



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final Planning and Zoning Commission

Tuesday, April 14, 2020

6:00 PM

Due to COVID-19, this will be a virtual meeting. For more information on how to observe the virtual meeting, please visit: <http://sanmarcostx.gov/541/PZ-Video-Archives>

I. Call To Order

II. Roll Call

III. Chairperson's Opening Remarks

EXECUTIVE SESSION

NOTE: The Planning and Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session.

IV. 30 Minute Citizen Comment Period

Persons wishing to comment during the citizen comment period must submit their written comments to planninginfo@sanmarcostx.gov no later than 1:00 p.m. on the day of the meeting. Timely submitted comments will be read aloud during the citizen comment portion of the meeting. Comments shall have a time limit of three minutes each. Any threatening, defamatory or other similar comments prohibited by Chapter 2 of the San Marcos City Code will not be read.

CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of February 25, 2020.
2. PC-20-04 (Riverstone) Consider a request by Steven Buffum, on Behalf of Inayat Fidai, for approval of a Final Plat of the Riverstone multifamily subdivision, consisting of approximately 17.61 acre, more or less, out of the Juan M Veramendi Survey No. 1, located at 1428 Wonder World Drive. (W. Parrish)
3. PC-20-01 (Cottonwood Creek Phase 3 Units 6 & 7) Consider a request by Pape-Dawson Engineers, on behalf of Continental Homes of Texas, LP, to approve the Preliminary Plat, consisting of approximately 31.063 acres, more or less, out of the Farnam Frye Survey. (T. Carpenter)

PUBLIC HEARINGS

Interested persons may join and participate in any of the Public Hearing items (4-11) by:

- 1) Sending written comments, to be read aloud*; or*
- 2) Requesting a link to speak during the public hearing portion of the virtual meeting, including which item you wish to speak on*.*

**Written comments or requests to join in a public hearing must be sent to planninginfo@sanmarcostx.gov no later than 1:00 p.m. on the day of the hearing. Comments shall have a time limit of three minutes each. Any threatening, defamatory or other similar comments prohibited by Chapter 2 of the San Marcos City Code will not be read. Any additional information regarding this virtual meeting may be found at the following link: <http://sanmarcostx.gov/541/PZ-Video-Archives>*

4. PC-20-05 (Genlyte Industrial Park Replat) Hold a public hearing and consider a request by Ed Theriot, on behalf of Joseph Joyce, LLC, for approval of a replat of Genlyte Industrial Park, consisting of approximately 38.11 acres located 1611 Clovis Barker Road. (T. Carpenter)
5. CUP-20-03 (Rollin' Bowl) Hold a public hearing and consider a request from 99 Rollin' Bowl Inc., for a renewal of a Conditional Use Permit for the sale of beer and wine for on-premise consumption, located at 1285 South IH 35 Suite 103. (W. Parrish)
6. CUP-20-08 (54th Street Restaurant & Bar) Hold a public hearing and consider a request by 54th Street Restaurant & Drafthouse for a renewal of a Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 1303 South IH 35. (S. Caldwell)
7. CUP-20-07 (Toro Ramen & Poke Barn) Hold a public hearing and consider a request by Toro Tanaka for a renewal of a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 700 North LBJ Drive, Suite 114. (S. Caldwell)
8. CUP-20-05 (North Street Beer Bar) Hold a public hearing and consider a request by North Street Inc. for a renewal of a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 216 North Street (S. Caldwell)
9. CUP-20-06 (The Davenport) Hold a public hearing and consider a request by Stamper Family LLC for a new Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 194 South Guadalupe Street (S. Caldwell).
10. SCW-20-01 (Waterstone Warrants) Hold a public hearing and consider a request by Blake Reed, on behalf of TACK Development & LaSalle Holdings for 12 SmartCode Warrants that allow deviation from SmartCode (SC) Zoning for a +/- 648 acre site out of the William Hemphil Survey (A. Hernandez)
11. AC-19-05 (Grant Harris) Hold a public hearing and consider a request by Angel Hernandez for an Alternative Compliance to Section 3.6.3.1(A) of the San Marcos Development Code, to allow the subdivision of a property into two lots which do not have frontage on a public street, located at 1070 Grant Harris Road. (W. Parrish)

NON-CONSENT AGENDA

- 12. PC-19-53 (Grant Harris) Consider a request by Angel Hernandez for approval of a replat of Lot 7, Grant Harris Subdivision, which is approximately 4.57 acres, more or less, into 2 residential lots, each approximately 2.28 acres, more or less, located in the Antonio M. Esnaurizar Survey No. 6, Hays County, known 1070 Grant Harris Road. (W. Parrish)
- 13. Receive a presentation and update on the following semi -annual Preferred Scenario Map Amendment application(s):
 - PSA-20-02 (Riverbend Ranch) - Request to amend the Preferred Scenario Map from "Area of Stability-Low Intensity" to "Growth Area-Medium Intensity" for +/- 1,142 acres of land, located approximately at the intersection of North Old Bastrop Highway and Staples Road.
- 14. Receive a staff presentation of the 2021-2030 Capital Improvement Program.
- 15. Election of the following officers:
 - a. Planning and Zoning Commission Chair
 - b. Planning and Zoning Commission Vice Chair

V. Question and Answer Session with Press and Public.

This is an opportunity for the Press and Public to ask questions related to items on this agenda.

VI. Adjournment

Notice of Assistance at the Public Meetings

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 512-393-8074 or sent by e-mail to ADArequest@sanmarcostx.gov

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____ day of _____

Title:



Legislation Text

File #: ID#20-137(p), **Version:** 1

AGENDA CAPTION:

Consider approval of the minutes of the regular meeting of February 25, 2020.

Meeting date: April 14, 2020

Department: Planning & Zoning Commission

Amount & Source of Funding

Funds Required: Click or tap here to enter text.

Account Number: Click or tap here to enter text.

Funds Available: Click or tap here to enter text.

Account Name: Click or tap here to enter text.

Fiscal Note:

Prior Council Action: Click or tap here to enter text.

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

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 - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services
- Not Applicable

File #: ID#20-137(p), **Version:** 1

Master Plan: *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

Background Information:

Click or tap here to enter text.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Click or tap here to enter text.



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Draft Planning and Zoning Commission

Tuesday, February 25, 2020

6:00 PM

City Council Chambers

630 East Hopkins St.

I. Call To Order

With a quorum present the regular meeting of the San Marcos Planning and Zoning Commission was called to order by Chair Garber at 6:00 p.m. on Tuesday, February 25, 2020 in the City Council Chamber of the City of San Marcos, City Hall, 630 East Hopkins St., San Marcos, Texas.

II. Roll Call

- Present** 8 - Commissioner Jim Garber, Commissioner Mark Gleason, Commissioner Matthew Haverland, Commissioner Kate McCarty, Commissioner Betseygail Rand, Commissioner Gabrielle Moore, Commissioner Travis Kelsey, and Commissioner William Agnew
- Excused** 1 - Commissioner Mike Dillon

III. Chairperson's Opening Remarks

EXECUTIVE SESSION

IV. 30 Minute Citizen Comment Period

Shay Pfeifer spoke about items ZC-20-02 and ZC-20-05. She expressed concerns about the economic impact on property value, safety of the neighborhood, integrity of SF-6 zoning, traffic, and the impact of the school which already had a high teacher to student ratio.

CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of January 28, 2020.
2. PC-18-40_03 (La Cima, Phase 2, Section A) Consider a request by Doucet & Associates, on behalf of Lazy Oaks Ranch, LP, to approve a Final Plat for 33.853 acres, more or less, out of the John Williams Survey, Abstract No. 490, and the William Smithson Survey, Abstract No. 419, generally located west of the intersection of Old Ranch Road 12 and Wonder World Drive (A.Brake)
3. PC-19-34 (La Cima, Phase 2, Section B) Consider a request by Doucet & Associates, on behalf of Lazy Oaks Ranch, LP, to approve a Final Plat for 55.831 acres, more or less, out of the John Williams Survey, Abstract No. 490, the Patrick McGreal Survey, Abstract No. 308, and

the William Smithson Survey, Abstract No. 419, generally located west of the intersection of Old Ranch Road 12 and Wonder World Drive (A.Brake)

4. PC-19-65 (Cottonwood Creek, Phase 3, Unit 4) Consider a request by Pape-Dawson Engineers, on behalf of Continental Homes of Texas LP, for approval of a Final Plat for approximately 12.945 acres, more or less, out of the Farnam Frye and J.F. Geister Surveys, located at the intersection of Rattler Road and Adler Way. (T. Carpenter)

A motion was made by Commissioner Gleason, seconded by Commissioner Kelsey, that the Consent Agenda be approved. The motion carried by the following vote:

For: 8 - Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore, Commissioner Kelsey and Commissioner Agnew

Against: 0

Excused: 1 - Commissioner Dillon

PUBLIC HEARINGS

5. ZC-20-03 (Sportsplex) Hold a public hearing and consider a request by Ed Theriot, on behalf of Outlet West Investors, Ltd., for a zoning change from "FD" Future Development and "GC," General Commercial to "PA," Planning Area District, for approximately 62.48 acres, more or less, out of the Edward Burleson Survey, generally located at the intersection of Commercial Loop and Gregsons Bend. (T. Carpenter)

Chair Garber opened the Public Hearing.

Tory Carpenter, Planner, gave an overview of the request.

Ed Theriot, 5395 Hwy 183 N., Lockhart, TX, spoke in favor of the item. He mentioned there are other uses planned for the property that would compliment the Sportsplex, such as a residential mix, hotel and entertainment facilities.

Chair Garber closed the Public Hearing.

Discussion ensued.

A motion was made by Commissioner Kelsey, seconded by Commissioner Moore, that ZC-20-03 (Sportsplex) be approved. The motion carried by the following vote:

For: 8 - Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore, Commissioner Kelsey and Commissioner Agnew

Against: 0

Excused: 1 - Commissioner Dillon

6. ZC-20-04 (Mystic Canyon) Hold a public hearing and consider a request by Bill E. Couch, on behalf of Kali Kate Services Inc., for a zoning change from "FD" Future Development, to "SF-6" Single Family, for approximately 0.999 acres, more or less, out of the Benjamin J. White and Robert H. Williams Surveys, generally located near the intersection of Lancaster Street and Sunderland Cove. (T. Carpenter)

The item was postponed to a future meeting.

A motion was made by Commissioner Gleason, seconded by Commissioner McCarty, that ZC-20-04 (Mystic Canyon) be postponed. The motion carried by the following vote:

For: 7 - Commissioner Garber, Commissioner Gleason, Commissioner McCarty, Commissioner Rand, Commissioner Moore, Commissioner Kelsey and Commissioner Agnew

Against: 0

Recused: 1 - Commissioner Haverland

Excused: 1 - Commissioner Dillon

7. ZC-20-02 (Vantage 1) Hold a public hearing and consider a request by Vantage at San Marcos, on behalf of Mohnke Poor Farm, LLC, for a zoning change from "FD" Future Development to "CD-3" Character District 3, for approximately 12.5 acres, more or less, out of the J.F. Geister Survey, No 6 and No 7, Hays County, generally located north of the intersection of Highway 123 and Monterey Oak Drive. (W. Parrish)

Chair Garber opened the Public Hearing.

Will Parrish, Planner, gave an overview of the request.

Chris Weigand, applicant, 7334 Blanco Rd., Ste. 200, San Antonio, TX, gave a presentation regarding the request.

William Selvege, 510 Brazoria Trl., expressed concerns about a proposed road that is going through the community. He said not many people knew about it, but that it will change traffic patterns. He also expressed safety and security concerns that the road may bring.

Bob Neuenfeldt, 418 Brazoria Trl., said that the map looks like it has three more cut-ins onto Hwy 123 before Old Bastrop Rd., and it looks like it's going to slow down traffic going north bound, which is concerning for him.

Chair Garber closed the Public Hearing.

Discussion ensued.

A motion was made by Commissioner Kelsey, seconded by Commissioner McCarty, that ZC-20-02 (Vantage 1) be recommended for denial. The motion failed by the following vote:

For: 3 - Commissioner Gleason, Commissioner McCarty and Commissioner Kelsey

Against: 5 - Commissioner Garber, Commissioner Haverland, Commissioner Rand, Commissioner Moore and Commissioner Agnew

Excused: 1 - Commissioner Dillon

A motion was made by Commissioner Moore, seconded by Commissioner Gleason, that ZC-20-02 (Vantage 1) be recommended for approval. The motion carried by the following vote:

For: 5 - Commissioner Garber, Commissioner Haverland, Commissioner Rand, Commissioner Moore and Commissioner Agnew

Against: 3 - Commissioner Gleason, Commissioner McCarty and Commissioner Kelsey

Excused: 1 - Commissioner Dillon

8. ZC-20-05 (Vantage 2) Hold a public hearing and consider a request by Vantage at San Marcos, on behalf of Mohnke Poor Farm, LLC, for a zoning change from "FD" Future Development to "CD-4" Character District 4, for approximately 18.5 acres, more or less, out of the J.F. Geister Survey, No 6 and No 7, Hays County, generally located north of the intersection of Highway 123 and Monterey Oak Drive. (W. Parrish)

Chair Garber opened the Public Hearing.

Will Parrish, Planner, gave an overview of the request.

Chris Weigand, applicant, 7334 Blanco Rd. Ste. 200, San Antonio, TX gave a presentation regarding the request.

Bob Neuenfeldt, 418 Brazoria Trl., said he understands the need for affordable housing, but has traffic concerns.

Barbara Selvege, 510 Brazoria Trl., said she doesn't see why more apartments are necessary. She said Hwy 123 cannot handle all of the traffic. She also expressed safety concerns for the children with the additional traffic. She said there's one middle school, and one high school that are already full with students.

Chair Garber closed the Public Hearing.

Discussion ensued.

A motion was made by Commissioner Gleason, seconded by Commissioner

Haverland, that ZC-20-05 (Vantage 2) be approved. The motion carried by the following vote:

For: 5 - Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner Rand and Commissioner Moore

Against: 3 - Commissioner McCarty, Commissioner Kelsey and Commissioner Agnew

Excused: 1 - Commissioner Dillon

9. AC-20-01 (CD-4 Lot Width) Hold a public hearing and consider a request from Vantage at San Marcos for an Alternative Compliance to the maximum lot width requirements in Section 4.4.3.4 of the Development Code relating to a proposed apartment development located near the intersection of Old Bastrop Highway and Highway 123, Hays County, Texas. (W. Parrish)

Chair Garber opened the Public Hearing.

Will Parrish, Planner, gave an overview of the request.

Chris Weigand, applicant, 7334 Blanco Rd., Ste. 200, San Antonio, TX, gave a presentation regarding the request.

Chair Garber closed the Public Hearing.

Discussion ensued.

A motion was made by Commissioner Gleason, seconded by Commissioner McCarty, that AC-20-01 (CD-4 Lot Width) be approved with the following conditions: 1.) This Alternative Compliance applies to Apartment Building Types constructed on the subject property. All other Building Types shall follow the regulations outlined in the Development Code; 2.) There shall be no trash dumpsters located within 100 feet of any property line adjoining property zoned Character District-3 or property that is outside City Limits; 3.) Alternative Compliance is contingent on CD-4 zoning request approval; and 4.) This Alternative Compliance shall not expire. The motion carried by the following vote:

For: 7 - Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

Against: 1 - Commissioner Agnew

Excused: 1 - Commissioner Dillon

10. AC-20-02 (Block Development in Excess of 50%) Hold a public hearing and consider a request from Vantage at San Marcos for an Alternative Compliance to the access and stub streets standards in Section 3.6.4.1(D)3 of the Development Code relating to a proposed apartment development located near the intersection of Old Bastrop Highway and Highway 123, Hays County, Texas. (W. Parrish)

Chair Garber opened the Public Hearing.

Will Parrish, Planner, gave an overview of the request.

Chris Weigand, applicant, 7334 Blanco Rd., Ste. 200, San Antonio, TX, gave a presentation regarding the request.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Gleason, seconded by Commissioner Haverland, that AC-20-02 (Block Development in Excess of 50%) be approved with the following conditions: 1.) This Alternative Compliance is contingent approval of the CD-4 zoning change request being approved; and 2.) This Alternative Compliance shall not expire. The motion carried by the following vote:

For: 8 - Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore, Commissioner Kelsey and Commissioner Agnew

Against: 0

Excused: 1 - Commissioner Dillon

11. CUP-20-04 (Green Mesquite BBQ) Hold a public hearing and consider a request by Green Mesquite BBQ for a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 200 Springtown Way, Ste. 124. (W. Parrish).

Chair Garber opened the Public Hearing.

Will Parrish, Planner, gave an overview of the request.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner McCarty, seconded by Commissioner Gleason, that CUP-20-04 (Green Mesquite BBQ) be approved with the following conditions: 1.) Permit shall be valid for one (1) year, provided standards are met; 2.) There shall be no outdoor amplified music; 3.) The permit shall be effective upon the issuance of a Certificate of Occupancy. and 4.) The permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 8 - Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore, Commissioner Kelsey and Commissioner Agnew

Against: 0

Excused: 1 - Commissioner Dillon

V. Question and Answer Session with Press and Public.

There were no questions from the Press or Public.

VI. Adjournment

The meeting was adjourned at 9:12 p.m.

Notice of Assistance at the Public Meetings

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____ day of _____

_____ Title:



Legislation Text

File #: PC-20-04, Version: 1

AGENDA CAPTION:

PC-20-04 (Riverstone) Consider a request by Steven Buffum, on Behalf of Inayat Fidai, for approval of a Final Plat of the Riverstone multifamily subdivision, consisting of approximately 17.61 acre, more or less, out of the Juan M Veramendi Survey No. 1, located at 1428 Wonder World Drive. (W. Parrish)

Meeting date: April 14, 2020

Department: Planning and Development Services

Amount & Source of Funding

Funds Required: NA
Account Number: NA
Funds Available: NA
Account Name: NA

Fiscal Note:

Prior Council Action: NA

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

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 - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services

Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

This development is Low Income Housing Tax Credit (LIHTC) multifamily project that was approved by City Council in May of 2019.

The project is proposing 336 units, and requesting a fee in lieu of parkland dedication. The fee in lieu required for this project is approximately \$106,512, which requires Parks Board approval. The Parks Board meeting where this request will be considered is scheduled on April 9, 2020.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Staff has reviewed the request and determined it meets all code requirements with the exception of the requirement that Parks Board approve the requested Parkland Dedication fee in lieu. Staff recommends **approval** of the request on the following condition:

1. The Parks Board approves the proposed Parkland Dedication fee in lieu at their next meeting.

| | |
|---------------------|---|
| Plat – Final | Riverstone 1428 Wonder World Drive |
| PC-20-04 | |



Summary

| | | | |
|---------------------------|--|--------------------------|--|
| Request: | Consider a request to for a Final Plat of approximately 17.61 acres. | | |
| Applicant: | Steven Buffum 9050 N. Capitol of Texas Hwy. Bldg. 3 Ste. 390 Austin, TX 78759 | Property Owner: | Inayat Fidai 11500 Citrus Grove Austin, TX 78750 |
| Parkland Required: | Fee in lieu | Utility Capacity: | To be supplied by Developer |
| Accessed from: | Wonder World Drive | New Street Names: | Crystal River Parkway, Riverstone Drive |

Notification

| | | | |
|---------------------|-------------------------------------|------------------------------|-----|
| Application: | N/A | Neighborhood Meeting: | N/A |
| Published: | N/A | # of Participants: | N/A |
| Posted: | N/A | Personal: | N/A |
| Response: | None as of the date of this report. | | |

Property Description

| | | | |
|---------------------------|-------------------------|----------------------------|---------------------|
| Location: | 1428 Wonder World Drive | | |
| Acreage: | 17.61 +/- | PDD/DA/Other: | Resolution 2019-094 |
| Existing Zoning: | MF-24 | Preferred Scenario: | Medium Intensity |
| Proposed Use: | Multifamily | | |
| CONA Neighborhood: | Cottonwood Creek | Sector: | 5 |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|---------------|--------------------------|---------------------------|
| North of Property: | MF-24 | Residential | Medium Intensity |
| South of Property: | FD | Vacant | Medium Intensity |
| East of Property: | ETJ | Vacant | Medium Intensity |
| West of Property: | MF-24 /FD | Residential / Vacant | Medium Intensity |

Staff Recommendation

| | | | | | |
|---|------------------------------|--------------------------|--------------------------------------|----------------------------|--------|
| <input checked="" type="checkbox"/> | Approval as Submitted | <input type="checkbox"/> | Approval with Conditions / Alternate | <input type="checkbox"/> | Denial |
| Staff has reviewed the request and recommends approval on the following condition: | | | | | |
| 1. The Parks Board approves the proposed Parkland Dedication fee in lieu at their next meeting. | | | | | |
| Staff: Will Parrish AICP, CNU-A | | Title : Planner | | Date: April 8, 2020 | |

Plat – Final

Riverstone

PC-20-04

1428 Wonder World Drive



History

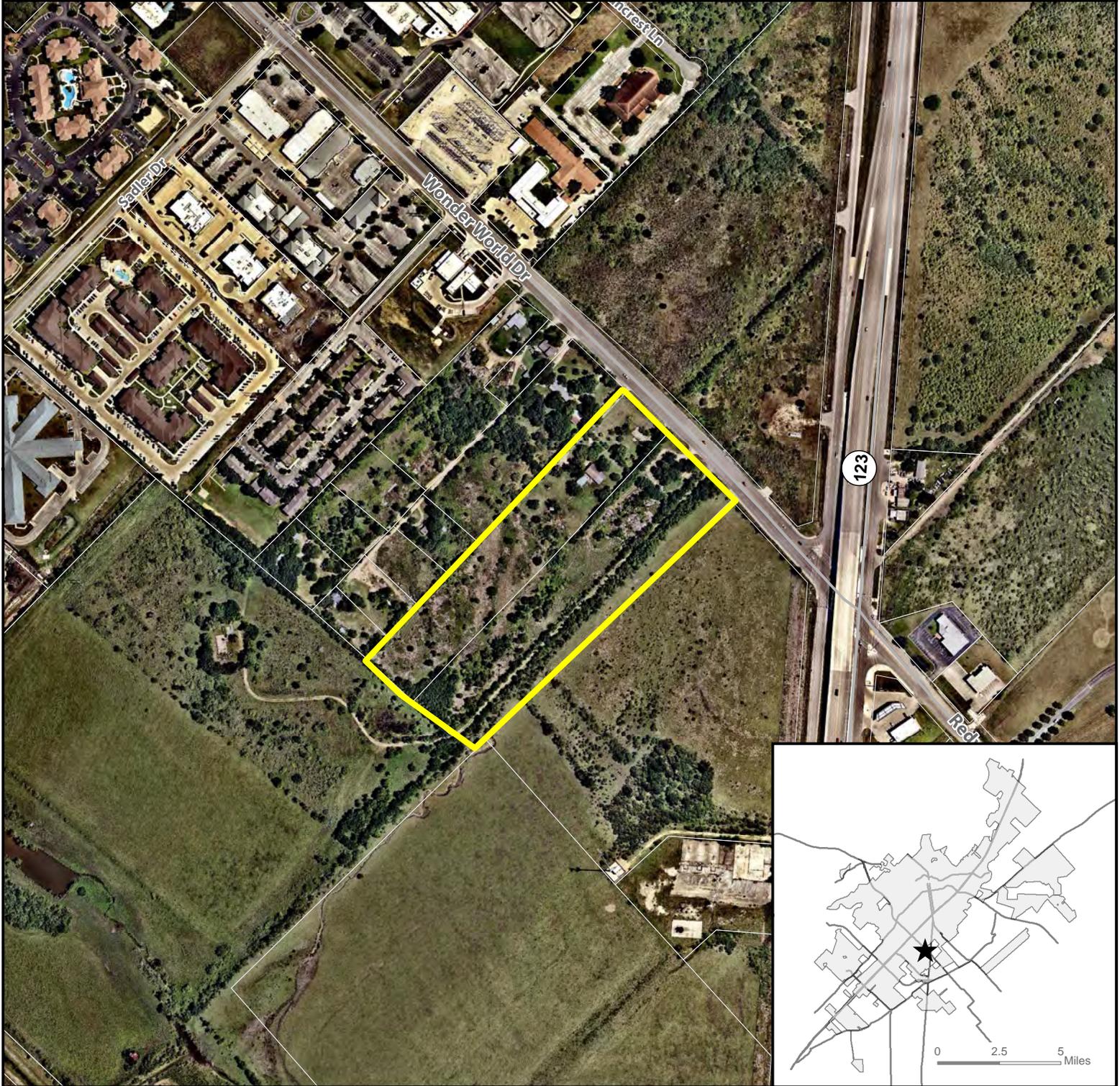
This development is Low Income Housing Tax Credit (LIHTC) multifamily project that was approved by City Council in May of 2019.

Additional Analysis

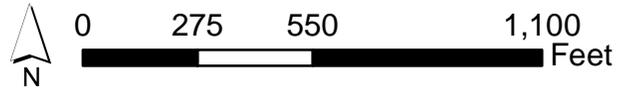
The project is proposing 336 units, and requesting a fee in lieu of parkland dedication. The fee in lieu required for this project is approximately \$106,512, which requires Parks Board approval. The Parks Board meeting where this request will be considered is scheduled on April 9, 2020. Staff has reviewed the request and determined it will meet all code requirements once the Parks Board approves the requested Parkland Dedication fee in lieu.

| Evaluation | | | Criteria for Approval (Sec.3.2.3.4) |
|------------|--------------|------------|---|
| Consistent | Inconsistent | Neutral | |
| | | <u>X</u> | The plat is consistent with all zoning requirements for the property, and any approved development agreement; <i>If the Parkland Dedication fee in lieu request is approved, this request will meet the subdivision requirements.</i> |
| <u>X</u> | | | The plat conforms to the approved Watershed Protection Plan (Phase 1); |
| | | <u>X</u> | The proposed provision and configuration of roads, water, wastewater, drainage and park facilities conform to the master facilities plans for the facilities, including without limitation the water facilities, wastewater facilities, transportation, drainage and other master facilities plans; <i>If the Parkland Dedication fee in lieu request is approved, this request will meet the subdivision requirements.</i> |
| | | <u>X</u> | The proposed provision and configuration of roads, water, wastewater, drainage and park facilities, and easements and rights-of-way are adequate to serve the subdivision and meet applicable standards of Chapters 6 and 7 of this Land Development Code; and <i>If the Parkland Dedication fee in lieu request is approved, this request will meet the subdivision requirements.</i> |
| | | <u>N/A</u> | The plat meets any county standards to be applied under an interlocal agreement between the City and a county under Tex. Loc. Gov't Code Ch. 242, where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and in the county. |

PC-20-04 Riverstone Aerial Map



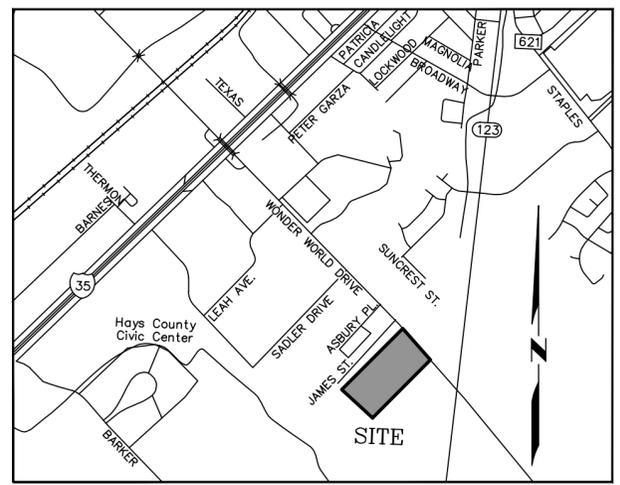
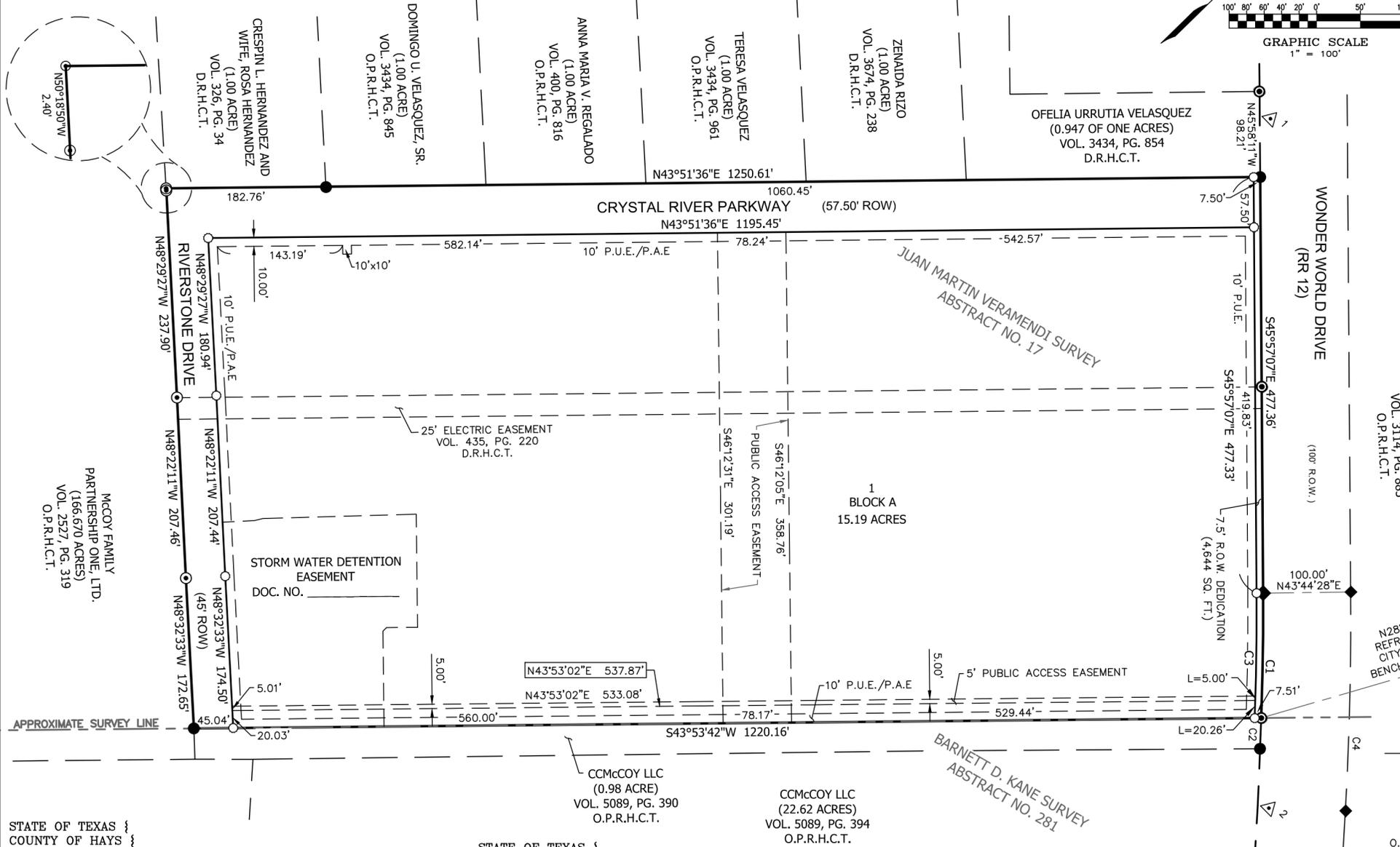
-  **Site Location**
-  **Subject Property**
-  **Parcel**
-  **City Limit**



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 3/16/2020

| Point # | Raw Description | Northing | Easting | Elevation |
|---------|-----------------|-------------|------------|-----------|
| 1 | CP NAIL | 13859384.55 | 2303615.40 | 653.32 |
| 2 | CP MAG | 13858829.31 | 2304178.80 | 643.34 |



VICINITY MAP
(NOT TO SCALE)

OWNER:
LOT 1: WW MULTIFAMILY L.P.
ADDRESS: 11500 CITRUS COVE
AUSTIN, TX. 78750
PHONE: 512-
ACREAGE: 17.61 ACRES
PATENT SURVEY: JUAN MARTIN VERAMENDI SURVEY
ABSTRACT NO. 17

CRYSTAL RIVER PARKWAY 1227 LINEAR FEET
RIVERSTONE DRIVE 592 LINEAR FEET

NUMBER OF LOTS: 1
NUMBER OF BLOCKS: 1
ACREAGE BY LOT TYPE: 15.19 ACRES
LINEAR FEET OF NEW STREETS: 1,819 LINEAR FEET
(2.31 ACRES)
R.O.W. DEDICATION: 4,644 SQ. FT. (0.11 AC.)

SURVEYOR: LANDESIGN SERVICES, INC.
10090 W HIGHWAY 29
LIBERTY HILL, TEXAS 78642
PHONE: 512-238-7901
TBPELS FIRM NO. 10001800

ENGINEER: COSTELLO
1016 LA POSADA DRIVE SUITE 288
AUSTIN, TX 78752
512-646-3456
TBPE FIRM NO. F-280

LEGEND

- TX.D.O.T. TYPE I MONUMENT FOUND
- 1/2" REBAR FOUND (OR AS NOTED)
- 1/2" REBAR WITH CAP MARKED "ALLSTAR" FOUND (OR AS NOTED)
- IRON REBAR WITH CAP SET (1/2" STAMPED "LANDESIGN")
- 1/2" PIPE FOUND (OR AS NOTED)
- CONTROL POINT SET
- OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
- DEED RECORDS OF HAYS COUNTY, TEXAS
- P.U.E. PUBLIC UTILITY EASEMENT

STATE OF TEXAS }
COUNTY OF HAYS }

THAT WW MULTIFAMILY L.P., ACTING BY AND THROUGH WW MULTIFAMILY LP GENERAL PARTNER WW VENTURES LLC, A LIMITED LIABILITY COMPANY, BEING THE OWNER OF THAT CERTAIN 5.07 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 18044838, A 3.97 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 19003204, A 0.721 OF ONE ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 18018506, A 0.72 OF ONE ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 19000411, A 0.72 OF ONE ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 18043704, A 0.72 OF ONE ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 18043701 AND A 4.86 ACRE TRACT OF LAND AS RECORDED IN DOCUMENT NO. 19012540 ALL OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, ALL OUT OF THE JUAN MARTIN VERAMENDI SURVEY, ABSTRACT NO. 17, SITUATED IN HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID LOT AS SHOWN HEREON, AND DO HEREBY CONSENT TO THE PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO INTEND DEDICATE TO THE CITY OF SAN MARCOS MAY DEEM APPLICABLE. THIS SUBDIVISION IS TO BE KNOWN AS:

STATE OF TEXAS }
COUNTY OF HAYS }

I, STEVEN BUFFUM, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS DO HEREBY CERTIFY THAT THIS SUBDIVISION IS NOT IN THE EDWARDS AQUIFER RECHARGE ZONE, NOR IS IT IN THE BARTON SPRINGS SEGMENT OF THE EDWARDS AQUIFER RECHARGE ZONE; AND IS LOCATED IN ZONE "X" FLOOD AREA, AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NO. 48209C0477F, DATED SEPTEMBER 2, 2005 FOR HAYS COUNTY, TEXAS.

STEVEN BUFFUM, P.E. DATE
REGISTERED PROFESSIONAL ENGINEER NO. 115531
1016 LA POSADA DRIVE
SUITE 288
AUSTIN, TEXAS 78752
TBPE REG. NO. F-280

GENERAL NOTES:

THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83 - 2011 ADJUSTMENT), SOUTH CENTRAL ZONE (4204).

DISTANCES AND AREAS SHOWN HEREON ARE SURFACE VALUES REPRESENTED IN U.S. SURVEY FEET BASED ON A GRID-TO-SURFACE COMBINED ADJUSTMENT FACTOR OF 1.00012287.

ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (GEOID 12B).

- PLAT NOTES
- NO PORTION OF THIS SUBDIVISION LIES WITH THE EDWARDS AQUIFER RECHARGE ZONE OR THE SAN MARCOS RIVER CORRIDOR.
 - NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE 100 YEAR FLOOD PLAIN AS DELINEATED ON HAYS COUNTY F.J.R.M PANEL NO. 48209C0477F, DATED SEPTEMBER 2, 2005 FOR HAYS COUNTY.
 - THIS SUBDIVISION LIES WITHIN THE FOLLOWING JURISDICTION: SAN MARCOS I.S.D.
 - WATER SUPPLY FOR THIS SUBDIVISION IS PROVIDED BY THE CITY OF SAN MARCOS UTILITIES.
 - WASTEWATER TREATMENT FOR THIS SUBDIVISION IS PROVIDED BY THE CITY OF SAN MARCOS UTILITIES.
 - ELECTRICITY FOR THIS SUBDIVISION IS PROVIDED BY THE CITY OF SAN MARCOS UTILITIES.
 - TELEPHONE FOR THIS SUBDIVISION IS PROVIDED BY
 - SIDEWALKS WILL BE REQUIRED AT THE TIME OF DEVELOPMENT.
 - THIS SUBDIVISION LIES WITHIN THE CITY LIMITS OF THE CITY OF SAN MARCOS AND IS SUBJECT TO ITS ORDINANCES.
 - BUILDING SETBACK LINES PER THE CITY OF SAN MARCOS ZONING ORDINANCES.
 - THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83 - 2011 ADJUSTMENT), SOUTH CENTRAL ZONE (4203).
 - DISTANCES AND AREAS SHOWN HEREON ARE SURFACE VALUES REPRESENTED IN U.S. SURVEY FEET BASED ON A GRID-TO-SURFACE COMBINED ADJUSTMENT FACTOR OF 1.00012287.
 - ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (GEOID 12B).
 - WATER QUALITY BUFFER ZONES HAVE BEEN ESTABLISHED ON THIS PROPERTY. REFER TO CITY OF SAN MARCOS LAND DEVELOPMENT CODE.
 - POND ON LOT 1 PROVIDES DETENTION FOR LOT 1 BLOCK AT THE ROW AS SHOWN ON THIS PLAT OF RIVERSTONE DRIVE AND CRYSTAL RIVER PARKWAY.

CITY OF SAN MARCOS CERTIFICATE OF APPROVAL

APPROVED, AND AUTHORIZED TO BE RECORDED ON THE ____ DAY OF _____, 20__ A.D. BY THE DIRECTOR OF THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT OF THE CITY OF SAN MARCOS.

DIRECTOR OF DEVELOPMENT SERVICES

CIP AND ENGINEERING

RECORDING SECRETARY

PLANNING & ZONING COMMISSION CHAIRMAN

STATE OF TEXAS }
COUNTY OF HAYS }

I, ELAINE H. CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF _____, 20__ A.D. AT ____ O'CLOCK __M., DULY RECORDED ON THE ____ DAY OF _____, 20__ A.D. AT ____ O'CLOCK __M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN INSTRUMENT NO. _____.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL OF THE OFFICE OF COUNTY CLERK, THIS ____ DAY OF _____, 20__ A.D.

ELAINE H. CARDENAS, COUNTY CLERK
HAYS COUNTY, TEXAS

RIVERSTONE SUBDIVISION

TO CERTIFY WHICH, WITNESS TO MY HAND THIS ____ DAY OF _____, 2019

WW MULTIFAMILY L.P.

THE STATE OF TEXAS }
COUNTY OF HAYS }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__ BY _____ ON BEHALF OF SAID LIMITED LIABILITY COMPANY.

NOTARY PUBLIC - STATE OF TEXAS

| Curve # | Radius | Length | Delta | Chord Bearing | Chord |
|---------|----------|---------|----------|---------------|---------|
| C1 | 3769.72' | 143.32' | 2°10'42" | S44° 40' 53"E | 143.31' |
| C2 | 3769.72' | 35.34' | 0°32'14" | S43° 19' 25"E | 35.34' |
| C3 | 3223.90' | 143.35' | 2°32'51" | S44° 40' 42"E | 143.33' |
| C4 | 3869.72' | 250.68' | 3°42'42" | S44° 09' 19"E | 250.64' |

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

TRAVIS S. TABOR, R.P.L.S. NO. 6428 DATE
LANDESIGN SERVICES, INC.
10090 W HIGHWAY 29
LIBERTY HILL, TEXAS 78642
(512) 238-7901
FIRM REGISTRATION NO. 10001800



RIVERSTONE SUBDIVISION FINAL PLAT

| REVISIONS | DATE | DESCRIPTION |
|-----------|----------|------------------------------|
| | 10/08/19 | ADDED R.O.W. |
| | 02/11/20 | ADDED R.O.W. DEDICATION |
| | 03/02/20 | ADDED PUBLIC ACCESS EASEMENT |
| | 03/27/20 | ADDED 10x10' P.U.E./PAE |

PROJECT NAME: RIVERSTONE
JOB NUMBER: 19-025
DATE: 07/23/2019 SCALE: 1" = 100'
DRAWING FILE PATH: L:\19025 - RIVERSTONE\CADD\DWGS\RIVERSTONE PLAT.DWG
FIELDNOTE FILE PATH: N/A
RPLS: TST TECH: HAS PARTYCHIEF: AG
CHECKED BY: TST FIELDBOOK: N/A

DRAWING NAME: RIVERSTONE PLAT

SHEET 01 of 01

FINAL SUBDIVISION / DEVELOPMENT PLAT APPLICATION

Updated: October, 2019



CONTACT INFORMATION

| | | | |
|------------------|--|-----------------|--|
| Applicant's Name | | Property Owner | |
| Company | | Company | |
| Mailing Address | | Mailing Address | |
| Phone # | | Phone # | |
| Email | | Email | |

PROPERTY INFORMATION

Proposed Subdivision Name: _____

Subject Property Address or General Location: _____

Acres: _____ Tax ID #: R_____

Located in: City Limits Extraterritorial Jurisdiction (County)

DESCRIPTION OF REQUEST

Type of Plat: Final Subdivision Plat Final Development Plat

Current Number of Lots: _____ Current Land Use: _____

Proposed Number of Lots: _____ Proposed Land Use: _____

AUTHORIZATION

I certify that the information on this application is accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$1,321 plus \$100 per acre

Technology Fee \$13

MAXIMUM COST \$2,513

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGVERNMENTONLINE.ORG/

| Parcel # | Address |
|----------|---|
| R11893 | 1506 Wonder World Dr., San Marcos, TX 78666 |
| R11896 | 1410 Wonder World Dr., San Marcos, TX 78666 |
| R11898 | 1420 Wonder World Dr., San Marcos, TX 78666 |
| R11899 | 1416 Wonder World Dr., San Marcos, TX 78666 |
| R11900 | 1416 Wonder World Dr., San Marcos, TX 78666 |
| R11901 | 1534 Wonder World Dr., San Marcos, TX 78666 |
| R11902 | 1536 Wonder World Dr., San Marcos, TX 78666 |
| R11973 | 1430 Wonder World Dr., San Marcos, TX 78666 |
| R127347 | Wonder World Dr., San Marcos, TX 78666 |
| R127349 | Wonder World Dr., San Marcos, TX 78666 |

SUBDIVISION IMPROVEMENT AGREEMENT ACKNOWLEDGEMENT

I understand, whenever public improvements to serve the development are deferred until after Final Subdivision or Development Plat approval, the property owner shall enter into a Subdivision Improvement Agreement by which the owner covenants to complete all required public improvements no later than two (2) years following the date upon which the Final Plat is approved.

- All required public improvements will be completed prior to approval of the Final Subdivision or Development Plat
- I wish to defer installation of public improvements until after approval of the Final Subdivision or Development Plat and have attached a Subdivision Improvement Agreement to be considered along with this Plat application
- The attached Minor / Amending / Preliminary Plat Application does not require a Subdivision Improvement Agreement

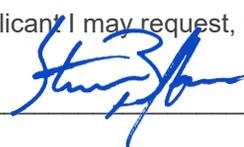
Signature of Applicant: _____  _____ Date: _____

NOTICE OF COMPLETENESS DETERMINATION & STATUTORY REVIEW TIMEFRAMES

I understand that the City of San Marcos requires online submittal of all applications through the Customer Portal at www.mygovernmentonline.org and that the Responsible Official will review this application for completeness within 10 business days of online submittal. I understand that this application is not considered "filed" until all required documentation is received and reviewed for completeness. *Upon determination of completeness the City will send written correspondence stating that the application has been filed and will provide a date, in accordance with the Texas Local Government Code, when the Planning and Zoning Commission will meet to hear the request.*

- By checking this box I am requesting cursory review of this application prior to determination that the application is complete and filed. Cursory review comments shall not constitute a determination of completeness.

I also understand that as the applicant I may request, in writing, an extension to the statutory review timeframes.

Signature of Applicant: _____  _____ Date: _____

RECORDATION REQUIREMENTS***

The following are required for recordation, following approval of a Plat application:

- Two (2) mylars of the subdivision plat (*Comal Co. requires White 20# Bond Paper*)
- Recording Fee: \$ _____
- Tax Certificate, printed within 30 days of recordation date (paid prior to January 31st of current year)

Other possible recording requirements:

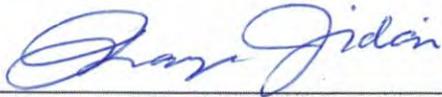
- If public improvements were deferred, Subdivision Improvement Agreement
- Subdivision Improvement Agreement recording fee: \$ _____
- Other legal documents referenced on the plat (i.e. easement dedication by separate instrument, HOA documents)
- Other recording fee: \$ _____

***Recordation fees, mylars, and other requirements are not due at the time of submittal. Fees will depend on the number of pages needed for recordation and the County in which they are recorded. The total will be calculated upon approval.

AGENT AUTHORIZATION TO REPRESENT PROPERTY OWNER

I, Inayat Fidai (owner) acknowledge that I am the rightful owner of the property located at 1420 (et. al) Wonder World Dr., San Marcos, TX (address).

I hereby authorize Steven Buffum (agent name) to serve as my agent to file this application for Site Preparation (permit type), and to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner:  Date: 07/18/2019

Printed Name: Inayat Fidai

Signature of Agent:  Date: 07/18/2019

Printed Name: Steven Buffum

To be completed by Staff: Permit # _____ - _____

WATER UTILITY SERVICE ACKNOWLEDGEMENT FOR:

Subdivision Name: _____

Utility service codes are to be indicated as applicable in the space provided in each acknowledgement listed below according to the following designations:

- A. Adequate service ***is*** currently available to the subject property
- B. Adequate service ***is not*** currently available, but arrangements ***have*** been made to provide it
- C. Adequate service ***is not*** currently available, and arrangements ***have not*** been made to provide it
- D. Easement(s) are needed within the subject property

Name of Water Service Provider: _____

Applicable Utility Service Code(s): _____

Comments / Conditions: _____

Signature of Water Official: _____

Title: _____ Date: _____

WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT FOR:

Subdivision Name: _____

Utility service codes are to be indicated as applicable in the space provided in each acknowledgement listed below according to the following designations:

- A. Adequate service ***is*** currently available to the subject property
- B. Adequate service ***is not*** currently available, but arrangements ***have*** been made to provide it
- C. Adequate service ***is not*** currently available, and arrangements ***have not*** been made to provide it
- D. Easement(s) are needed within the subject property

Name of Wastewater Service Provider: _____

Applicable Utility Service Code(s): _____

OR, the use of either 1) _____ a private wastewater treatment system, or 2) _____ septic tanks, is approved for all lots in the proposed subdivision which are not required to connect to the City of San Marcos wastewater system.

Comments / Conditions: _____

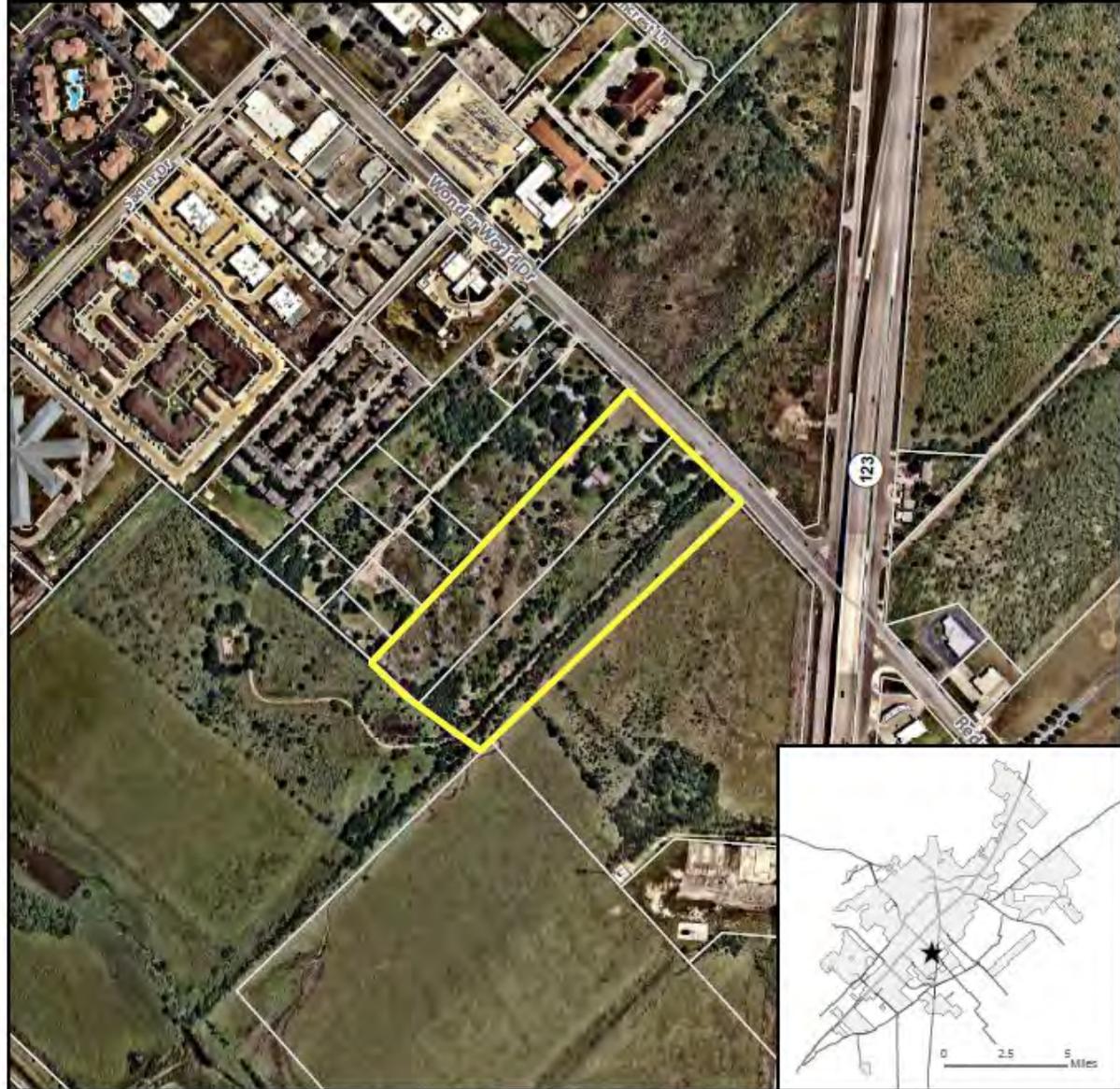
Signature of Wastewater Official: _____

Title: _____ Date: _____

PC-20-04 (Riverstone)

Consider a request by Steven Buffum, on Behalf of Inayat Fidai, for approval of a multifamily subdivision, consisting of approximately 17.1 acre, more or less, out of the Juan M Veramendi Survey No. 1, located at 1428 Wonder World Drive. (W. Parrish)

- +/- 17.61 acres
- Low Income Tax Credit Housing Complex
 - Approved by City Council May of 2019
- Requesting Parkland Fee in Lieu
 - 336 units
 - \$106,512
- Parks Board is required to approve the fee in lieu, but has been unable to meet.

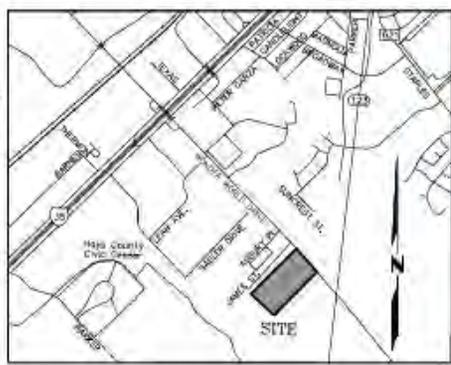
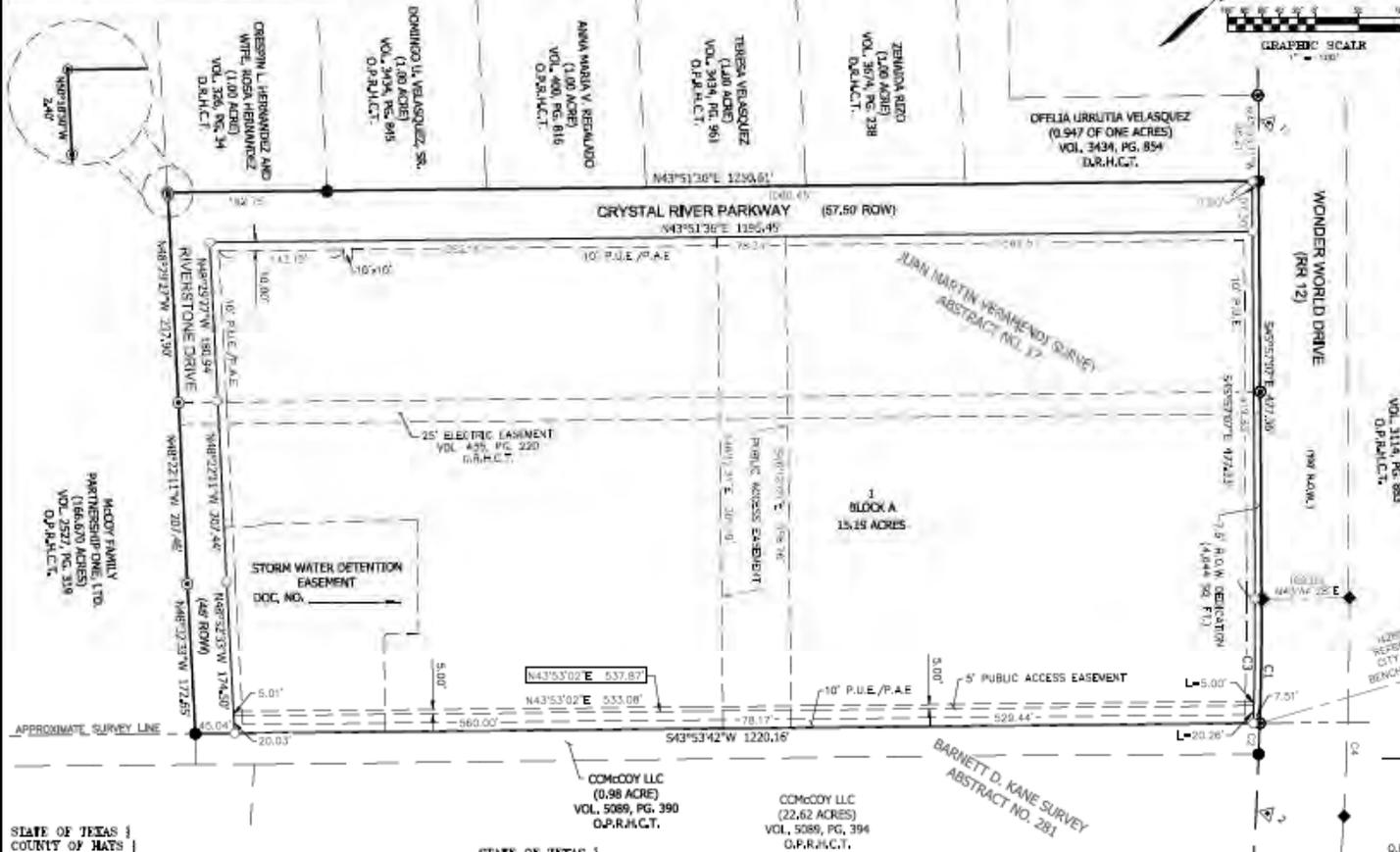


| | |
|---|-----------------------------|
| <ul style="list-style-type: none"> ★ Site Location ▭ Subject Property ▭ Parcel ▭ City Limit | <p>0 275 550 1,100 Feet</p> |
|---|-----------------------------|

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 3/16/2020

| Point # | Flow Description | Northing | Easting | Elevation |
|---------|------------------|-------------|------------|-----------|
| 1 | CP M&L | 12659394.56 | 2303615.60 | 693.92 |
| 2 | CP M&L | 12659629.31 | 2304179.80 | 643.34 |



OWNER: WW MULTIFAMILY LP
 11500 COTTONS GONE
 AUSTIN, TX 78750
 512-312-2300

ADDRESS: 11500 COTTONS GONE
 AUSTIN, TX 78750
 512-312-2300

ACREAGE: 17.61 ACRES
PATENT SURVEY: JUAN MARTIN VERAMENDI SURVEY ABSTRACT NO. 17

CRYSTAL RIVER PARKWAY RIVERSTONE DRIVE: 1227' LINEAR FEET
 592' LINEAR FEET

NUMBER OF LOTS: 1
NUMBER OF BLOCKS: 1
ACREAGE BY LOT TYPE: 15.15 ACRES
LINEAR FEET OF NEW STREETS: 1,815' LINEAR FEET (7.21 ACRES)
R.O.F. VENDOR: 4,644' 50. FT. (10.11 AC.)

SURVEYOR: LAND DESIGN SERVICES, INC.
 10000 W. HICKORY 29
 LIBERTY HILL, TEXAS 78642
 PHONE: 512-255-2600
 TITLES RMA NO. 100019000

ENGINEER: COSTELLO
 1016 LA POSADA DRIVE SUITE 288
 AUSTIN, TX 78752
 512-946-3456
 TYPE RMA NO. F-280

LEGEND

- TxD.O.T. TYPE I MONUMENT FOUND
- 1/2" REBAR FOUND (OR AS NOTED)
- 1/2" REBAR WITH CAP MARKED "ALLSTAR" FOUND (OR AS NOTED)
- IRON REBAR WITH CAP SET 1/2" STAMPED "LAND DESIGN"
- 1/2" PIPE FOUND (OR AS NOTED)
- CONTROL POINT SET
- OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
- DEED RECORDS OF HAYS COUNTY, TEXAS
- P.U.E PUBLIC UTILITY EASEMENT

STATE OF TEXAS | COUNTY OF HAYS |

THAT WW MULTIFAMILY LP, ACTING BY AND THROUGH WW MULTIFAMILY LP GENERAL PARTNER WW VENTURES LLC, A LIMITED LIABILITY COMPANY, BEING THE OWNER OF THAT CERTAIN 547 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2040808, A 3.07 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 1003004, A 0.221 OF ONE ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 1003004, A 0.72 OF ONE ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 1006811, A 0.72 OF ONE ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 1006814, A 0.72 OF ONE ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 1006814, A 0.72 OF ONE ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 1006814, AND A 4.86 ACRE TRACT OF LAND AS RECORDED IN DOCUMENT NO. 1003004 ALL OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, ALL OUT OF THE JUAN MARTIN VERAMENDI SURVEY, ABSTRACT NO. 17, SITUATED IN HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID LOT AS SHOWN HEREON, AND DO HEREBY CONSENT TO THE PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO INTEND DEDICATE TO THE CITY OF SAN MARCOS MAY DEEM APPLICABLE, THIS SUBDIVISION IS TO BE KNOWN AS:

RIVERSTONE SUBDIVISION

TO CERTIFY WHICH, WITNESS TO MY HAND THIS _____ DAY OF _____, 2019

WW MULTIFAMILY LP,

HER STATE OF TEXAS | COUNTY OF HAYS |

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019 BY _____ ON BEHALF OF SAID LIMITED LIABILITY COMPANY.

NOTARY PUBLIC - STATE OF TEXAS

| Curve # | Radius | Length | Delta | Chord Bearing | Chord |
|---------|----------|---------|----------|---------------|---------|
| C1 | 3789.72' | 143.32' | 2'10"42" | S44° 40' 53"E | 143.31' |
| C2 | 3789.72' | 35.34' | 0'32"14" | S43° 19' 25"E | 35.34' |
| C3 | 3223.90' | 143.30' | 2'32"51" | S44° 40' 42"E | 143.33' |
| C4 | 3869.72' | 250.68' | 3'42"42" | S44° 06' 19"E | 250.64' |

STATE OF TEXAS | COUNTY OF HAYS |

I, STEVEN BURNUM, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS DO HEREBY CERTIFY THAT THIS SUBDIVISION IS NOT IN THE EDWARDS AQUIFER RECHARGE ZONE, NOR IS IT IN THE BARTON SPRINGS SEGMENT OF THE EDWARDS AQUIFER RECHARGE ZONE, AND IS LOCATED IN ZONE "B" FLOOD AREA, AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NO. 48090C477, DATED SEPTEMBER 2, 2005 FOR HAYS COUNTY, TEXAS.

STEVEN BURNUM, P.E. DATE REGISTERED PROFESSIONAL ENGINEER NO. 115331 1009 LA POSADA DRIVE SUITE 288 AUSTIN, TEXAS 78752 TYPE REG. NO. F-280

STATE OF TEXAS | COUNTY OF HAYS |

I, TRAVIS S. TABOR, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OR OVERLAPPING OF IMPROVEMENTS VISIBLE UTILITY LINES OR ROAD IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SURVEY REGULATIONS OF THE CITY OF SAN MARCOS, TEXAS.

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

TRAVIS S. TABOR, R.P.L.S. NO. 9428 DATE LAND DESIGN SERVICES, INC. 10090 W. HICKORY 29 LIBERTY HILL, TEXAS 78642 (512) 255-2600 PRR REGISTRATION NO. 10001800

GENERAL NOTES

THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83 - 2011 ADJUSTMENT), SOUTH CENTRAL ZONE (4300).

DISTANCES AND AREAS SHOWN HEREON ARE SURFACE VALUES REPRESENTED IN U.S. SURVEY FEET BASED ON A GRID TO SURFACE CORRECTED ADJUSTMENT FACTOR OF 1.0002285.

ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (GEOID 128).

- PLAT NOTES**
- NO PORTION OF THIS SUBDIVISION LIES WITHIN THE EDWARDS AQUIFER RECHARGE ZONE OR THE SAN MARCOS RIVER CORRIDOR.
 - NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE 100 YEAR FLOOD PLAIN AS DELINEATED ON HAYS COUNTY FLOOD PANEL NO. 48280C477, DATED SEPTEMBER 2, 2005 FOR HAYS COUNTY.
 - THIS SUBDIVISION LIES WITHIN THE FOLLOWING JURISDICTION: SAN MARCOS (S/A).
 - WATER SUPPLY FOR THIS SUBDIVISION IS PROVIDED BY THE CITY OF SAN MARCOS UTILITIES.
 - WASTEWATER TREATMENT FOR THIS SUBDIVISION IS PROVIDED BY THE CITY OF SAN MARCOS UTILITIES.
 - ELECTRICITY FOR THIS SUBDIVISION IS PROVIDED BY THE CITY OF SAN MARCOS UTILITIES.
 - TELEPHONE FOR THIS SUBDIVISION IS PROVIDED BY _____.
 - SEWERAGE WILL BE REQUIRED AT THE TIME OF DEVELOPMENT.
 - THIS SUBDIVISION LIES WITHIN THE CITY LIMITS OF THE CITY OF SAN MARCOS AND IS SUBJECT TO ITS ORDINANCES.
 - BUILDING SETBACK LINES FOR THE CITY OF SAN MARCOS ZONING ORDINANCES.
 - THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83 - 2011 ADJUSTMENT), SOUTH CENTRAL ZONE (4300).
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 - ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (GEOID 128).
 - WATER QUALITY BUFFER ZONES HAVE BEEN ESTABLISHED ON THIS PROPERTY. REFER TO CITY OF SAN MARCOS LAND DEVELOPMENT CODE.
 - POND ON LOT 1 PROVIDES DETENTION FOR LOT 1 BLOCK A THE NOW AS SHOWN ON THIS PLAT OF RIVERSTONE DRIVE AND CRYSTAL RIVER PARKWAY.

CITY OF SAN MARCOS CERTIFICATE OF APPROVAL

APPROVED AND AUTHORIZED TO BE RECORDED ON THE _____ DAY OF _____, 20____ A.D. BY THE DIRECTOR OF THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT OF THE CITY OF SAN MARCOS.

DIRECTOR OF DEVELOPMENT SERVICES

CIP AND ENGINEERING

RECORDING SECRETARY

PLANNING & ZONING COMMISSION CHAIRMAN

STATE OF TEXAS | COUNTY OF HAYS |

I, ELAINE H. CARDESA, COUNTY CLERK OF HAYS COUNTY, TEXAS DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 20____ A.D. AT _____ O'CLOCK _____, DULY RECORDED ON THE _____ DAY OF _____, 20____ A.D. AT _____ O'CLOCK _____, IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN INSTRUMENT NO. _____.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL OF THE OFFICE OF COUNTY CLERK, THIS _____ DAY OF _____, 20____ A.D.

ELAINE H. CARDESA, COUNTY CLERK HAYS COUNTY, TEXAS

Recommendation:

Staff has reviewed the request and determined it meets all code requirements with the exception of the requirement that Parks Board approve the requested Parkland Dedication fee in lieu. Staff recommends **approval** of the request on the following condition:

1. The Parks Board approves the fee in lieu of Parkland Dedication request at their next meeting.



Legislation Text

File #: PC-20-01, Version: 1

AGENDA CAPTION:

PC-20-01 (Cottonwood Creek Phase 3 Units 6 & 7) Consider a request by Pape-Dawson Engineers, on behalf of Continental Homes of Texas, LP, to approve the Preliminary Plat, consisting of approximately 31.063 acres, more or less, out of the Farnam Frye Survey. (T. Carpenter)

Meeting date: April 14, 2020

Department: Planning & 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: [Click or tap here to enter text.](#)

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

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 - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services

Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

The subject property is part of the Cottonwood Creek Master Plan which was approved in 2002.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Staff recommends **approval** of this preliminary plat as submitted.

| | |
|---------------------------|--|
| Plat – Preliminary | Cottonwood Creek Phase 3 Unit 6 & 7 |
| PC-20-01 | |



Summary

| | | | |
|---------------------------|--|--------------------------|--|
| Request: | Consideration of a Preliminary Plat with 147 residential lots. | | |
| Applicant: | Pape-Dawson Engineers 2000 NW Loop 410 San Antonio, TX 78213 | Property Owner: | Continental Homes of Texas LP 210 W Hutchison St San Marcos, TX 78666 |
| Parkland Required: | Provided in previous phases | Utility Capacity: | By Developer |
| Accessed from: | Rattler Road | New Street Names: | Whipporwill Lane Shimmering Cove Duckhorn Pass Black Wolf Run Rough Hollow Cove Fireoak Drive |

Notification

| | | | |
|---------------------|-------------------------------------|------------------------------|-----|
| Application: | N/A | Neighborhood Meeting: | N/A |
| Published: | N/A | # of Participants: | N/A |
| Posted: | N/A | Personal: | N/A |
| Response: | None as of the date of this report. | | |

Property Description

| | | | |
|---------------------------|----------------------------|----------------------------|------------------------------|
| Location: | Rattler Road and Adler Way | | |
| Acreage: | 31.063 acres | Master Plan: | Cottonwood Creek Master Plan |
| Existing Zoning: | SF-6 | Preferred Scenario: | Low Intensity |
| Proposed Use: | Single family residential | | |
| CONA Neighborhood: | Cottonwood Creek | Sector: | 5 |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|---------------|--------------------------|---------------------------|
| North of Property: | P | Open Space | Low Intensity Zone |
| South of Property: | SF-6 | Vacant | Low Intensity Zone |
| East of Property: | ETJ | Vacant | Low Intensity Zone |
| West of Property: | SF-6 | Single-Family | Low Intensity Zone |

Staff Recommendation

| | | | | | |
|---|-----------------------|--------------------------|--------------------------------------|----------------------------|--------|
| <input checked="" type="checkbox"/> | Approval as Submitted | <input type="checkbox"/> | Approval with Conditions / Alternate | <input type="checkbox"/> | Denial |
| Staff: Tory Carpenter, AICP, CNU-A | | Title : Planner | | Date: April 9, 2020 | |

| | |
|---------------------------|--|
| Plat – Preliminary | Cottonwood Creek Phase 3 Unit 6 & 7 |
| PC-20-01 | |



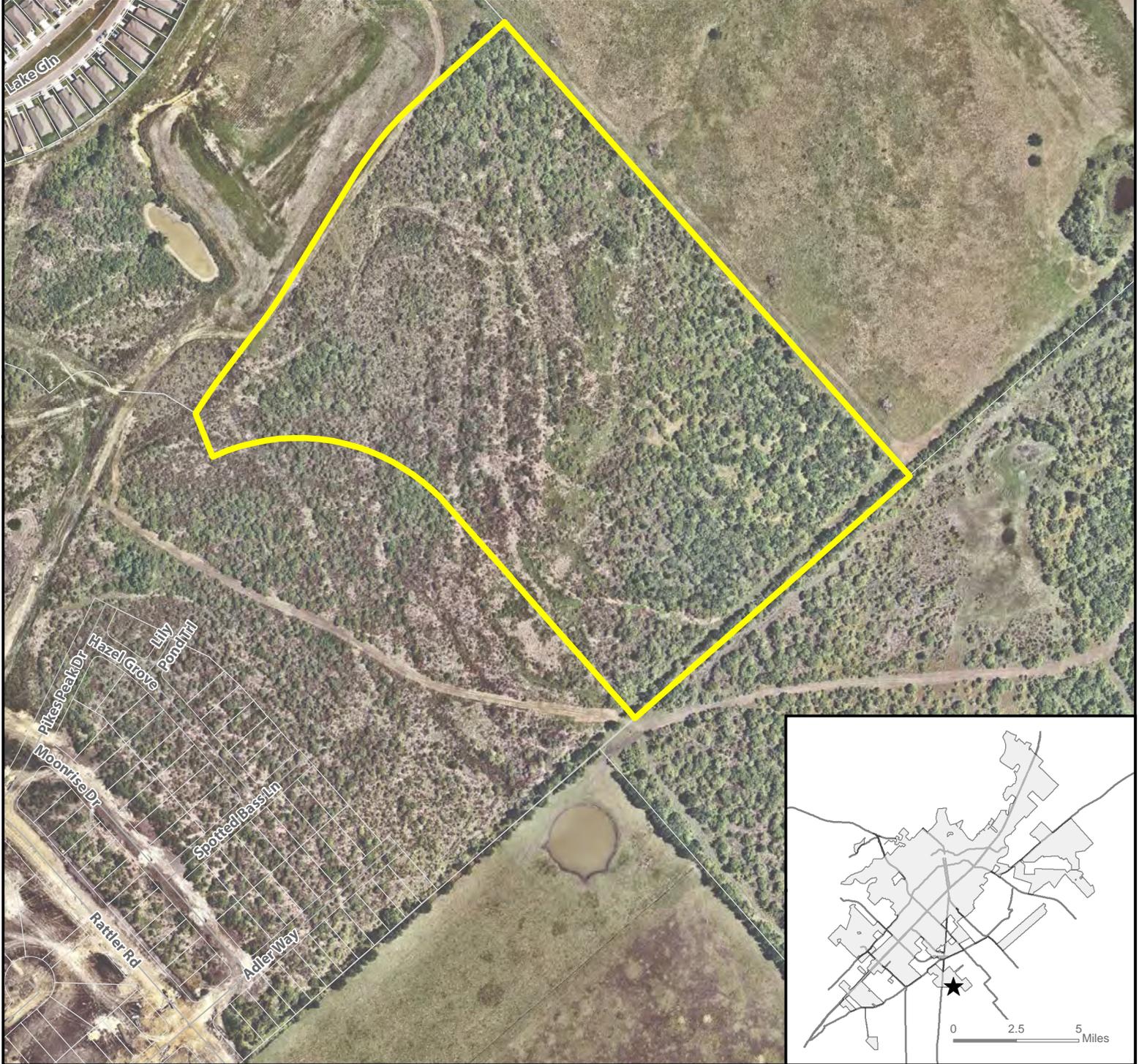
History

The subject property is part of the Cottonwood Creek Master Plan which was approved in 2002.

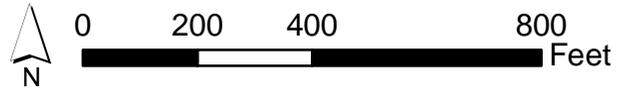
Additional Analysis

| Evaluation | | | Criteria for Approval (Sec.3.2.2.4) |
|-------------------|---------------------|-----------------|---|
| Consistent | Inconsistent | Neutral | |
| <u>X</u> | | | If no subdivision concept plat has been approved the criteria in Section 3.2.1.4 shall apply; |
| <u>X</u> | | | The plat conforms to all prior approvals or phasing plans for the development; |
| <u>X</u> | | | The proposed provision and configurations of roads, water, wastewater, drainage and park facilities, and easements and rights-of-way are adequate to serve the subdivision and meet applicable standards of this Development Code; and |
| | | <u>X</u> | The plat meets any County standards to be applied under an interlocal agreement between the City and a County under Tex. Loc. Gov't Code Ch. 242, where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and in the county. The property is within the City Limits. |

PC-20-01 Aerial View Cottonwood Creek Phase 3 Units 6 & 7 Preliminary Plat



-  **Subject Property**
-  **Parcel**
-  **City Limit**



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 3/30/2020

PRELIMINARY PLAT
OF
COTTONWOOD CREEK
PHASE 3 UNIT 6 & 7

A 31.062 ACRE TRACT OF LAND COMPRISED OF A PORTION OF THE 45.298 ACRE TRACT DESCRIBED IN INSTRUMENT # 18028863 IN THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HAYS COUNTY, TEXAS, AND ALL OF THE 15.229 ACRE TRACT DESCRIBED IN INSTRUMENT # 19037259 IN SAID OFFICIAL PUBLIC RECORDS, IN THE JOHN F. GEISTER SURVEY NO. 6, ABSTRACT 202 AND THE JOHN F. GEISTER SURVEY NO. 7, ABSTRACT 203, BOTH OF HAYS COUNTY, TEXAS.

FLOOD ZONE NOTE:

NO PORTION OF ANY LOT ON THIS PLAT IS WITHIN A SPECIAL FLOOD HAZARD ZONE AS DEFINED BY FEMA FLOOD INSURANCE RATE MAP, HAYS COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48209C0479F, DATED SEPTEMBER 2, 2005.

UTILITY PROVIDER NOTE:

THE PROPERTY WILL BE SERVED BY THE FOLLOWING:
CENTURYLINK (PHONE)
BLUE BONNET ELECTRIC COOPERATIVE, INC. (ELECTRIC)
CHARTER (CABLE TELEVISION)
CITY OF SAN MARCOS (SEWER & WATER)
CENTERPOINT ENERGY (GAS)

DRAINAGE EASEMENT NOTES:

- DRAINAGE EASEMENTS SHALL REMAIN FREE OF ALL OBSTRUCTIONS.
- MAINTENANCE OF DRAINAGE EASEMENT SHOWN OUTSIDE OF LOT LINES SHALL BE THE SOLE RESPONSIBILITY OF THE COTTONWOOD CREEK SUBDIVISION HOMEOWNER'S ASSOCIATION.
- NO STRUCTURES, WALLS OR OTHER OBSTRUCTIONS OF ANY KIND SHALL BE PLACED WITHIN THE LIMITS OF DRAINAGE EASEMENTS SHOWN ON THIS PLAT. NO LANDSCAPING, FENCES, OR OTHER TYPE OF MODIFICATIONS WHICH ALTER THE CROSS SECTIONS OF THE DRAINAGE EASEMENTS OR DECREASES THE HYDRAULIC CAPACITY OF THE EASEMENT, AS APPROVED, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE CITY ENGINEER. THE CITY OF SAN MARCOS SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER GRANTORS ADJACENT PROPERTY TO REMOVE ANY OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS.
- MAINTENANCE OF DRAINAGE EASEMENTS DESIGNATED WITHIN A LOT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.

SURVEYOR'S NOTES:

- PROPERTY CORNERS ARE MONUMENTED WITH A CAP OR DISK MARKED "PAPE-DAWSON" UNLESS NOTED OTHERWISE.
- COORDINATES SHOWN ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH2010.00 FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE DISPLAYED IN GRID VALUES DERIVED FROM THE NGS COOPERATIVE CORS NETWORK.
- DIMENSIONS SHOWN ARE SURFACE WITH A COMBINED SCALE FACTOR OF 1.00013.
- BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
- THE EASEMENTS CREATED BY SEPARATE INSTRUMENT AND THEIR LOCATIONS ARE GOVERNED BY THE TERMS, PROVISIONS AND CONDITIONS OF SUCH SEPARATE INSTRUMENTS.

SUBDIVISION NOTES:

- EASEMENTS NOT WITHIN THE LIMITS OF THE PLAT WILL BE PROVIDED BY SEPARATE INSTRUMENT.
- A 10 FOOT WIDE PUBLIC UTILITY EASEMENT IS HEREBY DEDICATED ADJACENT TO ALL RIGHTS-OF-WAY.

GENERAL NOTES:

- SIDEWALKS NOT ADJACENT TO A RESIDENTIAL LOT, ARE REQUIRED AT THE TIME OF SITE DEVELOPMENT.
- THIS SUBDIVISION IS NOT LOCATED WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
- THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF THE SAN MARCOS INDEPENDENT SCHOOL DISTRICT.
- WATERSHED PROTECTION PLAN PHASE 2 PERMIT APPROVED. PERMIT # 2017-21790.
- THE PUBLIC IMPROVEMENT CONSTRUCTION PLANS ARE REQUIRED TO BE APPROVED BEFORE THE PLAT APPROVAL AND EITHER THE IMPROVEMENTS CONSTRUCTED OR SURVEY POSTED FOR THE FILING OF THE PLAT.
- ANY PRIVATE IMPROVEMENTS WITHIN THE RIGHT-OF-WAY, INCLUDING LANDSCAPE IRRIGATION, REQUIRES APPROVAL OF A LICENSE AGREEMENT.
- LOT 902, BLOCK AC, LOT 901, BLOCK AH AND LOT 900, BLOCK AL SHALL BE DESIGNATED AS GREENBELT LOTS AND DRAINAGE EASEMENTS. THESE LOTS WILL BE MAINTAINED BY THE COTTONWOOD CREEK HOMEOWNERS ASSOCIATION OR OTHER SUCCESSORS.

THE FOLLOWING CORNER LOTS HAVE DESIGNATED SIDE FRONTAGE AS SHOWN IN THE TABLE BELOW.

| BLOCK | LOT | SIDE-CORNER FRONTAGE |
|-------|-----|----------------------|
| AH | 1 | WHIPPOWILL LN |
| AI | 1 | HARTMANN DR |
| AI | 13 | SHIMMERING COVE |
| AL | 1 | WHIPPOWILL LN |
| AL | 16 | ADLER WAY |
| AM | 1 | ROUGH HOLLOW COVE |
| AM | 10 | WHIPPOWILL LN |
| AM | 23 | FIREOAK DR |
| AM | 24 | FIREOAK DR |
| AM | 39 | ROUGH HOLLOW COVE |
| AN | 1 | BLACK WOLF RUN |
| AN | 8 | FIREOAK DR |
| AN | 9 | FIREOAK DR |
| AN | 15 | BLACK WOLF RUN |
| AO | 1 | FIREOAK DR |
| AO | 9 | SHIMMERING COVE |
| AO | 10 | SHIMMERING COVE |
| AO | 18 | ADLER WAY |

| LINE TABLE | | |
|------------|-------------|---------|
| LINE # | BEARING | LENGTH |
| L1 | S38°36'47"W | 217.04' |
| L2 | N51°23'13"W | 30.00' |
| L3 | S38°36'47"W | 120.00' |
| L4 | N51°23'13"W | 60.00' |
| L5 | S33°49'19"W | 52.11' |
| L6 | S31°36'47"W | 138.56' |
| L7 | S57°01'52"E | 50.00' |
| L8 | S52°49'11"E | 136.13' |
| L9 | S41°23'13"E | 636.59' |
| L10 | S48°36'47"W | 12.50' |
| L11 | N41°23'13"W | 50.00' |
| L12 | N87°40'09"W | 50.00' |
| L13 | S47°05'39"W | 2.44' |
| L14 | N38°36'47"E | 49.32' |
| L15 | S38°36'47"W | 50.72' |
| L16 | N49°40'58"W | 48.01' |
| L17 | N45°58'31"W | 55.31' |
| L18 | N48°02'22"E | 50.00' |
| L19 | N41°57'38"W | 48.30' |
| L20 | N41°57'38"W | 38.36' |
| L21 | S48°02'22"W | 40.00' |

| CURVE TABLE | | | | | | |
|-------------|----------|------------|---------------|---------|---------|--|
| CURVE # | RADIUS | DELTA | CHORD BEARING | CHORD | LENGTH | |
| C1 | 830.00' | 5°55'42" | N34°14'46"E | 85.84' | 85.88' | |
| C2 | 730.00' | 5°09'44" | N34°30'20"E | 65.75' | 65.77' | |
| C3 | 725.00' | 16°07'54" | N39°59'25"E | 203.45' | 204.12' | |
| C4 | 525.00' | 1°13'52" | N32°21'12"E | 11.28' | 11.28' | |
| C5 | 20.00' | 90°00'00" | N3°36'47"E | 28.28' | 31.42' | |
| C6 | 20.00' | 90°00'00" | N86°23'13"W | 28.28' | 31.42' | |
| C7 | 475.00' | 41°03'59" | N61°55'12"W | 333.21' | 340.45' | |
| C8 | 20.00' | 84°47'03" | N40°03'40"W | 26.97' | 29.60' | |
| C9 | 20.00' | 84°47'03" | S44°43'23"W | 26.97' | 29.60' | |
| C10 | 475.00' | 22°59'23" | S75°37'13"W | 189.32' | 190.59' | |
| C11 | 325.00' | 29°16'56" | N16°58'19"E | 164.30' | 166.10' | |
| C12 | 525.00' | 7°00'00" | N35°06'47"E | 64.10' | 64.14' | |
| C13 | 15.00' | 90°00'00" | S6°23'13"E | 21.21' | 23.56' | |
| C14 | 1025.00' | 10°00'00" | S46°23'13"E | 178.67' | 178.90' | |
| C15 | 15.00' | 90°00'00" | N86°23'16"W | 21.21' | 23.56' | |
| C16 | 15.00' | 90°00'00" | N3°36'47"E | 21.21' | 23.56' | |
| C17 | 575.00' | 30°31'52" | N56°39'09"W | 302.79' | 306.40' | |
| C18 | 15.00' | 98°51'00" | S58°39'26"W | 22.79' | 25.88' | |
| C19 | 275.00' | 6°54'05" | S5°46'54"W | 33.10' | 33.12' | |
| C20 | 275.00' | 4°40'52" | S29°16'21"W | 22.46' | 22.47' | |
| C21 | 475.00' | 7°00'00" | S35°06'47"W | 58.00' | 58.03' | |
| C22 | 15.00' | 90°00'00" | S83°36'47"W | 21.21' | 23.56' | |
| C23 | 975.00' | 10°00'00" | N46°23'13"W | 169.95' | 170.17' | |
| C24 | 15.00' | 90°00'00" | N3°36'47"E | 21.21' | 23.56' | |
| C25 | 15.00' | 90°00'00" | S86°23'13"E | 21.21' | 23.56' | |
| C26 | 735.00' | 10°00'00" | S46°23'13"E | 128.12' | 128.28' | |
| C27 | 15.00' | 38°52'15" | S31°57'05"E | 9.98' | 10.18' | |
| C28 | 50.00' | 167°44'30" | N83°36'47"E | 99.43' | 146.38' | |
| C29 | 15.00' | 38°52'15" | N19°10'40"E | 9.98' | 10.18' | |
| C30 | 525.00' | 5°38'39" | N35°47'27"E | 51.70' | 51.72' | |
| C31 | 525.00' | 1°35'09" | N30°56'41"E | 14.53' | 14.53' | |
| C32 | 15.00' | 86°25'00" | N73°21'36"E | 20.54' | 22.62' | |
| C33 | 625.00' | 8°29'11" | S67°40'29"E | 92.49' | 92.57' | |
| C34 | 15.00' | 98°51'00" | S22°29'35"E | 22.79' | 25.88' | |
| C35 | 15.00' | 86°25'00" | S13°03'24"E | 20.54' | 22.62' | |
| C36 | 475.00' | 2°49'02" | S31°33'37"W | 23.35' | 23.35' | |
| C37 | 475.00' | 5°38'39" | S35°47'27"W | 46.77' | 46.79' | |
| C38 | 25.00' | 90°00'00" | S83°36'47"W | 35.36' | 39.27' | |
| C39 | 685.00' | 10°00'00" | N46°23'13"W | 119.40' | 119.56' | |
| C40 | 15.00' | 90°00'00" | N3°36'47"E | 21.21' | 23.56' | |
| C41 | 15.00' | 90°00'00" | S86°23'13"E | 21.21' | 23.56' | |
| C42 | 625.00' | 14°52'41" | S48°49'33"E | 161.84' | 162.29' | |
| C43 | 15.00' | 90°00'06" | S3°36'50"W | 21.21' | 23.56' | |
| C44 | 15.00' | 90°00'00" | N86°23'13"W | 21.21' | 23.56' | |
| C45 | 15.00' | 90°00'00" | N3°36'47"E | 21.21' | 23.56' | |
| C46 | 15.00' | 90°00'00" | S86°23'13"E | 21.21' | 23.56' | |
| C47 | 445.00' | 29°16'56" | S16°58'19"W | 224.96' | 227.43' | |
| C48 | 645.00' | 7°00'00" | S35°06'47"W | 78.75' | 78.80' | |



NEW BRAUNFELS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028800
DATE OF PREPARATION: February 17, 2020

PLAT NOTES APPLY TO ALL SHEETS OF THIS PLAT

PRELIMINARY PLAT
OF
COTTONWOOD CREEK
PHASE 3 UNIT 6 & 7

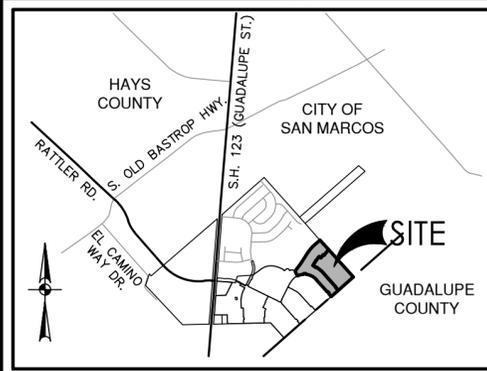
A 31.062 ACRE TRACT OF LAND COMPRISED OF A PORTION OF THE 45.298 ACRE TRACT DESCRIBED IN INSTRUMENT # 18028863 IN THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HAYS COUNTY, TEXAS, AND ALL OF THE 15.229 ACRE TRACT DESCRIBED IN INSTRUMENT # 19037259 IN SAID OFFICIAL PUBLIC RECORDS, IN THE JOHN F. GEISTER SURVEY NO. 6, ABSTRACT 202 AND THE JOHN F. GEISTER SURVEY NO. 7, ABSTRACT 203, BOTH OF HAYS COUNTY, TEXAS.

