

Zoning Request

ZC-19-09

1909 Dutton



Summary

Request:	Zoning change from "GC" General Commercial to "CD-4" Character District 4		
Applicant:	John David Carson 407 S Stagecoach Trail, Suite 203 San Marcos TX 78666	Property Owner:	Carson Haysco Holdings, LP 407 S Stagecoach Trail, Suite 203 San Marcos TX 78666

Notification

Application:	August 12, 2019	Neighborhood Meeting:	N/A
Published:	August 25, 2019	# of Participants	N/A
Posted:	August 13, 2019	Personal:	August 23, 2019
Response:	None as of the date of this report		

Property Description

Legal Description:			
Location:	1909 Dutton Drive		
Acreage:	.72 acres +/-	PDD/DA/Other:	N/A
Existing Zoning:	General Commercial (GC)	Proposed Zoning:	Character District 4 (CD-4)
Existing Use:	Vacant	Proposed Use:	Multifamily/Condominium
Preferred Scenario:	South End Medium Intensity	Proposed Designation:	Same
CONA Neighborhood:	Dunbar	Sector:	1
Utility Capacity:	Adequate		

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	MF-18 / PDD	Apartments	South End Medium Intensity
South of Property:	GC	Commercial	South End Medium Intensity
East of Property:	GC / LI	Vacant / Commercial	South End Medium Intensity
West of Property:	MF-18 / PDD	Apartments	South End Medium Intensity

Staff Recommendation

<input checked="" type="checkbox"/> Approval as Submitted	<input type="checkbox"/> Approval Alternate	<input type="checkbox"/> Denial
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Staff: Will Parrish, CNU-A

Title : Planner

Date: September 4, 2019

History

The subject property is zoned General Commercial (GC) and is currently vacant.

Additional Analysis

This property is located within the South End Medium Intensity Zone, which the Comprehensive Plan describes as an area “anticipated to build out with a medium-intensity mix of commercial and residential of different densities”.

The request is to re-zone to CD-4, which allows primarily for residential development with some limited retail on corner lots. The applicant would like to build a condominium “for sale” product consisting of 11 residential units. There is an existing public utility easement located along Dutton Drive that will require approval of a variance to allow an additional 3 feet for the primary building setback. This request will be presented to the Zoning Board of Adjustments on September 19th. This request meets several Comprehensive Plan goals, including the following:

- Direct growth, compatible with surrounding uses
- Diversified housing options to serve citizens with varying needs and interests

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
Code Enforcement	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>This property is located within a Medium Intensity zone as identified on the Preferred Scenario Map.</i>
		<u>N/A</u>	Limits changes in neighborhood density categories unless directed by a small area plan or neighborhood character study <i>Studies were not complete at time of request.</i>
<u>X</u>			Encourages more opportunities for home ownership <i>This zoning district allows residential uses. The proposed use is for sale condominiums.</i>
<u>X</u>			Ensures a diversity of housing to serve citizens with varying needs and interests <i>This zoning district allows for housing types that are less common in San Marcos, providing more housing diversity.</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>The Comprehensive Plan identifies this area as a Medium Intensity Zone, which is where the City has planned for residential and commercial growth.</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>Studies were not complete at time of request.</i>
		<u>N/A</u>	Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect <i>There is no development agreement affecting this site.</i>
<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 <i>The property is located adjacent to an apartment complex, office and retail, as well as appliance supply and repair facilities. This appears to be an appropriate mix of uses for the type of development allowed within CD-4 zoning districts.</i>

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Consistent	Inconsistent	Neutral	Criteria for Approval (Sec.2.5.1.4)
<u>X</u>			Whether the proposed zoning will reinforce the existing or planned character of the area <i>The existing character of the area residential and commercial. CD-4 is a primarily residential district that allows limited commercial on corner lots.</i>
<u>X</u>			Whether the site is appropriate for the development allowed in the proposed district <i>The site has a utility easement on one side of the property that extends into the primary setback. A variance of 3 feet will be necessary. However the building types allowed within the proposed district are appropriate.</i>
	<u>X</u>		Whether there are substantial reasons why the property cannot be used according to the existing zoning <i>The property can currently be used in accordance with the existing zoning which would allow commercial development.</i>
<u>X</u>			Whether there is a need for the proposed use at the proposed location <i>The Comprehensive Plan identifies this area as an area for residential growth.</i>
<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 <i>Adequate public facilities are in place.</i>
<u>X</u>			Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property <i>The property is surrounded by residential and commercial property. No Adverse impacts are expected.</i>
		<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 <i>A portion of the property is located within the 500 year floodplain and the Purgatory Creek Watershed will be required to comply with the environmental regulations within the San Marcos Development Code.</i>
		<u>X</u>	Any other factors which shall substantially affect the public health, safety, morals, or general welfare.