

Zoning Request	Redwood 1
ZC-18-17	2357 Redwood Road



Summary

Request:	Zoning change from “FD” Future Development and “CD-4” Character District-4 to “CD-3” Character District – 3.		
Applicant:	James Ingalls, PE Moeller and Associates 2021 Hwy 46, Ste 105 New Braunfels, TC 78132	Property Owner:	Two Rivers Interests, LP 1400 Post Oak Blvd, Ste 900 Houston, TX

Notification

Application:	May 14, 2019	Neighborhood Meeting:	N/A
Published:	August 25, 2019	# of Participants	N/A
Posted:	July 25, 2019	Personal:	August 23, 2019
Response:	None as of Staff Report Date		

Property Description

Legal Description:	192.951 acre tract out of the Barnette O. Kane Survey, Abstract No. 281, Hays County		
Location:	2357 Redwood Road		
Acreage:	192.951	PDD/DA/Other:	Pending Annexation
Existing Zoning:	“FD” Future Development and “CD-4” Character District – 4	Proposed Zoning:	“CD-3” Character District – 3
Existing Use:	Vacant / Rural	Proposed Use:	Single-Family
Preferred Scenario:	“Area of Stability – Low Intensity” and “Growth Area – Medium Intensity”.	Proposed Designation:	“Area of Stability – Low Intensity” and “Growth Area – Medium Intensity”.
CONA Neighborhood:	N/A	Sector:	N/A
Utility Capacity:	Developer is responsible for extended utilities.	Floodplain:	No
Historic District	N/A		

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	ETJ / “SF-4.5 (Single Family – 4.5)	Vacant / Single Family	Low Intensity / Existing Neighborhood
South of Property:	ETJ / “SF-4.5 (Single Family – 4.5)	Vacant / Single Family / Commercial	Growth Area - Medium Intensity / Existing Neighborhood
East of Property:	ETJ	Single Family Rural	Low Intensity
West of Property:	ETJ	La Vista Retirement Community	Growth Area - Medium Intensity

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Staff Recommendation

☒	Approval as Submitted	☐	Approval with Conditions / Alternate	☐	Denial
Staff: Andrea Villalobos, CNU-A		Title : Senior Planner		Date: August 22, 2019	

Commission Recommendation

☒	Approval as Submitted	☐	Approval with Conditions / Alternate	☐	Denial
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Planning and Zoning Commission Meeting: September 10, 2019

Speakers in favor or opposed:

1. Thomas Larsen (did not state position)
2. James Bryant Jr. (did not state position)
3. Jim Wilson (did not state position)
4. Aleene Howser (opposed)
5. Richard Howser (opposed)
6. Sarah Simpson (opposed)
7. Jennifer Smith (opposed)

Recommendation from the Planning and Zoning Commission meeting held September 10, 2019:

A motion was made by Commissioner Baker, seconded by Commissioner Dillon, that the motion to deny ZC-18-17 (Redwood 1) be postponed to the September 24th meeting. The motion carried 9-0.

- **For:** (9) Chairperson Garber, Vice Chairperson Gleason, Commissioner Rand, Commissioner McCarty, Commissioner Haverland, Commissioner Kelsey, Commissioner Dillon, Commissioner Baker, and Commissioner Moore
- **Against:** 0
- **Absent:** 0

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Planning and Zoning Commission Meeting: September 24, 2019

Speakers in favor or opposed:

1. Elena Duran (support)
2. Aleene Howser (opposed)
3. Jim Wilson (did not state position)

1st Recommendation from the Planning and Zoning Commission meeting held September 24, 2019:

A motion was made at the September 10, 2019 meeting, to deny ZC-18-17 (Redwood 1). This motion was acted on at the September 24, 2019 meeting and the motion failed 9-0.

- **For:** 0
- **Against:** (9) Chairperson Garber, Vice Chairperson Gleason, Commissioner Rand, Commissioner McCarty, Commissioner Haverland, Commissioner Kelsey, Commissioner Dillon, Commissioner Baker, and Commissioner Moore
- **Absent:** 0

2nd Recommendation from the Planning and Zoning Commission meeting held September 24, 2019:

A motion was made by Vice Chairperson Gleason, seconded by Commissioner Baker to approve ZC-18-17 (Redwood 1). The motion passed 9-0.