SCALE: 1" = 100'



PAPE-DAWSON
ENGINEERS

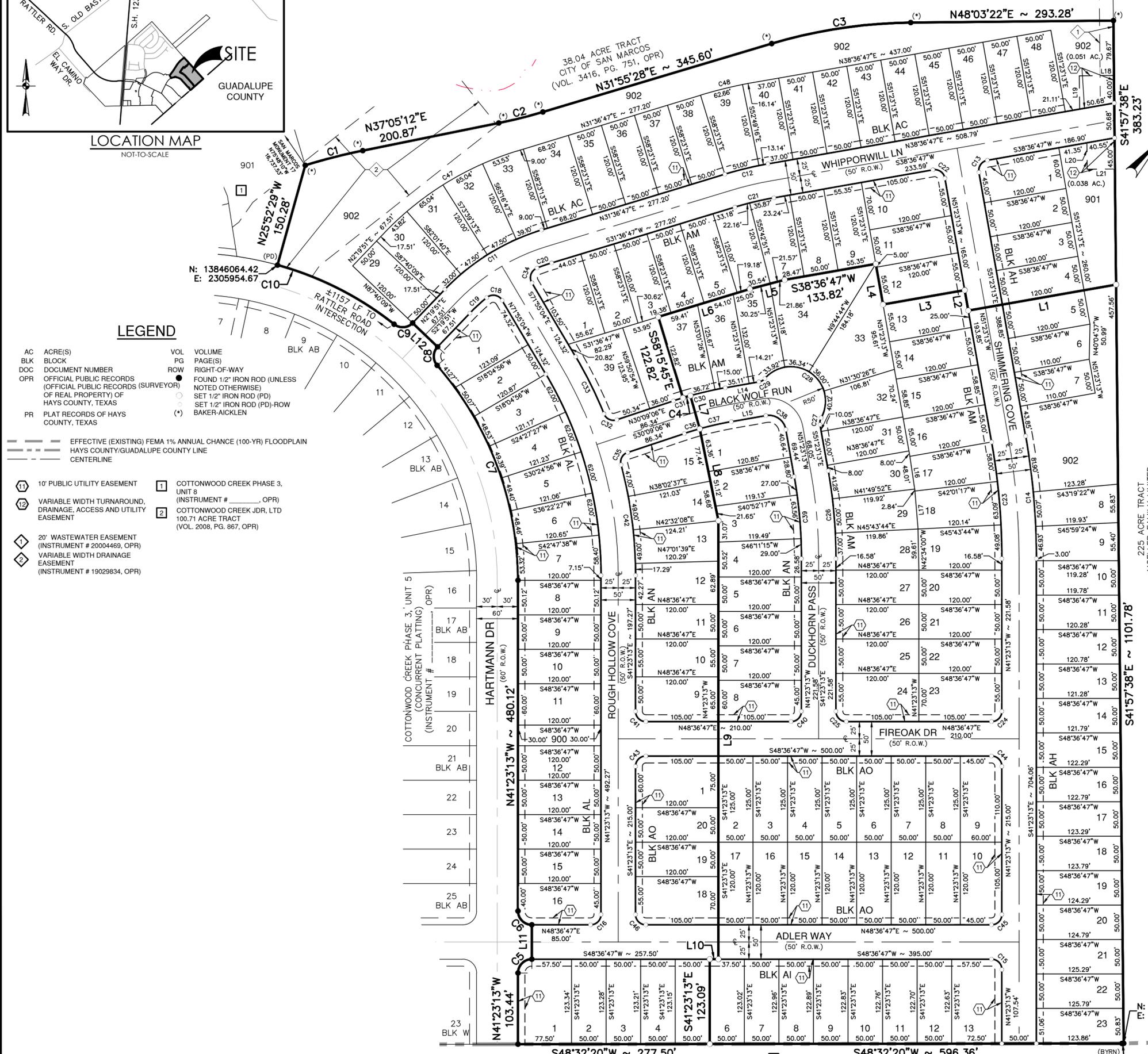
NEW BRAUNFELS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028800
DATE OF PREPARATION: February 17, 2020



LOCATION MAP
NOT-TO-SCALE

LEGEND

- AC ACRE(S)
- BLK BLOCK
- DOC DOCUMENT NUMBER
- OPR OFFICIAL PUBLIC RECORDS (OFFICIAL PUBLIC RECORDS (SURVEYOR) OF REAL PROPERTY) OF HAYS COUNTY, TEXAS
- PR PLAT RECORDS OF HAYS COUNTY, TEXAS
- VOL VOLUME
- PG PAGE(S)
- ROW RIGHT-OF-WAY
- FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE)
- SET 1/2" IRON ROD (PD)
- SET 1/2" IRON ROD (PD)-ROW
- ⊙ BAKER-AICKLEN
- EFFECTIVE (EXISTING) FEMA 1% ANNUAL CHANCE (100-YR) FLOODPLAIN
- HAYS COUNTY/GUADALUPE COUNTY LINE
- CENTERLINE
- Ⓜ 10' PUBLIC UTILITY EASEMENT
- Ⓜ VARIABLE WIDTH TURNAROUND, DRAINAGE, ACCESS AND UTILITY EASEMENT
- Ⓜ 20' WASTEWATER EASEMENT (INSTRUMENT # 20004469, OPR)
- Ⓜ VARIABLE WIDTH DRAINAGE EASEMENT (INSTRUMENT # 19029834, OPR)
- 1 COTTONWOOD CREEK PHASE 3, UNIT 8 (INSTRUMENT # _____, OPR)
- 2 COTTONWOOD CREEK JDR, LTD 100.71 ACRE TRACT (VOL. 2008, PG. 867, OPR)



225 ACRE TRACT
MOELLER FAMILY LIMITED
PARTNERSHIP
(VOL. 1164, PG. 164, OPR)

S41°57'38"E ~ 1101.75'

S41°57'38"E ~ 1101.75'

S41°57'38"E ~ 1101.75'

(BYR)

LINE AND CURVE TABLE
ON SHEET 1 OF 2

PLAT NOTES APPLY TO ALL
SHEETS OF THIS PLAT

SHEET 2 OF 2

COTTONWOOD CREEK PHASE 3 UNIT 6 & 7
Civil Job No. 11173-15 Survey Job No. 11173-00
DATE: 2/17/2020 4:15 PM USER: ID: Gundersen
FILE: V:\11173-15\Design\1504\1504-PL-1117315-PRELIM.dwg

N 13846064.42
E: 2305954.67

N 13846025.99
E: 2307620.03

HAYS COUNTY
GUADALUPE COUNTY

PRELIMINARY SUBDIVISION PLAT, REPLAT OR CONCEPT PLAT APPLICATION

Updated: October, 2019



CONTACT INFORMATION

| | | | |
|-----------------------------|---|-------------------------|---|
| Applicant's Name | Todd Blackmon, P.E. | Property Owner | Matthew Trenner |
| Company | Pape-Dawson Engineers, Inc. | Company | Continental Homes of Texas LP |
| Applicant's Mailing Address | 1672 Independence Drive, Suite 102, New Braunfels, TX 78132 | Owner's Mailing Address | 10700 Pecan Park Blvd., Suite 400 Austin, Texas 78750 |
| Applicant's Phone # | (830) 632-5633 | Owner's Phone # | (512) 345-4663 |
| Applicant's Email | Jperez@Pape-Dawson.com | Owner's Email | RLGray@drhorton.com |

PROPERTY INFORMATION

Proposed Subdivision Name: Cottonwood Creek Phase 3 Units 6 and 7
 Subject Property Address or General Location: SE corner of Rattler Rd & Hwy 123
 Acres: 31.063 Tax ID #: R 162781
 Located in: City Limits Extraterritorial Jurisdiction (County) _____

DESCRIPTION OF REQUEST

Type of Plat: Preliminary Subdivision Plat Replat Concept Plat
 Proposed Number of Lots: 147 Proposed Land Use: Single-family residential

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$1,057 plus \$50 per acre Technology Fee \$13 **MAXIMUM COST \$2,513***
 *Replats that are not Administratively approved – Maximum Cost \$3,013

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

SUBDIVISION IMPROVEMENT AGREEMENT ACKNOWLEDGEMENT

I understand, whenever public improvements to serve the development are deferred until after Final Subdivision or Development Plat approval, the property owner shall enter into a Subdivision Improvement Agreement by which the owner covenants to complete all required public improvements no later than two (2) years following the date upon which the Final Plat is approved.

- All required public improvements will be completed prior to approval of the Final Subdivision or Development Plat
- I wish to defer installation of public improvements until after approval of the Final Subdivision or Development Plat and have attached a Subdivision Improvement Agreement to be considered along with this Plat application
- The attached Minor / Amending / Preliminary Plat Application does not require a Subdivision Improvement Agreement

Signature of Applicant: _____ Date: 11/11/19

NOTICE OF COMPLETENESS DETERMINATION & STATUTORY REVIEW TIMEFRAMES

I understand that the City of San Marcos requires online submittal of all applications through the Customer Portal at www.mygovernmentonline.org and that the Responsible Official will review this application for completeness within 10 business days of online submittal. I understand that this application is not considered "filed" until all required documentation is received and reviewed for completeness. *Upon determination of completeness the City will send written correspondence stating that the application has been filed and will provide a date, in accordance with the Texas Local Government Code, when the Planning and Zoning Commission will meet to hear the request.*

- By checking this box I am requesting cursory review of this application prior to determination that the application is complete and filed. Cursory review comments shall not constitute a determination of completeness.

I also understand that as the applicant I may request, in writing, an extension to the statutory review timeframes.

Signature of Applicant: _____ Date: 11/11/19

RECORDATION REQUIREMENTS***

The following are required for recordation, following approval of a Plat application:

- Two (2) mylars of the subdivision plat (*Comal Co. requires White 20# Bond Paper*)
- Recording Fee: \$ _____
- Tax Certificate, printed within 30 days of recordation date (paid prior to January 31st of current year)

Other possible recording requirements:

- If public improvements were deferred, Subdivision Improvement Agreement
- Subdivision Improvement Agreement recording fee: \$ _____
- Other legal documents referenced on the plat (i.e. easement dedication by separate instrument, HOA documents)
- Other recording fee: \$ _____

***Recordation fees, mylars, and other requirements are not due at the time of submittal. Fees will depend on the number of pages needed for recordation and the County in which they are recorded. The total will be calculated upon approval.

ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT FOR:

Subdivision Name: Cottonwood Creek Phase 3 Sections 6 & 7

Utility service codes are to be indicated as applicable in the space provided in each acknowledgement listed below according to the following designations:

- A. Adequate service ***is*** currently available to the subject property
- B. Adequate service ***is not*** currently available, but arrangements ***have*** been made to provide it
- C. Adequate service ***is not*** currently available, and arrangements ***have not*** been made to provide it
- D. Easement(s) are needed within the subject property

Name of Electric Service Provider: Bluebonnet Electric Cooperative

Applicable Utility Service Code(s): A, C + D

Comments / Conditions: Additional easements may be required

Signature of Electric Company Official: Robney Gerst

Title: Sr. Project Coordinator Date: 11/7/2019

GAS UTILITY SERVICE ACKNOWLEDGEMENT FOR:

Subdivision Name: Cottonwood Creek Phase 3 Sections 6 & 7

Utility service codes are to be indicated as applicable in the space provided in each acknowledgement listed below according to the following designations:

- A. Adequate service ***is*** currently available to the subject property
- B. Adequate service ***is not*** currently available, but arrangements ***have*** been made to provide it
- C. Adequate service ***is not*** currently available, and arrangements ***have not*** been made to provide it
- D. Easement(s) are needed within the subject property

Name of Gas Service Provider: Centerpoint Energy

Applicable Utility Service Code(s): A

Comments / Conditions: _____

Signature of Gas Company Official: *Devin Kleinfelder*

Title: Marketing Consultant II

Date: 11/5/2019

WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT FOR:

Subdivision Name: Cottonwood Creek Phase 3 Sections 6 & 7

Utility service codes are to be indicated as applicable in the space provided in each acknowledgement listed below according to the following designations:

- A. Adequate service ***is*** currently available to the subject property
- B. Adequate service ***is not*** currently available, but arrangements ***have*** been made to provide it
- C. Adequate service ***is not*** currently available, and arrangements ***have not*** been made to provide it
- D. Easement(s) are needed within the subject property

Name of Wastewater Service Provider: City of San Marcos

Applicable Utility Service Code(s): B

OR, the use of either 1) a private wastewater treatment system, or 2) septic tanks, is approved for all lots in the proposed subdivision which are not required to connect to the City of San Marcos wastewater system.

Comments / Conditions: Wastewater infrastructure to be installed by developer.

Signature of Wastewater Official: 

Title: Wastewater Collections Manager Date: November 12, 2019

WATER UTILITY SERVICE ACKNOWLEDGEMENT FOR:

Subdivision Name: Cottonwood Creek Phase 3 Sections 6 & 7

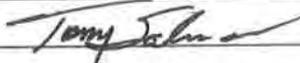
Utility service codes are to be indicated as applicable in the space provided in each acknowledgement listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Easement(s) are needed within the subject property

Name of Water Service Provider: City of San Marcos

Applicable Utility Service Code(s): B

Comments / Conditions: _____

Signature of Water Official: 

Title: Water District Manager

Date: NOV 06, 2019

PC-20-01 (Cottonwood Creek Phase 3, Units 6 & 7 Preliminary Plat)

Consider a request by Pape-Dawson Engineers, on behalf of Continental Homes of Texas, LP, to approve the Preliminary Plat, consisting of approximately 31.063 acres, more or less, out of the Farnam Frye Survey. (T. Carpenter)

- +/- 31.063
- 147 residential lots
- Cottonwood Creek Master Plan

**PC-20-01
Aerial View
Cottonwood Creek Phase 3 Units 6 & 7
Preliminary Plat**



- Subject Property
- Parcel
- City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 3/30/2020

Recommendation:

Staff has reviewed the request and determined the request complies with the San Marcos Development Code and recommends **approval** of PC-20-01 as submitted.



Legislation Text

File #: PC-20-05, Version: 1

AGENDA CAPTION:

PC-20-05 (Genlyte Industrial Park Replat) Hold a public hearing and consider a request by Ed Theriot, on behalf of Joseph Joyce, LLC, for approval of a replat of Genlyte Industrial Park, consisting of approximately 38.11 acres located 1611 Clovis Barker Road. (T. Carpenter)

Meeting date: April 14, 2020

Department: Planning & Development Services

Amount & Source of Funding

Funds Required: N/A

Account Number: N/A

Funds Available: N N/A /A

Account Name: [Click or tap here to enter text.](#)

Fiscal Note:

Prior Council Action: N/A

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

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 - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services

Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

This is a replat of the Genlyte Subdivision which was recorded in 2001.

Council Committee, Board/Commission Action:

N/A

Alternatives:

N/A

Recommendation:

Staff recommends **approval** of the replat as submitted.

| | |
|-----------------|--------------------------------|
| Replat | Genlyte Industrial Park |
| PC-20-05 | |



Summary

| | | | |
|---------------------------|---|--------------------------|--|
| Request: | Consideration of a replat with 2 industrial lots | | |
| Applicant: | Ed Theriot Doucet & Associates, Inc. 7401 B Hwy 71 W, Ste 160 Austin, TX 78735 | Property Owner: | Genlyte Thomas Group, LLC 818 SW 34rd Ave, Box 40 Portland, Or 97204 |
| Parkland Required: | N/A | Utility Capacity: | Adequate |
| Accessed from: | Clovis Barker Road | New Street Names: | N/A |

Notification

| | | | |
|---------------------|------------------------------------|------------------------------|-----|
| Application: | N/A | Neighborhood Meeting: | N/A |
| Published: | March 29, 2020 | # of Participants: | N/A |
| Posted: | N/A | Personal: | N/A |
| Response: | None as of the date of this report | | |

Property Description

| | | | |
|---------------------------|-------------------------|----------------------------|-------------------|
| Location: | 1611 Clovis Barker Road | | |
| Acreage: | 38.11 acres | PDD/DA/Other: | N/A |
| Existing Zoning: | Light Industrial | Preferred Scenario: | Employment Center |
| Proposed Use: | Industrial | | |
| CONA Neighborhood: | N/A | Sector: | 5 |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|--------------------|----------------------------------|---------------------------|
| North of Property: | Future Development | Cottonwood Creek | Open Space |
| South of Property: | Light Industrial | Warehouses | Employment Center |
| East of Property: | Future Development | Vacant | Employment Center |
| West of Property: | Pick One | Something (not just adjacent) | Employment Center |

Staff Recommendation

| | | | | | |
|---|-----------------------|--------------------------|--------------------------------------|----------------------------|--------|
| <input checked="" type="checkbox"/> | Approval as Submitted | <input type="checkbox"/> | Approval with Conditions / Alternate | <input type="checkbox"/> | Denial |
| Staff: Tory Carpenter, AICP, CNU-A | | Title : Planner | | Date: April 9, 2020 | |

History

This property was originally platted in February 2001.

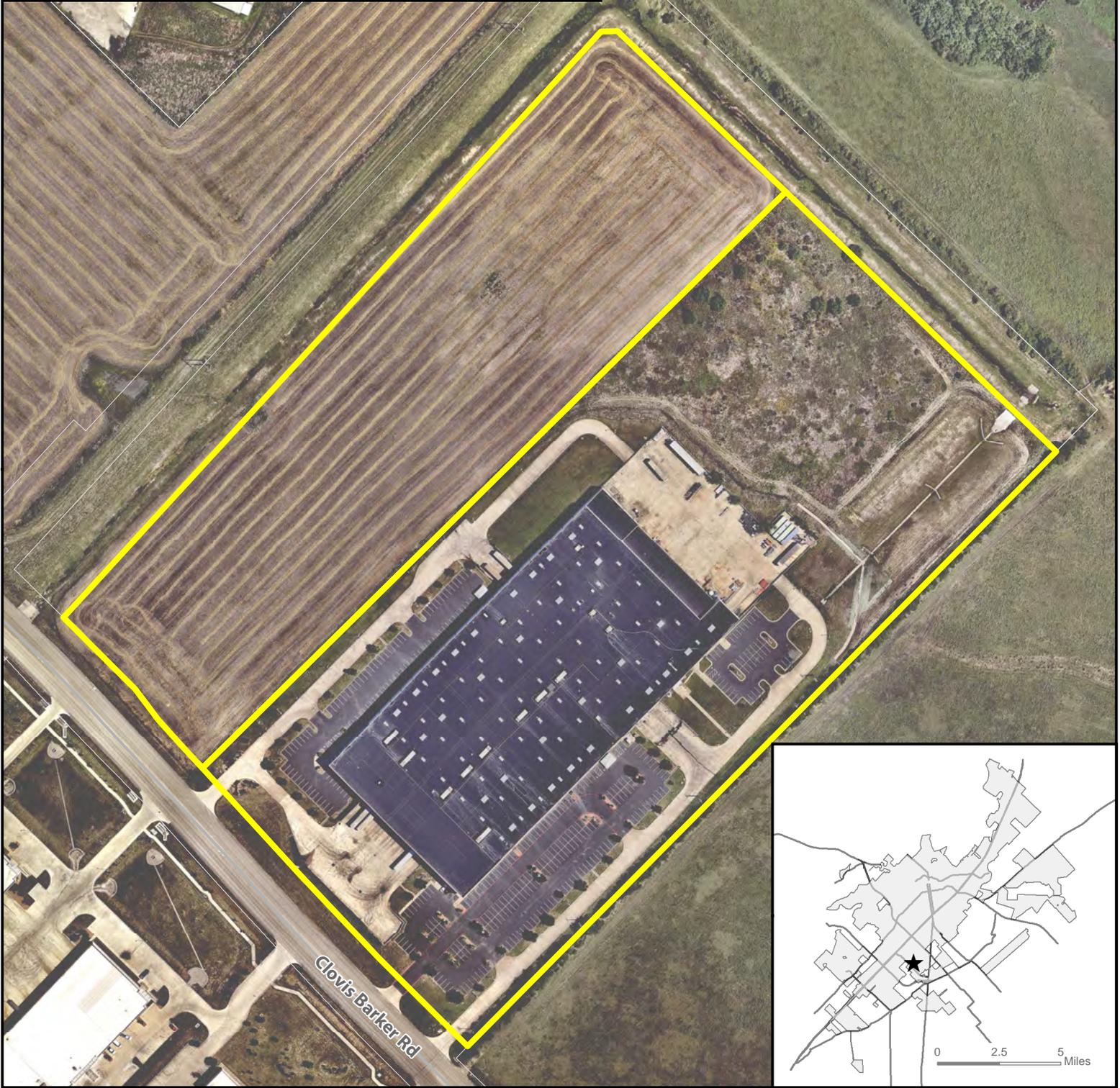
Additional Analysis

| | |
|----------|--------------------------------|
| Replat | Genlyte Industrial Park |
| PC-20-05 | |

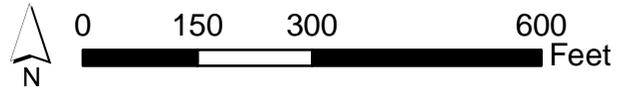


| Evaluation | | | Criteria for Approval (Sec.3.2.3.4) |
|------------|--------------|------------|--|
| Consistent | Inconsistent | Neutral | |
| <u>X</u> | | | If no preliminary subdivision or development plat has been approved the criteria in Section 3.2.2.4 shall apply; |
| | | <u>N/A</u> | The final subdivision plat or final development plat, as applicable, conforms to the approved preliminary subdivision plat or preliminary development plat, except for minor changes authorized under Section 3.2.3.5; |
| | | <u>N/A</u> | Where public improvements have been installed, the improvements conform to the approved public improvement construction plans and have been approved for acceptance by the Responsible Official; |
| | | <u>N/A</u> | Where the Planning and Zoning Commission has authorized public improvements to be deferred, the subdivision improvement agreement and surety have been executed and submitted by the property owner in accordance with Section 3.4.2.1; |
| <u>X</u> | | | The final layout of the subdivision or development meets all standards for adequacy of public facilities in accordance with Section 3.5.1.1; and |
| | | <u>N/A</u> | The plat meets any County standards to be applied under an interlocal agreement between the City and a County under Tex. Loc. Gov't Code Ch. 242, where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and in the county. <i>The property is not located in the ETJ.</i> |

PC-20-05 Aerial View Genlyte Industrial Park Replat

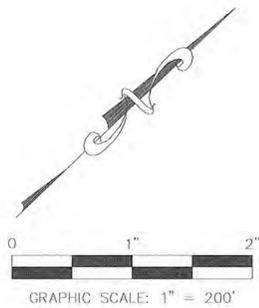
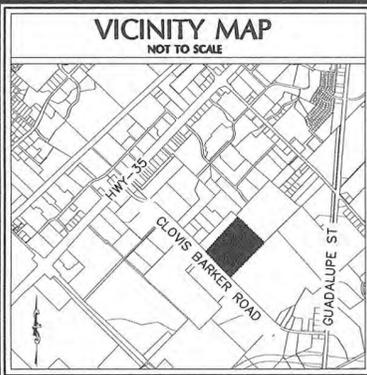


-  **Subject Property**
-  **Parcel**
-  **City Limit**



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

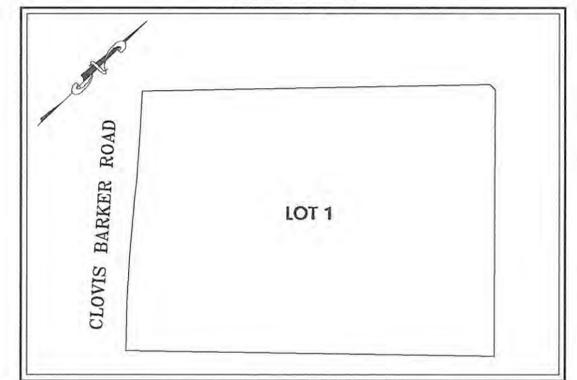
Map Date: 3/30/2020



RE-PLAT OF "LOT 1"
GENLYTE INDUSTRIAL PARK, CREATING
LOTS 1A & 2A, GENLYTE SUBDIVISION
HAYS COUNTY, TEXAS

ORIGINAL CONFIGURATION

SCALE: 1" = 150'



J.M. VERAMENDI LEAGUE NO. ONE
ABSTRACT NUMBER 17
HAYS COUNTY, TEXAS

REFERENCE TIE TO CITY
OF SAN MARCOS
MONUMENT (GPS #17)
NORTHING: 13,850,304.45
EASTING: 2,289,665.29

REFERENCE TIE TO CITY
OF SAN MARCOS
MONUMENT (GPS #9)
NORTHING: 13,851,095.06
EASTING: 2,291,475.84

STATE OF TEXAS
COUNTY OF HAYS
KNOW ALL ME BY THESE PRESENTS:

THAT GENLYTE THOMAS GROUP, LLC, BY AND THROUGH JOSEPH JOYCE, OWNER OF THE CERTAIN TRACT OF LAND HEREON AND DESCRIBED IN THE PLAT TITLED GENLYTE INDUSTRIAL PARK, A SUBDIVISION OF 46.00 ACRES OUT OF THE J.M. VERAMENDI LEAGUE, HAYS COUNTY, TEXAS, 1 LOT, RECORDED IN VOLUME 9, PAGE 372, PLAT RECORDS OF HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID LOT AS SHOWN HEREON, AND DO HEREBY CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO HEREBY DEDICATE TO THE CITY OF SAN MARCOS THE STREETS, ALLEYS, RIGHTS-OF-WAY, EASEMENT, AND PUBLIC PLACES SHOWN HEREON FOR SUCH PUBLIC PURPOSES AS THE CITY OF SAN MARCOS MAY DEEM APPROPRIATE. THIS SUBDIVISION IS TO BE KNOWN AS LOTS 1A & 2A, GENLYTE SUBDIVISION.

TO CERTIFY WHICH, WITNESS BY MY HAND THIS _____ DAY OF _____ A.D. 20__

BY:
JOSEPH JOYCE, AUTHORIZED AGENT
1611 CLOVIS BARKER
SAN MARCOS, TX 78666

STATE OF TEXAS
COUNTY OF HAYS
KNOW ALL ME BY THESE PRESENTS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED REPRESENTATIVE FOR _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY HAVE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ A.D. 20__

NOTARY PUBLIC IN AND FOR HAYS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

APPROVED AND AUTHORIZED TO BE RECORDED ON THE _____ DAY OF _____ 20__ BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SAN MARCOS.

CHAIR OF PLANNING AND ZONING
CITY OF SAN MARCOS, TEXAS

DIRECTOR OF DEVELOPMENT SERVICES
CITY OF SAN MARCOS, TEXAS

DIRECTOR OF CIP AND ENGINEERING
CITY OF SAN MARCOS, TEXAS

RECORDING SECRETARY
CITY OF SAN MARCOS, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

KNOW ALL ME BY THESE PRESENTS:

I, ELAINE HANSON CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____ A.D. 20__ AT _____ O'CLOCK _____ M., AND DULY RECORDED ON THE _____ DAY OF _____ A.D., 20__ AT _____ O'CLOCK _____ M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS INSTRUMENT NO. _____

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL OF THE OFFICE OF COUNTY CLERK, THIS _____ DAY OF _____ A.D. 20__

ELAINE HANSON CARDENAS, COUNTY CLERK
HAYS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

KNOW ALL ME BY THESE PRESENTS:

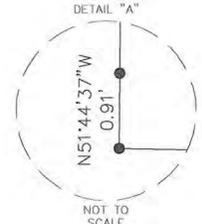
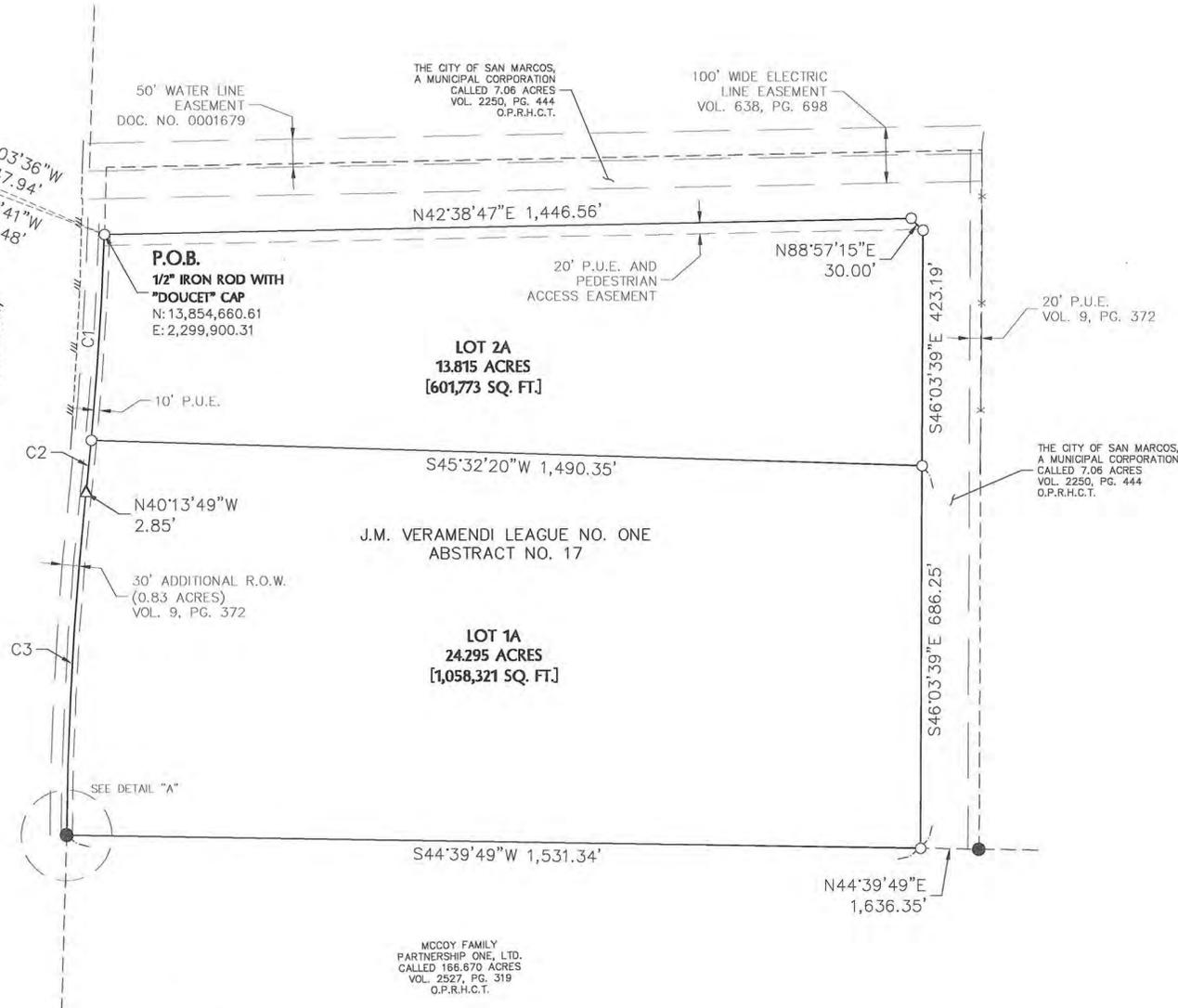
I, GARRETT CAVAIUOLO, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF SAN MARCOS, TEXAS.

TO CERTIFY WHICH, WITNESS BY HAND AND SEAL AT SAN MARCOS, HAYS COUNTY, TEXAS, _____ DAY OF _____ A.D. 2020

Garrett Cavaiuolo
DATE 03/13/2020
GARRETT CAVAIUOLO
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6714
DOUCET & ASSOCIATES
GCVAIUOLO@DOUCETENGINEERS.COM



STATE OF TEXAS
COUNTY OF HAYS
KNOW ALL ME BY THESE PRESENTS:
I, JOE GRASSO, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT ALL OF THIS SUBDIVISION IS LOCATED WITHIN THE ZONE X FLOOD AREA, AREA OF MINIMAL FLOOD CHANGE, AS DEFINED BY FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, COMMUNITY PANEL NUMBER 48209C0479F, EFFECTIVE DATE SEPTEMBER 2, 2005, AND THAT EACH LOT CONFORMS TO THE SAN MARCOS SUBDIVISION REGULATION.
TO CERTIFY WHICH, WITNESS BY HAND AND SEAL AT SAN MARCOS, HAYS COUNTY, TEXAS, _____ DAY OF _____ A.D. 2020
Joe Grasso
JOE GRASSO
LICENSED PROFESSIONAL ENGINEER
STATE OF TEXAS NO. 73285



| CURVE TABLE | | | | | |
|-------------|---------|----------|----------|---------------|--------------|
| CURVE | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH |
| C1 | 370.89' | 6912.66' | 3°04'27" | N42°36'09"W | 370.85' |
| C2 | 92.41' | 6725.20' | 0°47'14" | N40°37'44"W | 92.41' |
| C3 | 613.93' | 6250.15' | 5°37'41" | N43°02'07"W | 613.68' |

| LEGEND | |
|--------------|---|
| — | PROPERTY LINE |
| - - - | EXISTING PROPERTY LINE |
| - - - | ADJOINER PROPERTY LINE |
| - - - | EXISTING EASEMENT |
| x | EXISTING WIRE FENCE |
| /// | EDGE OF PAVEMENT |
| — | FLY TIE |
| ● | IRON ROD FOUND [UNLESS NOTED] |
| ▲ | PK NAIL FOUND |
| ○ | 1/2" IRON ROD WITH "DOUCET" CAP SET |
| △ | CALCULATED POINT |
| DOC. NO. | DOCUMENT NUMBER |
| VOL. | VOLUME |
| PG. | PAGE |
| R.O.W. | RIGHT-OF-WAY |
| P.U.E. | PUBLIC UTILITY EASEMENT |
| O.P.R.H.C.T. | OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS |

- PLAT NOTES:
- NO PORTION OF THIS SUBDIVISION LIES WITHIN THE EDWARD AQUIFER RECHARGE ZONE OR THE SAN MARCOS RIVER CORRIDOR.
 - THIS SUBDIVISION LIES WITHIN THE FOLLOWING JURISDICTIONS:
EMERGENCY SERVICES DISTRICT #3
SAN MARCOS INDEPENDENT SCHOOL DISTRICT
 - WATER SUPPLY FOR THIS SUBDIVISION IS PROVIDED BY CITY OF SAN MARCOS UTILITIES.
 - WASTEWATER TREATMENT FOR THIS SUBDIVISION IS PROVIDED BY CITY OF SAN MARCOS UTILITIES.
 - ELECTRICITY FOR THIS SUBDIVISION IS PROVIDED BY SAN MARCOS UTILITIES.
 - TELEPHONE SERVICE FOR THIS SUBDIVISION IS PROVIDED BY CENTURY LINK.
 - THIS SUBDIVISION LIES WITHIN THE CITY LIMITS OF THE CITY OF SAN MARCOS AND IS SUBJECT TO ITS ORDINANCES.
 - BUILDING SETBACK LINES PER CITY OF SAN MARCOS ZONING ORDINANCE.
 - BEARING BASIS: NAD 83 TEXAS STATE PLANE COORDINATE SYSTEM—SOUTH CENTRAL (ZONE 4204). ALL COORDINATES AND DISTANCES ARE GRID VALUES AND MAY BE CONVERTED TO SURFACE BY USING THE SURFACE ADJUSTMENT FACTOR OF 1.00012. UNITS: US SURVEY FEET.
 - EASEMENTS OR OTHER MATTERS OF RECORD SHOWN HEREON ARE PER PLAT DESCRIBED AS GENLYTE INDUSTRIAL PARK, RECORDED IN VOLUME 9, PAGE 372 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. NO ADDITIONAL RESEARCH WAS PERFORMED.
 - SIDEWALKS ARE REQUIRED AT THE TIME OF DEVELOPMENT.
 - GREENWAY IMPROVEMENTS ARE REQUIRED AT THE TIME OF DEVELOPMENT.

DA DOUCET & ASSOCIATES
Civil Engineering - Planning - Geospatial
7401 B. Highway 71 W, Suite 160
Austin, Texas 78735, Phone: (512)-583-2600
www.doucetandassociates.com
TBPLS Firm No.: 10105800
TBPE Firm No.: F-3937

| | |
|--------------|------------|
| Date: | 03/13/2020 |
| Scale: | 1" = 200' |
| Drawn by: | JWF |
| Reviewer: | GC |
| Project: | 1983-001 |
| Sheet: | 1 OF 1 |
| Field Book: | 520 |
| Party Chief: | JFP |
| Survey Date: | 10/16/2019 |

PRELIMINARY SUBDIVISION PLAT, REPLAT OR CONCEPT PLAT APPLICATION

Updated: October, 2019



CONTACT INFORMATION

| | | | |
|-----------------------------|--|-------------------------|---|
| Applicant's Name | Ed Theriot | Property Owner | Joseph Joyce |
| Company | Doucet & Associates, Inc. | Company | Genlyte Thomas Group, LLC |
| Applicant's Mailing Address | 7401B Hwy. 71 W., Ste. 160 Austin, TX 78735 | Owner's Mailing Address | 818 SW 3rd Ave., Box 40 Portland, OR 97204 |
| Applicant's Phone # | 512-618-2865 | Owner's Phone # | 978-409-8142 |
| Applicant's Email | etheriot@doucetengineers.com | Owner's Email | joe.joyce@signify.com |

PROPERTY INFORMATION

Proposed Subdivision Name: Replat of Lot 1 Genlyte Industrial Park

Subject Property Address or General Location: 1611 Clovis Barker Rd.

Acres: 38.11 ac Tax ID #: R 100646

Located in: City Limits Extraterritorial Jurisdiction (County) _____

DESCRIPTION OF REQUEST

Type of Plat: Preliminary Subdivision Plat Replat Concept Plat

Proposed Number of Lots: 2 Proposed Land Use: Industrial

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$1,057 plus \$50 per acre Technology Fee \$13 **MAXIMUM COST \$2,513***

**Replats that are not Administratively approved – Maximum Cost \$3,013*

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

SUBDIVISION IMPROVEMENT AGREEMENT ACKNOWLEDGEMENT

I understand, whenever public improvements to serve the development are deferred until after Final Subdivision or Development Plat approval, the property owner shall enter into a Subdivision Improvement Agreement by which the owner covenants to complete all required public improvements no later than two (2) years following the date upon which the Final Plat is approved.

- All required public improvements will be completed prior to approval of the Final Subdivision or Development Plat
- I wish to defer installation of public improvements until after approval of the Final Subdivision or Development Plat and have attached a Subdivision Improvement Agreement to be considered along with this Plat application
- The attached Minor / Amending / Preliminary Plat Application does not require a Subdivision Improvement Agreement

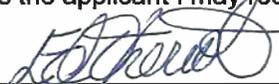
Signature of Applicant:  Date: 12/09/19

NOTICE OF COMPLETENESS DETERMINATION & STATUTORY REVIEW TIMEFRAMES

I understand that the City of San Marcos requires online submittal of all applications through the Customer Portal at www.mygovernmentonline.org and that the Responsible Official will review this application for completeness within 10 business days of online submittal. I understand that this application is not considered "filed" until all required documentation is received and reviewed for completeness. *Upon determination of completeness the City will send written correspondence stating that the application has been filed and will provide a date, in accordance with the Texas Local Government Code, when the Planning and Zoning Commission will meet to hear the request.*

- By checking this box I am requesting cursory review of this application prior to determination that the application is complete and filed. Cursory review comments shall not constitute a determination of completeness.

I also understand that as the applicant I may request, in writing, an extension to the statutory review timeframes.

Signature of Applicant:  Date: 12/09/19

RECORDATION REQUIREMENTS***

The following are required for recordation, following approval of a Plat application:

- Two (2) mylars of the subdivision plat (*Comal Co. requires White 20# Bond Paper*)
- Recording Fee: \$ _____
- Tax Certificate, printed within 30 days of recordation date (paid prior to January 31st of current year)

Other possible recording requirements:

- If public improvements were deferred, Subdivision Improvement Agreement
- Subdivision Improvement Agreement recording fee: \$ _____
- Other legal documents referenced on the plat (i.e. easement dedication by separate instrument, HOA documents)
- Other recording fee: \$ _____

***Recordation fees, mylars, and other requirements are not due at the time of submittal. Fees will depend on the number of pages needed for recordation and the County in which they are recorded. The total will be calculated upon approval.

ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT FOR:

Subdivision Name: Replat of Lot 1 Genlyte Industrial Park Creating Lots 1A & 2A Genlyte Subdivision

Utility service codes are to be indicated as applicable in the space provided in each acknowledgement listed below according to the following designations:

- A. Adequate service ***is*** currently available to the subject property
- B. Adequate service ***is not*** currently available, but arrangements ***have*** been made to provide it
- C. Adequate service ***is not*** currently available, and arrangements ***have not*** been made to provide it
- D. Easement(s) are needed within the subject property

Name of Electric Service Provider: Bluebonnet Electric Coop.

Applicable Utility Service Code(s): A + C

Comments / Conditions: Additional easements may be required.

Signature of Electric Company Official: Rodney Gault

Title: Sr. Project Coordinator Date: 12/4/2019

GAS UTILITY SERVICE ACKNOWLEDGEMENT FOR:

Subdivision Name: Replat of Lot 1 Genlyte Industrial Park Creating Lots 1A & 2A Genlyte Subdivision

Utility service codes are to be indicated as applicable in the space provided in each acknowledgement listed below according to the following designations:

- A. Adequate service ***is*** currently available to the subject property
- B. Adequate service ***is not*** currently available, but arrangements ***have*** been made to provide it
- C. Adequate service ***is not*** currently available, and arrangements ***have not*** been made to provide it
- D. Easement(s) are needed within the subject property

Name of Gas Service Provider: Centerpoint Energy

Applicable Utility Service Code(s): A

Comments / Conditions: Wendy Ullman

Signature of Gas Company Official: _____

Title: Operations Supervisor Date: 11/22/2019

From: [Ruble, Martin](#)
To: [Meranda Perkins](#)
Subject: Read: RE: Telephone Utility Service Acknowledgment for San Marcos Plat
Date: Monday, December 9, 2019 9:25:47 AM
Attachments: [Read RE Telephone Utility Service Acknowledgment for San Marcos Plat.msg](#)
Importance: High

This communication is the property of CenturyLink and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

1611 Clavis Barker

WATER UTILITY SERVICE ACKNOWLEDGEMENT FOR:

Subdivision Name: Replat of Lot 1 Genlyte Industrial Park Creating Lots 1A & 2A Genlyte Subdivision

Utility service codes are to be indicated as applicable in the space provided in each acknowledgement listed below according to the following designations:

- A. Adequate service ***is*** currently available to the subject property
- B. Adequate service ***is not*** currently available, but arrangements ***have*** been made to provide it
- C. Adequate service ***is not*** currently available, and arrangements ***have not*** been made to provide it
- D. Easement(s) are needed within the subject property

Name of Water Service Provider: City of San Marcos

Applicable Utility Service Code(s): A

Comments / Conditions: _____

Signature of Water Official: Tony Johnson

Title: Water Dept Manager Date: 12-03-19

WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT FOR:

Subdivision Name: Replat of Lot 1 Genlyte Industrial Park Creating Lots 1A & 2A Genlyte Subdivision

Utility service codes are to be indicated as applicable in the space provided in each acknowledgement listed below according to the following designations:

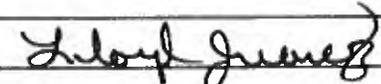
- A. Adequate service ***is*** currently available to the subject property
- B. Adequate service ***is not*** currently available, but arrangements ***have*** been made to provide it
- C. Adequate service ***is not*** currently available, and arrangements ***have not*** been made to provide it
- D. Easement(s) are needed within the subject property

Name of Wastewater Service Provider: City of San Marcos

Applicable Utility Service Code(s): A

OR, the use of either 1) a private wastewater treatment system, or 2) septic tanks, is approved for all lots in the proposed subdivision which are not required to connect to the City of San Marcos wastewater system.

Comments / Conditions: Should additional infrastructure be required to provide service to aforementioned parcels, construction of such infrastructure is to be constructed by developer.

Signature of Wastewater Official: 

Title: Wastewater Collections Manager Date: Nov. 22, 2019



November 19, 2019

Authority Having Jurisdiction (AHJ)

RE: Agent Authorization for the Replat of Lot 1, Genlyte Subdivision.

Doucet & Associates, Inc. is authorized to act as Agents for Genlyte Thomas Group LLC, owner of the lot, locally known as Lot 1, Genlyte Subdivision in Hays County, Texas, according to the map or plat of record in Volume 9, Page 372 of the Official Public Records of Hays County, Texas with regard to coordinating, submitting and processing the Replat and all other applications as necessary to complete the approval process with the Authorities Having Jurisdiction.

Genlyte Thomas Group LLC

By:

A handwritten signature in blue ink, appearing to read 'M Manning', written over a horizontal line.

Michael Manning

Head of Legal Americas

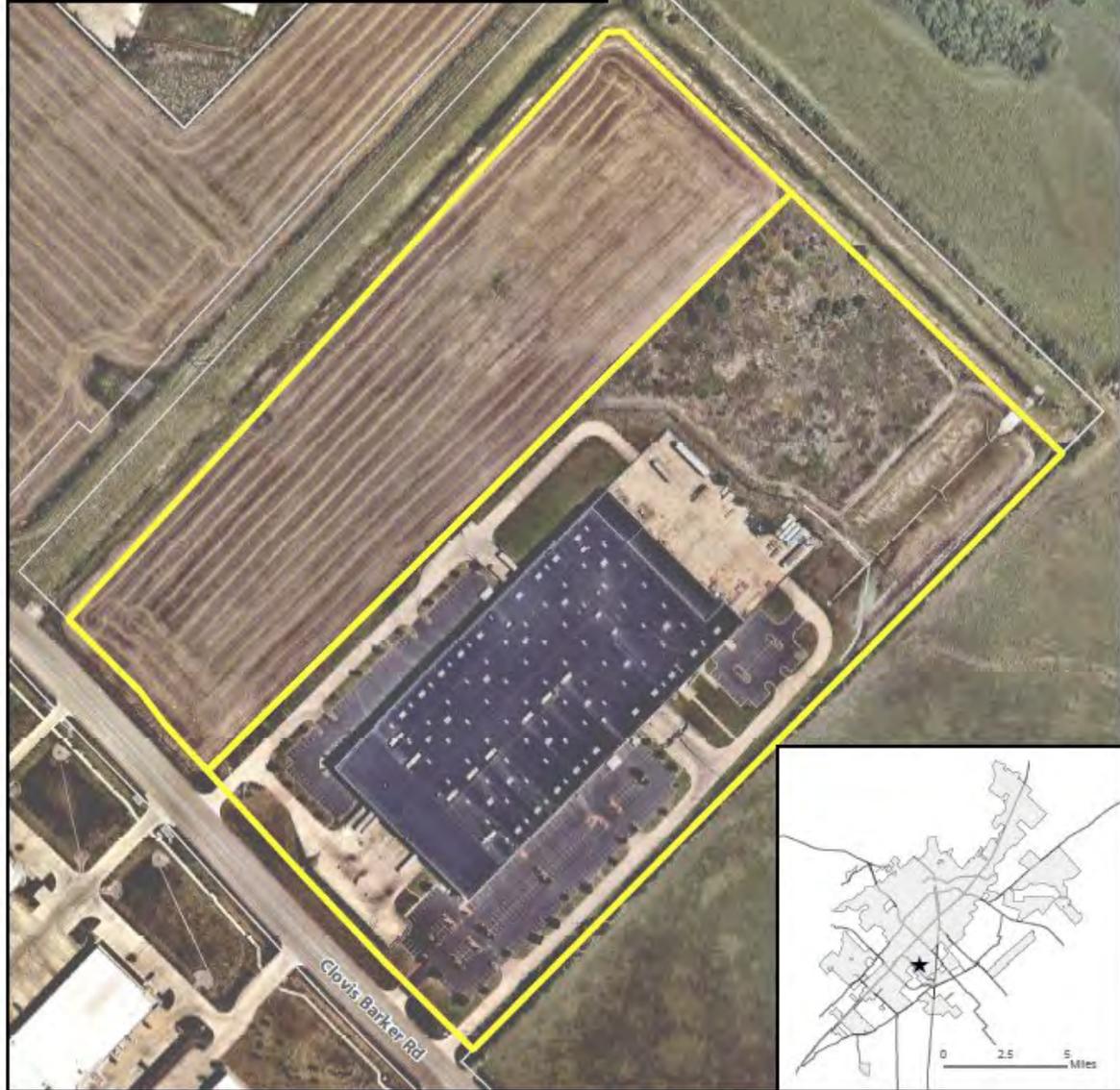
Michael.l.Manning@signify.com

PC-20-05 (Genlyte Industrial Park Replat)

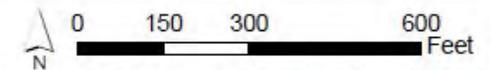
Hold a public hearing and consider a request by Ed Theriot, on behalf of Joseph Joyce, LLC, for approval of a replat of Genlyte Industrial Park, consisting of approximately 38.11 acres located 1611 Clovis Barker Road. (T. Carpenter)

- +/- 38.11 acres
- Subdividing one lot into two.

PC-20-05 Aerial View Genlyte Industrial Park Replat



-  Subject Property
-  Parcel
-  City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 3/30/2020



**J.M. VERAMENDI LEAGUE NO. ONE
ABSTRACT NUMBER 17
HAYS COUNTY, TEXAS**

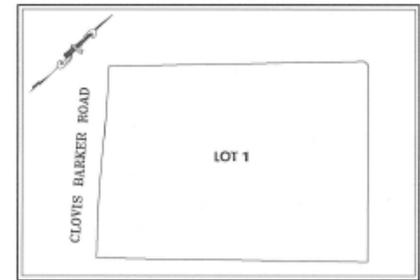
REFERENCE TO CITY OF SAN MARCOS MONUMENT (GPS #17)
NORTHING: 13,850,304.45
EASTING: 2,289,665.29

REFERENCE TO CITY OF SAN MARCOS MONUMENT (GPS #9)
NORTHING: 13,851,095.06
EASTING: 2,291,475.84

**RE-PLAT OF "LOT 1"
GENLYTE INDUSTRIAL PARK, CREATING
LOTS 1A & 2A, GENLYTE SUBDIVISION
HAYS COUNTY, TEXAS**

ORIGINAL CONFIGURATION

SCALE: 1" = 150'



STATE OF TEXAS
COUNTY OF HAYS
KNOW ALL ME BY THESE PRESENTS:
THAT GENLYTE THOMAS GROUP, LLC, BY AND THROUGH JOSEPH JOYCE, OWNER OF THE CERTAIN TRACT OF LAND HEREON AND DESCRIBED IN THE PLAT TITLED GENLYTE INDUSTRIAL PARK, A SUBDIVISION OF FIELD ACRES OUT OF THE J.M. VERAMENDI LEAGUE, HAYS COUNTY, TEXAS, LOT 1, RECORDED IN VOLUME 9, PAGE 372, PLAT RECORDS OF HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID LOT AS SHOWN HEREON, AND DO HEREBY CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO HEREBY DEDICATE TO THE CITY OF SAN MARCOS THE SHEDS, ALLEYS, RIGHTS-OF-WAY, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON FOR SUCH PUBLIC PURPOSES AS THE CITY OF SAN MARCOS MAY DEEM APPROPRIATE. THIS SUBDIVISION IS TO BE KNOWN AS LOTS 1A & 2A, GENLYTE SUBDIVISION.
TO CERTIFY WHICH, WITNESS BY MY HAND THIS _____ DAY OF _____ A.D. 20____

BY: JOSEPH JOYCE, AUTHORIZED AGENT
1611 CLOVIS BARKER
SAN MARCOS, TX 78866

STATE OF TEXAS
COUNTY OF HAYS
KNOW ALL ME BY THESE PRESENTS:
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED REPRESENTATIVE FOR THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY HAVE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ A.D. 20____

NOTARY PUBLIC IN AND FOR HAYS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS
APPROVED AND AUTHORIZED TO BE RECORDED ON THE _____ DAY OF _____ 20____ BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SAN MARCOS.

CHIEF OF PLANNING AND ZONING
CITY OF SAN MARCOS, TEXAS

DIRECTOR OF DEVELOPMENT SERVICES
CITY OF SAN MARCOS, TEXAS

DIRECTOR OF DP AND ENGINEERING
CITY OF SAN MARCOS, TEXAS

RECORDING SECRETARY
CITY OF SAN MARCOS, TEXAS

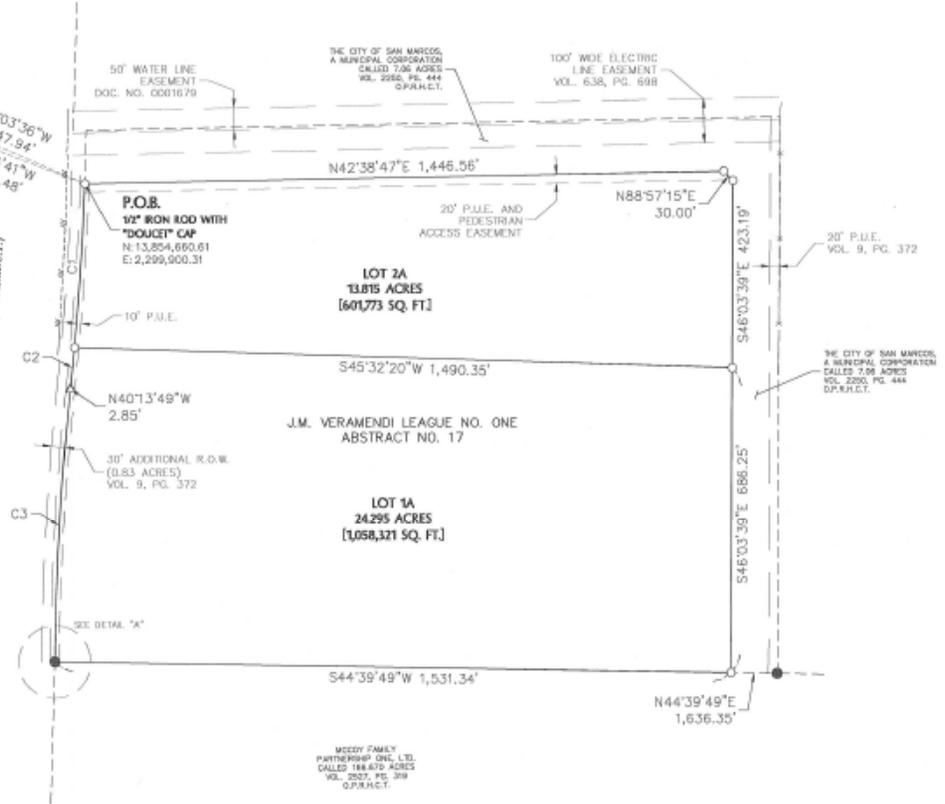
STATE OF TEXAS
COUNTY OF HAYS
KNOW ALL ME BY THESE PRESENTS:
I, ELAINE HANSON CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____ A.D. 20____ AT _____ O'CLOCK _____ M. AND DULY RECORDED ON THE _____ DAY OF _____ A.D. 20____ AT _____ O'CLOCK _____ M. IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS INSTRUMENT NO. _____
TO CERTIFY WHICH, WITNESS MY HAND AND SEAL OF THE OFFICE OF COUNTY CLERK, THIS _____ DAY OF _____ A.D. 20____

ELAINE HANSON CARDENAS, COUNTY CLERK
HAYS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS
KNOW ALL ME BY THESE PRESENTS:
I, GARRETT CAVANUOLO, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS THIS _____ DAY OF _____ A.D. 20____ WAS MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND AND THE PROPERTY LOCALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OR OVERLAPPING IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLATS, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE IMPROVEMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF SAN MARCOS, TEXAS.
TO CERTIFY WHICH, WITNESS BY HAND AND SEAL AT SAN MARCOS, HAYS COUNTY, TEXAS, THIS _____ DAY OF _____ A.D. 20____

GARRETT CAVANUOLO
REGISTERED PROFESSIONAL LAND SURVEYOR
EXPIRES REGISTRATION NO. 6714
DOUCET & ASSOCIATES
CCAVANUOLO@DOUCETENGINEERS.COM

03/13/2020



STATE OF TEXAS
COUNTY OF HAYS
KNOW ALL ME BY THESE PRESENTS:
I, JOE GRASSO, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT ALL OF THIS SUBDIVISION IS LOCATED WITHIN THE ONE (1) FLOOD AREA, AREA OF MINIMAL FLOOD CHANCE, AS DETERMINED BY FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION FLOOD HAZARD BOUNDARY MAP COMMUNITY PANEL NUMBER A900000000E, EFFECTIVE DATE SEPTEMBER 2, 2003, AND THAT EACH LOT CONFORMS TO THE SAN MARCOS SUBDIVISION REGULATIONS.
TO CERTIFY WHICH, WITNESS BY HAND AND SEAL AT SAN MARCOS, HAYS COUNTY, TEXAS, THIS _____ DAY OF _____ A.D. 20____



| CURVE TABLE | | | | | |
|-------------|---------|----------|---------|---------------|--------------|
| CURVE | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH |
| C1 | 370.89' | 6912.66' | 370°22' | N42°36'09"W | 370.85' |
| C2 | 92.41' | 6725.20' | 074°14' | N40°37'44"W | 92.41' |
| C3 | 613.93' | 6250.15' | 573°41' | N43°02'07"W | 613.68' |

| LEGEND | |
|--------------|---|
| --- | PROPERTY LINE |
| - - - - - | EXISTING PROPERTY LINE |
| - · - · - | ADJACENT PROPERTY LINE |
| - · - · - | EXISTING EASEMENT |
| - · - · - | EXISTING WIRE FENCE |
| - · - · - | EDGE OF PAVEMENT |
| ○ | IRON ROD FOUND (UNLESS NOTED) |
| ▲ | PK NAIL FOUND |
| ○ | 1/2" IRON ROD WITH "DOUCET" CAP SET |
| △ | CALCULATED POINT |
| DOC. NO. | DOCUMENT NUMBER |
| VOL. | PAGE |
| R.O.W. | RIGHT-OF-WAY |
| P.U.E. | PUBLIC UTILITY EASEMENT |
| O.P.R.H.C.T. | OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS |

- PLAT NOTES:
- NO PORTION OF THIS SUBDIVISION LIES WITHIN THE EDWARD AUBURN RECHARGE ZONE OR THE SAN MARCOS RIVER CORRIDOR.
 - THIS SUBDIVISION LIES WITHIN THE FOLLOWING JURISDICTIONS: EMERGENCY SERVICES DISTRICT #3 SAN MARCOS INDEPENDENT SCHOOL DISTRICT
 - WATER SUPPLY FOR THIS SUBDIVISION IS PROVIDED BY CITY OF SAN MARCOS UTILITIES.
 - WASTEWATER TREATMENT FOR THIS SUBDIVISION IS PROVIDED BY CITY OF SAN MARCOS UTILITIES.
 - ELECTRICITY FOR THIS SUBDIVISION IS PROVIDED BY SAN MARCOS UTILITIES.
 - TELEPHONE SERVICE FOR THIS SUBDIVISION IS PROVIDED BY CENTURY LINK.
 - THIS SUBDIVISION LIES WITHIN THE CITY LIMITS OF THE CITY OF SAN MARCOS AND IS SUBJECT TO ITS ORDINANCES.
 - BUILDING SETBACK LINES PER CITY OF SAN MARCOS ZONING ORDINANCE.
 - BEARING BASIS: NAD 83 TEXAS STATE PLANE COORDINATE SYSTEM-SOUTH CENTRAL (ZONE 4204). ALL COORDINATES AND DISTANCES ARE GRID VALUES AND MAY BE CONVERTED TO SURFACE BY USING THE SURFACE ADJUSTMENT FACTOR OF 1.00012. UNITS: US SURVEY FEET.
 - EASEMENTS OR OTHER MATTERS OF RECORD SHOWN HEREON ARE PER PLAT DESCRIBED AS GENLYTE INDUSTRIAL PARK, RECORDED BY VOLUME 9, PAGE 372 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. NO ADDITIONAL RESEARCH WAS PERFORMED.
 - SOCCULUS ARE REQUIRED AT THE TIME OF DEVELOPMENT.
 - GREENWAY IMPROVEMENTS ARE REQUIRED AT THE TIME OF DEVELOPMENT.

DA DOUCET & ASSOCIATES
Civil Engineering - Planning - Geospatial
7401 B. Highway 71 W, Suite 140
Austin, Texas 78735. Phone: (512)-583-2600
www.doucetandassociates.com
T&E Firm No.: 10105800
T&E Firm No. T-3737

Date: 03/13/2020
Scale: 1" = 200'
Drawn by: JWE
Revised: GC
Project: 1983-501
Sheet: 1 OF 1
Field Book: 520
Party Chief: JJP
Survey Date: 10/16/2019



Recommendation:

Staff has reviewed the request and determined the request complies with the San Marcos Development Code and recommends **approval** of PC-20-05 as submitted.



Legislation Text

File #: CUP-20-03(P), Version: 1

AGENDA CAPTION:

CUP-20-03 (Rollin' Bowl) Hold a public hearing and consider a request from 99 Rollin' Bowl Inc., for a renewal of a Conditional Use Permit for the sale of beer and wine for on-premise consumption, located at 1285 South IH 35 Suite 103. (W. Parrish)

Meeting date: April 14, 2020

Department: Planning and Development Services

Amount & Source of Funding

Funds Required: NA
Account Number: NA
Funds Available: NA
Account Name: NA

Fiscal Note:

Prior Council Action: [Click or tap here to enter text.](#)

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

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 - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services

Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

Rollin' Bowl occupies 4,100 square feet of space, including an outdoor patio, in a building that it shares with Starbucks Coffee. Rollin' Bowl received a one (1) year CUP which became active March 28, 2019.

This lot has a shared parking agreement with the 54th Street Grill and Olive Garden lots. Previously, the Planning and Zoning Commission has heard from concerned neighbors about noise coming from the Olive Garden parking lot late at night that disturbed neighborhood dogs, who in turn made a significant amount of noise themselves.

A condition of the previous CUP restricted Rollin' Bowl employees from parking on the Olive Garden lot to help reduce the chance of late night noise from employees leaving work.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Staff has reviewed the request for compliance with Sections 2.8.3.4 and 5.1.5.5 of the San Marcos Development Code and recommends **approval** of the request with the following conditions:

1. Permit shall be valid for three (3) years, provided standards are met,
2. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times;
3. The employees may not park on the Olive Garden lot, and
4. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

| | |
|-------------------------------|------------------------------|
| Conditional Use Permit | 1285 S IH 35 Ste. 103 |
| CUP-20-03 | Rollin' Bowl |



Summary

| | | | |
|---------------------------------------|--|--------------------------|--|
| Request: | A Conditional Use Permit renewal to allow the sale of beer and wine for on-premise consumption at 1285 S IH 35 Ste. 103. | | |
| Applicant: | 99 Rollin' Bowl Inc. 1285 IH 35 S Ste. 103 San Marcos, TX 78666 | Property Owner: | Hexin-Tx LLC 7905 Prospect PL La Jolla, CA 92037 |
| CUP Expiration: | March 29, 2020 | Type of CUP: | Beer and Wine |
| Interior seating: | 148 | Outdoor seating: | 25 |
| Parking Required: | 44 | Parking Provided: | Yes, Shared |
| Days & Hours of Operation: | Monday – Thursday: 11 a.m. – 10 p.m. Friday – Saturday: 11 a.m. 11 p.m. Sunday: 12 p.m. to 9 p.m. | | |

Notification

| | | | |
|------------------|------------------------------------|------------------|-------------------|
| Posted: | February 28, 2019 | Personal: | February 28, 2019 |
| Response: | None as of the date of this report | | |

Property Description

| | | | |
|---------------------------|--|-------------------------------|---------------------|
| Legal Description: | Lot 1 Simon Place II Subdivision | | |
| Location: | Near the intersection of IH 35 and Hwy 123 | | |
| Acreage: | .776 acres +/- | Central Business Area: | No |
| Existing Zoning: | General Commercial (GC) | Preferred Scenario: | High Intensity Zone |
| Existing Use: | Restaurant | Proposed Use: | Restaurant |
| CONA Neighborhood: | Sunset Acres | Sector: | 5 |
| Utility Capacity: | Adequate | | |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|---------------|----------------------------------|---------------------------|
| North of Property: | GC | IH 35 / Restaurant | High Intensity |
| South of Property: | P | San Marcos Electric Headquarters | High Intensity |
| East of Property: | GC | Restaurants | High Intensity |
| West of Property: | GC | Restaurants | High Intensity |

| | |
|-------------------------------|------------------------------|
| Conditional Use Permit | 1285 S IH 35 Ste. 103 |
| CUP-20-03 | Rollin' Bowl |



History

Rollin' Bowl occupies 4,100 square feet of space, including an outdoor patio, in a building that it shares with Starbucks Coffee. Rollin' Bowl received a one (1) year CUP which became active March 28, 2019.

This lot has a shared parking agreement with the 54th Street Grill and Olive Garden lots. Previously, the Planning and Zoning Commission has heard from concerned neighbors about noise coming from the Olive Garden parking lot late at night that disturbed neighborhood dogs, who in turn made a significant amount of noise themselves.

A condition of the previous CUP restricted Rollin' Bowl employees from parking on the Olive Garden lot to help reduce the chance of late night noise from employees leaving work.

Additional Analysis

Due to concerns over noise expressed by the neighbors regarding the Olive Garden CUP renewal request, Staff feels that it is appropriate to continue to restrict employees of Rollin' Bowl from parking in the Olive Garden parking lot.

Comments from Other Departments

| | |
|------------------------|-------------|
| Police | No Concerns |
| Fire | No Concerns |
| Public Services | No Concerns |
| Engineering | No Concerns |

Staff Recommendation

| | | | | | |
|---|-------------------------------------|--------------------------------------|--------------------------|----------------------------|--------------------------|
| Approval as Submitted | <input checked="" type="checkbox"/> | Approval with Conditions / Alternate | <input type="checkbox"/> | Denial | <input type="checkbox"/> |
| <ol style="list-style-type: none"> Permit shall be valid for three (3) years, provided standards are met, The business shall be responsible for maintaining the sidewalk, gutters, parking lot and all areas within 100 feet of any exit and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times. The employees may not park on the Olive Garden lot, and The permit shall be posted in the same area and manner as the Certificate of Occupancy. | | | | | |
| Staff: Will Parrish | Title : Planner | | | Date: March 6, 2019 | |

Conditional Use Permit

1285 S IH 35 Ste. 103

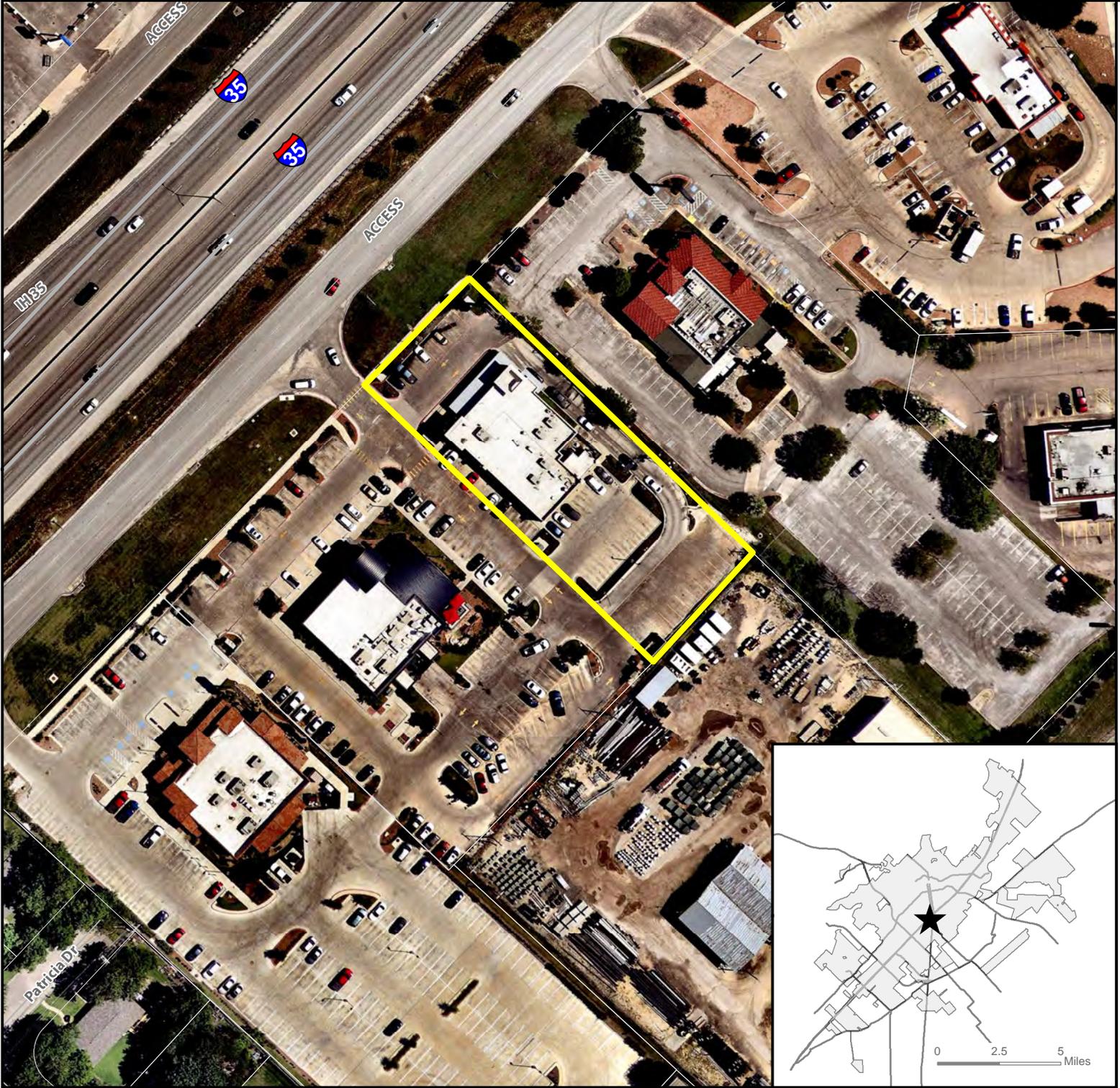
CUP-20-03

Rollin' Bowl

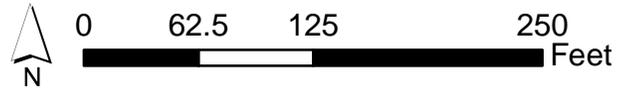


| Evaluation | | | Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5) |
|------------|--------------|------------|--|
| Consistent | Inconsistent | Neutral | |
| | | <u>X</u> | The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan. |
| | | <u>N/A</u> | The proposed use is consistent with any adopted neighborhood character study for the area. <i>Studies have not been completed at the time of this request</i> |
| <u>X</u> | | | The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations. |
| <u>X</u> | | | The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods. |
| <u>X</u> | | | The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood. |
| | | <u>X</u> | The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets. |
| | | <u>X</u> | The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. |
| <u>X</u> | | | The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood. |
| <u>X</u> | | | The proposed use is not within 300 ft. of a detached single family residence located in a zoning district that only permits detached single family residences. |
| <u>X</u> | | | The proposed use is not within 300 ft. of a church, public or private school, or public hospital as outlined in section 5.1.5.5. |
| <u>X</u> | | | The proposed use is not within 1,000 ft. of a public or private school as outlined within section 5.1.5.5(E)(3). |

CUP-20-03 Aerial View Rollin Bowl Renewal — 1285 South IH-35



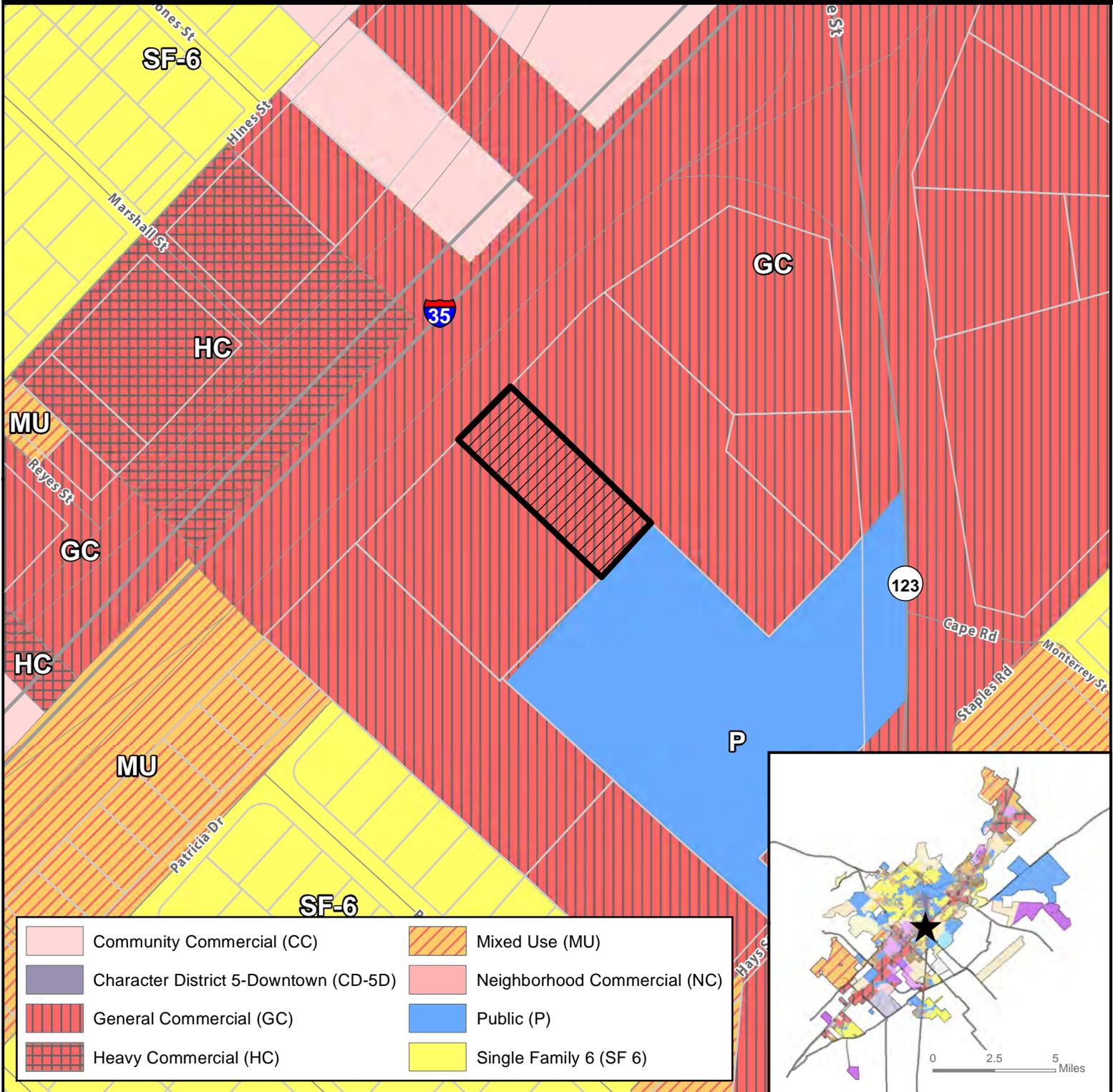
- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 1/15/2020

CUP-20-03 Existing Zoning Rollin Bowl Renewal — 1285 South IH-35



- Site Location**
- Subject Property**
- Parcels**
- City Limit**

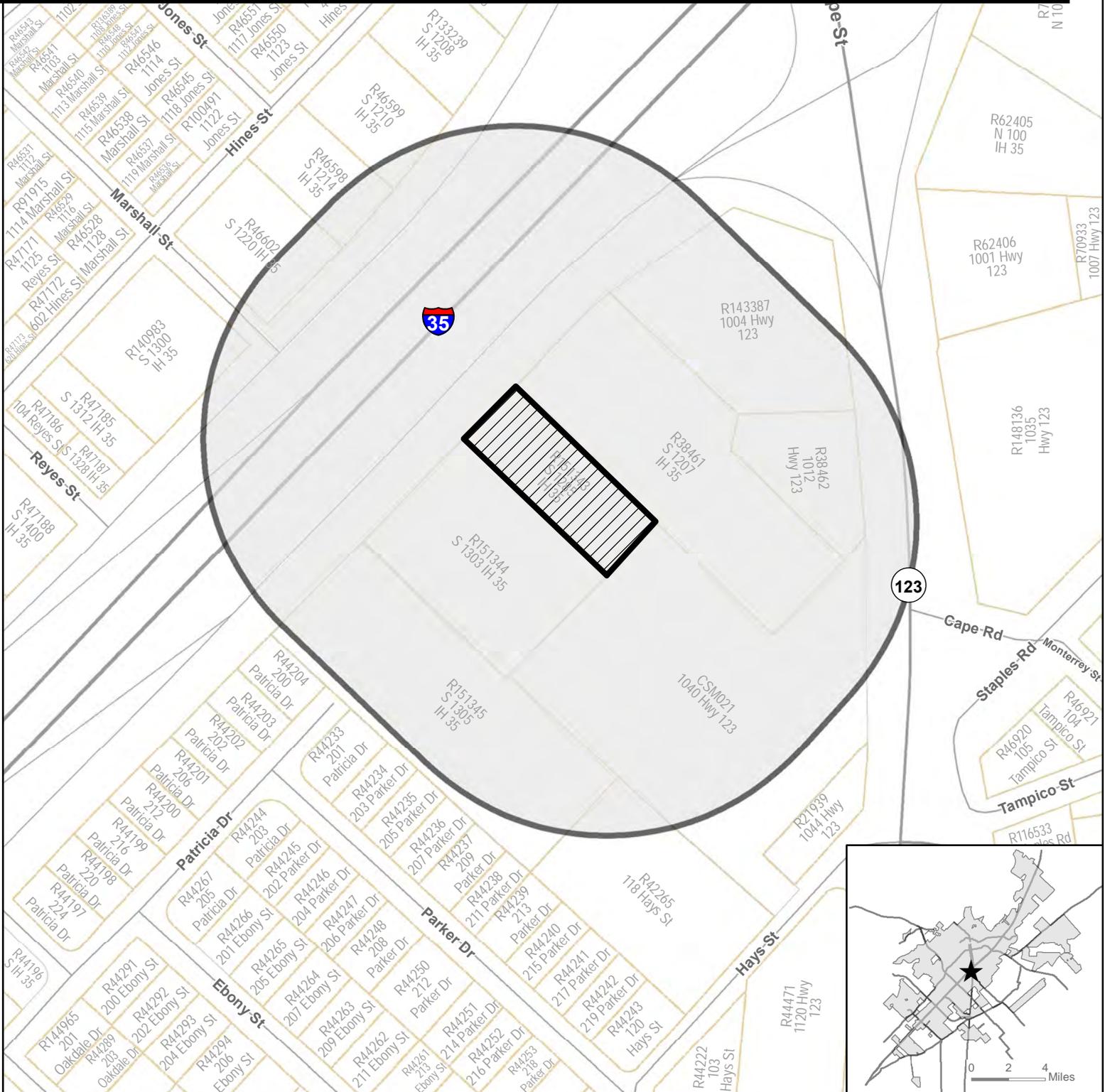


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Map Date: 2/26/2020

CUP-20-03 400' Notification Buffer Rollin Bowl Renewal — 1285 South IH-35

R28059
N 104
IH 35



- ★ Site Location
-  Subject Property
-  400' Buffer
-  Parcel
-  City Limit



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Map Date: 3/17/2020

| Property ID | Property Address | Owner | Mailing Address | City | State | ZIP |
|-------------|-------------------------|--|--------------------------------|---------------|-------|------------|
| R38461 | 1207 S IH 35 | CCP CARINO SAN MARCOS LP | 8333 DOUGLAS AVE STE 1500 | DALLAS | TX | 75225 |
| R151345 | 1305 S IH 35 | EIRREK OGT LLC % HOLM & O'HARA | 3 W 35TH ST FL 9 | NEW YORK | NY | 10001 |
| R46598 | 1214 S IH 35 | EXALTED 35 HOLDINGS LLC | 8870 BUSINESS PARK DR UNIT 100 | AUSTIN | TX | 78759-7519 |
| R151344 | 1303 S IH 35 | FF TRUST | 121 LONE STAR DR | GEORGETOWN | TX | 78633 |
| R38462 | 1012 HWY 123 | FIREBRAND PROPERTIES LP | 4055 VALLEY VIEW LN STE 500 | DALLAS | TX | 75244-5048 |
| R140983 | 1300 S IH 35 | GRANITE COLLISION LP | 8125 MAGNOLIA RIDGE CV | AUSTIN | TX | 78738-7647 |
| R151343 | 1285 S IH 35 | HEXIN-TX LLC | 7905 PROSPECT PL | LA JOLLA | CA | 92037 |
| R42265 | 118 HAYS ST | JMJ CONSTRUCTION LLC | 12201 CUTTEN RD | HOUSTON | TX | 77066 |
| R46602 | 1220 S IH 35 | PAC VICTORIA LLC | 2115 STEPHENS PL STE 500 | NEW BRAUNFELS | TX | 78130-2160 |
| R46599 | 1210 S IH 35 | PLASCENCIA ALFREDO & HERNANDEZ OSCAR ANDRES | 1210 S IH 35 | SAN MARCOS | TX | 78666 |
| R143387 | 1004 HWY 123 | WHATABURGER REAL ESTATE LLC % REAL ESTATE DEPARTMENT | 300 CONCORD PLAZA DR | SAN ANTONIO | TX | 78216 |
| NA | CONA | SARA LEE UNDERWOOD-MYERS | 1415 HARPER DR | SAN MARCOS | TX | 78666 |
| NA | NEIGHBORHOOD COMMISSION | LIZBETH DOBBINS | 2705 LESLIE LN | SAN MARCOS | TX | 78666 |
| NA | CONA | ESTELLA ENRIQUEZ | 514 CANDLELIGHT LN | SAN MARCOS | TX | 78666 |



CONDITIONAL USE PERMIT / ALTERNATIVE COMPLIANCE (ADMINISTRATIVE) APPLICATION

Updated: October, 2019

CONTACT INFORMATION

LAND

| | | | |
|-----------------------------|--|-------------------------|--------------------------------------|
| Applicant's Name | Rollin' Bowl | Property Owner | Hexin-TX LLC |
| Company | 99 Rollin' Bowl Inc | Company | Hexin-TX LLC |
| Applicant's Mailing Address | 1285 IH 35 S Ste 103 San Marcos, Texas 78666 | Owner's Mailing Address | 7905 Prospect PL LaTolla CA 92037 |
| Applicant's Phone # | 210-373-4455 (POA MariaElena Flores-Cuellar) | Owner's Phone # | 858 500 2812 |
| Applicant's Email | cuellar@texas.net (POA MariaElena Flores-Cuellar) | Owner's Email | anthony_tian@yahoo.com |

PROPERTY INFORMATION

Business Name: 99 Rollin' Bowl Inc
 Subject Property Address: 1285 IH 35 S Ste 103, San Marcos, Texas 78666
 Zoning District: GC Tax ID #: R 151343
 Legal Description: Lot 1 Block -- Subdivision Simon Place II

DESCRIPTION OF REQUEST

Mixed Beverage Beer & Wine Other: _____

Reason for Request: Change the name of TABC Permit Holder Change the name of Business
 Change in Ownership Remodeling (with NO expansion)

Please provide the name of permit holder, business or owner, whichever is applicable:

Current: _____ Proposed: _____

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$793 Technology Fee \$13 TOTAL COST \$806

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.



CONDITIONAL USE PERMIT / ALTERNATIVE COMPLIANCE (ADMINISTRATIVE) APPLICATION

Updated: October, 2019

CONTACT INFORMATION

Building

| | | | |
|-----------------------------|--|-------------------------|---|
| Applicant's Name | Rollin' Bowl | Property Owner | SAN MARCOS EATERY LLC |
| Company | 99 Rollin' Bowl Inc | Company | |
| Applicant's Mailing Address | 1285 IH 35 S Ste 103 San Marcos, Texas 78666 | Owner's Mailing Address | 500 CAPITAL OF TX HWY 2817 AUSTIN, TX 78746 |
| Applicant's Phone # | 210-373-4455 (POA MariaElena Flores-Cuellar) | Owner's Phone # | 512 329 6498 |
| Applicant's Email | cuellar@texas.net (POA MariaElena Flores-Cuellar) | Owner's Email | TDCADOWSON @ GMAIL COM |

PROPERTY INFORMATION

Business Name: 99 Rollin' Bowl Inc
 Subject Property Address: 1285 IH 35 S Ste 103, San Marcos, Texas 78666
 Zoning District: GC Tax ID #: R 151343
 Legal Description: Lot 1 Block -- Subdivision Simon Place II

DESCRIPTION OF REQUEST

Mixed Beverage Beer & Wine Other: _____

Reason for Request: Change the name of TABC Permit Holder Change the name of Business
 Change in Ownership Remodeling (with NO expansion)

Please provide the name of permit holder, business or owner, whichever is applicable:

Current: _____ Proposed: _____

AUTHORIZATION

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Filing Fee \$793 Technology Fee \$13 TOTAL COST \$806

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

Building

PROPERTY OWNER AUTHORIZATION

I, THOMAS D CRAWSON JR (owner name) on behalf of
SAN MARCO EATERY LLC (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
1285 IH 35 S Ste 103, San Marcos, Texas (address).

