



# Planning and Zoning Commission Planning Department Staff Report

**Report Date:** August 13, 2021  
**Case No:** 2021-14-REZ  
**Project Planner:** Sofia Nelson, Planning Director

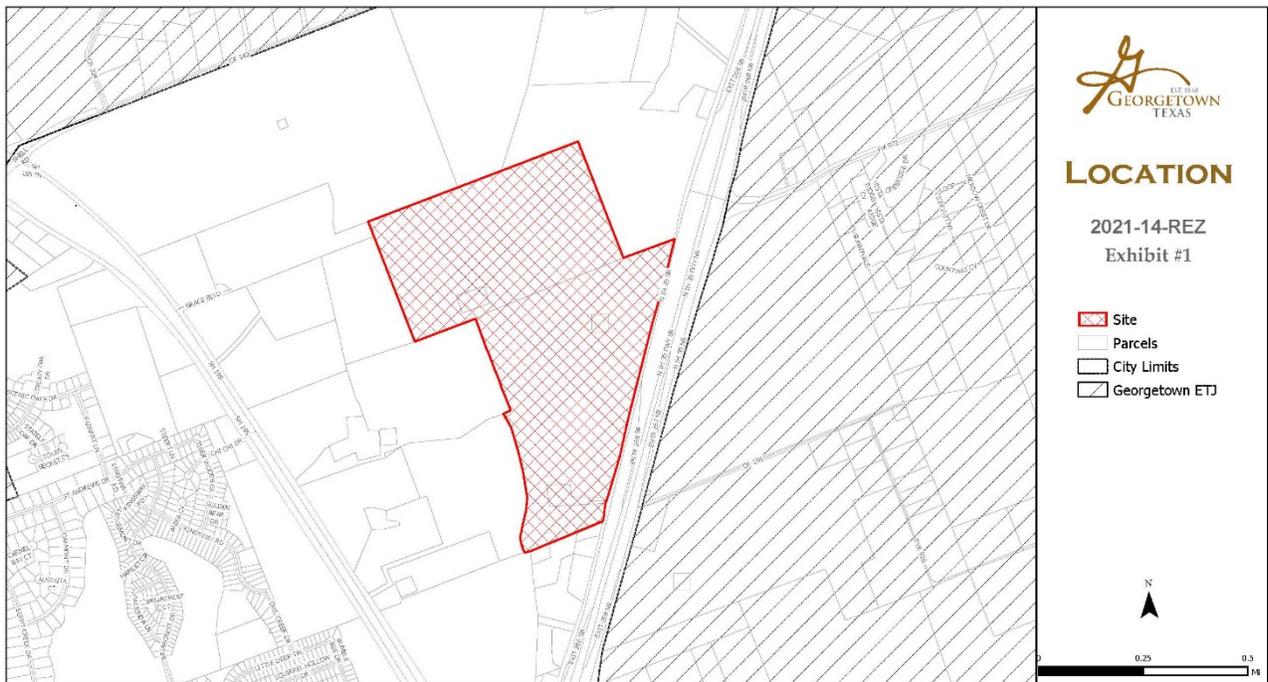
## Item Details

**Project Name:** JS Georgetown  
**Project Location:** 4801, 4805, and 5401 IH-35 North, within City Council district No. 5.  
**Total Acreage:** approximately 224 acres  
**Legal Description:** Three (3) tracts of land described as 43.012-acre tract of land situated in the William Roberts Survey, Abstract No. 524, a 24.312-acre tract of land situated in the William Roberts Survey, Abstract No. 524, and a 157.551-acre tract of land situated in the William Roberts Survey, Abstract No. 524

**Applicant:** Jackson Shaw Company, c/o Grant Pearson  
**Representative:** Pacheco Koch Consulting Engineers, Inc., Clayton Strolle  
**Property Owner:** Deborah J. Burson (owner of 4805 IH-35 N), Jerry S. Stokes, President of Mid-Continent Geological, Inc. (owner of 5401 IH-35 N), Steven Charles Howard (owner of 5401 IH-35 N), David S. Hays, Manager of RL2H, LLC (owner of 5401 IH-35 N)

**Request:** Zoning Map Amendment to rezone the subject property from **Agriculture (AG)** to **General Commercial (C-3), High Density Multi-Family (MF-2), and Industrial (IN)**

