

Zoning Request	The Barracks
ZC-20-10	FD to Medium Intensity Planning Area



Summary

Request:	Re-zone approximately 109 acres currently zoned Future Development (FD) to Medium Intensity Planning Area.		
Applicant:	Ed Theriot 7401B Hwy 71 Ste. 160 Austin, TX 78735	Property Owner:	McCoy Family Partnership 514 Deacon W Drive College Station, TX 77842

Notification

Application:	May 29, 2020	Neighborhood Meeting:	NA
Published:	July 12, 2020	# of Participants	NA
Posted:	July 7, 2020	Personal:	July 7, 2020
Response:	Staff received a written comment in opposition to the request which was read aloud at the 7/28/2020 P&Z meeting.		

Property Description

Legal Description:	Approximately 109 acres out of the Barnett O. Kane, Cyrus Wickson, and J.M. Veramendi No. 1 surveys, Hays County, Texas.		
Location:	Near the intersection of Wonder World Drive and Hwy 123		
Acreage:	109 +/-	PDD/DA/Other:	N/A
Existing Zoning:	Future Development (FD)	Proposed Zoning:	Medium Intensity Planning Area
Existing Use:	Vacant	Proposed Use:	Residential / Commercial
Existing Occupancy:	NA	Proposed Occupancy:	No
Preferred Scenario:	Medium Intensity Medical District / Employment Area	Proposed Designation:	Medium Intensity Medical District / Employment Area
CONA Neighborhood:	Dunbar	Sector:	
Utility Capacity:	Adequate / will be extended by developer	Floodplain:	No
Historic Designation:	NA	My Historic SMTX Resources Survey	NA

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	FD / MF-24	Vacant / Multifamily	Medium Intensity
South of Property:	FD / LI	Vacant	Employment Area
East of Property:	LI / ETJ / MF-12	Vacant	Medium Intensity / Existing Neighborhood
West of Property:	FD / LI / HI	Vacant / Industrial	Employment Area

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Staff Recommendation

X	Approval as Submitted	Alternate Approval	Denial
Staff: Will Parrish AICP, CNU-A			
Title : Planner		Date: January 20, 2020	

Commission Recommendation

Approval as Submitted

Speakers in favor or opposed

Opposed:

1. Camille Phillips

In Favor:

1. Heath Phillips
2. Ed Theriot

Recommendation from the Planning and Zoning Commission Meeting held 7/28/2020

Commissioner Moore made a motion to approve ZC-20-10 and Commissioner Haverland seconded the motion.

The vote was as follows:

For: 9

Against: 0

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History

This property is primarily located within the Medical District Medium Intensity Area, with a small portion located within an Employment Area. It is currently vacant, and zoned Future Development (FD). The owner is proposing to re-zone to a Medium Intensity Planning Area, which would allow them some flexibility in determining zoning districts.

Additional Analysis

Planning Area Districts are intended for larger greenfield tracts in low to medium intensity areas or Employment Areas where residential and commercial uses are anticipated. The Planning Area District allows for flexibility in zoning of specific parcels of land within the district, with minimum and maximum percentages allowed for each zoning district within the Planning Area.

The Medium Intensity Planning area allows for the following allocation of zoning districts:

Medium Intensity Zone	Medium Intensity Planning Area. The intention of the medium intensity planning area is to accommodate new master planned communities with diverse housing types developed around a 5 minute walk to all services.	CD-1, 2, or 3	10 - 30%
		CD-4	30 - 60%
		CD-5	10 - 30%

The applicant is proposing a master planned community that includes townhomes, multifamily, and commercial uses. The townhomes will be on their own individual lots, and be a for sale product. As the townhomes are anticipated to make up the majority of residential zoned property, it is anticipated that they will be zoned CD-3 and CD-4. The applicant is also anticipating a multifamily component, which may be located in a CD-4 or CD-5 zoning district. Any future Purpose Built Student Housing will be required to submit a CUP and is only allowed within the CD-5 zoning district. Commercial uses closer to Hwy 123 will most likely be zoned CD-4 or CD-5.

Some regulations that are specific to Planning Areas include a requirement for minimum 10% affordable housing requirement and increase parkland standards. Additionally there is a regulating plan requirement in order to manage zoning district allocations, transportation plans (blocks, bike infrastructure, transit stops, etc.), park planning and maintenance, utility plans, and phasing.

Comments from Other Departments

Police	No Comment
Fire	No Comment
Public Services	Property is split between SMEU and Bluebonnet Electric Co Op
Engineering	No Comment

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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. Table 4.1 of the San Marcos Development Code identifies Character Districts as districts that are C - Considered in Low Intensity Zones, all other districts are identified as NP – Not Preferred.
		<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. Studies were not complete at the time of this request.
		<u>N/A</u>	Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect. There are no development agreements associated with this site.
<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. The uses proposed are consistent with surrounding uses and zoning.
<u>X</u>			Whether the proposed zoning will reinforce the existing or planned character of the area. The proposed district is consistent with the existing character of the area. There is multifamily zoned lots in the immediate vicinity of the request and the applicant is proposing commercial uses along Hwy 123.
<u>X</u>			Whether the site is appropriate for the development allowed in the proposed district. A mix of residential and commercial uses is appropriate for the site
<u>X</u>			Whether there are substantial reasons why the property cannot be used according to the existing zoning. The property is currently zoned FD, which does not allow any of the proposed uses. FD does allow the development of large lot single family homes, however this is inconsistent with the Comprehensive Plan and Preferred Scenario Map for this area.

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Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
<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 by providing a diversity of housing types.</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 a Medium Intensity Zone with adequate services. The developer will be responsible for extending services within the property.</i>
<u>X</u>			Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property. <i>Staff does not anticipate adverse impacts on adjacent property as the proposed use is consistent with the surrounding uses.</i>
		<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>This request is for a Medium Intensity Planning Area, which only allows Character Districts.</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>This property is located alongside Cottonwood Creek, which does have a floodplain associated with it. The applicant has identified areas near the creek to be open space. Development near the floodplain is regulated by the San Marcos Development Code.</i>
<u>X</u>			Any other factors which shall substantially affect the public health, safety, morals, or general welfare. <i>None noted.</i>