I hereby authorize MariaElena Flores-Cuellar, Licensing Consultant (agent name) on behalf of
99 Rollin' Bowl Inc (agent company) to file this application for
_____ (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: _____

Date: 12-9-19

Printed Name, Title: _____

MANAGER / MEMBER

Signature of Agent: _____

Date: 25 Nov 2019

Printed Name, Title: _____

MariaElena Flores-Cuellar

Form Updated October, 2019

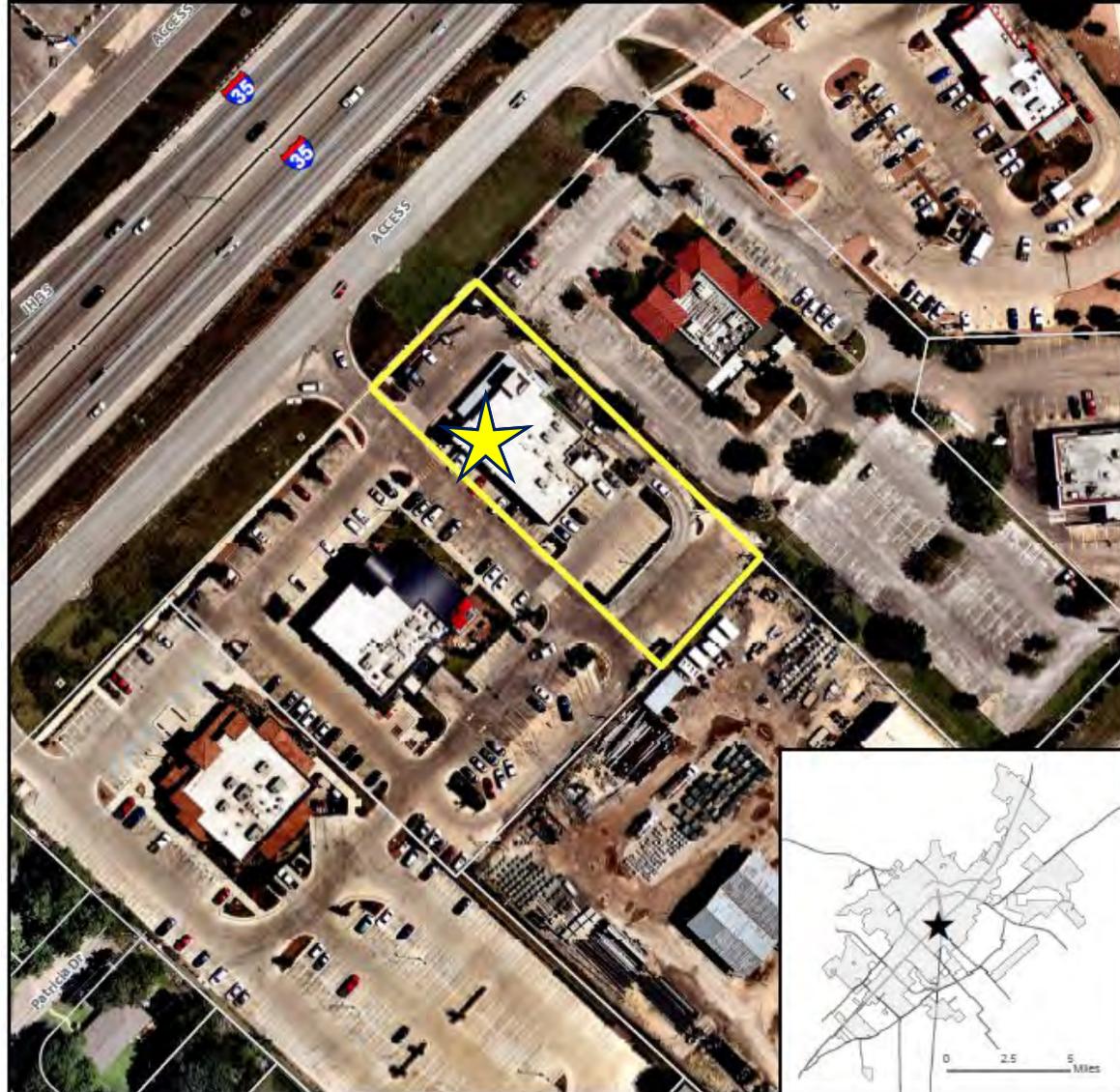
CUP-20-03 (Rollin' Bowl)

Hold a public hearing and consider a request by 99 Rollin' Bowl Inc. for a renewal of a Conditional Use Permit for the sale of beer and wine for on-premise consumption at 1285 S. IH 35 Suite 103. (W. Parrish)

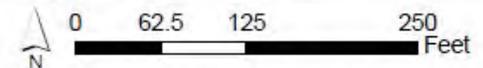
Location:

- Property is located near the intersection of IH-35 and Hwy 123.
- Located within a High Intensity Zone as designated on the Preferred Scenario Map.

CUP-20-03 Aerial View Rollin Bowl Renewal — 1285 South IH-35



- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit



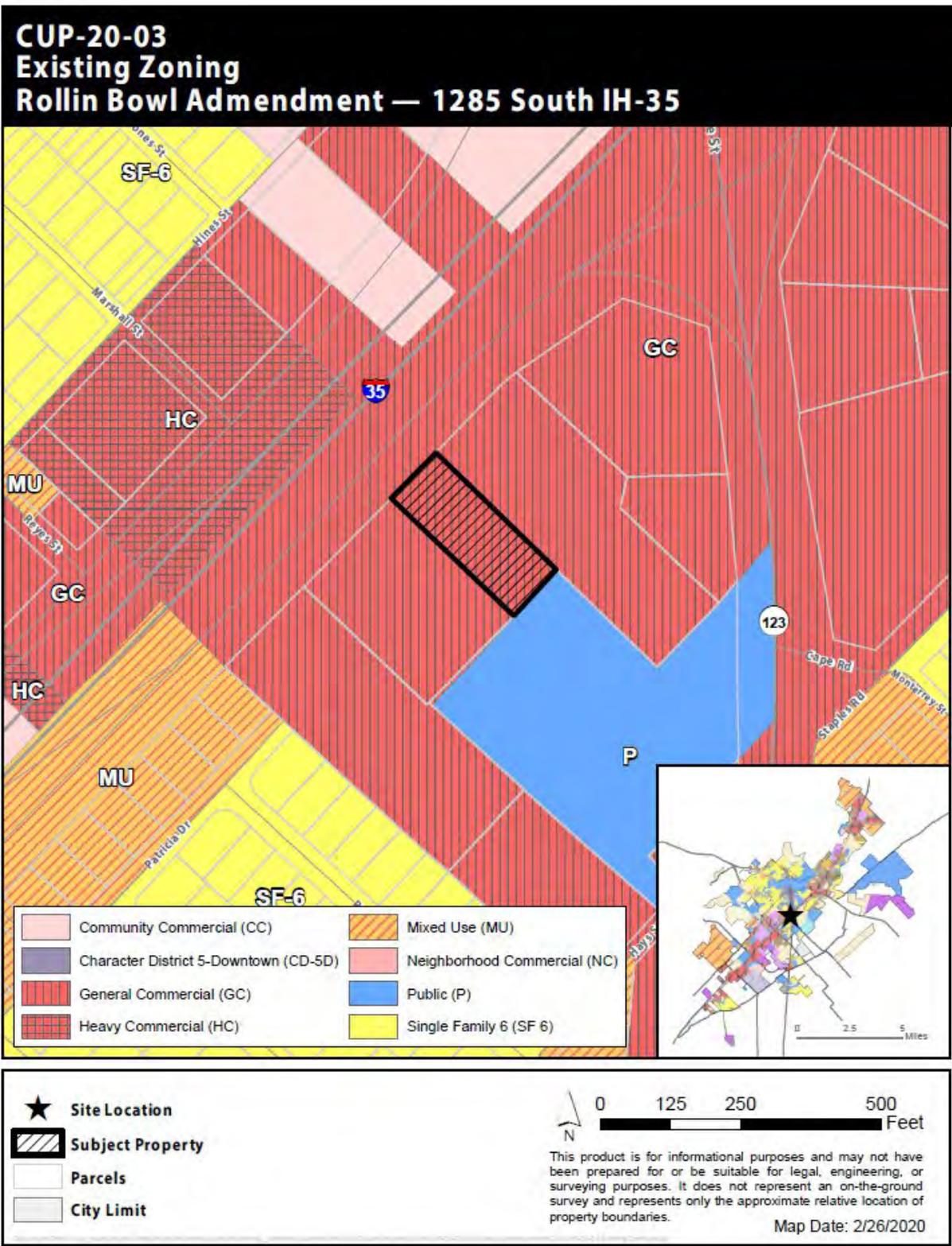
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 1/15/2020

SAN MARCOS

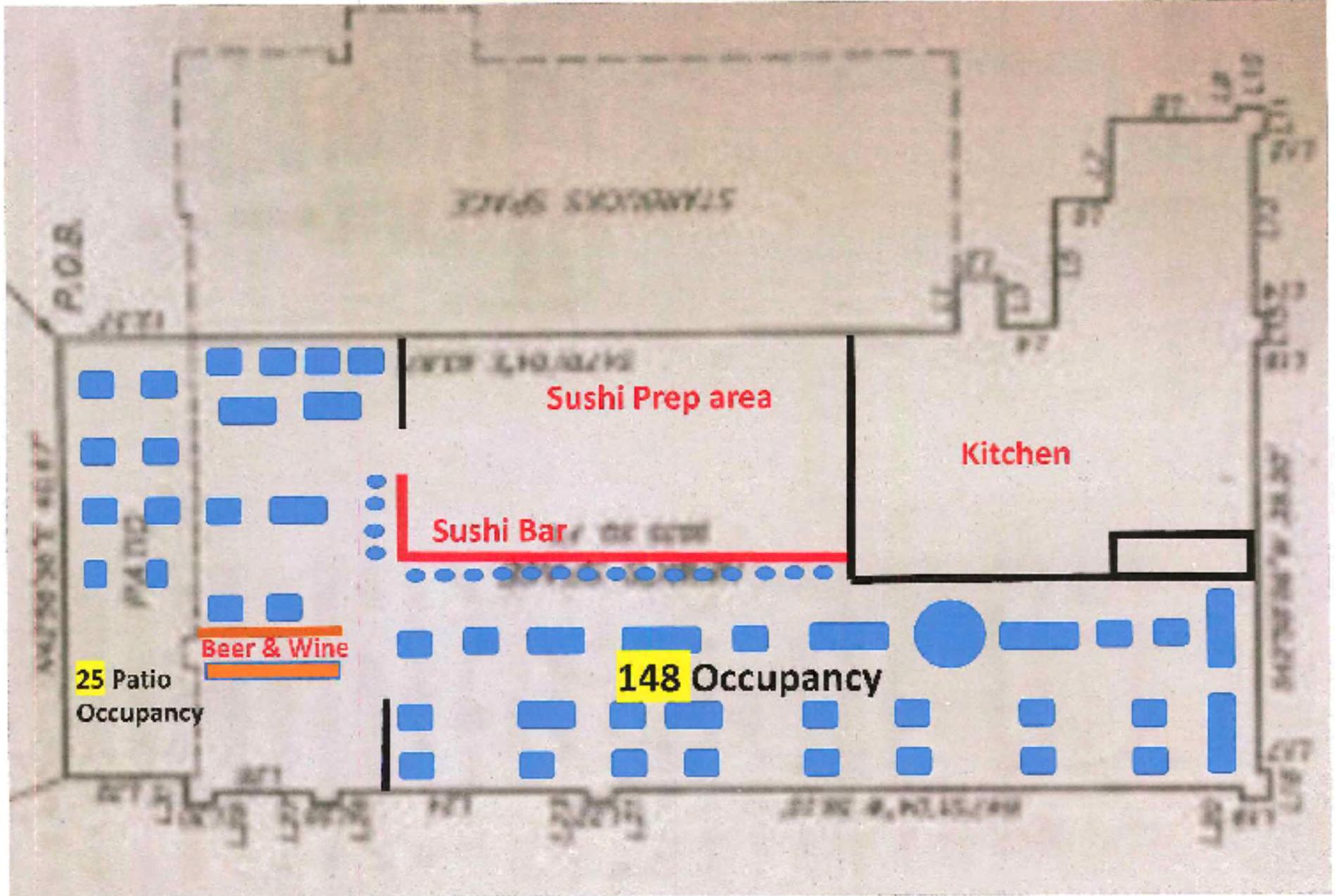
Context & History:

- 4,100 square feet restaurant
- Hours
 - Mon – Thurs
11 a.m. to 10 p.m.
 - Friday 11 a.m. to 11 p.m.
 - Saturday 12 p.m. to 11 p.m.
 - Sunday 12 p.m. to 9 p.m.
- Seating:
 - 148 Indoor
 - 25 Outdoor



Rowlin' Bowl Table Layout

Total Occupancy: 173 (148+25)





Rollin' Bowl

54th

OG

Olive Garden Employees restricted to this area

Recommendations:

Staff provides this request to the Commission for your consideration and recommends **approval** of the Conditional Use Permit with the following conditions:

1. The permit shall be valid for three (3) years, provided standards are met,
2. The business shall be responsible for maintaining the sidewalk, gutters, parking lot and all areas within 100 feet of any exit and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times,
3. Employees may not park on the Olive Garden lot, and
4. The permit shall be posted in the same area and manner as the Certificate of Occupancy.



Legislation Text

File #: CUP-20-08(p), Version: 1

AGENDA CAPTION:

CUP-20-08 (54th Street Restaurant & Bar) Hold a public hearing and consider a request by 54th Street Restaurant & Drafthouse for a renewal of a Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 1303 South IH 35. (S. Caldwell)

Meeting date: April 14, 2020

Department: Planning and Development Services

Amount & Source of Funding

Funds Required: [Click or tap here to enter text.](#)

Account Number: [Click or tap here to enter text.](#)

Funds Available: [Click or tap here to enter text.](#)

Account Name: [Click or tap here to enter text.](#)

Fiscal Note:

Prior Council Action: [Click or tap here to enter text.](#)

City Council Strategic Initiative: [Please select from the dropdown menu below]

[Choose an item.](#)

[Choose an item.](#)

[Choose an item.](#)

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 - [Choose an item.](#)

Neighborhoods & Housing - [Choose an item.](#)

Parks, Public Spaces & Facilities - [Choose an item.](#)

Transportation - [Choose an item.](#)

Core Services

Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

54th Street Restaurant and Bar is located at the intersection of IH-35 and State Highway 123. There is approximately 7,850 square feet of indoor and outdoor space and a total seating capacity of 123. No live or outdoor music is proposed at this time and the only entertainment facilities at this site are television sets and speakers for ambient music. The proposed hours of operation are 11 am-12:30 am Sunday-Wednesday and 11 am-1:30 am Thursday-Saturday.

54th Street Restaurant & Bar was granted a Conditional Use Permit in March 2019 with the following conditions:

1. The CUP shall be valid for one (1) year, provided standards are met,
2. The employees shall not park on the Olive Garden lot,
3. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; and
4. The permit shall be posted in the same area and manner as the Certificate of Occupancy

Due to concerns expressed by neighbors regarding the 2018 Olive Garden CUP renewal request, staff feels that it is appropriate to continue to restrict employees of 54th Street Grill from parking in the Olive Garden Parking lot.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Staff has reviewed the application with criteria from Sections 2.8.3.4 and 5.1.5.5 of the San Marcos Development Code and recommends approval with the following conditions:

1. Permit shall be valid for three (3) years, provided standards are met,
2. The employees shall not park on the Olive Garden lot,
3. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; and
4. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

| | |
|-------------------------------|--|
| Conditional Use Permit | 1303 South IH 35 |
| CUP-20-08 | 54th Street Restaurant & Bar |



Summary

| | | | |
|---------------------------------------|--|--------------------------|--|
| Request: | Renewal of a Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 1303 South IH 35. | | |
| Applicant: | Michael Norsworthy 1425 Swift Suite 200 North Kansas City, MO 64116 | Property Owner: | Nadav and Peggy Friedmann 121 Lone Star Drive Georgetown, TX 78633 |
| Square Feet: | 7,340 square feet | Type of CUP: | Mixed Beverage |
| Interior seating: | 114 | Outdoor seating: | 9 |
| Parking Required: | 31 | Parking Provided: | Shared |
| Days & Hours of Operation: | Sunday – Wednesday: 11 a.m. – 12:30 a.m. Thursday – Saturday: 11 a.m. – 1:30 a.m. | | |

Notification

| | | | |
|------------------|------------------------------------|------------------|----------------|
| Posted: | March 27, 2020 | Personal: | March 27, 2020 |
| Response: | None as of the date of this report | | |

Property Description

| | | | |
|---------------------------|--|-------------------------------|---------------------|
| Legal Description: | Lot 2 Simon Place II Subdivision | | |
| Location: | Near the intersection of IH 35 and Hwy 123 | | |
| Acreage: | 1.516 acres +/- | Central Business Area: | No |
| Existing Zoning: | General Commercial (GC) | Preferred Scenario: | High Intensity Zone |
| Existing Use: | Restaurant | Proposed Use: | Restaurant |
| CONA Neighborhood: | Sunset Acres | Sector: | 5 |
| Utility Capacity: | Adequate | | |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|---------------|----------------------------------|---------------------------|
| North of Property: | GC | IH 35 / Restaurant | High Intensity |
| South of Property: | P | San Marcos Electric Headquarters | High Intensity |
| East of Property: | GC | Restaurants | High Intensity |
| West of Property: | GC | Restaurants | High Intensity |

Conditional Use Permit

1303 South IH 35

CUP-20-08

54th Street Restaurant & Bar



History

54th Street Restaurant & Bar’s request for a Conditional Use Permit was approved at the March 2019 Planning & Zoning Commission meeting with the following conditions:

- The CUP shall be valid for one (1) year, provided standards are met,
- The employees may not park on the Olive Garden lot,
- The permit shall be posted in the same area and manner as the Certificate of Occupancy.

54th Street Restaurant & Bar shares a parking lot with the Starbucks and Olive Garden lots. The condition that employees may not park on the Olive Garden lot was recommended by staff and approved by the Planning Commission due to previous complaints of noise coming from the Olive Garden lot late at night. At their most recent renewal hearing in 2019, Olive Garden agreed to continue to require their employees to park on the far east side of the parking lot, away from the shared property line with the neighborhood.

Additional Analysis

54th Street Grill is an approximately 7,300 square foot building with an approximate 550 square foot outdoor patio. The restaurant has 114 indoor seats and 9 outdoor seats. No live outdoor music is proposed at this time and the application indicates that the only entertainment facilities at this site are television sets inside the restaurant.

Due to concerns expressed by the neighbors regarding the 2018 Olive Garden CUP renewal request, staff feels that it is appropriate to keep the current condition in place and continue to restrict employees of 54th Street Grill from parking in the Olive Garden parking lot.

Comments from Other Departments

| | |
|------------------------|-------------|
| Police | No Concerns |
| Fire | No Concerns |
| Public Services | No Concerns |
| Engineering | No Concerns |

Staff Recommendation

| Approval as Submitted | <input checked="" type="checkbox"/> | Approval with Conditions / Alternate | Denial |
|---|-------------------------------------|--------------------------------------|-----------------------------|
| 1. Permit shall be valid for three (3) years, provided standards are met, 2. The employees may not park on the Olive Garden lot, 3. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; and 4. The permit shall be posted in the same area and manner as the Certificate of Occupancy. | | | |
| Staff: Shavon Caldwell | Title : Planner | | Date: April 14, 2020 |

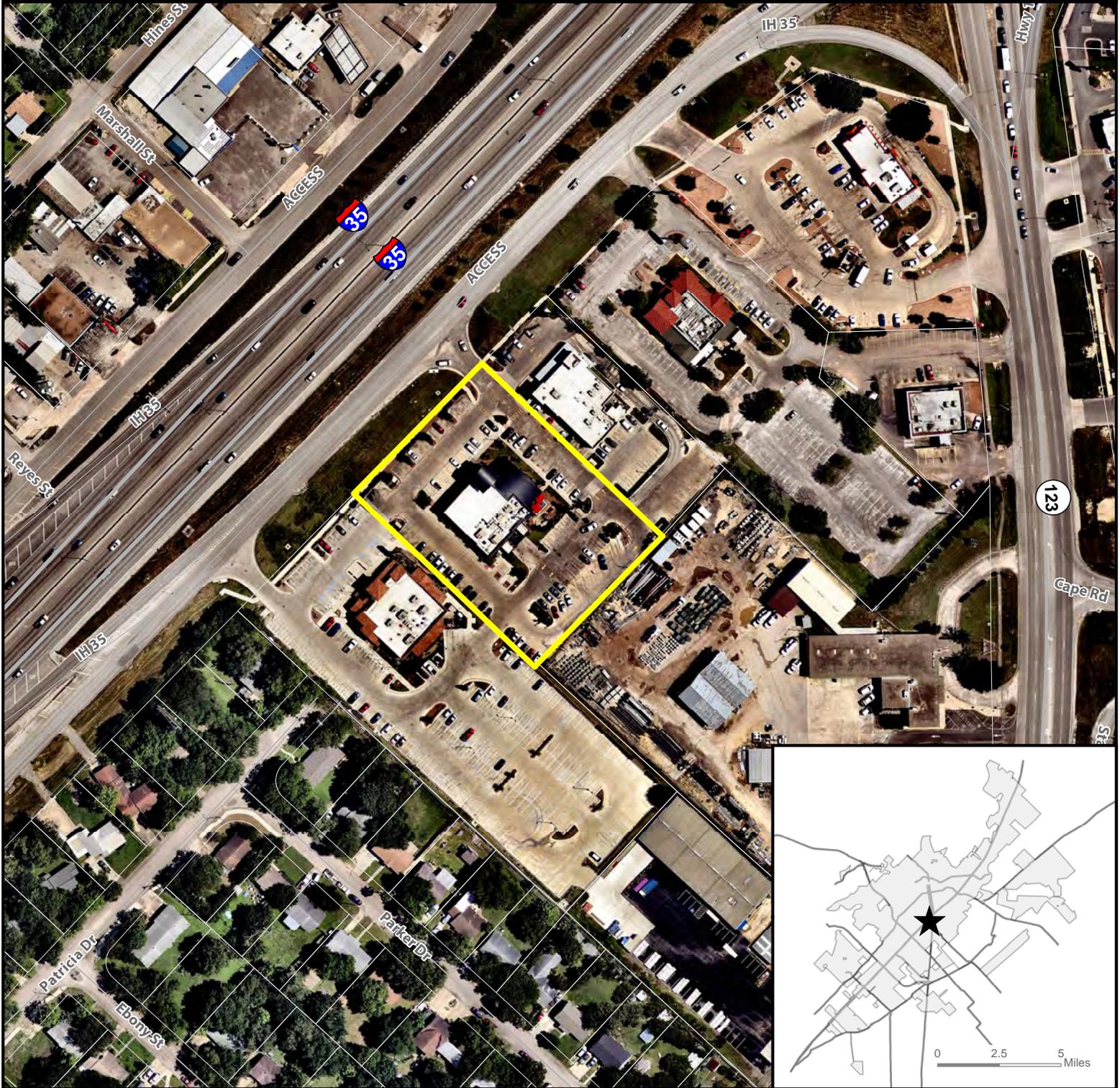
Conditional Use Permit
CUP-20-08

1303 South IH 35
54th Street Restaurant & Bar

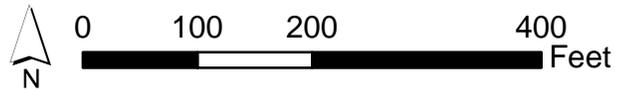


| Evaluation | | | Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5) |
|------------|--------------|------------|--|
| Consistent | Inconsistent | Neutral | |
| | | <u>X</u> | The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan. |
| | | <u>N/A</u> | The proposed use is consistent with any adopted neighborhood character study for the area. Studies were not complete at the time of this request |
| <u>X</u> | | | The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations. |
| <u>X</u> | | | The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods. |
| <u>X</u> | | | The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood. |
| | | <u>X</u> | The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets. |
| | | <u>X</u> | The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. |
| <u>X</u> | | | The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood. |
| <u>X</u> | | | The proposed use is not within 300 ft. of a detached single family residence located in a zoning district that only permits detached single family residences. |
| <u>X</u> | | | The proposed use is not within 300 ft. of a church, public or private school, or public hospital as outlined in section 5.1.5.5. |
| <u>X</u> | | | The proposed use is not within 1,000 ft. of a public or private school as outlined within section 5.1.5.5(E)(3). |

CUP-20-08 Aerial View 54th Street Restaurant & Drafthouse— 1303 South IH-35



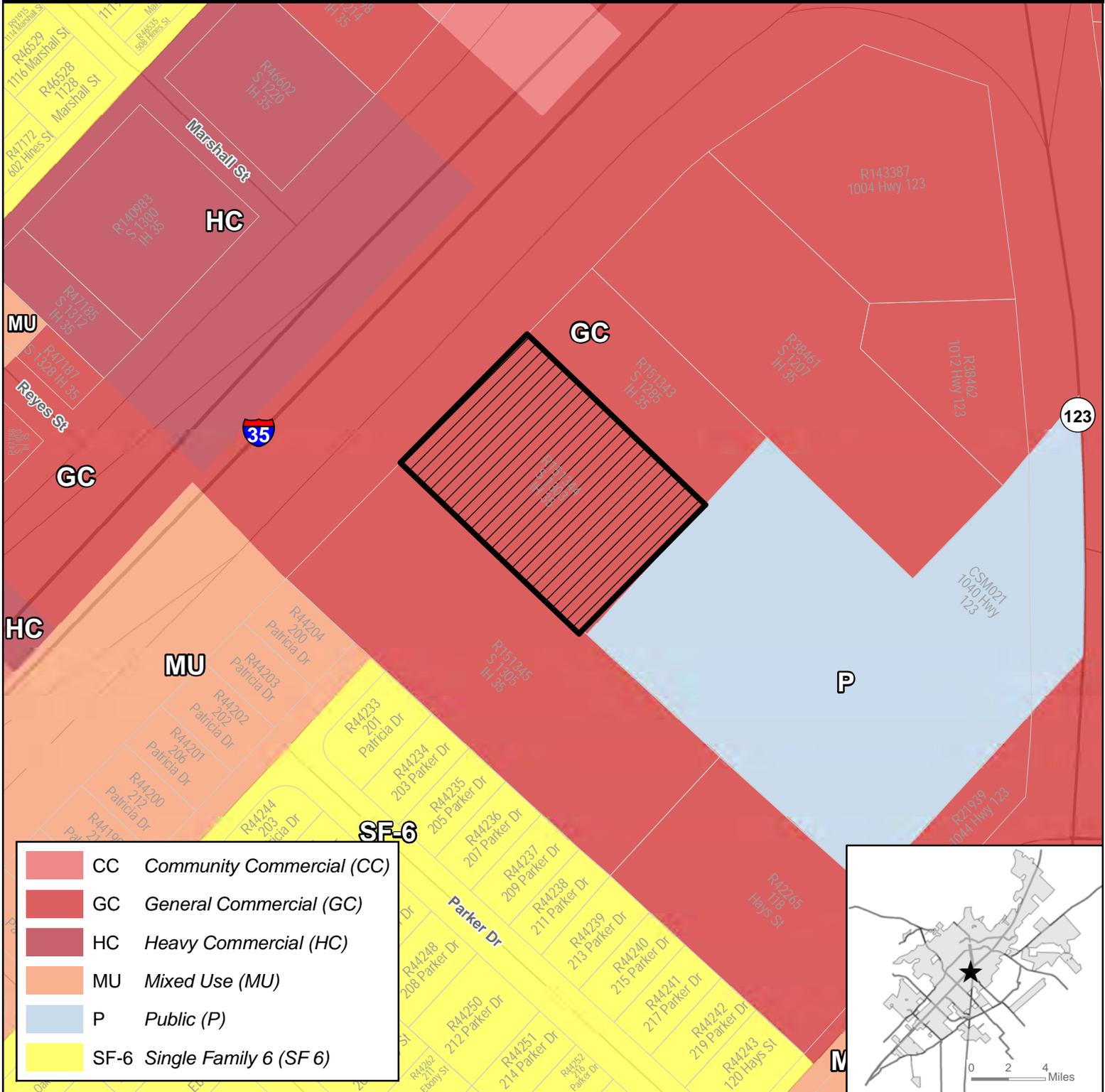
- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit



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Map Date: 2/14/2020

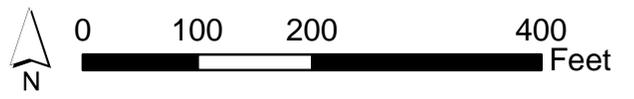
CUP-20-08 Zoning Map 54th Street Restaurant & Draffhouse-1303 South IH-35



| | | |
|--|------|---------------------------|
| | CC | Community Commercial (CC) |
| | GC | General Commercial (GC) |
| | HC | Heavy Commercial (HC) |
| | MU | Mixed Use (MU) |
| | P | Public (P) |
| | SF-6 | Single Family 6 (SF 6) |



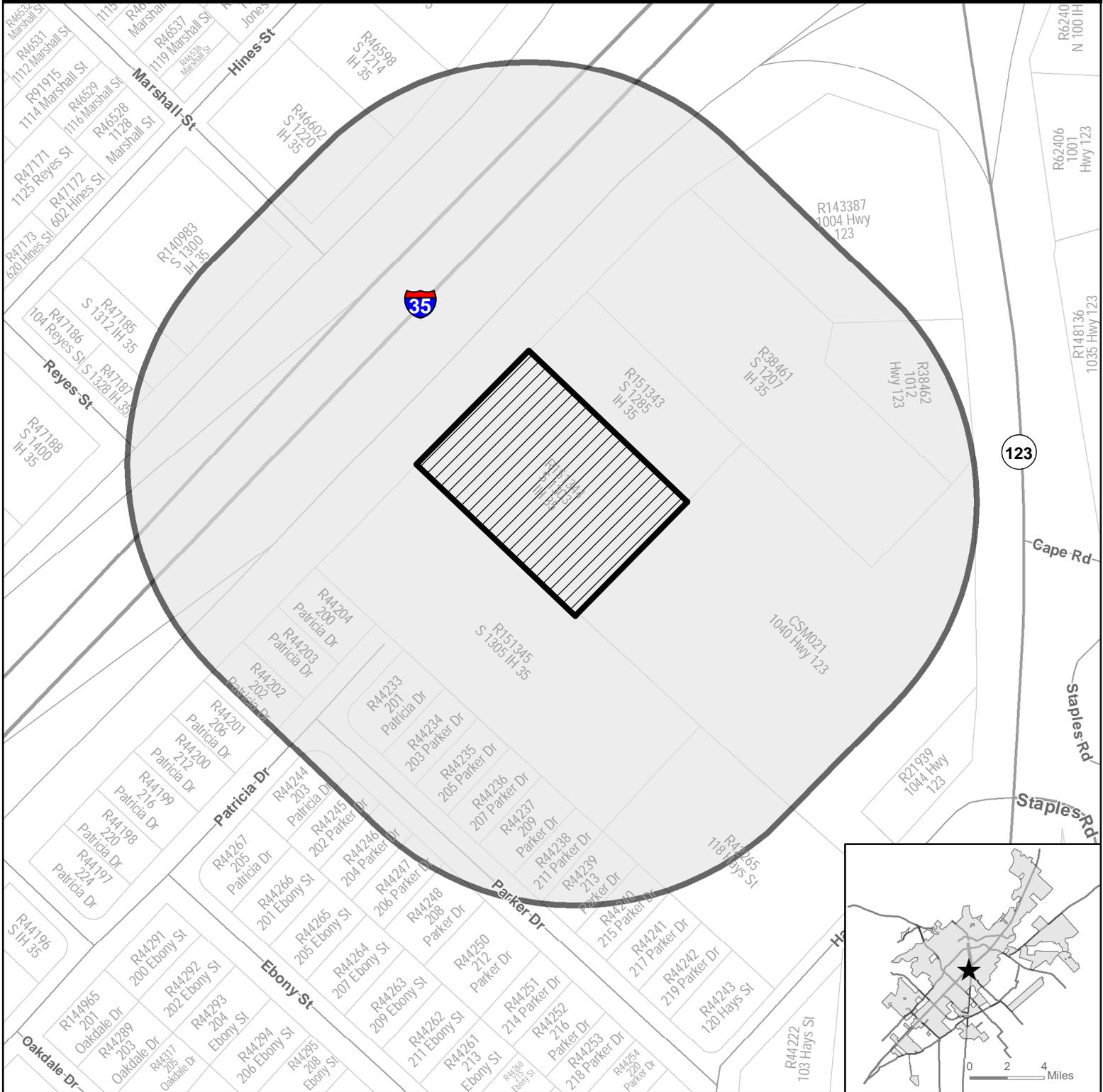
- Site Location**
- Subject Property**
- Parcels**
- City Limit**



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Map Date: 2/14/2020

CUP-20-08 400' Notification Buffer 54th Street Restaurant & Draffhouse-1303 South IH-35



- ★ Site Location
-  Subject Property
-  400' Buffer
-  Parcel
-  City Limit



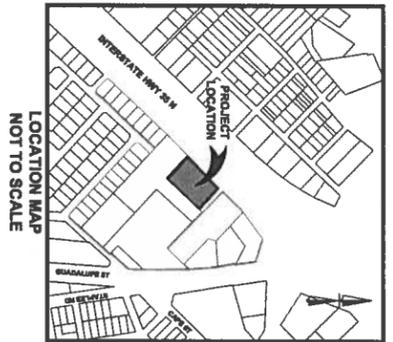
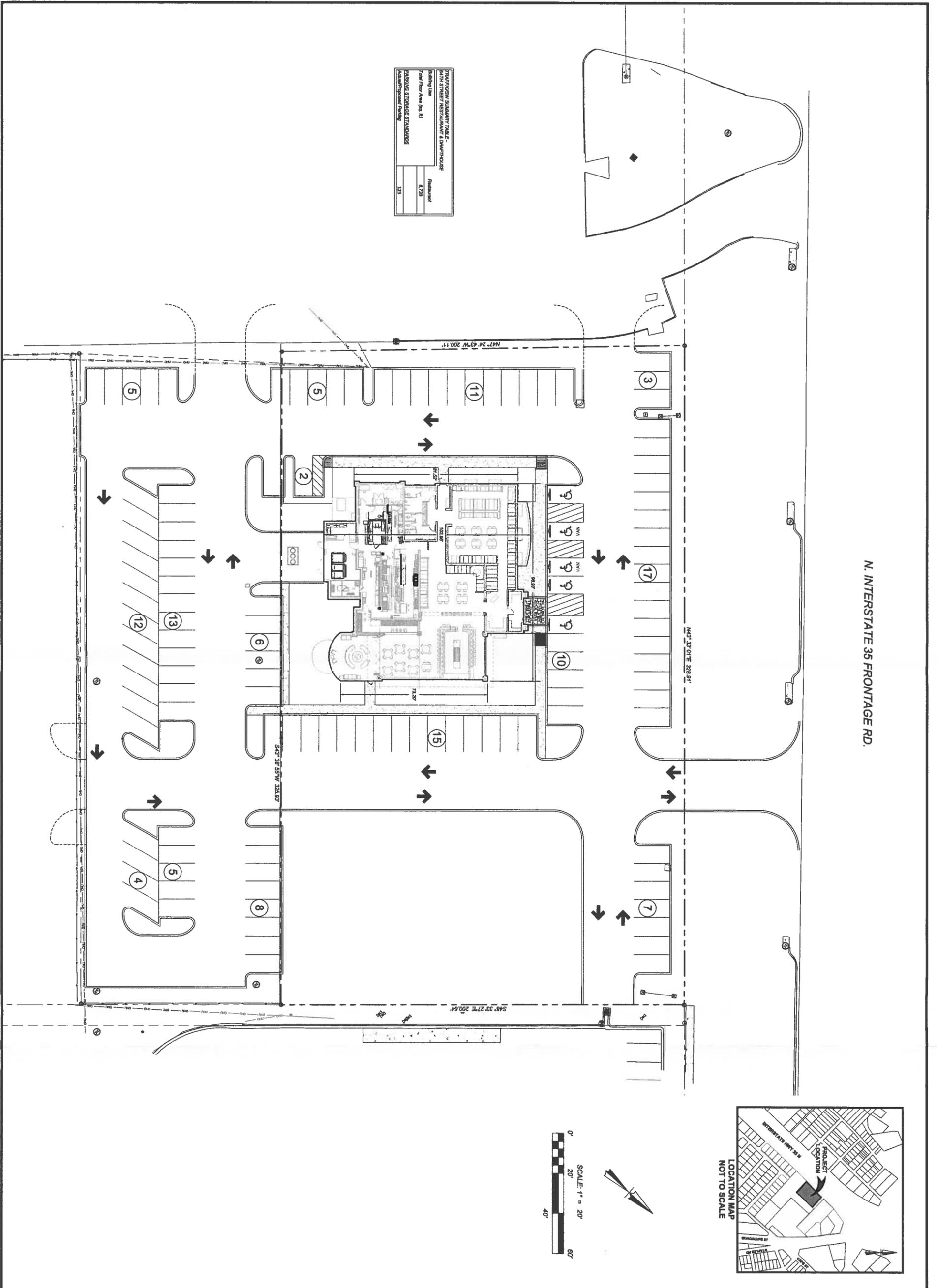
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Map Date: 3/5/2020

CUP-20-08 Notification List

| Property ID | Subject Address | Party Name | Address1 | City | State |
|-------------|-----------------|---|---------------------------|-------------|-------|
| 44203 | 200 PATRICIA | ARREDONDO, ARTEMIO | 1300 PERKINS ST | SAN MARCOS | TX |
| 44244 | 203 PATRICIA | BUTTS ERIC D | 203 PATRICIA DR | SAN MARCOS | TX |
| 44248 | 208 PARKER | CALDERON, JOSE HECTOR | 1043 E BROMPTON DR | PEARLAND | TX |
| 38461 | 1207 S IH 35 | CCP CARINO SAN MARCOS LP | 8333 DOUGLAS AVE | DALLAS | TX |
| 44239 | 213 PARKER | CONTRERAS, FRANK L | 952 CHEATHAM ST | SAN MARCOS | TX |
| 151345 | 1305 IH 35 | EIRREK OGT LLC | % HOLM & O'HARA | NEW YORK | NY |
| 47185 | 1312 IH 35 | ELLISON, SANDRA LEATH | 714 W SAN ANTONIO ST | SAN MARCOS | TX |
| 46598 | 1214 IH 35 | EXALTED 35 HOLDINGS LLC | 8870 BUSINESS PARK DR | AUSTIN | TX |
| 151344 | 1303 IH 35 | FF TRUST | 121 LONE STAR DR | GEORGETOWN | TX |
| 38462 | 1012 SH 123 | FIREBRAND PROPERTIES LP | 4515 LYNDON B JOHNSON FWY | DALLAS | TX |
| 140983 | 1300 IH 35 | GRANITE COLLISION LP | 16312 PADDLEFISH WAY | AUSTIN | TX |
| 151343 | IH 35 | HEXIN-TX LLC | 7905 PROSPECT PL | LA JOLLA | CA |
| 42265 | 118 HAYS | JMJ CONSTRUSTION LLC | 12201 CUTTEN RD | HOUSTON | TX |
| 44247 | 206 PARKER | LONGORIA ISIDRO EST OF | 206 PARKER DR | SAN MARCOS | TX |
| 44237 | 209 PARKER | LOPEZ FRANK MORENO | 209 PARKER DR | SAN MARCOS | TX |
| 44202 | 202 PATRICIA | OVALLE NORA U REVOCABLE LIVING TRUST | OVALLE NORA U TRUSTEE | SAN MARCOS | TX |
| 44240 | 215 PARKER | PATLAN ADELINA | 215 PARKER DR | SAN MARCOS | TX |
| 46599 | 1210 IH 35 | PLASCENCIA ALFREDO & HERNANDEZ OSCAR ANDRES | 1210 S IH 35 | SAN MARCOS | TX |
| 44234 | 203 PARKER | QUINTERO PEDRO P & YVONNE M | 203 PARKER DR | SAN MARCOS | TX |
| 44236 | 207 PARKER | QUINTERO, ROBERT D | 207 PARKER DR | SAN MARCOS | TX |
| 46602 | 1220 IH 35 | R & R IH35 LLC | 200 LOMBRANO ST | SAN ANTONIO | TX |
| 47187 | 1328 IH 35 | RIZK, DORA | 419 RIVERSIDE DR | SAN MARCOS | TX |
| 44238 | 211 PARKER | SAMANIEGO, ELIZARDO | 211 PARKER DR | SAN MARCOS | TX |
| 44233 | 201 PATRICIA | SAUCEDO AGRIPINA A EST OF | % CLEMENTE SAUCEDO | SAN MARCOS | TX |
| 44235 | 205 PARKER | STEWART BROCK MCCULLOUGH | 205 PARKER DR | SAN MARCOS | TX |
| 44245 | 202 PARKER | SUAREZ HOLDINGS LLC | 1517 PALOMINO LN | SAN MARCOS | TX |
| 44246 | 204 PARKER | UBBEN, KEITH | PO BOX 911 | SAN MARCOS | TX |
| 143387 | 1203 IH 35 | WHATABURGER REAL ESTATE LLC | % REAL ESTATE DEPARTMENT | SAN ANTONIO | TX |
| | | ESTELLA ENRIQUEZ | 514 CANDLELIGHT | SAN MARCOS | TX |
| | | ROLAND SAUCEDO | 211 EBONY | SAN MARCOS | TX |
| | | JOE PTAK | 505 PATRICIA DR | SAN MARCOS | TX |

| TRAFFICWAY SUMMARY TABLE | |
|-------------------------------------|------------|
| 54TH STREET RESTAURANT & DRAFTHOUSE | Restaurant |
| Building Area | 8,738 |
| Total Floor Area (sq. ft.) | |
| PARKING STORAGE STAGNARDS | 313 |
| Asphalt/Gravel Parking | |



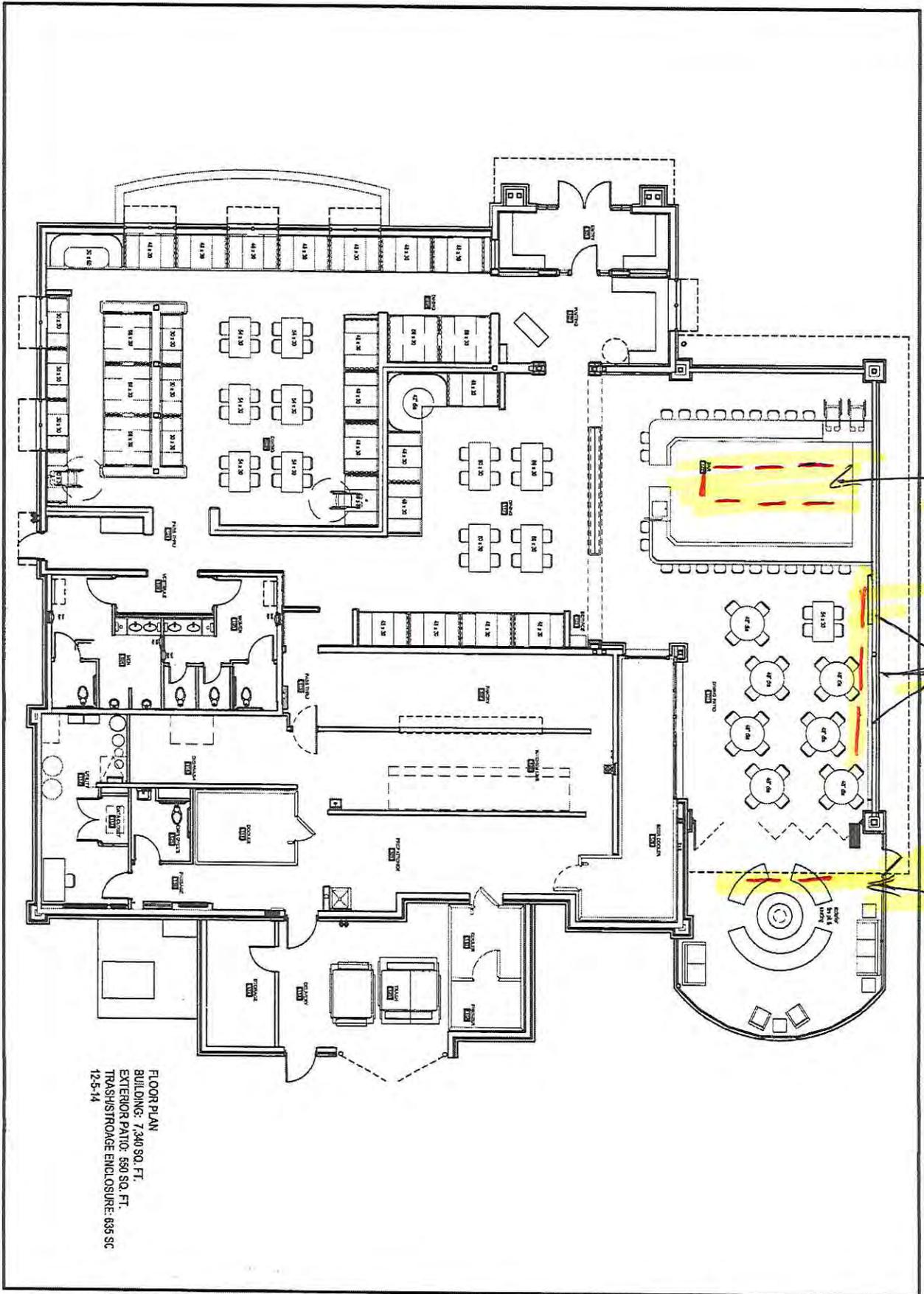
THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADEQUATELY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.

JOB NO. 288-06-01
 DATE: DEC. 2014
 DRAWN: AS CHECKED: RB
 SHEET NUMBER:
EX-1

54TH STREET RESTAURANT & DRAFTHOUSE
 SAN MARCOS, TEXAS
 SITE PLAN

| REVISIONS | ISSUE DATE |
|-----------|------------|
| | |


 KFW
 ENGINEERS & SURVEYING
FOUNDED 1913
 14823 HILBURNER RD. BLDG. 40
 SAN ANTONIO, TEXAS 78230
 PHONE (214) 979-8441
 FAX (214) 979-8441



FLOOR PLAN
 BUILDING: 7340 SQ. FT.
 EXTERIOR PATIO: 650 SQ. FT.
 TRASH/STORAGE ENCLOSURE: 635 SQ
 12-5-14

A1

FLOOR PLAN

SH ASSOCIATES
 SHAW, HERRERA + ASSOCIATES
 1717 OAK MANOR CITY, SAN MARCOS
 TEXAS 78681
 PHONE: 512.388.1000
 WWW.SHASSOCIATES.COM

54th Street Restaurant & Draft House
 Conditional Use Permit
 1303 S IH 35, San Marcos, Texas

| |
|---------------------------------------|
| FLOOR PLAN |
| DATE: 12-5-14 |
| SCALE: 3/32" = 1'-0" ON 11 X 17 SHEET |

CONDITIONAL USE PERMIT APPLICATION (ALCOHOL OUTSIDE CBA)



Updated: October, 2019

CONTACT INFORMATION

| | | | |
|-----------------------------|--------------------------------------|-------------------------|---|
| Applicant's Name | Michael Norsworthy | Property Owner | Nadav & Peggy Friedman |
| Company | 54th Street Restaurant + Draft House | Company | |
| Applicant's Mailing Address | 1425 Swift Suite 200 NKC, Mo 64116 | Owner's Mailing Address | 78633 121 Lonestar Dr, Georgetown TX |
| Applicant's Phone # | 816-455-9008 | Owner's Phone # | |
| Applicant's Email | licenses54@krm-inc.com | Owner's Email | nfridmann@paintrials.com |

PROPERTY INFORMATION

Subject Property Address: 1303 South IH 35
 Zoning District: GC Tax ID #: R 11803
 Legal Description: Lot 1 Block _____ Subdivision Simon Place
 Number of Parking Spaces: 123
 Is property more than 300' from church, school, hospital, or residential district? Y N

DESCRIPTION OF REQUEST

Business Name: 54th Street Restaurant + Draft House Restaurant Bar Other: _____
 NEW RENEWAL/AMENDMENT Mixed Beverage Beer & Wine Late Hours
 Hours of Operation (ex. Mon 12pm-1am): Mon 11am-12:30 Tue 11-12:30 Wed 11-12:30
 Thurs 11-1:30 Fri 11-1:30 Sat 11-1:30 Sun 11-12:30
 Indoor Seating Capacity: 114 Outdoor Seating Capacity: 9 Gross Floor Area: _____

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

| | | |
|-------------------------------------|---------------------|-------------------------|
| Initial Filing Fee 793* | Technology Fee \$13 | TOTAL COST \$806 |
| Renewal/Amendment Filing Fee \$423* | Technology Fee \$13 | TOTAL COST \$436 |

*Nonprofit Organization fees are 50% of the adopted fee listed for Conditional Use Permits

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

PROPERTY OWNER AUTHORIZATION

I, FF Trust (owner name) on behalf of
N/A (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
1303 S. Jth. 35, San Marcos TX (address).

I hereby authorize Gretchen Goeking (agent name) on behalf of
54th Street Restaurant + Duffhouse (agent company) to file this application for
Conditional Use Permit (City of San Marcos) (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: [Signature] Date: 2/5/2020

Printed Name, Title: John T. Gilbert, attorney and agent for NADAV Friedman,
Trustee of the FF Trust

Signature of Agent: [Signature] Date: 1/31/2020

Printed Name, Title: Gretchen Goeking

Form Updated October, 2019

**AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS
AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS**

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: 

Date: 11/31/2020

Print Name: Gretchen Goeking



54TH STREET
1425 SWIFT ST STE 200
NORTH KANSAS CITY MO 64116

Dear Licensee/Permittee

Please detach and display your license/permit in a conspicuous place at all times on the licensed premise.

Sincerely,

A handwritten signature in black ink that reads "A. Bentley Nettles".

A. Bentley Nettles

670073

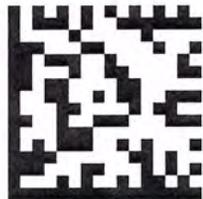
TEXAS ALCOHOLIC BEVERAGE COMMISSION

MB 920088

EXPIRES 09/10/2021

**RENEW
SIGN =BLUE**

MIXED BEVERAGE PERMIT
MIXED BEVERAGE LATE HOURS PERMIT



54TH STREET
1303 IH 35 SOUTH
SAN MARCOS HAYS

KELLAN RESTAURANT MANAGEMENT CORP.

A handwritten signature in black ink that reads "A. Bentley Nettles".
EXECUTIVE DIRECTOR

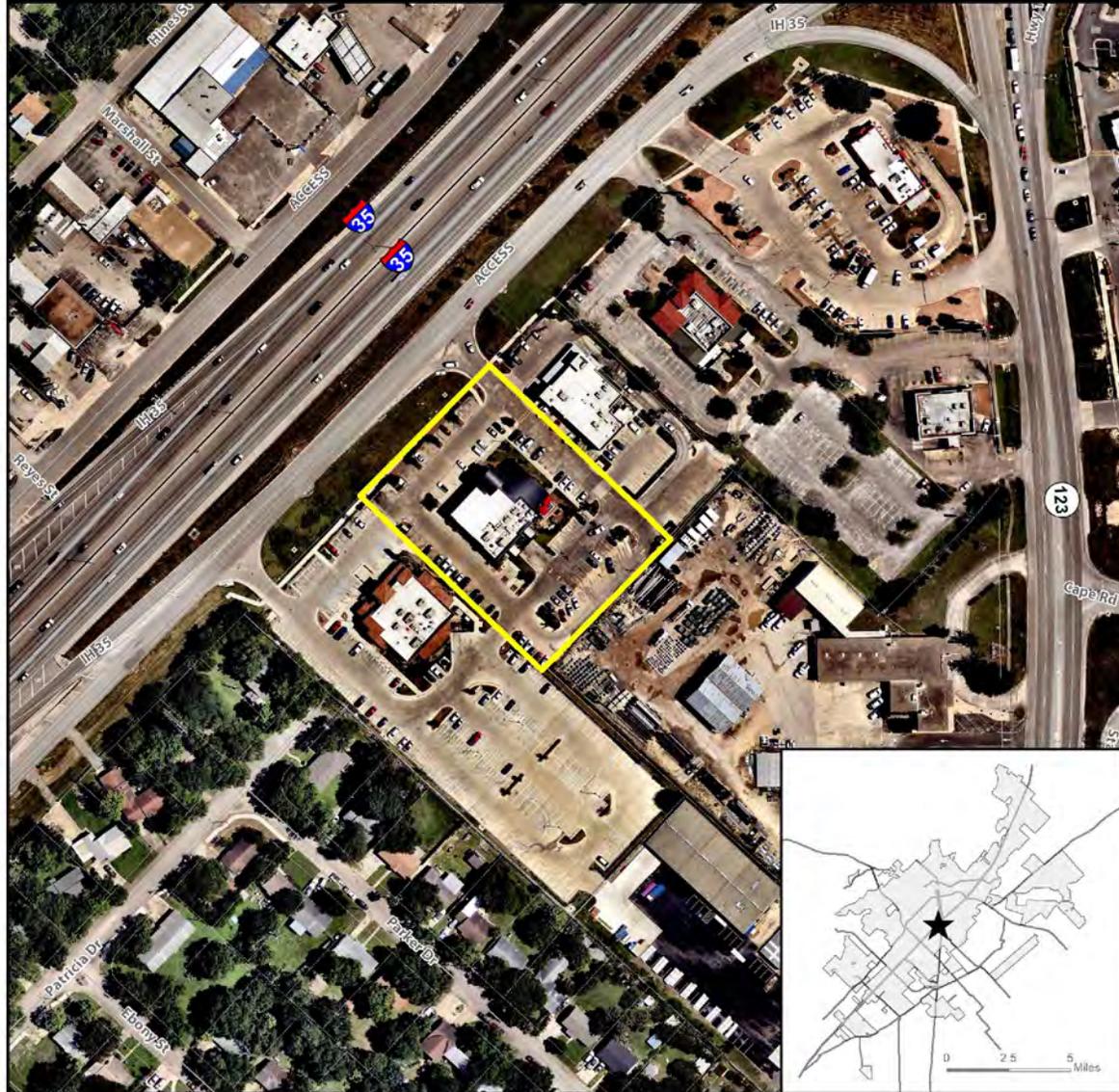
CUP-20-08 (54th Street)

Hold a public hearing and consider a request by 54th Street Restaurant & Drafthouse for a renewal of a Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 1303 South IH-35. (S. Caldwell).

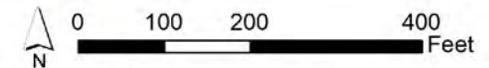
Location:

- Property is located near the intersection of IH-35 and Hwy 123.
- Located within a High Intensity Zone as designated on the Preferred Scenario Map.

CUP-20-08 Aerial View 54th Street Restaurant & Drafthouse— 1303 South IH-35



- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit

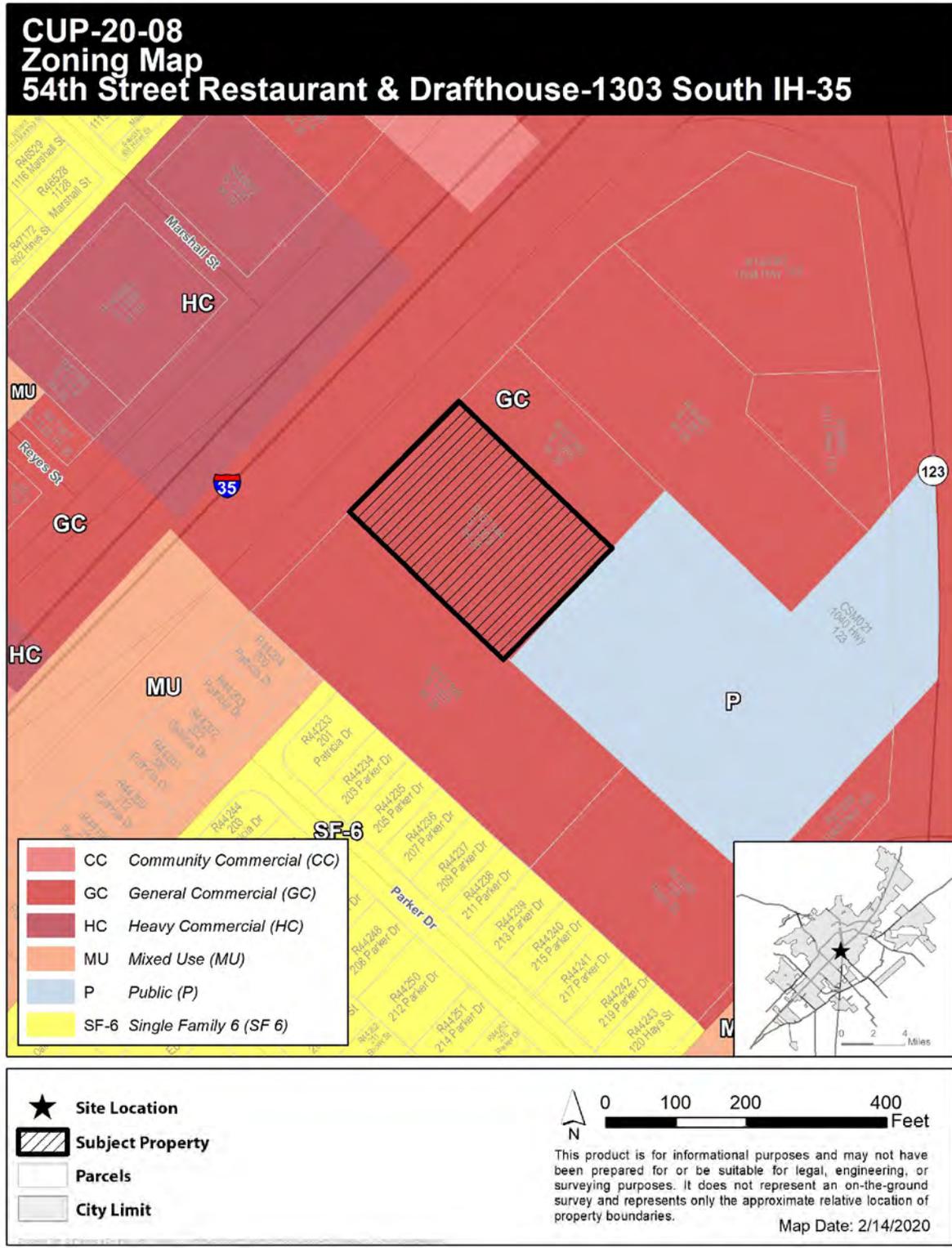


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

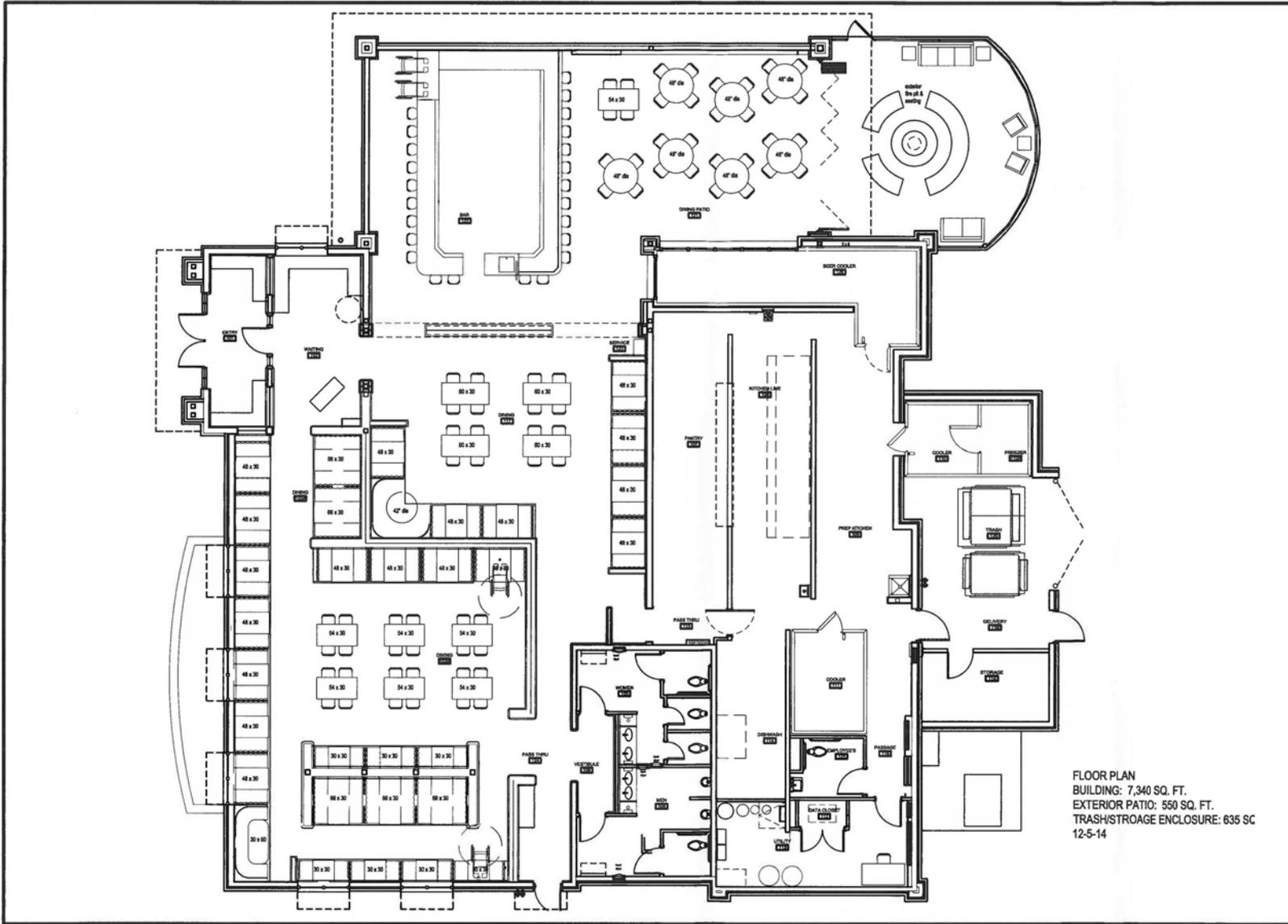
Map Date: 2/14/2020

Context & History:

- 7,300 square foot restaurant
- Previous CUP approved in March 2019
- Hours
 - Sunday – Wednesday
11 a.m. to 12:30 p.m.
 - Thursday – Saturday
11 a.m. to 1:30 p.m.
- Seating:
 - 114 Indoor
 - 9 Outdoor



Floor Plan



FLOOR PLAN
 BUILDING: 7,340 SQ. FT.
 EXTERIOR PATIO: 550 SQ. FT.
 TRASH/STORAGE ENCLOSURE: 635 SC
 12-5-14

| |
|--------------------------------------|
| FLOOR PLAN |
| DATE: 12-5-14 |
| SCALE: 3/8" = 1'-0" ON 11 X 17 SHEET |

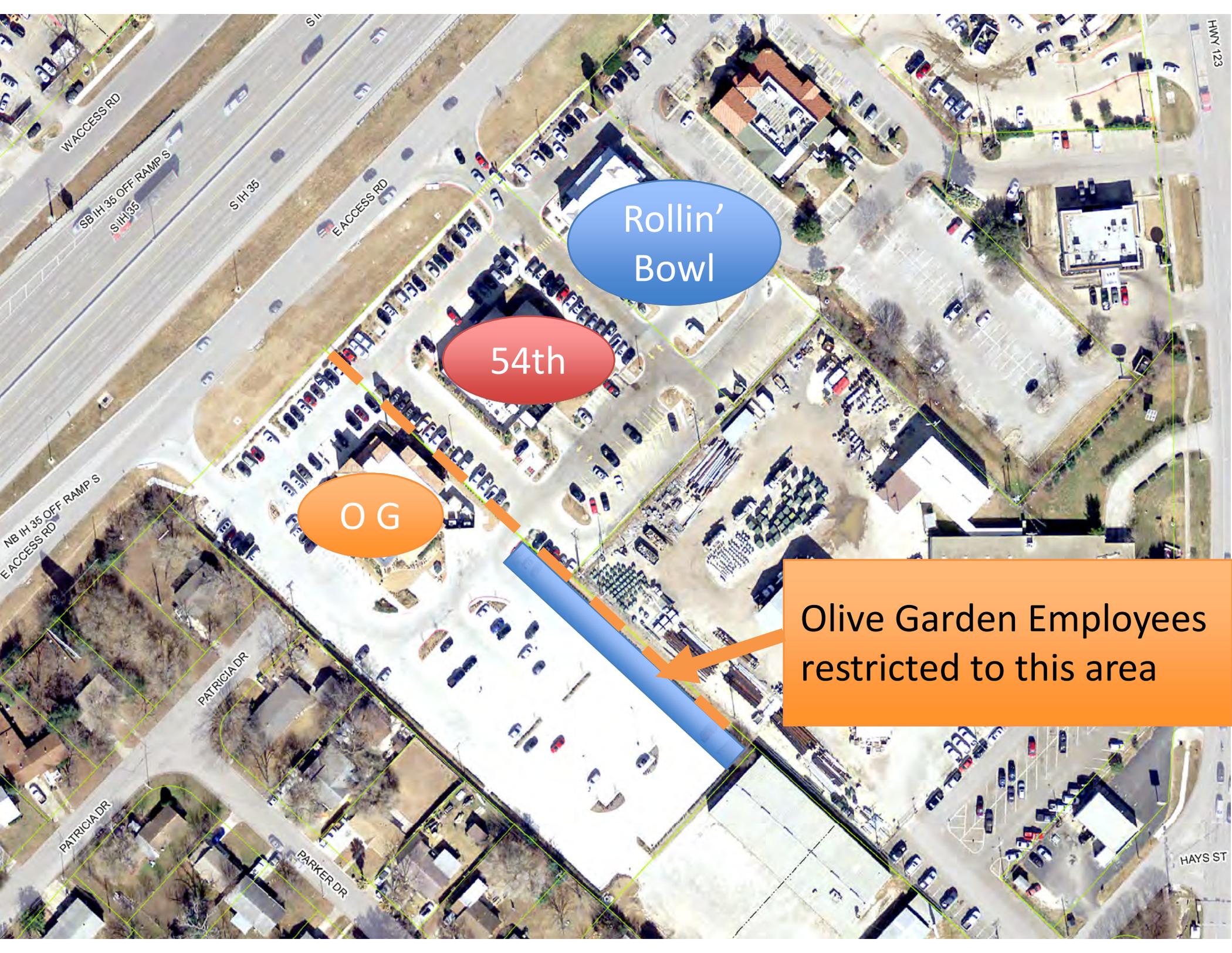
54th Street Restaurant & Draft House
 Conditional Use Permit
 1303 S IH 35, San Marcos, Texas

SH
 ASSOCIATES
 SHAW HOFFETTA + ASSOCIATES
 1717 OAK, KANSAS CITY, MO 64108
 P: 816.421.2505 F: 816.421.0204
 shawhoff@shc.com www.shcsh.com

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FLOOR PLAN
 12-5-14

A1



Rollin' Bowl

54th

OG

Olive Garden Employees restricted to this area

Recommendations:

Staff provides this request to the Commission for your consideration and recommends **approval** of the Conditional Use Permit with the following conditions:

- 1. The permit shall be valid for three (3) years, provided standards are met.**
- 2. Employees may not park on the Olive Garden lot.**
- 3. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times.**
- 4. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**



Legislation Text

File #: CUP-20-07(p), Version: 1

AGENDA CAPTION:

CUP-20-07 (Toro Ramen & Poke Barn) Hold a public hearing and consider a request by Toro Tanaka for a renewal of a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 700 North LBJ Drive, Suite 114. (S. Caldwell)

Meeting date: April 14, 2020

Department: Planning and Development Services

Amount & Source of Funding

Funds Required: [Click or tap here to enter text.](#)

Account Number: [Click or tap here to enter text.](#)

Funds Available: [Click or tap here to enter text.](#)

Account Name: [Click or tap here to enter text.](#)

Fiscal Note:

Prior Council Action: [Click or tap here to enter text.](#)

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

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 - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services
- Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

Toro Ramen & Poke Barn received their CUP to allow for the on-premise consumption of beer and wine in March 2019.

The restaurant is located near the intersection of East Sessom Drive and North LBJ Drive. The building is located within the San Marcos Center and fronts on the shopping center's shared parking lot. The restaurant has a total of 2,952 square feet and a seating capacity of 110. There is no outside dining area at this location.

The current hours of operation are from 11 am-9:30 pm Monday-Saturday and 12 pm-9:30 pm on Sundays. No live music is proposed and the only entertainment facilities at this location are two televisions located inside the restaurant.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Staff has reviewed the application criteria from Sections 2.8.3.4 and 5.1.5.5 of the San Marcos Development Code and recommends approval with the following conditions:

1. Permit shall be valid for three (3) years, provided standards are met,
2. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; and
3. The permit shall be posted in the same area and manner as the Certificate of Occupancy

| | |
|-------------------------------|-----------------------------------|
| Conditional Use Permit | 700 N. LBJ Drive #114 |
| CUP-20-07 | Toro Ramen & Poke Barn |



Summary

| | | | |
|---------------------------------------|---|--------------------------|--|
| Request: | Renewal of a Conditional Use Permit to allow for the sale of beer and wine for on premise consumption at 700 North LBJ Drive, Suite 114 | | |
| Applicant: | Toro Ramen & Poke Bar 7901 Ladera Verde Dr. Austin, TX 78739 | Property Owner: | Fleming Hjorting, Hjorting Family Trust 926 San Rogue Road Santa Barbara, CA 93105 |
| Square Feet: | 2,952 square feet | Type of CUP: | Beer and Wine |
| Interior seating: | 110 | Outdoor seating: | 0 |
| Parking Required: | 28 | Parking Provided: | Shared |
| Days & Hours of Operation: | Monday – Saturday: 11 a.m. – 9:30 p.m. Sunday: 12 p.m. – 9:30 p.m. | | |

Notification

| | | | |
|------------------|------------------------------------|------------------|----------------|
| Posted: | March 27, 2020 | Personal: | March 27, 2020 |
| Response: | None as of the date of this report | | |

Property Description

| | | | |
|---------------------------|-----------------------------------|-------------------------------|-----------------------|
| Legal Description: | Lot 1 of Center 1 Centre | | |
| Location: | Intersection of Sessom and N. LBJ | | |
| Acreage: | N/A | Central Business Area: | No |
| Existing Zoning: | Community Commercial (CC) | Preferred Scenario: | Existing Neighborhood |
| Existing Use: | Restaurant | Proposed Use: | Restaurant |
| CONA Neighborhood: | N/A | Sector: | 3 |
| Utility Capacity: | Adequate | | |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|---------------|--------------------------|---------------------------|
| North of Property: | NC/MF-18 | Retail/Multifamily | Existing Neighborhood |
| South of Property: | P | Texas State University | N/A |
| East of Property: | P/MF-24 | Multifamily | Existing Neighborhood |
| West of Property: | GC/NC | Service Station/Retail | Existing Neighborhood |

| | |
|-------------------------------|-----------------------------------|
| Conditional Use Permit | 700 N. LBJ Drive #114 |
| CUP-20-07 | Toro Ramen & Poke Barn |



History

Toro Ramen & Poke Barn opened at their current location in September 2017. Toro Ramen’s initial request for a Conditional Use Permit to allow for the sale of beer and wine for on premise consumption was approved at the March 26, 2019 Planning & Zoning Commission meeting with the following conditions:

- The permit shall be valid for one (1) year, provided standards are met;
- The permit shall be posted in the same area and manner as the Certificate of Occupancy

Additional Analysis

The gross floor area of the restaurant is 2,952 square feet with an indoor seating capacity of 110. There is no outdoor seating at this location. The hours of operation are 11 a.m.-9:30 p.m. Monday through Saturday and 12 p.m.-9:30 p.m. on Sundays. The building is located within the San Marcos Center shopping center and fronts on East Sessom Drive. The only entertainment facilities at this location are two televisions inside the restaurant.

Comments from Other Departments

| | |
|------------------------|-------------|
| Police | No Concerns |
| Fire | No Concerns |
| Public Services | No Concerns |
| Engineering | No Concerns |

Staff Recommendation

| | | | | | |
|---|-------------------------------------|--------------------------------------|-----------------------------|--------|--------------------------|
| Approval as Submitted | <input checked="" type="checkbox"/> | Approval with Conditions / Alternate | <input type="checkbox"/> | Denial | <input type="checkbox"/> |
| <ol style="list-style-type: none"> 1. Permit shall be valid for three (3) years, provided standards are met, 2. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; and 3. The permit shall be posted in the same area and manner as the Certificate of Occupancy. | | | | | |
| Staff: Shavon Caldwell | Title : Planner | | Date: April 14, 2020 | | |

Conditional Use Permit

700 N. LBJ Drive #114

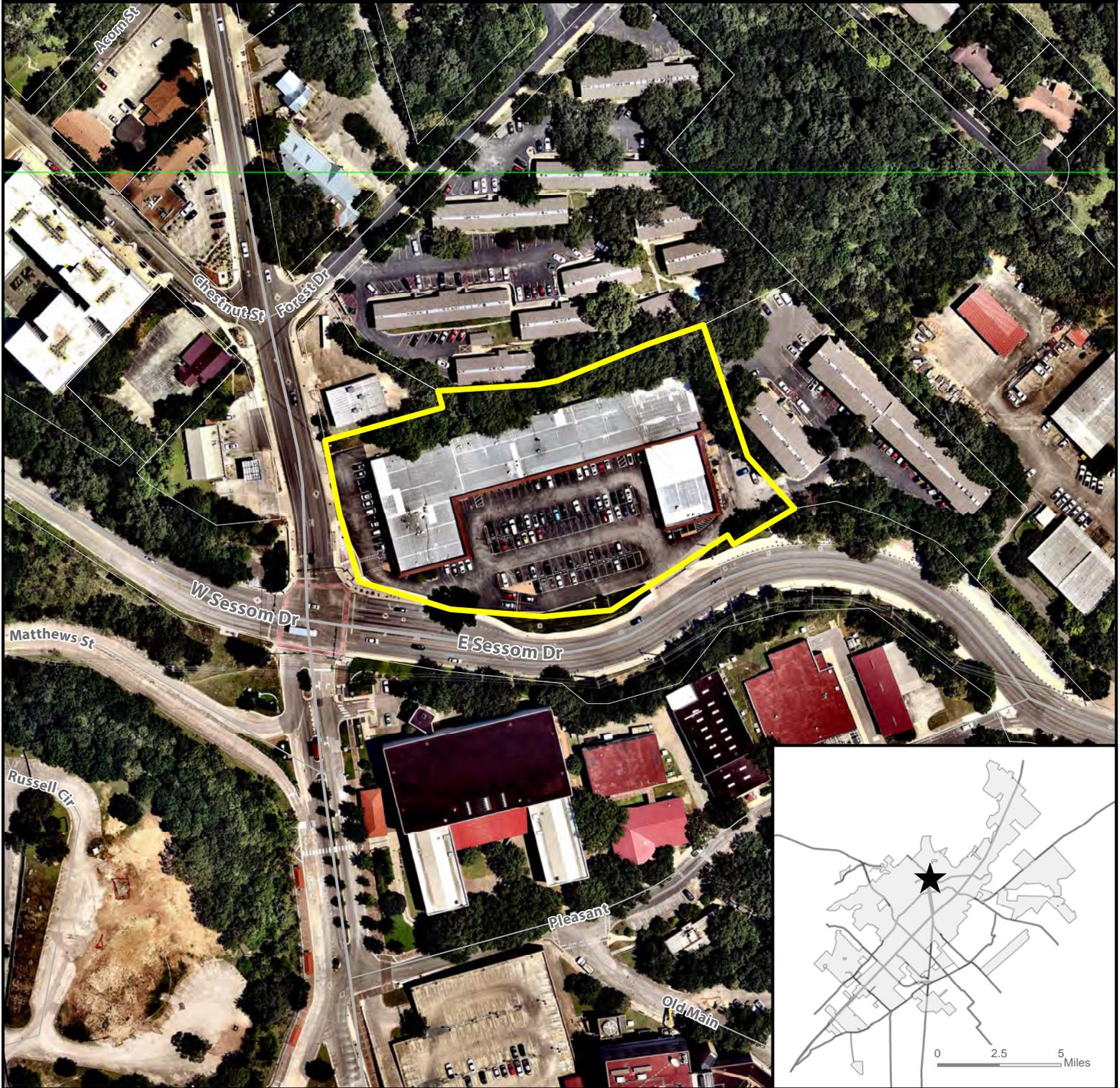
CUP-20-07

Toro Ramen & Poke Barn

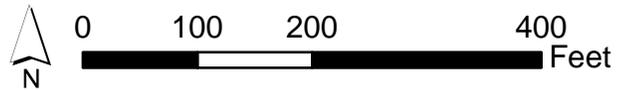


| Evaluation | | | Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5) |
|------------|--------------|------------|--|
| Consistent | Inconsistent | Neutral | |
| | | <u>X</u> | The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan. |
| | | <u>N/A</u> | The proposed use is consistent with any adopted neighborhood character study for the area. Studies were not complete at the time of this request |
| <u>X</u> | | | The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations. |
| <u>X</u> | | | The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods. |
| <u>X</u> | | | The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood. |
| | | <u>X</u> | The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets. |
| | | <u>X</u> | The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. |
| <u>X</u> | | | The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood. |
| <u>X</u> | | | The proposed use is not within 300 ft. of a detached single family residence located in a zoning district that only permits detached single family residences. |
| <u>X</u> | | | The proposed use is not within 300 ft. of a church, public or private school, or public hospital as outlined in section 5.1.5.5. |
| <u>X</u> | | | The proposed use is not within 1,000 ft. of a public or private school as outlined within section 5.1.5.5(E)(3). |

CUP-20-07 Aerial View Toro Ramen & Poke Barn - 700 North LBJ Dr, Suite 114



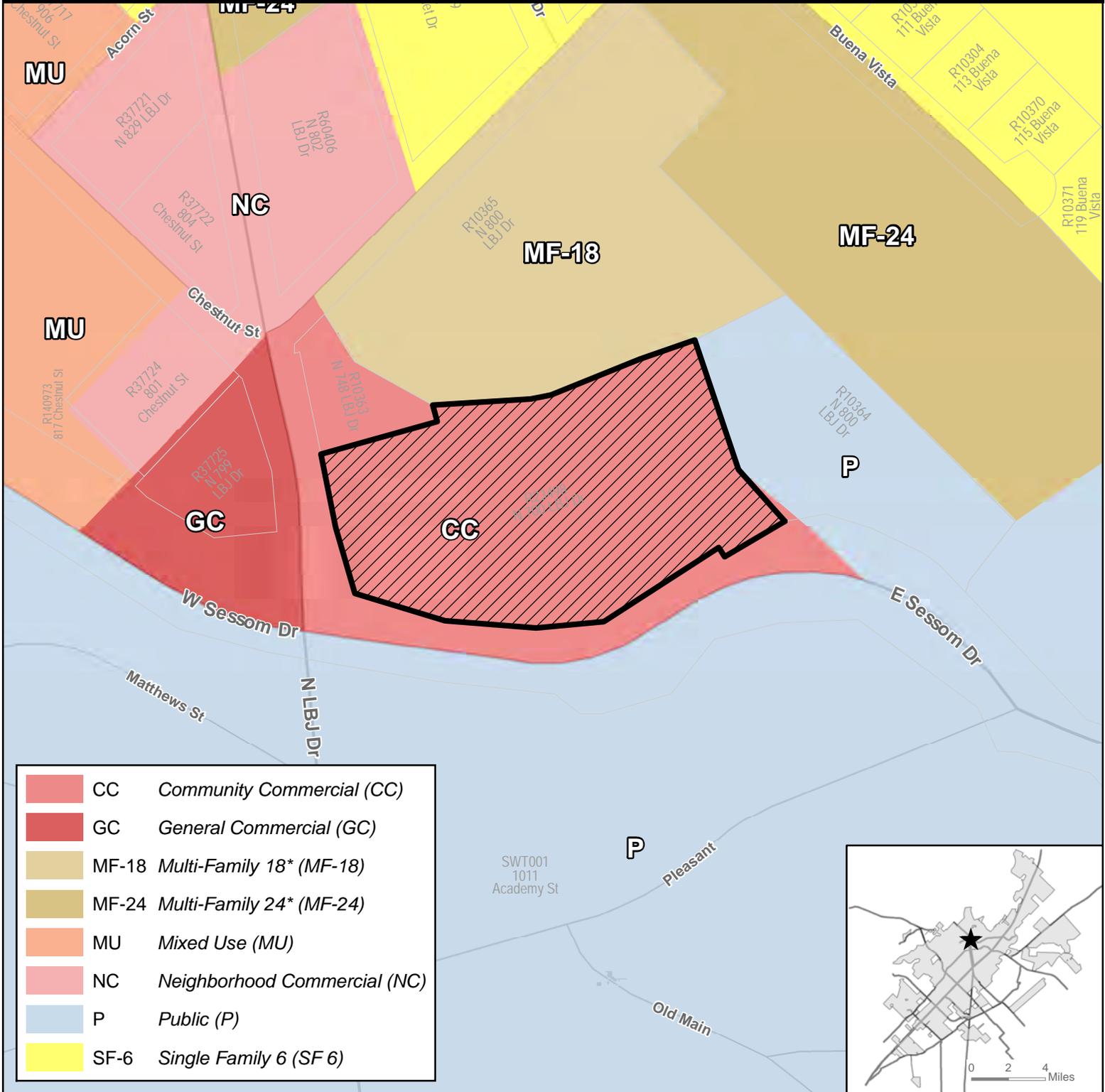
- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit



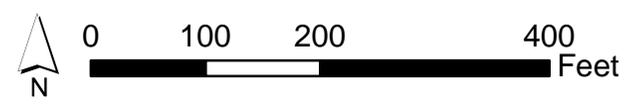
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Map Date: 2/7/2020

CUP-20-07 Zoning Map Toro Ramen & Poke Barn-700 North LBJ Dr., Suite 114



- Site Location**
- Subject Property**
- Parcels**
- City Limit**



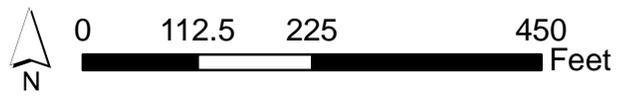
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 2/14/2020

CUP-20-07 400' Notification Buffer Toro Ramen & Poke Bar - 700 North LBJ Dr, Suite 114



- ★ Site Location
-  Subject Property
-  400' Buffer
-  Parcel
-  City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 2/7/2020

CUP-20-07 Notification List

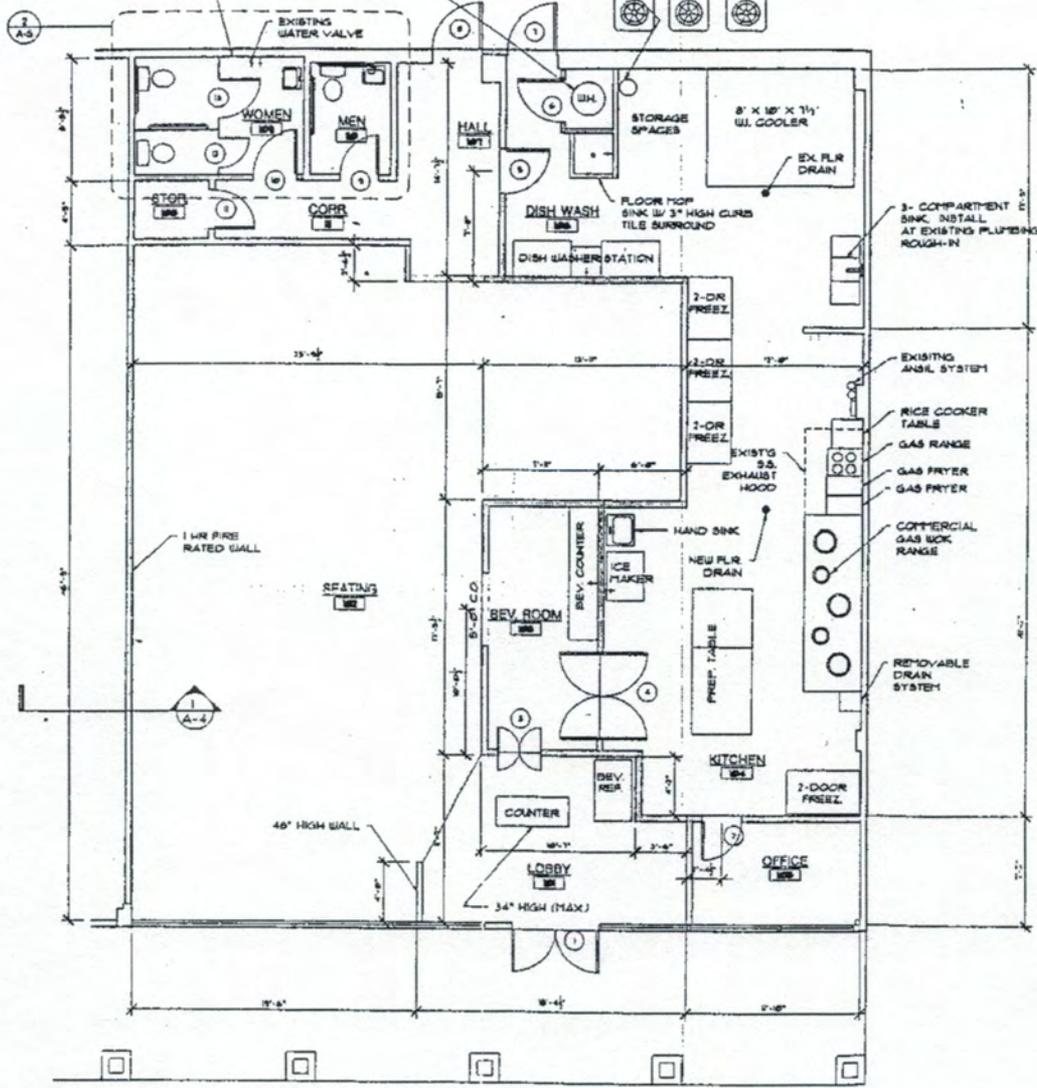
| Property ID | Subject Address | Party Name | Address1 | City | State |
|-------------|-----------------|---|--|------------------------|-------|
| 37724 | 801 CHESTNUT | APANTE INVESTMENTS LP | PO BOX 160788 | AUSTIN | TX |
| 140973 | 817 CHESTNUT | ELLA LOFTS FUNDING COMPANY LLC | 8 S SERVICE RD STE 120 | MELVILLE | NY |
| 37721 | 829 NORTH LBJ | FORREAL LTD | 215 W SAN ANTONIO ST STE 2002 | SAN MARCOS | TX |
| 23498 | 700 NORTH LBJ | HJORTING FAMILY TRUST | HJORTING FLEMMING & MAY 926 SAN ROQUE RD | SANTA BARBARA | CA |
| 131659 | 801 BLUEBONNET | HOFMANN DONALD R | 801 W BLUEBONNET DR | SAN MARCOS | TX |
| 37722 | 804 CHESTNUT | LIN ANDREW A ETAL | % CHRISTOPHER A LIN- MANAGING DIRECTOR LIN BROS & ASSOCIATES | LAKE FOREST | IL |
| 10363 | 748 NORTH LBJ | NEXT DOOR APARTMENTS -SAN MARCOS LLC | 30277 VIA BORICA | RANCHO PALOS VERDES | CA |
| 138793 | NORTH LBJ | SAN MARCOS CITY OF | 630 E HOPKINS ST | SAN MARCOS | TX |
| 60406 | 802 NORTH LBJ | SPUTNIK, LEASING CO | 802 N LBJ DR | SAN MARCOS | TX |
| 37725 | 799 NORTH LBJ | SUSSER PETROLEUM OPERATING CO LLC | 1300 MAIN ST | HOUSTON | TX |
| | | JENNIFER KATZ | 203 WEST HILLCREST DR | SAN MARCOS | TX |
| | | SARA LEE UNDERWOOD-MYERS | 1415 HARPER DR | SAN MARCOS | TX |
| | | LIZBETH DOBBINS | 2705 LESLIE LN | SAN MARCOS | TX |

Suite 114 Floor Plan

RURR-OUT EXISTING TILT WALL W/ 1/8" HAT CHANNELS. APPLY 1/2" CEMENTOUS BOARD TO RECEIVED TILE - THIS WALL ONLY.

WATER SOFTENER SYSTEM PROVIDE BY OWNER INSTALL BY CONTRACTOR

EXISTING AC UNITS HVAC CONTRACTOR SHALL EVALUATE EXISTING UNITS AND SIZED EQUIPMENT AS NECESSARY FOR NEW TENANT USAGE. ALL WORK SHALL BE CONFORM TO UNIFORM MECHANICAL CODE, '94 EDITION.



Hi Shavon,

Our restaurant only have dining area, no stage, no dancing area, no live music, no music equipment at all.

we have 1 tv on 2 sides of the wall. tv connected to charter communication service to play some movie, sport or news.

