



City Council Agenda Item Report

January 15, 2013

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SUBJECT: DELIBERATION AND POSSIBLE ACTION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BUDA TO CHANGE THE EXISTING ZONING OF INTERSTATE COMMERCIAL/OFFICE AND INTERSTATE RETAIL (C3/R3) TO INTERSTATE COMMERCIAL/OFFICE AND INTERSTATE RETAIL (C3/R3) AND MULTIFAMILY RESIDENTIAL (MFR) ON APPROXIMATELY 20.09 ACRES OF LAND IN THE JOSEPHUS S. IRVINE SURVEY, HAYS COUNTY, TEXAS, BEING A PORTION OF THE 221 DRIVE COMMERCIAL SUBDIVISION.

1. BACKGROUND & ANALYSIS

Requested Action:

Owner-initiated rezoning to add Multi-Family Residential (MFR) to the existing zoning of Interstate Commercial/Office & Interstate Retail (C3/R3). The Gateway Corridor Overlay District will apply regardless of zoning.

Existing Land Use and Zoning:

Vacant.

The property is currently zoned C3/R3 with a Gateway Corridor Overlay designation. The Gateway Corridor Overlay designation allows multifamily provided it is on the 2nd floor & above in a vertical mixed use format. The proposed zoning change still allows for this vertical mixed use format, but also allows for a more horizontal mixed use with ground-level multifamily. The reason for the request is that the property owners have not had success in marketing exclusively for commercial uses or vertical mixed use format. The zoning change allows the establishment of more conventional multifamily, albeit still subject to the Gateway standards.

Surrounding Land Uses:

North: Industrial property used for metal fabrication. Zoning is Interstate Commercial/Office & Interstate Retail (C3/R3) with a SUP to allow the continued use of metal fabrication.

South: Utilized as outdoor storage yard for construction/hauling equipment. Zoning is Interstate Commercial/Office & Interstate Retail (C3/R3). This property is expected to eventually redevelop.

East: Sunfield MUD, outside of the city limits but within the City's ETJ and limited purpose annexation area. U.S. Foods is located nearby.

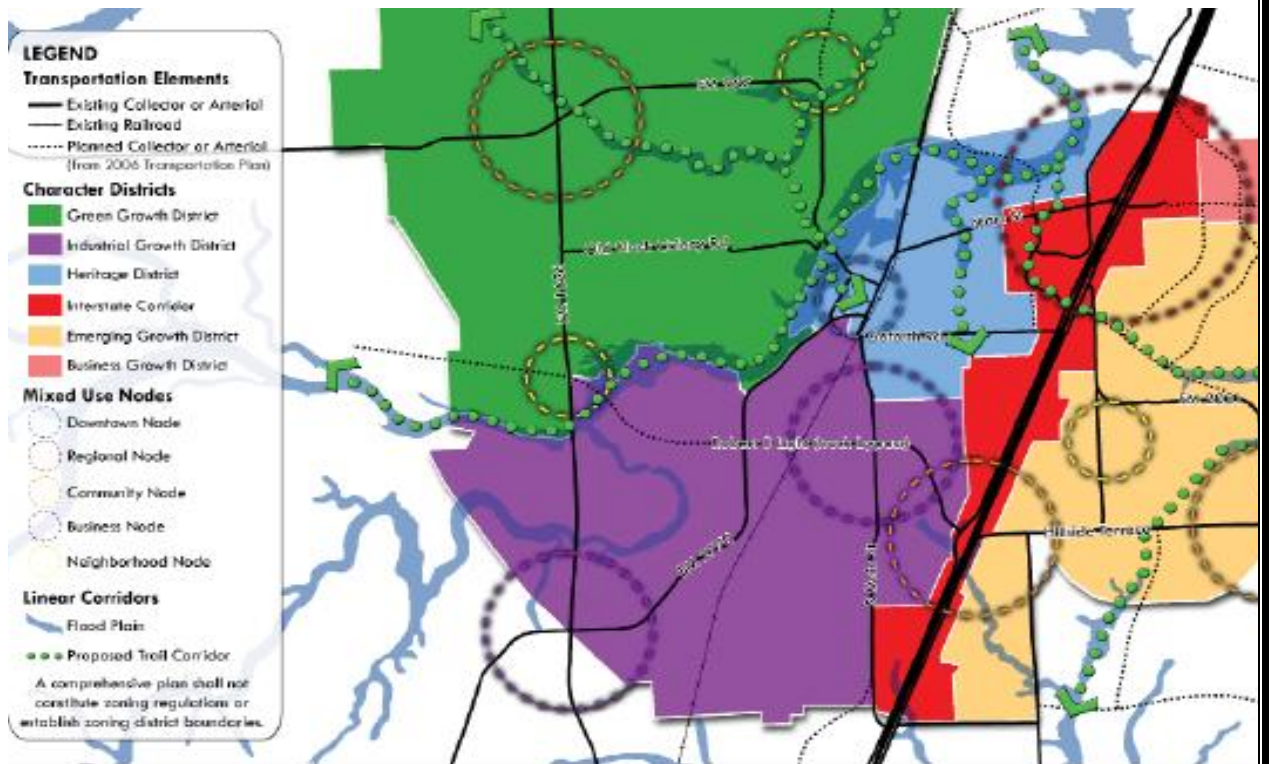
West: Partially-developed as community retail & lodging. Zoning is Interstate Commercial/Office & Interstate Retail (C3/R3).

