

Ord. 24-S-145

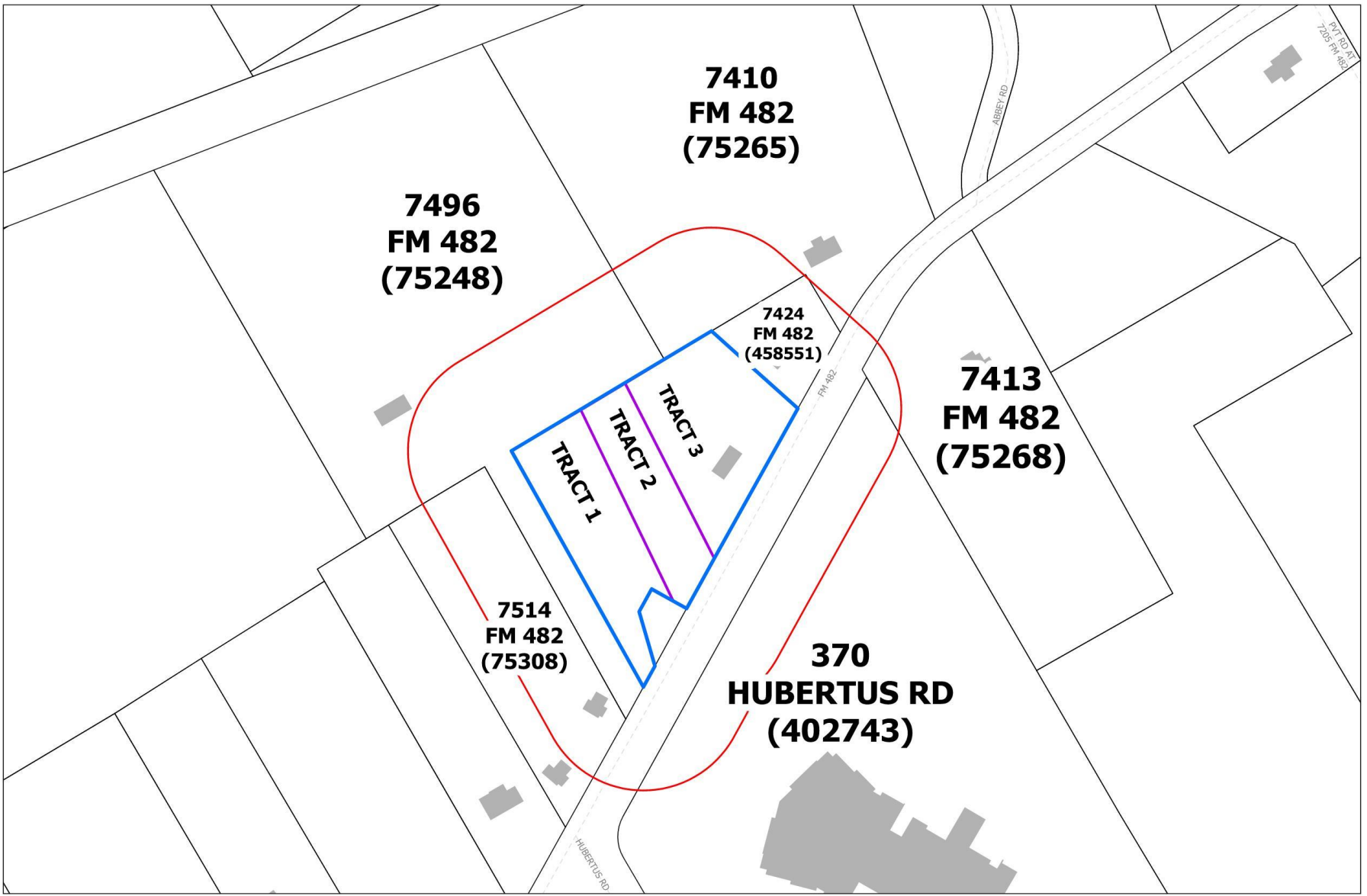
Zone Change from Manufacturing - Light District (M-1) to Single Family Residential
(R-6)

Samuel Haas | Senior Planner



3.3 Acres
(portion of total 4.25)
Comal PID: 308497
7444 FM 482
Existing: Residential & Existing Business





June 21, 2024, a total of 6 Public Hearing Notices were sent out.

Responses Received:

- 0 – Opposition,
- 0-In Favor
- 0-Neutral

1 sign was posted on the property.