Best Regards,

Anton Hartono



Tonkotsu

10.99



Spicy Tonkotsu

11.99



Chicken Rich Ramen

9.99



Shoyu

9.99

Extra Toppings



Boiled Egg (1)
1.00



Cha-Shu (3)
1.99



Noodle
1.49



Red Ginger
0.99



Scallion
0.99

Appetizers



Edamame

3.99



Spicy Garlic Edamame

4.99



Agedashi Tofu

3.99



Veggie Egg Roll (4)

3.99



Chicken Karage

4.99



Beef Gyoza

5.99



Takoyaki

5.99



Toro Ball

5.99



Squid Legs

5.99



Chicken Wings (5)

5.99

Make it Ramen Combo

Any Ramen + \$2.00

- Edamame
- Agedashi Tofu
- Veggie Tempura
- Veggie Egg Roll

Any Ramen + \$3.00

- Chicken Karage
- Spicy Garlic Edamame
- Beef Gyoza
- Toro Ball

Any Ramen + \$4.00

- Small Poke w/ 1 protein
- Fish Cake

CONDITIONAL USE PERMIT APPLICATION (ALCOHOL OUTSIDE CBA)



Updated: October, 2019

CONTACT INFORMATION

| | | | |
|-----------------------------|--|-------------------------|--|
| Applicant's Name | ANTON HARTOND | Property Owner | FLEMING HJORTING, HJORTING FAMILY TRUST |
| Company | TORO TANAKA | Company | HJORTING FAMILY TRUST |
| Applicant's Mailing Address | 7901 LADERA VERDE DR AUSTIN, TX 78739 | Owner's Mailing Address | 926 SAN ROGUE ROAD, SANTA BARBARA, CA 93105 |
| Applicant's Phone # | 626 607 7772 | Owner's Phone # | 805-682-2743 |
| Applicant's Email | anton_hartond@scglobal.net | Owner's Email | fhjorting@01.com |

PROPERTY INFORMATION

Subject Property Address: 700 N. LBJ DR # 114, SAN MARCOS, TX 78666.
 Zoning District: _____ Tax ID #: R 82-1878573.
 Legal Description: Lot 1 Block _____ Subdivision _____
 Number of Parking Spaces: 121
 Is property more than 300' from church, school, hospital, or residential district? Y N

DESCRIPTION OF REQUEST

Business Name: TORO RAMEN & POKE BARN Restaurant Bar Other: _____

NEW RENEWAL/AMENDMENT Mixed Beverage Beer & Wine Late Hours

Hours of Operation(ex. Mon 12pm-1am): Mon 11am - 9.30pm Tue 11am - 9.30pm Wed 11am - 9.30pm
 Thurs 11am - 9.30pm Fri 11am - 9.30pm Sat 11am - 9.30pm Sun 12pm - 9.30pm

Indoor Seating Capacity: 110 Outdoor Seating Capacity: 0 Gross Floor Area: 2952 sq ft.

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

| | | |
|-------------------------------------|---------------------|-------------------------|
| Initial Filing Fee 793* | Technology Fee \$13 | TOTAL COST \$806 |
| Renewal/Amendment Filing Fee \$423* | Technology Fee \$13 | TOTAL COST \$436 |

*Nonprofit Organization fees are 50% of the adopted fee listed for Conditional Use Permits

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

PROPERTY OWNER AUTHORIZATION

I, Flemming Hjorting (owner) acknowledge that I am the rightful owner of the property located at 700 North LBJ San Marcos Texas 78666 (address).

I hereby authorize Keith Whittington (agent name) to file this application for _____ (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: *Flemming Hjorting* Date: 1-28-2019
Printed Name: Hjorting Family Trust, Trustee

Signature of Agent: *Keith Whittington, CPM* Date: 1-28-2019
Printed Name: Keith Whittington, as agent, Lynx Property Services

523904

TEXAS ALCOHOLIC BEVERAGE COMMISSION

BG 1052980

EXPIRES 05/02/2021

NEW
SIGN =BLUE

17% WINE

WINE&BEER RETAILERS ON PREMISE PERMIT
FOOD AND BEVERAGE CERTIFICATE

TORO RAMEN & POKE BARN
700 N LBJ DRIVE SUITE 114
SAN MARCOS HAYS

TORO-TANAKA INC.



EXECUTIVE DIRECTOR

A. Scott Carter

THIS LICENSE IS NOT TRANSFERABLE. MUST BE PUBLICLY DISPLAYED AT ALL TIMES AND USED ONLY IN THE PLACE OF BUSINESS INDICATED HEREON. THE ACCEPTANCE HEREOF CONSTITUTES AN EXPRESS AGREEMENT TO PERMIT ANY AUTHORIZED REPRESENTATIVE OF THE COMMISSION TO ENTER UPON LICENSEE'S PREMISES TO PERFORM ANY DUTY IMPOSED UPON HIM.

CUP-20-07 (Toro Ramen)

Hold a public hearing and consider a request by Toro Tanaka for a Conditional Use Permit renewal to allow for the sale of beer and wine for on premise consumption at 700 N. LBJ Dr, Ste 114. (S. Caldwell)

Location:

- The restaurant is located at the corner of North LBJ Drive and East Sessom Drive
- Located in an Existing Neighborhood Area on the Preferred Scenario Map



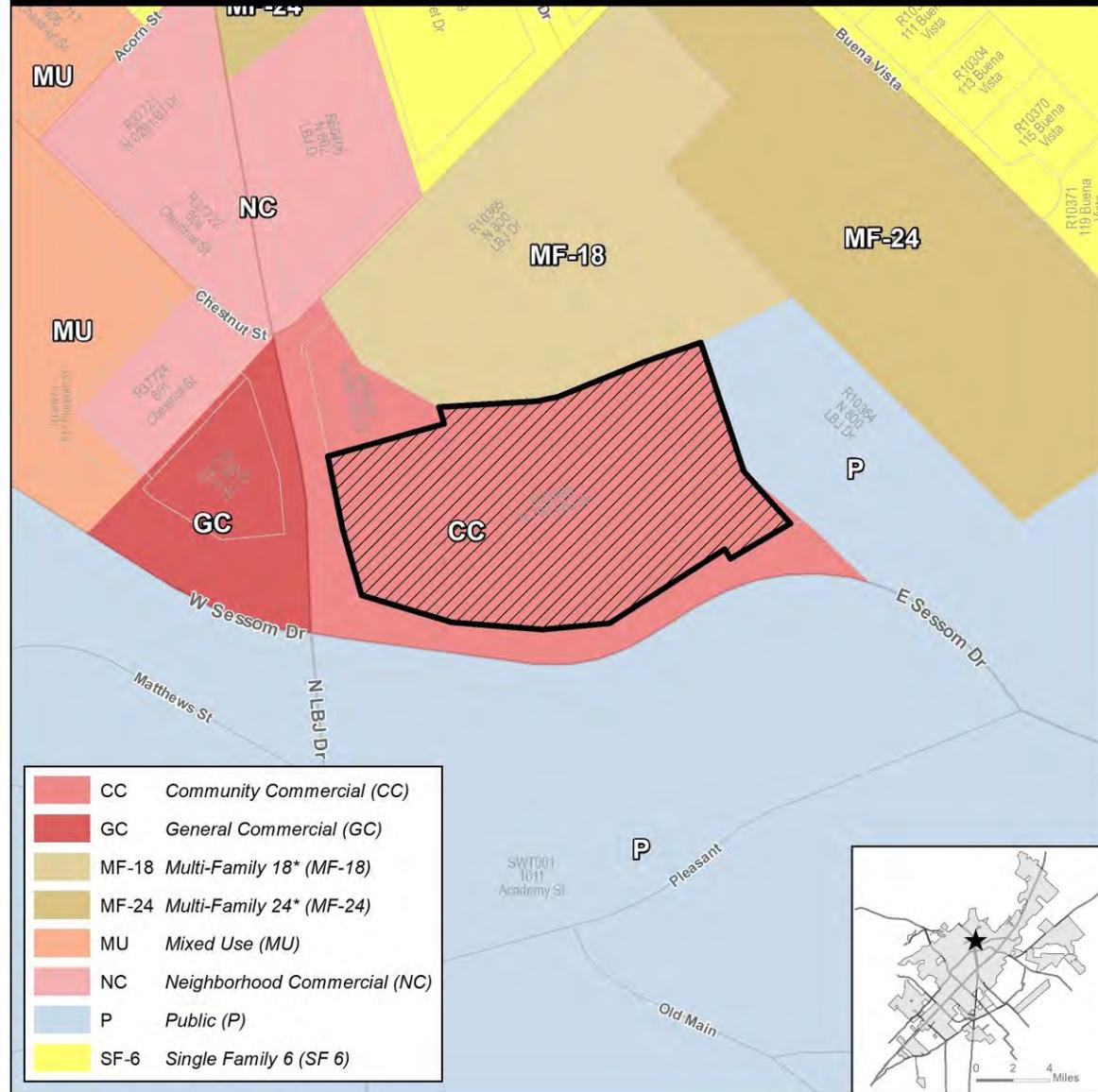
| | |
|---|---------------------------|
| <ul style="list-style-type: none"> ★ Site Location ▭ Subject Property ▭ Parcel ▭ City Limit | <p>0 125 250 500 Feet</p> |
|---|---------------------------|

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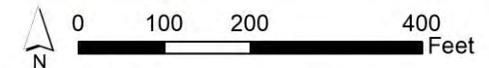
Map Date: 3/5/2019

Context & History:

- The suite is approximately 2,952 square feet
 - 110 Indoor Seating Capacity
 - No outdoor seating
- Business opened in 2017, received their initial CUP in March 2019
- The hours of operation are
 - Monday – Saturday
 - 11am-9:30pm
 - Sunday
 - 12pm-9:30pm
- Entertainment facilities include two indoor televisions



- ★ Site Location
- Subject Property
- Parcels
- City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 2/14/2020

Recommendations:

Staff provides this request to the Commission for your consideration and recommends **approval** of the Conditional Use Permit with the following conditions:

- 1. Permit shall be valid for three (3) years, provided standards are met,**
- 2. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; and**
- 3. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**



Legislation Text

File #: CUP-20-05(p), Version: 1

AGENDA CAPTION:

CUP-20-05 (North Street Beer Bar) Hold a public hearing and consider a request by North Street Inc. for a renewal of a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 216 North Street (S. Caldwell)

Meeting date: April 14, 2020

Department: Planning and Development Services

Amount & Source of Funding

Funds Required: [Click or tap here to enter text.](#)

Account Number: [Click or tap here to enter text.](#)

Funds Available: [Click or tap here to enter text.](#)

Account Name: [Click or tap here to enter text.](#)

Fiscal Note:

Prior Council Action: [Click or tap here to enter text.](#)

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

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 - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services
- Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

North Street Beer Bar received their CUP to allow for the on-premise consumption of beer and wine in 2016 and the permit became effective in 2019 upon the issuance of the restaurant's Certificate of Occupancy.

The restaurant is located near the intersection of North Street and Hutchison Street with the entrance and front patio area fronting on North Street. The restaurant has a total of approximately 2,840 square feet of indoor and outdoor space and has a total seating capacity of 105. Entertainment facilities on site include two televisions inside the restaurant and two speakers on the patio. The current hours of operation are 7:30 am-10 pm Monday-Thursday, 7:30 am-10:30 pm on Friday, 8:30 am-10:30 pm on Saturday, and 8:30 am-9:00 pm on Sundays.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Staff has reviewed the application with the criteria from Sections 2.8.3.4 and 5.1.5.5 of the San Marcos Development Code and recommends approval with the following conditions:

1. Permit shall be valid for three (3) years, provided standards are met,
2. No outdoor live music shall be allowed after 10:00 pm,
3. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 50 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; and
4. The permit shall be posted in the same area and manner as the Certificate of Occupancy

| | |
|-------------------------------|------------------------------|
| Conditional Use Permit | 216 North Street |
| CUP-20-05 | North Street Beer Bar |



Summary

| | | | |
|---------------------------------------|---|--------------------------|---|
| Request: | Renewal of a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 216 North Street | | |
| Applicant: | North Street Beer Bar 216 North Street San Marcos, TX 78666 | Property Owner: | Kevin Katz, Katz Development LLC 719 Aquifer Oaks Trail San Marcos TX 78666 |
| Square Feet: | 2,842 square feet | Type of CUP: | Beer and Wine |
| Interior seating: | 60 | Outdoor seating: | 45 |
| Parking Required: | 9 | Parking Provided: | Shared |
| Days & Hours of Operation: | Monday-Thursday: 7:30 am-10 pm Friday: 7:30 am-10:30 pm Saturday: 8:30 am-10:30 pm Sunday: 8:30 am-9:00 pm | | |

Notification

| | | | |
|------------------|--|------------------|----------------|
| Posted: | March 27, 2020 | Personal: | March 27, 2020 |
| Response: | One letter of support has been received and is included in this packet | | |

Property Description

| | | | |
|---------------------------|---|-------------------------------|------------------------------|
| Legal Description: | D.P. Hopkins First Addition, Block 3, Lot 1A | | |
| Location: | Near the intersection of North Street and West Hopkins Street | | |
| Acreage: | 0.169 acres +/- | Central Business Area: | No |
| Existing Zoning: | Character District-5 (CD-5) | Preferred Scenario: | Downtown High Intensity Zone |
| Existing Use: | Restaurant | Proposed Use: | Restaurant |
| CONA Neighborhood: | Downtown | Sector: | 8 |
| Utility Capacity: | Adequate | | |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|---------------|--|---------------------------|
| North of Property: | CD-5 | Parking Lot | High Intensity |
| South of Property: | CD-5 | Bar (Zelick's) | High Intensity |
| East of Property: | CD-5 | Bed & Breakfast (Crystal River Inn) | High Intensity |
| West of Property: | CD-5 | Texas State University Offices/ Insurance Services | High Intensity |

Conditional Use Permit**216 North Street****CUP-20-05****North Street Beer Bar****History**

North Street Beer Bar’s initial request for a Conditional Use Permit to allow for the sale and on-premise consumption of beer and wine was approved at the January 12, 2016 Planning & Zoning Commission meeting with the following conditions:

- The permit shall be valid for one (1) year, provided standards are met;
- No live music shall be allowed;
- The permit shall be effective upon the issuance of the Certificate of Occupancy; and
- The permit shall be posted in the same area and manner as the Certificate of Occupancy

The permit became effective on April 11, 2019 upon the issuance of the Certificate of Occupancy.

Additional Analysis

North Street Beer Bar is located on North Street between Hutchison Street and Hopkins Street. The restaurant consists of 1,360 square feet of interior space that has a seating capacity of 60 along with a 1,482 square foot patio area with a seating capacity of 45.

Entertainment facilities at North Street include two televisions located inside the restaurant and two speakers located on the patio. The applicant does not currently have any plans for live music but would like the ability to have live music in the future. The current hours of operation are 7:30 am-10 pm Monday-Thursday, 7:30 am-10:30 pm Friday, 8:30 am-10:30 pm on Saturday, and 8:30 am-9:00 pm on Sunday. North Street Beer Bar has recently changed these hours from the original 11 am-11 pm hours of operation. Due to the change in hours of operation, no reported noise violations or concerns from Police since the restaurant’s 2019 opening, and the desire of the applicant to potentially have live music in the future, staff is recommending that the original “No live music allowed” condition be altered to “No outdoor live music shall be allowed past 10:00 pm”.

Comments from Other Departments

| | |
|------------------------|-------------|
| Police | No Concerns |
| Fire | No Concerns |
| Public Services | No Concerns |
| Engineering | No Concerns |

Staff Recommendation

| Approval as Submitted | <input checked="" type="checkbox"/> Approval with Conditions / Alternate | Denial |
|--|--|-----------------------------|
| <ol style="list-style-type: none"> 1. Permit shall be valid for three (3) years, provided standards are met, 2. No outdoor live music shall be allowed after 10:00 pm, 3. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; and 4. The permit shall be posted in the same area and manner as the Certificate of Occupancy. | | |
| Staff: Shavon Caldwell | Title : Planner | Date: April 14, 2020 |

Conditional Use Permit

216 North Street

CUP-20-05

North Street Beer Bar

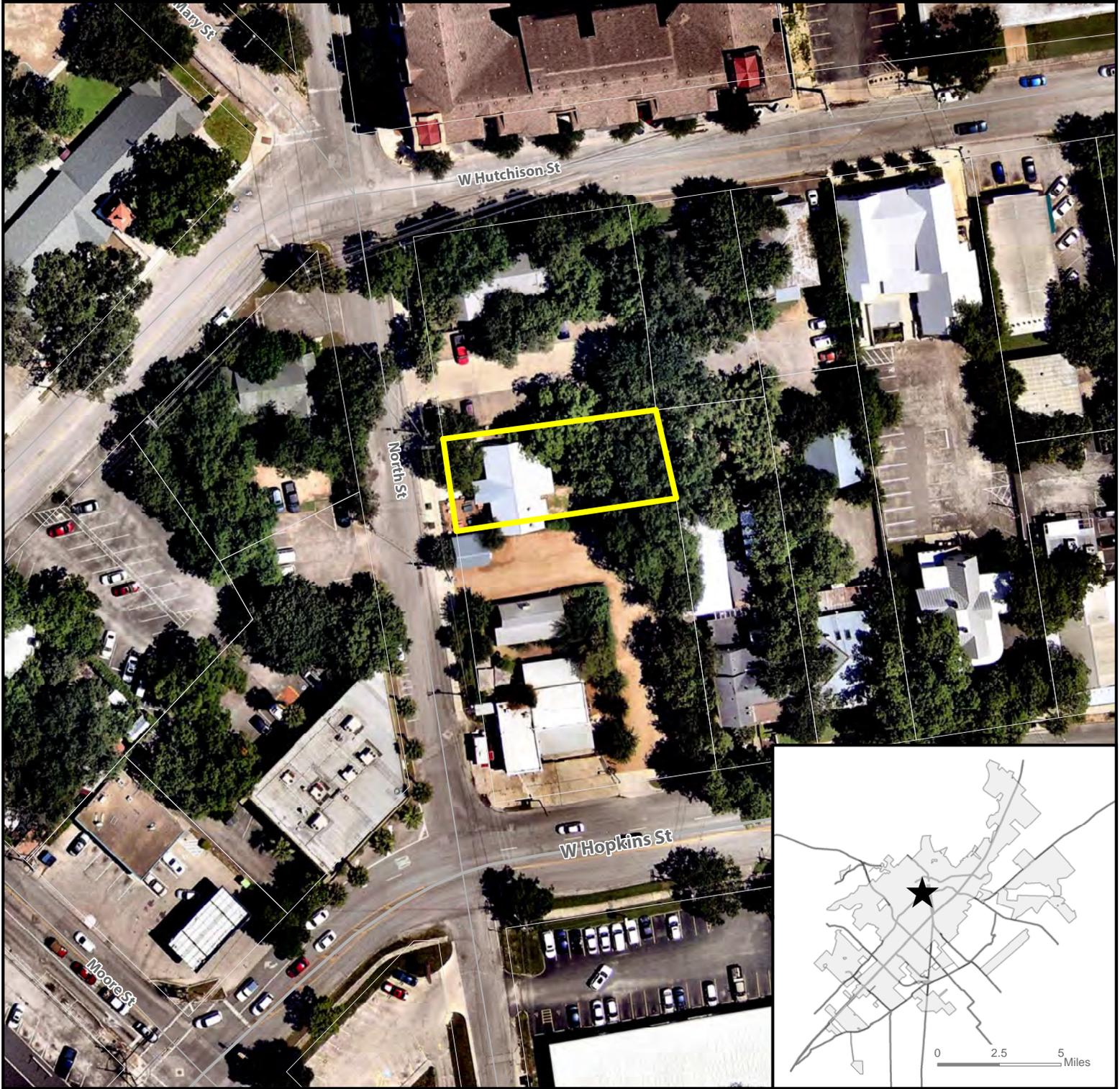


| Evaluation | | | Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5) |
|------------|--------------|------------|--|
| Consistent | Inconsistent | Neutral | |
| | | <u>X</u> | The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan. |
| | | <u>N/A</u> | The proposed use is consistent with any adopted neighborhood character study for the area. Studies were not complete at the time of this request |
| <u>X</u> | | | The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations. CD-5D zoning is intended to provide for a variety of residential, retail, service and commercial uses and promote mixed use and pedestrian-oriented activity. CD-5 allows for a restaurant/bar use. |
| <u>X</u> | | | The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods. Adjacent uses are largely non-residential uses. No changes to the existing restaurant/bar use are being proposed with this application. |
| <u>X</u> | | | The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood. |
| | | <u>X</u> | The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets. |
| <u>X</u> | | | The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. Conditions are proposed to address noise. No outdoor music shall be allowed past 10:00 pm. |
| <u>X</u> | | | The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood. |
| <u>X</u> | | | The proposed use is not within 300 ft. of a detached single family residence located in a zoning district that only permits detached single family residences. |
| <u>X</u> | | | The proposed use is not within 300 ft. of a church, public or private school, or public hospital as outlined in section 5.1.5.5. The proposed use is approximately 336 feet from the First Presbyterian Church located at the intersection of West Hutchison Street and Mary Street. As per Code Section 5.1.5.5.E.4., measurements shall be along the property line of street fronts and from front door to front door, and in a direct line across street intersections. |
| <u>X</u> | | | The proposed use is not within 1,000 ft. of a public or private school as outlined within section 5.1.5.5(E)(3). |

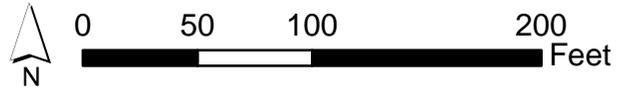
| | |
|-------------------------------|------------------------------|
| Conditional Use Permit | 216 North Street |
| CUP-20-05 | North Street Beer Bar |



CUP-20-05 Aerial View North Street Beer Bar - 216 North Street



- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 2/7/2020

CUP-20-05 400' Notification Buffer North Street Beer Bar- 216 North Street



- ★ Site Location
- ▨ Subject Property
- 400' Buffer
- Parcel
- City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 2/7/2020

CUP-20-05 Notification List

| Property ID | Subject Address | PartyName | Address1 | City | State |
|-------------|-----------------|--|---|----------------|-------|
| 41597 | 312 HOPKINS | 312 VENTURES LLC | 312 W HOPKINS ST | SAN MARCOS | TX |
| 34747 | 428 HUTCHISON | ALPHA ZETA HOUSING CORP | PO BOX 2230 | SAN MARCOS | TX |
| 34757 | 401 HOPKINS | BROWNLEE INVESTMENT INC | 2422 W TUSCHMAN | PEARLAND | TX |
| 41603 | 312 SAN ANTONIO | C.S. MEEKS LLC | 310 W SAN ANTONIO ST | SAN MARCOS | TX |
| 41665 | 310 HUTCHISON | CALVARY CHAPEL OF THE SPRINGS | 310 W HUTCHISON ST | SAN MARCOS | TX |
| 34688 | 205 MOORE | CARSON DIVERSIFIED PROPERTIES 2 LLC | 407 S STAGECOACH TRL STE 203 | SAN MARCOS | TX |
| 32199 | 325 HUTCHISON | DILLON PRESTON R JR & CATHY | 326 W HOPKINS ST | SAN MARCOS | TX |
| 32198 | 323 HUTCHISON | DILLON PRESTON R JR & KATHRYN C | 1000 BURLESON ST | SAN MARCOS | TX |
| 32197 | 322 HOPKINS | DILLON PRESTON ROBERT JR & KATHRYN COATS | 1000 BURLESON ST | SAN MARCOS | TX |
| 32200 | 326 HOPKINS | DILLON, KATHY | 326 W HOPKINS ST | SAN MARCOS | TX |
| 32193 | 323 HOPKINS | DOUBLE L & M LLC | 323 W HOPKINS | SAN MARCOS | TX |
| 34762 | 319 NORTH | E & T REAL ESTATE LLC | 142 CIMARRON PARK LOOP STE A | BUDA | TX |
| 41598 | 319 HUTCHISON | EPSILON ZETA CHAPTER OF ALPHA DELTA PI HOUSE CORPATION | Attn: VIRGINIA MCKINNEY 319 W HUTCHISON ST | SAN MARCOS | TX |
| 34750 | 441 BURLESON | FIRST PRESBYTERIAN CHURCH SAN MARCOS TEXAS | 410 W HUTCHISON ST | SAN MARCOS | TX |
| 32194 | 331 HOPKINS | FROST NATIONAL BANK MANAGEMENT AGENT OF THE | TIDWELL BARBARA G ROLLOVER IRA P O BOX 2127 | AUSTIN | TX |
| 34755 | 221 NORTH | GERMER HOLDINGS LLC | 799 HIGHWAY 71 | BASTROP | TX |
| 32190 | 138 NORTH | GILLIAM, HARDY L | 138 NORTH ST | SAN MARCOS | TX |
| 41596 | 215 COMANCHE | GREENE, CAROLYN P | 120 S MITCHELL | SAN MARCOS | TX |
| 41607 | 309 HOPKINS | HIGGS JAQUE REUTHINGER & | HIGGS MONROE WILBURN FAMILY TRUST % HIGGS JAQUE REUTHINGER TRUSTEE | SAN MARCOS | TX |
| 34748 | 422 HUTCHISON | JAMES RANDY | PO BOX 312655 | NEW BRAUNFELS | TX |
| 41601 | 225 COMANCHE | KATZ CHASE BENJAMIN | 203 W HILLCREST DR | SAN MARCOS | TX |
| 32191 | 406 HARVEY | LINDSEY HOMES LP | 406 Harvey ST | San Marcos | TX |
| 32192 | 400 HARVEY | LONGCOPE FAMILY LTD | 400 HARVEY ST | SAN MARCOS | TX |
| 53154 | 323 COMANCHE | PENNINGTON, WILLIAM C | P O BOX 2459 | SAN MARCOS | TX |
| 34763 | 310 MARY | RIOS ELIZABETH | 513 FRANKLIN DR | SAN MARCOS | TX |
| 167016 | | SAN MARCOS CITY OF | 630 E HOPKINS ST | SAN MARCOS | TX |
| 97834 | 350 NORTH | SANCTUARY LOFTS LLC | C/O AMERICAN CAMPUS COMMUNITIES PO BOX 530292 | MOUNTAIN BROOK | AL |
| 41608 | 301 HOPKINS | SCOTT, MALCOLM R, Jr | PO BOX 166 | SANGER | TX |

CUP-20-05 Notification List

| | | | | | |
|-------|--------------|--------------------------------------|---|---------------|----|
| 34756 | 218 MOORE | SHEFFIELD MONTE C & KRISTIN T | 102 REDBUD CT | SAN MARCOS | TX |
| 34754 | 204 MOORE | SUSSER PETROLEUM OPERATING CO LLC | 1300 MAIN ST | HOUSTON | TX |
| 35992 | 400 HOPKINS | TEXAS STATE UNIVERSITY | Attn: VP FOR FINANCE AND SUPPORT SERVICES 601 UNIVERSITY DR | SAN MARCOS | TX |
| 41600 | 219 COMANCHE | WILLIAMSON TIM R | PO BOX 673 | SAN MARCOS | TX |
| 41595 | 302 HOPKINS | WORLD CUP INVESTMENTS LLC | 102 WONDER WORLD DR STE 304 | SAN MARCOS | TX |
| | | KENDRA WESSON | 2238 CLOVER RIDGE | NEW BRAUNFELS | TX |

Measurement to First Presbyterian Church

First Presbyterian Church

MARY ST

W HUTCHINSON ST

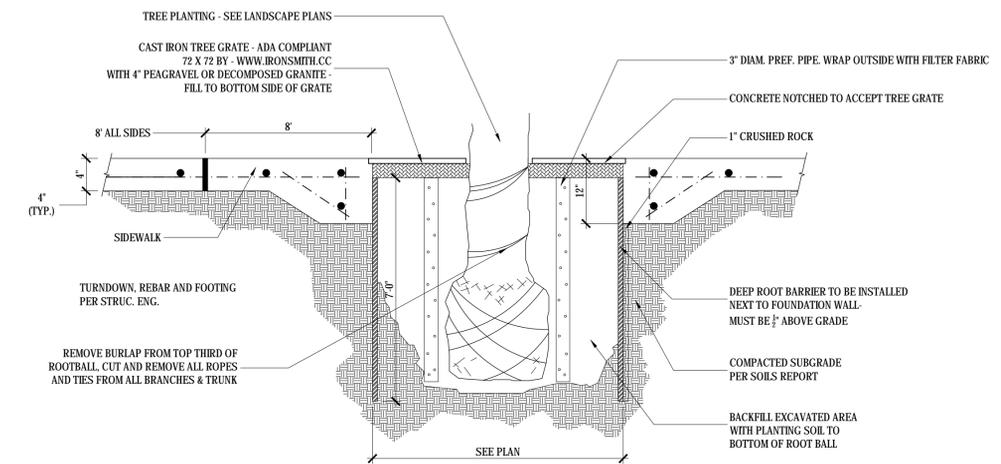
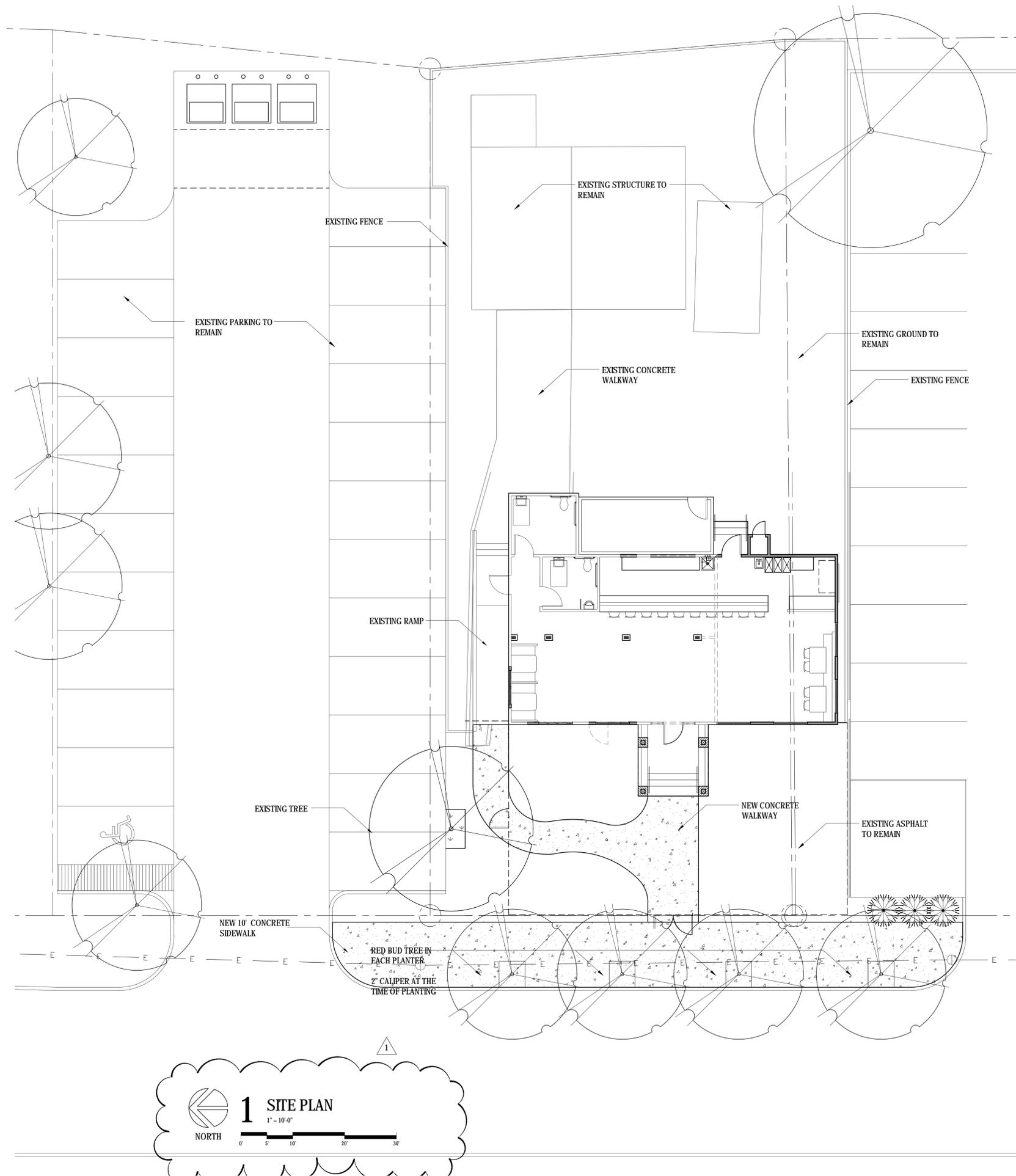
NORTH ST

~ 336 ft

North Street Inc.

— Distance Measurement





1 TREE GRATE DETAIL
3/8" = 1'-0"



THIS PLAN AND THE DESIGNS CONTAINED HEREIN ARE THE PROPERTY OF MARTEZ ARCHITECTURE, LLC AND MARCELLO MARTINEZ AND MAY NOT BE REPRODUCED, ALL OR IN PART, WITHOUT WRITTEN CONSENT FROM MARCELLO DIEGO MARTINEZ.
MARTEZ ARCHITECTURE, LLC IS A DESIGN FIRM. NOT AN ENGINEERING FIRM. WE DO NOT GUARANTEE TO BE ONE NOR ARE WE LICENSED TO DESIGN STRUCTURAL FRAMING, WINDBRACING OR FOUNDATIONS. A LICENSED PROFESSIONAL ENGINEER SHOULD BE CONTRACTED AND CONSULTED IMMEDIATELY REGARDING FRAMING, WINDBRACING AND THE FOUNDATION DESIGNS. SHOULD AN ENGINEER'S SEAL BE PRESENT ON THESE DRAWINGS, THE "ENGINEER OF RECORD" SHALL BEAR ALL RESPONSIBILITY FOR THE STRUCTURE, WINDBRACING AND FOUNDATION DESIGNS FOR THIS PROJECT. MARTEZ ARCHITECTURE, LLC & MARCELLO MARTINEZ ARE NOT TO BE HELD RESPONSIBLE FOR THE STRUCTURAL WORK IN ANY WAY MATTER OR FORM IF ANY ISSUES OR PROBLEMS ARISE.

PROJECT

216
North Street
216 North Street
San Marcos, TX 78666

OWNER

Katz
Brothers

216 North Street
San Marcos, TX 78666

PROJECT NUMBER

16-NSSM

CONSTRUCTION DOCS

NO. DATE DESCRIPTION OF ISSUE

CONSULTANT

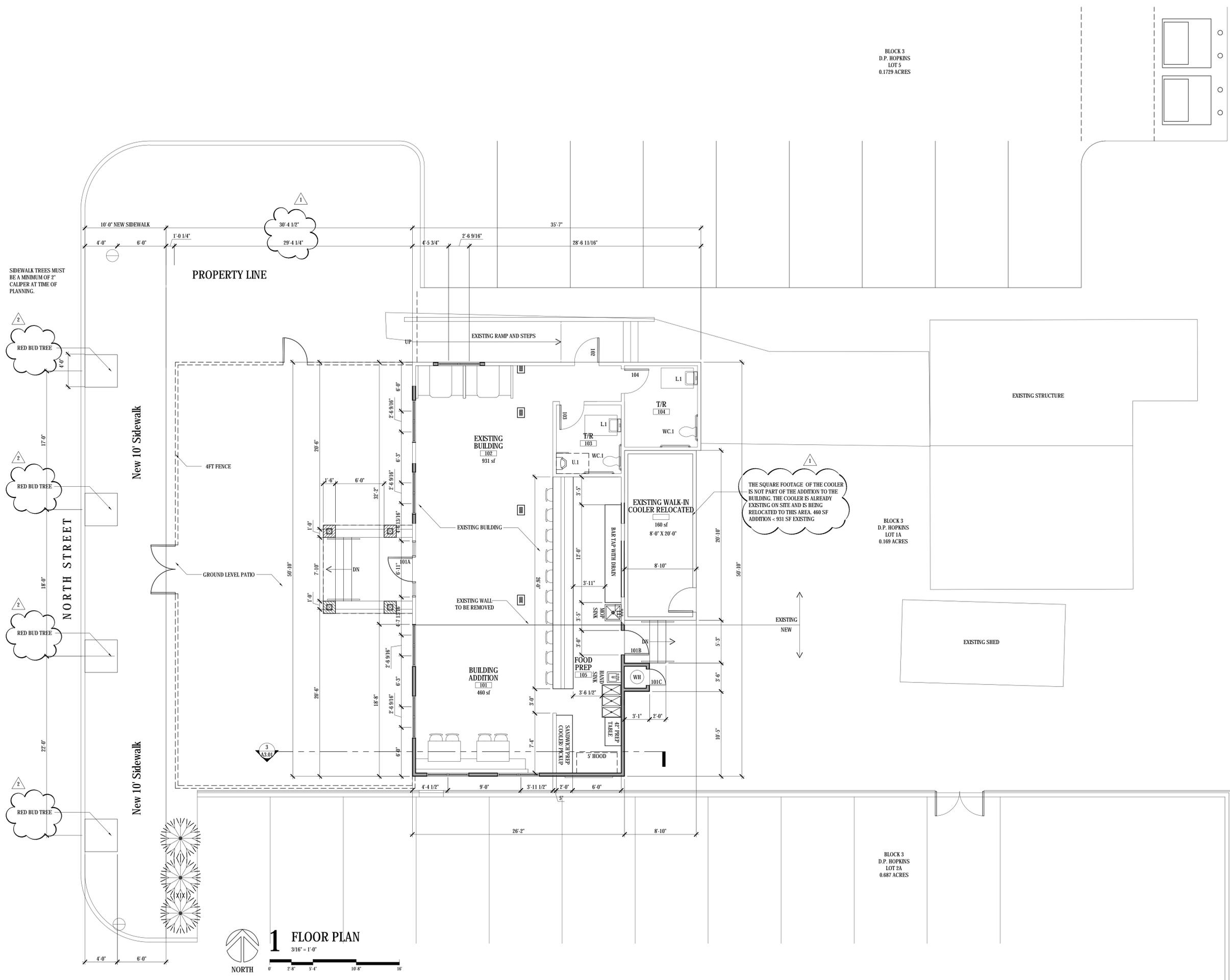
SHEET TITLE

Landscape Plan

DATE
23 May 2017

BAR LENGTH ON ORIGINAL
DRAWING EQUALS 1 INCH

SHEET NUMBER



BLOCK 3
D.P. HOPKINS
LOT 5
0.1729 ACRES

BLOCK 3
D.P. HOPKINS
LOT 1A
0.169 ACRES

BLOCK 3
D.P. HOPKINS
LOT 2A
0.687 ACRES

1718
ARCHITECTURE



DATE 20 April 2017 EXP. DATE Oct 2017
1718 ARCHITECTURE
717 8 ALAMO ST
SAN ANTONIO, TEXAS 78215
VOICE: (210) 287-8166
MARCELLO@1718PARTNERS.COM

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PROJECT
216
North Street
216 North Street
San Marcos, TX 78666

OWNER
Katz Brothers
216 North Street
San Marcos, TX 78666

PROJECT NUMBER
16-NSSM

CONSTRUCTION DOCS

| NO. | DATE | DESCRIPTION OF ISSUE |
|-----|------|----------------------|
| | | |

CONSULTANT

SHEET TITLE
Floor Plan

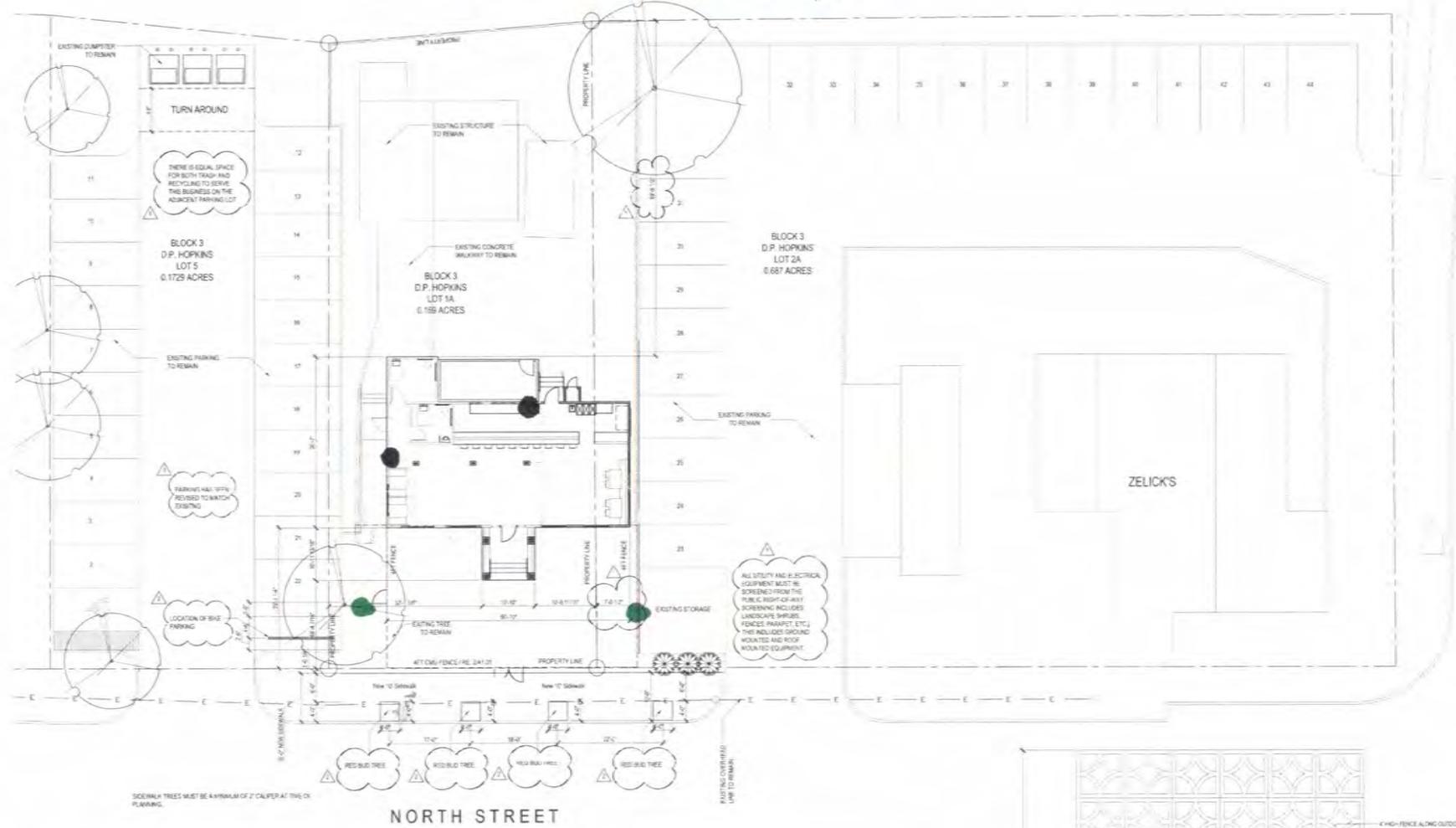
DATE
23 May 2017

SHEET NUMBER

A2.02

City Set

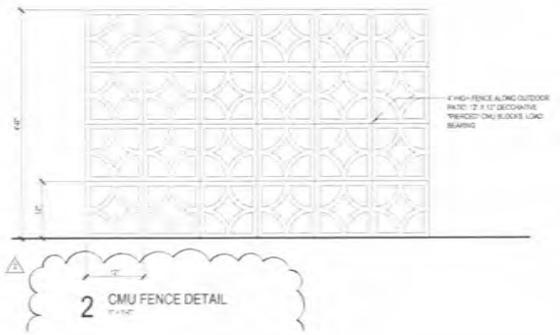
 - Exterior speaker locations.
 - TV locations.



PARKING CALCULATIONS
 3 PER 1,000 SF

| SQUARE FOOTAGE | REQUIRED PARKING SPACES |
|---|-------------------------|
| DELUXE INTERIOR AND PATIO: 8,800 SF | 26 |
| STY NORTH STREET INTERIOR AND PATIO: 2,242 SF | 7 |
| TOTAL REQUIRED PARKING SPACES | 33 |

EXISTING PARKING:
 EXISTING SHARED PARKING SPACES = 40



WEST HOPKINS STREET

1718
 ARCHITECTURE



DATE: 28 April 2017
 1718 ARCHITECTURE
 1100 N. CHURCH ST.
 SAN ANTONIO, TEXAS 78201
 PHONE: 214.521.1718
 WWW: 1718PARTNERS.COM

PROJECT
 216
 North Street
 216 North Street
 San Marcos, TX 78666

CLIENT
 Katz
 Brothers
 216 North Street
 San Marcos, TX 78666

PROJECT NUMBER
 18-NISM

SCALE
 AS SHOWN

DATE
 23 May 2017

PROJECT
 Site Plan

A1.01

City Set

• NORTH STREET •



BEER BAR • CURRY SHOP • COFFEE

HOURS

MONDAY - THURSDAY - 11AM - 11PM

FRIDAY - 11 AM - MIDNIGHT

SATURDAY - 12:30 PM - MIDNIGHT

SUNDAY - 12:30 PM - 10 PM

KITCHEN NOW SERVES CHAAT MENU (SNACKS) FROM 10PM - CLOSE.

WIFI AVAILABLE | PASSWORD: CURRYPOWER

NORTH STREET LINGO

CURRY-

THINK SPICES. NOT SPICY.
A BLEND OF COMMON SPICES
FOUND IN INDIAN CUISINE.

PAPADUM-

CRACKER STYLE BREAD.
THIN & CRISPY

PANEER-

FRESH UNAGED CHEESE.

MASALA-

FLAVORFUL BLEND OF SPICES.

PARATHA-

BUTTERY. FLAKEY INDIAN BREAD.

CHUTNEY-

CONDIMENT MADE WITH
SPICES & FRUIT OR VEGETABLES.

RAITA-

HOUSEMADE YOGURT DIPPING SAUCE.

CHANA-

CHICKPEAS.

LASSI-

TRADITIONAL YOGURT BASED DRINK.

HAPPY HOUR

MONDAY - FRIDAY | 2 PM - 6 PM

• \$3 BREWS •

•SHINER• •LONESTAR•

• \$4 ROTATING CRAFT DRAFT •

ASK YOUR SERVER FOR DETAILS OR SEE BEER MENU

• \$5 HOUSE WINE - RED OR WHITE •

• \$5 - PINK SANGRIA •

EFFERVESCENT & REFRESHING. ROSÉ WINE INFUSED WITH MINT & CUCUMBER

• CHICKEN CURRY NACHOS - \$9 •

TORTILLA CHIPS. CURRY CHICKEN. QUESO. WHITE CABBAGE. SPICY PICKLED
RED ONIONS. AVOCADO. CILANTRO. CHILI CREMA & JALAPEÑO CREMA

REVERSE HAPPY HOUR

MONDAY - FRIDAY | 10 PM - CLOSE

ALL HAPPY HOUR DRINK SPECIALS &
KITCHEN IS OPEN LATE SERVING CHAAT MENU (SNACKS)

SOUP OF THE DAY

ASK YOUR SERVER ABOUT ROTATING SELECTIONS

CUP - \$4.50

BOWL - \$6.50

DAILY LUNCH COMBO - \$12

YOUR CHOICE OF TACO, CUP OF SOUP
& TEA (OR 1/2 PINT LONE STAR OR SHINER)

• • CHAAT • •

[SNACKS]

CHICKEN WINGS \$8

SIX FRIED WINGS TOSSED IN A CHILI SAUCE. SERVED WITH LEMON-CUCUMBER RAITA

NORTH STREET FRIES (V) \$5.5

WAFFLE FRIES WITH HOUSEMADE SEASONING. ALWAYS A GOOD ADD ON WITH YOUR TACO.

CURRY QUESO (V) \$7

TEXAS STYLE QUESO WITH OUR HOUSEMADE CURRY SPICE BLEND

VEGETABLE SAMOSAS (V) \$7

CRISPY PASTRY STUFFED WITH SPICED POTATOES & PEAS. SERVED THREE TO AN ORDER WITH HOUSEMADE MANGO CHUTNEY & GREEN CHUTNEY

CHICKEN CURRY NACHOS \$12

TORTILLA CHIPS. CURRY CHICKEN. QUESO. WHITE CABBAGE. SPICY PICKLED RED ONIONS. AVOCADO. CILANTRO. CHILI CREMA & JALAPEÑO CREMA

• • CURRY TACOS • •

[ADD NORTH STREET FRIES - \$2.50]

PANEER TIKKA MASALA (V) \$8

PANEER TIKKA MASALA · COCO RICE · QUESO FRESCO · CABBAGE · AVOCADO · CILANTRO · TAMARIND DATE CHUTNEY · JALAPEÑO CREMA

CHICKEN CURRY \$7.5

CHICKEN CURRY · COCO RICE · SPICED RED ONION · CILANTRO · CABBAGE · CHILI CREMA · TOMATO-GINGER CHUTNEY

BEEF KEBAB \$8

BEEF KEBAB · COCO RICE · AVOCADO · RED CABBAGE · CILANTRO WALNUT CHUTNEY · CUCUMBER-MINT RAITA

CHANA MASALA (V) \$7.5

CHANA · COCO RICE · SPICED RED CABBAGE · PICKLED ONIONS · CILANTRO · TAMARIND DATE CHUTNEY

CHICKEN TIKKA MASALA \$7.5

CHICKEN TIKKA MASALA · COCO RICE · QUESO FRESCO · CABBAGE · CILANTRO · AVOCADO · JALAPEÑO CREMA · TAMARIND DATE CHUTNEY

• • • FEATURES • • •

ALL FEATURES SERVED WITH COCONUT RICE AND A CRISPY PAPADUM

BUTTER CHICKEN \$12

TENDER OVEN BAKED CHICKEN IN A CREAMY TOMATO SAUCE.

CHICKEN CURRY \$12

A CLASSIC CHICKEN DISH COOKED WITH SPICES. ONIONS. TOMATO. SERVED WITH TOMATO-GINGER CHUTNEY

CHANA & SPINACH (V) \$11

A TRADITIONAL CHICKPEA CURRY SERVED WITH GREEN CHUTNEY

BEEF & POTATO CURRY \$12

A HEARTY FLAVORFUL CURRY. SIRLOIN SLOW COOKED UNTIL TENDER WITH POTATOES. PEAS AND CARROTS.

CURRY TRIO - \$14

CHOOSE THREE OF THE FOLLOWING: CHICKEN CURRY · BEEF & POTATO CURRY · PANEER TIKKA MASALA · CHICKEN TIKKA MASALA · CHANA MASALA · BUTTER CHICKEN

** (V) - VEGETARIAN **

• • • COFFEE • • •

| | | | |
|-------------|--------------------|-------------------------|-----------------|
| DRIP COFFEE | SM \$2.5/LG \$3 | COLD BREW | \$3.75 |
| ESPRESSO | \$2.5 | CHAI LATTE | SM \$4/LG \$5 |
| LATTE | SM \$3.75/LG \$4.5 | AMERICANO | \$3 |
| CAPPUCCINO | SM \$3.75/LG \$4.5 | MOCHA | SM \$4/LG \$4.5 |
| HOT TEA | \$2.5 | NORTH STREET COLD BREW: | \$4.25 |
| | | SWEET. CREAMY. FLORAL. | |

DRINK ADD-ON'S

SYRUPS:

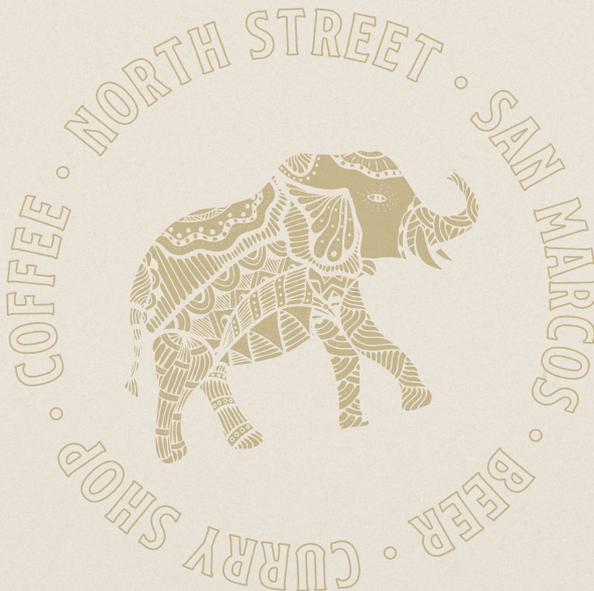
VANILLA · CARAMEL · CHOCOLATE

MILK:

WHOLE · SOY · OAT

• • • SWEETS • • •

| | | | |
|--------------------|-----|---------------------------------|-----|
| MANGO & MINT LASSI | \$5 | AVOCADO, CINNAMON & HONEY LASSI | \$6 |
|--------------------|-----|---------------------------------|-----|



CONDITIONAL USE PERMIT APPLICATION (ALCOHOL OUTSIDE CBA)



Updated: October, 2019

CONTACT INFORMATION

| | | | |
|-----------------------------|--------------------------|-------------------------|----------------------------------|
| Applicant's Name | Chase Katz | Property Owner | Kevin Katz |
| Company | North Street Inc | Company | Katz Development LLC |
| Applicant's Mailing Address | 216 North St, San Marcos | Owner's Mailing Address | 719 Aquifer Oaks Trl, San Marcos |
| Applicant's Phone # | 832 573 7265 | Owner's Phone # | 832 573 6013 |
| Applicant's Email | Northsmtx@gmail.com | Owner's Email | KevinKatz@aol.com |

PROPERTY INFORMATION

Subject Property Address: 216 North Street San Marcos
 Zoning District: _____ Tax ID #: R 134 073
 Legal Description: Lot 1A Block 3 Subdivision _____
 Number of Parking Spaces: _____
 Is property more than 300' from church, school, hospital, or residential district? Y N

DESCRIPTION OF REQUEST

Business Name: North Street Restaurant Bar Other: _____
 NEW RENEWAL/AMENDMENT Mixed Beverage Beer & Wine Late Hours
 Hours of Operation (ex. Mon 12pm-1am): Mon 11am-10pm Tue 11-10 Wed 11-10
 Thurs 11-11 Fri 11-12pm Sat 11-12 Sun 11-10
 Indoor Seating Capacity: 60 Outdoor Seating Capacity: 45 Gross Floor Area: 1350 sq ft

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Initial Filing Fee 793* Technology Fee \$13 TOTAL COST \$806
 Renewal/Amendment Filing Fee \$423* Technology Fee \$13 TOTAL COST \$436

*Nonprofit Organization fees are 50% of the adopted fee listed for Conditional Use Permits

Submission of this digital Application shall constitute as acknowledgement and authorization to process this request.

PROPERTY OWNER AUTHORIZATION

I, Kevin Katz (owner name) on behalf of
Katz Development LLC (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
216 North St. San Marcos TX 78666 (address).

I hereby authorize Chase Katz (agent name) on behalf of
North Street Inc (agent company) to file this application for
Beer + Wine (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 1.27.20

Printed Name, Title: Kevin Katz

Signature of Agent:  Date: 1.27.20

Printed Name, Title: Chase Katz

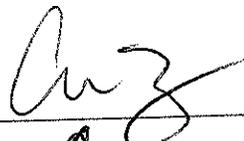
Form Updated October, 2019

**AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS
AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS**

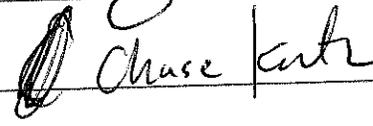
The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: 

Date: 1.27.20

Print Name: 

Form Updated October, 2019

To Whom It May Concern,

No changes have been made to any items on the checklist for North Street's conditional use permit.

Proprietor,

Chase Katz

A handwritten signature in black ink, appearing to read 'Chase Katz', with a long, sweeping horizontal stroke extending to the right.

TEXAS ALCOHOLIC BEVERAGE COMMISSION

THIS LICENSE IS NOT TRANSFERABLE. MUST BE PUBLICLY DISPLAYED AT ALL TIMES AND USED ONLY IN THE PLACE OF BUSINESS INDICATED HEREON. THE ACCEPTANCE HEREOF CONSTITUTES AN EXPRESS AGREEMENT TO PERMIT ANY AUTHORIZED REPRESENTATIVE OF THE COMMISSION OR ANY PEACE OFFICER TO FREELY ENTER UPON LICENSEE'S PREMISES TO PERFORM ANY DUTY IMPOSED UPON HIM.



WINE&BEER RETAILER'S ON PREMISE PERMIT

BG1016387 NEW 17% WINE

ISSUED - 05/24/2018 EXPIRES - 05/23/2020

SIGN = BLUE

NORTH STREET
216 NORTH STREET
SAN MARCOS HAYS

TABC
TEXAS ALCOHOLIC BEVERAGE COMMISSION
Integrity & accountability

NORTH STREET
NORTH STREET DEVELOPMENT INC.
216 NORTH ST
SAN MARCOS TX 78666

MAIL

NORTH STREET DEVELOPMENT INC.

A. Beatty Clark

CUP-20-05 (North Street Beer Bar)-Letter of Support

From: Tyler Williams <[REDACTED]>
Sent: Thursday, March 19, 2020 10:10 AM
To: Planning Info <PlanningInfo@sanmarcostx.gov>
Subject: [EXTERNAL] P and Z letter for 216 North St.

I own the property at 319 North St. and I am in support of this rezoning. Please approve the rezoning request. Thank you.

Tyler Williams

--

Tyler Williams

Cell: [REDACTED]
[REDACTED]

CUP-20-05 (North Street Beer Bar)

Hold a public hearing and consider a request by North Street Inc. for a renewal of a Conditional Use Permit to allow for the sale of beer and wine for on premise consumption at 216 North Street (S. Caldwell)

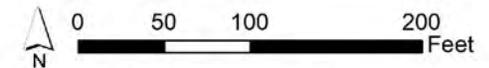
Location:

- North Street Beer Bar is located on North Street between West Hopkins Street and West Hutchison Street
- Located within the Downtown High Intensity Area on the Preferred Scenario Map

CUP-20-05
Aerial View
North Street Beer Bar - 216 North Street



- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit

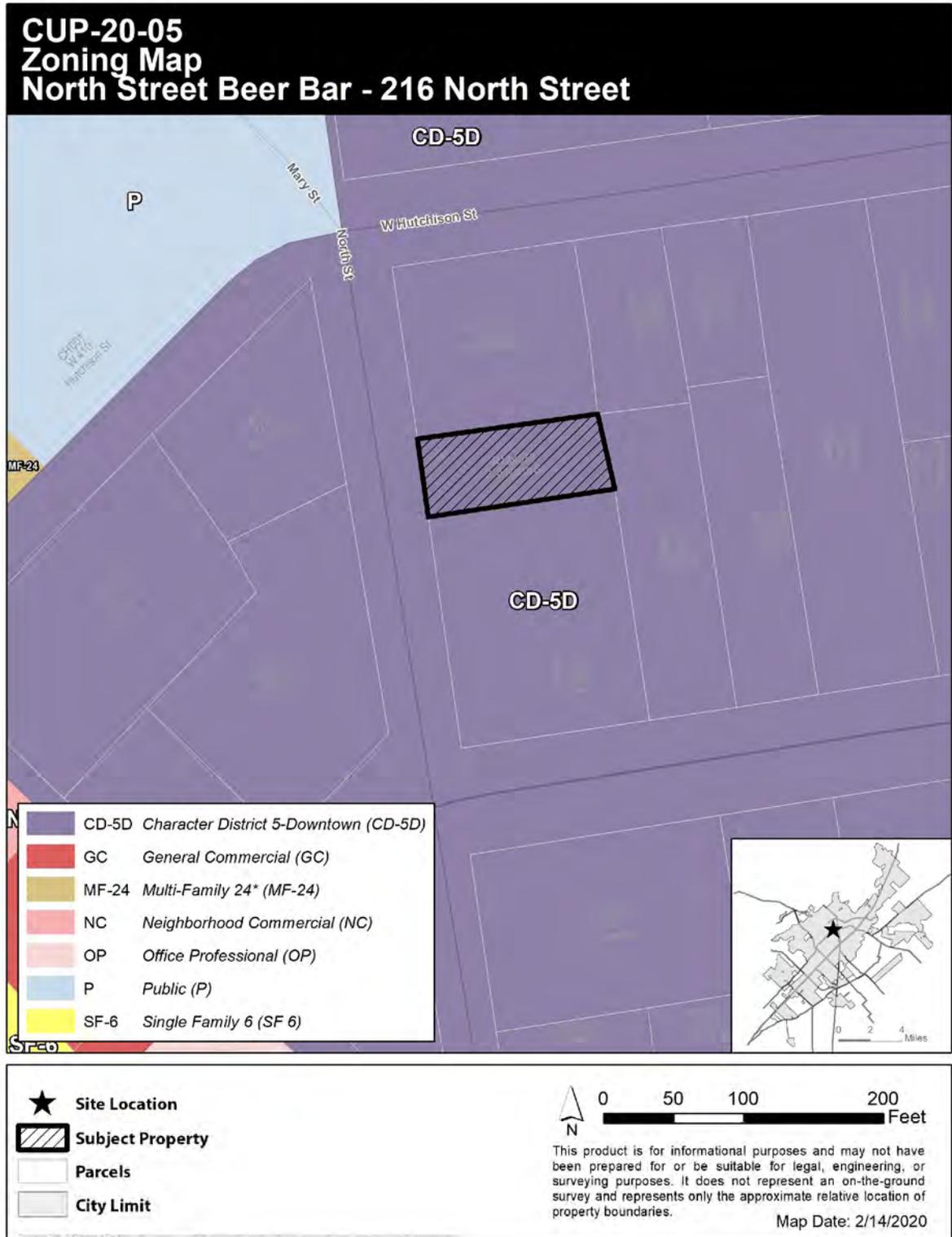


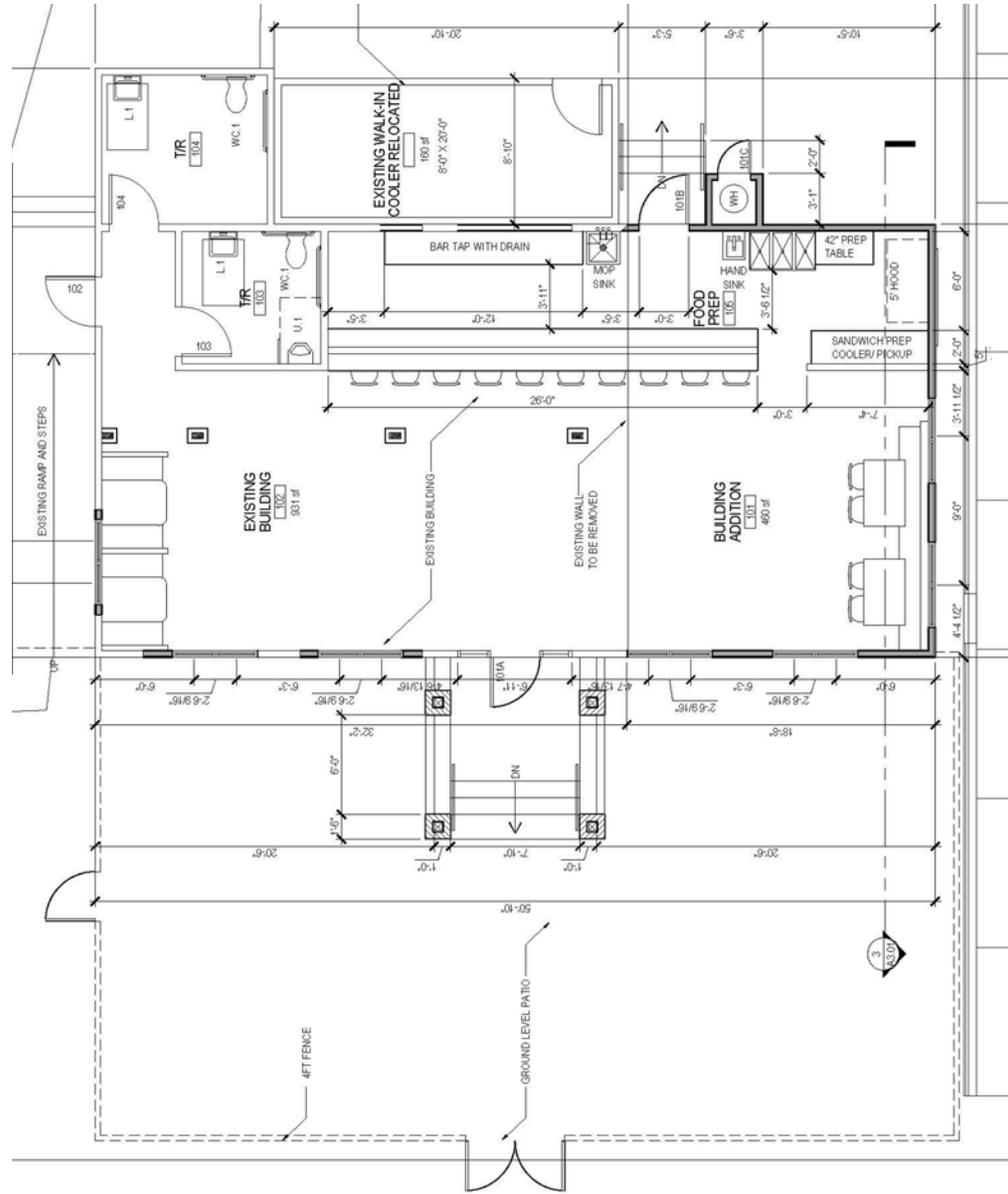
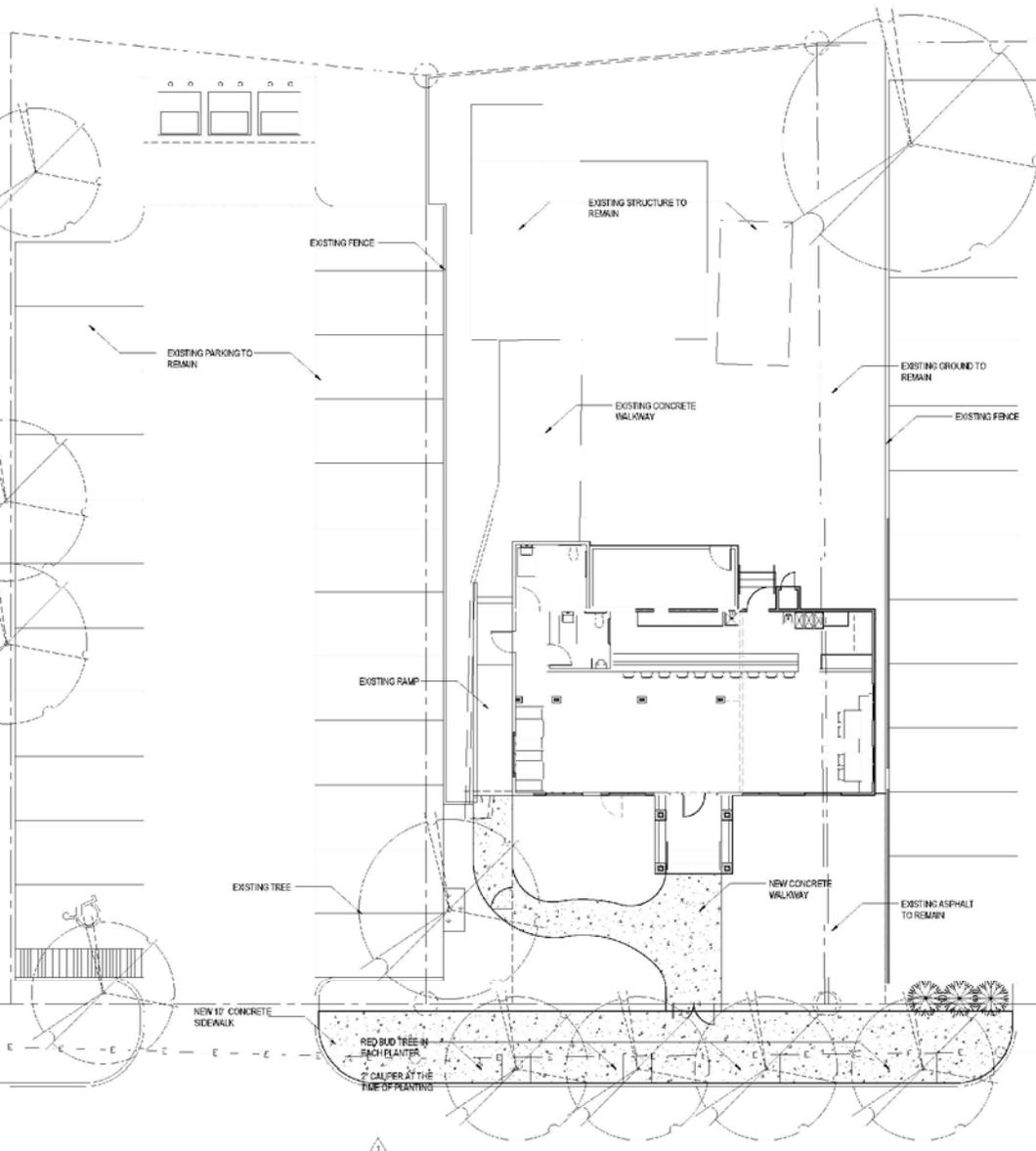
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 2/14/2020

Context & History

- Opened in 2019
- CUP reviewed in 2016 and approved for one (1) year
- 1,360 square feet interior and 1,482 square feet uncovered patio
- 60 indoor seats, 45 outdoor seats that face North Street
- Hours of operation:
 - Monday-Thursday: 7:30 am-10 pm
 - Friday: 7:30 am-10:30 pm
 - Saturday: 8:30 am-10:30 pm
 - Sunday: 8:30 am-9:00 pm





Recommendations:

Staff provides this request to the Commission for your consideration and recommends **approval** of the Conditional Use Permit with the following conditions:

- 1. Permit shall be valid for three (3) years, provided standards are met,**
- 2. No outdoor live music shall be allowed after 10:00 pm,**
- 3. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 50 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; and**
- 4. The permit shall be posted in the same area and manner as the Certificate of Occupancy**



Legislation Text

File #: CUP-20-06(p), Version: 1

AGENDA CAPTION:

CUP-20-06 (The Davenport) Hold a public hearing and consider a request by Stamper Family LLC for a new Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 194 South Guadalupe Street (S. Caldwell).

Meeting date: April 14, 2020

Department: Planning and Development Services

Amount & Source of Funding

Funds Required: [Click or tap here to enter text.](#)

Account Number: [Click or tap here to enter text.](#)

Funds Available: [Click or tap here to enter text.](#)

Account Name: [Click or tap here to enter text.](#)

Fiscal Note:

Prior Council Action: [Click or tap here to enter text.](#)

City Council Strategic Initiative: [Please select from the dropdown menu below]

[Choose an item.](#)

[Choose an item.](#)

[Choose an item.](#)

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 - [Choose an item.](#)

Neighborhoods & Housing - [Choose an item.](#)

Parks, Public Spaces & Facilities - [Choose an item.](#)

Transportation - [Choose an item.](#)

Core Services

Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

The Davenport is a proposed new restaurant in the previous location of Buzz Mill Coffee. Buzz Mill Coffee received their initial permit for mixed beverages in 2016 and was granted a three-year renewal in 2017.

The applicant is proposing a total of 115 indoor and outdoor seats in an approximate 5,061 square foot space. A full menu as well as a selection of draft beer, high end spirits, and specialty martinis will be offered. No live outdoor music is being proposed and entertainment facilities include two indoor speakers and three outdoor speakers. The proposed hours of operation are Monday-Sunday, 11 am-2 am.

Parking spaces that do not meet location and design standards of the San Marcos Development Code were striped along South Guadalupe Street in the area directly in front of the proposed restaurant. Despite being painted over in black, staff has observed that customers still tended to park there. To address safety concerns and to better align with the CD-5D zoning district intent, staff is recommending that parking be prohibited in this location.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Staff has reviewed the application with criteria from Sections 2.8.3.4 and 5.1.5.5 of the San Marcos Development Code and recommends approval with the following conditions:

1. Permit shall be valid for one (1) year, provided standards are met,
2. Outdoor amplified music on the patio fronting South Guadalupe Street shall be limited to the hours between 11 am and 12 am,
3. Outdoor amplified music on the rear patio directly adjacent to Telephone Alley shall be limited to the hours between 11 am and 10 pm,
4. Parking shall be prohibited in City right-of-way along South Guadalupe Street,
5. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 50 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times,
6. The permit shall be effective upon the issuance of a Certificate of Occupancy, and;
7. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

| | |
|-------------------------------|-------------------------------|
| Conditional Use Permit | 194 South Guadalupe St |
| CUP-20-06 | The Davenport |



Summary

| | | | |
|---------------------------------------|---|--------------------------|---|
| Request: | A Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 194 South Guadalupe Street. | | |
| Applicant: | Duane Bradley Stamper Family, LLC 16422 Laurelfeld Houston, TX 77059 | Property Owner: | Scott Gregson East Hopkins, LLC 120 West Hopkins, Suite 200 San Marcos, TX 78666 |
| Square Feet: | 5,061 square feet | Type of CUP: | Mixed Beverage |
| Interior seating: | 37 | Outdoor seating: | 78 |
| Parking Required: | Exempt | Parking Provided: | 6 |
| Days & Hours of Operation: | Every day: 11 a.m. – 2 a.m. | | |

Notification

| | | | |
|------------------|---|------------------|----------------|
| Posted: | March 27, 2020 | Personal: | March 27, 2020 |
| Response: | One letter of opposition has been received and is included in this packet | | |

Property Description

| | | | |
|---------------------------|---|-------------------------------|------------------------------|
| Legal Description: | Original Town of San Marcos, Block 12, ½ of Lot 14 | | |
| Location: | Near the intersection of Thorpe Lane and Springtown Way | | |
| Acreage: | 0.15 +/- | Central Business Area: | Yes |
| Existing Zoning: | Character District-5 Downtown (CD-5D) | Preferred Scenario: | Downtown High Intensity Zone |
| Existing Use: | Vacant | Proposed Use: | Restaurant |
| CONA Neighborhood: | Downtown | Sector: | 8 |
| Utility Capacity: | Adequate | | |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|---------------|---------------------------------------|---------------------------|
| North of Property: | CD-5D | Professional Office | High Intensity |
| South of Property: | CD-5D | Professional Office (Century Link) | High Intensity |
| East of Property: | CD-5D | Restaurant (Golden Chick) | High Intensity |
| West of Property: | CD-5D | Professional Office | High Intensity |

Conditional Use Permit**194 South Guadalupe St****CUP-20-06****The Davenport****History**

The applicant is proposing a new restaurant in this location which was previously occupied by Buzz Mill Coffee. Buzz Mill Coffee received their initial CUP for mixed beverages in 2016. The initial permit was approved with the below conditions:

1. The permit shall be valid for one (1) year provided standards are met
2. The CUP shall be posted in the same manner and location as the Certificate of Occupancy
3. No outdoor amplified music shall be permitted after 10 p.m.

The CUP was renewed in 2017 with the below conditions:

1. The permit shall be valid for three (3) years, provided standards are met
2. The permit shall be posted in the same are and manner as the Certificate of Occupancy

Additional Analysis

The Davenport is located at the intersection of South Guadalupe Street and Martin Luther King Drive with the building and open-air patio fronting on South Guadalupe Street. The restaurant is proposing 1,350 square feet of interior space and 3,711 square feet of patio space. A total of 37 indoor seats and 78 outdoor seats are proposed. There is a total of six (6) off street parking spaces provided.

The Davenport is proposing a full menu and a large selection of craft beer, fine spirits, and specialty martinis will be offered. No live outdoor music is proposed and entertainment facilities include two indoor speakers and three outdoor speakers. Staff recommends limiting outdoor, amplified music music to the hours between 11 am and 12 am on the front patio and limiting outdoor, amplified music to the hours between 11 am and 10 pm on the rear patio. This condition is consistent with the condition proposed and placed by the Commission on nearby businesses in the Central Business Area with an alcohol CUP while still acknowledging adjacent residential uses in the neighborhoods located West of Telephone Alley.

The previous tenant striped six (6) parking spaces along South Guadalupe Street in City right-of-way. When notified that these spaces were in City right-of-way and not allowed, the tenant painted the striped spaces black. City staff has observed that customers still parked in that location despite the painted over spaces. This presents a safety concern as pedestrians walking south on Guadalupe Street must enter traffic or walk through parked cars to pass this location. To address this concern and to better align the goals and intent of the CD-5D zoning district, staff recommends including a condition on this permit requiring the applicant to prohibit customer parking in front of the restaurant along Guadalupe Street. Two parallel parking spaces will be striped in this location as part of the Guadalupe Street Improvements project. Engineering staff is anticipating these improvements to commence within one month. Until this time, Planning, Transportation, and Engineering staff will work with the applicant to implement any additional needed measures to prohibit parking until the planned Guadalupe Street improvement are complete.

Comments from Other Departments

| | |
|------------------------|-------------|
| Police | No Concerns |
| Fire | No Concerns |
| Public Services | No Concerns |
| Engineering | No Concerns |

| | |
|-------------------------------|-------------------------------|
| Conditional Use Permit | 194 South Guadalupe St |
| CUP-20-06 | The Davenport |



Staff Recommendation

| Approval as Submitted | <input checked="" type="checkbox"/> | Approval with Conditions / Alternate | Denial |
|--|-------------------------------------|--------------------------------------|-----------------------------|
| <ol style="list-style-type: none"> 1. Permit shall be valid for one (1) year, provided standards are met, 2. Outdoor amplified music on the patio fronting South Guadalupe Street shall be limited to the hours between 11 am and 12 am, 3. Outdoor amplified music on the rear patio directly adjacent to Telephone Alley shall be limited to the hours between 11 am and 10 pm, 4. Parking shall be prohibited in City right-of-way along South Guadalupe Street, 5. The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 50 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times, 6. The permit shall be effective upon the issuance of a Certificate of Occupancy, and; 7. The permit shall be posted in the same area and manner as the Certificate of Occupancy. | | | |
| Staff: Shavon Caldwell | | Title: Planner | Date: April 14, 2020 |

Conditional Use Permit
CUP-20-06

194 South Guadalupe St
The Davenport

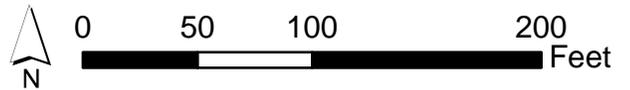


| Evaluation | | | Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5) |
|------------|--------------|------------|--|
| Consistent | Inconsistent | Neutral | |
| | | <u>X</u> | The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan. |
| | | <u>N/A</u> | The proposed use is consistent with any adopted neighborhood character study for the area. Studies were not complete at the time of this request |
| <u>X</u> | | | The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations. The CD-5D district is intended to provide for mixed use, pedestrian oriented development in downtown. To promote walkability and to encourage street level retail activity, auto-oriented uses are restricted. |
| <u>X</u> | | | The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods. Adjacent uses are largely nonresidential. The nearest residential zoned property is approximately 600 feet away (walking distance) from the subject property. Conditions are proposed to address noise. |
| <u>X</u> | | | The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood. Conditions are proposed to address hazardous parking conditions. |
| <u>X</u> | | | The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets. If necessary, staff will work with the applicant to incorporate signage or a physical barrier to restrict parking on South Guadalupe Street. |
| | | <u>X</u> | The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. |
| <u>X</u> | | | The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood. |
| <u>X</u> | | | The proposed use is not within 300 ft. of a detached single-family residence located in a zoning district that only permits detached single-family residences. |
| <u>X</u> | | | The proposed use is not within 300 ft. of a church, public or private school, or public hospital as outlined in section 5.1.5.5. |
| <u>X</u> | | | The proposed use is not within 1,000 ft. of a public or private school as outlined within section 5.1.5.5(E)(3). |

CUP-20-06 Aerial View The Davenport — 194 S Guadalupe St



- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit



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Map Date: 3/6/2020

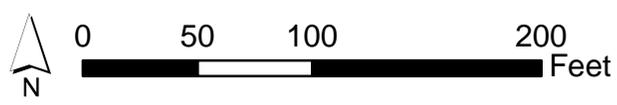
CUP-20-06 Zoning Map The Davenport - 194 South Guadalupe Street



| | |
|--|---|
| | CD-4 Character District 4 (CD-4) |
| | CD-5D Character District 5-Downtown (CD-5D) |
| | P Public (P) |
| | SF-6 Single Family 6 (SF 6) |



- Site Location**
- Subject Property**
- Parcels**
- City Limit**



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Map Date: 3/6/2020

CUP-20-06 Notification List

| Property ID | Subject Address | Party Name | Address 1 | City | State |
|-------------|------------------------|--------------------------------|--|------------|-------|
| 41569 | 111 MILK | 111 MILK DEVELOPMENT LLC | 16925 WHISPERING BREEZE DR | AUSTIN | TX |
| 41546 | 150 LBJ | 150 S LBJ LLC | 102 WONDER WORLD DR STE 304 | SAN MARCOS | TX |
| 155410 | 228 GUADALUPE | 228 GUADALUPE LLC | 7630 RED BAY CT | DUBLIN | OH |
| 41578 | 152 FREDERICKSBURG | ARREDONDO RICARDA EST | Attn: FRANCES ARREDONDO 125 FELTNER ST | SAN MARCOS | TX |
| 60791 | SAN ANTONIO | BLARCK LTD PARTNERSHIP | 400 ROLLING HILLS DR | WIMBERLEY | TX |
| 41594 | 160 FREDERICKSBURG | CHAMBERS, MATTHEW J | 160 S FREDERICKSBURG ST | SAN MARCOS | TX |
| 41568 | 101 MILK | DOZIER DIRK & KATHERINE | P O BOX 160667 | AUSTIN | TX |
| 41542 | 104 MILK | EAST HOPKINS LLC | 120 W HOPKINS ST APT 200 | SAN MARCOS | TX |
| 41540 | 138 MILK | ESTATE OF CLARA BETH WILSON | 138 W MARTIN L KING DR | SAN MARCOS | TX |
| 41567 | 169 GUADALUPE | FACUNDO AND SONS INC | 169 S GUADALUPE ST | SAN MARCOS | TX |
| 41548 | 142 LBJ | FINCH, JOHNNY L | P O BOX 118 | SAN MARCOS | TX |
| 41543 | 174 GUADALUPE | FORREAL LTD | 215 W SAN ANTONIO ST STE 2002 | SAN MARCOS | TX |
| 41585 | 139 COMANCHE | FUENTES, AURORA DORA | 139 S COMANCHE ST | SAN MARCOS | TX |
| 41593 | 158 FREDERICKSBURG | GALVEZ LUCIA A | 158 S FREDERICKSBURG ST | SAN MARCOS | TX |
| 41545 | 164 GUADALUPE | GREENWOOD DOUGLAS A | 503 W MILK | SAN MARCOS | TX |
| 41527 | 128 GUADALUPE | GREER RANDY N & PATRICE A | 118 TIMBER RIDGE DR | SAN MARCOS | TX |
| 41591 | 168 FREDERICKSBURG | HAYS COUNTY OF | 712 S STAGECOACH TRL STE 1063 | SAN MARCOS | TX |
| 45937 | 110 MILK | MLKSM LLC | 510 HEARN ST # 380 | AUSTIN | TX |
| 41525 | 152 GUADALUPE | MURPHY PATRICIA R & | BLACK MARY O 15 PILLOW RD | AUSTIN | TX |
| 41566 | 165 GUADALUPE | MUZUN INVESTMENTS LLC | P O BOX 160788 | AUSTIN | TX |
| 27299 | 201 MILK | RICHARD, CARMEN E | 201 W MILK DR | SAN MARCOS | TX |
| 41580 | 140 FREDERICKSBURG | RUDI & RENE LLC | 1915 ALARIDA DR | AUSTIN | TX |
| 41539 | | SAN MARCOS TELEPHONE CO INC | P O BOX 4065 | MONROE | LA |
| 129055 | 202 MILK | SANTA MARGARITA PROPERTIES LLC | 907 CRYSTAL CREEK DR | AUSTIN | TX |
| 41579 | 146 FREDERICKSBURG | SELVERA PAUL & | SELVERA TRINE (LIFE ESTATE) % SELVERA RICHARD & SELVERA JOE RAYMOND | SAN MARCOS | TX |
| 167061 | | SML OWNER I LLC | 1933 WEST WELLINGTON AVE | CHICAGO | TX |
| 120607 | 135 GUADALUPE | SOUTH GUADALUPE PARTNERS LTD | 7609 BAJA CV | AUSTIN | TX |
| 159837 | 208-210 FREDERICKSBURG | WESLEY CHAPEL AFRO AMERICAN | METHODIST ESPISCOPAL CHURCH IN 224 S FREDERICKSBURG | SAN MARCOS | TX |
| 41533 | 127 FREDERICKSBURG | WHITE DORA C & CONTRERAS LUCIA | 127 FREDERICKSBURG ST | SAN MARCOS | TX |
| 41565 | 145 GUADALUPE | WORLD CUP INVESTMENTS LLC & | WARREN BOBBY 728 SNVDER HILL DR | SAN MARCOS | TX |

SHEET INDEX

- A1.0 SITE PLAN
- A2.0 FLOOR PLAN - EXISTING/PROPOSED

SQUARE FOOTAGES

| | |
|---|---------------|
| TOTAL INT. LEASE SPACE | 1,350 SQ. FT. |
| OCCUPANCY A-2: ASSEMBLY | |
| USABLE FLOOR AREA (INTERIOR) | 483 SQ. FT. |
| -OCC. AT 15 S.F. NET/ PERSON: 32 OCC. | |
| UTILITY AREAS (KITCHEN/SERVING) | 867 SQ. FT. |
| -OCC. AT 200 S.F. GROSS/PER: 3 OCC. | |
| COVERED PATIO (FRONT EXTERIOR) | 761 SQ. FT. |
| -OCC. AT 15 S.F. NET/ PERSON: 51 OCC. | |
| UNCOVERED PATIO (FRONT) | 1,380 SQ. FT. |
| -OCC. AT 15 S.F. NET/ PERSON: 92 OCC. | |
| UNCOVERED PATIO (REAR) | 1,570 SQ. FT. |
| -OCC. AT 15 S.F. NET/ PERSON: 104 OCC. | |

***NO NEW INCREASE IN SQUARE FOOTAGE INTERIOR OR EXTERIOR**

SPRINKLER REQ.

| | |
|---------------------------------|---------|
| TOTAL OCCUPANTS (COVERED AREAS) | 88 OCC. |
| NO SPRINKLER SYSTEM REQUIRED | |
| PER IBC 903.2.1.2; GROUP A-2 | |

EGRESS REQ.

| | |
|-------------------------------------|----|
| TOTAL OCCUPANT LOAD (INTERIOR) | 37 |
| REQUIRED NUMBER OF EXIT | 2 |
| NUMBER OF EXITS AVAILABLE | 2 |
| (PER IBC TABLE 1001.1 - 1-900 OCC.) | |

PROJECT ADDRESS

194 GUADALUPE STREET
SAN MARCOS TX 78666

PROJECT NOTES

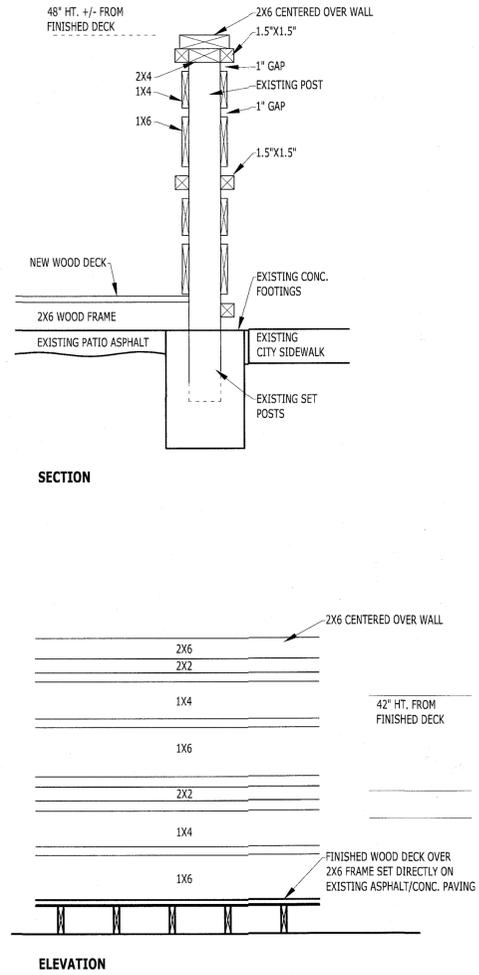
NO CHANGE IN OCCUPANCY REQUIRED.

