits	Vacant	Area of Stability
<b>W of Property</b>	Outside City Limits	Vacant and San Marcos Academy	Area of Stability

### **Case Summary**

The subject property consists of approximately 59.734 acres located west of the intersection of Old Ranch Road 12 and Wonder World Drive. The property is currently vacant but was recently platted and annexed (Ordinance 2018-68). It is located within the area identified on the Preferred Scenario Map as an Area of Stability and surrounded by mostly vacant land. However, the San Marcos Academy is located to the north of the property as is The Settlement subdivision.

This property is part of the larger La Cima Development included in a Development Agreement with the City of San Marcos adopted September 16, 2014 (Resolution 2014-131). This agreement regulates issues including but not limited to the schedule of annexation, the permitted uses and development standards, impervious cover, environmental and water quality standards and architectural design standards. The Future Development ("FD") zoning classification is a default classification for newly annexed land. Per the development agreement, SF-4.5 is an allowable residential use. Phase 1, Section 1 provides for the development of 130 residential lots along with eight new streets.

### **Planning Department Analysis**

The subject tract lies within an Area of Stability on the Preferred Scenario Map. Areas of Stability are predominantly existing single-family zoning, but they may also be mixed residential areas that are appropriate for compatible redevelopment/infill or new development. *Vision San Marcos* explains that areas of stability include established neighborhoods, undeveloped or agricultural land, and the majority of the City's Extraterritorial Jurisdiction (ETJ). While the existing character of these areas is anticipated to be generally maintained, it does not mean that these areas will not or should not change.

A review worksheet is attached to this report which details the analysis of the zoning request using Comprehensive Plan Elements. Utilizing the approved Development Agreement, Comprehensive Plan and the Land Development Code staff has made the following findings:

- The subject tract lies within an Area of Stability on the Preferred Growth Scenario Map – a Development Agreement with the City of San Marcos regulating the permitted uses was adopted in 2014. Rezoning to SF-4.5 in an Area of Stability is allowed without a Preferred Scenario Map Amendment.
- The subject tract is located in the Purgatory Creek watershed. The Development Agreement adopted in 2014 regulates the Impervious Cover limitation of the overall La Cima development.
- The Development Agreement also regulates the parkland to be dedicated. A future phase of the La Cima development is expected to connect to Purgatory Creek Greenspace through a network of trails.
- While transportation access to the site is adequate, the Travel Demand Model shows the intersection of Wonder World Drive and Old Ranch Road 12 at capacity during peak traffic hours. A traffic signal is scheduled at this intersection which could ease the crossing of the major arterial. In addition, West Centerpoint Road is being constructed and will travel from the intersection of Wonder World Drive and Old Ranch Road 12 through the La Cima

development, connect with Centerpoint Road in the Kissing Tree development and finally to Hunter Road. This could alleviate some of the peak traffic when fully constructed.

The request is consistent with the Development Agreement that was approved in 2014.

In addition, the consistency of this proposed change to the LDC criteria is detailed below:

Evaluation		Neutral	Criteria (LDC 1.5.1.5)
Consistent	Inconsistent		
X			<p><b>Change implements the policies of the adopted Comprehensive Plan, including the land use classification on the Preferred Scenario Map</b></p> <p><i>The change in zoning is consistent with the Preferred Scenario Map. SF-4.5 an allowable zoning category to request without first changing the Preferred Scenario Map.</i></p>
X			<p><b>Consistency with any development agreement in effect</b></p> <p><i>Resolution 2014-131 was approved in 2014 between the City of San Marcos and Lazy Oaks Ranch, LP. SF-4.5 is an allowable use per Section 1.04(A)(1) of the agreement.</i></p>
X			<p><b>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</b></p> <p><i>Uses allowed within the Single Family district are compatible and appropriate for this area. This area is mostly residential in nature, with the San Marcos Academy located to the north.</i></p>
X			<p><b>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</b></p> <p><i>The property will be served with City water and wastewater per the Development Agreement. There are no Capital Improvement Plan projects anticipated in the immediate area.</i></p>
X			<p><b>Other factors which substantially affect the public health, safety, morals, or general welfare</b></p>

Evaluation		Neutral	Criteria (LDC 1.5.1.5)
Consistent	Inconsistent		
			<i>None noted.</i>

Additionally, the Council should consider:

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

*Staff evaluation: The property was recently annexed and is governed by an approved Development Agreement. SF-4.5 is an allowable use per Section 1.04(A)(1) of the agreement.*

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

*Staff evaluation: The surrounding area has remained single-family with The Settlement subdivision to the north of the property.*

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

*Staff evaluation: A change to Single Family zoning would be consistent with the approved Development Agreement that was approved in 2014.*

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

*Staff evaluation: No, there is no special benefit to the landowner as the proposed zoning district meets the intent and vision of the Comprehensive Plan as well as the regulations of the approved Development Agreement.*

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

*Staff evaluation: The rezoning does serve a substantial public purpose by providing additional single family housing in San Marcos.*

Staff provides this information with **recommendation of approval** for the zoning change request.

### **The Council's Responsibility:**

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 ultimately deciding whether to approve or deny the zoning change request.

### **Prepared by:**

Alison Brake, CNU-A

Planner

April 19, 2018

**Name**

**Title**

**Date**