



## Legislation Details (With Text)

**File #:** CUP-19-22    **Version:** 1    **Name:**  
**Type:** Action Item    **Status:** Withdrawn  
**File created:** 7/29/2019    **In control:** Planning and Zoning Commission  
**On agenda:** 8/13/2019    **Final action:** 8/13/2019  
**Title:** CUP-19-14 (Jackson Lane Multifamily) Hold a public hearing and consider a request by Allan Nutt, on behalf of Omais Investments for a Conditional Use Permit for Multifamily Apartments located at 132 Jackson Lane. (W. Parrish)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CUP-19-22 Notification Map, 2. CUP-19-22 Aerial Map, 3. CUP-19-22 Staff Report, 4. CUP-19-22 Zoning Map, 5. CUP-19-22 Approved Zoning Compliatant Site Plan.pdf, 6. CUP-19-22 Applicant Request with Additional 2 Units above Office, 7. CUP-19-22 Application & Letter of Intent, 8. CUP-19-22 Presentation

Date	Ver.	Action By	Action	Result
8/13/2019	1	Planning and Zoning Commission	withdrawn	

### **AGENDA CAPTION:**

CUP-19-14 (Jackson Lane Multifamily) Hold a public hearing and consider a request by Allan Nutt, on behalf of Omais Investments for a Conditional Use Permit for Multifamily Apartments located at 132 Jackson Lane. (W. Parrish)

**Meeting date:** August 13, 2019

**Department:** Planning and Development Services

### **Amount & Source of Funding**

**Funds Required:** NA

**Account Number:** NA

**Funds Available:** NA

**Account Name:** NA

### **Fiscal Note:**

**Prior Council Action:** Click or tap here to enter text.

**City Council Strategic Initiative:** [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from dropdown menu below]

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☐ Land Use - Choose an item.
- ☒ Neighborhoods & Housing - Diversified housing options to serve citizens with varying needs and interests
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☐ Not Applicable

**Master Plan:** *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

**Background Information:**

The applicant submitted a site plan in 2017, which was approved in May of 2018, and meets the VMU zoning district standards. This site plan involved demolishing the existing office building on the site and constructing a new mixed use building with ground floor commercial space fronting on Jackson Lane with residential above and behind (in the same building), and parking in the rear of the lot.

The applicant has submitted this Conditional Use Permit (CUP) in order attempt to save the existing office building, rather than demolish it. The applicant has proposed to build the multifamily portion in the far rear of the property. This requires a CUP for *Multifamily (Apartments)* in VMU, as only *Loft Apartments* (apartments above commercial) are allowed by right within VMU.

The applicant has proposed un-lofted multifamily units, located at the far rear of the property. Staff understands the applicants goal of saving the existing building, however, Staff believes that the proposed Multifamily could be built in a manner that achieves the intent of the VMU zoning district and still save the existing building.

**Council Committee, Board/Commission Action:**

Click or tap here to enter text.

**Alternatives:**

Click or tap here to enter text.

**Recommendation:**

Staff has reviewed the application with the criteria from Section 2.8.3.4 of the San Marcos Development Code and recommends **denial** of the application as submitted.