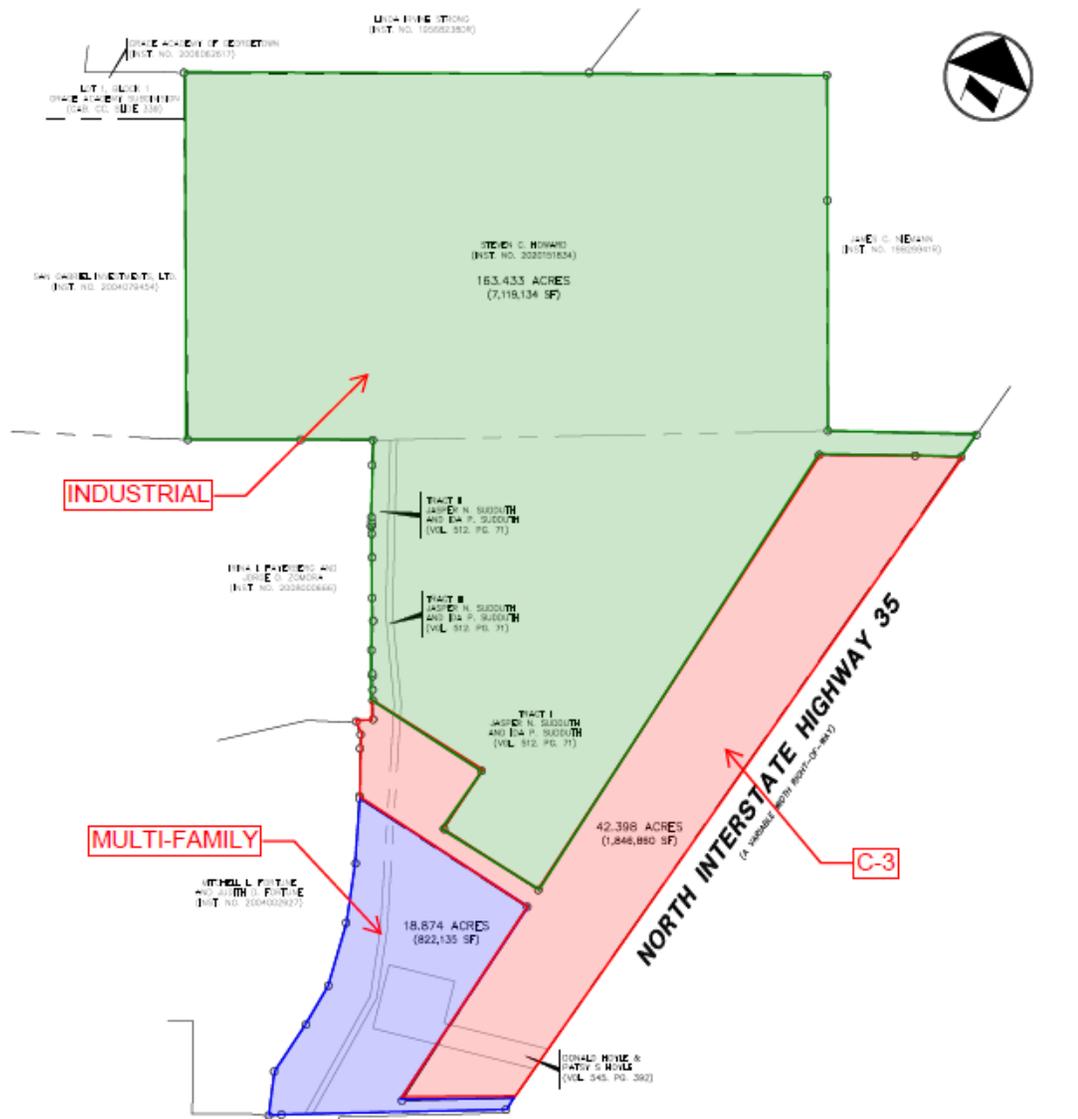
**Case History:** This is the first public hearing of this request.



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## Overview of Applicant's Request

The applicant is requesting rezoning of the subject property consisting of approximately 224 acres currently zoned as Agriculture (AG) to High Density Multi-Family (MF-2) a total of 18.874 acres, General Commercial (C-3) a total of 42.398 acres, and Industrial (IN) a total of 163.433 acres. The property is currently undeveloped.