Normally having industrial next to multifamily would not be preferred. However, the base zoning for that industrial use is C3/R3 in anticipation of future redevelopment, and the metal fabrication does not generate particulates. It does not generate substantial amounts of heavy vehicle traffic; in fact, a commercial project would generate far more traffic than the industrial site or even the multifamily site. It does, however, produce some noise associated with OSHA-required warning systems. This could be an issue given that the facility operates up to 20 hours per day. That being said, multifamily is an entitled use of this property under the Gateway Corridor Overlay District—just in a vertical mixed use format.

The Gateway Corridor Overlay District will apply regardless of the rezoning, bringing with it substantially enhanced design standards.

Comprehensive Plan Specifications:

The subject property is located in the Interstate Corridor and within the Regional Mixed Use Node. Given that this property is located some distance from I-35, its commercial exposure is not as desirable. The commercial growth of this area has been somewhat limited by the lack of residential nearby to drive it. The Regional Mixed Use Node calls for either commercial and high density residential in this area, in a vertical mixed use format or the same in a horizontal mixed use format. This zoning change enables both without pre-empting the possibility of the entire site developing commercially. The owner has indicated that the property has been marketed for seven years exclusively for commercial uses without interest, but has received multifamily inquiries.



Public Utilities and Services

The site is served by Goforth Water for water service and City of Buda for wastewater service. Utility service is sufficient for this site. The property is served by Buda Fire for fire service and City of Buda for police services.

Transportation

The site has access to Main Street and County Road 118, both of which have more than sufficient traffic capacity. This is particularly useful as multifamily is required to have two access points; this site allows a potential best practice of those access points being located on separate roads.

2. FINDINGS/CURRENT ACTIVITY

There has not been any recent activity related to this site. The most recent activity was the construction of the two hotels.

3. FINANCIAL IMPACT

N/A

4. ACTION OPTIONS/RECOMMENDATION

The Planning & Zoning Commission recommended approval on a 3-1 vote (Strother dissenting) at its January 8th meeting. Strother had proposed an alternative to postpone the request in order to allow the applicant to reconfigure the zoning request, which failed on a 2-2 vote. Staff recommends approval of the zoning change to C3/R3/MFR as consistent with the Buda 2030 Comprehensive Plan.

5. ATTACHMENTS

Zoning change application with applicant justification
Maps of subject property