

Zoning Request

ZC-18-14

1520 Old Ranch Road 12



Summary

Request:	Michael Wills is requesting a zoning change from “OP” Office Professional to “N-MS” Neighborhood – Main Street for approximately 0.41 acres, more or less, legally known as the High Crest Addition, Lot 1-D, located at 1520 Old Ranch Rd 12, San Marcos, Texas.		
Applicant:	Michael Wills 503 W San Antonio St San Marcos TX, 78666	Property Owner:	Richard Gillespie 1520 Old Ranch Rd 12 San Marcos TX, 78666

Notification

Application:	July 18, 2018	Neighborhood Meeting:	July 30, 2018
Published:	July 29, 2018	# of Participants	5
Posted:	July 27, 2018	Personal:	July 27, 2018
Response:	None as of the date of this report.		

Property Description

Legal Description:	High Crest Addition, Lot 1-D		
Location:	1520 Old Ranch Rd 12		
Acreage:	0.41 acres +/-	PDD/DA/Other:	N/A
Existing Zoning:	Office Professional (OP)	Proposed Zoning:	Neighborhood – Main Street (N-MS)
Existing Use:	Office / Medical	Proposed Use:	Commercial / Retail
Preferred Scenario:	Existing Neighborhood	Proposed Designation:	Same
CONA Neighborhood:	Holland Hills	Sector:	3
Utility Capacity:	Water and Wastewater are available at the site.		

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	Multifamily (MF-24)	Multifamily Residential	Area of Stability
South of Property:	Multifamily (MF-12); Mixed Use (MU)	Residential	Area of Stability
East of Property:	Multifamily (MF-24)	Multifamily Residential	Area of Stability
West of Property:	Single Family-6 (SF-6)	Residential	Area of Stability

Staff Recommendation

<input checked="" type="checkbox"/> Approval as Submitted	<input type="checkbox"/> Approval Alternate	<input type="checkbox"/> Denial
Staff: Andrea Villalobos, CNU-A		
Title : Planner		Date: August 10, 2018

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History

The subject property is currently occupied by medical office uses including a chiropractor office and a massage therapist. The current zoning of Office Professional (OP) is limited primarily to medical and professional office uses and allows for limited commercial, retail, or residential uses (See attached *Land Use Matrix*). The property owner is proposing to rezone the property to Neighborhood – Main Street (N-MS) in order to allow additional commercial options on the property. The owner intends to utilize the existing structure on the property and construct an additional structure and parking on the remaining portion of the property (Reference attached *Preliminary Site Plan*). Uses proposed include retail and a coffee shop.

The property is located in an Existing Neighborhood on the Comprehensive Plan, therefore, an Existing Neighborhood Regulating Plan is required to accompany the zoning request. If approved, the applicant will be constructing a “Neighborhood Shopfront” Building Type on the property in accordance with the attached Existing Neighborhood Regulating Plan. Any deviations from the attached Existing Neighborhood Regulating Plan will require Planning and Zoning Commission and City Council approval.

Additional Analysis

See Comprehensive Plan Analysis Checklist and Criteria Checklists.

Comments from Other Departments

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

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Evaluation			Compatibility of Uses & Density Criteria (Sec.4.1.2.5)
Consistent	Inconsistent	Neutral	
<u>X</u>			Helps prevent the impacts of high density uses on low density areas <i>N-MS zoning is intended along commercial corridors and should be located in close proximity to residential areas. It creates a pedestrian friendly corridor that provides adequate buffers and transitions to adjacent low density residential uses.</i>
		<u>N/A</u>	Limits changes in neighborhood density categories unless directed by a small area plan or neighborhood character study <i>There is no small area plan or neighborhood character study affecting this site.</i>
		<u>X</u>	Encourages more opportunities for home ownership <i>N-MS zoning would allow for residential Building Types. The accompanying Existing Neighborhood Regulating Plan is currently proposing such a Neighborhood Shopfront Building Type which allows a maximum of 2 residential units on the lot.</i>
		<u>X</u>	Ensures a diversity of housing to serve citizens with varying needs and interests <i>N-MS zoning would allow for a variety of residential Building Types, including, Townhouse, Small Multifamily, Live/Work, and Neighborhood Shopfront and Mixed Use Shopfront which include the option of residential uses mixed with commercial uses. The accompanying Existing Neighborhood Regulating Plan is currently proposing such a Neighborhood Shopfront Building Type which allows a maximum of 2 residential units on the lot.</i>

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>Neighborhood Density Districts are identified as districts that may be "Considered" within Existing Neighborhoods as identified on the Comprehensive Plan. Per the Development Code, N-MS should be applied along predominantly commercial corridors within existing neighborhoods on the Preferred Scenario Map.</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>There is no small area plan or neighborhood character study affecting this site.</i>

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		<u>N/A</u>	<p>Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect</p> <p><i>There is no development agreement affecting this site.</i></p>
<u>X</u>			<p>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</p> <p><i>N-MS should be applied along predominantly commercial corridors within existing neighborhoods on the Preferred Scenario Map and serves as a gateway to adjacent residential uses.</i></p>
<u>X</u>			<p>Whether the proposed zoning will reinforce the existing or planned character of the area</p> <p><i>The subject property is currently zoned Office Professional and is located along Old Ranch Road 12, which serves as a corridor serving both commercial and residential uses. A rezoning to N-MS would be consistent with the character of the surrounding area and corridor.</i></p>
<u>X</u>			<p>Whether the site is appropriate for the development allowed in the proposed district</p> <p><i>The property currently consists of Office uses. As reflected in the Existing Neighborhood Regulating Plan, the applicant is proposing that a Neighborhood Shopfront Building Type be constructed on the lot.</i></p>
		<u>N/A</u>	<p>Whether there are substantial reasons why the property cannot be used according to the existing zoning</p> <p><i>The property can currently be used in accordance with the existing zoning which would allow for office uses.</i></p>
<u>X</u>			<p>Whether there is a need for the proposed use at the proposed location</p> <p><i>The rezoning would allow for commercial and retail uses which would provide additional services along the corridor for adjacent neighborhoods.</i></p>
<u>X</u>			<p>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</p> <p><i>The property has access to sufficient water, wastewater, electric and other City services applicable to properties within the City Limits.</i></p>
<u>X</u>			<p>Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property</p> <p><i>The property is surrounded by a mix of multifamily, mixed use, and residential uses. If rezoned, the property would be required to provide adequate buffers and transitions to adjacent residential uses.</i></p>

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<u>X</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>Per Table 4.5, Neighborhood Density District / Existing Zoning Translation Table, a proposed rezoning to N-MS in a Commercial / Mixed Use Category is designated as "Consider". "Consider" requires that the request be considered based on the zoning criteria in Section 2.5.1.4 and compatibility of uses and density in Section 4.1.2.5 as outlined in this staff report.</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>The property is located within a low to moderately constrained area according to the Land Use Suitability Map.</i>
		<u>X</u>	Any other factors which shall substantially affect the public health, safety, morals, or general welfare <i>None noted.</i>