## Site Information

### Location:

The property is located near the intersection of IH-35 and SH-195 and remains predominantly vacant except for three single-family residences and several small accessory structures.

### Physical and Natural Features:

The subject property is predominately vacant and bounds a dry creek to the west of the property which has been identified by FEMA as a special flood hazard area with 1-percent annual change of flooding also referred to as the 100-year flood area.

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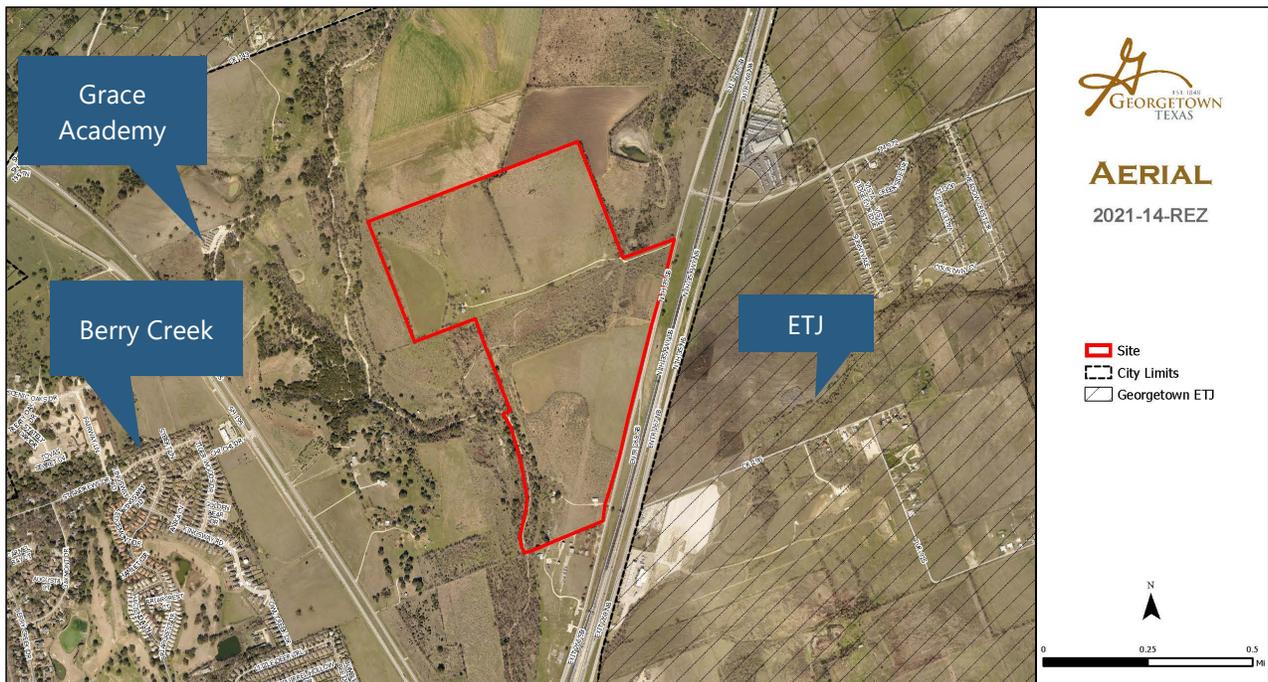
## Future Land Use and Zoning Designations:

The subject property has an Employment Center designation and is currently zoned Agriculture (AG) and a portion of the property along the IH-35 frontage road is located within the Gateway Overlay District, specifically the Highway Corridor. Additionally, the property is also designated as Open Space as an existing tributary borders the subject property to the west.

## Surrounding Properties:

The general area around the subject property consists of large acreage residential lots and vacant land. The current zoning, Future Land Use designation, and existing uses of the adjacent properties to the north, south, east, and west are outlined in the table below:

DIRECTION	ZONING DISTRICT	FUTURE LAND USE	EXISTING USE
North	Agriculture (AG)	Employment Center	Vacant
South	Agriculture (AG)	Employment Center/Open Space	Single Family Residences
East	Agriculture (AG)	Employment Center	Vacant/IH-35 Frontage Road
West	Agriculture (AG)	Open Space/Neighborhood	Vacant/Single Family Residences



## Property History:

The subject property was annexed into the City of Georgetown on December 29, 2006 (Ordinance 2006-136). When annexed, the subject property was given the base zoning district Agriculture (AG), which is the default initial zoning upon annexation.

