



Legislation Details (With Text)

File #: Ord. 2021-08 **Version:** 1 **Name:**
Type: Ordinance **Status:** Individual Consideration
File created: 1/14/2021 **In control:** City Council
On agenda: 2/2/2021 **Final action:**
Title: Receive a Staff Presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-08, amending the Official Zoning Map of the City in Case No. ZC-20-26 by rezoning approximately 15.2331 acres of land, generally located in the 400 Block of Riverway Avenue, from "CC" Community Commercial District to "HC" Heavy Commercial District; including procedural provisions; and consider approval of Ordinance 2021-08 on the first of two readings.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. ZC-20-26 Staff Report, 3. ZC-20-26 Maps, 4. ZC-20-26 Personal Notification Letter, 5. ZC-20-26 Code Comparison, 6. ZC-20-26 Comp Plan Analysis Checklist, 7. ZC-20-26 Application Documents, 8. ZC-20-26 Presentation

Date	Ver.	Action By	Action	Result
2/2/2021	1	City Council		
2/2/2021	1	City Council		

AGENDA CAPTION:

Receive a Staff Presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-08, amending the Official Zoning Map of the City in Case No. ZC-20-26 by rezoning approximately 15.2331 acres of land, generally located in the 400 Block of Riverway Avenue, from "CC" Community Commercial District to "HC" Heavy Commercial District; including procedural provisions; and consider approval of Ordinance 2021-08 on the first of two readings.

Meeting date: February 2, 2021

Department: Planning & 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: 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 - Direct Growth, Compatible with Surrounding Uses
- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☐ 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 located within City Limits and is zoned “CC” Community Commercial. The purpose of this zoning change to “Heavy Commercial” is to allow for the development of an outdoor storage facility. According to the applicant, the facility would be used for safe and secure storage of RVs and boats.

In 2015 the property owner applied for a Preferred Scenario Amendment (PSA) to change the property from an Area of Stability/Low Intensity Zone to an Employment Center. The request was for the subject property (Blanco Riverwalk, Block F) as well as for Blocks A, B and E of the Blanco Riverwalk Subdivision. The Planning & Zoning Commission provided a recommendation of approval for a PSA change for Blocks A, B, and E and a recommendation of denial for Block F. Subsequent to the approval by City Council of Blocks A, B, and E to an Employment Center, the property owner requested a zone change from “CC” Community Commercial to “HC” Heavy Commercial with an overlay district of “PDD” Planned Development District.

Council Committee, Board/Commission Action:

Planning and Zoning Commission Meeting: January 12, 2021

Speakers in favor or opposed:

1. Robert W. McDonald III (in favor)

Recommendation from the Planning and Zoning Commission meeting held January 12, 2021:

A motion was made by Commissioner Haverland, seconded by Commissioner McCarty, to deny ZC-20-26. Discussion topics of the Commission included

- Potential impacts to the multifamily use across the street
- Potential impacts of allowed uses adjacent to the Blanco River
- The potential to prohibit uses via restrictive covenants
- Reasons for denial of a Preferred Scenario Map amendment on this property in 2015
- Allowed uses in Heavy Commercial zoned property versus Heavy Commercial zoned property within the Blanco Riverwalk Planned Development District.

The motion carried 7-1.

- **For:** (7) Chairperson Kelsey, Vice Chairperson Spell, Commissioner McCarty, Commissioner Haverland, Commissioner Moore, Commissioner Rand, and Commissioner Agnew.
- **Against:** (1) Commissioner Dillon
- **Absent:** (0)

DUE TO THE RECOMMENDATION OF DENIAL FROM THE PLANNING AND ZONING COMMISSION, A SUPER-MAJORITY OF SIX VOTES WOULD BE REQUIRED FOR THE CITY COUNCIL TO APPROVE THIS ZONING REQUEST

Alternatives:

Recommendation:

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 City Council.

