



City Council Agenda Item Report

January 15, 2013

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SUBJECT: HOLD A PUBLIC HEARING TO RECEIVE WRITTEN AND ORAL COMMENTS IN REGARD TO A REQUEST TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BUDA TO CHANGE THE EXISTING ZONING OF ARTERIAL COMMERCIAL/OFFICE AND ARTERIAL RETAIL (C2/R2), MEDIUM DENSITY RESIDENTIAL (MR), AND AGRICULTURE (AG) TO LIGHT INDUSTRIAL/WAREHOUSING (I1) ON APPROXIMATELY 62.00 ACRES OF LAND INCLUDING LOTS 12-13, PART OF LOT 29, PART OF LOT 30, LOTS 31-40, LOTS 44-51 IN THE LIFSCHUTZ SUBDIVISION, HAYS COUNTY, TEXAS, BEING GENERALLY LOCATED BETWEEN WEST GOFORTH RD. AND RODRIGUEZ ST., WEST OF IH-35.

1. BACKGROUND/HISTORY

This is the required public hearing for the City initiated re-zoning on 62.00 acres of land generally located west of IH 35, south of West Goforth Road, and north of the Park 35 South Subdivision. This public hearing is being held in compliance with the requirements of the City of Buda's Unified Development Code and the Texas Local Government Code as they relate to public hearings for zoning change requests.

A portion of this subject land was annexed into the City in early 2012. Initial zoning of Agricultural (AG) and Interstate Commercial/Office and Interstate Retail (C3/R3) was designated for such at that time, with the understanding that the City would initiate re-zoning procedures in order to appropriately zone this area of the City to conform with the City of Buda's Comprehensive Plan.

2. FINDINGS/CURRENT ACTIVITY

The subject land currently has multiple zoning designations, including Light Industrial (I1), Interstate Commercial/Office and Interstate Retail (C3/R3), Medium Density Residential (MR), and Agricultural (AG). A portion of these 62 acres is also in the Interstate Corridor Overlay District. The City has initiated re-zoning procedures in order to change the zoning designation to Light Industrial/Warehousing on the subject 62.00 acres of land.

The subject land is mostly undeveloped. However, there is a large building fronting onto West Goforth Road that was formerly occupied by a company involved in light industrial type manufacturing activities.

3. FINANCIAL IMPACT

Because this is a City initiated re-zoning, the City will bear the costs associated with publishing the required public notices in the Hays Free Press.

4. ACTION OPTIONS/RECOMMENDATION

This is a public hearing to receive public comment on this matter. Action cannot be taken by the Council at this time, but possible action will be considered under the associated regular agenda item, and more detail is provided in the staff report for that item.

The Mayor is required to open the public hearing, accept public comment, and then close the public hearing.

5. FEEDBACK FROM THE PLANNING & ZONING COMMISSION MEETING

Several individuals spoke at the Planning & Zoning Commission, both for and against. Their comments are summarized below:

Property Owner & Resident on Bradford Street (adjacent to subject property on the east toward I-35):

Supportive of the change and the potential it brings for jobs in the area. Interested in when wastewater service might become available. Wanted to be sure any future developer would be required to address drainage. Discussed how he wanted Buda to grow and add more jobs.

Daughter Representing Property Owner & Resident on W. Goforth (adjacent to actual Chatliff/Danfoss buildings on the east):

Was concerned about the zoning of the property and opposed the request. Her mother signed-off on the construction of Chatliff and didn't realize what it meant. Indicates that the heavy truck traffic caused her foundation to shift.

Property Owner & resident on W. Goforth (adjacent and east of a vacant portion of the proposal):

Supportive of the change, but most interested in getting drainage addressed along W. Goforth. Complains that his driveway washes out after rain events, and that it didn't do so prior to installation of the water line to Cabela's elevated storage tank.

Owner of the Subject Property:

Discussed the history and City decision to allow base of AG with the recent annexation in order to correct the zoning on the overall property. Discussed the history of Chatliff and the Henderson family's desire to sell the property in order to bring jobs back to Buda. Discussed how current confusing zoning mixture has limited marketing ability.