## Comprehensive Plan Guidance

### Future Land Use Map:

The 2030 Future Land Use Map designates the subject property as Employment Center. The Employment Center is described in the 2030 Comprehensive Plan as an area with employment-generating uses which support heightened economic activity through quality architectural design and well-integrated supporting uses such as retail, and restaurants. The area aims to incorporate up to 20% residential and has deemed the area suitable for moderate to high density residential. Due to the areas often acting as a transition between more intensely developed industrial uses and residential neighborhoods, standards should be developed to ensure that development of these activities is compatible with the character of the surrounding area. Care should be taken to protect adjacent uses from adverse impacts potentially associated with exiting industrial uses (commercial, traffic, outside storage, etc.), using buffering and/or performance-based development standards.

#### Employment Center

DUA: 14 or more

Target Ratio: 80% non-residential, 20% residential

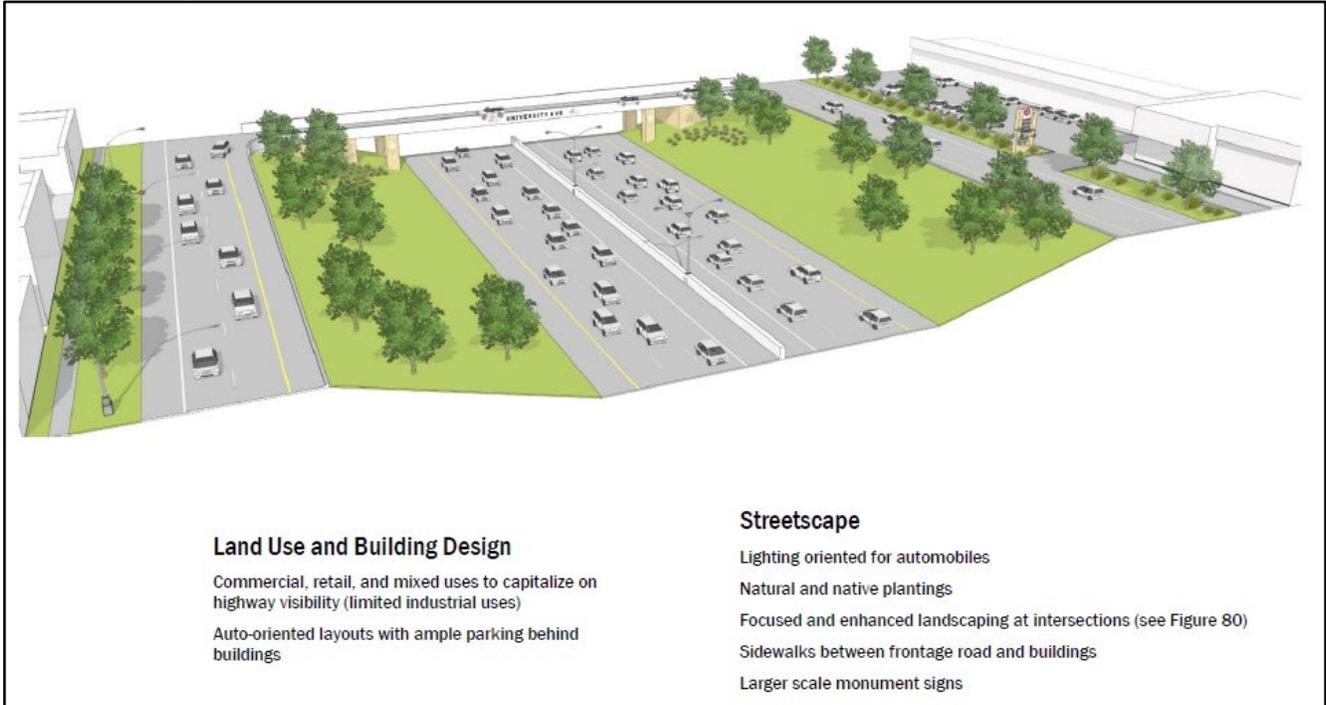
Primary Use: Advanced manufacturing, life sciences, and professional services.