ALL EXISTING MECHANICAL/ELECTRICAL/PLUMBING SYSTEM LOCATIONS ARE TO BE VERIFIED ON SITE. NOTIFY DESIGNER OF ANY DISCREPANCIES.

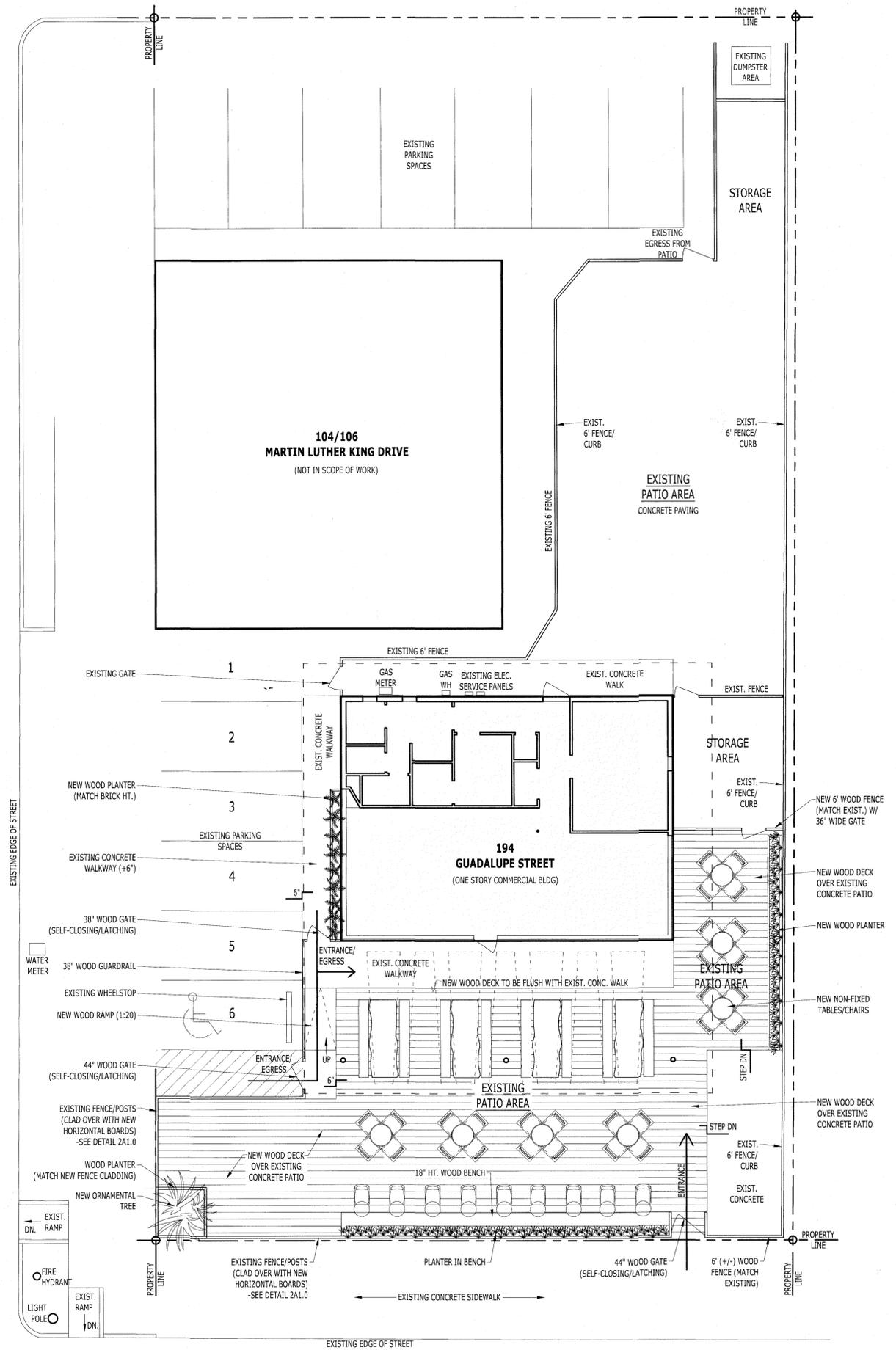
DEMO AREAS TO BE VERIFIED ON SITE WITH CONTRACTOR/ BUILDING MANAGER. ALL PLUMBING, ELECTRICAL, AND MECHANICAL AREAS TO REMAIN.

NO WALLS TO BE DEMOLISHED ARE STRUCTURAL. METAL COLUMNS/JOISTS CONSIDERED STRUCTURAL ARE NOT TO BE ADJUSTED OR ALTERED IN ANY WAY.

ALL SHEETROCK TO BE PATCHED/REPAIRED AS NEEDED.



2. PATIO RAILING
NOT TO SCALE



1. SITE PLAN
1/8" = 1'-0"

1-1-20

Commercial Remodel
194 South Guadalupe
San Marcos, Texas 78666

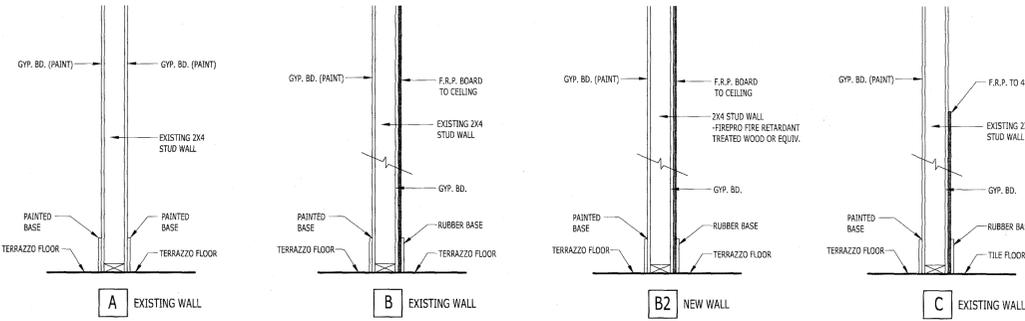
Michael Wills - Architect
503 West San Antonio St.
San Marcos, Texas 78666
512-396-9829

Sheet
A1

PLAN LEGEND

- EXISTING WALL (SEE A2.0 WALL SECT. A1)
- WALL/ITEM TO BE DEMOLISHED (ALL WALLS ARE NON-STRUCTURAL)
- OBJECT TO BE DEMOLISHED
- NEW WALL (SEE A2.0 WALL SECT. A2)
- SCHEDULED DOOR
- WALL SECTION

WALL SECTIONS

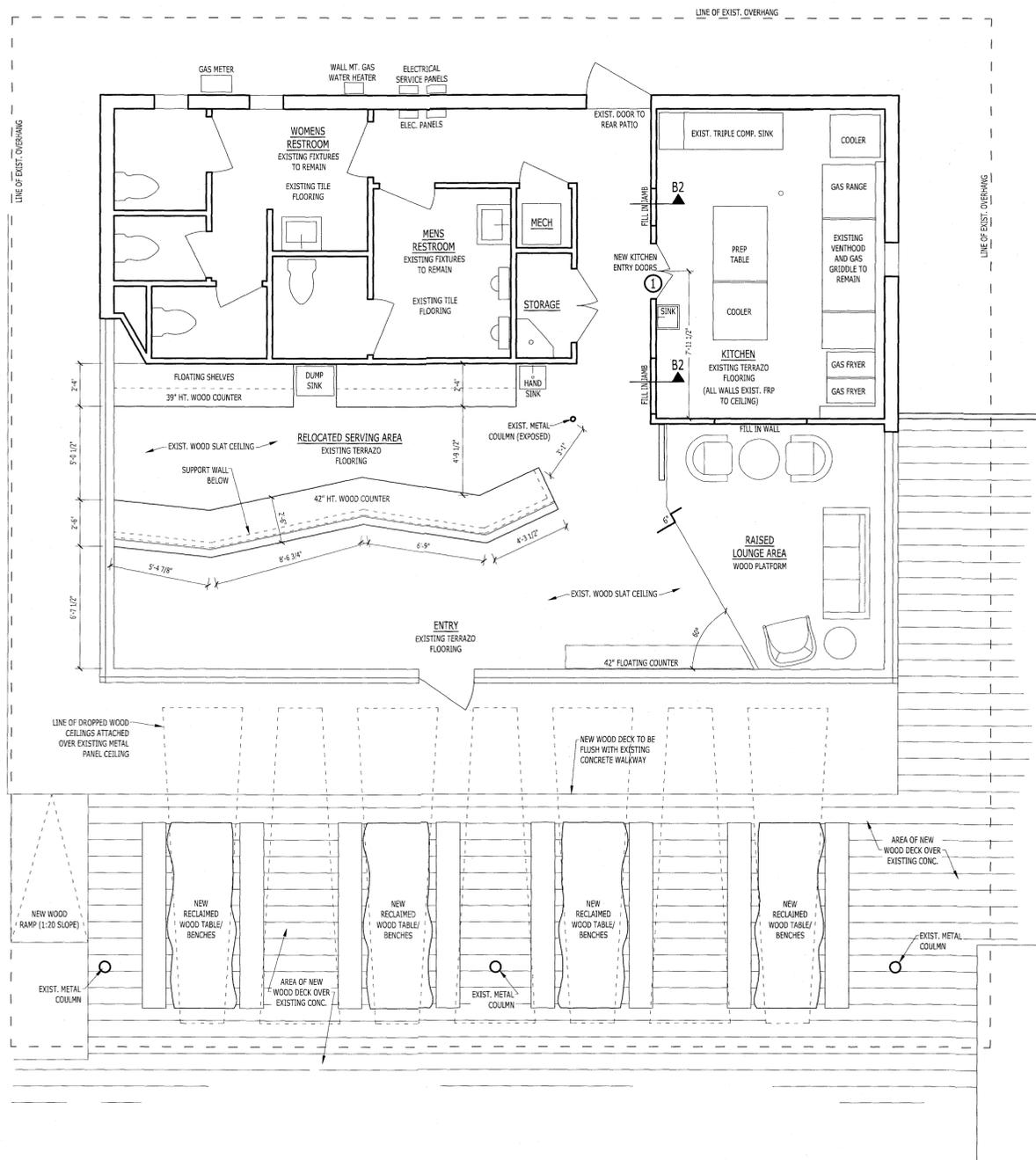


SCHEDULES

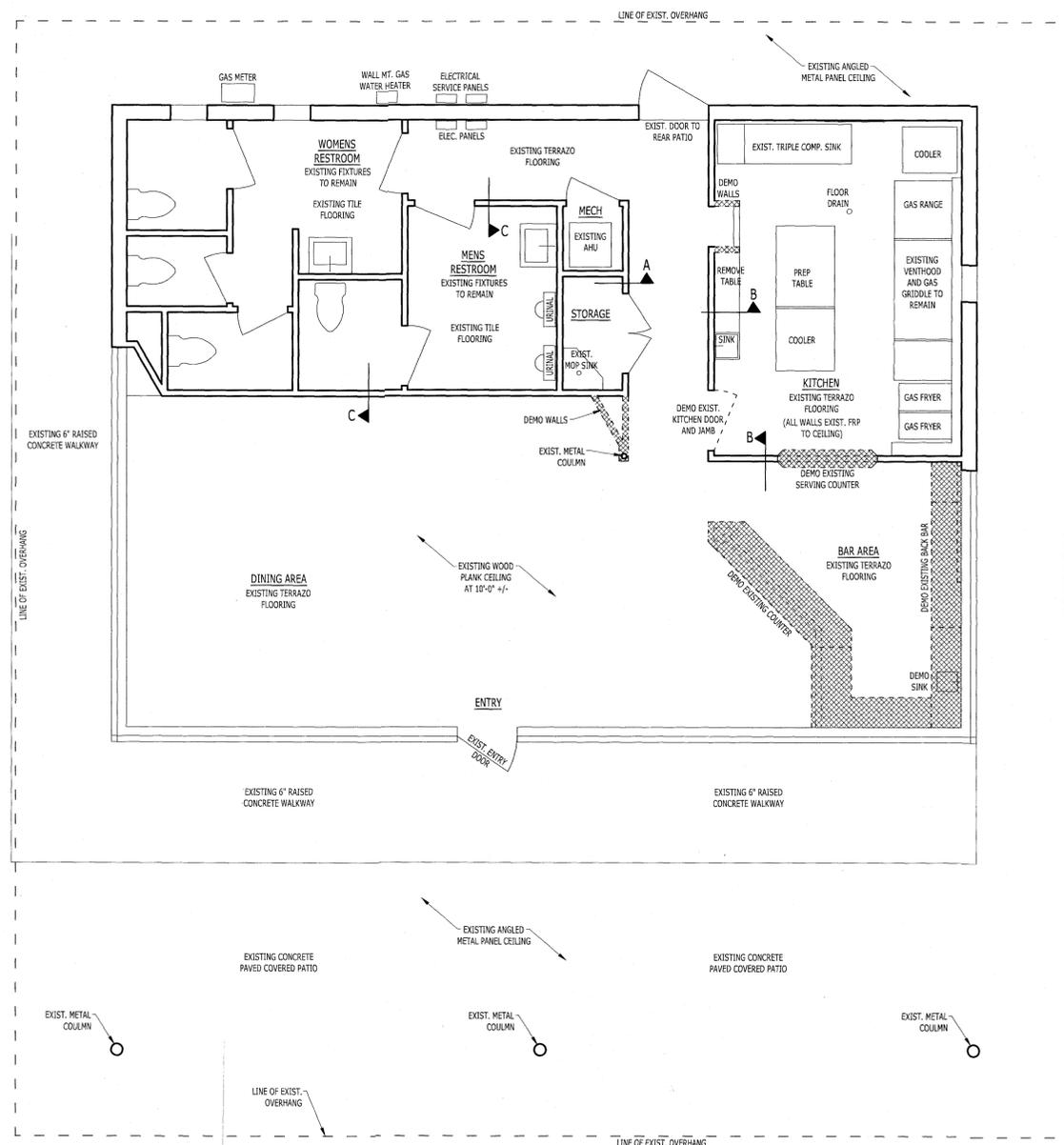
| DOOR SCHEDULE | | | | | |
|---------------|-----------|--------|--|---------------------------|-------------------|
| # | WIDTH | HEIGHT | MATERIAL | HARDWARE | NOTES |
| 1 | (2) 2'-0" | 6'-8" | LIGHTWEIGHT ALUMINUM WITH 9"x14" SQUARE LITE | SWING CLOSURES BOTH SIDES | 48" TOTAL OPENING |

| WINDOW SCHEDULE | | | | | |
|-----------------|-------|--------|----------|----------|-------|
| # | WIDTH | HEIGHT | MATERIAL | HARDWARE | NOTES |
| | | | | | |

WINDOW NOTES:
 1. ALL EXISTING STOREFRONT WINDOWS TO REMAIN. NO NEW WINDOWS TO BE ADDED.



2. FIRST FLOOR PLAN - PROPOSED
 1/4" = 1'-0"



1. FIRST FLOOR PLAN - EXISTING
 1/4" = 1'-0"



Commercial Remodel
 194 South Guadalupe
 San Marcos, Texas 78666
Michael Wills - Architect
 503 West San Antonio St.
 San Marcos, Texas 78666
 512-396-9829

SHEET INDEX

- A1.0 SITE PLAN
- A2.0 FLOOR PLAN - EXISTING/PROPOSED

SQUARE FOOTAGES

| | |
|---------------------------------------|---------------|
| TOTAL INT. LEASE SPACE | 1,350 SQ. FT. |
| OCCUPANCY A-2: ASSEMBLY | |
| USABLE FLOOR AREA (INTERIOR) | 483 SQ. FT. |
| - OCC. AT 15 S.F. NET/PERSON: 32.00% | |
| UTILITY AREAS (KITCHEN/SERVING) | 867 SQ. FT. |
| - OCC. AT 200 S.F. GROSS/PER: 1.00% | |
| COVERED PATIO (FRONT EXTERIOR) | 761 SQ. FT. |
| - OCC. AT 15 S.F. NET/PERSON: 31.00% | |
| UNCOVERED PATIO (FRONT) | 1,380 SQ. FT. |
| - OCC. AT 15 S.F. NET/PERSON: 92.00% | |
| UNCOVERED PATIO (REAR) | 1,570 SQ. FT. |
| - OCC. AT 15 S.F. NET/PERSON: 384.00% | |

***NO NEW INCREASE IN SQUARE FOOTAGE INTERIOR OR EXTERIOR**

SPRINKLER REQ.

| | |
|---------------------------------|---------|
| TOTAL OCCUPANTS (COVERED AREAS) | 88 OCC. |
| NO SPRINKLER SYSTEM REQUIRED | |
| PER IBC 903.2.1.2; GROUP A-2 | |

EGRESS REQ.

| | |
|----------------------------------|----|
| TOTAL OCCUPANT LOAD (INTERIOR) | 37 |
| REQUIRED NUMBER OF EXIT | 2 |
| NUMBER OF EXITS AVAILABLE | 2 |
| PER IBC TABLE 1001.1; 1-900 OCC. | |

PROJECT ADDRESS

194 GUADALUPE STREET
SAN MARCOS TX 78666

PROJECT NOTES

NO CHANGE IN OCCUPANCY REQUIRED.

ALL EXISTING MECHANICAL/ELECTRICAL/PLUMBING SYSTEM LOCATIONS ARE TO BE VERIFIED ON SITE. NOTIFY DESIGNER OF ANY DISCREPANCIES.

DEMO AREAS TO BE VERIFIED ON SITE WITH CONTRACTOR/BUILDING MANAGER. ALL PLUMBING, ELECTRICAL, AND MECHANICAL AREAS TO REMAIN.

NO WALLS TO BE DEMOLISHED ARE STRUCTURAL. METAL COLUMNS/JOISTS CONSIDERED STRUCTURAL ARE NOT TO BE ADJUSTED OR ALTERED IN ANY WAY.

ALL SHEETROCK TO BE PATCHED/REPAIRED AS NEEDED.

NOTE

DESIGNATES SPEAKER LOCATION. AMBIENT MUSIC ONLY @ LOWER DECIBELS.

NO TVS

NO LIVE MUSIC

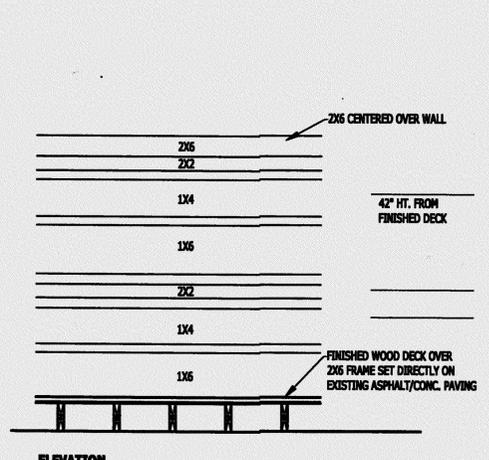
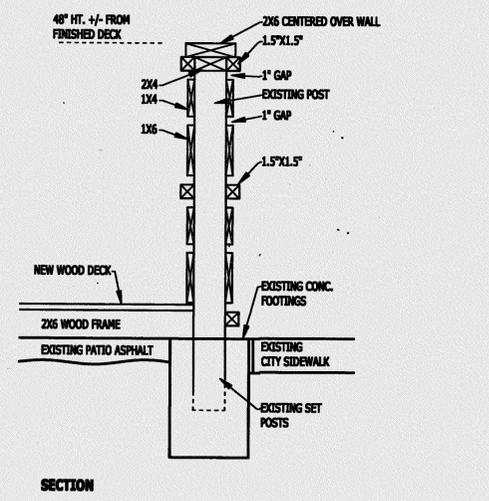
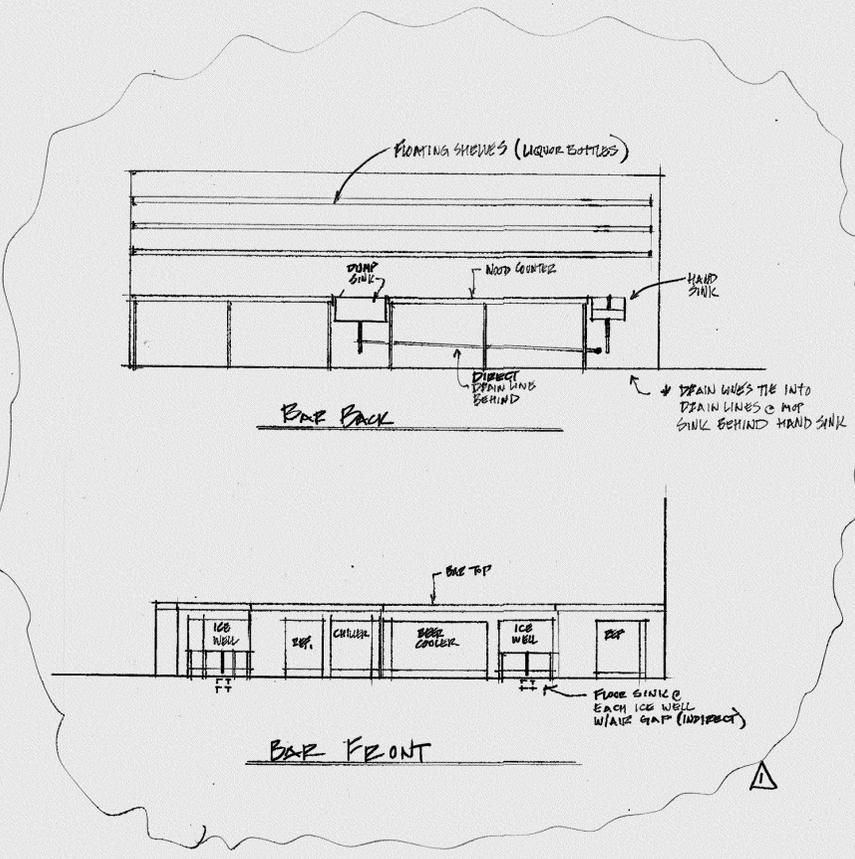
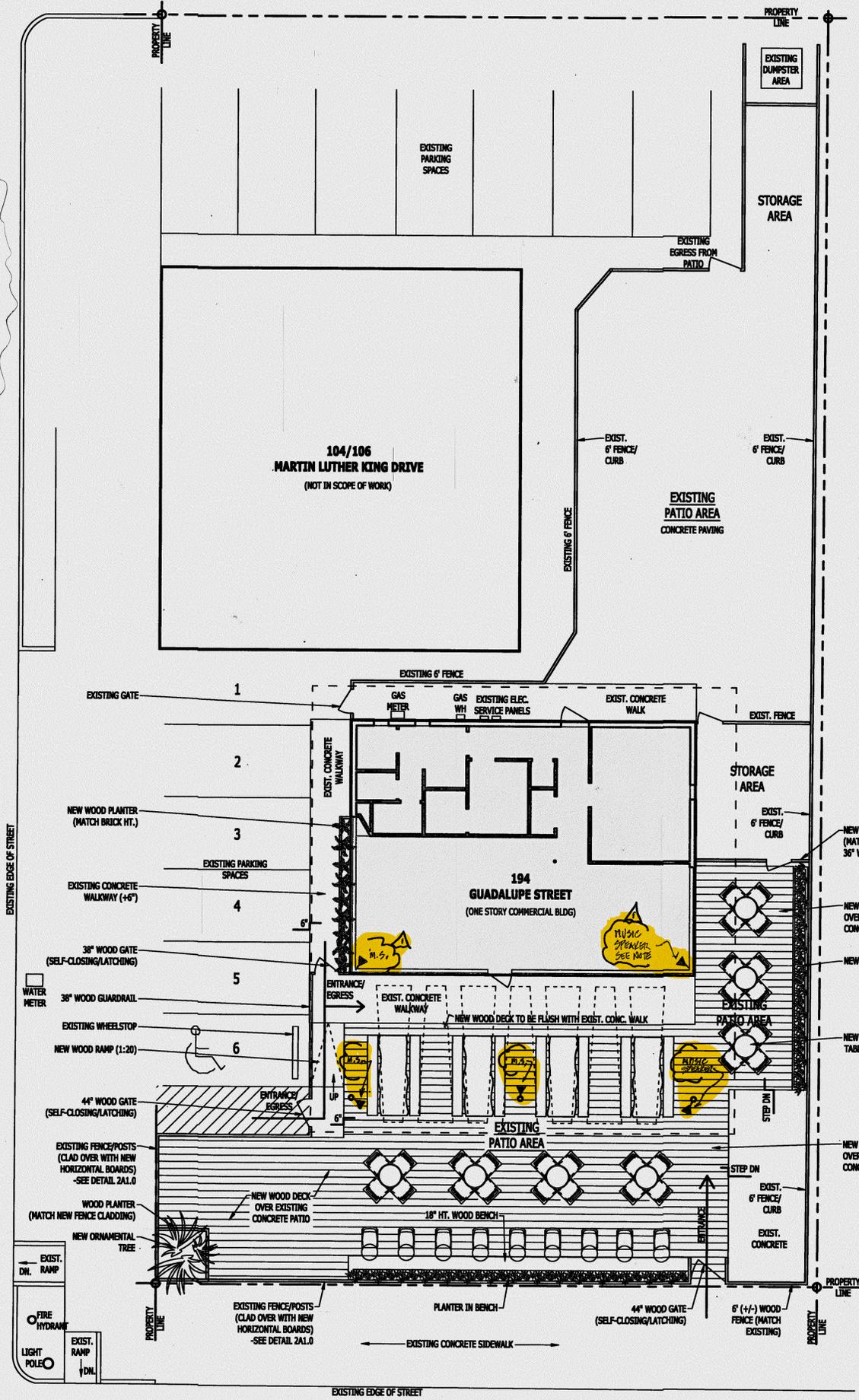


1-7-20
2-7-20

Commercial Remodel
194 South Guadalupe
San Marcos, Texas 78666

Michael Wills - Architect
503 West San Antonio St.
San Marcos, Texas 78666
512-396-9829

Sheet
A1



2. PATIO RAILING
NOT TO SCALE

1. SITE PLAN
1/8" = 1'-0"

The Davenport
PRESENTS

apuñañalar

TO STAB



orgia TO SHARE

CLASSIC CHARCUTERIE
CHEESE & FRUIT BOARD

SINGLES **pinchitos**

CLASSIC GILDA

anchovy with pickled green pepper

TORTILLA DE PATATAS

spanish omelette

DE TXAMPIS

garlic mushroom

DE JAMON Y SALCHICHON

spanish ham & salami

CHISTORRA Y PADRON

sausage & padron peppers

pinxtos THREE WAY

GAMBAS AL AJILLO

garlic prawn

ALBONDIGAS

spanish meatball

POLLO ADOBO

puerto rican marinated chicken

PUERCO MOJO

garlic lime pork

CARNE DE VERDI

chimichurri skirt steak

concluir THE END

TORRIJAS

spanish french toast

QUESADA PASIEGA

spanish cheesecake



194 S GUADALUPE ST. SAN MARCOS, TX

CONDITIONAL USE PERMIT APPLICATION (ALCOHOL WITHIN CBA)



Updated: October, 2019

CONTACT INFORMATION

| | | | |
|-----------------------------|---|-------------------------|--|
| Applicant's Name | DUANE BRADLEY | Property Owner | SCOTT GREGSON |
| Company | STAMPER FAMILY, LLC | Company | EAST HOPKINS, LLC |
| Applicant's Mailing Address | 16422 LAUREL FIELD HOUSTON, TX 77059 | Owner's Mailing Address | 120 W HOPKINS #200 SAN MARCOS, TX 78666 |
| Applicant's Phone # | 832 868 1974 | Owner's Phone # | (512) 557-8000 |
| Applicant's Email | LESLIE.DUANE.BRADLEY @GMAIL.COM | Owner's Email | JSCOTTGREGSON @ GMAIL.COM |

PROPERTY INFORMATION

Subject Property Address: 194 S GUADALUPE ST
 Zoning District: CBA Tax ID #: R41541/R41542
 Legal Description: Lot 1/2 of 14 Block 12 Subdivision ORIGINAL TOWN OF SAN MARCOS
 Number of Parking Spaces: 10
 Is property more than 300' from church, school, hospital, or residential district? Y N

DESCRIPTION OF REQUEST

Business Name: THE DAVENPORT Restaurant Bar Other: _____
 NEW RENEWAL/AMENDMENT Mixed Beverage Beer & Wine Late Hours
 Hours of Operation (ex. Mon 12pm-1am): Mon 11am-2am Tue 11am-2am Wed 11am-2am
 Thurs 11am-2am Fri 11am-2am Sat 11am-2am Sun 11am-2am
 Indoor Seating Capacity: 37 Outdoor Seating Capacity: 140 Gross Floor Area: 1350

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

| | | |
|-------------------------------------|---------------------|-------------------------|
| Initial Filing Fee 793* | Technology Fee \$13 | <u>TOTAL COST \$806</u> |
| Renewal/Amendment Filing Fee \$423* | Technology Fee \$13 | <u>TOTAL COST \$436</u> |

*Nonprofit Organization fees are 50% of the adopted fee listed for Conditional Use Permits

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

PROPERTY OWNER AUTHORIZATION

I, SLOTT GREGSON (owner name) on behalf of
EAST HOPKINS, LLC (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
194 S. Guadalupe and 104 MLK (address).

I hereby authorize DUANE BRADLEY (agent name) on behalf of
STAMPER FAMILY, LLC (agent company) to file this application for
CUP (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: J. Slott Gregson Date: 1/29/20
Printed Name, Title: J. SLOTT GREGSON

Signature of Agent: Duane Bradley Date: 1/31/2020
Printed Name, Title: DUANE BRADLEY MEMBER/MANAGER

Form Updated October, 2019

**AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS
AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS**

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: Duane Bradley

Date: 1/29/2020

Print Name: DUANE BRADLEY

Form Updated October, 2019

The Davenport Montrose

The iconic original, in operation for over 20 years, this location has been a Houston institution. With many 'Best Martini' awards under its belt, it has proven that consistency and attention to detail are traits worth striving for.

The Davenport Clear Lake

While delivering the same vibe to the suburbs, the Clear Lake location has established itself as a top shelf destination all on its own. With a beautiful patio and decidedly more tropical feel, it still retains traits that set The Davenport operations apart.

The Davenport San Marcos

Proposal:

Create the Davenport concept over the existing bar space.

Implementation:

Construction: Install a midcentury renovation consistent with the other successful locations, involving finishes and furniture but with minimal structural changes. Incorporate upscale outdoor seating, including a patio elevation in front, to enhance curb appeal and comfort. Using a color palette consistent, with but different from, the other locations by incorporating pastel hues while ensuring a continuity of brand. Reform interior space to accommodate the concept including rebuilding the bar area. Transform the outdoor façade to enhance its already midcentury feel, giving it a sleek and polished look. We estimate that the conversion will cost in the \$100,000.00 range.

Operations: Anchored by our famous martini concept and deep liquor selections, The Davenport San Marcos would also incorporate a draft beer program with an eye towards Texas State University student's lifestyle.



TEXAS ALCOHOLIC BEVERAGE COMMISSION

Texas Helping Businesses & Protecting Communities

COPY

LOCATION PACKET FOR REPORTING CHANGES FOR RETAILERS

L-LRC (08/2019)

Utilize this packet to report changes about your license/permit. All applicants complete questions 1 through 8. To report information that has changed since your last filed (L-L) or (L-LRC) application, check and complete the appropriate questions 9 through 21. DO NOT USE THIS FORM for change of license/permit location, use form L-ON or L-OFF.

If adding a subordinate license/permit, submit correct fees. See fee chart on our website: www.tabc.texas.gov

1. Current License/Permit No.

MB 948558

2. Trade Name of Location as on Current License/Permit

BUZZ MILL COFFEE #3

3. Location Address as on Current License/Permit

194 SOUTH GUADALUPE ST. / SAN MARCOS, TX 78666

4. Owner of Business as on Current License/Permit

STAMPER FAMILY, LLC

5. Federal Employer Identification No. (FEIN)

47-5269075

6. Phone No.

(713)672-7428

7. Email Address:

jimldefoyd@hotmail.com

RECEIVED FEB 14 2020 HOUSTON LICENSING DEPT

INITIAL INFORMATION

8. Have there been any changes in the ownership or structure of the business since the last application was filed?

Yes No

If "YES," complete the Business Packet for Reporting Changes (L-BRC).

CHECK AND COMPLETE ONLY THE SECTION(S) THAT APPLY TO YOUR CHANGE THEN PROCEED TO THE WARNING AND SIGNATURE SECTION.

If adding a Local Cartage Permit (E) or Private Carrier's Permit (O) attach Vehicles - Transporting Alcohol Form L-VEH.

9. Change Trade Name of Location

DAVENPORT SAN MARCOS

10. Change Mailing Address

City

State

Zip Code

11. Add Subordinate

PE Beverage Cartage Permit

CB Caterer's Permit

MI Minibar Permit

E Local Cartage Permit (P, Q, BG only)

O Private Carrier's Permit (BG with a Brewpub (BP) only)

LP Local Distributor's Permit

PS Package Store Tasting Permit

FB Food and Beverage Certificate

BP Brewpub License

BREW PUB (BP) Only

12. Do you, the applicant, intend to sell your alcoholic product directly to other retailers?

Yes No

13. Do you, the applicant, intend to sell your alcoholic product to wholesalers/distributors?

Yes No

LICENSED PREMISE DIAGRAM

14. Change Diagram of Licensed Premise

Will the license or permit embrace the entire building and grounds at the address shown in question #3? If "NO," attach the required diagram.

Yes No

An inspection may be required prior to approval.

WARNING AND SIGNATURE

If Applicant Is/Must Sign

Individual/Individual Owner

Partnership/Partner

Limited Partnership/General Partner

Corporation/Officer

Limited Liability Company/ Officer or Manager

EACH LICENSEE OR PERMITEE SHALL HAVE EXCLUSIVE OCCUPANCY AND CONTROL OF THE ENTIRE LICENSED LOCATION WITH RESPECT TO SALE OF ALCOHOLIC BEVERAGES. ANY ARRANGEMENT THAT SURRENDERS SUCH CONTROL OF THE EMPLOYEES, PREMISES OR BUSINESS, INCLUDING PROFITS AND LOSSES, TO PERSONS OTHER THAN THE LICENSEE OR PERMITEE IS UNLAWFUL.

WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the Commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."

BY SIGNING YOU ARE SWEARING TO ALL INFORMATION AND ATTACHMENTS TO THIS PACKET.

PRINT NAME LESLIE D. BRADLEY

SIGN HERE

Leslie Duane Bradley

TITLE

MGR/MBR

Before me, the undersigned authority, on this 14 day of February, 2020, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.

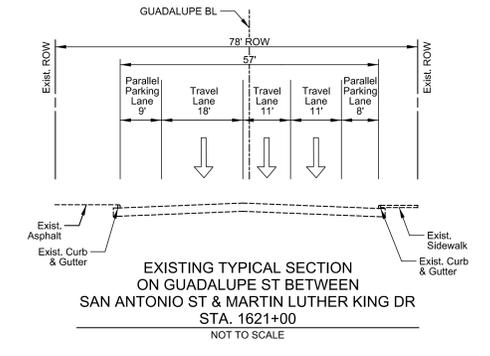
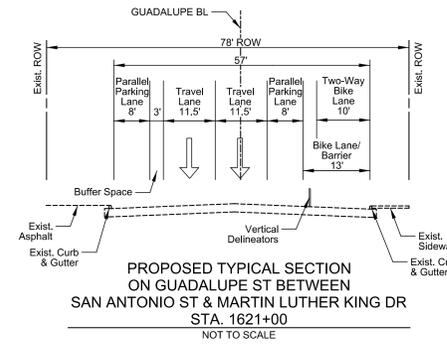
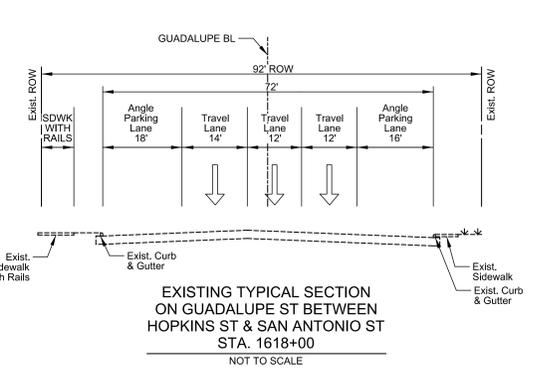
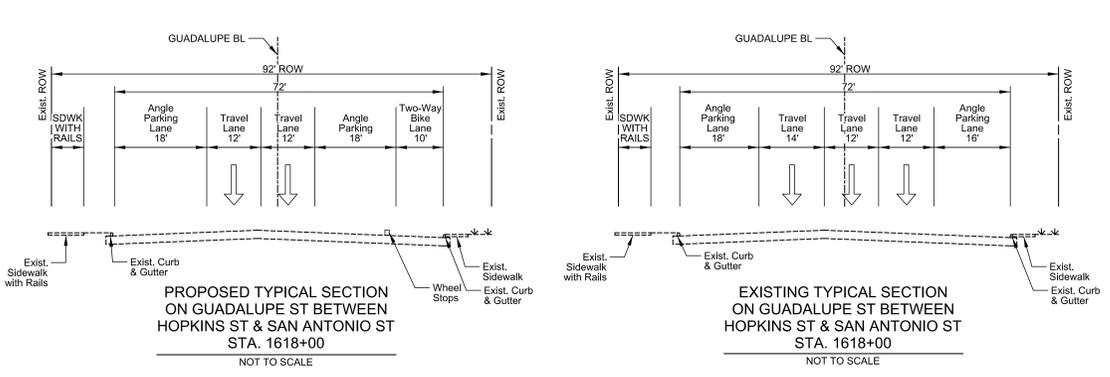
SIGN HERE

Cynthia C. Mag
NOTARY PUBLIC

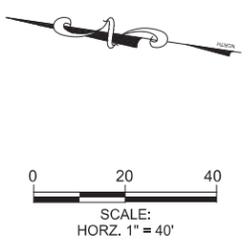
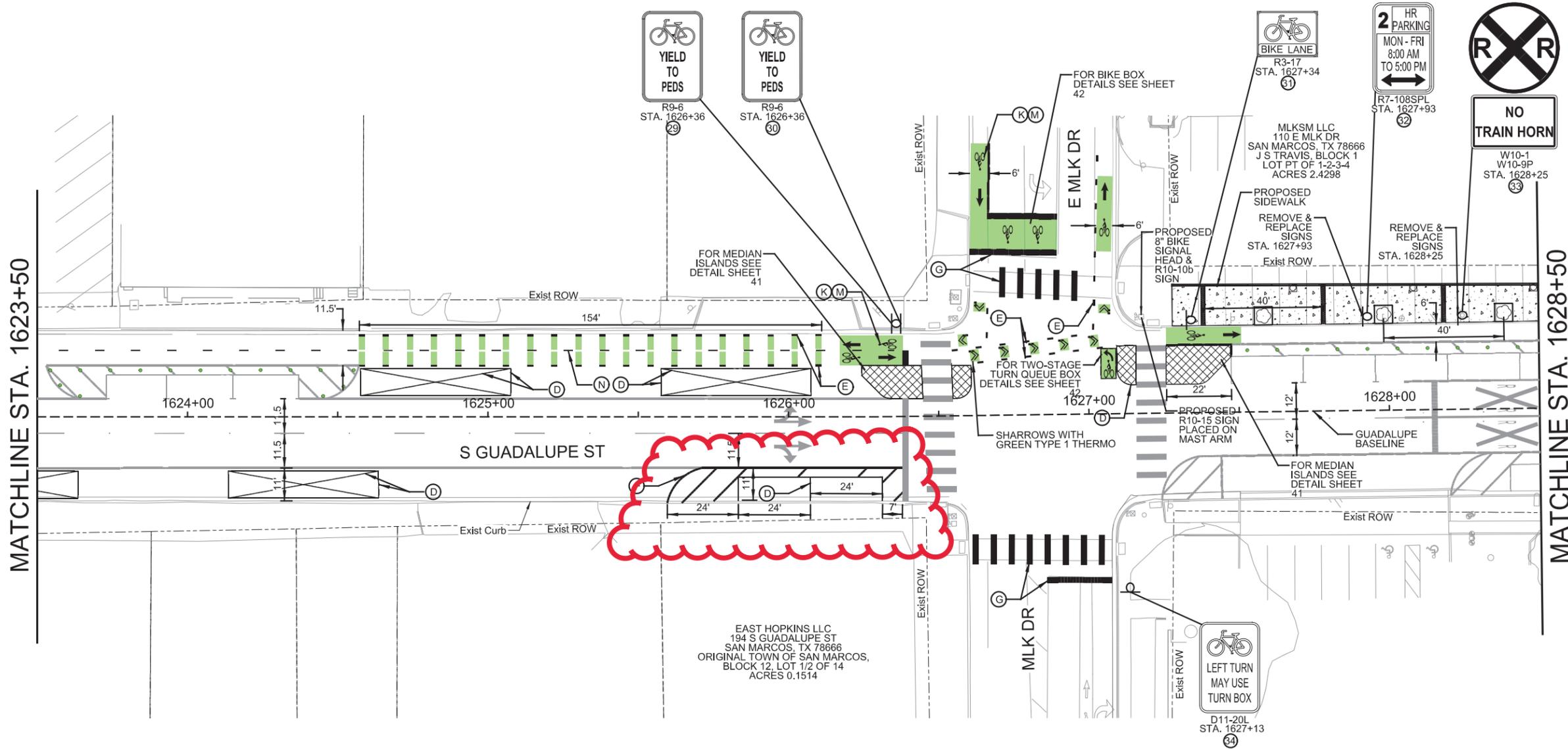
SEAL



SCALE: 1" = 20'



12/19/2019 11:14:33 AM Z:\Projects\M087-Guadalupe St - San Marcos\06 - CADD Files\06.65 - Traffic\M087-SGN-PM-J06.dgn



LEGEND

| | |
|----------------------------|-----|
| EXISTING ROW | --- |
| SIGN POST | ⊕ |
| 24" STOP BAR | ▬ |
| TRAFFIC FLOW SYMBOL | ➔ |
| PROPOSED SIDEWALK | ▨ |
| PROP GREEN TYPE 1 THERMO | ▨ |
| GREEN VERTICAL DELINEATORS | • |
| CYCLE LANE SEPERATORS | - |

- NOTES:**
1. BUFFER AREA DETAILS ARE SHOWN ON THE MISCELLANEOUS DETAILS SHEETS.
 2. PEDESTRIAN CROSSWALKS SHOULD BE CENTERED BASED ON WHEEL CHAIR RAMPS.
 3. FOR PROPOSED 8" BIKE SIGNAL HEAD AND PROPOSED R10-15 & R10-10b SIGNS DETAILS SEE SHEET 60 OF 127 ON TRAFFIC SIGNAL PLANS.

SUMMARY OF SIGNING AND PAVEMENT MARKINGS

| 100-6002 | 0529-6005 | 0644-6001 | 0644-6068 | 0658-COSM1 | 0666-6012 | 0666-6033 | 0666-6036 | 0666-6048 | 0666-6105 | 0666-6111 | 0666-6120 | 0666-COSM1 | 0666-COSM2 | 0678-6004 | 0678-6008 |
|------------------------|------------------------|--------------------------------------|-----------------------------------|----------------------------|---|--|---|--|---|--|---|-----------------------------------|------------|----------------------------|-----------------------------|
| PREPARING RIGHT OF WAY | CONC CURB MONO (TY II) | IN SM RD SN SUP&AM TY 10BWG(1) SA(P) | RELOCATE SM RD SN SUP&AM TY 10BWG | GREEN VERTICAL DELINEATORS | REFL PAV MRK TY I (W) 4" (SLD) (100MIL) | REFL PAV MRK TY I (W) 8" (LNDP) (100MIL) | REFL PAV MRK TY I (W) 8" (SLD) (100MIL) | REFL PAV MRK TY I (W) 24" (SLD) (100MIL) | REFL PAV MRK TY I (W) (BIKE ARW) (100MIL) | REFL PAV MRK TY I (W) (BIKE SYML) (100MIL) | REFL PAV MRK TY I (Y) 4" (BRK) (100MIL) | GREEN REFLECTORIZED TYPE 1 THERMO | SHARROWS | PAV SURF PREP FOR MRK (8") | PAV SURF PREP FOR MRK (24") |
| | | | | | ⓓ | ⓔ | ⓕ | ⓖ | Ⓚ | Ⓜ | Ⓝ | | | | |
| STA | LF | EA | EA | EA | LF | LF | LF | LF | EA | EA | LF | SF | EA | LF | LF |
| 5 | 191 | 4 | 3 | 25 | 1046 | 493 | 189 | 209 | 6 | 8 | 286 | 1415 | 16 | 101 | 204 |

SUMMARY OF SIGNING AND PAVEMENT MARKINGS

| 0678-6026 | 0678-6028 | COSM 434S |
|------------------------------------|-------------------------------------|---------------------------------|
| PAV SURF PREP FOR MRK (BIKE ARROW) | PAV SURF PREP FOR MRK (BIKE SYMBOL) | PC CONCRETE MEDIANS AND ISLANDS |
| EA | EA | SF |
| 2 | 4 | 573 |



| | | | | |
|--|---------------|-------------------|----------------------|------------|
| NO. | REVISION | DRAWN | APPROVED | DATE |
| MAESTAS | | | | |
| The City of San Marcos Engineering and Capital Improvements | | | | |
| S. GUADALUPE STREET IMPROVEMENTS: UNIVERSITY DR. TO GROVE ST. SIGNAGE AND PAVEMENT MARKINGS SHEET 6 OF 15 | | | | |
| 100% SUBMITTAL | PROJECT NO.: | CC 16-9-40 | DATE: | 12/19/2019 |
| DRWN. BY: VV/CAD | DSGN. BY: DSH | CHKD. BY: ETM/DSH | SHEET NO.: 31 OF 127 | |

CUP-20-06 (The Davenport)-Letter of Opposition

From: Andy Greenwood [REDACTED]
Sent: Monday, March 23, 2020 11:29 AM
To: Planning Info <PlanningInfo@sanmarcostx.gov>
Subject: [EXTERNAL] Attn: Planning and Zoning Commission CUP-20-06

Planning and zoning commission:

CUP-20-06 already has the look and this exact location has a past of a noisy bar blasting music throughout our neighborhood.

The planning commission gave the previous business, Buzzmill, an alcohol CUP under the pretenses that they would Not have amplified outdoor music, and what we actually got was Death Metal Concerts on a Sundays, loud bass Rap concerts during the week along with rock concerts which lasted late into the night during the workweek.

Just down the street from this location, the P and Z commission gave Industry Bar a CUP for Alcohol with the understanding that they would Not have outdoor amplified music and what did they do? On opening day, they pointed large speakers toward the town square and blasted music trying to bring in customers. The whole neighborhood could hear it inside their homes. We still continually hear Industry Bar holding very loud live music during the workweek from time to time.

The following is a reply of my concern to Officer Chase Stapp, DPS:

"We do have an ordinance that restricts noise produced by a commercial establishment. The problem is that the ordinance is crafted in such a way that makes enforcement by our officers problematic. Because of the way the decibel limits are defined in the ordinance, it makes it very difficult to verify a violation. As a result, what we normally do when we receive such a noise complaint is go to the establishment and request their cooperation in lowering the level. As you have correctly noted, sometimes that only results in temporary relief. The good news is that we are in the process of re-writing that ordinance. If the changes are adopted by City Council, and I expect they will be, enforcement will be much easier for our officers. If the ordinance does pass, we will educate the downtown bars about the new regulations and will also education our enforcement personnel."

P and Z can not even enforce whatever promises are made by the bar owner and all they need to do is lie to get their CUP for alcohol. This particular location has extremely limited indoor space and should be looked at as a outdoor establishment only when deciding whether or not they should receive a CUP. Also the construction is geared towards the outdoor style to accommodate customers. The trend is that they ALL lie to get their CUP for alcohol and make it MISERABLE TO LIVE NEAR THE DOWNTOWN.

Outdoor Clubs or Bars and Live/Amplified music pretty much go hand in hand. If the Director of Public Safety says he can't enforce these bars from blasting out the neighborhoods, what business does P and Z commission have issuing them a permit to do so?

The reality is that local residents have no protections should this outdoor bar decide to become a noisy nuisance. I urge all members to hold off issuing a permit until enforcement of a noise ordinance is established,

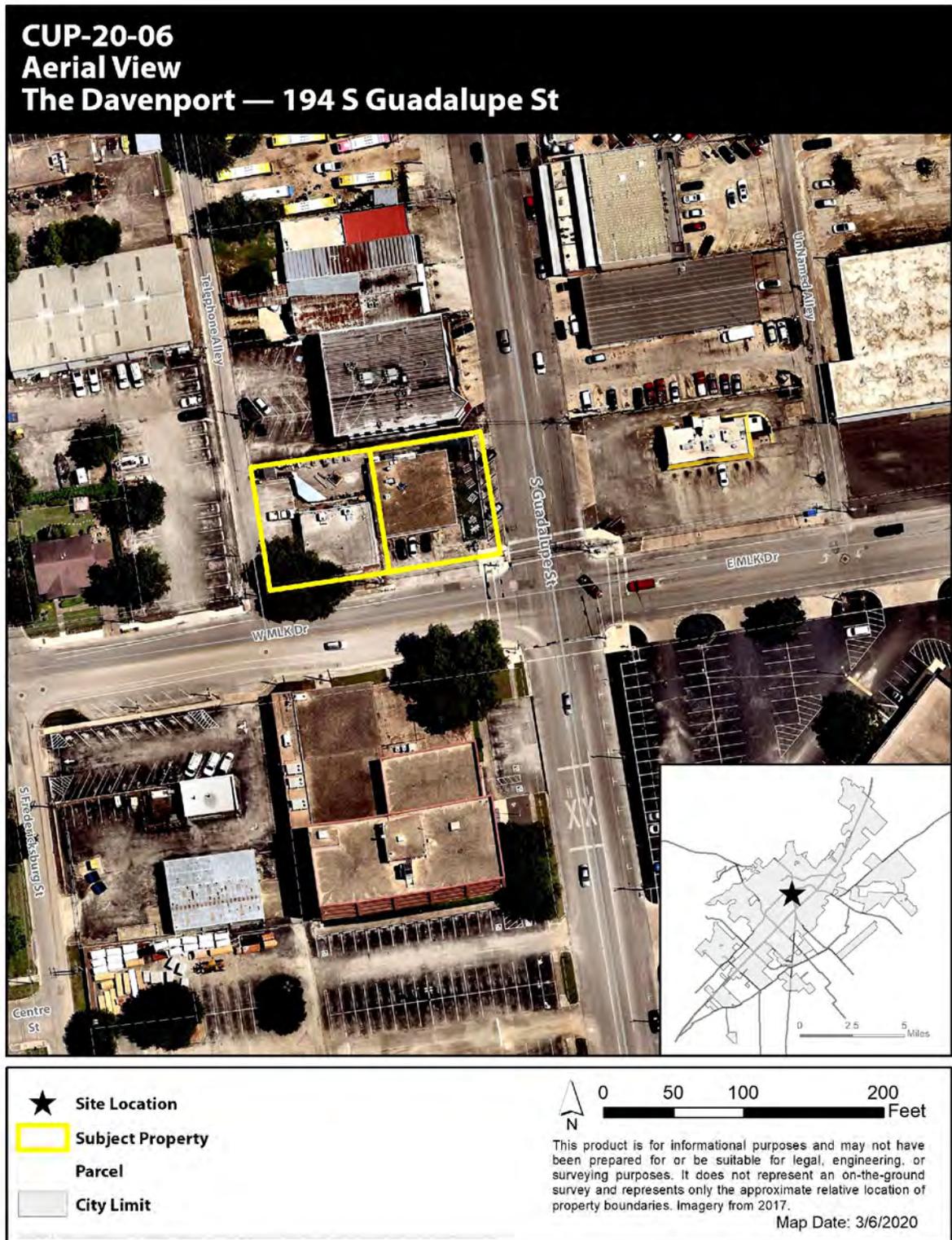
Andy Greenwood
503 W. MLK Dr.
San Marcos, TX 78666

CUP-20-06 (The Davenport)

Hold a public hearing and consider a request by Stamper Family LLC for a new Conditional Use Permit to allow for the sale of mixed beverages for on premise consumption at 194 South Guadalupe Street (S. Caldwell)

Location:

- The Davenport is located at the Northwest intersection of South Guadalupe Street and West MLK Drive
- Located within the Downtown High Intensity Area on the Preferred Scenario Map

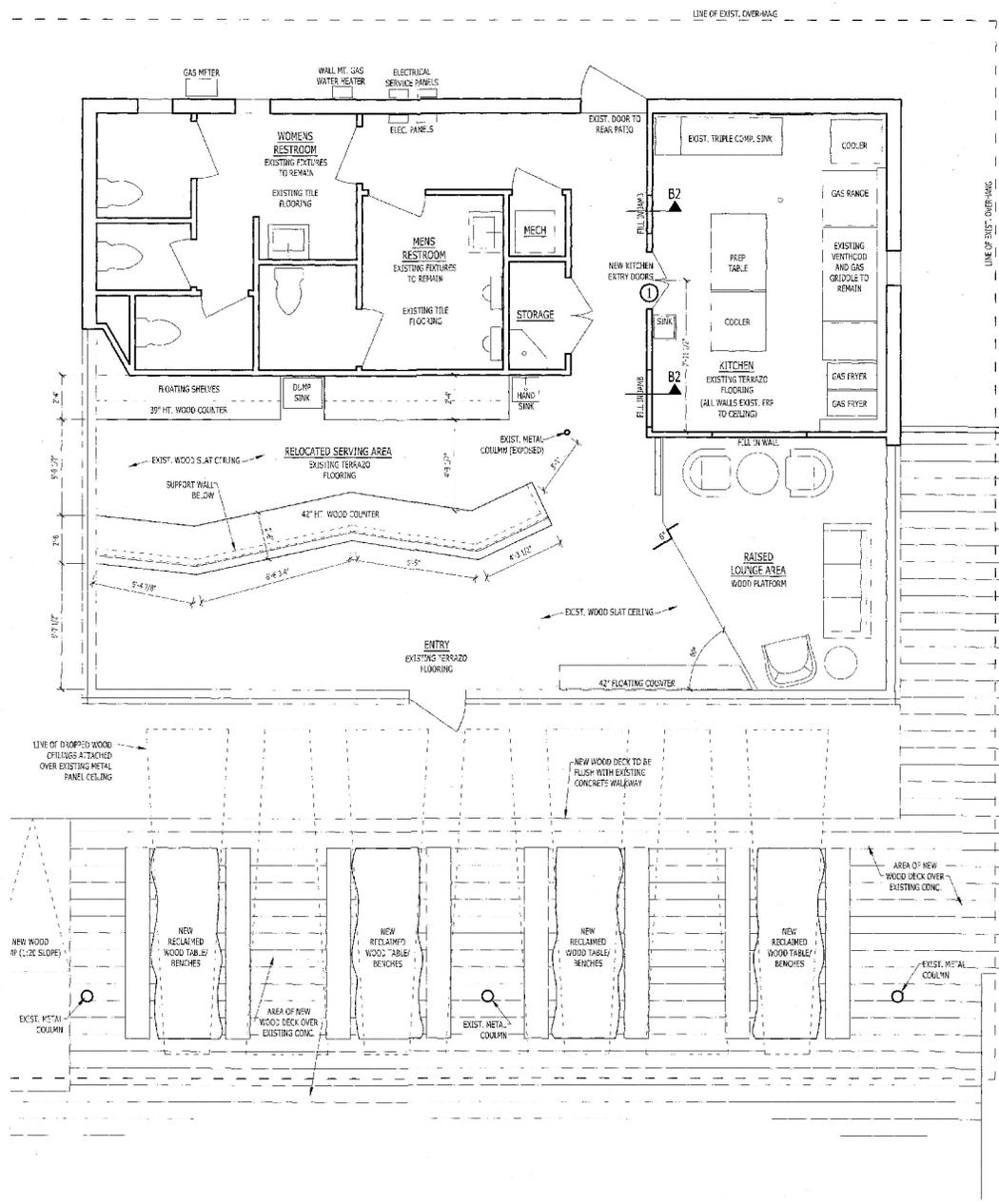
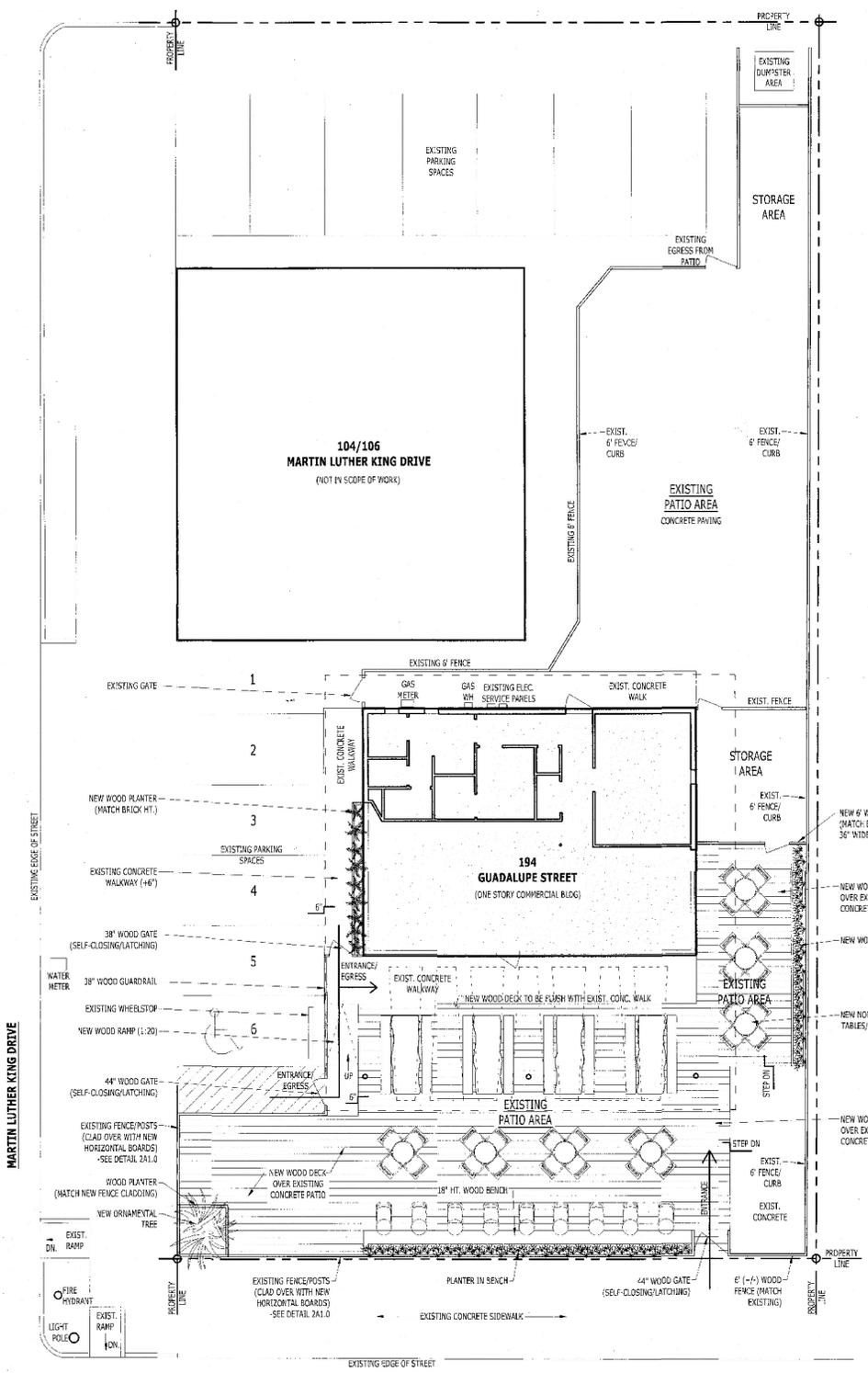


Context & History

- Previous Buzz Mill Coffee location
- 1,350 square feet interior and 3,711 square feet patio
- 37 indoor seats, 78 outdoor seats that face South Guadalupe Street
- Hours of operation:
 - Monday-Sunday: 11 am-2am
- No live outdoor music proposed. Two indoor and three outdoor speakers for ambient music



| | | |
|--|-------------------------|---|
| | Site Location | 0 50 100 200 Feet |
| | Subject Property | |
| | Parcels | This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Map Date: 3/6/2020 |
| | City Limit | |



GUADALUPE STREET

1. SITE PLAN
1/8" = 1'-0"

2. FIRST FLOOR PLAN - PROPOSED
1/4" = 1'-0"

Parking Condition

- Spaces striped by previous tenant
 - Are in City ROW
 - Do not meet location and dimensional standards in Development Code
 - Force pedestrians into traffic with their back to cars
 - Cars protrude into traffic lane
- City will work with applicant to implement a physical barrier and/or signage to prevent customer parking



Recommendations:

Staff provides this request to the Commission for your consideration and recommends **approval** of the Conditional Use Permit with the following conditions:

1. **Permit shall be valid for one (1) year, provided standards are met,**
2. **Outdoor amplified music on the patio fronting South Guadalupe Street shall be limited to the hours between 11am and 12 am,**
3. **Outdoor amplified music on the rear patio directly adjacent to Telephone Alley shall be limited to the hours between 11 am and 10 pm,**
4. **Parking shall be prohibited in City right-of-way along South Guadalupe Street,**
5. **The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 50 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times,**
6. **The permit shall be effective upon the issuance of a Certificate of Occupancy, and;**
7. **The permit shall be posted in the same area and manner as the Certificate of Occupancy.**



Legislation Text

File #: SCW-20-01(p), Version: 1

AGENDA CAPTION:

SCW-20-01 (Waterstone Warrants) Hold a public hearing and consider a request by Blake Reed, on behalf of TACK Development & LaSalle Holdings for 12 SmartCode Warrants that allow deviation from SmartCode (SC) Zoning for a +/- 648 acre site out of the William Hemphil Survey (A. Hernandez)

Meeting date: April 14, 2020

Department: Planning & 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: Res. 2014-114R

City Council Strategic Initiative: [Please select from the dropdown menu below]

N/A

Choose an item.

Choose an item.

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 - Choose an item.
- Neighborhoods & Housing - Diversified housing options to serve citizens with varying needs and interests
- Parks, Public Spaces & Facilities - Collection of connected and easily navigated parks and public spaces
- Transportation - Choose an item.
- Core Services
- Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

The Waterstone development, previously LaSalle, was negotiated in 2014 through a development agreement. The agreement requires compliance with SmartCode, previously Subpart C of the City's Code of Ordinances. In 2019, staff began reviewing the first Regulating Plan for the development and identified various deviations from SmartCode standards. The developer and staff discussed and negotiated multiple variations of the proposed development and determined that 12 warrants were necessary for the development to be approved as presented.

Council Committee, Board/Commission Action:

Within the SmartCode district, Warrants may be approved by the Planning and Zoning Commission. A Warrant is a ruling that would permit a practice that is not consistent with a specific provision of the SmartCode, but is justified by the provisions of Section 1.3 Intent. The Planning and Zoning Commission may act on each warrant separately, vote on multiple warrants at a time, or make a single vote, to approve, approve with conditions, or deny the request.

Alternatives:

Click or tap here to enter text.

Recommendation:

Approval Recommendation for:

- Warrant #1 (T-Zone Allocation)
- Warrant #2 (Elementary School)
- Warrant #3 (Passages & Paths)
- Warrant #4 (MF Lot Size)
- Warrant #5 (SF Side Setbacks)
- Warrant #6 (Civic Buildings) with the condition that transit stops shall be provided in each pedestrian shed
- Warrant #7 (Childcare Buildings)
- Warrant #9 (Cross Sections)
- Warrant #10 (Public Lighting)
- Warrant #11 (SF Garage Placement)
- Warrant #12 (Driveway Width) with the condition that the driveway not exceed 12 ft. at the property line

Neutral Recommendation for:

- Warrant #8 (Cul-De-Sac #3)

General Condition:

- Approval of any warrants shall not constitute approval of any required Regulating Plan exhibits used for illustration in the consideration of the warrant request.



Summary

| | | | |
|--------------------------|---|-------------------------------|---|
| <p>Request:</p> | <p>12 warrants to allow deviation from SmartCode Zoning as follows:</p> <ol style="list-style-type: none"> 1. Table 1.3, Section 3.3.2, and Section 3.4.1 – deviation from the allocation percentages for Transect Zones required by Code. 2. Table 1.3 and Section 3.5.4 –allow one 12 acre school site instead of the four, three acre school sites required and allow a larger block perimeter for this school site. 3. Table 1.3 – allow passages in T-3, and paths in T-4 to act as thoroughfares for the purposes of establishing block perimeter. 4. Table 1.3 – remove the maximum lot width for multi-family uses and instead establish a maximum lot size. 5. Table 1.3 – reduce the side setback in T-3 from 12 feet to 5 feet. 6. Section 3.5.4 – allow the amenity center in pedestrian shed 1 to satisfy the requirement for civic buildings in each pedestrian shed. 7. Section 3.5.4 – only require two childcare building lots be reserved instead of four (one in each pedestrian shed) as required by Code. 8. Section 3.7.1 – allow one cul-de-sac which was not approved by the Development Review Committee (DRC). 9. Section 3.7.3 & other various sections with public frontage requirements – allow Transportation Master Plan and / or Development Code Cross Sections in place of those required in SmartCode 10. Table 3.6 – allow all light fixtures in all Transect Zones, except Cobra Head fixtures which would not be permitted. 11. Section 5.9.3 – allow front entry garages in the second layer with a 5 ft. setback from the front elevation or front porch. 12. Section 5.9.4 – allow driveways up to 18 ft. wide in the first layer. | | |
| <p>Applicant:</p> | <p>Blake Reed 230 Klattenhoff Lane Suite 100 Hutto, TX 634</p> | <p>Property Owner:</p> | <p>TACK Development & LaSalle Holdings 230 Klattenhoff Lane Suite 100 Hutto, TX 634</p> |

Notification

| | | | |
|-------------------------|---|-------------------------|----------------------|
| <p>Posted:</p> | <p>N/A</p> | <p>Personal:</p> | <p>March 6, 2020</p> |
| <p>Response:</p> | <p>None as of the date of this report</p> | | |

SmartCode Warrant Request

CR 158

SCW-20-01



Property Description

| | | | |
|----------------------------|--|------------------------------|--------------------------|
| Legal Description: | Approximately 648 acres out of the William Hemphill Survey | | |
| Location: | CR 158 north of Yarrington and east of SH 21 | | |
| Acreage: | +/- 648 | PDD/DA/Other: | Res. 2014-114R |
| Existing Zoning: | ETJ w/ Development Agreement | Proposed Zoning: | SmartCode |
| Existing Use: | Vacant | Proposed Use: | Residential & Commercial |
| Preferred Scenario: | Low Intensity Zone | Proposed Designation: | Same |
| CONA Neighborhood: | N/A | Sector: | N/A |
| Utility Capacity: | Provided by Developer | Floodplain: | Yes |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|--|----------------------|--------------------|
| North of Property: | City of Kyle (R-1-1 & R-1-2) Kyle ETJ | Residential | N/A |
| South of Property: | San Marcos ETJ | Quarry / Vacant | Low Intensity |
| East of Property: | San Marcos ETJ | Quarry / Vacant | Low Intensity |
| West of Property: | City of Kyle (A & M2) | Residential / Vacant | N/A |

Staff Recommendation

| | | |
|--|--|-----------------------------|
| Approval as Submitted | <input checked="" type="checkbox"/> Alternate Approval | Denial |
| <p>Approval Recommendation for:</p> <ul style="list-style-type: none"> Warrant #1 (T-Zone Allocation) Warrant #2 (Elementary School) Warrant #3 (Passages & Paths) Warrant #4 (MF Lot Size) Warrant #5 (SF Side Setbacks) Warrant #6 (Civic Buildings) with the condition that transit stops shall be provided in each pedestrian shed Warrant #7 (Childcare Buildings) Warrant #9 (Cross Sections) Warrant #10 (Public Lighting) Warrant #11 (SF Garage Placement) Warrant #12 (Driveway Width) with the condition that the driveway not exceed 12 ft. at the property line <p>Neutral Recommendation for:</p> <ul style="list-style-type: none"> Warrant #8 (Cul-De-Sac #3) <p>General Condition:</p> <ul style="list-style-type: none"> Approval of any warrants shall not constitute approval of any required Regulating Plan exhibits used for illustration in the consideration of the warrant request. | | |
| Staff: Amanda Hernandez, AICP, CNU-A | Title : Development Services Manager | Date: March 19, 2020 |

**History**

The Waterstone development, previously LaSalle, was negotiated in 2014 through a development agreement. The agreement requires compliance with SmartCode, previously Subpart C of the City's Code of Ordinances. In 2019, staff began reviewing the first Regulating Plan for the development and identified various deviations from SmartCode standards. The developer and staff discussed and negotiated multiple variations of the proposed development and determined that 12 warrants were necessary for the development to be approved as presented.

Currently, the applicant is excavating the land for materials which are intended for use as road base and for other purposes within the development. The excavation and processing of materials is permitted in the development agreement until residential uses are within 1,000 ft. of the batch plant.

The following pages analyze each warrant request in more detail.

Warrant Process

Within the SmartCode district, Warrants may be approved by the Planning and Zoning Commission. A Warrant is a ruling that would permit a practice that is not consistent with a specific provision of the SmartCode, but is justified by the provisions of Section 1.3 Intent.

The Planning and Zoning Commission may act on each warrant separately, vote on multiple warrants at a time, or make a single vote, to approve, approve with conditions, or deny the request.

Comments from Other Departments

| | |
|------------------------|------------|
| Police | No Comment |
| Fire | No Comment |
| Public Services | No Comment |
| Engineering | No Comment |



WARRANT #1 (T-Zone Allocation)

Code Requirement **Table 1.3. Summary Table: New Development ALLOCATION OF ZONES**

| | | | | |
|-----------------|---------------|-------------------|-----------------------|-----------------|
| | | | | |
| T1 NATURAL ZONE | T2 RURAL ZONE | T3 SUB-URBAN ZONE | T4 GENERAL URBAN ZONE | T5 URBAN CENTER |
| no minimum | no minimum | 10-30% | 30-60% | 10-30% |

Warrant Request **Allow deviation from the required Transect Zone Allocation as follows:**

| | T-1 Natural No Minimum | T-2 Rural No Minimum | T-3 Sub-Urban 10-30% | T-4 Urban 30-60% | T-5 Urban Center 10-30% |
|-------------|---------------------------|-------------------------|-------------------------|---------------------|----------------------------|
| Ped Shed #1 | 17.6% | 0.0% | 22.1% | 60.3% | 0.0% |
| Ped Shed #2 | 4.5% | 0.0% | 9.5% | 86.0% | 0.0% |
| Ped Shed #3 | 27.9% | 0.0% | 30.5% | 41.6% | 0.0% |
| Ped Shed #4 | 9.0% | 0.0% | 8.9% | 82.1% | 0.0% |

Justification Summary The applicant has stated that over the entire 2,750 acre development the T-Zone allocations would even out. This Phase is intended for mostly residential and future phases will develop with significantly more commercial and denser residential. They have also stated that this site has unique development conditions, namely the lakes which are the focus of the Waterstone development.

SmartCode Intent Statement Section 1.3.5(a) That Communities should provide meaningful choices in living arrangements as manifested by distinct physical environments.

Recommendation / Discussion While mostly single family, the applicant is providing a range of single-family lot sizes (40'-60') as well as multi-family, for rent single family and townhomes. While not developing as T-5 Urban Center, the development also incorporates commercial uses at key intersections.

APPROVAL



WARRANT #2 (Elementary School)

Code Requirement **Table 1.3. Summary Table: New Development Block Size**

| | | | | |
|---|---|---|---|---|
|  |  |  |  |  |
| T1 NATURAL ZONE | T2 RURAL ZONE | T3 SUB-URBAN ZONE | T4 GENERAL URBAN ZONE | T5 URBAN CENTER |
| 110' (150' MINIMUM) | 110' (150' MINIMUM) | 2,400 ft. max | 2,000 ft. max | 2,000 ft. max** |

Section 3.5.4. Civic Buildings

b. ...Lot shall be reserved for an elementary school...shall be a minimum of three (3) acres...

Warrant Request ***Waiver to the Block Size (2,000 ft.) and allow a single 12 acre elementary school site to be reserved for the four pedestrian sheds.***

Justification Summary The applicant stated that the school district requires parcels larger than three acres, which necessitates the waiver to the Block Size. The development will be reserving all 12 acres required for Phase 1 in pedestrian shed 4.

SmartCode Intent Statement Section 1.3.3(h) That school should be sized and located to enable children to walk or bicycle to them.

Recommendation / Discussion Staff finds this warrant request consistent with modern, public, school sites.

APPROVAL



WARRANT #3 (Passages & Paths)

Code Requirement **Table 1.3. Summary Table: New Development THOROUGHFARES**

| |  |  |  |  |  |
|---------|---|---|--|---|---|
| | T1 NATURAL ZONE | T2 RURAL ZONE | T3 SUB-URBAN ZONE | T4 GENERAL URBAN ZONE | T5 URBAN CENTER |
| Path | permitted | permitted | permitted | not permitted* | not permitted |
| Passage | not permitted | not permitted | not permitted | permitted | permitted |

Warrant Request *Allow Passages in T-3 and Paths in T-4.*

Justification Summary The applicant will use passages and paths crossing various Transect Zones.

SmartCode Intent Statement Section 1.3.4(b) That development should adequately accommodate automobiles while respecting the pedestrian and the spatial form of public areas.

Recommendation / Discussion Staff has no concerns with allowing pedestrian access in either form across various Transect Zones.
APPROVAL

WARRANT #4 (Multifamily Lot Size)

Code Requirement **Table 1.3. Summary Table: New Development LOT OCCUPATION**

| |  |  |  |  |  |
|-----------|---|---|--|---|---|
| | T1 NATURAL ZONE | T2 RURAL ZONE | T3 SUB-URBAN ZONE | T4 GENERAL URBAN ZONE | T5 URBAN CENTER |
| Lot Width | not applicable | by Warrant | 60 ft. min 120 ft. max | 18 ft. min 120 ft. max | 18 ft. min 196 ft. max |

Warrant Request *For multifamily only: allow a maximum lot size of 7 acres, consistent with the City's multifamily design standards.*

Justification Summary The applicant stated that the lot width maximum does not allow large multifamily development or single-family rental development on acreage sized lots.

SmartCode Intent Statement Section 1.3.5(a) That Communities should provide meaningful choices in living arrangements as manifested by distinct physical environments.

Recommendation / Discussion The request is consistent with current multifamily design standards and does not waive any other standards of development of multifamily.
APPROVAL



WARRANT #5 (Single Family Side Setbacks)

Code Requirement **Table 1.3. Summary Table: New Development SETBACKS – PRINCIPAL BUILDING**

| |  T1 NATURAL ZONE |  T2 RURAL ZONE |  T3 SUB-URBAN ZONE |  T4 GENERAL URBAN ZONE |  T5 URBAN CENTER |
|--------------------|--|--|--|--|--|
| (g.3) Side Setback | not applicable | 95 ft. min | 12 ft. min | 0 ft. min or 6 ft. min total | 0 ft. min 24 ft. max |

Warrant Request *Allow a 5 ft. side yard setback in T-3.*

Justification Summary The applicant stated that this is consistent with other single-family zoning districts and allows an industry standard building pad.

SmartCode Intent Statement Section 1.3.4(a) That buildings and landscaping should contribute to the physical definition of Thoroughfares as Civic places.

Recommendation / Discussion The request is consistent with current single-family setback requirements and does not waive any other standards of development of single family.

APPROVAL

WARRANT #6 (Civic Buildings)

Code Requirement **Section 3.5.4. Civic Buildings Specific to T3-T5 Zones**
 a. The owner shall covenant to construct a Meeting Hall or a Third Place in proximity to the Main Civic Space of each Pedestrian Shed. Its corresponding Public Frontage shall be equipped with a shelter and bench for a transit stop.

Warrant Request *Allow the amenity center to serve as the Civic Buildings required for each pedestrian shed.*

Justification Summary The applicant stated that this deviation best serves the community by providing the structures in a central location and provides the greatest number of amenities for all residents.

SmartCode Intent Statement Section 1.3.4(f) That Civic Buildings should be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the city.

Recommendation / Discussion The request is consistent with other suburban communities.

APPROVAL W/ CONDITION *If approved, staff recommends a condition that the shelter and bench requirement not be waived, and therefore must be provided in each pedestrian shed.*



WARRANT #7 (Childcare Buildings)

Code Requirement **Section 3.5.4. Civic Buildings Specific to T3-T5 Zones**
 c. One Civic Building Lot suitable for a childcare building shall be reserved within each Pedestrian Shed for up to five years after the sale of the last lot. The owner or a homeowners' association or other community council may organize, fund and construct an appropriate building as the need arises.

Warrant Request *Reserve two Civic Building Lots for childcare, instead of the four required by Code.*

Justification Summary The applicant stated that the population of Phase 1 of the development will support one or two daycare facilities and has identified two sites on the Civic Space Plan exhibit.

SmartCode Intent Statement Section 1.3.3(g) That Civic, Institutional, and Commercial activities should be embedded downtown, not isolated in remote single-use complexes.

Recommendation / Discussion While the proposed locations of childcare lots are within commercial areas and at the edge of the development, they are readily available at the main entrances to Waterstone Phase 1.

APPROVAL

WARRANT #8 (Cul-De-Sac #3)

Code Requirement **Section 3.7.1. General Thoroughfare Standards**
 f. Culs-de-sac shall be subject to approval by the DRC to accommodate specific site conditions only, and shall be connected by Paths and/or Bicycle Trails.

Warrant Request *Allow a third cul-de-sac, not approved by the DRC..*

Justification Summary The applicant stated that the cul-de-sac serves 16 single family lots, is connected with a path, and is cut off by the gas easement along CR 158.

SmartCode Intent Statement Section 1.3.3(d) That interconnected networks of Thoroughfares should be designed to disperse traffic and reduce the length of automobile trips.

Recommendation / Discussion The Development Review Committee approved two cul-de-sacs within the development due to the locations of drainage ways and water features. The Committee discussed with the applicant the need for an additional connection to CR 158 north of the development as shown below. If the additional connection were provided, DRC would approve cul-de-sac #3. For the reasons stated in the warrant request package, the applicant is seeking approval from the Planning & Zoning Commission.

NEUTRAL





WARRANT #9 (Cross Sections)

Code Requirement **Section 3.7.3. Public Frontages (and other various sections with Public Frontage requirements)**
 Includes various standards for the treatment of sidewalks, curbs, planters, bicycle facilities, and street trees. Directs users to the SmartCode Cross Sections.

Warrant Request *Allow the use of Transportation Master Plan and Development Code Cross Sections.*

Justification Summary The applicant stated that this request will provide consistency between Transect Zones.

SmartCode Intent Statement Section 1.3.2(h) That the region should include a framework of transit, pedestrian, and bicycle systems that provide alternatives to the automobile.

Recommendation / Discussion Public Frontage requirements vary based on the Transect Zone in which they are located. While staff is typically not in favor of blanket warrant approvals, this request will provide more consistent street cross sections throughout the development. In addition, the most recently adopted Transportation Master Plan and Development Code cross sections include multi-modal facilities and were approved through a process that included various city departments (including Police, Fire, Engineering, and Planning).

APPROVAL



WARRANT #10 (Public Lighting)

| Code Requirement | <p>Table 3.6. Public Lighting</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|-----------------------------|--|----|----|----|----|----|----|----|----|------------|--|--|--|--|--|--|------|--|---|---|---|---|---|------|---|---|---|---|---|---|--------|---|---|---|---|---|---|---------------|---|---|---|---|---|---|
| Warrant Request | <table border="1"> <thead> <tr> <th></th> <th>T1</th> <th>T2</th> <th>T3</th> <th>T4</th> <th>T5</th> <th>S0</th> </tr> </thead> <tbody> <tr> <td>Cobra Head</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Pipe</td> <td></td> <td>●</td> <td>●</td> <td>●</td> <td>●</td> <td>●</td> </tr> <tr> <td>Post</td> <td>●</td> <td>●</td> <td>●</td> <td>●</td> <td>●</td> <td>●</td> </tr> <tr> <td>Column</td> <td>●</td> <td>●</td> <td>●</td> <td>●</td> <td>●</td> <td>●</td> </tr> <tr> <td>Double Column</td> <td>●</td> <td>●</td> <td>●</td> <td>●</td> <td>●</td> <td>●</td> </tr> </tbody> </table> <p>● Smart Code ● Requested Modification</p> | | | T1 | T2 | T3 | T4 | T5 | S0 | Cobra Head | | | | | | | Pipe | | ● | ● | ● | ● | ● | Post | ● | ● | ● | ● | ● | ● | Column | ● | ● | ● | ● | ● | ● | Double Column | ● | ● | ● | ● | ● | ● |
| | T1 | T2 | T3 | T4 | T5 | S0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cobra Head | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pipe | | ● | ● | ● | ● | ● | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Post | ● | ● | ● | ● | ● | ● | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Column | ● | ● | ● | ● | ● | ● | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Double Column | ● | ● | ● | ● | ● | ● | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Justification Summary | <p>The applicant stated that the SmartCode standards would potentially require multiple light types on long stretches of the same roadway.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SmartCode Intent Statement | <p>None</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Recommendation / Discussion | <p>Staff finds the request to allow all light types in all Transect Zones and the prohibition on Cobra Head light fixtures to be appropriate.</p> <p>APPROVAL</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |



WARRANT #11 (Single-Family Garage Placement)

Code Requirement **Section 5.9.3 Parking Location Standards Specific to zones T2, T3**
 b. Garages shall be located at the third layer except that side- or rear-entry types may be allowed in the first or second Layer by Warrant.

Warrant Request *Allow front-entry garages in the second layer with a 5 ft. recess from the front elevation or front porch.*

Justification Summary The applicant stated that builders do not have products to work with this requirement and the proposed 5 ft. setback avoids the “snout house” look.

SmartCode Intent Statement Section 1.3.4(c) That architecture and landscape design should grow from local climate, topography, history, and building practice.

Recommendation / Discussion The proposed 5 ft. setback for the garage is similar to what is required in the current Development Code.

APPROVAL

WARRANT #12 (Driveway Width)

Code Requirement **Section 5.9.4 & 5.9.5 Parking Location Standards Specific to zones T3, T4**
 a. Driveways at Frontages shall be no wider than 12 feet in the first Layer.
 a. All parking areas and garages shall be located at the second or third Layer.

Warrant Request *Allow surface parking in the first layer that is 18 feet wide to accommodate two vehicles.*

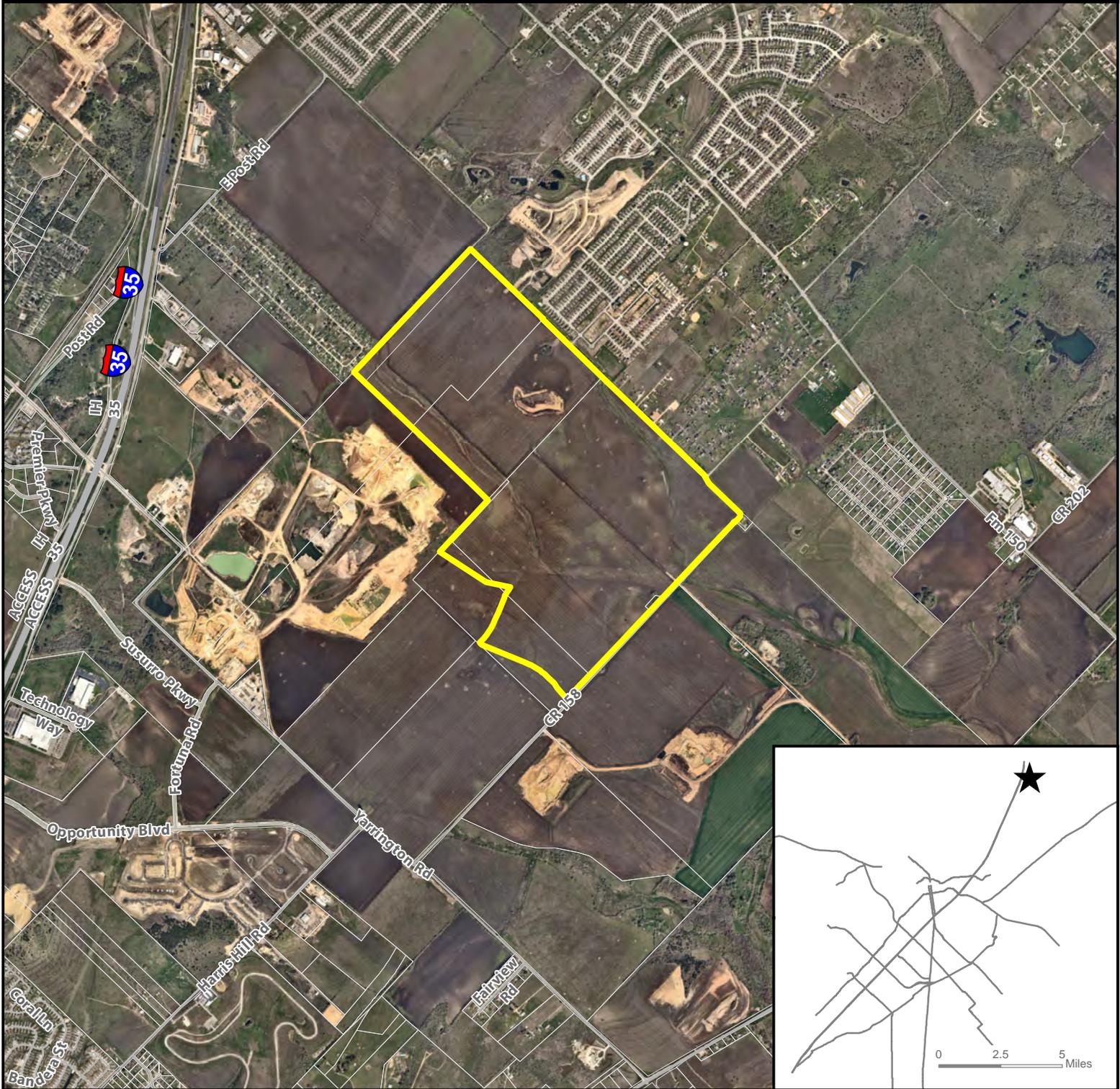
Justification Summary The applicant stated that a wider driveway will accommodate more off street parking

SmartCode Intent Statement Section 1.3.4(b) That development should adequately accommodate automobiles while respecting the pedestrian and the spatial form of public areas.