- Existing Zoning: Manufacturing – Light District (M-1)
- Proposed Zoning: Single Family Residential (R-6)

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Last update: June 20, 2024
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PROPOSED ZONING CHANGE

COMAL COUNTY
PARCEL ID:
75307

Classification

(M-1) Pre-Development	(R-4) Apartment/Multi-Family Residential	(GB-2) General Business II
(R-6) Planned Development	(R-6) Single-Family Residential	(NS) Neighborhood Services
(PUB) Public Use	(R-7) Single-Family Residential	(OP) Office and Professional
(AD) Agricultural District	(R-4) Single-Family Residential/Agricultural	(MSMU) Main Street Mixed Use
(R-4) Single-Family Residential (Zero Lot Line)	(R-1) Single-Family Residential	(MSMU-ND) Main Street Mixed Use New Development
(TH) Townhome	(R-2) Single-Family Residential	(M-1) Manufacturing (Light)
(MHS) Manufactured Home Subdivision	(R-3) Two-Family Residential	(M-2) Manufacturing (Heavy)
(MSP) Manufactured Home Parks		(GB) General Business
(GB) General Business		(DML) Development Agreement (Delayed Annexation)



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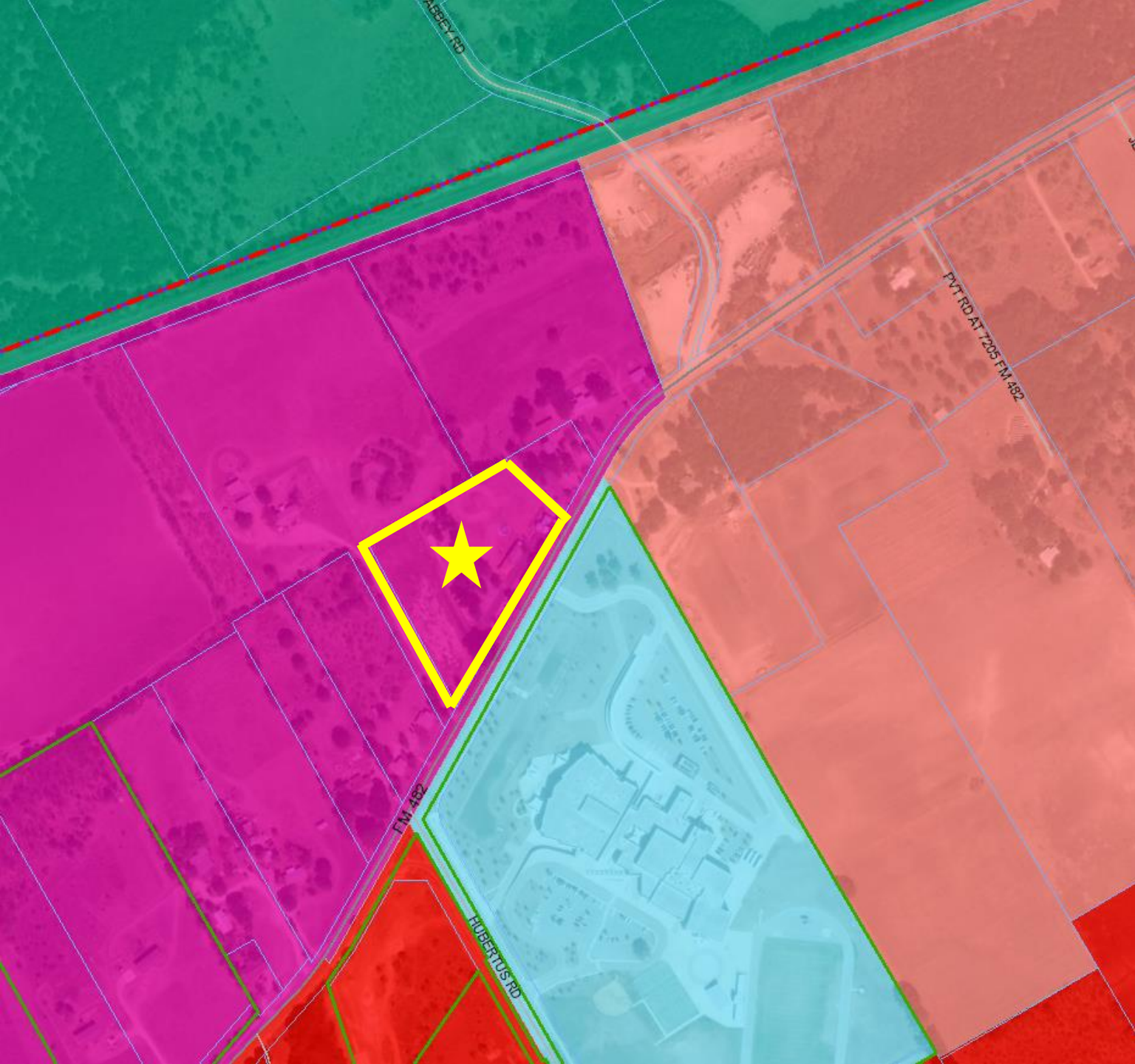
Background

