

Zoning Request ZC-19-10

3200 Block of South Old Bastrop Hwy



Summary

Request:	Zoning change from “FD” Future Development to “CD-3” Character District – 3		
Applicant:	Ed Theriot Doucet and Associates 7401B Hwy 71 W, Ste 160 Austin, TX 78735	Property Owner:	Scott Snyder SHC Holdings, LLC P.O. Box 160523 Austin, TX 78716-0523

Notification

Application:	November 5, 2019	Neighborhood Meeting:	N/A
Published:	November 24, 2019	# of Participants	N/A
Posted:	November 20, 2019	Personal:	November 22, 2019
Response:	None as of Staff Report date		

Property Description

Legal Description:	+/- 29.4 acre tract out of the Cyrus Wickson Survey, Abstract 474, Hays County		
Location:	3200 Block of South Old Bastrop Hwy		
Acreage:	29.4	PDD/DA/Other:	Pending Annexation
Existing Zoning:	“FD” Future Development	Proposed Zoning:	“CD-3” Character District – 3
Existing Use:	Vacant / Rural	Proposed Use:	Single-Family
Preferred Scenario:	“Growth Area – Medium Intensity”.	Proposed Designation:	“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	Single Family / Vacant	Growth Area - Medium Intensity
South of Property:	ETJ	Vacant	Growth Area - Medium Intensity
East of Property:	ETJ; “P” Public and Institutional; “CC” Community Commercial	Single Family / Vacant / San Marcos High School	Growth Area - Medium Intensity
West of Property:	ETJ	Single Family	Growth Area - Medium Intensity

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Staff Recommendation

<input checked="" type="checkbox"/> Approval as Submitted	<input type="checkbox"/> Approval with Conditions / Alternate	<input type="checkbox"/> Denial
Staff: Andrea Villalobos, CNU-A	Title : Senior Planner	Date: December 5, 2019

Commission Recommendation

<input checked="" type="checkbox"/> Approval as Submitted	<input type="checkbox"/> Approval with Conditions / Alternate	<input type="checkbox"/> Denial
<p><u>Planning and Zoning Commission Meeting: December 10, 2019</u></p> <p>Speakers in favor or opposed:</p> <ol style="list-style-type: none"> Ed Theriot (in favor) <p>Recommendation from the Planning and Zoning Commission meeting held December 10, 2019: A motion was made by Commissioner Rand, seconded by Commissioner Haverland, to approve ZC-19-10. The motion carried 8-0.</p> <ul style="list-style-type: none"> For: (8) Chairperson Garber, Vice Chairperson Gleason, Commissioner Rand, Commissioner McCarty, Commissioner Haverland, Commissioner Dillon, Commissioner Moore, and Commissioner Agnew Against: 0 Absent: (1) Commissioner Kelsey 		

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History

The subject property is currently located outside the City Limits in the Extraterritorial Jurisdiction (ETJ). The property is currently vacant and is diagonally opposite from the San Marcos High School and adjacent to vacant and residential uses. The adjacent 18-lot residential subdivision to the north includes a public roadway known as Cerro Vista Drive. This roadway extends slightly onto the subject property to provide a turn-around cul-de-sac for the subdivision and may have been extended to serve a future phase of the neighborhood.

The purpose of this zoning change is to allow the development of residential lots allowed within CD-3 zoning. The applicant is also requesting a rezoning to CD-5 for six acres abutting the subject property. This request is being considered as part of a separate zoning request (ZC-19-11). Both zoning requests are being processed concurrently with an annexation request for the property.

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.

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

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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>The subject property is located within a Medium Intensity - Growth Area on the Preferred Scenario Map. Character Districts, such as CD-3, are intended for new development within this designation 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>

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 East Village Medium Intensity Zone should include a mix of commercial, retail, and service oriented activity including a variety of residential options. It further states that as the site of San Marcos' only high school, this area has a high potential for growth. The proposed request will add residential uses to the East Village and will be near the high school. In addition, Character Districts, such as CD-3, are designated as "C" Considered on the Comprehensive Plan / District Translation Table within a Medium Intensity District.</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>

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<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 East Village Medium Intensity Zone which is planned for growth. In addition, the subject property's proximity to the High School has the potential to provide convenient pedestrian and bike access between the property and the school.</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 constrained area. In addition, the subject property is near existing residential development.</i>
		<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 approximately 350 feet from the City's wastewater service area. Once the property is annexed, the City's wastewater service area boundary will be updated.</i>

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<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 East Village Medium Intensity Zone. Character districts are intended for new development in Medium Intensity Zone.</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 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>