



## Legislation Details (With Text)

**File #:** Ord. 2020-35    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Passed  
**File created:** 4/20/2020    **In control:** City Council  
**On agenda:** 5/19/2020    **Final action:** 5/19/2020

**Title:** Receive a Staff Presentation and hold a Public Hearing to receive comments for or against Ordinance 2020-35, amending the Official Zoning Map of the City by rezoning approximately 14.90 acres of land located at 4087 State Highway 21, from "FD" Future Development District to "LI" Light Industrial District; and including procedural provisions; and consider approval of Ordinance 2020-35, on the first of two readings.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ZC-20-07 Presentation CC, 2. Ordinance, 3. ZC-20-07 CC Staff Report, 4. ZC-20-07 Maps, 5. ZC-20-07 Code Comparison, 6. ZC-20-07 Comp Plan Analysis Checklist, 7. ZC-20-07 Personal Notice, 8. ZC-20-07 Application Documents, 9. ZC-20-07 Metes and Bounds, 10. ZC-20-07 Amended Deed Restrictions, 11. P. Hennington - Opposition Letter

| Date      | Ver. | Action By    | Action    | Result |
|-----------|------|--------------|-----------|--------|
| 5/19/2020 | 1    | City Council | postponed | Pass   |
| 5/19/2020 | 1    | City Council | received  | Pass   |
| 5/19/2020 | 1    | City Council | approved  | Pass   |
| 5/19/2020 | 1    | City Council | received  | Pass   |
| 5/19/2020 | 1    | City Council | denied    | Fail   |
| 5/19/2020 | 1    | City Council | approved  | Pass   |

### **AGENDA CAPTION:**

Receive a Staff Presentation and hold a Public Hearing to receive comments for or against Ordinance 2020-35, amending the Official Zoning Map of the City by rezoning approximately 14.90 acres of land located at 4087 State Highway 21, from "FD" Future Development District to "LI" Light Industrial District; and including procedural provisions; and consider approval of Ordinance 2020-35, on the first of two readings.

**Meeting date:** May 19, 2020

**Department:** Planning and Development Services

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

**Funds Required:** n/a

**Account Number:** n/a

**Funds Available:** n/a

**Account Name:** n/a

**Fiscal Note:**

**Prior Council Action:** n/a

**City Council Strategic Initiative:**

N/A

**Comprehensive Plan Element (s):**

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☒ Land Use - Direct Growth, Compatible with Surrounding Uses
- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☒ Transportation - Safe, Well coordinated transportation system implemented in an environmentally sensitive manner
- ☐ Core Services
- ☐ Not Applicable

**Master Plan:**

Vision San Marcos - A River Runs Through Us

**Background Information:**

The subject property is currently located outside the City Limits in the Extraterritorial Jurisdiction (ETJ). The property is currently vacant and is adjacent to existing single family and rural/agricultural property as well as adjacent to the Harris Hill Race Track. In addition, FM 110 is proposed to be located to the north of the property. The subject property has already dedicated right-of-way in order to provide for the future construction of FM 110.

The purpose of this zoning change to "Light Industrial" zoning is to allow the development of a 14 acre industrial warehouse project. According to the applicant, the project is designed for small businesses needing 4,000 to 10,000 square foot warehouse buildings on ½ acres lots for lease. The subject property is proposed to be subdivided into 20 ½ acre lots.

The applicant is also requesting a rezoning to Manufactured Home, "MH" for approximately 45 acres abutting the subject property to the west. This request is being considered as part of a separate zoning request (ZC-20-08). Both zoning requests are being processed concurrently with an annexation request for the property.

The City of San Marcos will provide wastewater services at the site and the Maxwell Water Supply Corporation will provide water service. The developer will be responsible for extending water and wastewater facilities through the site. Pedernales Electric Service will provide electric service.

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

**Planning and Zoning Commission Meeting: April 28, 2020**

**Speakers in favor or opposed:**

1. (1) David Joyner (in favor)
2. (1) Paul Hennington (in opposition)

**Recommendation from the Planning and Zoning Commission meeting held April 28, 2020:**

A motion was made by Commissioner Haverland, seconded by Commissioner McCarty, to approve ZC-20-07. The motion carried 8-0.

- **For:** (8) Chairperson Gleason, Commissioner Rand, Commissioner McCarty, Commissioner Haverland, Commissioner Dillon, Commissioner Moore, Commissioner Agnew, Commissioner Spell.
- **Against:** 0
- **Absent:** (1) Vice Chairperson Kelsey

**Alternatives:**

n/a

**Recommendation:**

The Development Code states that a request for Light Industrial zoning in an Area of Stability - Low Intensity designation is "Not Preferred" and requires additional scrutiny as outlined in the staff report. The proposed zoning change to Light Industrial is not compatible with surrounding existing uses such as rural residential and agricultural land, however, the subject property's location abutting the proposed FM 110 San Marcos eastern loop may provide justification for support as it meets the intent of an "Employment Corridor" identified on the Preferred Scenario Map. FM 110 is identified as a major transportation network and will be initially funded by a Transportation Reinvestment Zone (TRZ) to capture a portion of the increased value of development occurring along the alignment.

Due to the varying factors regarding current and future land configurations around the subject property, staff is providing a **neutral recommendation** and leaves a decision of approval, denial, or a recommendation of a lesser zoning district up to the City Council.