Secondary Uses: Flex workspace, environmentally friendly manufacturing, retail, commercial, high-density residential, and mixed uses.

### Other Master Plans:

Due to the location of the subject property along Interstate 35 (IH-35), the property is also partially located within the Highway Corridor, one of the Image Corridors adopted as part of the 2030 Plan Updated. Highway Corridors are located along the City's major roadways with the highest traffic volumes and traffic speeds. Highway corridors include primarily auto-oriented, nonresidential development such as commercial, retail, office, and mixed-use to capitalize on highway visibility and access; however, industrial development is not appropriate within these corridors without significant screening and performance standards. Highway corridors are the most visible to residents and visitors

and project a positive image of Georgetown.



### Utilities

The subject property is located within the City's service area for water. The subject property does not have immediate access to wastewater collection lines and there is limited wastewater capacity. The applicant is requesting 157 acres to be rezoned to the Industrial zoning district, an intense use with high utility usage. Currently, this site would not support that use. Additionally, it is located within the Pedernales Electric Cooperative (PEC) service area for electric. A Utility Evaluation may be required at time of Site Development Plan to determine capacity and any utility improvements necessary to service the subject property would need to be made.

### Transportation

The subject property is located adjacent to IH-35 and SH-195 which are classified as Freeways/Frontage Road in the City's Overall Transportation Plan. Freeways are controlled access roadways that allow for the movement of traffic through and around the City. Additionally, CR 143 to the north of the subject property is deemed an existing Major Arterial roadway. Major Arterial streets provide traffic movement through and between different areas within the city and access to adjacent land uses. Major Arterials connect major traffic generators and land use concentrations and serve much larger traffic volumes over greater distances.

A Traffic Impact Analysis (TIA) will be required at time of Site Development Plan for any development that generates more than two thousand (2,000) average daily trips based upon the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.

### Proposed Zoning District

The property is proposed to be rezoned to General Commercial (C-3), High Density Multi-Family (MF-

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2), and Industrial (IN). The General Commercial zoning district is intended to provide a location for general commercial and retail activities that serve the entire community and its visitors. Uses may be large in scale and generate substantial traffic, making the C-3 District only appropriate along freeways and major arterials. Permitted uses in this district include, but are not limited to, Hotel (Full/Limited Service), Restaurant, Food Catering Services, Theater (movie or live), Membership Lodge or Club, Medical or Dental Office, Urgent Care Facility, General Office, General Retail, Agricultural Sales, Farmer's Market, Personal Services, Dry Cleaning Service (drop off only), Banking and Financial Services, Fitness Center, and Self-Storage (indoor).

The High Density Multifamily (MF-2) district is intended for attached multifamily residential development, such as apartments and condominiums, at a density not to exceed 24 dwelling units per acre. The MF-2 District is appropriate in areas designated on the Future Land Use Plan as high density residential or one of the mixed-use categories. Properties zoned MF-2 should have direct access to major thoroughfares and arterial streets and should not route traffic through lower density residential areas. Permitted uses in this district include, but are not limited to, Multifamily attached dwelling units, group home (7-15 residents), Assisted Living, Hospice Facility, Orphanage, and Rooming or Boarding House. The MF District is appropriate adjacent to both residential and non-residential districts and may serve as a transition between single-family districts and more intense commercial districts.

The Industrial (IN) district is intended to provide a location for manufacturing and industrial activities that may generate some nuisances. Traffic generation will likely include heavy vehicles, making access to an arterial or freeway necessary. Unless separated by a major roadway, the Industrial District is not appropriate adjacent to any residential uses. Permitted uses in this district include, but are not limited to, Contractor Services (General), movie production, printing and publishing, office/warehouse, warehousing and distribution (limited and general), asphalt or concrete batch plant, and recycling collection center.

### Intergovernmental and Interdepartmental Review

The proposed rezoning request was reviewed by all applicable City Departments to determine the appropriateness of the requested zoning on the subject property. No comments were issued regarding the zoning request.