- **For:** (9) Chairperson Garber, Vice Chairperson Gleason, Commissioner Rand, Commissioner McCarty, Commissioner Haverland, Commissioner Kelsey, Commissioner Dillon, Commissioner Baker, and Commissioner Moore
- **Against:** 0
- **Absent:** 0

History

The majority of the subject property is currently located outside the City Limits in the Extraterritorial Jurisdiction (ETJ). A small portion of about 6.5 acres is currently zoned CD-4 (Character District – 4). This portion of CD-4 was zoned in 2018. The property owner revised their plans for development of the property and are requesting that this small portion be zoned to CD-3. In total, the zoning request to CD-3 includes 192.95 acres.

The City of San Marcos will provide water and wastewater services at the site. The developer will be responsible for extending water and wastewater facilities through the site. Bluebonnet Electric Cooperative will provide electric service to this development.

This zoning request is being processed concurrently with an annexation request for the property.

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Additional Analysis

Upon annexation, the property will be zoned "FD", the default classification for newly annexed land. The annexation request will be considered prior to the zoning change by City Council. 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

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>The subject property is located within both a Medium Intensity - Growth Area and a Low Intensity – Area of Stability on the Preferred Scenario Map. Character Districts are intended for new development in both of these designations 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 the time of the request.</i>
<u>X</u>			Encourages more opportunities for home ownership <i>The property is proposed to be constructed as a single-family residential subdivision</i>
<u>X</u>			Ensures a diversity of housing to serve citizens with varying needs and interests <i>CD-3 zoning is a residential district that will allow for one and two family residential uses. Allowable residential Building Types are House, Cottage, Cottage Court, Duplex, and Zero Lot Line House.</i>

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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>Vision San Marcos states that the Medical District Medium Intensity Zone should include a mix of uses to allow residents to live, work, and do many day-to-day tasks within the district. The proposed request will add residential uses to the Medical District. In addition, Character Districts, such as CD-3, are designated as "C" Considered on the Comprehensive Plan / District Translation Table within both Medium Intensity and Low Intensity Districts.</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>X</u>			Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect <i>A development agreement is not required because the property is being annexed.</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>CD-3 only allows for residential uses and Building Types and uses that would substantially interfere with the residential nature of the district are not allowed.</i>
<u>X</u>			Whether the proposed zoning will reinforce the existing or planned character of the area <i>Approval of this zoning change would allow the property to develop according to the vision of the Comprehensive Plan, which states that the community needs diversified housing options (Neighborhood and Housing Goal 3). It is also located within the Medical District Medium Intensity Zone which is planned for a live, work, play built environment.</i>
<u>X</u>			Whether the site is appropriate for the development allowed in the proposed district <i>The property is vacant and shown to be in a low to moderately constrained area. In addition, the subject property is near existing residential subdivisions including El Camino Real and Hills of Hays Neighborhoods.</i>

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		<u>N/A</u>	Whether there are substantial reasons why the property cannot be used according to the existing zoning <i>The property is currently not zoned as it is located outside of the City Limits.</i>
<u>X</u>			Whether there is a need for the proposed use at the proposed location <i>The rezoning does serve a public purpose as it furthers the goals and vision of the Comprehensive Plan.</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>The property is located within the City's water service area and adjacent to the City's wastewater service area. A wastewater line will have to be extended to serve the property. Once the property is annexed, the City's wastewater service area boundary will be updated.</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 majority of the area surrounding the property is located within the Medical District Medium Intensity Zone. Character districts are intended for new development in Medium and Low intensity zones</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 <i>This request is not for a Neighborhood Density District.</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. In addition, there is no floodplain on the property.</i>
<u>X</u>			Any other factors which shall substantially affect the public health, safety, morals, or general welfare <i>None noted.</i>