



Legislation Details (With Text)

File #: ZC-20-18 **Version:** 1 **Name:**
Type: Discussion Item **Status:** Passed
File created: 7/28/2020 **In control:** Planning and Zoning Commission
On agenda: 8/11/2020 **Final action:** 8/11/2020
Title: ZC-20-18 (The Mayan CD-5) Hold a public hearing and consider a request by Todd Burek, on behalf of The Mayan at San Marcos River LLC, for a zoning change from "FD" Future Development to "CD-5" Character District-5, for approximately 42.872 acres, more or less, out of the Benjamin & Graves Fulcher Survey, Abstract No. 813, the William A. Matthews Survey, Abstract No. 305, and the William Burnett Jr. Survey, Abstract No. 56, Hays County, Texas, and the Benjamin & Graves Fulcher Survey, Abstract No 21, Guadalupe County Texas, generally located at 2801 Staples Road. (S. Caldwell)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ZC-20-18 Staff Report, 2. ZC-20-18_Alt Staff Recommendation, 3. ZC-20-18_Maps, 4. ZC-20-18 Code Comparison, 5. ZC-20-18 Comprehensive Plan Checklist, 6. ZC-20-18 Personal Notification Letter, 7. ZC-20-18 Application, 8. ZC-20-18 PZ Presentation

Date	Ver.	Action By	Action	Result
8/11/2020	1	Planning and Zoning Commission	approved with conditions	Pass

AGENDA CAPTION:

ZC-20-18 (The Mayan CD-5) Hold a public hearing and consider a request by Todd Burek, on behalf of The Mayan at San Marcos River LLC, for a zoning change from "FD" Future Development to "CD-5" Character District-5, for approximately 42.872 acres, more or less, out of the Benjamin & Graves Fulcher Survey, Abstract No. 813, the William A. Matthews Survey, Abstract No. 305, and the William Burnett Jr. Survey, Abstract No. 56, Hays County, Texas, and the Benjamin & Graves Fulcher Survey, Abstract No 21, Guadalupe County Texas, generally located at 2801 Staples Road. (S. Caldwell)

Meeting date: August 11, 2020

Department: Planning & Development

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

Vision San Marcos - A River Runs Through Us

Background Information:

The subject property is within City limits and was annexed in 2008. The property is currently vacant and is surrounded almost exclusively by vacant, rural/agricultural land as well as the San Marcos River along the northernmost extent of the subject tract and some existing residential and commercial uses in the Redwood community along the southernmost extent of the subject tract. In addition, FM 110 is proposed to be located adjacent to the subject property and right-of-way has already been dedicated in order to provide for the future construction of FM 110.

The purpose of this zoning change to "Character District-5" is to allow for the development of approximately 43 acres of mixed commercial and multi-family uses along the future FM 110 corridor.

The applicant is also requesting to rezone an additional approximate 337 acres in the vicinity of the future FM 110 corridor between Staples Road and the San Marcos River to CD-3 CD-4, and LI zoning. These requests are being considered as separate zoning requests (ZC-20-17, ZC-20-19, and ZC-20-20)

The City of San Marcos will provide wastewater services at the site and as the property is within the Crystal Clear CCN, Crystal Clear Special Utility District will provide water service. The developer will be responsible for extending water and wastewater facilities through the site as needed. Bluebonnet Electric Cooperative will provide electric service to this development.

Council Committee, Board/Commission Action:

n/a

Alternatives:

n/a

Recommendation:

The Development Code states that a request for Character District-5 zoning in an Area of Stability - Low Intensity designation should be “Considered” based on the criteria provided in Section 2.5.1.4. Requests for this zoning in Area of Stability-Open Space designations are “Not Preferred” and require additional scrutiny.

Although the proposed zoning change to Character District-5 is not compatible with surrounding existing uses (rural and agricultural land) 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. In addition, while the Comprehensive Plan envisions low intensity uses such as single family residential, bed and breakfasts, home offices, etc. in Low Intensity areas it also identifies mixed-use building types as appropriate at future nodes and corridors. While the interior street network of this development has not been identified at this time, the majority of the proposed CD-5 zoning is located along the FM-110 corridor.

A portion of the subject property is located within the regulatory floodway. This portion of the proposed CD-5 zoning district is also located within an Open Space designation on the Preferred Scenario Map which according to the Comprehensive Plan is suitable for limited residential, agricultural, preservation, or limited active recreation uses.

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 Planning and Zoning Commission and City Council.

Alternatively, to help address concerns with the zoning district’s lack of alignment with the purpose and intent of Open Space designations on the Preferred Scenario Map and its location within the floodway, staff offers the below **alternate recommendation** for the Commission’s consideration:

- Approval of requested CD-5 zoning with exclusion of the ~12.546-acre tract located within the regulatory floodway and Open Space Preferred Scenario designation.