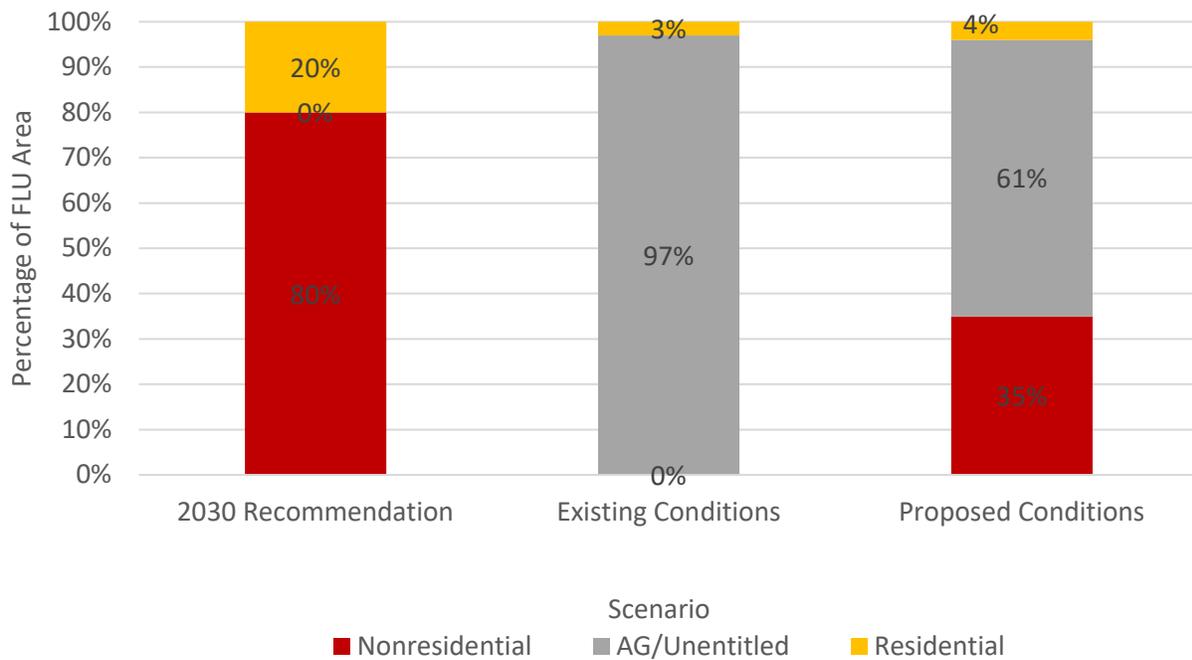
### Approval Criteria

Staff has reviewed the proposed rezoning request and has found that it meets 4 out of 5, and partially complies with 1 out of 5 with the criteria established in UDC Section 3.06.030 for a Zoning Map Amendment, as outlined below:

ZONING MAP AMENDMENT (REZONING) APPROVAL CRITERIA	
<b>1. The application is complete, and the information contained within the application is sufficient and correct enough to allow adequate review and final action.</b>	<b>Complies</b>
An application must provide the necessary information to review and make a knowledgeable decision for staff to schedule an application for consideration by the Planning and Zoning Commission and City Council. This application was reviewed by staff and deemed to be complete.	
<b>2. The zoning change is consistent with the Comprehensive Plan.</b>	<b>Complies</b>

**ZONING MAP AMENDMENT (REZONING) APPROVAL CRITERIA**

The 2030 Future Land Use Map designates the subject property as Employment Center. The Employment Center designation is intended for undeveloped land located at strategic locations. Uses encouraged within these centers may include advanced manufacturing, professional services, flex workspace, environmentally friendly manufacturing, retail, and restaurants. Specific uses such as retail and restaurants are intended to only be permitted when they support the primary use(s) of the Employment Center designation. The proposed uses of high-density residential, commercial, and industrial within the area are consistent within the Employment Center designation. The inclusion of moderate to high density residential, an approximate 18-acre node at the southernmost point of the property proposed as high-density multi-family (MF-2), is appropriate as a supporting use to an area of commerce and employment. The associated target ratio for the area states that 80% should be considered for non-residential and 20% considered for residential. The existing conditions are 3% residential uses and 97% agriculture or unentitled uses. The proposed development would increase the residential uses to 4%, increase nonresidential uses to 35% and the remainder would be 61% AG/Unentitled.



