

Zoning Request

ZC-20-01

La Cima Phase 1, Section 2



Summary

Request:	Zoning change from "FD" Future Development to "SF-4.5" Single Family		
Applicant:	Natural Development Austin, LLC 11612 FM 2244, Bldg. 1, Ste. 140 Austin, TX 78738	Property Owner:	LCSM Ph. 1-2, LLC 303 Colorado, Ste. 2300 Austin, TX 78701

Notification

Application:	December 18, 2019	Neighborhood Meeting:	N/A
Published:	January 12, 2020	# of Participants	N/A
Posted:	January 10, 2020	Personal:	January 10, 2020
Response:	None as of Staff Report date		

Property Description

Legal Description:	+/- 56.923 acre tract out of the John Williams Survey, Abstract 490, Hays County		
Location:	Generally west of the intersection of Old Ranch Road 12 and Wonder World Drive		
Acreage:	56.923	PDD/DA/Other:	Resolution 2018-75R
Existing Zoning:	"FD" Future Development	Proposed Zoning:	"SF-4.5" Single Family
Existing Use:	Vacant / Rural	Proposed Use:	Single Family
Existing Occupancy:	N/A	Occupancy:	Restrictions Do Apply
Preferred Scenario:	Low Intensity Area	Proposed Designation:	Low Intensity Area
CONA Neighborhood:	N/A	Sector:	N/A
Utility Capacity:	Adequate.	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey:	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	SF-4.5	Single Family	Area of Stability
South of Property:	ETJ	Vacant	Area of Stability
East of Property:	ETJ	Vacant	Area of Stability
West of Property:	ETJ	Vacant	Area of Stability

Staff Recommendation

<input checked="" type="checkbox"/>	Approval as Submitted	<input type="checkbox"/>	Approval with Conditions / Alternate	<input type="checkbox"/>	Denial
Staff:	Alison Brake, CNU-A	Title :	Historic Preservation Officer & Planner	Date:	January 23, 2020

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History

This property is part of the larger La Cima Development included in a Development Agreement with the City of San Marcos originally adopted September 16, 2014 (Resolution 2014-131R); amended in 2018 (Resolution 2018-75R). 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 2 provides for development of 101 residential lots, seven new streets, and seven open space lots. The zoning request is 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 has extended water and wastewater facilities through the site. Pedernales 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

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 regulated by an approved development agreement. SF-4.5 is an allowable use within that agreement.</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>SF-4.5 allows for residential uses which may offer homeownership opportunities through legal lots.</i>
<u>X</u>			Ensures a diversity of housing to serve citizens with varying needs and interests <i>Allowable residential Building Types are Accessory Dwelling, House, and Cottage.</i>

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Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan and preferred scenario map</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>
		<u>N/A</u>	<p>Whether the proposed zoning map amendment is consistent with any adopted small area plan or neighborhood character study for the area</p> <p><i>Studies were not complete at time of request.</i></p>
<u>X</u>			<p>Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect</p> <p><i>Resolution 2014-131 was approved in 2014 and amended in 2018 (Resolution 2018-75R) 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>
<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>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>
<u>X</u>			<p>Whether the proposed zoning will reinforce the existing or planned character of the area</p> <p><i>Approval of this zoning change would allow the property to develop according to the approved development agreement.</i></p>
<u>X</u>			<p>Whether the site is appropriate for the development allowed in the proposed district</p> <p><i>Approval of this zoning change would allow the property to develop according to the approved development agreement.</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 is currently not zoned as it is located outside of the city limits.</i></p>
<u>X</u>			<p>Whether there is a need for the proposed use at the proposed location</p> <p><i>The rezoning does serve a substantial public purpose by providing additional single family housing in San Marcos.</i></p>

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<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 will be served with City water and wastewater per the approved development agreement.</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 surrounding area has remained single-family with The Settlement subdivision to the north of the property.</i></p>
	<u>N/A</u>	<p>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</p> <p><i>This request is not for a Neighborhood Density District.</i></p>
<u>X</u>		<p>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</p> <p><i>Standards are in place per the approved development agreement to lessen the impact of the development to the natural environment.</i></p>
<u>X</u>		<p>Any other factors which shall substantially affect the public health, safety, morals, or general welfare</p> <p><i>None noted.</i></p>