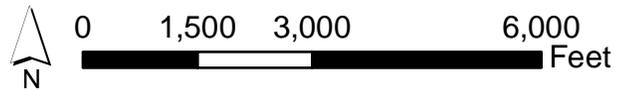
Recommendation / Discussion The proposed modification maintains the narrow curb cut and vehicle / pedestrian conflict point while allowing two vehicles to park in the first layer.

APPROVAL *If approved, staff recommends a condition that driveways not exceed 12 feet at the property line..*

SCW-20-01 Aerial View Waterstone SmartCode Warrant Request



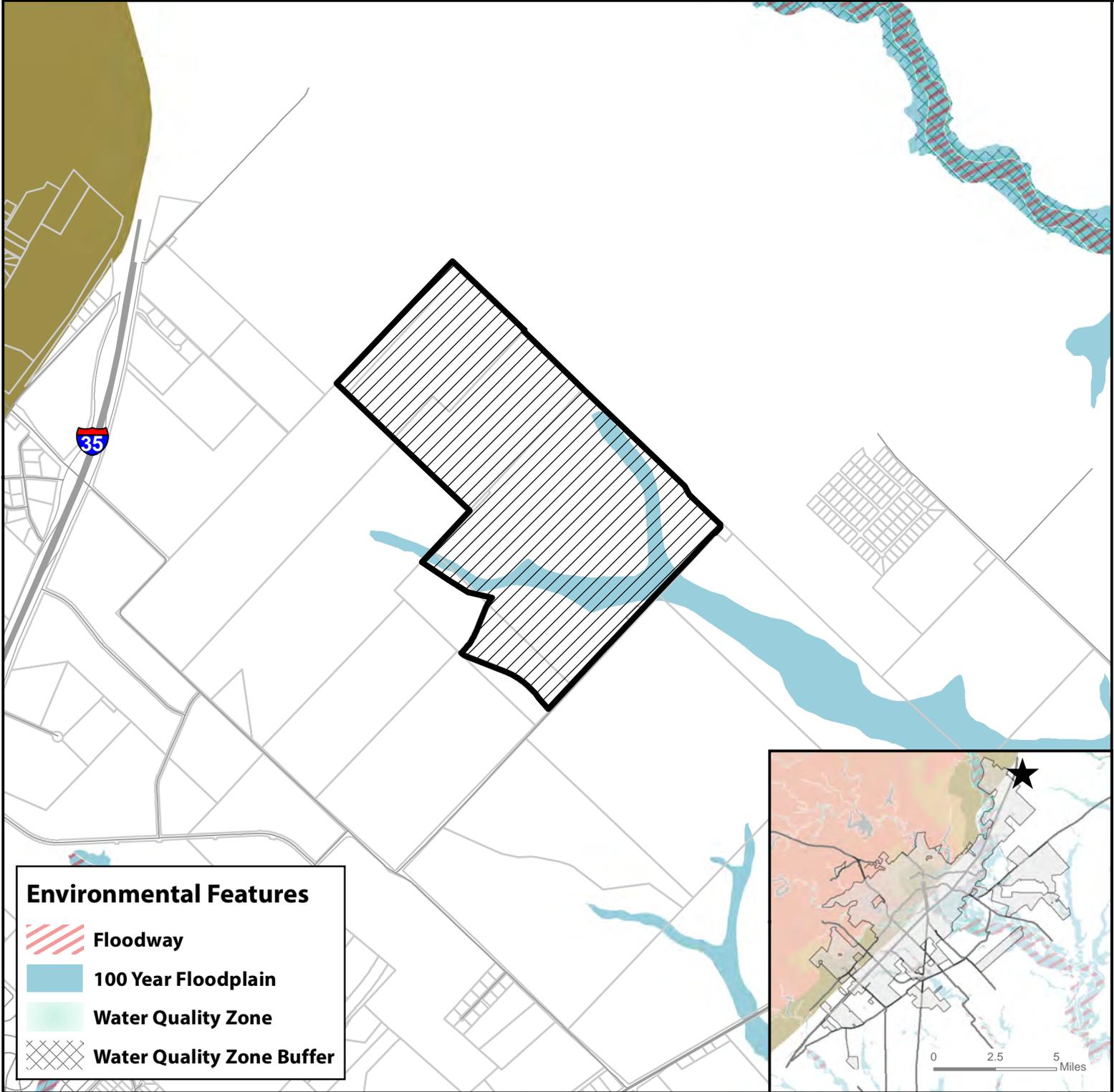
- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 3/13/2020

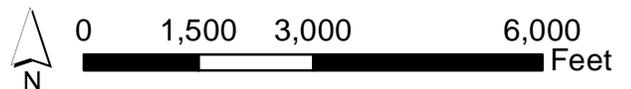
SCW-20-01 Environmental Features Waterstone SmartCode Warrant Request



Environmental Features

-  Floodway
-  100 Year Floodplain
-  Water Quality Zone
-  Water Quality Zone Buffer

-  Site Location
-  Subject Property
-  Parcels
-  City Limit



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Map Date: 3/13/2020

Waterstone - San Marcos, Texas

Project Warrants

Warrant 1

Smart Code: Table 1.3 (a)

| | T1 NATURAL ZONE | T2 RURAL ZONE | T3 SUB-URBAN ZONE | T4 GENERAL URBAN ZONE | T5 URBAN CENTER ZONE |
|--|-----------------|---------------|-------------------|-----------------------|----------------------|
| a. ALLOCATION OF ZONES per Community Unit, applicable to Article 3 only. | | | | | |
| CLD requires | 50% min | | 20 - 40% | 10-30% | not permitted |
| TND requires | no minimum | no minimum | 10 - 30% | 30 - 60% | 10 - 30% |

Smart Code: 3.3.2 (d)

3.3.2. TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND)

- d. Larger sites shall be designed and developed as multiple Communities, each subject to the individual Transect Zone requirements for its type as allocated on Table 3.1 and Table 1.3a. The simultaneous planning of adjacent parcels is encouraged.

Smart Code: 3.4.1

3.4. TRANSECT ZONES

- 3.4.1. Transect Zones shall be assigned and mapped on each Regulating Plan according to the percentages allocated on Tables 3.1 and 1.3a. See Section 3.1.3.

| Transect Zones | Percentage Per Smart Code | Pedestrian Shed #1 Percentage * | Pedestrian Shed #2 Percentage* | Pedestrian Shed #3 Percentage* | Pedestrian Shed #4 Percentage* |
|----------------|---------------------------|---------------------------------|--------------------------------|--------------------------------|--------------------------------|
| T1 | No Min. | 17.6% | 4.5% | 27.9% | 9.0% |
| T2 | No Min. | 0.0% | 0.0% | 0.0% | 0.0% |
| T3 | 10-30% | 22.1% | 9.5% | 30.5% | 8.9% |
| T4 | 30-60% | 60.3% | 86.0% | 41.6% | 82.1% |
| T5 | 10-30% | 0.0% | 0.0% | 0.0% | 0.0% |

Denotes percentage not within Smart Code ranges.

* Exact percentages may vary slightly to account for engineering changes as the project progresses.

Justification

The intent of the Smart Code is for all transect percentages to be met in each pedestrian shed. Phase1 of Waterstone is 600 acres and is broken into four pedestrian sheds, each with unique conditions and design requirements.

Warrant 2

Smart Code:
Table 1.3 (c)

| | T1 NATURAL ZONE | T2 RURAL ZONE | T3 SUB-URBAN ZONE | T4 GENERAL URBAN ZONE | T5 URBAN CENTER ZONE |
|-----------------|-----------------|---------------|-------------------|-----------------------|----------------------|
| c. BLOCK SIZE | | | | | |
| Block Perimeter | no maximum | no maximum | 2400 ft. max | 2000 ft. max | 2000 ft. max * |

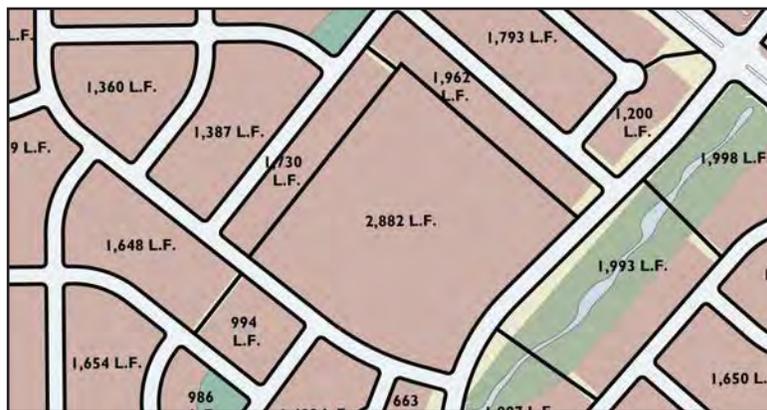
Smart Code:
3.5.4 (b)

3.5.4. CIVIC BUILDINGS (CB) SPECIFIC TO T3 – T5 ZONES

- b. Civic Building Lot shall be reserved for an elementary school for up to five years after the sale of the last lot. Its area shall be a minimum of three (3) acres. The school site may be within any Transect Zone. Any playing fields should be outside the Pedestrian Shed.

Requested Modifications

The elementary school site has a block perimeter of 2,882 feet and is 12 acres.



Justification

The school district has a minimum requirement of 12 acres for an elementary school. This requirement results in a contiguous parcel of land that exceeds the 2,400 maximum block perimeter length. Allow one 12 acre school site instead of the four, three acre school sites required and allow a larger block perimeter for this school site.

Warrant 3

Smart Code: Table 1.3 (d)

| | T1 NATURAL ZONE | T2 RURAL ZONE | T3 SUB-URBAN ZONE | T4 GENERAL URBAN ZONE | T5 URBAN CENTER ZONE |
|----------------------------------|-----------------|---------------|-------------------|-----------------------|--------------------------------|
| d. THOROUGHFARES (see Table 3.3) | | | | | * 2500 with parking structures |
| HW | permitted | permitted | permitted | not permitted | not permitted |
| BV | not permitted | not permitted | permitted | permitted | permitted |
| AV | not permitted | not permitted | permitted | permitted | permitted |
| CS | not permitted | not permitted | not permitted | not permitted | permitted |
| DR | not permitted | not permitted | permitted | permitted | permitted |
| ST | not permitted | not permitted | permitted | permitted | permitted |
| RD | permitted | permitted | permitted | not permitted | not permitted |
| Rear Lane | not permitted | not permitted | permitted | permitted | not permitted |
| Rear Alley | not permitted | not permitted | not permitted | permitted | required |
| Path | permitted | permitted | permitted | not permitted * | not permitted |
| Passage | not permitted | not permitted | not permitted | permitted | permitted |
| Bicycle Trail | permitted | permitted | permitted | not permitted * | not permitted |
| Bicycle Lane | permitted | permitted | permitted | not permitted | not permitted |
| Bicycle Route | permitted | permitted | permitted | permitted | permitted |

Requested Modifications

Passages to be permitted in T3. Path to be permitted in T4.



Justification

Allowing mid-block trail connection points within T-3 and T-4 serves as pedestrian ways for connectivity to Phase 1 trails, parks, amenity center, playgrounds, and the elementary school.

Warrant 4

Smart Code:
Table 1.3 (f)

| | T1 NATURAL ZONE | T2 RURAL ZONE | T3 SUB-URBAN ZONE | T4 GENERAL URBAN ZONE | T5 URBAN CENTER ZONE |
|-------------------|------------------------|----------------------|--------------------------|------------------------------|-----------------------------|
| f. LOT OCCUPATION | | | | | |
| Lot Width | not applicable | by Warrant | 60 ft. min 120 ft. max | 18 ft. min 120 ft. max | 18 ft. min 196 ft. max |
| Lot Coverage | not applicable | by Warrant | 60% max | 80% max | 100% max |

Requested Modifications

Maximum lot size in T4 for multi-family is 7 acres in accordance with the City’s multi-family code. For commercial property, the maximum lot size is unchanged.

Justification

The maximum lot width for T4 does not allow for multi-family or single family rental housing on acreage sized parcels. Allowing a 7 acre maximum lot size for multi-family permits for these types of users to develop in Waterstone.

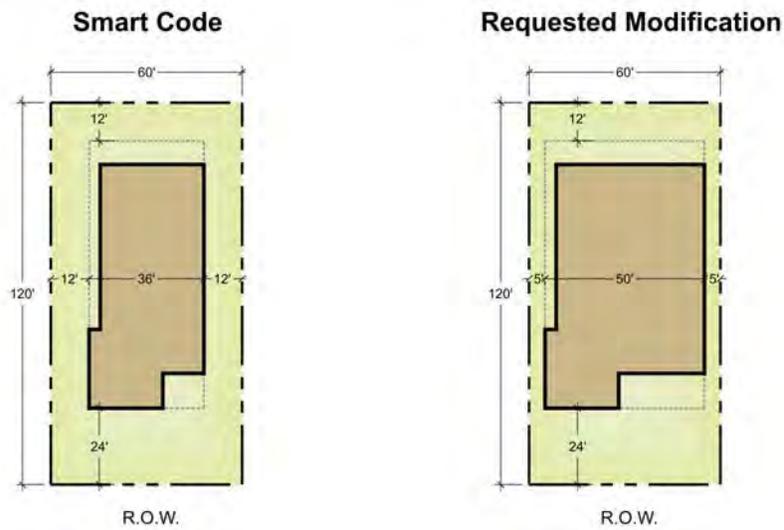
Warrant 5

Smart Code:
Table 1.3 (g3)

| | T1 NATURAL ZONE | T2 RURAL ZONE | T3 SUB-URBAN ZONE | T4 GENERAL URBAN ZONE | T5 URBAN CENTER ZONE |
|---|-----------------|---------------|-------------------|-------------------------------|----------------------|
| g. SETBACKS - PRINCIPAL BUILDING (see Tables 5.11 - 5.13) | | | | | |
| (g.3) Side Setback | not applicable | 96 ft. min | 12 ft. min | 0 ft. min or 6 ft. min. total | 0 ft. min 24 ft. max |

Requested Modifications

Side yard setback for T3 - 5 ft



Justification

The requested reduction of the side yard setback from twelve feet to five feet is to meet an industry-standard and allow for an industry-standard building pad of 50 feet for a 60-foot wide lot.

Warrant 6

Smart Code:

3.5.4 (a)

3.5.4. **CIVIC BUILDINGS (CB) SPECIFIC TO T3 – T5 ZONES**

- a. The owner shall covenant to construct a Meeting Hall or a Third Place in proximity to the Main Civic Space of each Pedestrian Shed. Its corresponding Public Frontage shall be equipped with a shelter and bench for a transit stop.

Requested Modifications

All civic buildings to be constructed in the plaza/amenity center area in pedestrian shed 1 only.

Justification

The amenity center, located in the center of the Phase 1 community, best serves the community by providing built structures in a central location. This allows for the economy of scale and to provide the greatest amount of amenities for all residences for the project's amenity improvement budget

The amenity center may provide the following amenities

Community Center

Building(s) Amenities

- fitness room
- meeting room
- restrooms

Outdoor Amenities

- pool
- splash pad
- playscape
- barbecue area
- shade structure
- yard games (horseshoes etc.)
- sport courts
- fire pit

Note: A transit facility location is shown in each pedestrian shed in the Civic Plan Exhibit.

Warrant 7

Smart Code:

3.5.4 (c)

3.5.4. **CIVIC BUILDINGS (CB) SPECIFIC TO T3 – T5 ZONES**

- c. One Civic Building Lot suitable for a childcare building shall be reserved within each Pedestrian Shed for up to five years after the sale of the last lot. The owner or a homeowners' association or other community council may organize, fund and construct an appropriate building as the need arises.

Requested Modifications

The plan has sites for daycare facilities in the neighborhood services in pedestrian sheds 2 and 3.

Justification

The population of Phase 1 will support one or two daycare care facilities, and two possible sites for this use have been identified on the civic plan exhibit.

Warrant 8

Smart Code:

3.7.1 (f)

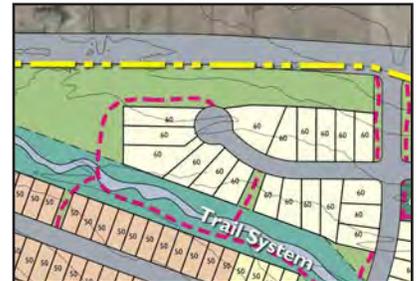
3.7. THOROUGHFARE STANDARDS

3.7.1. GENERAL

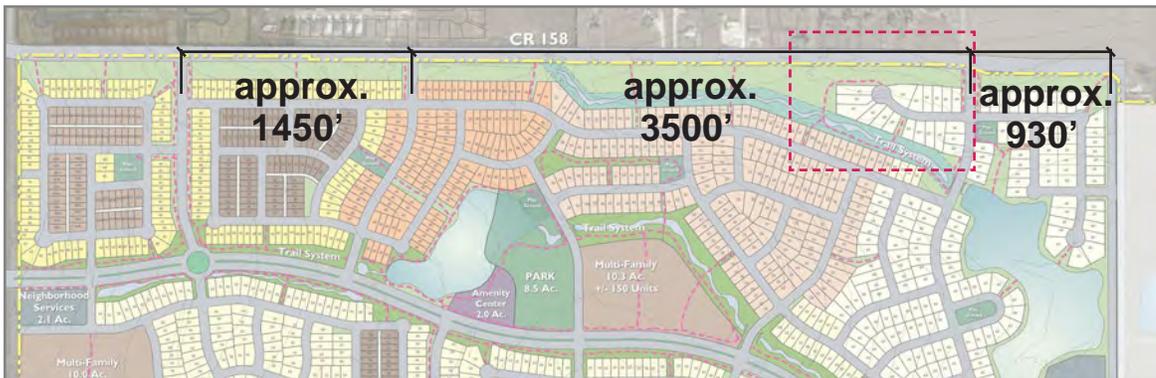
f. All Thoroughfares shall terminate at other Thoroughfares, forming a network. Internal Thoroughfares shall connect wherever possible to those on adjacent sites. Cul-de-sacs shall be subject to approval by the DRC to accommodate specific site conditions only, and shall be connected by Paths and/or Bicycle Trails.

Requested Modifications

Allow cul-de-sacs per the plan



cul de sac enlargement



Distances between CR 158 connections

Justification

The cul-de-sac shown is open-ended to allow for the trail system to connect. This parcel of land with 16 lots comes to a point and is cut off by the gas easement to the north and the drainage system to the south, thus the need for a cul-de-sac at this location. An additional connection to CR 158 would involve further impacting the stream and necessitate the construction of a significant drainage structure. Such a connection would also have to cross the pipeline. An effort was made to minimize crossings of the creek while still providing for safe mobility.

Warrant 9

Smart Code:

3.7.3

3.7.3. PUBLIC FRONTAGES

a. GENERAL TO ALL ZONES T1, T2, T3, T4, T5

- i. The Public Frontage contributes to the character of the Transect Zone, and includes the types of Sidewalk, Curb, planter, bicycle facility, and street trees.
- ii. Public Frontages shall be designed as shown in Table 3.2 and Table 3.3 and allocated within Transect Zones as specified in Table 1.3d.
- iii. Within the Public Frontages, the prescribed types of Public Planting and Public Lighting shall be as shown in Table 3.2, Table 3.3, Table 3.5 and Table 3.6. The spacing may be adjusted by the DRC to accommodate specific site conditions.

d. SPECIFIC TO ZONE T4

- i. The Public Frontage shall include trees planted in a regularly-spaced Allee pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one Story.

Requested Modifications

Allow Transportation Master Plan Cross Sections in place of those required in SmartCode.

Justification

With T3 being across the street from T4, it is important to have common standards along a single roadway. Please see street sections on the Thoroughfare Network Plan.

Warrant 10

Smart Code: Table 3.6

TABLE 3.6. PUBLIC LIGHTING
Lighting varies in brightness and also in the character of the fixture according to the Transect efficiency is recommended.

| | | T1 | T2 | T3 | T4 | T5 | SD | Specification |
|---------------|---|----|----|----|----|----|----|---------------|
| Cobra Head |  | | | | | | | |
| Pipe |  | ● | ● | ● | ● | ● | ● | |
| Post |  | ● | ● | ● | ● | ● | ● | |
| Column |  | ● | ● | ● | ● | ● | ● | |
| Double Column |  | ● | ● | ● | ● | ● | ● | |

● Smart Code
● Requested Modification

Requested Modifications

The developer may utilize the pipe, the post, and column, or the double-column Smart Code approved public lighting type in any Transect Zone throughout the Project.

Justification

Under the Code, the project would be required to have three different types of lighting poles. With Transect Zones changing from one side of the street to the other or along the street as it progresses throughout the community, it is important to have consistency in lighting fixtures.

Warrant 11

Smart Code:

5.9.3 (b) and 5.9.5 (a)

5.9.3. **SPECIFIC TO ZONES T2, T3**

b. Garages shall be located at the third Layer except that side- or rear-entry types may be allowed in the first or second Layer by Warrant.

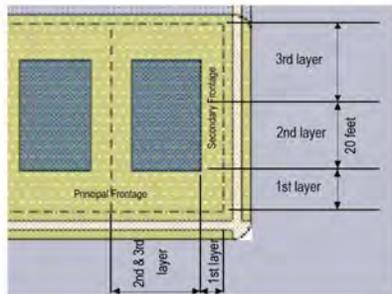
5.9.5. **SPECIFIC TO ZONE T4**

a. All parking areas and garages shall be located at the second or third Layer.

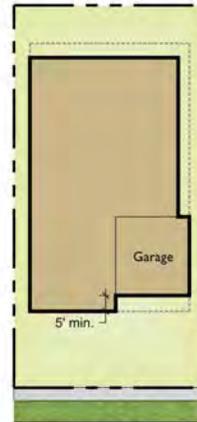
Requested Modification

Allow garages in second layer with a 5 foot recess from the front elevation of the home. This is a requested modification for all transect zones.

Smart Code



Requested Modification



Justification

The smart code requires the garages to be near the rear yard when accessed from the front yard. On sixty foot lots, builders do not have products to work with this requirement. Allowing garages to be located within layer 1 but requiring all garages to be a minimum of 5 feet the front elevation or front porch of the house, the “snout house” look for the project will be avoided.

Warrant 12

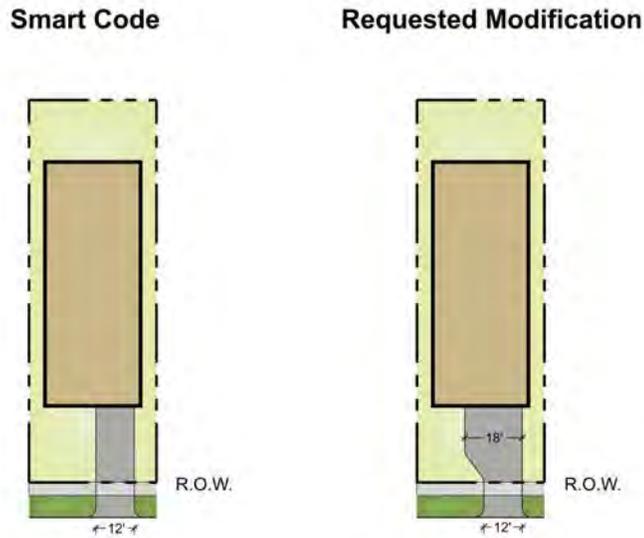
Smart Code:

5.9.4 (a) and 5.9.5 (a)

- 5.9.4. **SPECIFIC TO ZONES T3, T4**
 - a. Driveways at Frontages shall be no wider than 12 feet in the first Layer.
 - 5.9.5. **SPECIFIC TO ZONE T4**
 - a. All parking areas and garages shall be located at the second or third Layer.
-

Requested Modifications

Driveway shall be allowed to be 12 feet from back of curb to R.O.W. then transition to 18 feet. This is a requested modification for all transect zones. This condition would only be employed for two-car garages.



Justification

A wider driveway width would accommodate more off-street parking.



PHASE ONE DEVELOPMENT

Lot Summary

| Size | Units |
|--------------------------|--------------|
| Alley Loaded | |
| 36' x 110' | 174 |
| 40' x 110' | 64 |
| Alley Total | 238 |
| Front Loaded | |
| 40' x 120' | 560 |
| 50' x 120' | 406 |
| 60' x 120' | 185 |
| Front Total | 1,151 |
| Age Targeted | |
| 40' x 120' | 117 |
| 50' x 120' | 185 |
| AT Total | 302 |
| Total Lots | 1,691 |
| Non-Single Family | |
| Townhomes | 300 |
| SFR | 295 |
| Non-S.F. Total | 595 |
| Total Phase I | 2,286 |
| Phase I Acreage | 599.4 |

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Aerial Photography: January 18, 2018



WATERSTONE • CONCEPTUAL LOTTING PLAN - Phase 1 Area

- 📍 Hays County, Texas
- 📅 March 10, 2020
- 🏗️ 17001932
- 👤 Tack Development



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PEDESTRIAN SHED #1

| Transect Zone | Acres | Percentage |
|------------------------------|------------------|----------------|
| T1 | 18.6 Ac. | 17.6 % |
| T2 | 0.0 Ac. | 0.0 % |
| T3 | 23.4 Ac. | 22.1 % |
| T4 | 63.7 Ac. | 60.3 % |
| T5 | 0.0 Ac. | 0.0 % |
| Transect Total | 105.7 Ac. | 100.0 % |
| ROW | 31.9 Ac. | |
| Pedestrian Shed Total | 137.6 Ac. | |

PEDESTRIAN SHED #3

| Transect Zone | Acres | Percentage |
|------------------------------|------------------|----------------|
| T1 | 36.1 Ac. | 27.9 % |
| T2 | 0.0 Ac. | 0.0 % |
| T3 | 39.4 Ac. | 30.5 % |
| T4 | 53.8 Ac. | 41.6 % |
| T5 | 0.0 Ac. | 0.0 % |
| Transect Total | 129.3 Ac. | 100.0 % |
| ROW | 30.5 Ac. | |
| Pedestrian Shed Total | 159.8 Ac. | |

PEDESTRIAN SHED #2

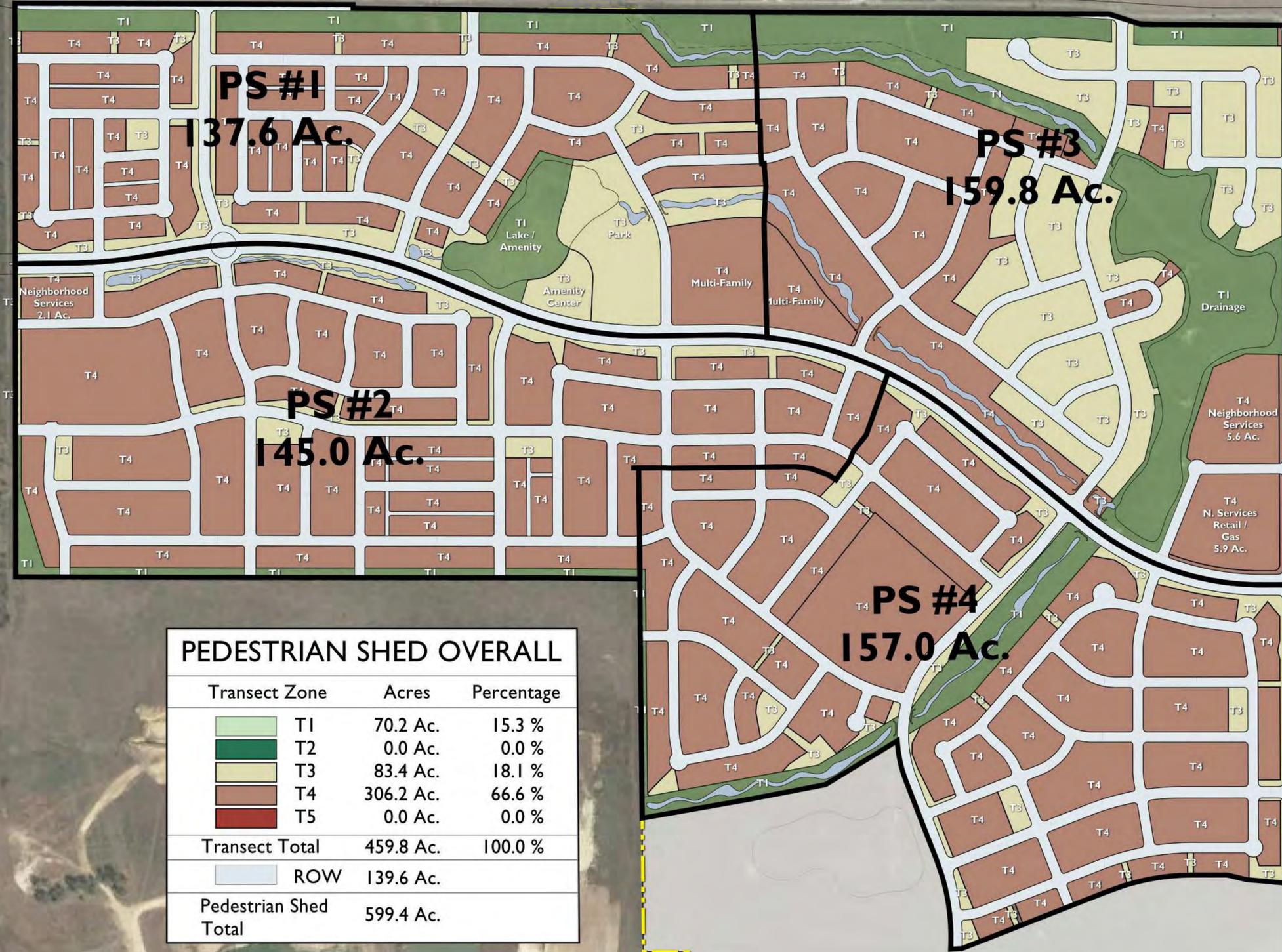
| Transect Zone | Acres | Percentage |
|------------------------------|------------------|----------------|
| T1 | 4.8 Ac. | 4.5 % |
| T2 | 0.0 Ac. | 0.0 % |
| T3 | 10.0 Ac. | 9.5 % |
| T4 | 91.1 Ac. | 86.0 % |
| T5 | 0.0 Ac. | 0.0 % |
| Transect Total | 105.9 Ac. | 100.0 % |
| ROW | 39.1 Ac. | |
| Pedestrian Shed Total | 145.0 Ac. | |

PEDESTRIAN SHED OVERALL

| Transect Zone | Acres | Percentage |
|------------------------------|------------------|----------------|
| T1 | 70.2 Ac. | 15.3 % |
| T2 | 0.0 Ac. | 0.0 % |
| T3 | 83.4 Ac. | 18.1 % |
| T4 | 306.2 Ac. | 66.6 % |
| T5 | 0.0 Ac. | 0.0 % |
| Transect Total | 459.8 Ac. | 100.0 % |
| ROW | 139.6 Ac. | |
| Pedestrian Shed Total | 599.4 Ac. | |

PEDESTRIAN SHED #4

| Transect Zone | Acres | Percentage |
|------------------------------|------------------|----------------|
| T1 | 10.7 Ac. | 9.0 % |
| T2 | 0.0 Ac. | 0.0 % |
| T3 | 10.6 Ac. | 8.9 % |
| T4 | 97.6 Ac. | 82.1 % |
| T5 | 0.0 Ac. | 0.0 % |
| Transect Total | 118.9 Ac. | 100.0 % |
| ROW | 38.1 Ac. | |
| Pedestrian Shed Total | 157.0 Ac. | |



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WATERSTONE • TRANSECT ZONES / PEDESTRIAN SHED PLAN

Hays County, Texas

March 10, 2020

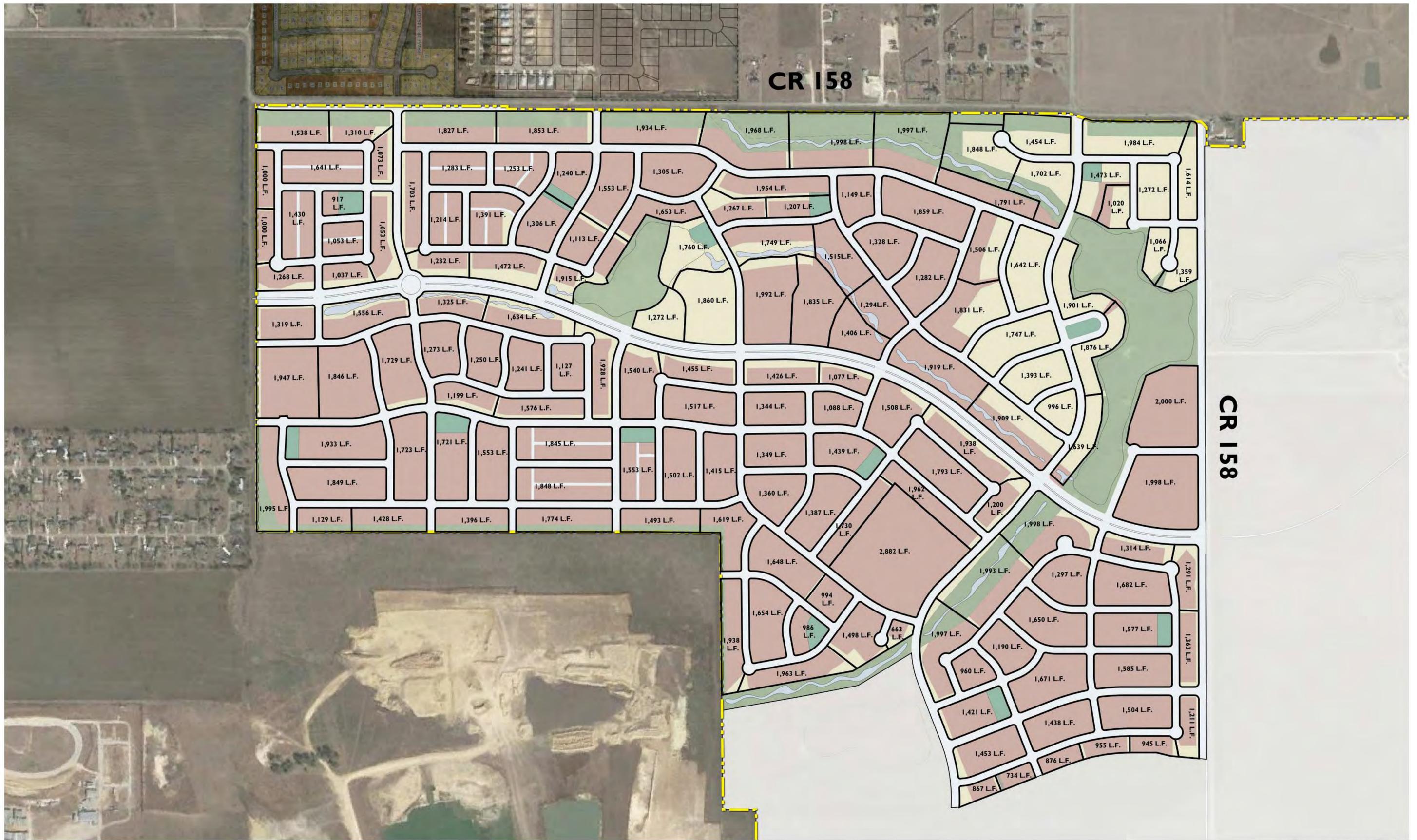
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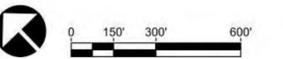
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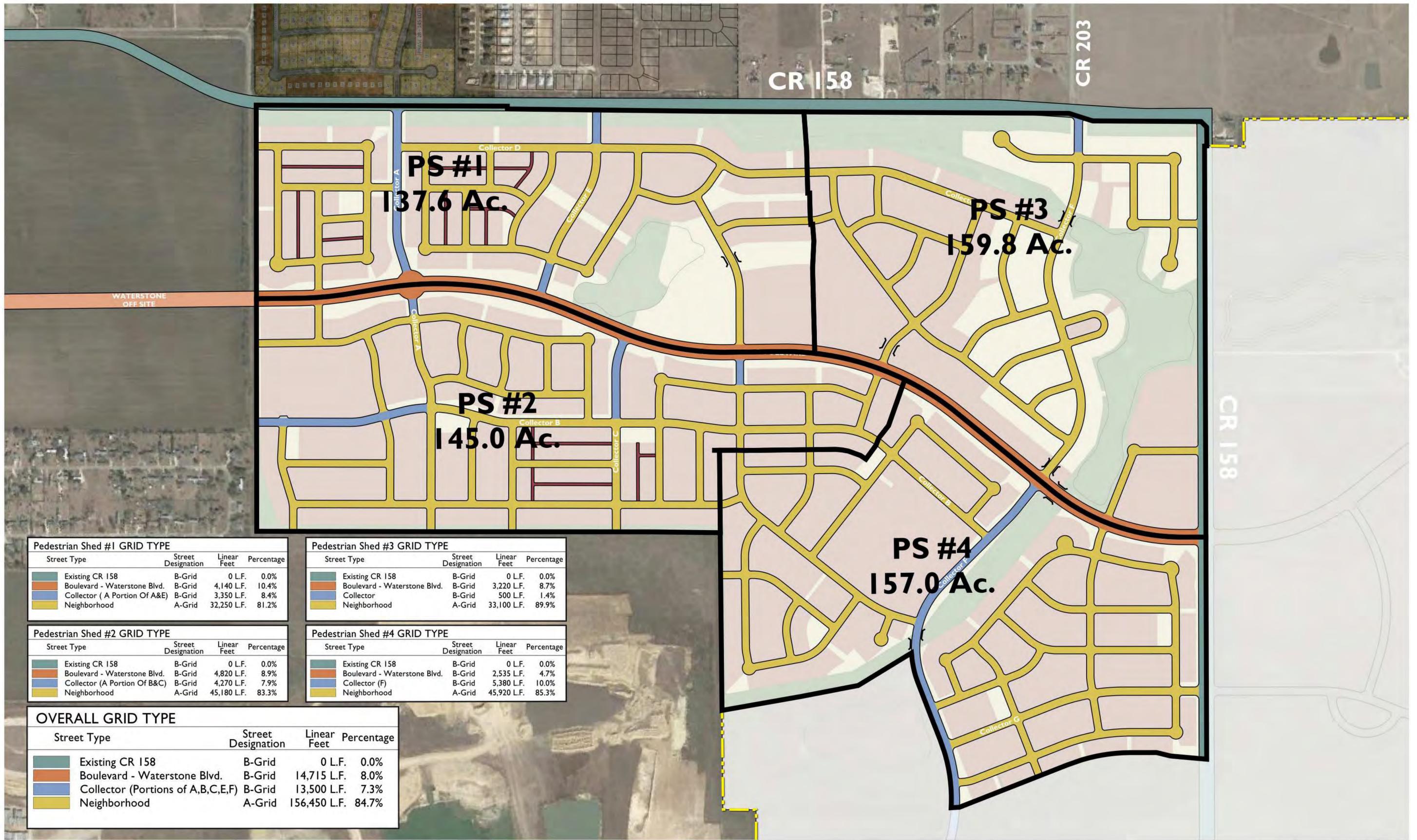
WATERSTONE • BLOCK PERIMETER PLAN

- Hays County, Texas
- March 10, 2020
- 17001932
- Tack Development

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Pedestrian Shed #1 GRID TYPE

| Street Type | Street Designation | Linear Feet | Percentage |
|-------------------------------|--------------------|-------------|------------|
| Existing CR 158 | B-Grid | 0 L.F. | 0.0% |
| Boulevard - Waterstone Blvd. | B-Grid | 4,140 L.F. | 10.4% |
| Collector (A Portion Of A&E) | B-Grid | 3,350 L.F. | 8.4% |
| Neighborhood | A-Grid | 32,250 L.F. | 81.2% |

Pedestrian Shed #3 GRID TYPE

| Street Type | Street Designation | Linear Feet | Percentage |
|------------------------------|--------------------|-------------|------------|
| Existing CR 158 | B-Grid | 0 L.F. | 0.0% |
| Boulevard - Waterstone Blvd. | B-Grid | 3,220 L.F. | 8.7% |
| Collector | B-Grid | 500 L.F. | 1.4% |
| Neighborhood | A-Grid | 33,100 L.F. | 89.9% |

Pedestrian Shed #2 GRID TYPE

| Street Type | Street Designation | Linear Feet | Percentage |
|------------------------------|--------------------|-------------|------------|
| Existing CR 158 | B-Grid | 0 L.F. | 0.0% |
| Boulevard - Waterstone Blvd. | B-Grid | 4,820 L.F. | 8.9% |
| Collector (A Portion Of B&C) | B-Grid | 4,270 L.F. | 7.9% |
| Neighborhood | A-Grid | 45,180 L.F. | 83.3% |

Pedestrian Shed #4 GRID TYPE

| Street Type | Street Designation | Linear Feet | Percentage |
|------------------------------|--------------------|-------------|------------|
| Existing CR 158 | B-Grid | 0 L.F. | 0.0% |
| Boulevard - Waterstone Blvd. | B-Grid | 2,535 L.F. | 4.7% |
| Collector (F) | B-Grid | 5,380 L.F. | 10.0% |
| Neighborhood | A-Grid | 45,920 L.F. | 85.3% |

OVERALL GRID TYPE

| Street Type | Street Designation | Linear Feet | Percentage |
|-----------------------------------|--------------------|--------------|------------|
| Existing CR 158 | B-Grid | 0 L.F. | 0.0% |
| Boulevard - Waterstone Blvd. | B-Grid | 14,715 L.F. | 8.0% |
| Collector (Portions of A,B,C,E,F) | B-Grid | 13,500 L.F. | 7.3% |
| Neighborhood | A-Grid | 156,450 L.F. | 84.7% |

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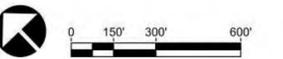
Aerial Photography: January 16, 2018



WATERSTONE • THOROUGHFARE GRID TYPE PLAN

- 📍 Hays County, Texas
- 📅 March 10, 2020
- 🏗️ # 17001932
- 👤 Tack Development

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LEGEND

- Radius Center Point
- 1,000' Radius From Playground
- 3,000' Radius From Central Park And Amenity Center

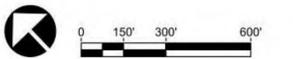
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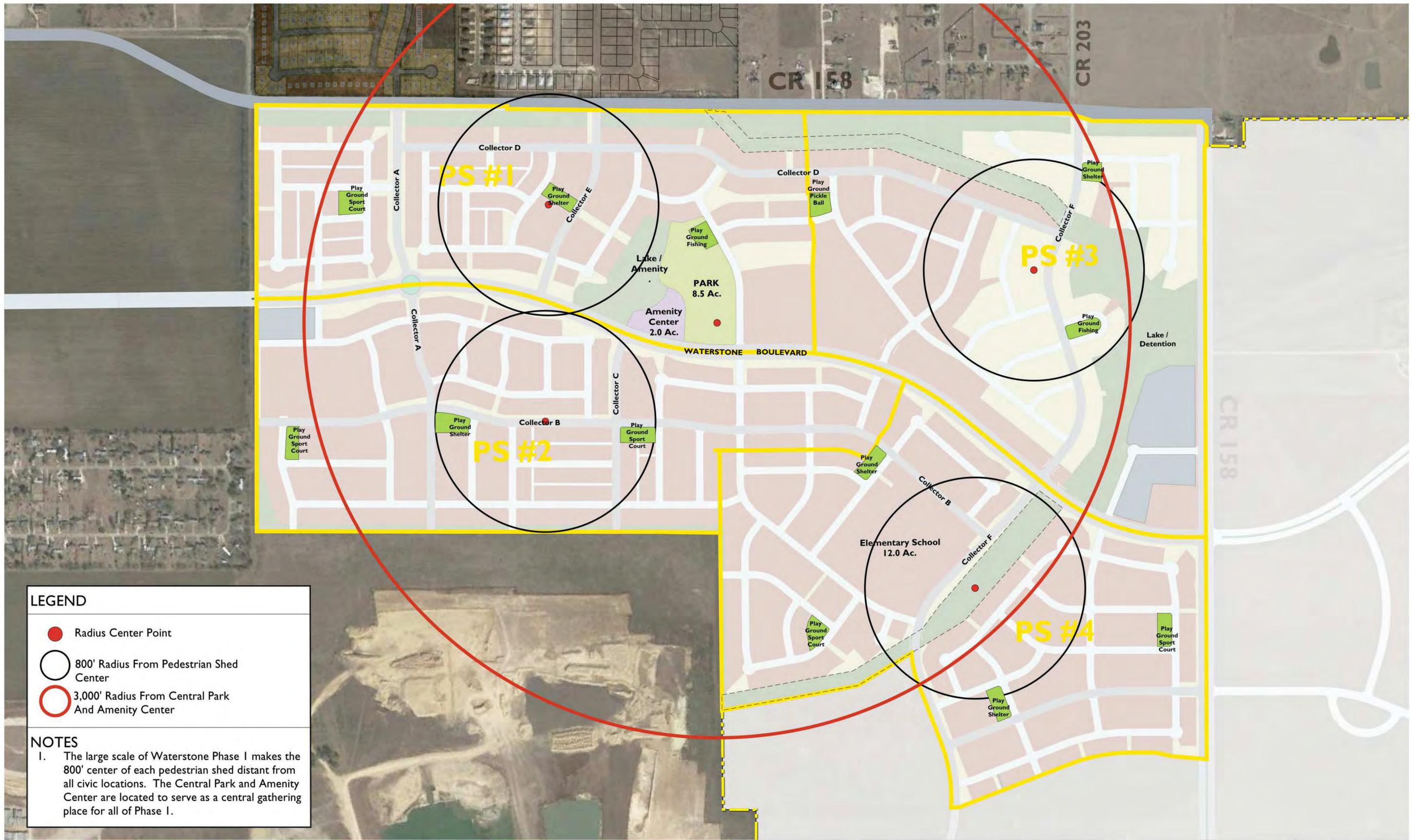


WATERSTONE • PLAYGROUND PLAN

- 📍 Hays County, Texas
- 📅 March 10, 2020
- # 17001932
- 👷 Tack Development



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LEGEND

- Radius Center Point
- 800' Radius From Pedestrian Shed Center
- 3,000' Radius From Central Park And Amenity Center

NOTES

1. The large scale of Waterstone Phase I makes the 800' center of each pedestrian shed distant from all civic locations. The Central Park and Amenity Center are located to serve as a central gathering place for all of Phase I.

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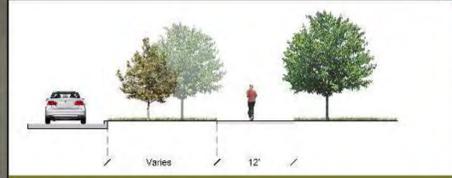
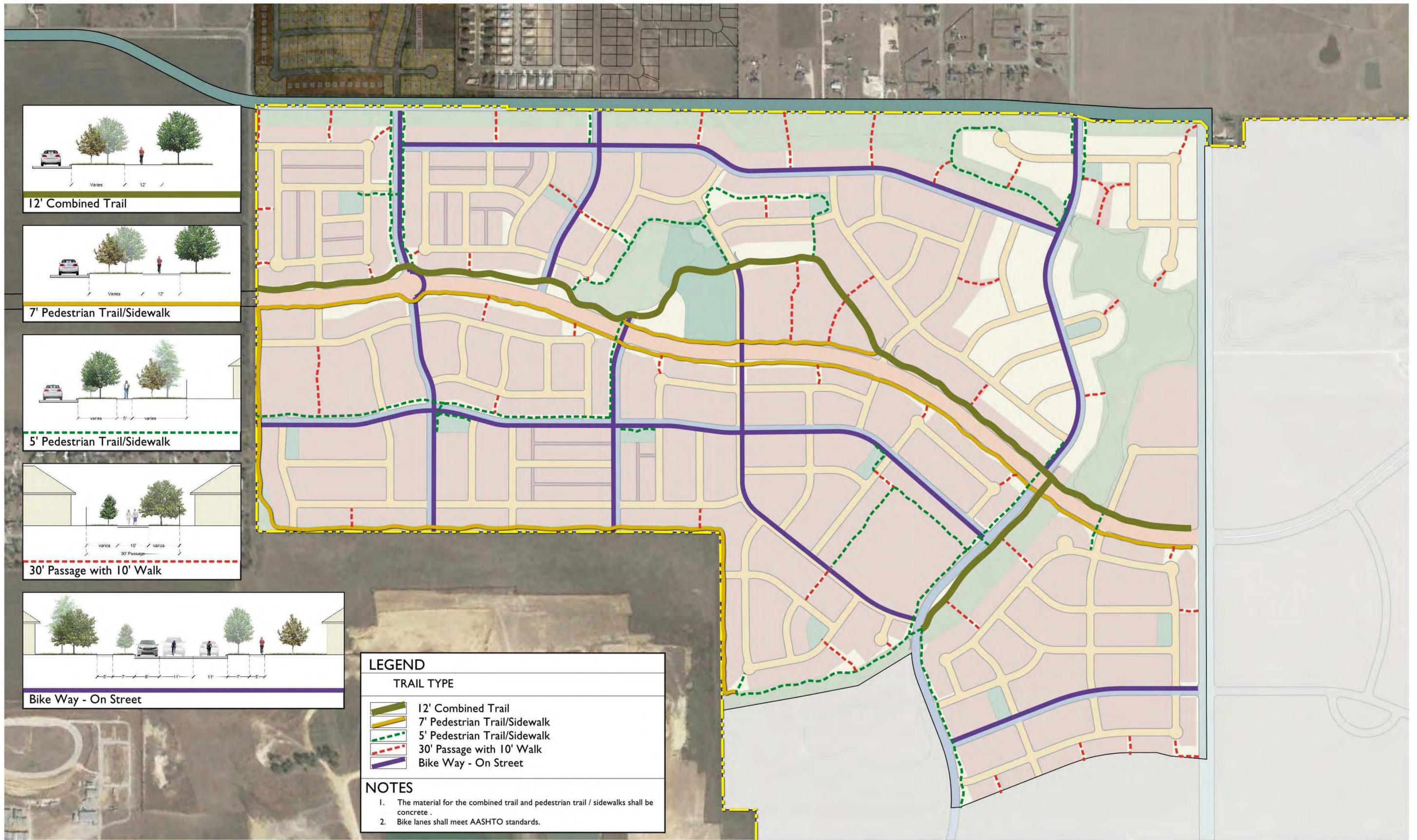


WATERSTONE • PEDESTRIAN SHED 800 CENTER PLAN

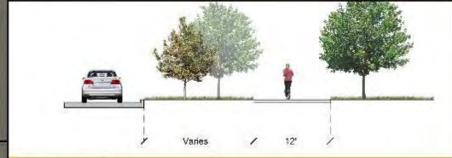
- 📍 Hays County, Texas
- 📅 March 10, 2020
- # 17001932
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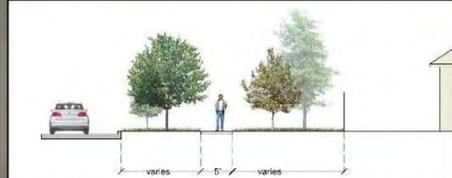
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12' Combined Trail



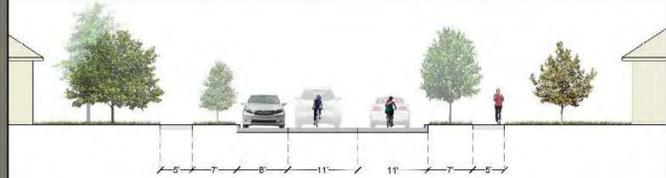
7' Pedestrian Trail/Sidewalk



5' Pedestrian Trail/Sidewalk



30' Passage with 10' Walk



Bike Way - On Street

LEGEND

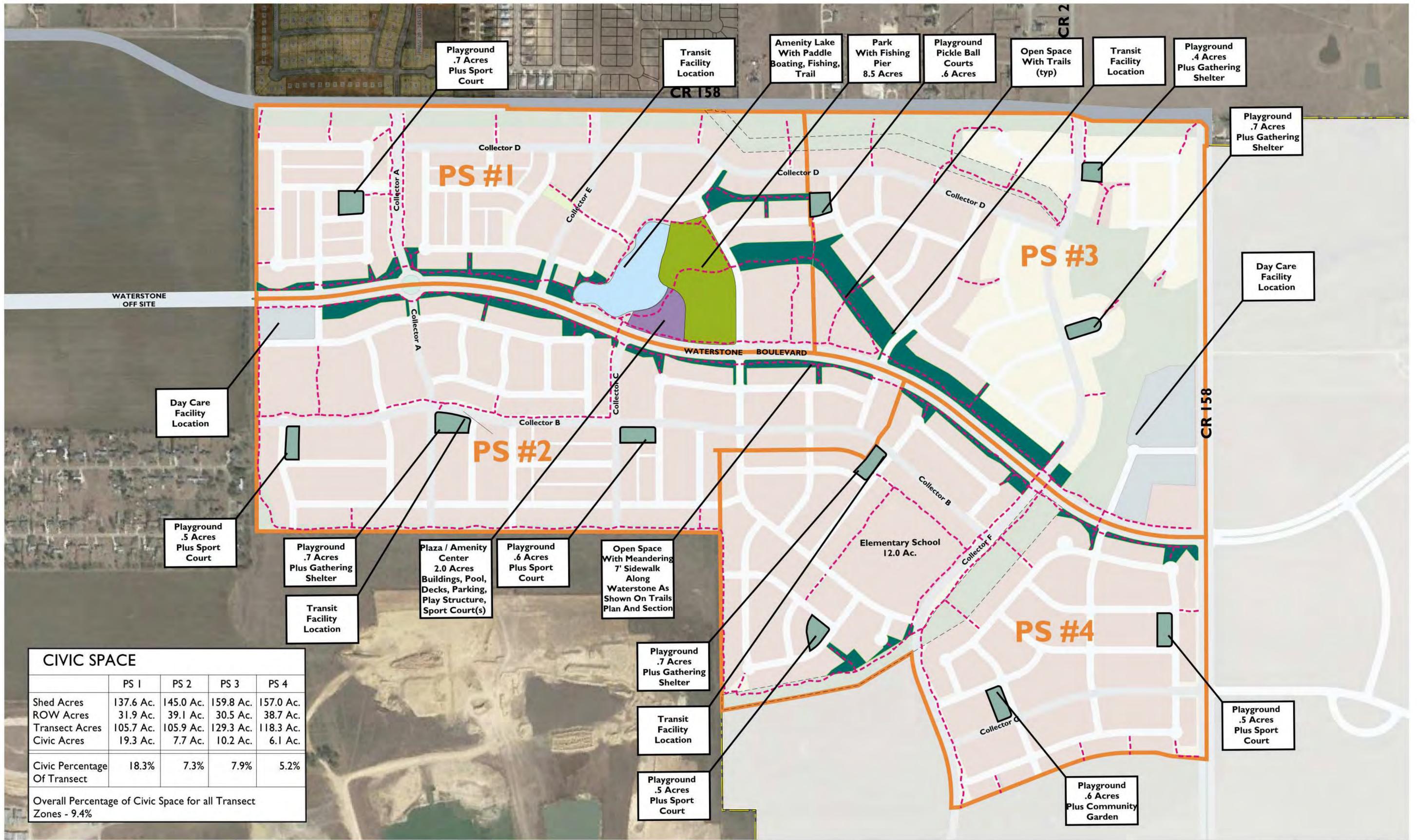
TRAIL TYPE

- 12' Combined Trail
- 7' Pedestrian Trail/Sidewalk
- 5' Pedestrian Trail/Sidewalk
- 30' Passage with 10' Walk
- Bike Way - On Street

NOTES

1. The material for the combined trail and pedestrian trail / sidewalks shall be concrete.
2. Bike lanes shall meet AASHTO standards.

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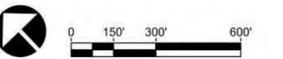
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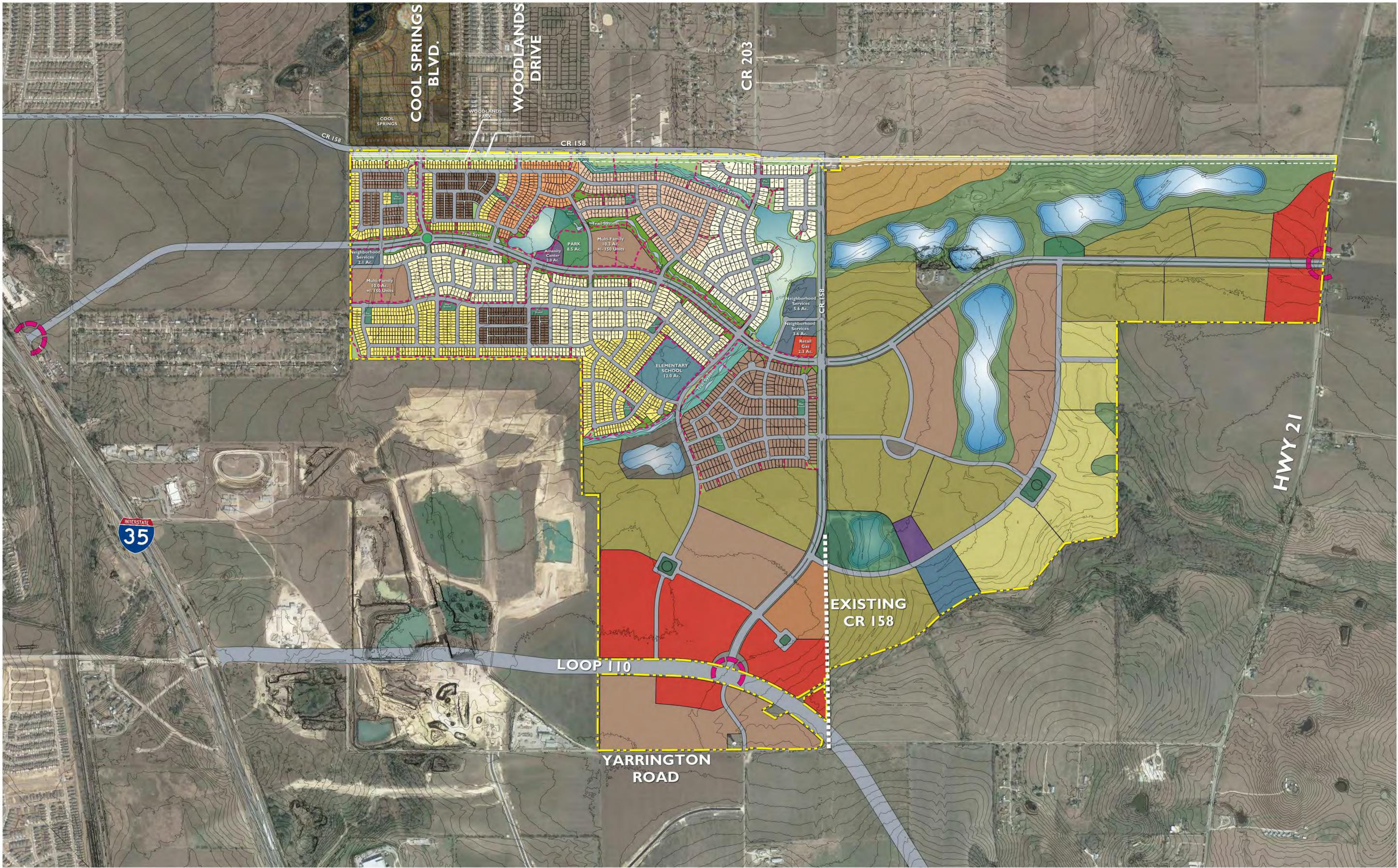
WATERSTONE • CIVIC SPACE PLAN

- Hays County, Texas
- March 10, 2020
- # 17001932
- Tack Development

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 Tel: 512.460.0032
 www.rviplanning.com



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.
 L:\2017\17001932 Waterstone\Submittal Plans\submitted 2020-02-25\Conceptual Plan - submittal 2020-02-25_updates2.dwg



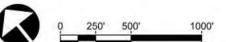
Copyright RVI

Aerial Photography January 16, 2019



WATERSTONE DEVELOPMENT • OVERALL PLAN

- 📍 Hays County, Texas
- 📅 March 10, 2020
- 🔢 # 17001932
- 🏗️ Tack Development



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.
 L301717001932 WaterstoneSubmittal PlansSubmitted
 2020-02-25/Conceptual Plan - submittal 2020-02-25 updated.dwg

SMARTCODE WARRANT APPLICATION FORM

Updated: September, 2017

Case # SCW-____-____



CONTACT INFORMATION

| | | | |
|-----------------------------|--|-------------------------|--|
| Applicant's Name | Blake Reed | Property Owner | TACK Development + LASelle Holdings |
| Applicant's Mailing Address | 230 Klattenhoff Lane Suite 100 Hutto TX 78634 | Owner's Mailing Address | 230 Klattenhoff Lane Suite 100 Hutto TX 78634 |
| Applicant's Phone # | 512 496 8658 | Owner's Phone # | 512 846 1733 |
| Applicant's Email | Blake@TimmermanCapital.com | Owner's Email | Tim@TimmermanCapital.com |

PROPERTY INFORMATION

Subject Property Address: See List for TAX ID's

Zoning District: _____ Tax ID #: R _____

Legal Description: Lot _____ Block _____ Subdivision _____

DESCRIPTION OF REQUEST

Section of the SmartCode from which the deviation is sought: Various

Justification of Intent (additional pages may be used, provide narrative & exhibits as necessary):

We intend to meet the intent over a larger Area of development

AUTHORIZATION

All required application documents are attached. I understand the fees for and the process to obtain a SmartCode Warrant and understand my responsibility to be present at meetings regarding this application.

| | | |
|------------------------------------|---------------------|-------------------------|
| Initial Filing Fee \$750 | Technology Fee \$11 | <u>TOTAL COST \$761</u> |
| Renewal/Amendment Filing Fee \$400 | Technology Fee \$11 | <u>TOTAL COST \$411</u> |

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

To be completed by Staff: _____ Accepted By: _____ Date Accepted: _____

Proposed Meeting Date: _____ Application Deadline: _____

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

**AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS
AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS**

The City of San Marcos Land Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It is the responsibility of the applicant to periodically check the sign locations to verify that the signs remain in place until final action is taken on the application and have not been vandalized or removed until after such final decision or when such application is withdrawn by the applicant. It is the responsibility of the applicant to immediately notify the Planning and Development Services Department of missing or defective signs.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$85 plus an \$11 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$85 plus an \$11 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: _____

Date: _____

Print Name: _____

To be completed by Staff:

Case # _____

AGENT AUTHORIZATION TO REPRESENT PROPERTY OWNER

I, LA SALLE HOLDINGS, LTD. (owner) acknowledge that I am the rightful owner of the property located at CR 158 (address).

I hereby authorize Blake Reed ~~Mike Schroeder~~ (agent name) to serve as my agent to file this application for Smart Code Warrant Application (application type), and to work with the Responsible Official / Department on my behalf throughout the process.

EWASAL, LLC BY

Signature of Property Owner: [Signature] Date: 1/8/2020
Printed Name: FELIX W. COWINGTON

Signature of Agent: [Signature] Date: 1/15/20
Printed Name: Blake Reed

To be completed by Staff: Case # _____

AGENT AUTHORIZATION TO REPRESENT PROPERTY OWNER

I, Tim Timmerman (owner) acknowledge that I am the rightful owner of the property located at CR 158 (address).

I hereby authorize Blake Reed ~~Mike Schroeder~~ (agent name) to serve as my agent to file this application for Warpan Application (application type), and to work with the Responsible Official / Department on my behalf throughout the process.

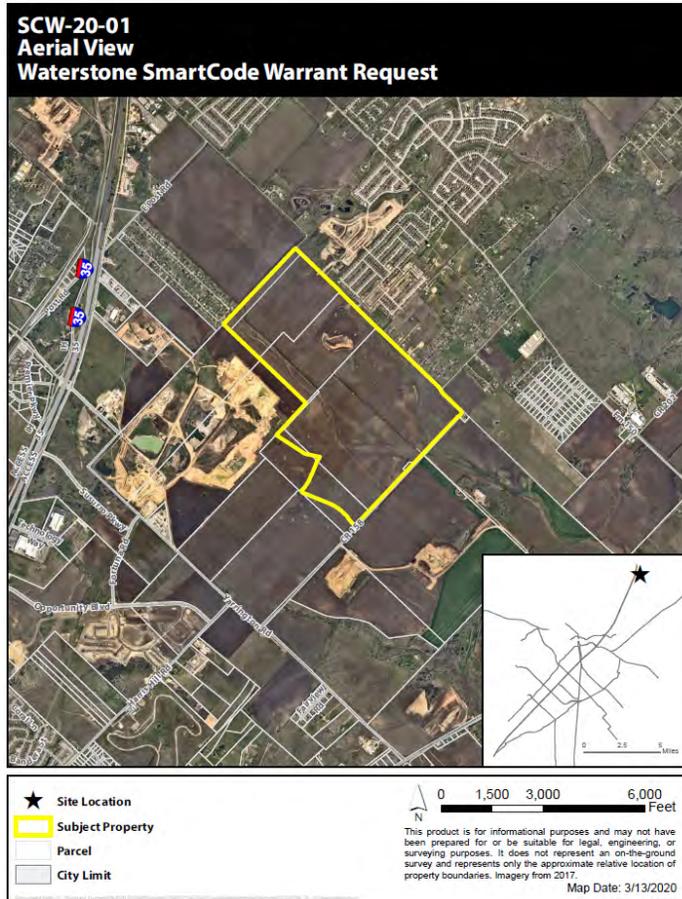
Signature of Property Owner: [Signature] Date: 1/7/20
Printed Name: Timothy Timmerman

Signature of Agent: [Signature] Date: 1/15/20
Printed Name: Blake Reed

To be completed by Staff: Case # _____ - _____ - _____

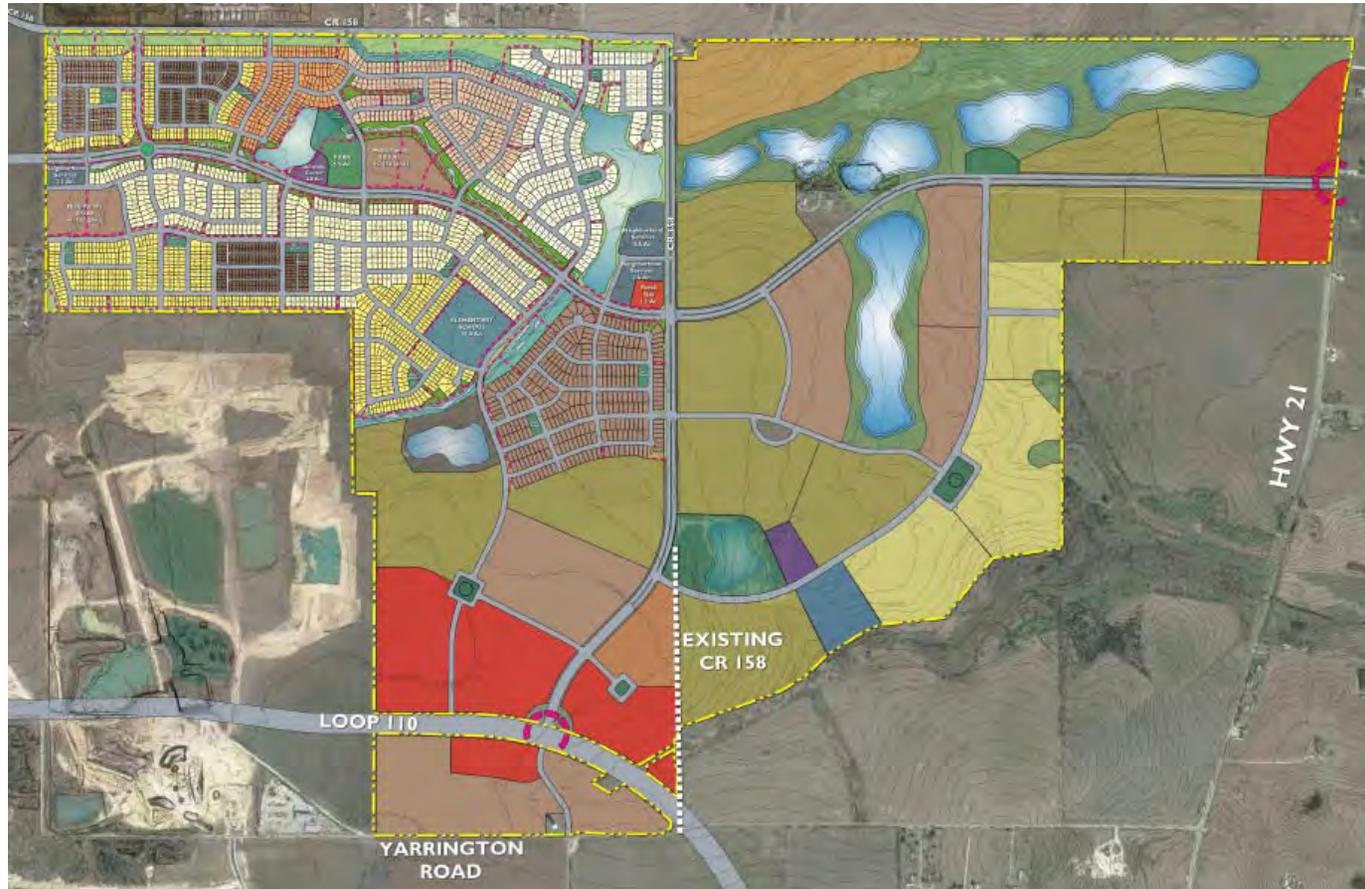
| <u>Property ID</u> | <u>Owner</u> |
|--------------------|----------------------|
| R14883 | TACK Development L |
| R14884 | TACK Development L |
| R70463 | TACK Development L |
| R115651 | LaSalle Holdings LTD |
| R14901 | LaSalle Holdings LTD |
| R14927 | LaSalle Holdings LTD |

| | |
|---------------------------|---|
| Property ID: | R14883 |
| Legal Description: | A0221 WILLIAM HEMPHILL SURVEY, TRACT PT 1, ACRES 19.39 |
| Property ID: | R14884 |
| Legal Description: | A0221 WILLIAM HEMPHILL SURVEY, TRACT PT 1, ACRES 100.11 |
| Property ID: | R70463 |
| Legal Description: | A0221 WILLIAM HEMPHILL SURVEY, TRACT PT 1, ACRES 116.6 |
| Property ID: | R115651 |
| Legal Description: | A0221 WILLIAM HEMPHILL SURVEY, ACRES 326.52 |
| Property ID: | R14901 |
| Legal Description: | A0221 WILLIAM HEMPHILL SURVEY, TRACT PT OF 3, ACRES 0.5 |
| Property ID: | R14927 |
| Legal Description: | A0221 WILLIAM HEMPHILL SURVEY, TRACT 1, ACRES 84.85 |



SCW-20-01 (Waterstone Warrants)

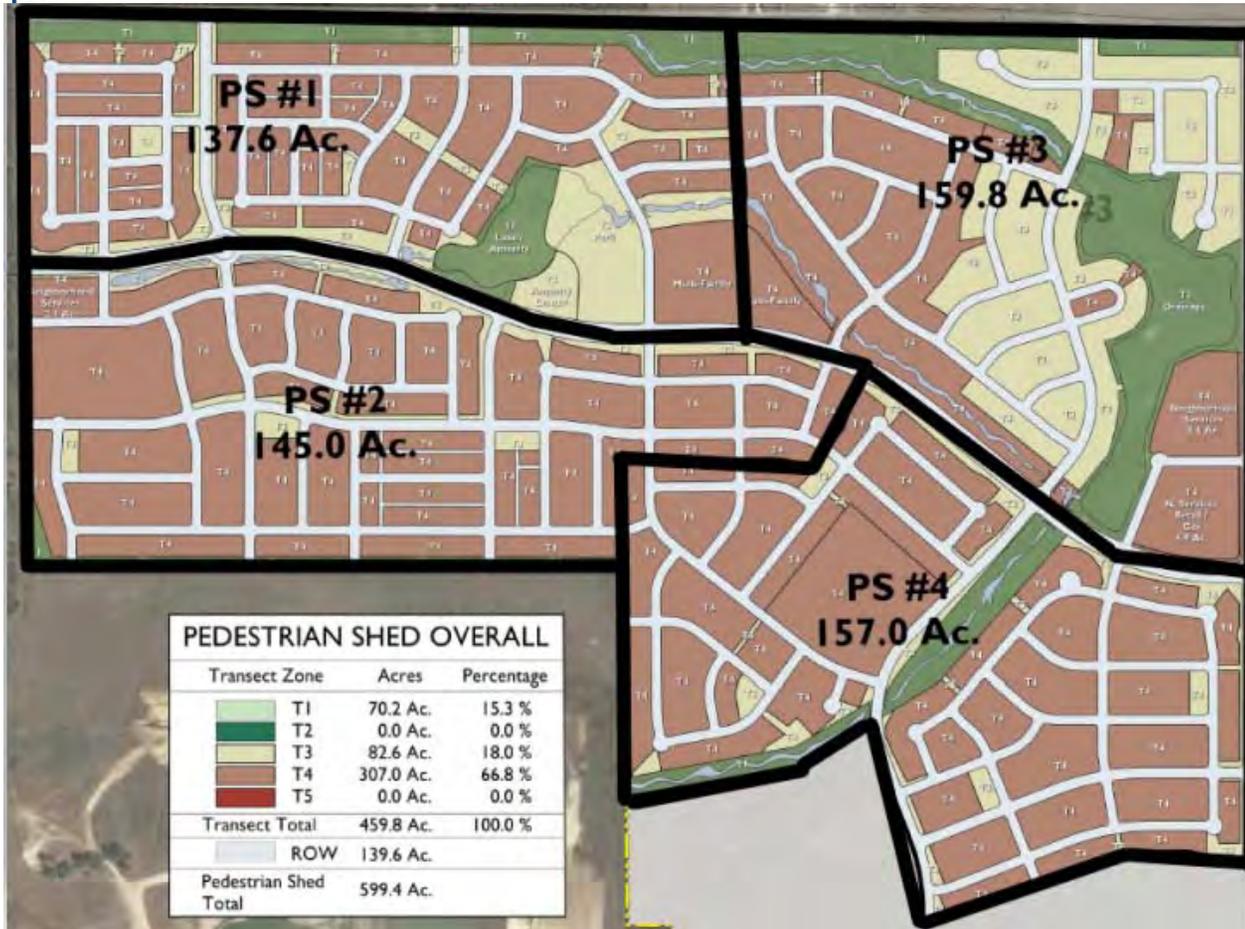
Hold a public hearing and consider a request by Blake Reed, on behalf of TACK Development & LaSalle Holdings, for 12 SmartCode Warrants that allow deviation from SmartCode (SC) Zoning for a +/- 648 acre site out of the William Hemphill Survey. (A. Hernandez)



Developer's Illustrative Plan – Phase 1



Proposed Pedestrian Sheds 1 – 4



WARRANT #1: Transect Zone Allocation

- Code Requires

| Transect | Allocation |
|----------|------------|
| T-1 | No Min. |
| T-2 | No Min. |
| T-3 | 10-30% |
| T-4 | 30-60% |
| T-5 | 10-30% |

- Warrant Requests

| Ped Shed #1 | Ped Shed #2 | Ped Shed #3 | Ped Shed #4 |
|-------------|-------------|-------------|-------------|
| 17.6% | 4.5% | 27.9% | 9.0% |
| 0.0% | 0.0% | 0.0% | 0.0% |
| 21.9% | 9.0% | 30.5% | 8.8% |
| 60.5% | 86.5% | 41.6% | 82.2% |
| 0.0% | 0.0% | 0.0% | 0.0% |

WARRANT #2: Elementary School Site

- Code Allows



Example: Wonderland (Private) School +/- 2 acres

- Warrant Requests



Example: Crockett Elementary +/- 10 acres



WARRANT #3: Passages and Paths

- Code Allows

| | T-1 | T-2 | T-3 | T-4 | T-5 |
|---------|---------------|---------------|---------------|----------------|---------------|
| Path | Permitted | Permitted | Permitted | Not Permitted* | Not Permitted |
| Passage | Not Permitted | Not Permitted | Not Permitted | Permitted | Permitted |

- Warrant Requests

| | T-1 | T-2 | T-3 | T-4 | T-5 |
|---------|---------------|---------------|--------------------------|---------------------------|---------------|
| Path | Permitted | Permitted | Permitted | Not Permitted* | Not Permitted |
| Passage | Not Permitted | Not Permitted | Not Permitted | Permitted | Permitted |

sanmarcostx.gov

* Permitted with Open Space

WARRANT #4: Multifamily Lot Size

- Code Allows



Source: www.castarchitecture.com

- Warrant Requests





WARRANT #5: Single Family Side Setbacks

- Code Allows

| Setbacks | | | |
|-------------------|-----|------------------|------------------|
| | T3 | T4 | T5 |
| Front (principal) | 24' | 6' min – 18' max | 0' min – 12' max |
| Front (secondary) | 12' | 6' min – 18' max | 0' min – 12' max |
| Side | 12' | 0' min – 6' max | 0' min – 24' max |
| Rear | 12' | 3' | 3' |

- Warrant Requests

| Setbacks | | | |
|-------------------|----------------------|------------------|------------------|
| | T3 | T4 | T5 |
| Front (principal) | 24' | 6' min – 18' max | 0' min – 12' max |
| Front (secondary) | 12' | 6' min – 18' max | 0' min – 12' max |
| Side | 12' 5' | 0' min – 6' max | 0' min – 24' max |
| Rear | 12' | 3' | 3' |

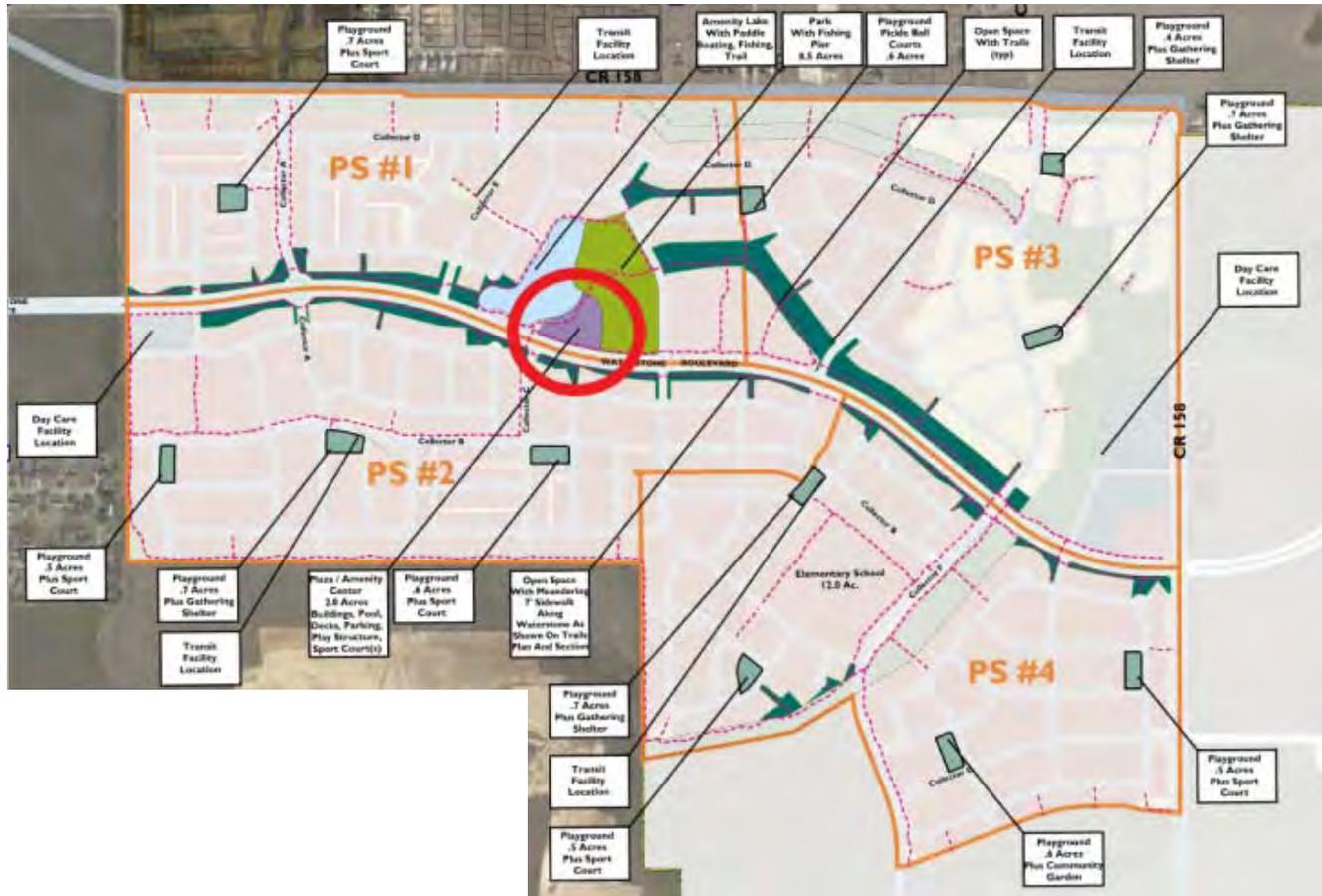
sanmarcostx.gov

WARRANT #6: Civic Buildings

-
- | | |
|---|---|
| <ul style="list-style-type: none">• Code Allows• ...construct a Meeting Hall or a Third Place in proximity to the Main Civic Space of each Pedestrian Shed | <ul style="list-style-type: none">• Warrant Requests• Allow the amenity center to serve as the Civic Buildings required for each pedestrian shed |
|---|---|
-
- Staff Proposed Condition: the required shelter and bench shall not be waived in any pedestrian shed



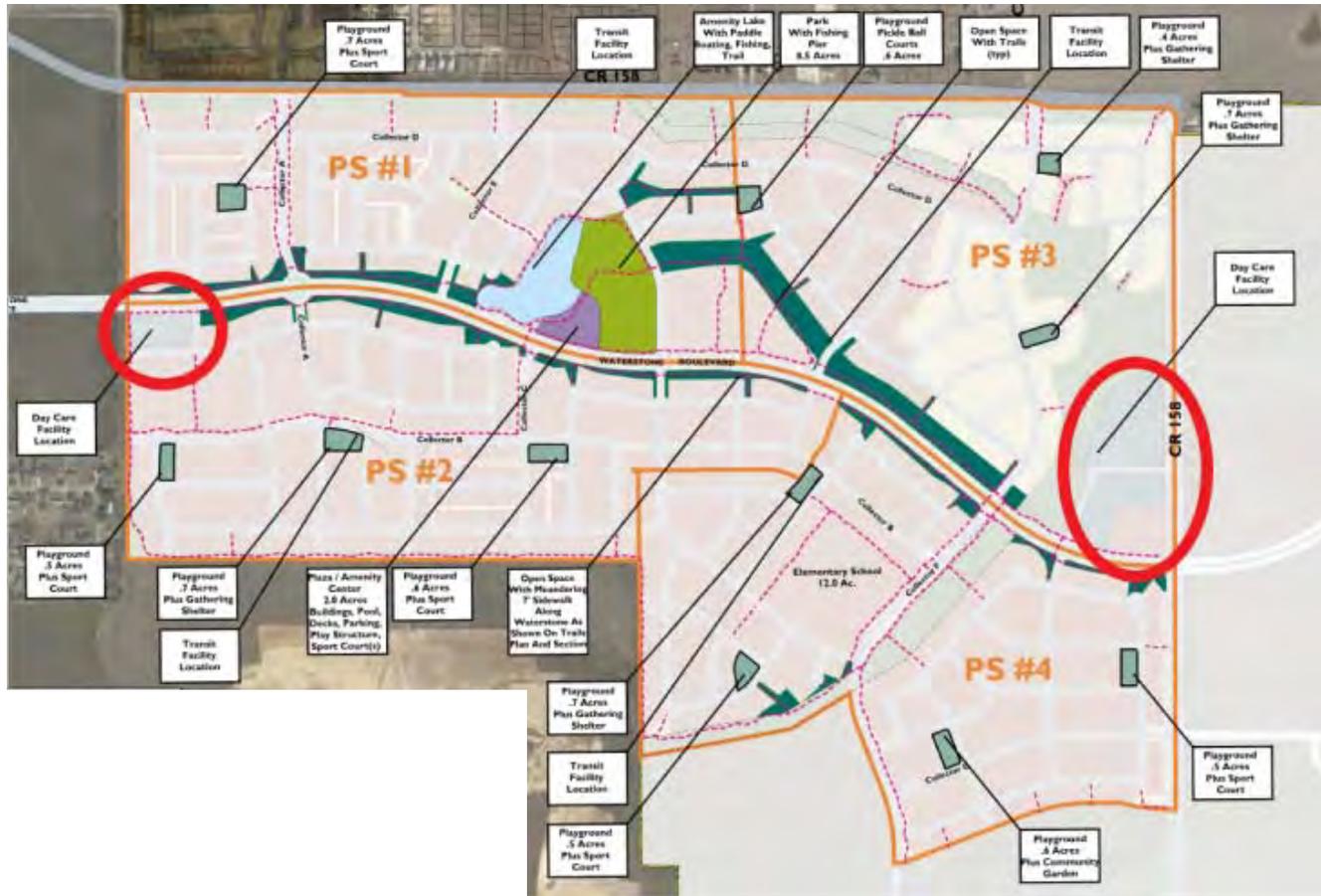
Proposed Civic Space Plan – Amenity Center



WARRANT #7: Childcare Buildings

-
- | | |
|---|---|
| <ul style="list-style-type: none">• Code Allows• One Civic Building Lot suitable for a childcare building shall be reserved within each Pedestrian Shed (4 total required) | <ul style="list-style-type: none">• Warrant Requests• Two Civic Building Lots suitable for a childcare building shall be reserved within Phase 1 |
|---|---|

SAN MARCOS Proposed Civic Space Plan – Day Care Facility

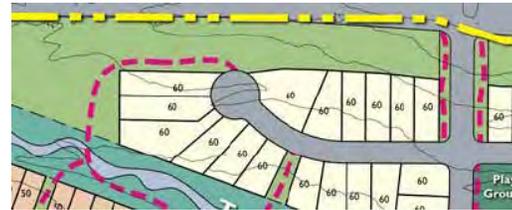


WARRANT #8: Cul-De-Sac #3

- Code Allows: cul-de-sac with staff approval



- Warrant Requests: cul-de-sac not approved by staff

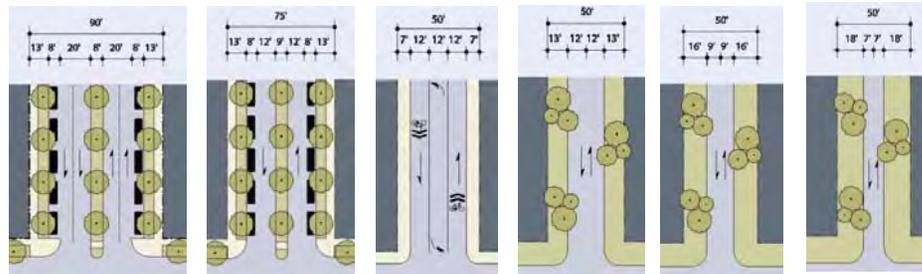


- Staff Proposal: Provide one additional connection to CR 158

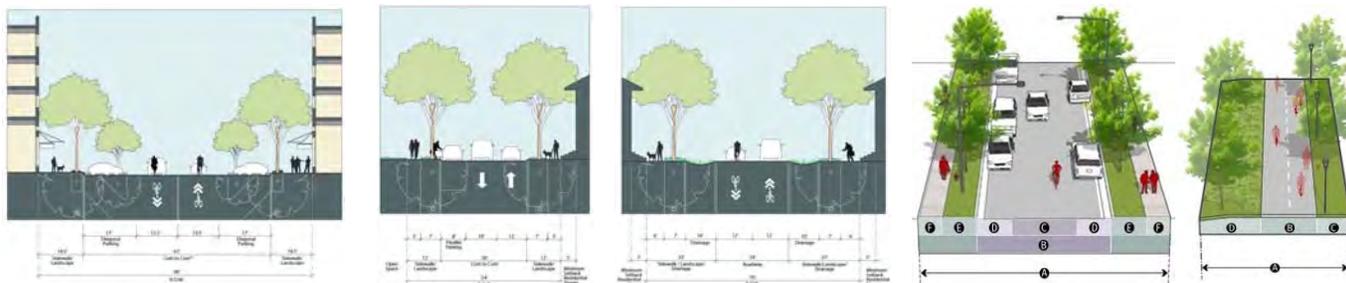


WARRANT #9: Cross Sections / Public Frontage

- Code Allows



- Warrant Requests

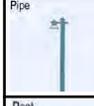


WARRANT #10: Public Lighting

- Code Allows

| | T1 | T2 | T3 | T4 | T5 |
|---|----|----|----|----|----|
|  Cobra Head | X | | | | |
|  Pipe | X | X | X | | |
|  Post | | X | X | X | |
|  Column | | | X | X | X |
|  Double Column | | | | | X |

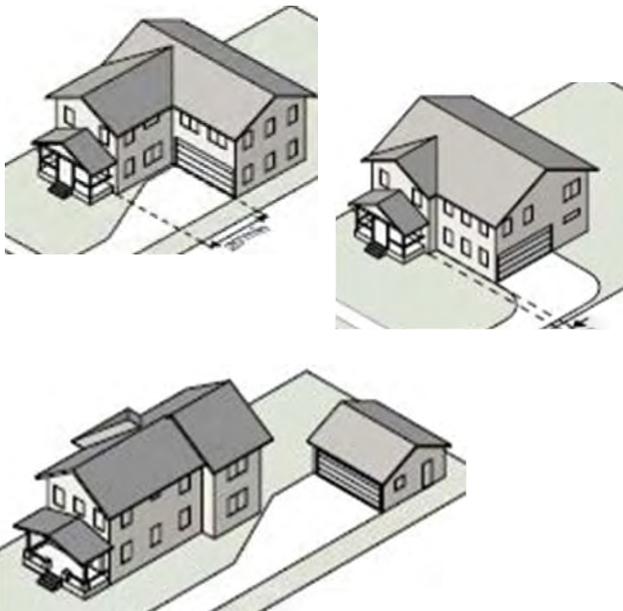
- Warrant Requests

| | T1 | T2 | T3 | T4 | T5 |
|---|--------------|----|----|----|----|
|  Cobra Head | X | | | | |
|  Pipe | X | X | X | X | X |
|  Post | X | X | X | X | X |
|  Column | X | X | X | X | X |
|  Double Column | X | X | X | X | X |

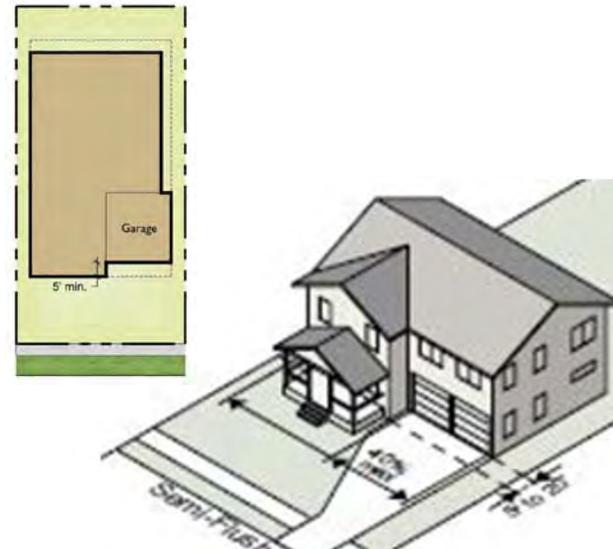
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WARRANT #11: Single-Family Garage Placement

- Code Allows



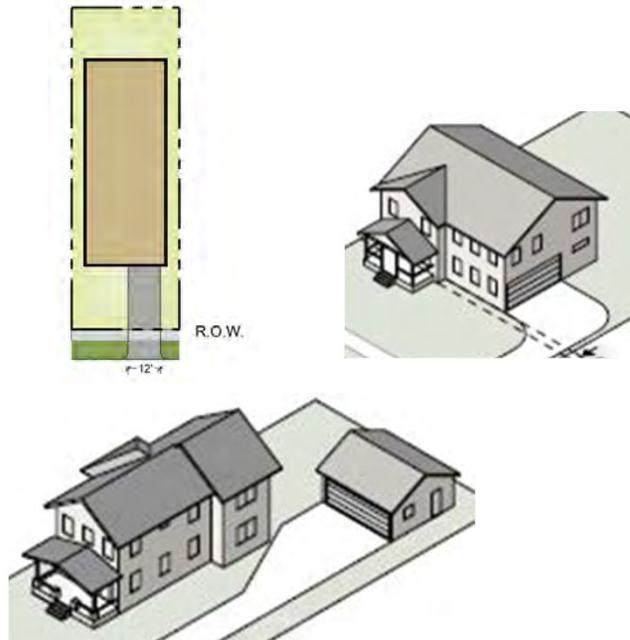
- Warrant Requests



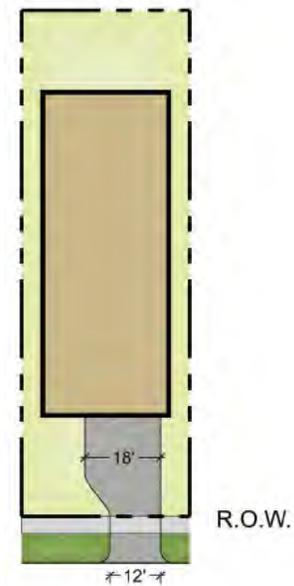
sanmarcostx.gov

WARRANT #12: Driveway Width in First Layer

- Code Allows



- Warrant Requests



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Staff Recommendation:

Staff provides this request to the Commission and recommends

- **Approval** of Warrants 1, 2, 3, 4, 5, 7, 9, & 10 as presented,
- **Approval** of Warrant #6 with the condition that transit stops shall be provided in each pedestrian shed, and
- **Approval** of Warrant #12 with the condition that driveways not exceed 12 feet at the property line.

