



## Legislation Text

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**File #:** Ord. 2021-38(b), **Version:** 1

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### **AGENDA CAPTION:**

Consider approval of Ordinance 2021-38, on the second of two readings, amending the official Zoning Map of the City in Case No. ZC-21-01 by rezoning approximately 6.698 acres of land, generally located in the 100 Block of Centerpoint Road, from "FD" Future Development District to "CD-5" Character District-5; and including procedural provisions; and providing an effective date.

**Meeting date:** June 1, 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:** A public hearing was held on May 18<sup>th</sup>. City Council voted 7:0 to approve Ordinance 2021-38 on the first of two readings.

**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)]*

Choose an item.

### **Background Information:**

The subject property is located within City Limits and is zoned Future Development (FD). The purpose of this zoning change is to allow the development of a multifamily apartment complex allowed within CD-5 zoning. The applicant has applied for a Resolution of No Objection to the submission of an application for housing tax credits from Texas Department of Housing and Community Affairs for this proposed project. The no objection resolution application was approved by Council at the April 20<sup>th</sup> regular meeting.

The City of San Marcos will provide water and wastewater services at the site. The developer will be responsible for extending service to and through the site as needed. Pedernales Electric will provide electric service to this development.

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

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

**Vote from the City Council Meeting held May 18<sup>th</sup>, 2021** A motion was made by Councilmember Scott, second by Councilmember Derrick, to recommend **approval** of the request. The vote passed with a 7-0 vote

- **For: 7** (Councilmember Garza, Councilmember Scott, Councilmember Gleason, Councilmember Baker, Councilmember Derrick, Councilmember Gonzales, Mayor Hughson)
- **Against: 0**
- **Absent: 0**

**Recommendation from the Planning and Zoning Commission Meeting held April 27, 2021** A motion was made by Commissioner Rand, second by Commissioner Sambrano to recommend **approval** of the request. The vote passed with a 9-0 vote

- **For: 9** (Commissioner Agnew, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Sambrano, Commissioner Costilla, Chair Garber, Commissioner McCarty, and Commissioner Spell)
- **Against: 0**
- **Absent: 0**

### **Discussion Topics:**

Required buffering, setbacks, and stepbacks: The Commission requested information from staff on the required buffering, setbacks, or step downs from the manufactured home community directly North of the subject property. Staff informed the Commission that a Type C or D transitional protective yard would be required between this property and any adjacent FD zoned properties but that the required height stepback would not apply here since the adjacent properties are not zoned a single-family zoning designation.

Connectivity regulations and street network: The Commission requested information on required connectivity and future roads. Staff informed the Commission that while the Master Transportation Plan does not require dedication and construction of any thoroughfares in this location the development will be required to meet the lot, block, and access standards in the City's subdivision ordinance. These standards would require the applicant to dedicate and construct right-of-way to achieve a block structure with a block perimeter not to exceed 2,000 linear feet.

Affordable housing: The Commission discussed the City strategic goal of achieving affordable housing and discussed how this project would help meet those goals.

**Alternatives:**

Click or tap here to enter text.

**Recommendation:**

Staff provides this request to the Commission for your consideration and recommends **approval** of the request for a zoning change from "FD" Future Development to "CD-5" Character District-5.