



## Legislation Details (With Text)

<b>File #:</b>	Ord. 2021-43(b)	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>		Individual Consideration	
<b>File created:</b>	6/1/2021	<b>In control:</b>		City Council	
<b>On agenda:</b>	7/6/2021	<b>Final action:</b>			
<b>Title:</b>	Consider approval of Ordinance 2021-43, on the second of two readings, amending the official zoning map of the City in Case No. ZC-21-08 by rezoning approximately 29.66 acres of land, generally located 300 feet West of the of the Centerpoint Road and Centerpoint Court intersection, from "GC" General Commercial and "FD" Future Development Districts to "CD-4" Character District-4, or subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date.				
<b>Sponsors:</b>	Will Rugeley				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Ordinance, 2. ZC-21-08 Presentation, 3. ZC-21-08 Staff Report, 4. ZC-21-08 Maps, 5. ZC-21-08 Personal Notification Letter, 6. ZC-21-08 Code Comparison, 7. ZC-21-08 Comp Plan Checklist, 8. ZC-21-08 Application Documents, 9. ZC-21-08 Presentation by Applicant				

Date	Ver.	Action By	Action	Result
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### **AGENDA CAPTION:**

Consider approval of Ordinance 2021-43, on the second of two readings, amending the official zoning map of the City in Case No. ZC-21-08 by rezoning approximately 29.66 acres of land, generally located 300 feet West of the of the Centerpoint Road and Centerpoint Court intersection, from "GC" General Commercial and "FD" Future Development Districts to "CD-4" Character District-4, or subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date.

**Meeting date:** July 6, 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:** Council discussed the development's financial structure and its seeming similarities to tax credit developments. Council then discussed the applicant's partnership with the San Marcos Housing Authority and how the project could be removed from the City's tax roll. Ultimately, Council approved the request, 5-2, with Councilmember Baker and Gonzales dissenting.

During the meeting City Council discussed tax assessments for the CD-4 area. While there are no developments in San Marcos substantially similar in design, based on potentially similar developments and International Construction Code valuations the taxes assessed for this property may range from approximately \$175,000 to \$239,000. The applicant indicated their tax estimate was over \$300,000.

**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.

☐ Core Services

☐ Not Applicable

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

Choose an item.

**Background Information:**

ZC-21-08 is associated with Zoning Cases ZC-21-06 and ZC-21-07 of which all 3 cases seek to entitle a townhouse development pursuant to the CD-1, CD-4, and CD-5 Zoning District Regulations. The 29.66 acres associated with this zoning case is intended to be the first phase developed for 290 multifamily townhomes. Its southern half is subject to annexation of which an application has been submitted and is scheduled for concurrent consideration.

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

Recommendation from the Planning and Zoning Commission meeting held May 11, 2021: A motion was made

by Commissioner Moore, seconded by Commissioner Sambrano, to approve ZC-21-07. The motion carried 8-0.

- **For:** (8) Chairperson Garber, Commissioner Agnew, Commissioner Costilla, Commissioner McCarty, Commissioner Moore, Commissioner Rand, and Commissioner Sambrano.
- **Against:** (1) Commissioner Spell
- **Absent:** (1) Commissioner Kelsey

**Discussion Topics:** (a) Partnership with San Marcos Housing Authority: The Commission sought clarification on the partnership and how it would provide affordable housing options. The applicant explained that the partnership is not low income nor tax credit housing but instead is a partnership which will allow the apartment's leasing office to lease 50% of the units at market rate, 25% of the units will be leased to persons who make 70% of the area's medium income, and 25% of the units will be leased to persons who make 60% of the area's medium income. (b) Location: The Commission discussed that the project is ideally situated due to its adjacency with the outlet mall and that few other uses would be suitable in this particular location. (c) Ingress and Egress: The Commission noted that only one access point exists. The applicant noted that due to driveway spacing requirements only one access point is authorized, however, they are providing an emergency, gated access drive mid-block.

#### **Alternatives:**

[Click or tap here to enter text.](#)

#### **Recommendation:**

Staff provides this request to the Council for your consideration and recommends approval of the request for a zoning change from "FD" Future Development and "GC" General Commercial to "CD-4" Character District - 4.