

Zoning Request ZC-21-01

Sendero at Centerpoint CD-5 100 Block of Centerpoint



Summary

Request:	Zoning change from Future Development (FD) to Character District-5 (CD-5)		
Applicant:	Teresa A. Shell Generation Development Group LLC 111 NE 1 st Street Miami, FL 33132	Property Owner:	Mark B. Randolph 859 Oak Bluff Trail New Braunfels, TX 78132

Notification

Application:	December 28, 2020	Neighborhood Meeting:	N/A
Published:	January 24, 2021	# of Participants	N/A
Posted:	January 22, 2021	Personal:	January 22, 2021
Response:	None as of the date of this report		

Property Description

Legal Description:	6.698 acres out of the Edward Burleson Survey No. 18, Abstract No. 63		
Location:	Northeast intersection of Hunter Road and Centerpoint Road		
Acreage:	6.698 acres	PDD/DA/Other:	N/A
Existing Zoning:	Future Development	Proposed Zoning:	Character District-5
Existing Use:	Vacant	Proposed Use:	Multifamily Apartments
Existing Occupancy:	N/A	Occupancy:	N/A
Preferred Scenario:	Medium Intensity	Proposed Designation:	Medium Intensity
CONA Neighborhood:	N/A	Sector:	9
Utility Capacity:	Developer is responsible for extending utilities	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	Future Development (FD)	Mobile Home Park	Medium Intensity
South of Property:	General Commercial (GC)/Paso Robles PDD	Vacant	Medium Intensity
East of Property:	Future Development (FD)	Basler Plastics	Medium Intensity
West of Property:	Future Development (FD)	Church/Funeral Services/Water Treatment Company/Residential	Medium Intensity

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Staff Recommendation

<input checked="" type="checkbox"/>	Approval as Submitted	<input type="checkbox"/>	Alternate Approval	<input type="checkbox"/>	Denial
Staff: Shavon Caldwell Title: Planner Date: February 4, 2021					

Commission Recommendation

<input checked="" type="checkbox"/>	Approval as Submitted	<input type="checkbox"/>	Alternate Approval	<input type="checkbox"/>	Denial
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Speakers in favor or opposed

Jackie Martin (in favor)

Lisa Marie Coppoletta (in opposition)

Recommendation from the Planning and Zoning Commission Meeting held April 27, 2021

A motion was made by Commissioner Rand, second by Commissioner Sambrano to recommend **approval** of the request. The vote passed with a 9-0 vote

For: 9 (Commissioner Agnew, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Sambrano, Commissioner Costilla, Chair Garber, Commissioner McCarty, and Commissioner Spell)

Against: 0

Absent: 0

Discussion Topics:

Required buffering, setbacks, and setbacks: The Commission requested information from staff on the required buffering, setbacks, or step downs from the manufactured home community directly North of the subject property. Staff informed the Commission that a Type C or D transitional protective yard would be required between this property and any adjacent FD zoned properties but that the required height setback would not apply here since the adjacent properties are not zoned a single-family zoning designation.

Connectivity regulations and street network: The Commission requested information on required connectivity and future roads. Staff informed the Commission that while the Master Transportation Plan does not require dedication and construction of any thoroughfares in this location the development will be required to meet the lot, block, and access standards in the City's subdivision ordinance. These standards would require the applicant to dedicate and construct right-of-way to achieve a block structure with a block perimeter not to exceed 2,000 linear feet.

Affordable housing: The Commission discussed the City strategic goal of achieving affordable housing and discussed how this project would help meet those goals.

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History

The subject property is located within City Limits and is zoned Future Development (FD). The property is currently vacant and is located adjacent to a mobile home park, residential, funeral services, a church/daycare facility, and a plastics manufacturing facility.

The purpose of this zoning change is to allow the development of a multifamily apartment complex allowed within CD-5 zoning. The applicant has applied for a Resolution of No Objection to the submission of an application for housing tax credits from Texas Department of Housing and Community Affairs for this proposed project and received approval from City Council of the Resolution at the April 20th, 2021 meeting. According to the applicant, the apartment complex will contain 164 one, two, and three-bedroom units restricted to those earning from 30% to 70% of the San Marcos median area income. A sketch of the applicant's conceptual site plan and building rendering is included in this packet.

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

Additional Analysis

None noted

Comments from Other Departments

Police	No Comment
Fire	No Comment
Public Services	No Comment
Engineering	No Comment

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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>The subject property is located within the Star Park Medium Intensity zone on the Preferred Scenario Map. Medium Intensity areas are defined as “areas of change intended to accommodate future growth and expansion” in the Comprehensive Plan. Character Districts are intended for new development within this designation on the Preferred Scenario map.</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>Studies were not complete at the time of the request.</p>
		<u>X</u>	<p>Whether the proposed zoning map amendment implements the policies of any applicable plan adopted by City Council</p> <p>None noted.</p>
		<u>X</u>	<p>Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect</p> <p>There is no current or proposed development agreement for this property. A development agreement is not allowed because the property is within City Limits.</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>Character District-5 zoning will allow for a mix of commercial, residential, and light industrial uses that are appropriate in relation to the existing mix of nearby uses and allowed mix of residential and commercial uses in the Paso Robles PDD.</p>

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Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>Whether the proposed zoning will reinforce the existing or planned character of the area</p> <p>Approval of this zoning change would allow the property to develop according to the vision of the Comprehensive Plan, which asks that the area be “designed to foster commercialization and entrepreneurship”. The property is located adjacent to the Hunter Road Mixed Use Corridor which is planned to support a mixture of higher density residential and commercial uses in close proximity.</p>
<u>X</u>			<p>Whether the site is appropriate for the development allowed in the proposed district</p> <p>The property is vacant and shown to be in a low to moderately constrained area on the Land Use Suitability Map. The property will have easy to I-35 and Hunter Road.</p>
<u>X</u>			<p>Whether there are substantial reasons why the property cannot be used according to the existing zoning</p> <p>The property is currently zoned Future Development (FD) which is intended to serve as a <u>temporary</u> zoning district and allows for a very limited number of residential, ag, and civic uses.</p>
<u>X</u>			<p>Whether there is a need for the proposed use at the proposed location</p> <p>The proposed rezoning would allow for a mix of commercial uses with allowances for attached and multifamily residential uses. The subject property’s location along Hunter Road and I-35 would allow for such uses to be developed in accordance with city standards and with access to a major transportation thoroughfare.</p>

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Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
<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>The property is located within the City's water service area and will have water available at the time of development. Wastewater lines are not available adjacent to the property and the developer will be required to extend infrastructure to the property.</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>None noted.</p>
		<u>X</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>This zoning request is not for a Neighborhood Density District.</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>The property is located within a low to moderately constrained area according to the Land Use Suitability Map and there is no floodplain on the property. The property is located within the Edwards Aquifer Transition Zone where increased water quality volume and treatment standards will apply.</p>
<u>X</u>			<p>Any other factors which shall substantially affect the public health, safety, morals, or general welfare</p> <p>None noted.</p>