- The subject property has a permitted business that operates on the property.
- There is also a non-conforming use of a residence.
- Both of which the current property owner owns.
- The current zoning district does not permit residential uses, and the applicant's intent is to build a larger home on the property.
- The applicant is proposing to zone change portions of the property to allow both residential uses, and allow for the existing business to continue as well.

UDC SECTION 21.5.4.D Criteria for Approval

1. Whether the proposed zone change or zoning map amendment implements the policies of the adopted Comprehensive Land Plan, including the land use classification of the property on the Future Land Use Map.

- The Comprehensive Plan designates this area as Mixed-Use Center, which is intended to integrate residential, commercial, and often entertainment spaces nearby, typically along significant transportation corridors.
- "new town center"
- The goal to create a Mixed-Use Center should be to encourage denser residential development and complementary commercial businesses.
- Applicant is incrementally creating residential density and conforming with the intent of the Comprehensive Land Use Plan.



	Regional Corridor		Local Corridor
	Mixed Use Center		Development Deferment
	Rural Living		Industrial
	Complete Neighborhood		Public Use

UDC SECTION 21.5.4.D Criteria for Approval

2. Whether the proposed zoning change or zoning map amendment promotes the health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City.

- The City should encourage development compatible with surrounding uses
 - The surrounding area consists of open space, residences, Danville Middle School, and property to the west zoned Apartment/Multi-Family District (R-4).
 - While this area is zoned for industrial uses, it is evolving to function more like a neighborhood.
- In order to ensure the safe, orderly and efficient development
 - Expansion of the City in accordance to its Comprehensive Land Plan.
 - Proposed zone change better aligns than existing zoning



UDC SECTION 21.5.4.D Criteria for Approval

3. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified;

- The immediate area being
 - a school
 - residences
 - open space
- Proposed zone change has uses that align with what the current uses are in the vicinity.

UDC SECTION 21.5.4.D Criteria for Approval

4. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers or other public services and utilities to the area;

- The property abuts FM 482 which is designated as a principal arterial, indicating that this road will accommodate denser development in the future.
- The property has access to water (12-inch line) and sewer (8-inch line) facilities that run along FM 482.
- A public hearing notice was mailed to Comal ISD Independent School District to notify them of the proposed zone change.
- Schertz, Fire, EMS, and Police Departments were notified of the zone change and have provided no objections.

UDC SECTION 21.5.4.D Criteria for Approval

5. Whether there have been environmental and/or economical changes which warrant the requested change;

There have been no environmental or economic changes that warrant the requested zone change

6. Whether there is an error in the original zoning of the property for which the change is requested;

There was no error in the original zoning of the subject property.

7. Whether all of the applicant's back taxes owed to the City have been paid in full;

This does not impact the first reading of City Council.

UDC SECTION 21.5.4.D Criteria for Approval

8. Whether other criteria are met, which, at the discretion of the Planning and Zoning Commission and the City Council, are deemed relevant and important in the consideration of the amendment.

- Staff has ensured all UDC requirements have been met for the proposed zone change, and at this time have not received any special consideration from City Council.

Recommendation

Staff Recommendation

- The proposed zone change to Single-Family Residential (R-6) is more compatible with the Comprehensive Land Plan
- Is appropriate within the immediate area.
- Brings property into conformance
- On July 3rd, 2024, The Planning and Zoning Commission held a public hearing and recommended approval with a 6-0 vote.
- On August 6, 2024, The Planning and Zoning Commission held a public hearing and voted to approve the request with a 6-0 vote
- Staff recommends approval of Ord. 24-S-145.

COMMENTS AND QUESTIONS