The property is also located within the Highway Corridor Overlay. Highway corridors include primarily auto-oriented, non-residential development such as commercial, retail, office, and mixed-use to capitalize on highway visibility and access. The applicant has proposed a linear stretch of commercial development (C-3) along the access road of IH-35 consisting of 42 acres which is consistent with the Highway Corridor guidance.

<p><b>3. The zoning change promotes the health, safety or general welfare of the City and the safe orderly, and healthful development of the City.</b></p>	<p><b>Complies</b></p>
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The proposed zoning districts, General Commercial (C-3) would be located adjacent to IH-35 frontage road and the proposed Industrial (IN) zoning district and High Density Multifamily (MF-2) would be adjacent to Agriculture (AG) zoned properties to the north and the west. The General Commercial District (C-3) is intended to provide a location for general commercial and retail activities that serve the entire community and its visitors. Uses may be large in scale and generate

**ZONING MAP AMENDMENT (REZONING) APPROVAL CRITERIA**

substantial traffic, making the C-3 District only appropriate along freeways and major arterials. The High-Density Multifamily District (MF-2) is intended for attached multifamily residential development, such as apartments and condominiums, at a density not to exceed 24 dwelling units per acre. High Density residential development is appropriate in areas designated on the Future Land Use Plan as Regional Center, Community Center and Employment Center. Properties zoned MF-2 should have direct access to major thoroughfares and arterial streets and should not route traffic through lower density residential areas. The MF-2 District is appropriate adjacent to both residential and non-residential districts and may serve as a transition between single-family districts and more intense commercial districts. Therefore, the proposed zoning of General Commercial (C-3) and High-Density Multi-Family (MF-2) in their proposed locations would be appropriate and will likely provide safe, orderly, and healthful development of the City. The Industrial District (IN) is intended to provide a location for manufacturing and industrial activities that may generate some nuisances. Traffic generation will likely include heavy vehicles, making access to an arterial or freeway necessary.

The applicant has provided for a transition in uses from the Multi-Family residential to the Industrial district via the incorporation of a General Commercial zoning district.

**4. The zoning change is compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood.**

**Partially Complies**

The subject property is in an undeveloped portion of the city currently surrounded by vacant land zoned Agriculture. In this regard, the proposed land uses would not conform to nearby property. However, the proposed rezoning request, should it be approved, does conform to the 2030 Comprehensive Plan Future Land Use. Therefore, if approved, this zoning request would lay the foundation of development for this portion of the City as envisioned by the Comprehensive Plan. The presence of the FEMA flood area Zone A identified as Open Space will likely decrease the buildable size of the proposed Industrial site and could act as a natural buffer to potential future low density residential development (Neighborhood Future Land Use designation) to the west. The proposed rezoning in relation to currently zoned nearby properties is suitable.

**5. The property to be rezoned is suitable for uses permitted by the District that would be applied by the proposed amendment.**

**Complies**

The guidance for the area by the Comprehensive Plan is to develop as an Employment Center. The applicant has reconfigured the site to create a manmade buffer in the form of extending the commercial use around the border of the multi-family development to ensure compatibility with the proposed High Density Multi-Family residential use. Additionally, the subject property is partially inundated by the FEMA Flood Area Zone A and would decrease buildable area on site without a Letter of Map Revision (LOMR) from FEMA.

## **Planning Department Staff Report**

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Based on the findings listed above, staff finds that the requested rezoning from Agriculture (AG) to General Commercial (C-3), High Density Multi-Family (MF-2), and Industrial (IN) are appropriate to locate within the future land use designation as Employment Center.

### **Meetings Schedule**

September 3, 2021 – Planning and Zoning Commission  
September 14, 2021 – City Council First Reading of the Ordinance  
September 28, 2021 – City Council Second Reading of the Ordinance

### **Public Notification**

As required by the Unified Development Code, all property owners within a 300-foot radius of the subject property and within the subdivision were notified of the Zoning Map Amendment request (14 notices), a legal notice advertising the public hearing was placed in the Sun Newspaper (August 1, 2021) and signs were posted on-site. To date, staff has received 0 written comments in favor, and 0 in opposition to the request.

### **Attachments**

Exhibit 1 – Location Map  
Exhibit 2 – Future Land Use Map  
Exhibit 3 – Zoning Map  
Exhibit 4 – Design and development standards of the C-3, IN, and MF-2 districts.  
Exhibit 5 – Letter of Intent