Staff provides this request to the Commission with a **NEUTRAL** recommendation on:

- Warrant #8 regarding the third cul-de-sac.

Staff also recommends a general condition:

- Approval of any warrants shall not constitute approval of any required Regulating Plan exhibits used for illustration in the consideration of the warrant request.

sanmarcostx.gov





Legislation Text

File #: AC-19-05, Version: 1

AGENDA CAPTION:

AC-19-05 (Grant Harris) Hold a public hearing and consider a request by Angel Hernandez for an Alternative Compliance to Section 3.6.3.1(A) of the San Marcos Development Code, to allow the subdivision of a property into two lots which do not have frontage on a public street, located at 1070 Grant Harris Road. (W. Parrish)

Meeting date: April 14, 2020

Department: Planning and Development Services

Amount & Source of Funding

Funds Required: NA
Account Number: NA
Funds Available: NA
Account Name: NA

Fiscal Note:

Prior Council Action: [Click or tap here to enter text.](#)

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

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 - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services

Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

The applicant is requesting an Alternative Compliance to deviate from the requirement that all lots must have frontage on a public street. The existing neighborhood was created prior to this rule being in effect, and there is a private road that extends the length of the existing neighborhood, which is within a shared easement. The applicant would like to split his current 4.57 acre lot into two 2.28 acre lots, both will have access to the existing private road. Hays County has reviewed and approved this subdivision request.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Staff recommends that the request be approved with the following conditions:

1. This proposed subdivision shall meet all requirements of the San Marcos Development Code;
2. This Alternative Compliance shall not expire.

| | |
|-------------------------------|------------------------|
| Alternative Compliance | Grant Harris |
| AC-19-05 | Public Frontage |



Summary

| | | | |
|---|--|------------------------|--|
| Request: | An Alternative Compliance to the requirement that all lots have public street frontage in Section 3.6.3.1(A) of the San Marcos Development Code. | | |
| Applicant: | Angel Hernandez 1240 Conway Drive San Marcos, TX 78666 | Property Owner: | Angel Hernandez 1240 Conway Drive San Marcos, TX 78666 |
| Alternative Compliance Expiration: | The Alternative Compliance shall not expire. | | |

Notification

| | | | |
|------------------|---------------------------------|------------------|-----------------------|
| Posted: | NA | Personal: | March 26, 2020 |
| Response: | None as of date of Staff Report | | |

Property Description

| | | | |
|---------------------------|--|-------------------------------|---------------|
| Legal Description: | Approximately 4.57 acres, more or less, out of the Antonio M Esnaurizar Survey No 6, Hays County | | |
| Location: | Near the intersection of Highway 123 and Old Bastrop Highway | | |
| Acreage: | 4.57 +/- | Central Business Area: | No |
| Existing Zoning: | NA - ETJ | Preferred Scenario: | Low Intensity |
| Existing Use: | Residential | Proposed Use: | Residential |
| CONA Neighborhood: | N/A | Sector: | N/A |
| Utility Capacity: | Developer is responsible for extending utilities. | | |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|---------------|------------------------------------|---------------------------|
| North of Property: | ETJ | Single Family Rural / Agricultural | Low Intensity |
| South of Property: | ETJ | Single Family Rural / Agricultural | Low Intensity |
| East of Property: | ETJ | Single Family Rural | Low Intensity |
| West of Property: | ETJ | Single Family Rural | Low Intensity |

Alternative Compliance**AC-19-05****Grant Harris****Public Frontage****History**

The applicant is requesting an Alternative Compliance to deviate from the requirement that all lots must have frontage on a public street. The existing neighborhood was created prior to this rule being in effect, and there is a private road that extends the length of the existing neighborhood, which is within a shared easement. The applicant would like to split his current 4.57 acre lot into two 2.28 acre lots. Both lots will have access to the existing private road. Hays County has reviewed and approved this subdivision request.

Additional Analysis

Section 3.6.3.1(A) of the San Marcos Development Code states that all lots shall have access to a public street. This requirement is to ensure orderly development and prevent the creation of undevelopable or land locked lots.

The existing lot has frontage on an existing private road, and the property owner is requesting to subdivide the lot in a manner that would ensure that both new lots would have direct frontage on the existing private road.

There are six lots between the lot in question and the closest public road, which are not under the applicant's control. Because of this it is not feasible to require the existing private road to be dedicated to the public up to this lot.

Comments from Other Departments

| | |
|------------------------|-------------|
| Police | No Concerns |
| Fire | No Concerns |
| Public Services | No Concerns |
| Engineering | No Concerns |

Staff Recommendation

| | | | | | |
|--|-------------------------------------|---------------------------------|--------------------------|-------------------------------|--------------------------|
| Approval as Submitted | <input checked="" type="checkbox"/> | Approval with Conditions | <input type="checkbox"/> | Denial | <input type="checkbox"/> |
| Staff recommends that the request be approved with the following conditions: | | | | | |
| General: | | | | | |
| 1. This proposed subdivision shall meet all requirements of the San Marcos Development Code; | | | | | |
| 2. This Alternative Compliance shall not expire. | | | | | |
| Staff: Will Parrish AICP, CNU-A | | Title : Planner | | Date: January 30, 2020 | |



| valuation | | | Criteria for Approval (2.8.4.4) |
|------------|--------------|---------|---|
| Consistent | Inconsistent | Neutral | |
| <u>X</u> | | | <p>The request is consistent with the policies embodied in the adopted Comprehensive Plan; <i>This property is within the ETJ, in a Low Intensity zone, which the Comprehensive Plan anticipates will generally maintain its character.</i></p> |
| <u>X</u> | | | <p>The request is consistent with the general purpose, intent and character of the development regulations applicable to the property; <i>See Criteria for Approval in Section 3.6.5.1 below.</i></p> |
| <u>X</u> | | | <p>There are special circumstances or conditions arising from the physical surroundings, shape, topography or other features affecting the subject property; <i>The property is located off an existing private road, and does not currently have frontage on a public road.</i></p> |
| <u>X</u> | | | <p>The request is detrimental to the public health, safety or welfare, or injurious to other property within the area; <i>The request is not detrimental to the health, safety or welfare as it does not increase any non-conformities.</i></p> |
| <u>X</u> | | | <p>The request either:</p> <ul style="list-style-type: none"> a. Does not have an adverse impact upon adjacent property or neighborhoods, including but not limited to, parking, traffic, noise, odors, visual nuisances, and drainage; or <i>The addition of one lot will not have a meaningful impact on the surrounding property.</i> b. Includes Improvements either on-site or within the public rights-of-way to mitigate any such adverse impacts. |
| <u>X</u> | | | <p>The request shall not have the effect of preventing the orderly use and enjoyment of other property within the area in accordance with the provisions of this Development Code, or adversely affect the rights of owners or residents of adjacent property or neighborhoods; <i>No adverse effects on surrounding properties or neighborhoods are noted.</i></p> |



| Evaluation | | | Criteria for Approval (2.8.4.4) cont. |
|------------|--------------|---------|--|
| Consistent | Inconsistent | Neutral | |
| <u>X</u> | | | <p>The request shall not result in any incompatibility of the development to which it relates with, or the character and integrity of, adjacent property or neighborhoods; and</p> <p><i>The request is compatible with the adjacent property.</i></p> |
| <u>X</u> | | | <p>The request meets the standards for the applicable zoning district, or to the extent deviations from such standards have been requested, that such deviations are necessary to render the subject development or Improvement compatible with adjacent development or the neighborhood.</p> <p><i>This property is not zoned, as it is in the ETJ.</i></p> |

| Evaluation | | | Maximum Lot Width Alternative Compliance Findings (Section 3.6.5.1) |
|------------|--------------|---------|--|
| Consistent | Inconsistent | Neutral | |
| <u>X</u> | | | <p>The approved alternate meets the intent of Section 3.6.1.1</p> <p>A. The intent of the maximum block perimeter and connectivity regulations is to provide a well-connected street network. <i>The request does not modify the block perimeter or connectivity regulations.</i></p> <p>B. Large blocks with limited connectivity discourages walking, contributes to street congestion and adds driving distance that can negatively impact emergency services. <i>The request does not have an effect on the maximum block length requirement.</i></p> <p>C. New streets should be designed to consider future development. <i>No new streets proposed.</i></p> <p>D. The access regulations are intended to provide safe and convenient vehicular and pedestrian access within developments and between adjacent developments to lessen traffic congestion. Pedestrian, bike, and vehicular access should be safe, direct and convenient. <i>Not applicable.</i></p> |

Alternative Compliance

AC-19-05

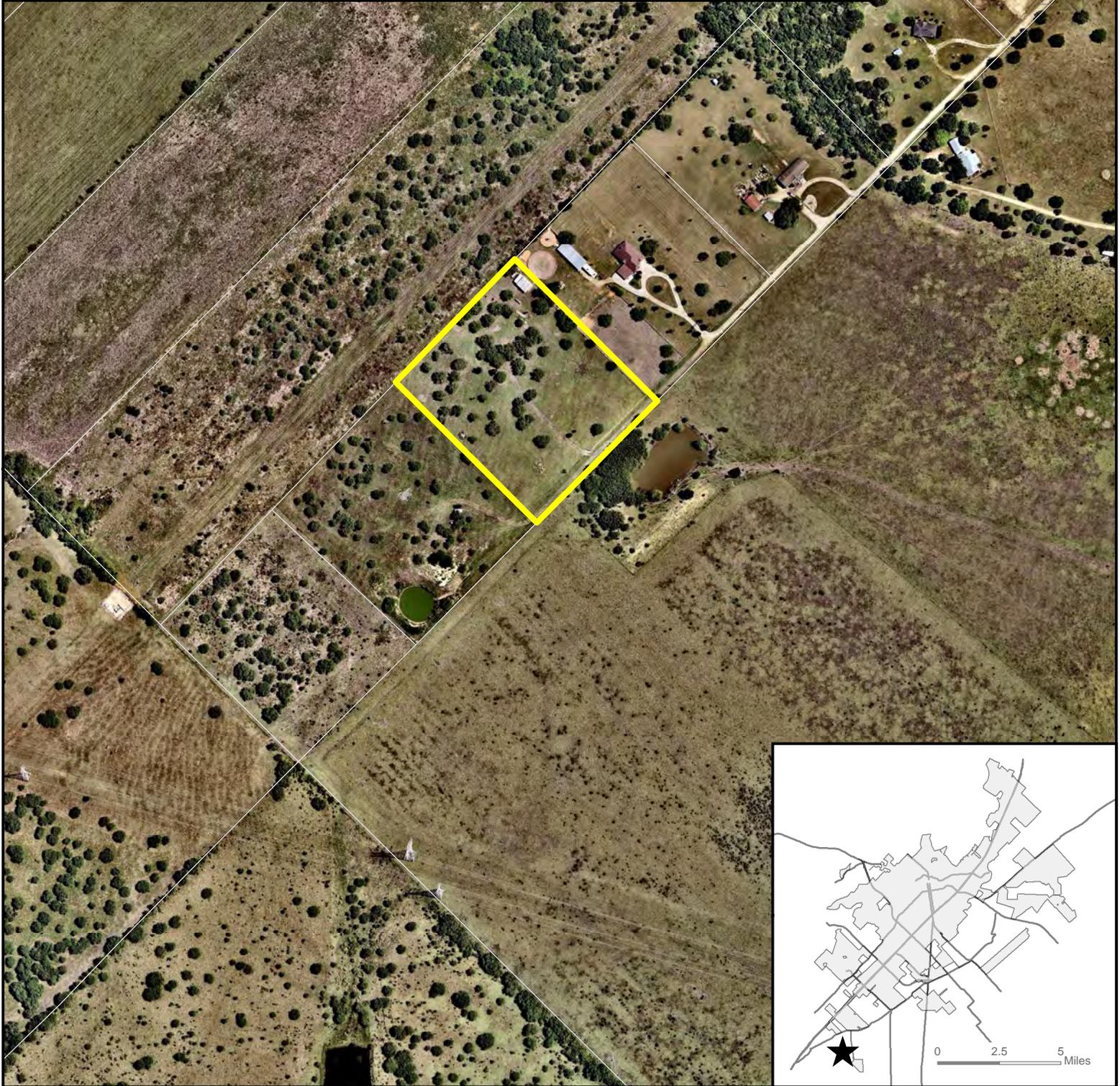
Grant Harris

Public Frontage

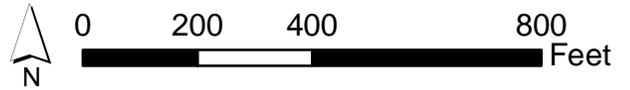


| Evaluation | | | Maximum Lot Width Alternative Compliance Findings (Section 3.6.5.1) cont. |
|------------|--------------|---------|---|
| Consistent | Inconsistent | Neutral | |
| <u>X</u> | | | <p>The approved alternate conforms with the Comprehensive Plan and adopted City plans; <i>Request is consistent with the Comprehensive Plan and adopted City Plans.</i></p> |
| <u>X</u> | | | <p>The approved alternate does not increase congestion or compromise safety; <i>The request has no impact on congestion on public streets.</i></p> |
| <u>X</u> | | | <p>The approved adjustment does not create any lots without direct street frontage; <i>The request does create an additional lot that will not have direct public street frontage. However, the existing lots do not have direct public street frontage, but share a 30' easement known as "Grant Harris Road" with provides access to Francis Harris Road.</i></p> |
| <u>X</u> | | | <p>The design adjustment is deemed reasonable due to one or more of the following:</p> <ul style="list-style-type: none"> a. Topographic changes are too steep; b. The presence of existing buildings, stream and other natural features; c. Site layout of developed properties d. Adjoining uses or the vehicles are incompatible; e. Strict compliance would propose a safety hazard; or f. The design adjustment does not conflict with an approved or built roadway construction project adjacent to or in the vicinity of the site. <p><i>The design adjustment does not conflict with any approved or built roadways and is compatible with the layout of surrounding properties.</i></p> |

AC-19-05 Aerial View Grant Harris Subdivision — 1070 Grant Harris Rd



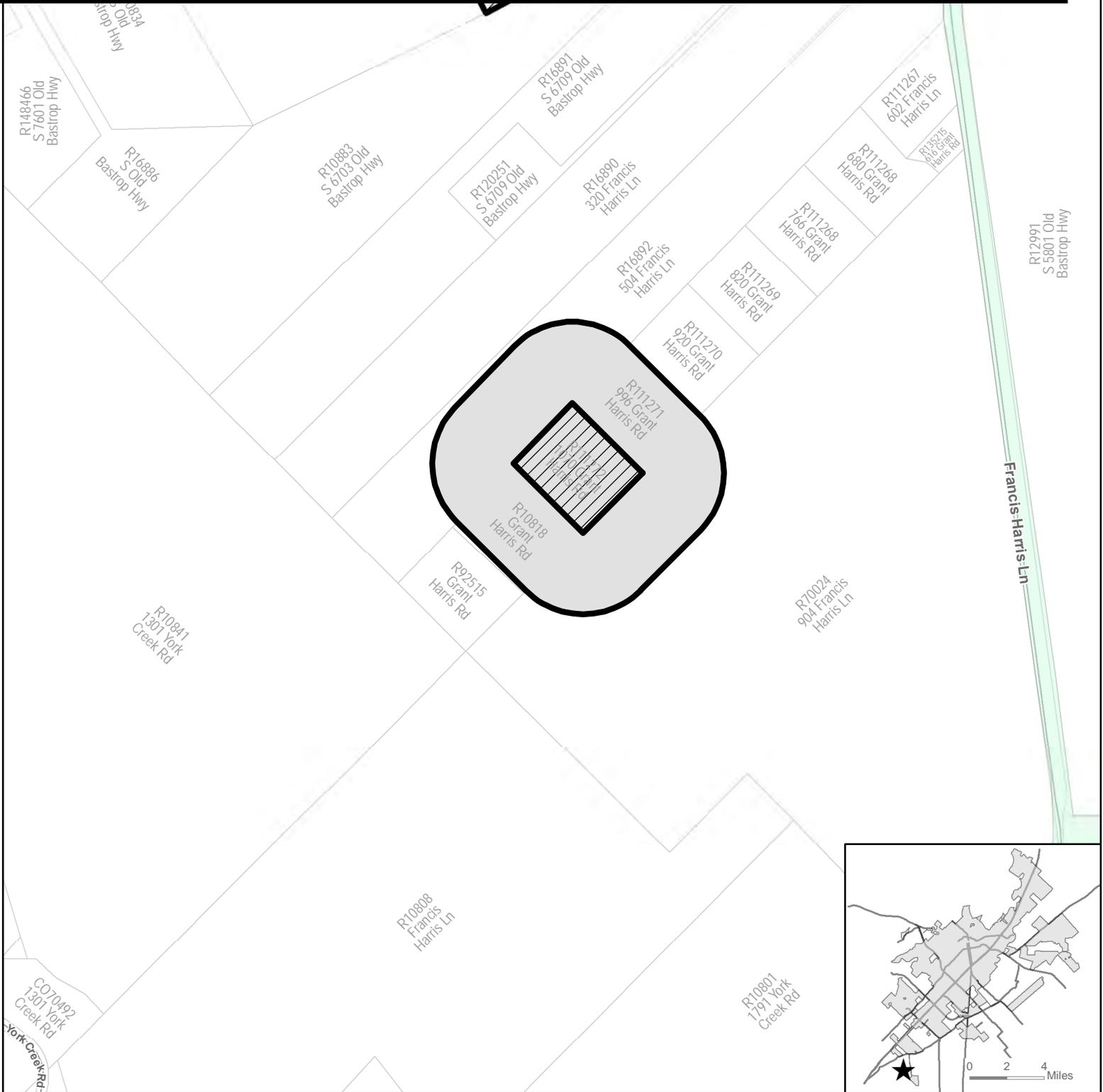
- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit



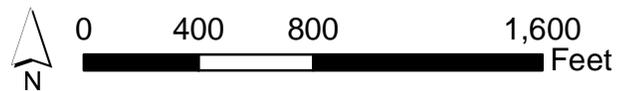
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 3/26/2020

AC-19-05 400' Notification Buffer Grant Harris Subdivision — 1070 Grant Harris Rd



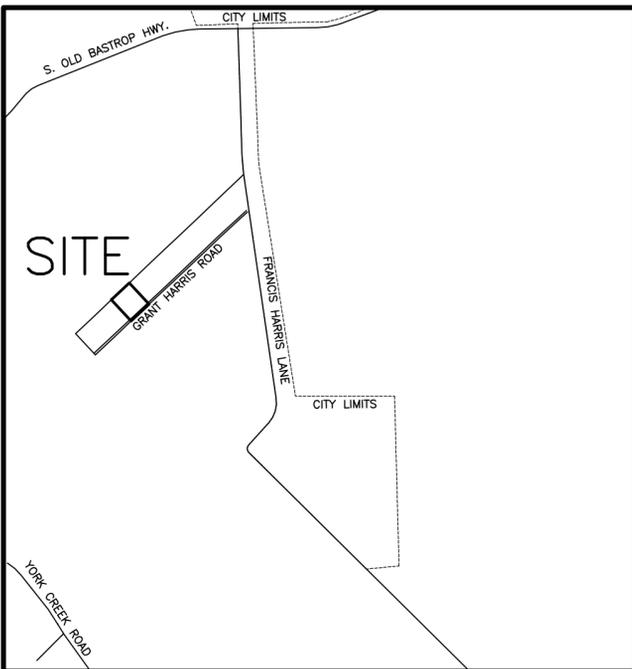
- ★ Site Location
-  Subject Property
-  400' Buffer
-  Parcel
-  City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 3/26/2020

| Property ID | Property Address | Owner Name | Owner Address | City | State | Zip |
|-------------|--------------------|---|--|------------|-------|------------|
| R111271 | 996 GRANT HARRIS | ALVARADO, REFUGIO | 996 GRANT HARRIS RD | SAN MARCOS | TX | 78666-8983 |
| R70024 | 900 FRANCIS HARRIS | HAYS ENERGY LP | ATTN: STATE & LOCAL TAX DEPT P O BOX 219071 | DALLAS | TX | 75221-9071 |
| R111272 | 1070 GRANT HARRIS | HERNANDEZ ANGEL L & CANCHOLA GEORGINA DAVILA | 1240 CONWAY DR | SAN MARCOS | TX | 78666 |
| R10850 | 504 FRANCIS HARRIS | MENARD, STACEY | 504 FRANCIS HARRIS LN | SAN MARCOS | TX | 78666 |
| R111270 | 920 GRANT HARRIS | YOUNT JAMES H & SHARON L | 920 GRANT HARRIS RD | SAN MARCOS | TX | 78666 |



VICINITY MAP - 1"=2000'

LEGEND

- HCDN HAYS COUNTY DOCUMENT NUMBER
- HAYS COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS
- 1/2" IRON ROD FOUND WITH PLASTIC CAP STAMPED "BYRN SURVEY"
- 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "BYRN SURVEY"
- 1/2" IRON ROD FOUND OR DIAMETER NOTED
- 1/2" IRON ROD FOUND WITH PLASTIC CAP STAMPED "LAMBERTS SURVEY"
- CONCRETE NAIL FOUND

GENERAL NOTES

1. ACCORDING TO SCALING FROM THE CURRENT F.E.M.A. FLOOD INSURANCE RATE MAPS NO. 48209C0467F AND 48209C0486F, DATED SEPTEMBER 2, 2005, THIS TRACT LIES WITHIN ZONE X, (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).
2. ACCORDING TO SCALING FROM TCEQ MAPS NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE AND NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER CONTRIBUTING ZONE.
3. THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE SAN MARCOS CISD.
4. THIS TRACT LIES WITHIN THE BOUNDARIES OF THE SAN MARCOS ETJ.
5. THIS SUBDIVISION LIES WITHIN HAYS COUNTY EMERGENCY SERVICES DISTRICTS 3 AND 9.
6. MAIL BOXES PLACED WITHIN THE ROW, SHALL BE OF AN APPROVED TXDOT OR FHWA DESIGN, PER COUNTY DEVELOPMENT REGULATIONS, CHAPTER 721, SUBCHAPTER 2.01.



ORIGINAL SCALE
1" = 100'

STATE OF TEXAS*
COUNTY OF HAYS*

KNOW ALL MEN BY THESE PRESENTS, THAT WE, ANGEL L. HERNANDEZ AND GEORGINA DAVILA CANCHOLA, OWNERS OF 4.57 ACRES IN THE A. M. ESNAURIZAR SURVEY, ABSTRACT NO. 6, HAYS COUNTY, TEXAS AS CONVEYED TO US BY DEED DATED AUGUST 16, 2016, AND RECORDED AS DOCUMENT NO. 16027730, HAYS COUNTY OFFICIAL PUBLIC RECORDS, DO HEREBY SUBDIVIDE THIS PROPERTY TO BE KNOWN AS LOT 7-A AND 7-B, GRANT HARRIS SUBDIVISION, IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON.

ANGEL L. HERNANDEZ, OWNER GEORGINA DAVILA CANCHOLA, OWNER
1240 CONWAY DRIVE
SAN MARCOS, TX 78666

STATE OF TEXAS*
COUNTY OF HAYS*

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ANGEL L. HERNANDEZ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, A.D., 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS*
COUNTY OF HAYS*

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GEORGINA DAVILA CANCHOLA KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, A.D., 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

APPROVED AND AUTHORIZED TO BE RECORDED ON THE ____ DAY OF _____, 2019 BY THE DIRECTOR OF DEVELOPMENT SERVICES DEPARTMENT OF THE CITY OF SAN MARCOS.

SHANNON MATTINGLY _____
DIRECTOR OF PLANNING DATE
AND DEVELOPMENT SERVICES

RECORDING SECRETARY _____
DATE

CIP AND ENGINEERING _____
DATE

STATE OF TEXAS *
COUNTY OF HAYS *

I, ELAINE H. CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT PURSUANT TO SECTION 701.8.01.A.(1) OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, THE HAYS COUNTY COMMISSIONERS COURT HAS AUTHORIZED THE FILING FOR RECORD OF THIS PLAT.

RUBEN BECERRA ELAINE H. CARDENAS
COUNTY JUDGE COUNTY CLERK
HAYS COUNTY, TEXAS HAYS COUNTY, TEXAS

STATE OF TEXAS *
COUNTY OF HAYS *

I, ELAINE H. CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF _____, 2019, AT ____ O'CLOCK ____M., AND DULY RECORDED ON THE ____ DAY OF _____, 2019 AT ____ O'CLOCK ____M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN INSTRUMENT NUMBER _____.

ELAINE H. CARDENAS,
COUNTY CLERK
HAYS COUNTY, TEXAS

KNOW ALL MEN BY THESE PRESENTS:

THAT I, DAVID C. WILLIAMSON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN HEREON AS "SET" WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF SAN MARCOS.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

REGISTERED PROFESSIONAL LAND SURVEYOR
DAVID C. WILLIAMSON, R.P.L.S. NO. 4190

BYRN &
ASSOCIATES, INC.

SURVEYING

P.O. BOX 1433 SAN MARCOS, TEXAS 78667
PHONE 512-396-2270 FAX 512-392-2945
FIRM NO. 10070500

PLAT OF
LOTS 7-A AND 7-B
GRANT HARRIS SUBDIVISION
BEING 4.57 ACRES, MORE OR LESS, IN THE
ANTONIO M. ESNAURIZAR SURVEY, A-6,
HAYS COUNTY, TEXAS

I, THE UNDERSIGNED, DIRECTOR OF THE HAYS COUNTY DEVELOPMENT SERVICES DEPARTMENT, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL HAYS COUNTY REQUIREMENTS AS STATED IN THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN MARCOS.

CAITLYN STRICKLAND, DIRECTOR DATE
HAYS COUNTY DEVELOPMENT SERVICES

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER SUPPLIES AND DIMINISHING WATER QUALITY, PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED BY HAYS COUNTY TO QUESTION THE SELLER CONCERNING GROUND WATER AVAILABILITY. RAIN WATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE BEST RENEWABLE WATER RESOURCE.

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY DEVELOPMENT SERVICES.

NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL HAYS COUNTY DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.

TOM POPE, R.S., C.F.M. DATE
HAYS COUNTY FLOODPLAIN ADMINISTRATOR

CAITLYN STRICKLAND, DIRECTOR DATE
HAYS COUNTY DEVELOPMENT SERVICES

LOT SIZE CATEGORIES

- TOTAL AREA = 4.57 ACRES
- TOTAL NUMBER OF LOTS = 2
- AVERAGE LOT SIZE = 2.28 ACRES
- NUMBER OF LOTS OVER 10 ACRES = 0
- NUMBER OF LOTS 5 - 10 ACRES = 0
- NUMBER OF LOTS 2 - 5 ACRES = 2
- NUMBER OF LOTS 1 - 2 ACRES = 0
- NUMBER OF LOTS LESS THAN 1 ACRE = 0

UTILITIES:
ELECTRIC-PEDERNALES ELEC. COOP.
WATER-CRYSTAL CLEAR WS
SEWER-ON SITE SEWAGE FACILITIES

DRIVEWAY PERMIT STATEMENT:

DRIVEWAYS SHALL COMPLY WITH CHAPTER 721 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, AND BE PERMITTED THROUGH THE TRANSPORTATION DEPARTMENT OF HAYS COUNTY UNDER CHAPTER 751.

ALL CULVERTS, WHEN REQUIRED SHALL COMPLY WITH THE CURRENT HAYS COUNTY STANDARD, PER HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 705, SUBCHAPTER 8.03.

CLIENT: HERNANDEZ, A.
DATE: AUGUST 23, 2019
OFFICE: BRYANT
CREW: C. SMITH
FB/PG: 286/66
PLAT NO. 27710-19-c



Hays County Development Services
P.O Box 1006 San Marcos TX 78667-1006
2171 Yarrington Road San Marcos TX 78666
512-393-2150 / 512-493-1915 fax

March 17, 2020

Shannon Mattingly
Director of Development Services
City of San Marcos

Re: **Grant Harris Subdivision (SUB-1370-NP)**

Ms. Mattingly,

The Hays County Development and Community Services staff has had an opportunity to review the aforementioned subdivision for compliance with the Hays County Development Regulations. Hays County staff has no further review comments at this time.

Pursuant to the Interlocal Cooperation Agreement between Hays County and the City of San Marcos for subdivision regulation within the extraterritorial jurisdiction of the City of San Marcos, please move forward with approval of the plat as submitted.

If you have any questions please let me know.

Regards,

Caitlyn G. Strickland

Caitlyn Strickland
Director
Hays County Development Services

CONDITIONAL USE PERMIT / ALTERNATIVE COMPLIANCE (GENERAL) APPLICATION



Updated: October, 2019

CONTACT INFORMATION

| | | | |
|-----------------------------|-----------------------|-------------------------|--------------------------|
| Applicant's Name | Angel L. Hernandez | Property Owner | Angel L. Hernandez |
| Company | | Company | |
| Applicant's Mailing Address | 1240 Conway Dr. | Owner's Mailing Address | 1240 Conway Dr. |
| Applicant's Phone # | 512-557-9409 | Owner's Phone # | 512-557-9409 |
| Applicant's Email | ahernandez9409@yahoo. | Owner's Email | ahernandez9409@yahoo.com |

PROPERTY INFORMATION

Subject Property Address: 1070 Grant Harris Rd.

Zoning District: N/A NOT IN CITY LIMIT Tax ID #: R 111272

Legal Description: Lot _____ Block _____ Subdivision _____

4.57 Acres in the Antonio Esnavarizar Survey, A6
Hay County TX.

DESCRIPTION OF REQUEST

Please use this space to describe the proposal. Attach additional pages as needed.

To be able to subdivide property into 2 lots. of a private Rd
Variance approved by county.

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Initial Filing Fee \$793* Technology Fee \$13 TOTAL COST \$806

Renewal/Amendment Filing Fee \$423* Technology Fee \$13 TOTAL COST \$436

*Nonprofit Organization fees are 50% of the adopted fee listed for Conditional Use Permits

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

**AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS
AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS**

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: 

Date: 10-23-19

Print Name: Angel H. Hernandez

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Warranty Deed with Vendor's Lien

Date: August 16, 2016

Grantor: TRAVIS LEVELL DURHAM, JR. AND JOHNNIE M. DURHAM

Grantor's Mailing Address: 2132 Bishop Dr
Flower Mound, TX 75028

Grantee: Angel L. Hernandez and Georgina Davila Canchola

Grantee's Mailing Address: 1240 Conway Drive
San Marcos, TX 78066

Consideration: A Promissory Note in the original principal sum of Sixty-Two Thousand Four Hundred and No/100 Dollars (\$62,400.00) payable to the order of Randolph Brooks Federal Credit Union ("Lender"), which Promissory Note is secured by a Deed of Trust of even date to Morton W. Baird II, Trustee.

The debt evidenced by said Note is in part payment of the purchase price of the Property. The debt is secured by a deed of trust and by a vendor's lien on the Property, which is expressly retained. The lien created by the deed of trust and the vendor's lien is transferred to Lender by this deed. The deed of trust does not waive the vendor's lien, and the two liens and the rights created by said deed of trust are cumulative. Lender may elect to foreclose under either of the liens without waiving the other or may foreclose under both.

Property (including any improvements):

Being 4.57 acres of land, more or less, out of the Antonio M. Esnaurizar Survey, Abstract 6 in Hays County, Texas, and being that certain tract (Exhibit G) recorded in Volume 1297, Page 61, Official Public Records, Hays County, Texas. Said 4.57 acre tract being more particularly described by metes and bounds as set out in Exhibit "A", **TOGETHER WITH** an easement for ingress and egress being 2.12 acres

of land being a strip of land 30 feet wide in the Antonio M. Esnaurizar Survey and being more particularly described by metes and bounds as set out in Exhibit "J", attached hereto and made a part of.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:

Liens, if any, described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for the current year, which Grantee assumes and agrees to pay.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Lender, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of Lender and are transferred to Lender without recourse against Grantor.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

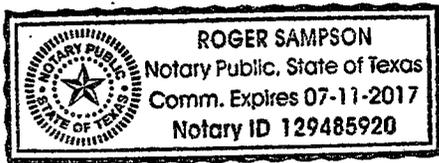
When the context requires, singular nouns and pronouns include the plural.


TRAVIS LEVELL DURHAM, JR.


JOHNNIE M. DURHAM

STATE OF TEXAS)
COUNTY OF Denton)

This instrument was acknowledged before me August 16, 2016, by TRAVIS LEVELL DURHAM, JR.

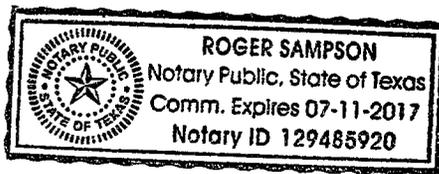


[Signature]

Notary Public, State of Texas

STATE OF TEXAS)
COUNTY OF Denton)

This instrument was acknowledged before me August 16, 2016, by JOHNNIE M. DURHAM.



[Signature]

Notary Public, State of Texas

Grantee's Address/Return to:
Angel L. Hernandez & Georgina Davila Candela
1240 Conway Drive
San Marcos, TX 78666

Lamberts & Associates Surveying, Inc.
BOUNDARY * ALTA * TOPOGRAPHIC * CONSTRUCTION
618 COMAL STREET * NEW BRAUNFELS, TX. 78130
PHONE (830) 625-0337 FAX (830) 625-0858
lambertssurveying@yahoo.com

FIELD NOTES FOR A 4.57 ACRE TRACT OF LAND

BEING a 4.57 acre tract of land out of the A.M. Esnaurizar Eleven League Grant, Abstract No. 6, Hays County, Texas and being that certain tract (Exhibit G) recorded in Volume 1297, Page 61, Official Public Records, Hays County, Texas; Said 4.57 acre tract of land being more particularly described by metes and bounds as follows, with all ½" rebar set having a yellow cap stamped LAMBERTS SURVEYING:

BEGINNING at a ½" rebar (capped BYRN) found in the southeasterly line of a 30' access easement recorded in said Volume 1297, Page 61 (Exhibit J) for the east corner of this tract, same being the south corner of the Alvarado 4.56 acre tract recorded in Volume 3700, Page 65, Official Public Records, Hays County, Texas and being in the northwest boundary line of the Hays Energy Limited Partnership 136.96 acre tract recorded in Document #9918986, Official Public Records, Hays County, Texas, and from which a P.K. (MAG) Nail found at the intersection of said southeast line of said 30' access easement with Francis Harris Lane bears N 47°02'21" E, 407.93' (called N 47°02'03" E, 407.88'), N 47°02'52" E, 405.14' (called N 46°55'53" E, 404.86'), N 46°29'48" E, 405.01' (called N 46°36'05" E, 405.35'), N 46°23'13" E, 410.85' (called N 46°22'02" E, 410.70'), N 47°31'39" E, 450.30' (called N 47°31'26" E, 450.39') and N 47°41'50" E, 169.97' (called N 47°43'22" E, 169.90');

THENCE, along the common line of this tract and said 136.96 acre tract, same being along the southeast line of said 30' access easement, S 46°47'18" W, a distance of 411.21 feet (called S 46°47'05" W, 411.23') to a ½" rebar (capped BYRN) found for the south corner of this tract and the east corner of the Ritzen 4.56 acre tract recorded in Volume 3367, Page 533, Official Public Records, Hays County, Texas;

THENCE, departing said 136.96 acre tract, crossing said access easement, along the common line of this tract and said Ritzen tract, N 43°07'01" W (basis of bearings), a distance of 482.85 feet (called N 43°07'01" W, 482.80') to a ½" rebar (capped BYRN) found for the west corner of this tract, the north corner of said Ritzen tract and being in the southeast boundary line of the Menard 41.09 acre tract recorded in Volume 2683, Page 778, Official Public Records, Hays County, Texas;

THENCE, along the common line of this tract and said 41.09 acre tract, N 46°32'24" E, at a distance of 405.28' passing a ½" rebar (capped BYRN) found, in all a distance of 411.22 feet (called N 46°32'24" E, 411.24') to a ½" rebar set for the north corner of this tract and the west corner of the aforementioned Alvarado tract;

THENCE, departing said 41.09 acre tract, along the common line of this tract and said Alvarado tract and crossing said access easement, S 43°07'01" E, a distance of 484.63 feet (called S 43°07'01" E, 484.56') to the POINT-of-BEGINNING and containing 4.57 acres of land.

This description is based on an on-the-ground survey performed under my supervision on 1-27-11. (SURVEY PLAT PREPARED)



Donald Duane Hyatt

Registered Professional Land Surveyor

5215

Job # 11-0020



EXHIBIT "J" 1297 086

DESCRIPTION OF 2.12 ACRES, MORE OR LESS, OF LAND AREA BEING A STRIP OF LAND 30 FEET IN WIDTH IN THE ANTONIO M. ESNAURRIZAR SURVEY, ABSTRACT NO. 6, HAYS COUNTY, TEXAS, BEING A PORTION OF A 41.09 ACRE TRACT DESCRIBED IN A DEED FROM CLARA ORENE HARRIS SAYLES ET AL TO GRANT HARRIS DATED JULY 25, 1972 AND RECORDED IN VOLUME 252, PAGE 654 OF THE HAYS COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a PK nail set in concrete at a fence corner for the southerly east corner of the Grant Harris tract, the north corner of that 137.19 acre tract described in a deed from J. Searcy Smith et ux to James W. Ragsdale dated January 19, 1965 and recorded in Volume 204, Page 36 of the Hays County Deed Records, being in the west line of Hays County Road No. 265;

THENCE leaving the PLACE OF BEGINNING and Hays County Road No. 265 with the common southeast line of the Harris tract and northwest line of the Ragsdale tract, as fenced and used upon the ground, and as shown on that plat numbered 23911-95-c dated March 20, 1996 as prepared for the Harris Family by Byrn & Associates, Inc. of San Marcos, Texas, the following eight courses:

1. S 47° 43' 22" W 169.90 feet to a 1/2" iron rod set for an angle point,
2. S 47° 31' 25" W 450.39 feet to a 1/2" iron rod set for an angle point,
3. S 46° 22' 02" W 410.70 feet to a 1/2" iron rod set for an angle point,
4. S 46° 36' 05" W 405.35 feet to a 1/2" iron rod set for an angle point,
5. S 46° 55' 53" W 404.86 feet to a 1/2" iron rod set for an angle point,
6. S 47° 02' 03" W 407.88 feet to a 1/2" iron rod set for an angle point,
7. S 46° 47' 05" W 411.23 feet to a 1/2" iron rod set for an angle point, and
8. S 45° 30' 41" W 410.92 feet to a 1/2" iron rod set for the south corner of the herein described strip of land;

THENCE entering the Harris tract, N 43° 07' 01" W 30.00 feet to a point for the west corner of the herein described tract of land;

THENCE with a line 30 feet from and parallel to the southeast line of the Harris tract, the following eight courses:

1. N 45° 30' 41" E 410.80 feet to a point,
2. N 45° 47' 05" E 411.37 feet to a point,

Roadway Easement

1297 087

3. N 47° 02' 03" E 407.91 feet to a point,
4. N 46° 55' 53" E 404.74 feet to a point,
5. N 46° 36' 05" E 405.21 feet to a point,
6. N 46° 22' 02" E 410.94 feet to a point,
7. N 47° 31' 26" E 450.75 feet to a point, and
8. N 47° 43' 22" E 192.05 feet to a point for the north corner of the herein described tract being in the northeast line of the aforementioned Harris tract and west line of Hays County Road No. 265;

THENCE with said common line, S 05° 54' 00" E 37.26 feet to the PLACE OF BEGINNING.

There are contained within these metes and bounds 2.12 acres, more or less, of land area being a strip of land 30 feet in width as prepared from public records and a survey made on the ground on March 20, 1996 by Byrn & Associates, Inc. of San Marcos, Texas. All 1/2" iron rods set are capped with a plastic cap stamped "Byrn Survey".

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Marsie T. Villalpando

3-18-97 09:58 AM 9704452
KLEEN \$61.00
MARSSIE T VILLALPANDO, County Clerk
HAYS COUNTY

Roadway Easement

Page 2 of 2

AC-19-05 (Grant Harris)

Hold a public hearing and consider a request by Angel Hernandez for an Alternative Compliance to Section 3.6.3.1(A) of the San Marcos Development Code, to allow the subdivision of a property into two lots which do not have frontage on a public street, located at 1070 Grant Harris Road. (W. Parrish)

- +/- 4.57 acres
- Located in the ETJ
- Requesting to divide into two 2.28 acre lots
- The applicant is requesting an Alternative Compliance to deviate from the requirement that all lots must have frontage on a public street.

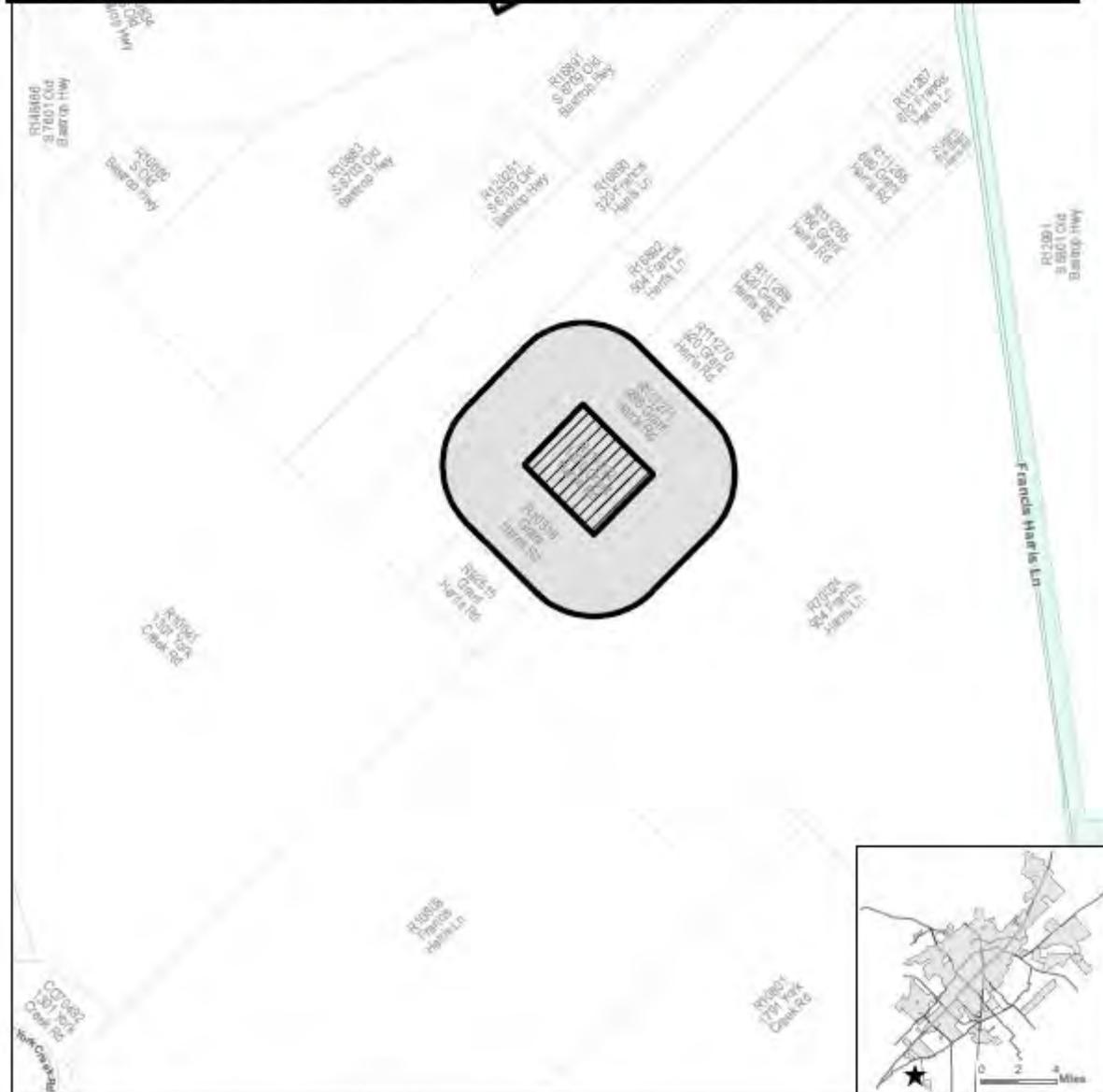
**AC-19-05
Aerial View
Grant Harris Subdivision — 1070 Grant Harris Rd**



| | |
|-------------------------|--|
| Site Location | 0 200 400 800 Feet |
| Subject Property | <p>This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.</p> <p>Map Date: 3/26/2020</p> |
| Parcel | |
| City Limit | |

**AC-19-05
400' Notification Buffer
Grant Harris Subdivision — 1070 Grant Harris Rd**

- Section 3.6.3.1(A) of the San Marcos Development Code states that all lots shall have access to a public street
- The existing neighborhood was created prior to this rule being in effect.
- The applicant would like to split his current 4.57 acre lot into two 2.28 acre lots.
- Both will have access to the existing private road.
- Hays County has reviewed and approved this subdivision request.



| | |
|--------------------|---|
| ★ Site Location | 0 400 800 1,600 Feet |
| ▨ Subject Property | This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. |
| ■ 400' Buffer | |
| □ Parcel | Map Date: 3/26/2020 |
| ■ City Limit | |



LEGEND:

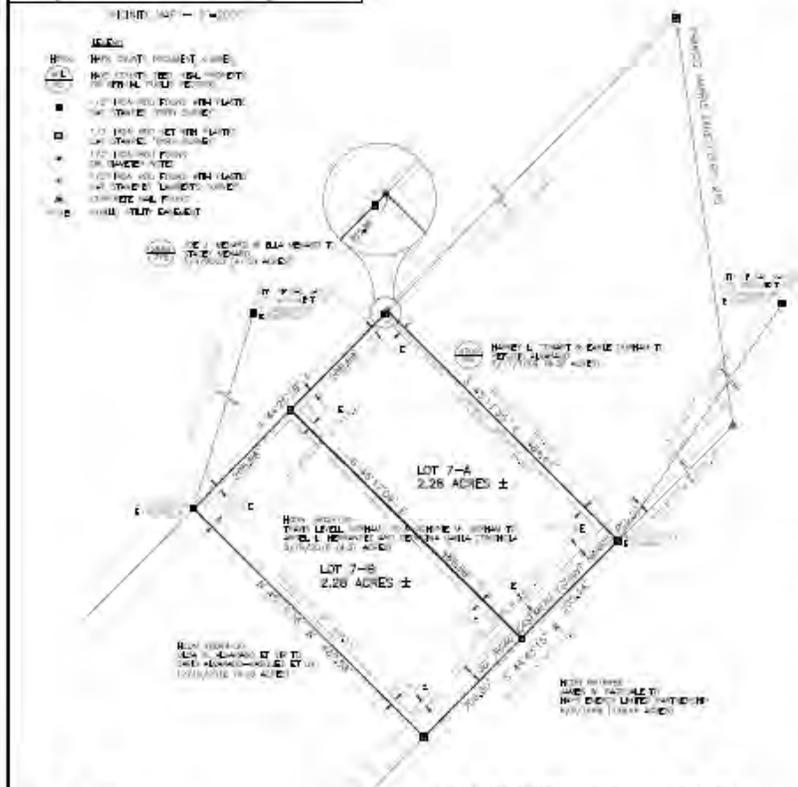
1. ALL LOTS TO BE BOUND BY THE SUBDIVISION PLANNED BY THE GRANTEE, WHETHER BY AN ORIGINAL SURVEY OR BY A SURVEY MADE BY THE GRANTEE OR HIS SUCCESSORS, SHALL BE BOUND BY THE SUBDIVISION PLANNED BY THE GRANTEE.
2. THE GRANTEE SHALL BE RESPONSIBLE FOR THE PROVISION OF THE NECESSARY UTILITIES TO THE LOTS AND FOR THE PAYMENT OF THE NECESSARY COSTS THEREOF.
3. THE GRANTEE SHALL BE RESPONSIBLE FOR THE PAYMENT OF THE NECESSARY COSTS OF THE SURVEY AND FOR THE PAYMENT OF THE NECESSARY COSTS OF THE RECORDING OF THIS INSTRUMENT.
4. THE GRANTEE SHALL BE RESPONSIBLE FOR THE PAYMENT OF THE NECESSARY COSTS OF THE SURVEY AND FOR THE PAYMENT OF THE NECESSARY COSTS OF THE RECORDING OF THIS INSTRUMENT.
5. THE GRANTEE SHALL BE RESPONSIBLE FOR THE PAYMENT OF THE NECESSARY COSTS OF THE SURVEY AND FOR THE PAYMENT OF THE NECESSARY COSTS OF THE RECORDING OF THIS INSTRUMENT.



STATE OF TEXAS
COUNTY OF BAYLOR

BEFORE ME, the undersigned authority, on this _____ day of _____, 2000, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

MY COMMISSION EXPIRES ON _____, 2000.



STATE OF TEXAS
COUNTY OF BAYLOR

BEFORE ME, the undersigned authority, on this _____ day of _____, 2000, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

MY COMMISSION EXPIRES ON _____, 2000.

LEGAL DESCRIPTION:

TRACT NO. 1, BEING A PART OF THE GRANT HARRIS SUBDIVISION, BEING 457 ACRES, MORE OR LESS, IN THE ANTONIO M. ESNAURIZAR SURVEY, A.S., BAYLOR COUNTY, TEXAS.

NOTICE: THE GRANTEE SHALL BE RESPONSIBLE FOR THE PAYMENT OF THE NECESSARY COSTS OF THE SURVEY AND FOR THE PAYMENT OF THE NECESSARY COSTS OF THE RECORDING OF THIS INSTRUMENT.

LEGAL DESCRIPTION:

TRACT NO. 1, BEING A PART OF THE GRANT HARRIS SUBDIVISION, BEING 457 ACRES, MORE OR LESS, IN THE ANTONIO M. ESNAURIZAR SURVEY, A.S., BAYLOR COUNTY, TEXAS.

NOTICE: THE GRANTEE SHALL BE RESPONSIBLE FOR THE PAYMENT OF THE NECESSARY COSTS OF THE SURVEY AND FOR THE PAYMENT OF THE NECESSARY COSTS OF THE RECORDING OF THIS INSTRUMENT.

STATE OF TEXAS
COUNTY OF BAYLOR

BEFORE ME, the undersigned authority, on this _____ day of _____, 2000, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

MY COMMISSION EXPIRES ON _____, 2000.



PLAT OF
LOTS 7-A AND 7-B
GRANT HARRIS SUBDIVISION
BEING 457 ACRES, MORE OR LESS, IN THE ANTONIO M. ESNAURIZAR SURVEY, A.S., BAYLOR COUNTY, TEXAS.

Recommendation:

Staff has reviewed the request and recommends **approval** with the following conditions:

1. This proposed subdivision shall meet all requirements of the San Marcos Development Code;
2. This Alternative Compliance shall not expire.



Legislation Text

File #: PC-19-53, Version: 1

AGENDA CAPTION:

PC-19-53 (Grant Harris) Consider a request by Angel Hernandez for approval of a replat of Lot 7, Grant Harris Subdivision, which is approximately 4.57 acres, more or less, into 2 residential lots, each approximately 2.28 acres, more or less, located in the Antonio M. Esnaurizar Survey No. 6, Hays County, known 1070 Grant Harris Road. (W. Parrish)

Meeting date: April 14, 2020

Department: Planning and Development Services

Amount & Source of Funding

Funds Required: NA

Account Number: NA

Funds Available: NA

Account Name: NA

Fiscal Note:

Prior Council Action: [Click or tap here to enter text.](#)

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

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 - Choose an item.

Neighborhoods & Housing - Choose an item.

Parks, Public Spaces & Facilities - Choose an item.

Transportation - Choose an item.

- Core Services
- Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

The applicant is requesting an Alternative Compliance to deviate from the requirement that all lots must have frontage on a public street. The existing neighborhood was created prior to this rule being in effect, and there is a private road that extends the length of the existing neighborhood, which is within a shared easement. The applicant would like to split his current 4.57 acre lot into two 2.28 acre lots, both will have access to the existing private road. Hays County has reviewed and approved this subdivision request.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Staff has reviewed the request and recommends that the request be approved with the following conditions:

1. The Alternative Compliance, AC-19-05 is approved.

| | |
|---------------------|---------------------------------|
| Plat – Final | Grant Harris Subdivision |
| PC-19-53 | |



Summary

| | | | |
|---------------------------|---|--------------------------|--|
| Request: | Consider a request to divide a 4.57 acre tract into two 2.28 acre lots. | | |
| Applicant: | Angel Hernandez 1240 Conway Drive San Marcos, TX 78666 | Property Owner: | Angel Hernandez 1240 Conway Drive San Marcos, TX 78666 |
| Parkland Required: | Fee in lieu | Utility Capacity: | Adequate |
| Accessed from: | Grant Harris Road (Private) | New Street Names: | N/A |

Notification

| | | | |
|---------------------|-------------------------------------|------------------------------|-----|
| Application: | N/A | Neighborhood Meeting: | N/A |
| Published: | March 27, 2020 | # of Participants: | N/A |
| Posted: | N/A | Personal: | N/A |
| Response: | None as of the date of this report. | | |

Property Description

| | | | |
|---------------------------|------------------------|----------------------------|---------------|
| Location: | 1070 Grant Harris Road | | |
| Acreage: | 4.57 +/- | PDD/DA/Other: | N/A |
| Existing Zoning: | N/A | Preferred Scenario: | Low Intensity |
| Proposed Use: | Residential lots | | |
| CONA Neighborhood: | N/A | Sector: | N/A |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|---------------|---------------------------------------|---------------------------|
| North of Property: | ETJ | Single Family Rural / Agricultural | Low Intensity |
| South of Property: | ETJ | Single Family Rural / Agricultural | Low Intensity |
| East of Property: | ETJ | Single Family Rural | Low Intensity |
| West of Property: | ETJ | Single Family Rural | Low Intensity |

Staff Recommendation

| | | | | | |
|--|-------------------------------------|---|----------------------------|---------------|--------------------------|
| Approval as Submitted | <input checked="" type="checkbox"/> | Approval with Conditions / Alternate | <input type="checkbox"/> | Denial | <input type="checkbox"/> |
| Staff recommends that the request be approved with the following condition: | | | | | |
| <ul style="list-style-type: none"> Alternative Compliance AC-19-05 is approved. | | | | | |
| Staff: Will Parrish AICP, CNU-A | Title : Planner | | Date: April 8, 2020 | | |

Plat – Final

Grant Harris Subdivision

PC-19-53



History

The applicant is requesting an Alternative Compliance to deviate from the requirement that all lots must have frontage on a public street. The existing neighborhood was created prior to this rule being in effect, and there is a private road that extends the length of the existing neighborhood, which is within a shared easement. The applicant would like to split his current 4.57 acre lot into two 2.28 acre lots. Both lots will have access to the existing private road.

Additional Analysis

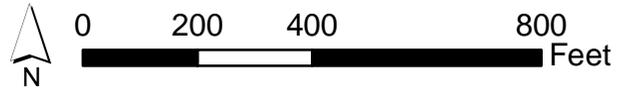
Hays County has reviewed and approved this subdivision request.

| Evaluation | | | Criteria for Approval (Sec.3.2.3.4) |
|------------|--------------|----------|--|
| Consistent | Inconsistent | Neutral | |
| <u>X</u> | | | The plat is consistent with all zoning requirements for the property, and any approved development agreement; |
| | | <u>X</u> | The plat conforms to the approved Watershed Protection Plan (Phase 1); |
| <u>X</u> | | | The proposed provision and configuration of roads, water, wastewater, drainage and park facilities conform to the master facilities plans for the facilities, including without limitation the water facilities, wastewater facilities, transportation, drainage and other master facilities plans; |
| | | <u>X</u> | The proposed provision and configuration of roads, water, wastewater, drainage and park facilities, and easements and rights-of-way are adequate to serve the subdivision and meet applicable standards of Chapters 6 and 7 of this Land Development Code; and <i>If the Alternative Compliance request is approved, this request will meet the subdivision requirements.</i> |
| <u>X</u> | | | The plat meets any county standards to be applied under an interlocal agreement between the City and a county under Tex. Loc. Gov't Code ch. 242, where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and in the county. |

**PC-19-53
Aerial View
Grant Harris Subdivision — 1070 Grant Harris Rd**

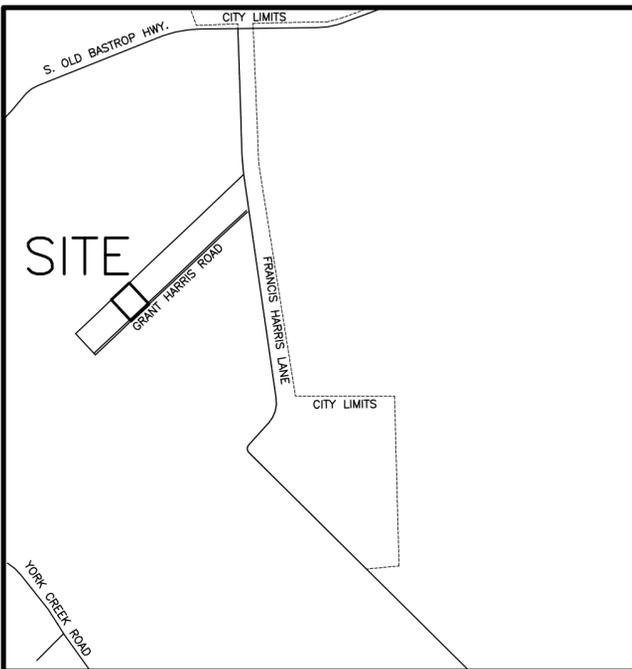


- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 3/26/2020



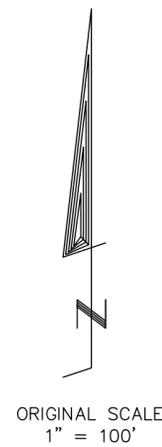
VICINITY MAP - 1"=2000'

LEGEND

- HCDN HAYS COUNTY DOCUMENT NUMBER
- HAYS COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS
- 1/2" IRON ROD FOUND WITH PLASTIC CAP STAMPED "BYRN SURVEY"
- 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "BYRN SURVEY"
- 1/2" IRON ROD FOUND OR DIAMETER NOTED
- 1/2" IRON ROD FOUND WITH PLASTIC CAP STAMPED "LAMBERTS SURVEY"
- CONCRETE NAIL FOUND

GENERAL NOTES

1. ACCORDING TO SCALING FROM THE CURRENT F.E.M.A. FLOOD INSURANCE RATE MAPS NO. 48209C0467F AND 48209C0486F, DATED SEPTEMBER 2, 2005, THIS TRACT LIES WITHIN ZONE X, (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).
2. ACCORDING TO SCALING FROM TCEQ MAPS NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE AND NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER CONTRIBUTING ZONE.
3. THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE SAN MARCOS CISD.
4. THIS TRACT LIES WITHIN THE BOUNDARIES OF THE SAN MARCOS ETJ.
5. THIS SUBDIVISION LIES WITHIN HAYS COUNTY EMERGENCY SERVICES DISTRICTS 3 AND 9.
6. MAIL BOXES PLACED WITHIN THE ROW, SHALL BE OF AN APPROVED TXDOT OR FHWA DESIGN, PER COUNTY DEVELOPMENT REGULATIONS, CHAPTER 721, SUBCHAPTER 2.01.



STATE OF TEXAS*
COUNTY OF HAYS*

KNOW ALL MEN BY THESE PRESENTS, THAT WE, ANGEL L. HERNANDEZ AND GEORGINA DAVILA CANCHOLA, OWNERS OF 4.57 ACRES IN THE A. M. ESNAURIZAR SURVEY, ABSTRACT NO. 6, HAYS COUNTY, TEXAS AS CONVEYED TO US BY DEED DATED AUGUST 16, 2016, AND RECORDED AS DOCUMENT NO. 16027730, HAYS COUNTY OFFICIAL PUBLIC RECORDS, DO HEREBY SUBDIVIDE THIS PROPERTY TO BE KNOWN AS LOT 7-A AND 7-B, GRANT HARRIS SUBDIVISION, IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON.

ANGEL L. HERNANDEZ, OWNER GEORGINA DAVILA CANCHOLA, OWNER
1240 CONWAY DRIVE
SAN MARCOS, TX 78666

STATE OF TEXAS*
COUNTY OF HAYS*

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ANGEL L. HERNANDEZ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, A.D., 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS*
COUNTY OF HAYS*

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GEORGINA DAVILA CANCHOLA KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, A.D., 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

APPROVED AND AUTHORIZED TO BE RECORDED ON THE ____ DAY OF _____, 2019 BY THE DIRECTOR OF DEVELOPMENT SERVICES DEPARTMENT OF THE CITY OF SAN MARCOS.

SHANNON MATTINGLY _____
DIRECTOR OF PLANNING DATE
AND DEVELOPMENT SERVICES

RECORDING SECRETARY _____
DATE

CIP AND ENGINEERING _____
DATE

STATE OF TEXAS *
COUNTY OF HAYS *

I, ELAINE H. CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT PURSUANT TO SECTION 701.8.01.A.(1) OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, THE HAYS COUNTY COMMISSIONERS COURT HAS AUTHORIZED THE FILING FOR RECORD OF THIS PLAT.

RUBEN BECERRA ELAINE H. CARDENAS
COUNTY JUDGE COUNTY CLERK
HAYS COUNTY, TEXAS HAYS COUNTY, TEXAS

STATE OF TEXAS *
COUNTY OF HAYS *

I, ELAINE H. CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF _____, 2019, AT ____ O'CLOCK ____M., AND DULY RECORDED ON THE ____ DAY OF _____, 2019 AT ____ O'CLOCK ____M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN INSTRUMENT NUMBER _____.

ELAINE H. CARDENAS,
COUNTY CLERK
HAYS COUNTY, TEXAS

KNOW ALL MEN BY THESE PRESENTS:

THAT I, DAVID C. WILLIAMSON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN HEREON AS "SET" WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF SAN MARCOS.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

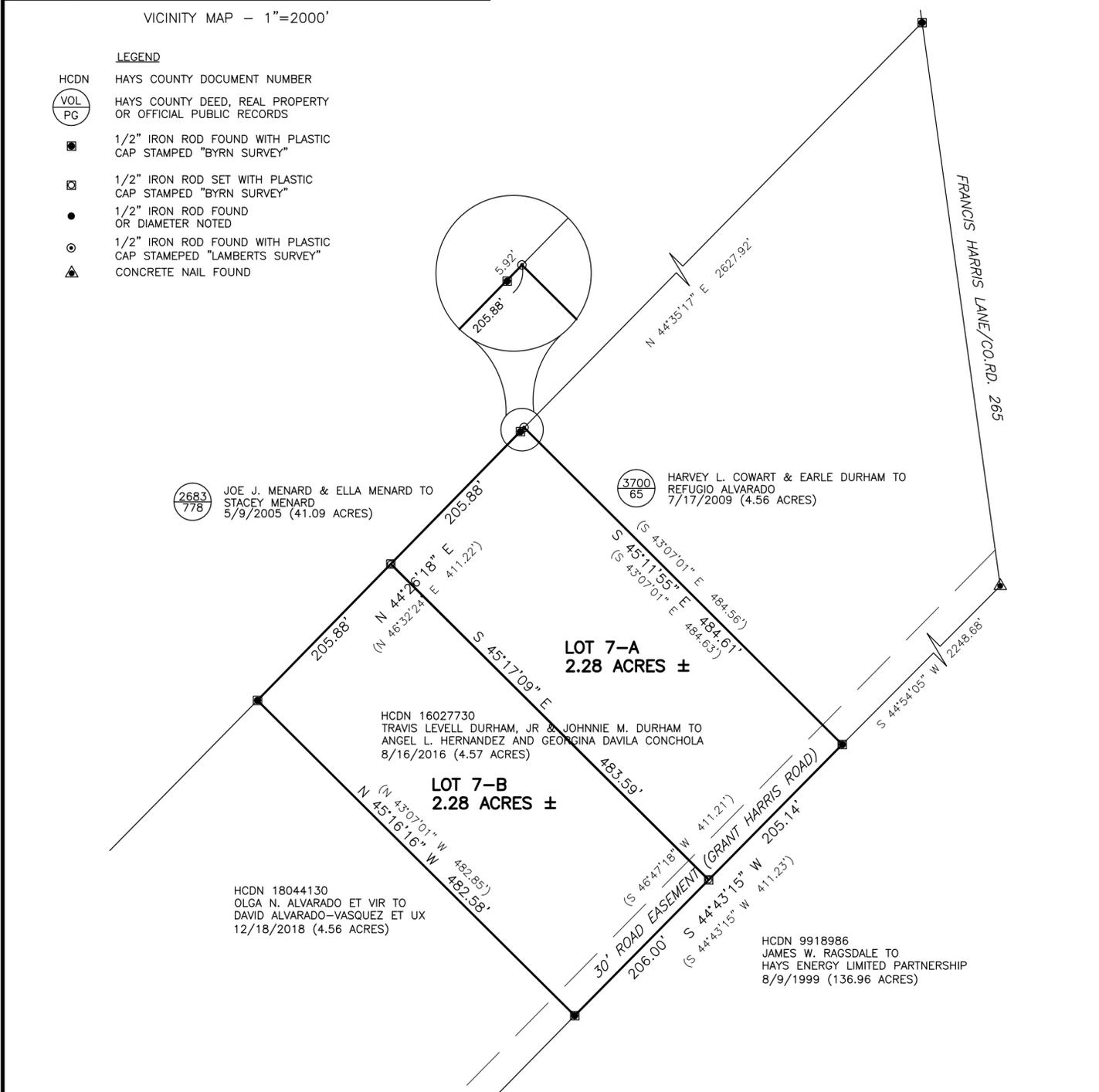
REGISTERED PROFESSIONAL LAND SURVEYOR
DAVID C. WILLIAMSON, R.P.L.S. NO. 4190

BYRN & ASSOCIATES, INC.

SURVEYING

P.O. BOX 1433 SAN MARCOS, TEXAS 78667
PHONE 512-396-2270 FAX 512-392-2945
FIRM NO. 10070500

PLAT OF
LOTS 7-A AND 7-B
GRANT HARRIS SUBDIVISION
BEING 4.57 ACRES, MORE OR LESS, IN THE
ANTONIO M. ESNAURIZAR SURVEY, A-6,
HAYS COUNTY, TEXAS



LOT SIZE CATEGORIES

- TOTAL AREA = 4.57 ACRES
- TOTAL NUMBER OF LOTS = 2
- AVERAGE LOT SIZE = 2.28 ACRES
- NUMBER OF LOTS OVER 10 ACRES = 0
- NUMBER OF LOTS 5 - 10 ACRES = 0
- NUMBER OF LOTS 2 - 5 ACRES = 2
- NUMBER OF LOTS 1 - 2 ACRES = 0
- NUMBER OF LOTS LESS THAN 1 ACRE = 0

UTILITIES:
ELECTRIC-PEDERNALES ELEC. COOP.
WATER-CRYSTAL CLEAR WS
SEWER-ON SITE SEWAGE FACILITIES

DRIVEWAY PERMIT STATEMENT:

DRIVEWAYS SHALL COMPLY WITH CHAPTER 721 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, AND BE PERMITTED THROUGH THE TRANSPORTATION DEPARTMENT OF HAYS COUNTY UNDER CHAPTER 751.

ALL CULVERTS, WHEN REQUIRED SHALL COMPLY WITH THE CURRENT HAYS COUNTY STANDARD, PER HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 705, SUBCHAPTER 8.03.

I, THE UNDERSIGNED, DIRECTOR OF THE HAYS COUNTY DEVELOPMENT SERVICES DEPARTMENT, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL HAYS COUNTY REQUIREMENTS AS STATED IN THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN MARCOS.

CAITLYN STRICKLAND, DIRECTOR DATE
HAYS COUNTY DEVELOPMENT SERVICES

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER SUPPLIES AND DIMINISHING WATER QUALITY, PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED BY HAYS COUNTY TO QUESTION THE SELLER CONCERNING GROUND WATER AVAILABILITY. RAIN WATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE BEST RENEWABLE WATER RESOURCE.

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY DEVELOPMENT SERVICES.

NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL HAYS COUNTY DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.

TOM POPE, R.S., C.F.M. DATE
HAYS COUNTY FLOODPLAIN ADMINISTRATOR

CAITLYN STRICKLAND, DIRECTOR DATE
HAYS COUNTY DEVELOPMENT SERVICES

CLIENT: HERNANDEZ, A.
DATE: AUGUST 23, 2019
OFFICE: BRYANT
CREW: C. SMITH
FB/PG: 286/66
PLAT NO. 27710-19-c



Hays County Development Services
P.O Box 1006 San Marcos TX 78667-1006
2171 Yarrington Road San Marcos TX 78666
512-393-2150 / 512-493-1915 fax

March 17, 2020

Shannon Mattingly
Director of Development Services
City of San Marcos

Re: **Grant Harris Subdivision (SUB-1370-NP)**

Ms. Mattingly,

The Hays County Development and Community Services staff has had an opportunity to review the aforementioned subdivision for compliance with the Hays County Development Regulations. Hays County staff has no further review comments at this time.

Pursuant to the Interlocal Cooperation Agreement between Hays County and the City of San Marcos for subdivision regulation within the extraterritorial jurisdiction of the City of San Marcos, please move forward with approval of the plat as submitted.

If you have any questions please let me know.

Regards,

Caitlyn G. Strickland

Caitlyn Strickland
Director
Hays County Development Services

SUBDIVISION MINOR / AMENDING PLAT, APPLICATION

Updated: October, 2018

Case # PC- _____



CONTACT INFORMATION

| | | | |
|-----------------------------|--------------------------------------|-------------------------|------|
| Applicant's Name | ANGEL HERNANDEZ Georgina Carchola | Property Owner | same |
| Applicant's Mailing Address | 1240 CONWAY DR SAN MARCOS TX. | Owner's Mailing Address | ✓ |
| Applicant's Phone # | 512-557-9409 | Owner's Phone # | ✓ |
| Applicant's Email | ahernandez9409@ yahoo.com | Owner's Email | ✓ |

PROPERTY INFORMATION

Proposed/Current Subdivision Name: Lot 7A & 7B Grant Harris Subdivision

Subject Property Address or General Location: 1070 Grant Harris Road

Acres: 4.57 Tax ID #: R 111272

Located in: City Limits Extraterritorial Jurisdiction (County)

DESCRIPTION OF REQUEST

Type of Plat: Minor Subdivision Plat Amending Plat

Current Number of Lots: 1 Current Land Use: residential

Proposed Number of Lots: 2 Proposed Land Use: residential

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$515 plus \$100 per acre

Technology Fee \$12

MAXIMUM COST \$1,012

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

SUBDIVISION IMPROVEMENT AGREEMENT ACKNOWLEDGEMENT

I understand, whenever public improvements to serve the development are deferred until after Final Subdivision or Development Plat approval, the property owner shall enter into a Subdivision Improvement Agreement by which the owner covenants to complete all required public improvements no later than two (2) years following the date upon which the Final Plat is approved.

- All required public improvements will be completed prior to approval of the Final Subdivision or Development Plat
- I wish to defer installation of public improvements until after approval of the Final Subdivision or Development Plat and have attached a Subdivision Improvement Agreement to be considered along with this Plat application
- The attached Minor / Amending Plat Application does not require a Subdivision Improvement Agreement

Signature of Applicant: AAH - Date: 9-5-19

Printed Name: Angel L. Hernandez

WAIVER TO 30-DAY STATUTORY REQUIREMENT

I agree to comply with all platting requirements of the City of San Marcos and understand that the plat will not be administratively approved or forwarded to the Planning and Zoning Commission for consideration unless and until all plat comments are satisfactorily addressed. I understand that the review and approval of a Watershed Protection Plan, Public Improvement Construction Plans and / or other additional documentation may be required to fully address plat comments. I understand that staff will not unreasonably or arbitrarily postpone approval of my plat and voluntarily waive my right to the 30-day statutory requirement that plat applications be acted upon within 30 days of the official filing date.

Signature of Applicant: AAH Date: 9-5-19

Printed Name: Angel L. Hernandez

RECORDATION REQUIREMENTS***

The following are required for recordation, following approval of a Plat application:

- Two (2) mylars of the subdivision plat (*Comal Co. requires White 20# Bond Paper*)
- Recording Fee: \$ _____
- Tax Certificate, printed within 30 days of recordation date (paid prior to January 31st of current year)

Other possible recording requirements:

- If public improvements were deferred, Subdivision Improvement Agreement
- Subdivision Improvement Agreement recording fee: \$ _____
- Other legal documents referenced on the plat (i.e. easement dedication by separate instrument, HOA documents)
- Other recording fee: \$ _____

***Recordation fees, mylars, and other requirements are not due at the time of submittal. Fees will depend on the number of pages needed for recordation and the County in which they are recorded. The total will be calculated upon approval.

PROPERTY OWNER AUTHORIZATION

I, Angel Hernandez (owner) acknowledge that I am the rightful owner of the property located at 1070 Great Harris Road (address).

I hereby authorize Byer & Assoc (agent name) to file this application for Minor plot (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

→ Signature of Property Owner:



Date:

9-5-19

Printed Name:

Angel L. Hernandez

Signature of Agent:



Date:

9-4-19
~~9-5-19~~

Printed Name:

DAVID C WILLIAMSON - Byer & Assoc Inc

WATER UTILITY SERVICE ACKNOWLEDGEMENT

Utility service codes are to be indicated as applicable in the space provided in each acknowledgement listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Easement(s) are needed within the subject property

Name of Water Service Provider: Crystal Clear S.U.D.

Applicable Utility Service Code(s): A

Comments / Conditions: two meters installed recently

Signature of Water Official: [Signature]

Title: General Manager Date: 9-6-15

Lot 7-A AND 7-B LITANS HOMERS SUBDIVISION

ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT

Utility service codes are to be indicated as applicable in the space provided in each acknowledgement listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Easement(s) are needed within the subject property

Name of Electric Service Provider: FEDERNALES ELECTRIC COOPERATIVE, INC.

Applicable Utility Service Code(s): A

Comments / Conditions: _____

Signature of Electric Company Official: [Signature]

Title: ELECTRICAL DISTRIBUTION DESIGNER Date: 9/10/19

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Warranty Deed with Vendor's Lien

Date: August 16, 2016

Grantor: TRAVIS LEVELL DURHAM, JR. AND JOHNNIE M. DURHAM

Grantor's Mailing Address: 2132 Bishop Dr
Hower Mound, TX 78028

Grantee: Angel L. Hernandez and Georgina Davila Canchola

Grantee's Mailing Address: 1240 Conway Drive
San Marcos, TX 78066

Consideration: A Promissory Note in the original principal sum of Sixty-Two Thousand Four Hundred and No/100 Dollars (\$62,400.00) payable to the order of Randolph Brooks Federal Credit Union ("Lender"), which Promissory Note is secured by a Deed of Trust of even date to Morton W. Baird II, Trustee.

The debt evidenced by said Note is in part payment of the purchase price of the Property. The debt is secured by a deed of trust and by a vendor's lien on the Property, which is expressly retained. The lien created by the deed of trust and the vendor's lien is transferred to Lender by this deed. The deed of trust does not waive the vendor's lien, and the two liens and the rights created by said deed of trust are cumulative. Lender may elect to foreclose under either of the liens without waiving the other or may foreclose under both.

Property (including any improvements):

Being 4.57 acres of land, more or less, out of the Antonio M. Esnaurizar Survey, Abstract 6 in Hays County, Texas, and being that certain tract (Exhibit G) recorded in Volume 1297, Page 61, Official Public Records, Hays County, Texas. Said 4.57 acre tract being more particularly described by metes and bounds as set out in Exhibit "A", **TOGETHER WITH** an easement for ingress and egress being 2.12 acres

of land being a strip of land 30 feet wide in the Antonio M. Esnaurizar Survey and being more particularly described by metes and bounds as set out in Exhibit "J", attached hereto and made a part of.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:

Liens, if any, described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for the current year, which Grantee assumes and agrees to pay.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Lender, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of Lender and are transferred to Lender without recourse against Grantor.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

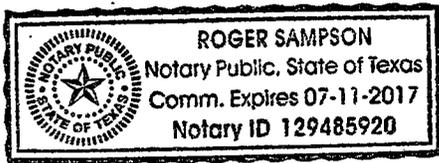
When the context requires, singular nouns and pronouns include the plural.


TRAVIS LEVELL DURHAM, JR.


JOHNNIE M. DURHAM

STATE OF TEXAS)
COUNTY OF Denton)

This instrument was acknowledged before me August 16, 2016, by TRAVIS LEVELL DURHAM, JR.

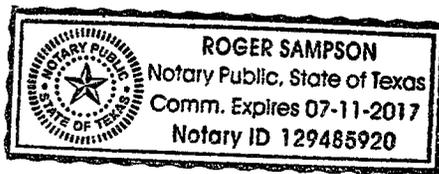


[Signature]

Notary Public, State of Texas

STATE OF TEXAS)
COUNTY OF Denton)

This instrument was acknowledged before me August 16, 2016, by JOHNNIE M. DURHAM.



[Signature]

Notary Public, State of Texas

Grantee's Address/Return to:
Angel L. Hernandez & Georgina Davila Candela
1240 Conway Drive
San Marcos, TX 78666

Lamberts & Associates Surveying, Inc.
BOUNDARY * ALTA * TOPOGRAPHIC * CONSTRUCTION
618 COMAL STREET * NEW BRAUNFELS, TX. 78130
PHONE (830) 625-0337 FAX (830) 625-0858
lambertssurveying@yahoo.com

FIELD NOTES FOR A 4.57 ACRE TRACT OF LAND

BEING a 4.57 acre tract of land out of the A.M. Esnaurizar Eleven League Grant, Abstract No. 6, Hays County, Texas and being that certain tract (Exhibit G) recorded in Volume 1297, Page 61, Official Public Records, Hays County, Texas; Said 4.57 acre tract of land being more particularly described by metes and bounds as follows, with all ½" rebar set having a yellow cap stamped LAMBERTS SURVEYING:

BEGINNING at a ½" rebar (capped BYRN) found in the southeasterly line of a 30' access easement recorded in said Volume 1297, Page 61 (Exhibit J) for the east corner of this tract, same being the south corner of the Alvarado 4.56 acre tract recorded in Volume 3700, Page 65, Official Public Records, Hays County, Texas and being in the northwest boundary line of the Hays Energy Limited Partnership 136.96 acre tract recorded in Document #9918986, Official Public Records, Hays County, Texas, and from which a P.K. (MAG) Nail found at the intersection of said southeast line of said 30' access easement with Francis Harris Lane bears N 47°02'21" E, 407.93' (called N 47°02'03" E, 407.88'), N 47°02'52" E, 405.14' (called N 46°55'53" E, 404.86'), N 46°29'48" E, 405.01' (called N 46°36'05" E, 405.35'), N 46°23'13" E, 410.85' (called N 46°22'02" E, 410.70'), N 47°31'39" E, 450.30' (called N 47°31'26" E, 450.39') and N 47°41'50" E, 169.97' (called N 47°43'22" E, 169.90');

THENCE, along the common line of this tract and said 136.96 acre tract, same being along the southeast line of said 30' access easement, S 46°47'18" W, a distance of 411.21 feet (called S 46°47'05" W, 411.23') to a ½" rebar (capped BYRN) found for the south corner of this tract and the east corner of the Ritzen 4.56 acre tract recorded in Volume 3367, Page 533, Official Public Records, Hays County, Texas;

THENCE, departing said 136.96 acre tract, crossing said access easement, along the common line of this tract and said Ritzen tract, N 43°07'01" W (basis of bearings), a distance of 482.85 feet (called N 43°07'01" W, 482.80') to a ½" rebar (capped BYRN) found for the west corner of this tract, the north corner of said Ritzen tract and being in the southeast boundary line of the Menard 41.09 acre tract recorded in Volume 2683, Page 778, Official Public Records, Hays County, Texas;

THENCE, along the common line of this tract and said 41.09 acre tract, N 46°32'24" E, at a distance of 405.28' passing a ½" rebar (capped BYRN) found, in all a distance of 411.22 feet (called N 46°32'24" E, 411.24') to a ½" rebar set for the north corner of this tract and the west corner of the aforementioned Alvarado tract;

THENCE, departing said 41.09 acre tract, along the common line of this tract and said Alvarado tract and crossing said access easement, S 43°07'01" E, a distance of 484.63 feet (called S 43°07'01" E, 484.56') to the POINT-of-BEGINNING and containing 4.57 acres of land.

