



## Legislation Text

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**File #:** Ord. 2023-38(b), **Version:** 1

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### **AGENDA CAPTION:**

Consider approval of Ordinance 2023-38, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-23-03, by rezoning approximately 67.121 acres of land out of the Edward Burleson Survey, No. 18, Abstract No. 63 in Hays County, Texas, located at and near 3830 South IH 35 (Centerpoint and IH 35), from "FD" Future Development and "LI" Light Industrial to "CD-5" Character District 5, or, subject to consent of the owner, another less intense zoning district classification, including procedural provisions.

**Meeting date:** May 16, 2023

**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:** On May 2<sup>nd</sup>, 2023, City Council voted to approve the ordinance with a 6-1 vote. The Council discussed flooding concerns as a portion of the property is in a flood zone and how the development will prevent flooding of the development itself, as well as causing no adverse impact to surrounding properties. Other discussion included the positives of having new residential development in close proximity to the commercial outlet malls

### **City Council Strategic Initiative:**

N/A

**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 - Set appropriate density & impervious cover limitations in environmentally sensitive areas to avoid adverse impacts on water supply

☐ 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:**

Property has remained vacant since annexation in 2001, Ordinance 2001-76. The applicant is requesting to zone the property from Future Development, and a small area of Light Industrial, to Character District 5.

Two other properties in the area were zoned CD-5 within the last two years. Ordinance 2021-38 zoned 6.69 acres from FD to CD-5 and is planned for dense Multifamily near the intersection of Hunter Road and Centerpoint Road. Ordinance 2022-09 zoned 62.5 acres to CD-5 and is the site of the newly permitted Alta at Centrepoint Apartments.

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

At their April 12, 2023 meeting, the Planning & Zoning Commission recommended **approval** of ZC-23-03 with an 8-0 vote. The Commission discussed flooding concerns as a portion of the property is in a flood zone and how the development will prevent flooding of the development itself, as well as causing no adverse impact to surrounding properties..

**Alternatives:**

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**Recommendation:**

Staff recommends **approval** of ZC-23-03 as presented.