This description is based on an on-the-ground survey performed under my supervision on 1-27-11. (SURVEY PLAT PREPARED)



Donald Duane Hyatt

Registered Professional Land Surveyor

5215

Job # 11-0020



EXHIBIT "J" 1297 086

DESCRIPTION OF 2.12 ACRES, MORE OR LESS, OF LAND AREA BEING A STRIP OF LAND 30 FEET IN WIDTH IN THE ANTONIO M. ESNAURRIZAR SURVEY, ABSTRACT NO. 6, HAYS COUNTY, TEXAS, BEING A PORTION OF A 41.09 ACRE TRACT DESCRIBED IN A DEED FROM CLARA ORENE HARRIS SAYLES ET AL TO GRANT HARRIS DATED JULY 25, 1972 AND RECORDED IN VOLUME 252, PAGE 654 OF THE HAYS COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a PK nail set in concrete at a fence corner for the southerly east corner of the Grant Harris tract, the north corner of that 137.19 acre tract described in a deed from J. Searcy Smith et ux to James W. Ragsdale dated January 19, 1965 and recorded in Volume 204, Page 36 of the Hays County Deed Records, being in the west line of Hays County Road No. 265;

THENCE leaving the PLACE OF BEGINNING and Hays County Road No. 265 with the common southeast line of the Harris tract and northwest line of the Ragsdale tract, as fenced and used upon the ground, and as shown on that plat numbered 23911-95-c dated March 20, 1996 as prepared for the Harris Family by Byrn & Associates, Inc. of San Marcos, Texas, the following eight courses:

1. S 47° 43' 22" W 169.90 feet to a 1/2" iron rod set for an angle point,
2. S 47° 31' 25" W 450.39 feet to a 1/2" iron rod set for an angle point,
3. S 46° 22' 02" W 410.70 feet to a 1/2" iron rod set for an angle point,
4. S 46° 36' 05" W 405.35 feet to a 1/2" iron rod set for an angle point,
5. S 46° 55' 53" W 404.86 feet to a 1/2" iron rod set for an angle point,
6. S 47° 02' 03" W 407.88 feet to a 1/2" iron rod set for an angle point,
7. S 46° 47' 05" W 411.23 feet to a 1/2" iron rod set for an angle point, and
8. S 45° 30' 41" W 410.92 feet to a 1/2" iron rod set for the south corner of the herein described strip of land;

THENCE entering the Harris tract, N 43° 07' 01" W 30.00 feet to a point for the west corner of the herein described tract of land;

THENCE with a line 30 feet from and parallel to the southeast line of the Harris tract, the following eight courses:

1. N 45° 30' 41" E 410.80 feet to a point,
2. N 45° 47' 05" E 411.37 feet to a point,

Roadway Easement

1297 087

3. N 47° 02' 03" E 407.91 feet to a point,
4. N 46° 55' 53" E 404.74 feet to a point,
5. N 46° 36' 05" E 405.21 feet to a point,
6. N 46° 22' 02" E 410.94 feet to a point,
7. N 47° 31' 26" E 450.75 feet to a point, and
8. N 47° 43' 22" E 192.05 feet to a point for the north corner of the herein described tract being in the northeast line of the aforementioned Harris tract and west line of Hays County Road No. 265;

THENCE with said common line, S 05° 54' 00" E 37.26 feet to the PLACE OF BEGINNING.

There are contained within these metes and bounds 2.12 acres, more or less, of land area being a strip of land 30 feet in width as prepared from public records and a survey made on the ground on March 20, 1996 by Byrn & Associates, Inc. of San Marcos, Texas. All 1/2" iron rods set are capped with a plastic cap stamped "Byrn Survey".

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Marsie T Villalpando

3-18-97 09:58 AM 9704452
KLEEN \$61.00
MARSSIE T VILLALPANDO, County Clerk
HAYS COUNTY

Roadway Easement

Page 2 of 2

PC-19-53 (Grant Harris)

Consider a request by Angel Hernandez for approval of a replat of Lot 7, Grant Harris Subdivision, which is approximately 4.57 acres, more or less, into 2 residential lots, each approximately 2.28 acres, more or less, located in the Antonio M. Esnaurizar Survey No. 6, Hays County, known 1070 Grant Harris Road. (W. Parrish)

- +/- 4.57 acres
- Located in the ETJ
- Requesting to divide into two 2.28 acre lots
- Requires a Alternate Compliance as the proposed lots do not have frontage on a public road. (AC-19-05)



Recommendation:

Staff has reviewed the request and recommends **approval** with the following condition:

1. The Planning and Zoning Commission approves Alternate Compliance request AC-19-05.



Legislation Text

File #: PSA-20-02, **Version:** 1

AGENDA CAPTION:

Receive a presentation and update on the following semi-annual Preferred Scenario Map Amendment application(s):

PSA-20-02 (Riverbend Ranch) - Request to amend the Preferred Scenario Map from “Area of Stability-Low Intensity” to “Growth Area-Medium Intensity” for +/- 1,142 acres of land, located approximately at the intersection of North Old Bastrop Highway and Staples Road.

Meeting date: April 7, 2020

Department: Planning & Development

Amount & Source of Funding

Funds Required: Click or tap here to enter text.

Account Number: Click or tap here to enter text.

Funds Available: Click or tap here to enter text.

Account Name: Click or tap here to enter text.

Fiscal Note:

Prior Council Action: N/A

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

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 - Direct Growth, Compatible with Surrounding Uses
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.

- Core Services
- Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

One (1) application was received for the semi-annual Preferred Scenario Map Amendment (PSA) deadline.

HK Real Estate Development: +/- 1,142 acres located at North Old Bastrop Highway and Staples Road: Proposal to change from “Area of Stability-Low Intensity” to “Growth Area-Medium Intensity”: Proposal to change from ETJ to a Medium Intensity Planned Area District.

In addition to the required public hearings, Section 2.4.2.3 of the San Marcos Development Code stipulates that the Responsible Official schedule a series of informational meetings upon receiving an application for a Preferred Scenario Map Amendment. Those informational meetings include the following:

- An informational meeting with members of the Neighborhood Commission
- **An informational meeting with members of the Planning and Zoning Commission**
- An informational meeting with the City Council prior to the first City Council public hearing

The full schedule for required meetings and public hearings is below:

- TBD: Neighborhood Commission Informational Meeting
- April 7th: City Council Informational Meeting
- **April 14th: Planning & Zoning Commission Informational Meeting**
- April 28th: Planning & Zoning Commission Public Hearing & Action
- May 19th: City Council Public Hearing (No Action)
- June 2nd: City Council Public Hearing & Action
- June 16th: City Council Reconsideration

This staff presentation is for informational purposes only and is intended to provide Commissioners an overview of the request and a schedule of upcoming meetings and public hearings.

Council Committee, Board/Commission Action:

Alternatives:

Click or tap here to enter text.

Recommendation:

N/A-Informational Only

PSA-20-02 (Riverbend Ranch) Preferred Scenario Amendment Review (By Comp Plan Element)

LAND USE – Preferred Scenario Map / Land Use Intensity Matrix

| | | |
|---|-----|--------------------------------|
| | YES | NO (map amendment required) |
| Does the request meet the intent of the Preferred Scenario Map and the Land Use Intensity Matrix? | | X |

ECONOMIC DEVELOPMENT – Furthering the goal of the Core 4 through the three strategies

| STRATEGY | SUMMARY | Supports | Contradicts | Neutral |
|---|---|--|-------------|---|
| Preparing the 21 st Century Workforce | Provides / Encourages educational opportunities | | | Applicant has not indicated that educational facilities will be included. |
| Competitive Infrastructure & Entrepreneurial Regulation | Provides / Encourages land, utilities and infrastructure for business | Applicant has indicated that infrastructure will be extended. | | |
| The Community of Choice | Provides / Encourages safe & stable neighborhoods, quality schools, fair wage jobs, community amenities, distinctive identity | | | Applicant has not indicated that opportunities for jobs and services will be included. |

ENVIRONMENT & RESOURCE PROTECTION – Land Use Suitability & Development Constraints

| | 1 (least) | 2 | 3 (moderate) | 4 | 5 (most) |
|-----------------------------|--------------|------------|-----------------|------------|-------------|
| Level of Overall Constraint | 12% | 57% | 16% | 1% | 14% |
| Constraint by Class | | | | | |
| Cultural | 95% | | | 5% | |
| Edwards Aquifer | 100% | | | | |
| Endangered Species | 100% | | | | |
| Floodplains | 83% | 1% | | 11% | 5% |
| Geological | 100% | | | | |
| Slope | 98% | | 1% | | 1% |
| Soils | 59% | 37% | | 4% | |
| Vegetation | 100% | | | | |
| Watersheds | 100% | | | | |
| Water Quality Zone | 73% | | | 9% | 18% |

ENVIRONMENT & RESOURCE PROTECTION – Water Quality Model Results

| | | | | | |
|---|--|--------|--------|---------|-------|
| Located in Subwatershed: | N/A-Outside Comprehensive Plan area of study. | | | | |
| | 0-25% | 25-50% | 50-75% | 75-100% | 100%+ |
| Modeled Impervious Cover Increase Anticipated for watershed | | | | | |
| Notes: N/A-Outside Comprehensive Plan area of study. | | | | | |

NEIGHBORHOODS – Where is the property located

| | |
|---------------------------------------|----------------------------------|
| CONA Neighborhood(s): | N/A – Outside City Limits |
| Neighborhood Commission Area(s): | N/A – Outside City Limits |
| Neighborhood Character Study Area(s): | N/A |

PARKS, PUBLIC SPACES AND FACILITIES –Availability of parks and infrastructure

| | | YES | NO |
|--|----------------------|----------|-----------------------|
| Will Parks and / or Open Space be Provided? | | X | |
| Will Trails and / or Green Space Connections be Provided? | | X | |
| In accordance with Development Agreement and San Marcos Development Code. To be dedicated as part of the overall Riverbend Ranch Development. | | | |
| Maintenance / Repair Density | Low (maintenance) | Medium | High (maintenance) |
| Wastewater Infrastructure | X | | |
| Water Infrastructure | X | | |
| Public Facility Availability | | | |
| | | YES | NO |
| Parks / Open Space within ¼ mile (walking distance)? El Camino Real Park is located approximately ½ mile southwest of the most southwestern point of the proposed development. Parks will be required in the Riverbend Ranch Development Agreement. | | | X |
| Wastewater service available? As part of the Development Agreement extensions are required and developer will provide. | | X | |
| Water service available? The City has service available adjacent to the property. As part of Development Agreement, construction of mains within the development are required and developer will provide. | | X | |

TRANSPORTATION – Level of Service (LOS), Access to sidewalks, bicycle lanes and public transportation

| | | A | B | C | D | F |
|--|---|-----|------|------|------|---|
| Existing Daily LOS | North Old Bastrop Highway Staples Road | X | | | | |
| Existing Peak LOS | North Old Bastrop Highway Staples Road | X | X | | | |
| Preferred Scenario Daily LOS | North Old Bastrop Highway Staples Road | X | | X | | X |
| Preferred Scenario Peak LOS | North Old Bastrop Highway Staples Road | X | | | | X |
| <p>The Transportation Demand Model shows that North Old Bastrop Highway is at a level of service A for the Existing Daily and a level of service C for the Existing Peak. It remains at a level of service A in the Preferred Scenario Daily and Peak. Staples Road is shown as a LOS A in the Existing Daily and Peak but drops to a LOS C and F in the Preferred Scenario Daily and Peak. A Transportation Impact Analysis will be required and the applicant may be responsible for improvements to these roadways if the analysis warrants improvements.</p> | | | | | | |
| | | N/A | Good | Fair | Poor | |
| Sidewalk Availability | | X | | | | |
| <p>Sidewalks are required to be built as part of the development.</p> | | | | | | |
| | | YES | | NO | | |
| Adjacent to existing bicycle lane? | | | | X | | |
| Adjacent to existing public transportation route? | | X | | | | |
| <p>Notes: The Guadalupe/Redwood line runs along Redwood Road. The nearest stop is at Redwood Road and Poplar Street.</p> | | | | | | |

Preferred Scenario Application Spring 2020

Areas of Stability

- Existing Neighborhoods
- Low Intensity
- Open Space

Growth Areas

- High Intensity
- Medium Intensity
- Employment Area

Land Use Corridors

- Conservation Corridor
- Employment Corridor
- Mixed Use Corridor

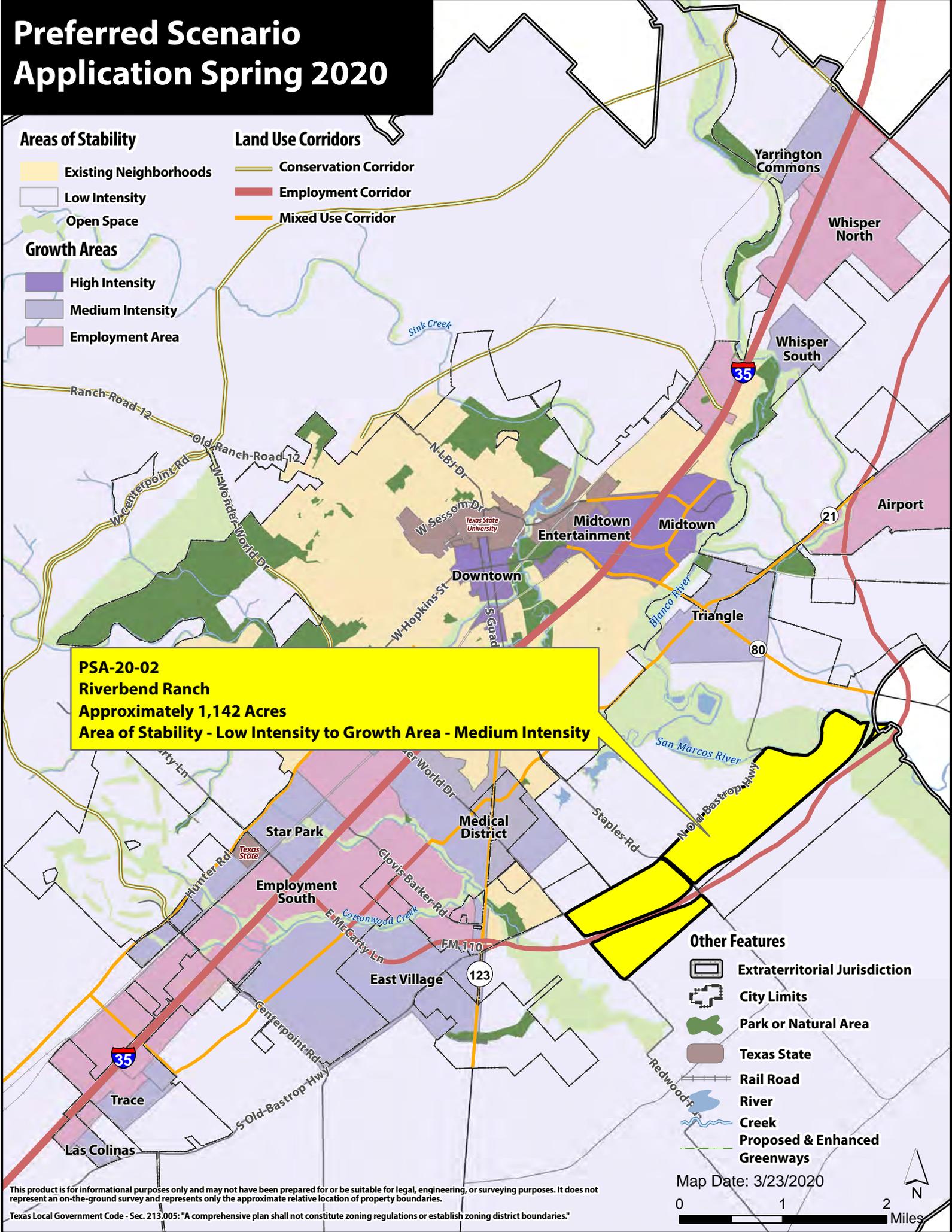
Other Features

- Extraterritorial Jurisdiction
- City Limits
- Park or Natural Area
- Texas State
- Rail Road
- River
- Creek
- Proposed & Enhanced Greenways

Map Date: 3/23/2020

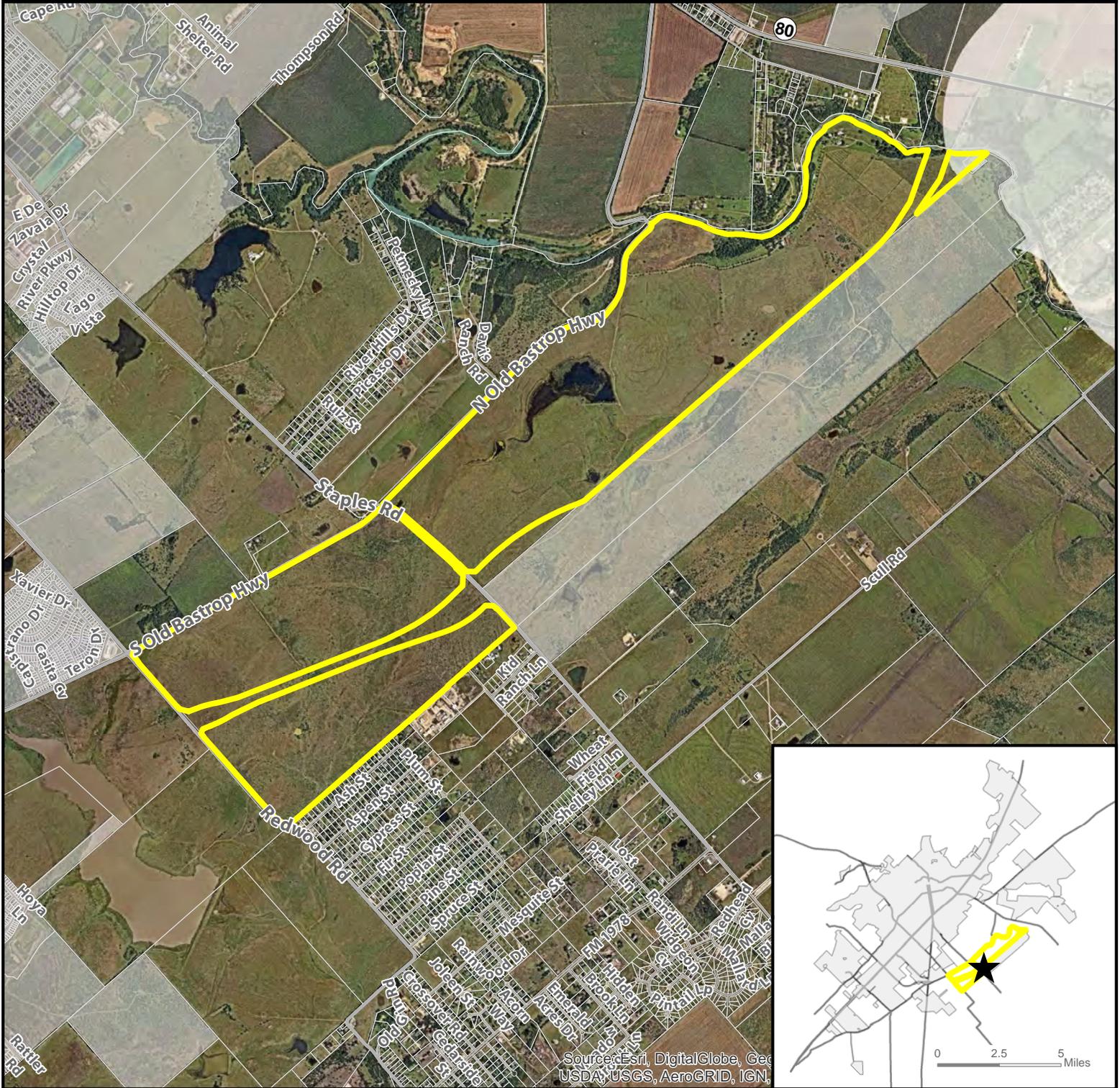
0 1 2 Miles

**PSA-20-02
Riverbend Ranch
Approximately 1,142 Acres
Area of Stability - Low Intensity to Growth Area - Medium Intensity**

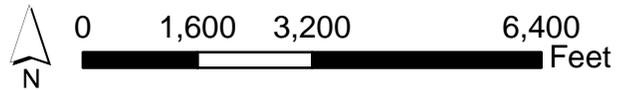


This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.
Texas Local Government Code - Sec. 213.005: "A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries."

PSA-20-02 Aerial View Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.



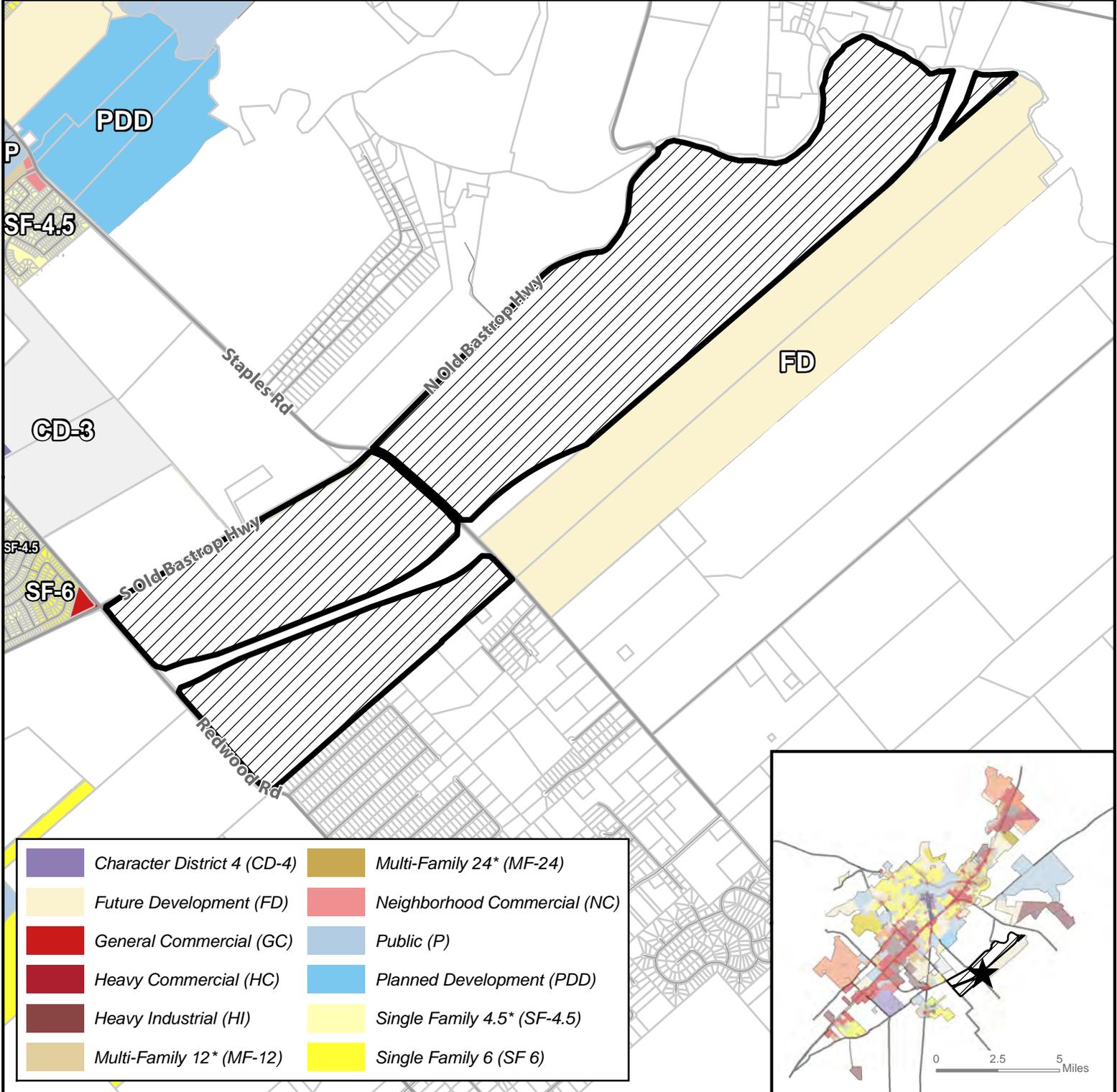
- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit



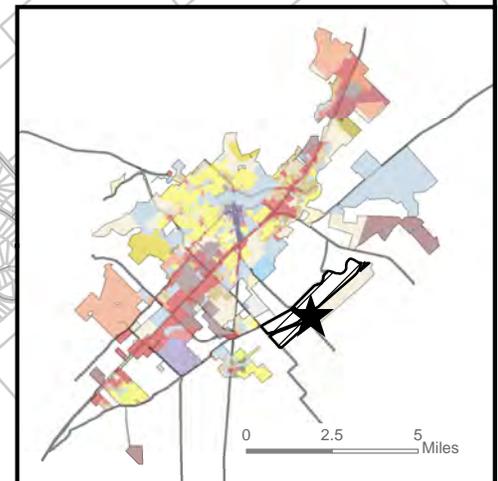
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Map Date: 3/23/2020

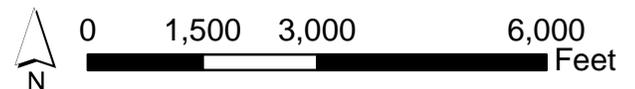
PSA-20-02 Existing Zoning Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.



| | | | |
|--|-----------------------------|--|------------------------------|
| | Character District 4 (CD-4) | | Multi-Family 24* (MF-24) |
| | Future Development (FD) | | Neighborhood Commercial (NC) |
| | General Commercial (GC) | | Public (P) |
| | Heavy Commercial (HC) | | Planned Development (PDD) |
| | Heavy Industrial (HI) | | Single Family 4.5* (SF-4.5) |
| | Multi-Family 12* (MF-12) | | Single Family 6 (SF 6) |



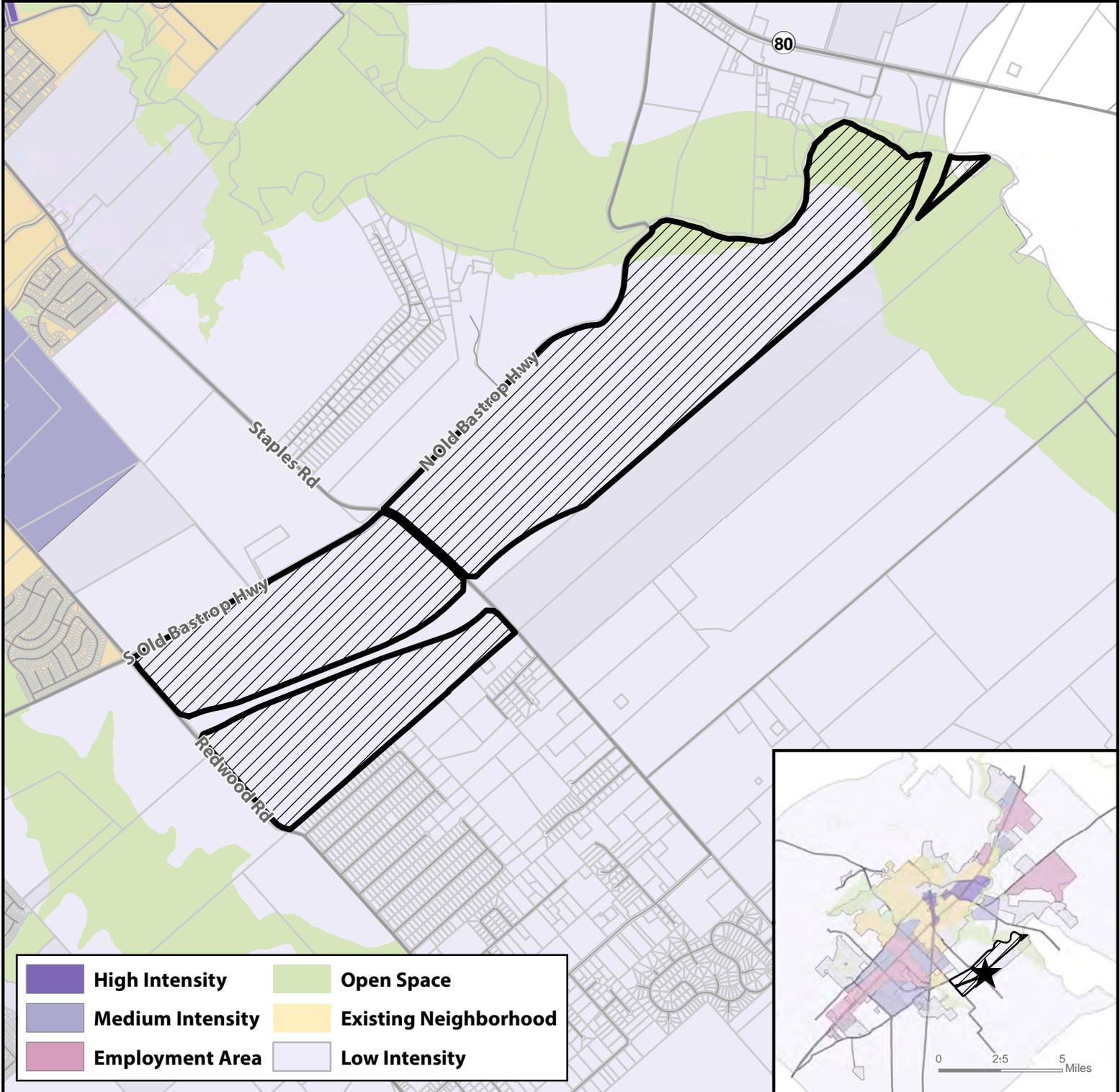
- Site Location**
- Subject Property**
- Parcels**
- City Limit**



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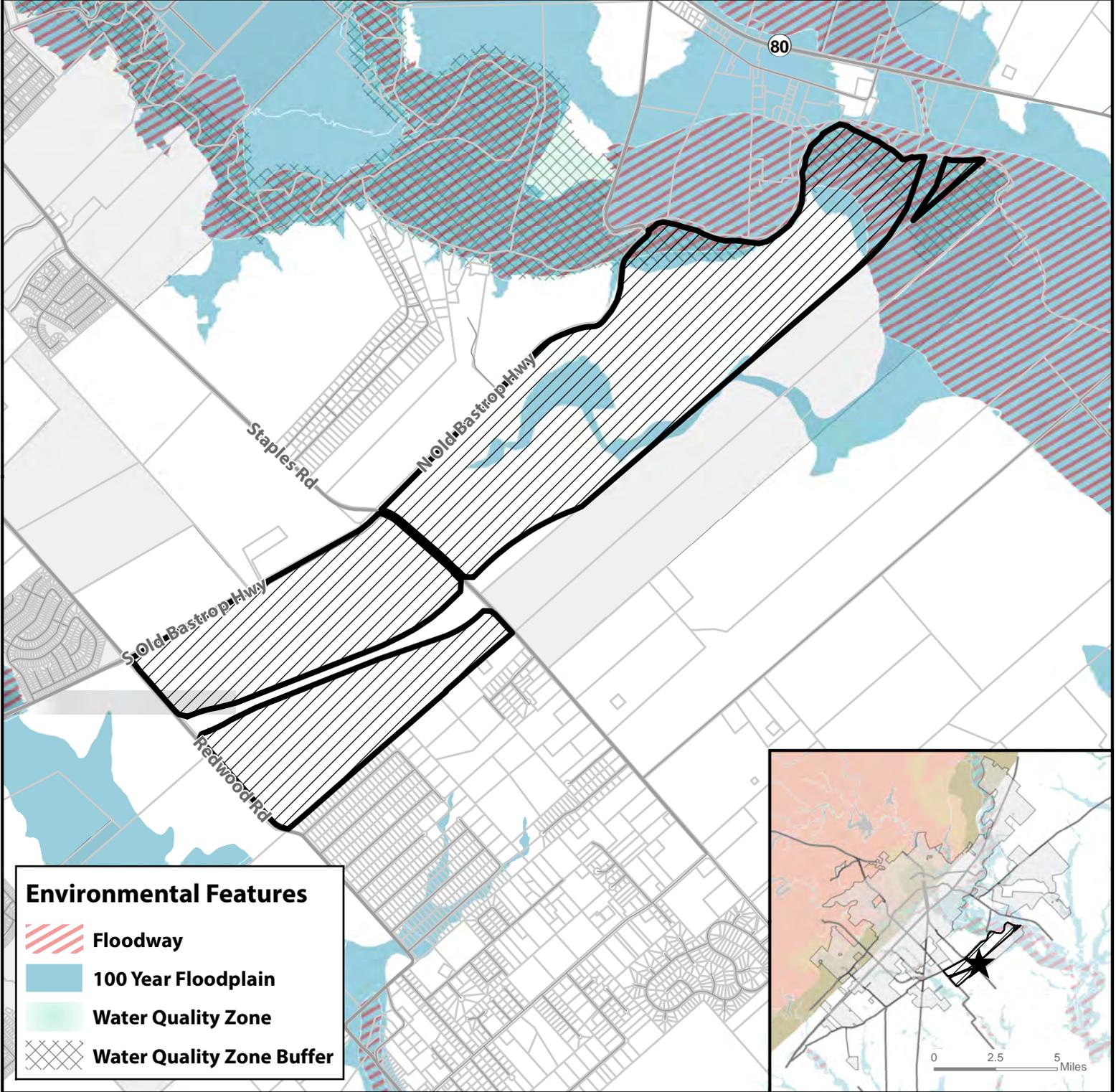
Map Date: 3/23/2020

PSA-20-02 Preferred Scenario Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.



| | | |
|--|-------------------------|---|
| | Site Location | 0 1,600 3,200 6,400 Feet |
| | Subject Property | |
| | Parcels | |
| | City Limit | <p>This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.</p> <p>Map Date: 3/23/2020</p> |

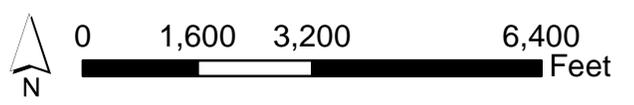
PSA-20-02 Environmental Features Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.



Environmental Features

-  Floodway
-  100 Year Floodplain
-  Water Quality Zone
-  Water Quality Zone Buffer

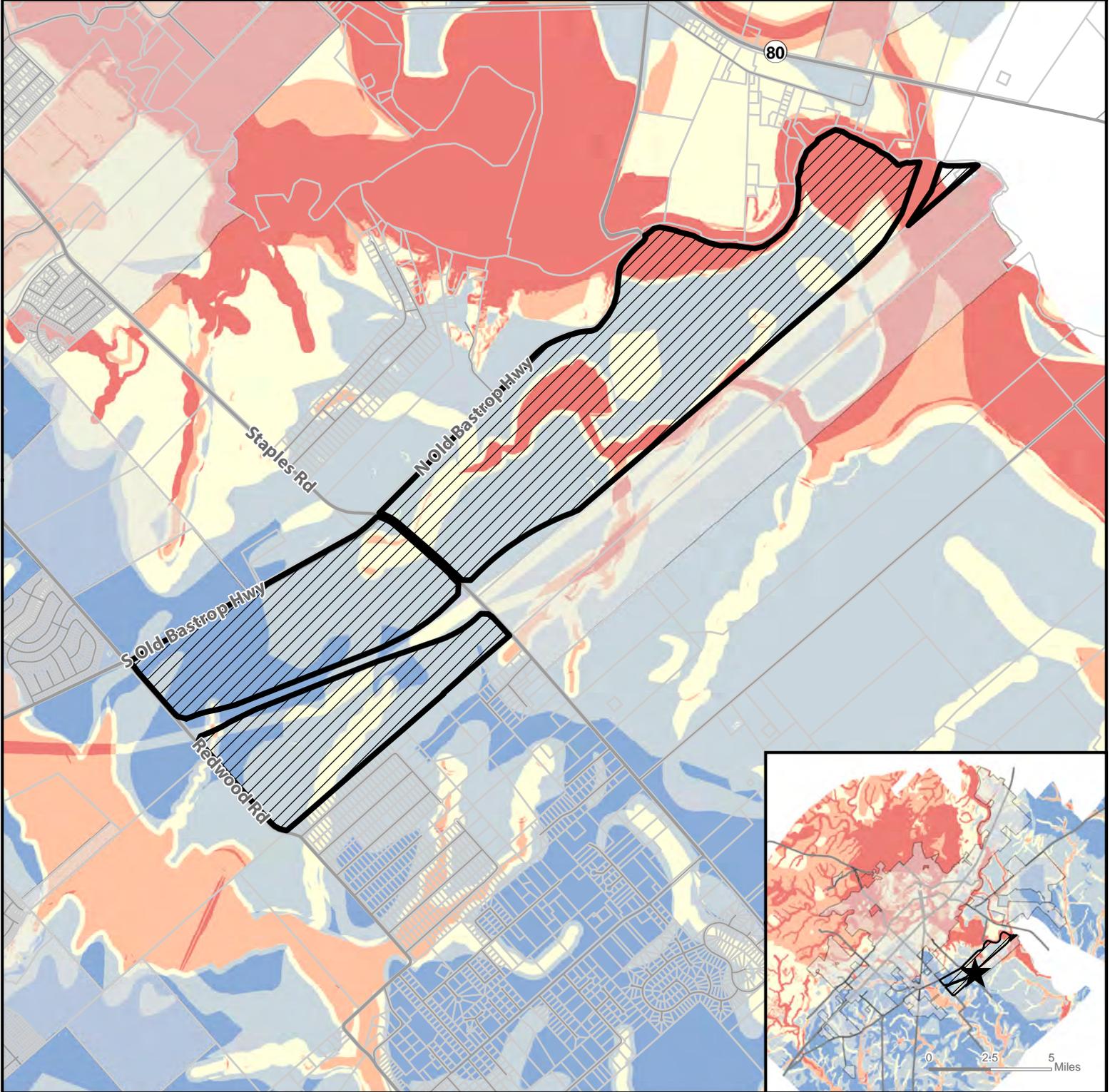
-  Site Location
-  Subject Property
-  Parcels
-  City Limit

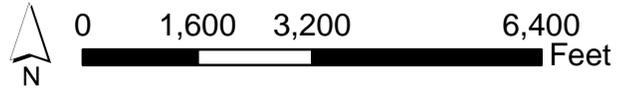


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 3/23/2020

PSA-20-02 Land Use Suitability Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.

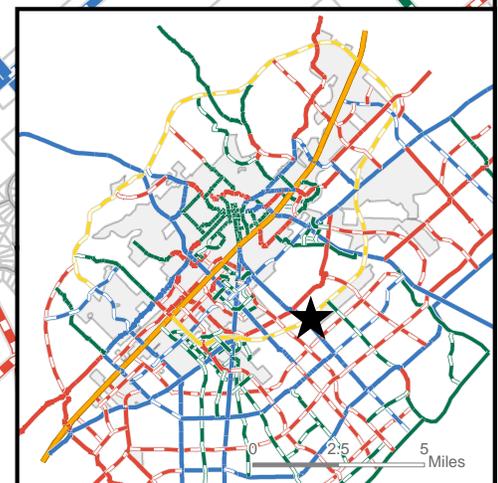
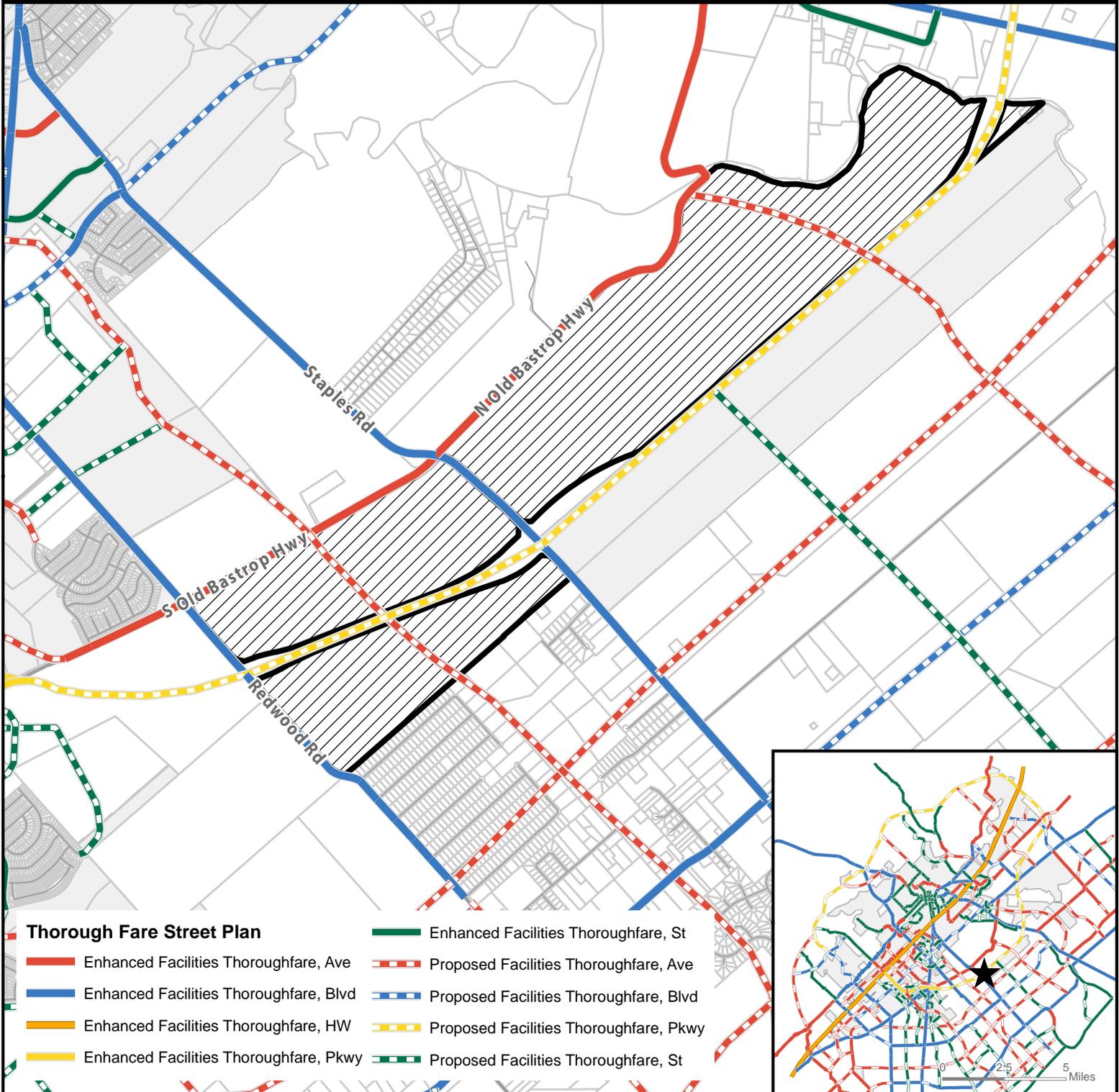


| <ul style="list-style-type: none">  Site Location  Subject Property  Parcels  City Limit | <table border="1"> <thead> <tr> <th colspan="2">LandUseSuitability Value</th> </tr> </thead> <tbody> <tr> <td></td> <td>Least Constrained</td> </tr> <tr> <td></td> <td>2</td> </tr> <tr> <td></td> <td>Moderately Constrained</td> </tr> <tr> <td></td> <td>4</td> </tr> <tr> <td></td> <td>Most Constrained</td> </tr> </tbody> </table> | LandUseSuitability Value | |  | Least Constrained |  | 2 |  | Moderately Constrained |  | 4 |  | Most Constrained |  <p>0 1,600 3,200 6,400 Feet</p> | <p>This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.</p> |
|--|---|----------------------------|--|---|-------------------|---|---|---|------------------------|---|---|---|------------------|--|--|
| LandUseSuitability Value | | | | | | | | | | | | | | | |
|  | Least Constrained | | | | | | | | | | | | | | |
|  | 2 | | | | | | | | | | | | | | |
|  | Moderately Constrained | | | | | | | | | | | | | | |
|  | 4 | | | | | | | | | | | | | | |
|  | Most Constrained | | | | | | | | | | | | | | |
| <p>Document Path: S:\Planning & Dev\Planning_Planning Current\PSA-20-02\GIS\PSA-20-01_LUS.mxd</p> | | <p>Map Date: 3/23/2020</p> | | | | | | | | | | | | | |

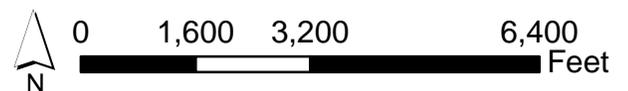
PSA-20-02

Transportation Master Plan

Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.



- Site Location**
- Subject Property**
- Parcels**
- City Limit**

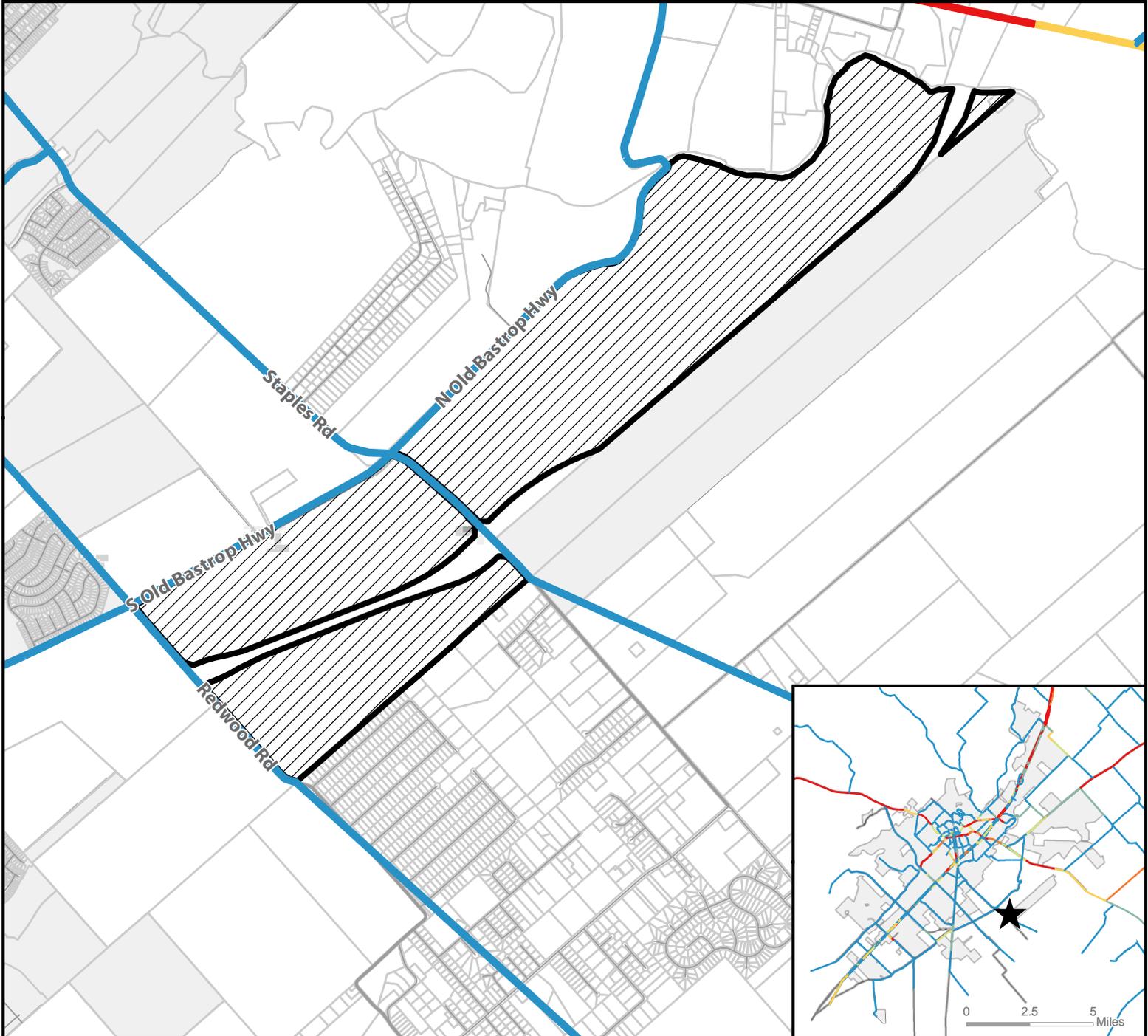


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 3/23/2020

PSA -20-02 TDM Existing Daily Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.

TDM derived from 2010 CAMPO Regional Model



★ Site Location

▨ Subject Property

▭ Parcels

▭ City Limit

Level of Service (LOS)*

— LOS A (0.00 - 0.60)

— LOS B (0.61 - 0.70)

— LOS C (0.71 - 0.80)

— LOS D (0.81 - 0.90)

— LOS E (0.91 - 1.00)

— LOS F (Over 1.00)

*Level of Service (LOS) defined by maximum volume over capacity.



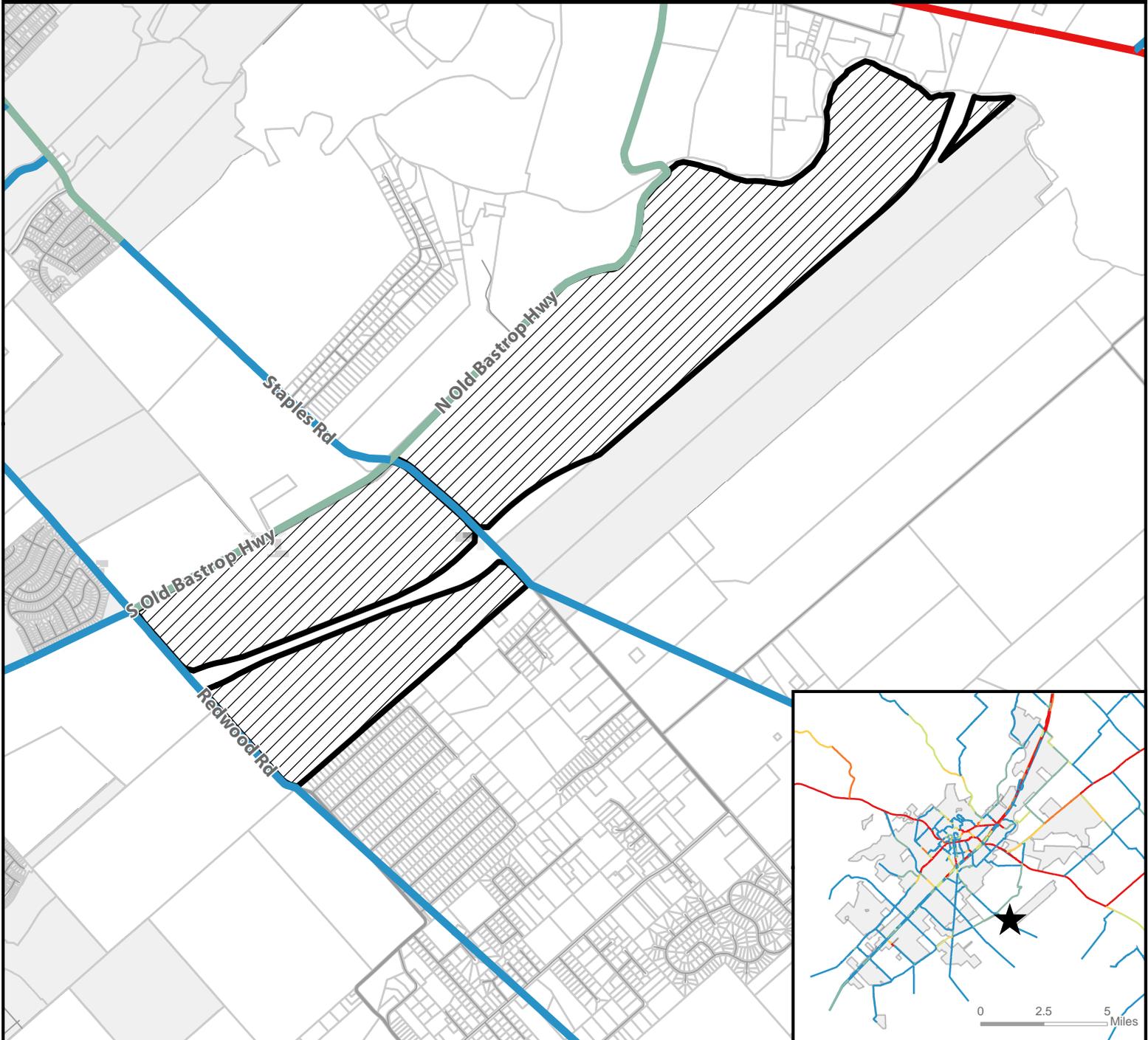
0 1,650 3,300 6,600 Feet

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Map Date: 3/23/2020

PSA-20-02 TDM Existing Peak Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.

TDM derived from 2010 CAMPO Regional Model



- ★ Site Location
 - ▨ Subject Property
 - ▭ Parcels
 - ▭ City Limit
- | Level of Service (LOS)* | |
|--|---------------------|
| — | LOS A (0.00 - 0.60) |
| — | LOS B (0.61 - 0.70) |
| — | LOS C (0.71 - 0.80) |
| — | LOS D (0.81 - 0.90) |
| — | LOS E (0.91 - 1.00) |
| — | LOS F (Over 1.00) |
- *Level of Service (LOS) defined by maximum volume over capacity.

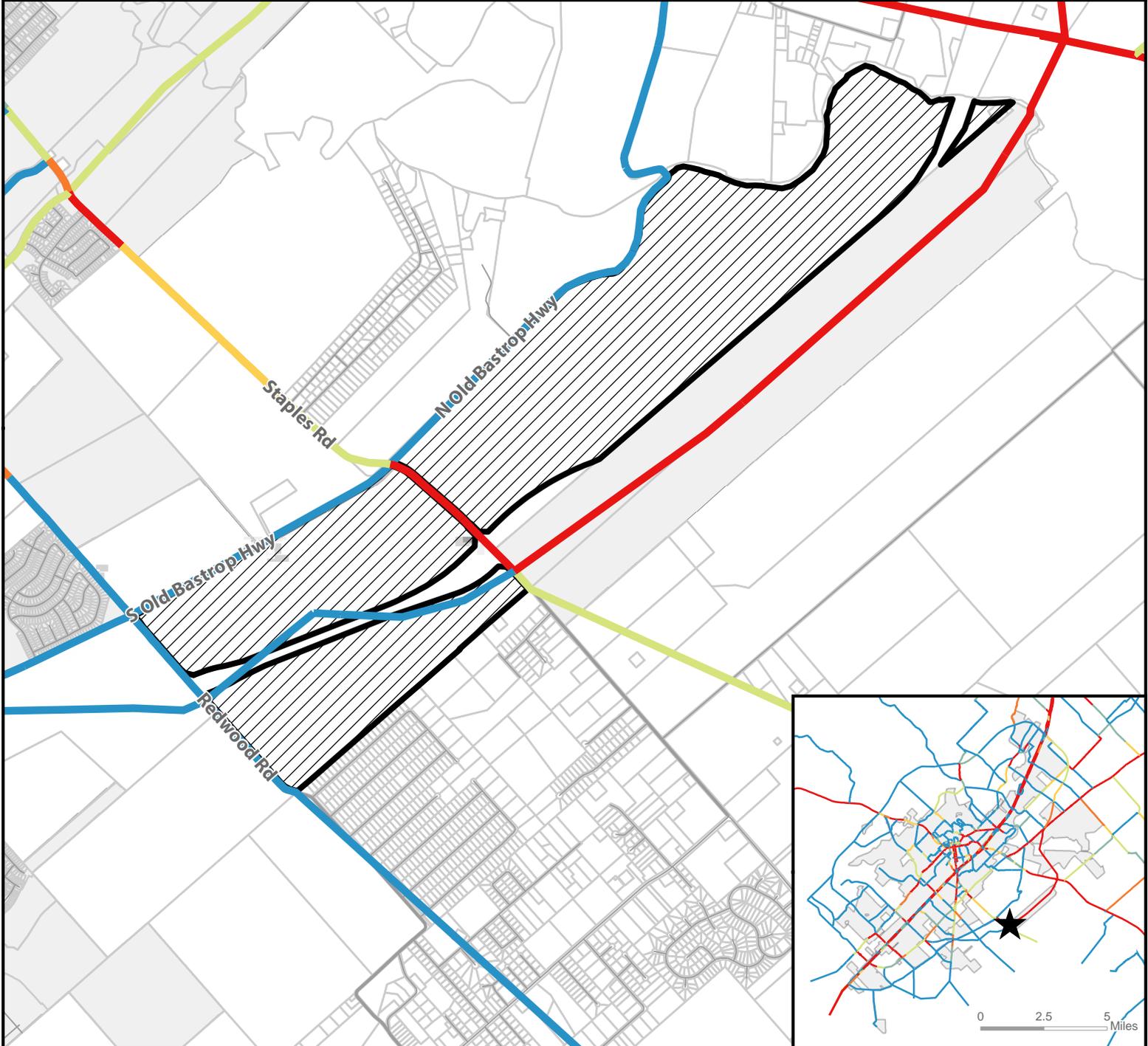


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

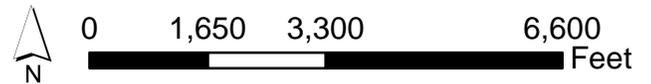
Map Date: 3/23/2020

PSA-20-02 TDM Future Daily Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.

TDM derived from 2010 CAMPO Regional Model



- ★ Site Location
 - ▨ Subject Property
 - Parcels
 - City Limit
- | Level of Service (LOS)* | |
|---|---------------------|
| — | LOS A (0.00 - 0.60) |
| — | LOS B (0.61 - 0.70) |
| — | LOS C (0.71 - 0.80) |
| — | LOS D (0.81 - 0.90) |
| — | LOS E (0.91 - 1.00) |
| — | LOS F (Over 1.00) |
- *Level of Service (LOS) defined by maximum volume over capacity.

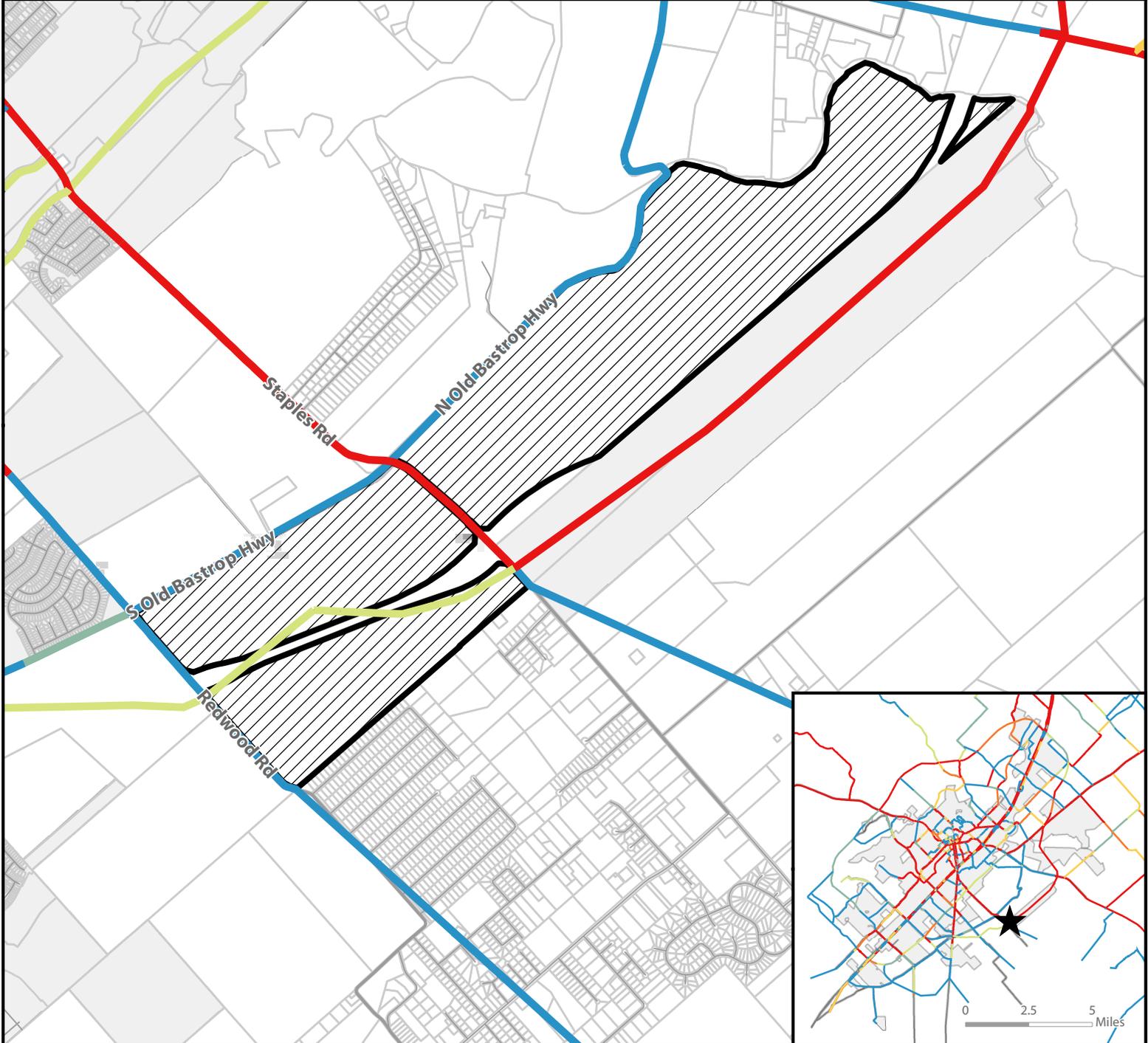


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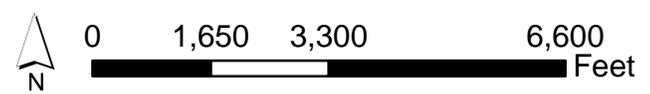
Map Date: 3/23/2020

PSA-20-02 TDM Future Peak Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.

TDM derived from 2010 CAMPO Regional Model



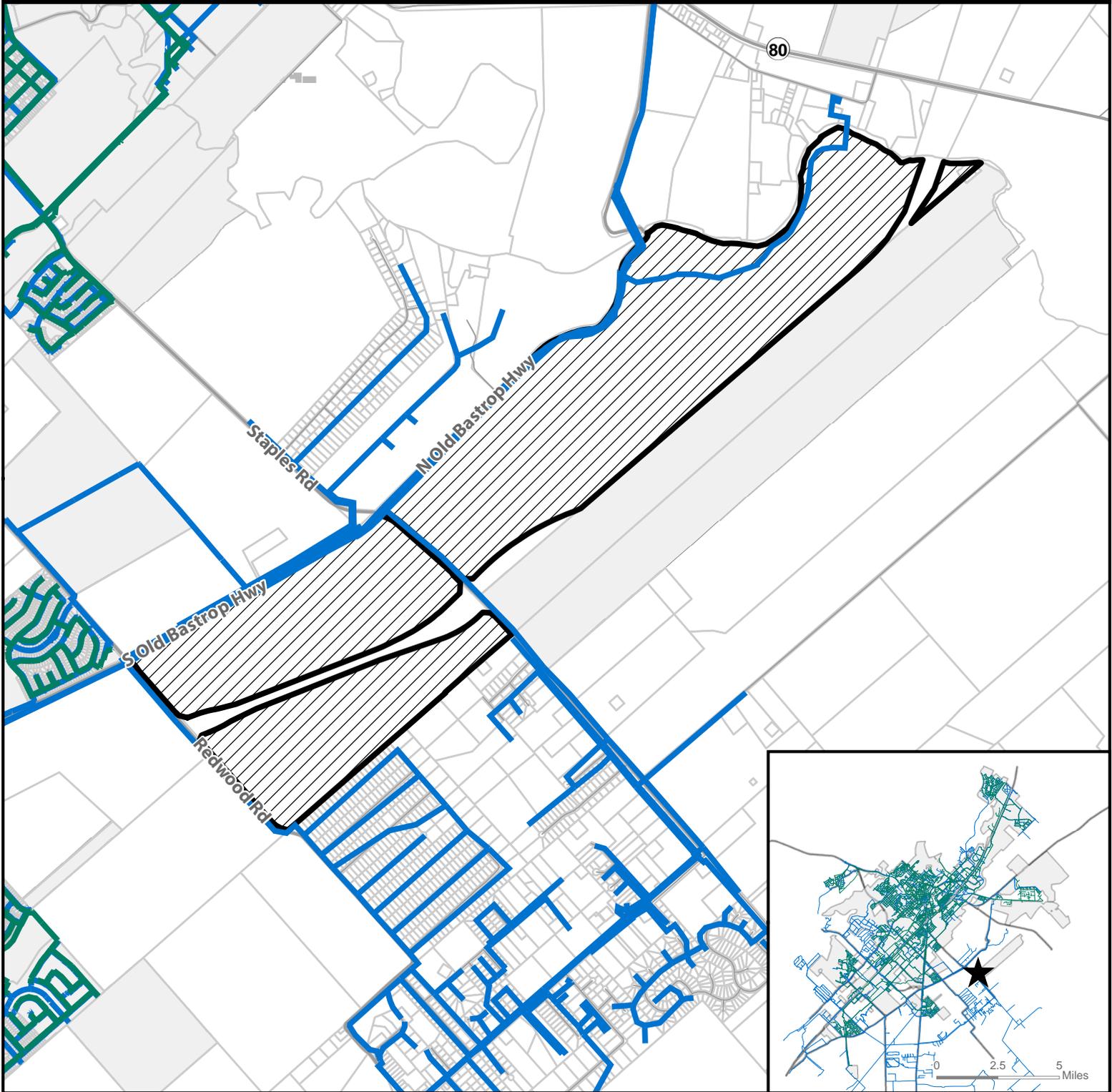
- ★ Site Location
 - ▨ Subject Property
 - ▭ Parcels
 - ▭ City Limit
- *Level of Service (LOS) defined by maximum volume over capacity.
- | Level of Service (LOS)* | |
|--|---------------------|
| — | LOS A (0.00 - 0.60) |
| — | LOS B (0.61 - 0.70) |
| — | LOS C (0.71 - 0.80) |
| — | LOS D (0.81 - 0.90) |
| — | LOS E (0.91 - 1.00) |
| — | LOS F (Over 1.00) |



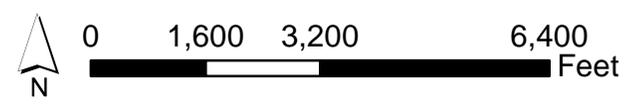
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Map Date: 3/23/2020

PSA-20-02 Water/Wastewater Lines Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.



- ★ Site Location
- ▨ Subject Property
- Parcels
- City Limit
- Sanitary Main
- Water Main



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Map Date: 3/23/2020

PSA-20-02 Wastewater Hotspots Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.



 Subject Property

 Site Location

 Parcels

 City Limit

 Hot

Cold

Hotspot analysis based on service requests from 2013 to 2018.



0 1,600 3,200 6,400 Feet

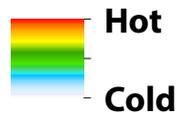
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 3/23/2020

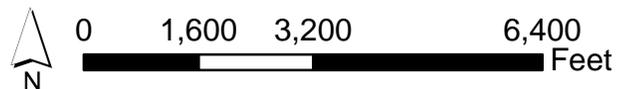
PSA-20-02 Water Hotspots Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.



-  **Subject Property**
-  **Site Location**
-  **Parcels**
-  **City Limit**



Hotspot analysis based on service requests from 2013 to 2018.



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Map Date: 3/23/2020

PREFERRED SCENARIO MAP AMENDMENT APPLICATION

Updated: October, 2019



CONTACT INFORMATION

| | | | |
|-----------------------------|---|-------------------------|---|
| Applicant's Name | Paul Kuo | Property Owner | Freeman Educational Foundation HK Baugh Ranch, LLC |
| Company | HK Real Estate Development | Company | |
| Applicant's Mailing Address | 24607 Fairway Springs San Antonio, TX 78260 | Owner's Mailing Address | See Attached List |
| Applicant's Phone # | 210-363-4672 | Owner's Phone # | See Attached List |
| Applicant's Email | pkuo@hkdevelopment.com | Owner's Email | See Attached List |

PROPERTY INFORMATION

Subject Property Address(es): Intersection of Old Bastrop Rd & Staples Rd

Legal Description: Lot _____ Block _____ Subdivision _____

Total Acreage: Approximately 1,142 acres Tax ID #: R 70337, 70338, 70350, 70351, 16583, 13040
10915, 10957, 20294, 20295, 20304, 151626, 130384

Existing Preferred Scenario Designation: Low Intensity

Existing Zoning: Outside City Limits Existing Land Use(s): Outside City Limits

DESCRIPTION OF REQUEST

Proposed Preferred Scenario Designation: Medium Intensity

Proposed Zoning: Single Family/Multi-family/Commercial Proposed Land Use(s): Single Family/Multi-family/Commercial

Reason for the Change: development of mix uses (single-family residential, multi-family residential and commercial within the City of San Marcos

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$1,057 plus \$100 per acre Technology Fee \$13 **MAXIMUM COST \$3,513**

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

Preferred Scenario Map Amendment

Property Owner List

Freeman Educational Foundation
Frost National Bank Trust
Robert Wynn, Frost Bank Trustee
PO Box 2950
San Antonio, TX 78299-2950

HK Bauch Ranch LLC
Paul Kuo, Manager
24607 Fairway Springs
San Antonio, TX 78260
Phone: 210-363-4672
Email: pkuo@hkdevelopment.com

PROPERTY OWNER AUTHORIZATION

I, PAUL KUO (owner name) on behalf of
HK BAUGH RANCH, LLC (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
Intersection of Old Bastrop Rd & Staples Rd (address).

I hereby authorize _____ (agent name) on behalf of
_____ (agent company) to file this application for
_____ (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  _____ Date: 7.28.2020

Printed Name, Title: Paul Kuo, Manager

Signature of Agent: _____ Date: _____

Printed Name, Title: _____

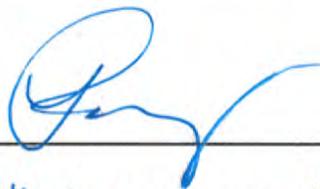
PROPERTY OWNER AUTHORIZATION

I, Freeman Educational Foundation (owner name) on behalf of _____ (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at Intersection of Old Bastrop Rd & Staples Rd (address).

I hereby authorize Paul Kuo (agent name) on behalf of HK Real Estate Development (agent company) to file this application for Preferred Scenario Map Amendment (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: SEE ATTACHED AGENT LETTER Date: _____

Printed Name, Title: _____

Signature of Agent:  Date: 2.18.2020

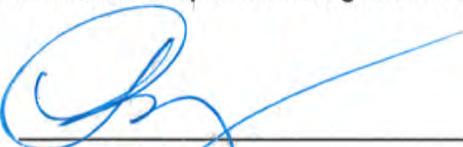
Printed Name, Title: HK REAL ESTATE DEVELOPMENT, MANAGER

**AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS
AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS**

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature:  _____

Date: 7.28.2020 _____

Print Name: Paul Eno _____

PROPERTY OWNER AUTHORIZATION

I, FROST BANK TRUSTEE (owner) acknowledge that I am the rightful owner of the property located at 467 ACRES S OLD BASTROP HWY, SAN MARCOS, TX 78666 (address).

I hereby authorize PAUL KUO (agent name) to file this application for _____ (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: *Frost Bank, Trustee*
Robert Wynn

Date: 8/8/19

Printed Name: Robert Wynn

Signature of Agent: _____

Date: _____

Printed Name: PAUL KUO

**AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS
AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS**

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

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- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$88 plus a \$12 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: *Robert Wiggins*
Print Name: Robert Wiggins

Date: 8/8/19

PSA-20-02 (Riverbend Ranch)

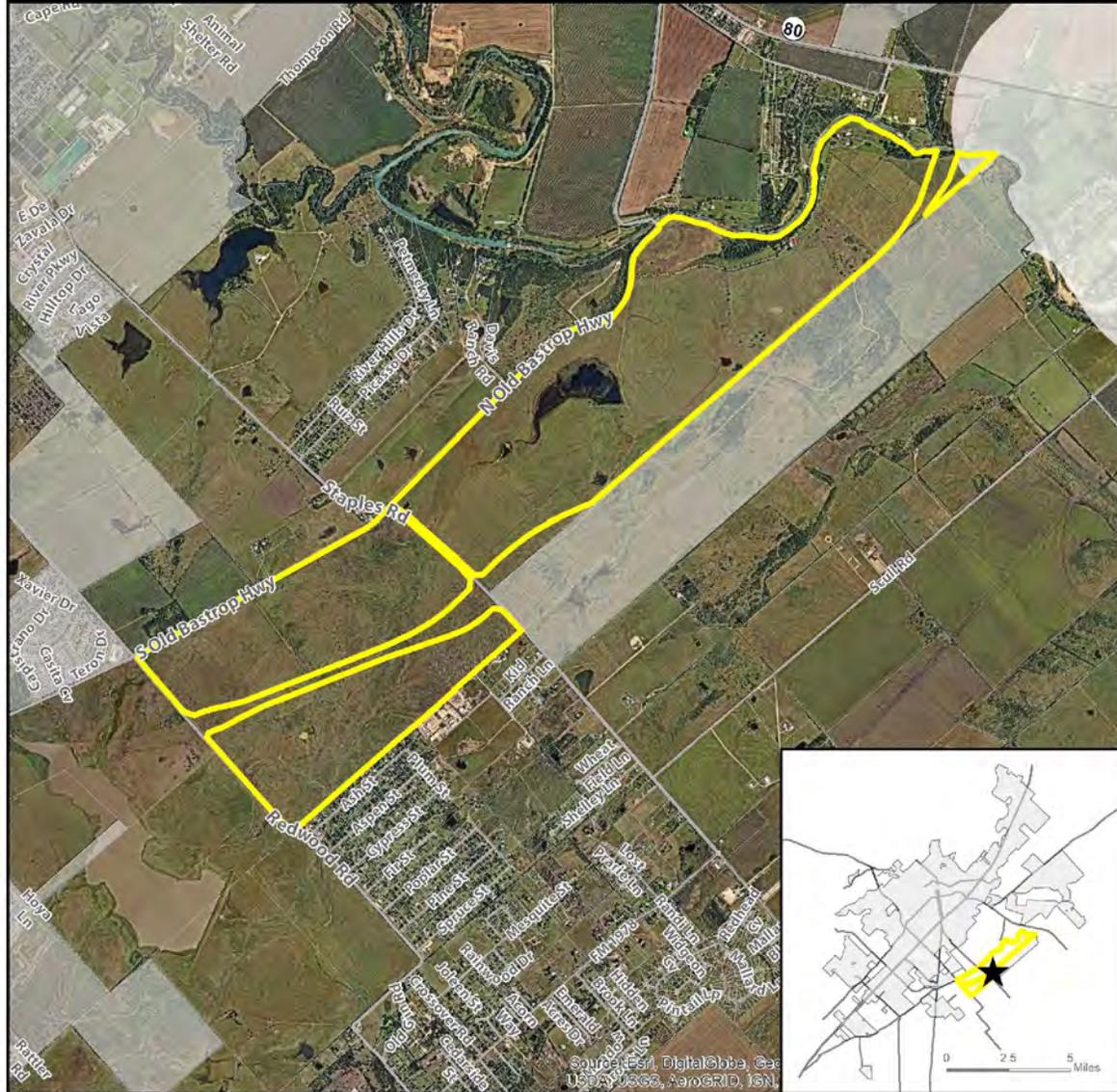
Receive a presentation and update on the following Spring 2020 Preferred Scenario Amendment Application:

PSA-20-02 (Riverbend Ranch)-A Preferred Scenario Amendment from “Area of Stability-Low Intensity” to “Growth Area-Medium Intensity”, located approximately at the intersection of North Old Bastrop Highway and Staples Road.

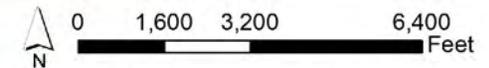
Location & Context:

- Property is located near the intersection of North Old Bastrop Highway and Staples Road.
- Approximately 1,142 acres
- Located within a Low Intensity Zone as designated on the Preferred Scenario Map

PSA-20-02 Aerial View Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.



- ★ Site Location
- ▭ Subject Property
- ▭ Parcel
- ▭ City Limit

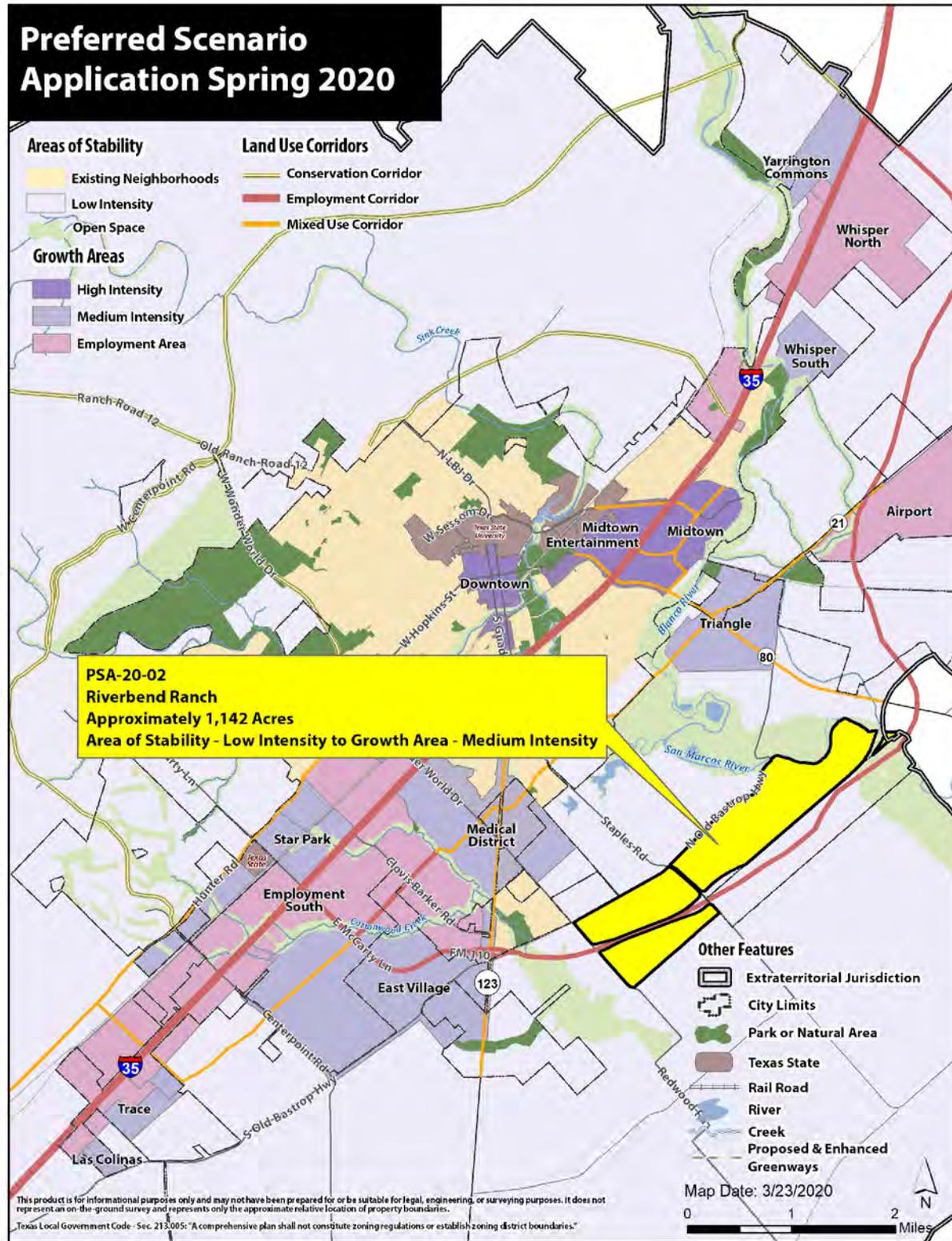


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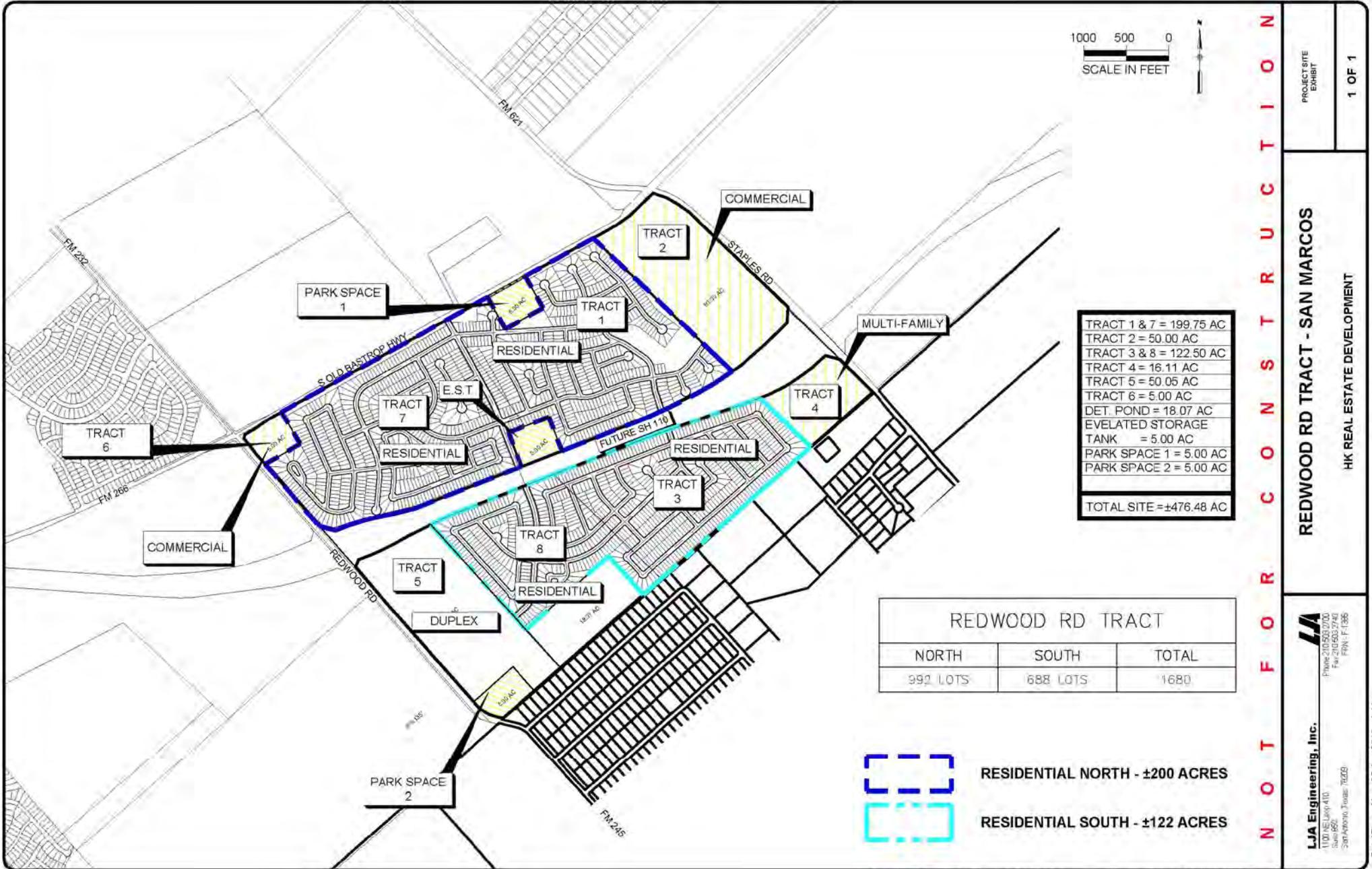
Map Date: 3/23/2020

Request:

- Amend Preferred Scenario Map
- Area of Stability-Low Intensity to Growth Area-Medium Intensity
- ETJ Status to Medium Intensity Planning Area District



Concept Plan



NOT FOR CONSTRUCTION

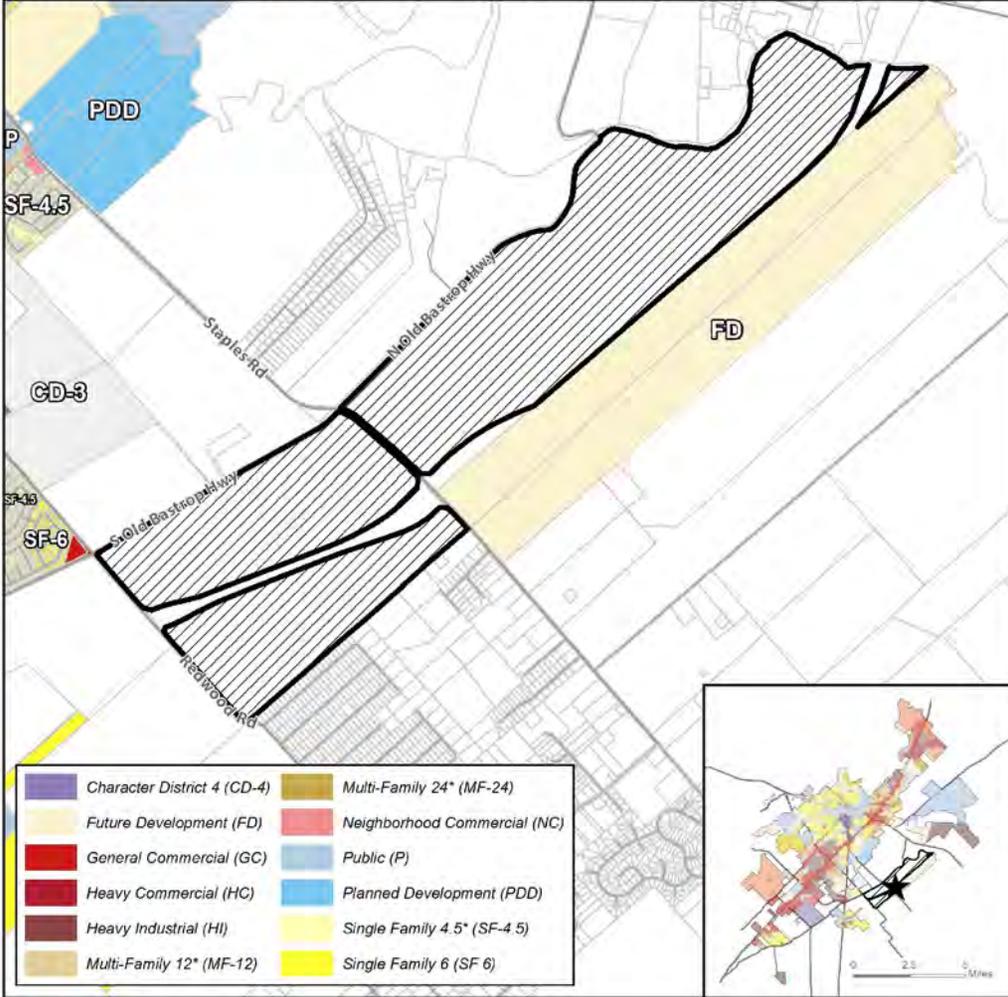
| | |
|--|---|
| LJA Engineering, Inc. 1107 N. Loop W. Suite 400 San Antonio, Texas 78207 Phone: 210.520.9700 Fax: 210.520.7242 Email: info@lja.com Website: www.lja.com | PROJECT SITE EXHIBIT 1 OF 1 |
| | REDWOOD RD TRACT - SAN MARCOS HK REAL ESTATE DEVELOPMENT |



Schedule:

- **TBD: Neighborhood Commission Informational Meeting**
- **April 7th: City Council Informational Meeting**
- **April 14th: P&Z Informational Meeting**
- **April 28th: P&Z Public Hearing & Action**
- **May 19th: City Council Public Hearing (no action)**
- **June 2nd: City Council Public Hearing & Action**
- **June 16th: City Council Reconsideration**

**PSA-20-02
Existing Zoning
Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.**

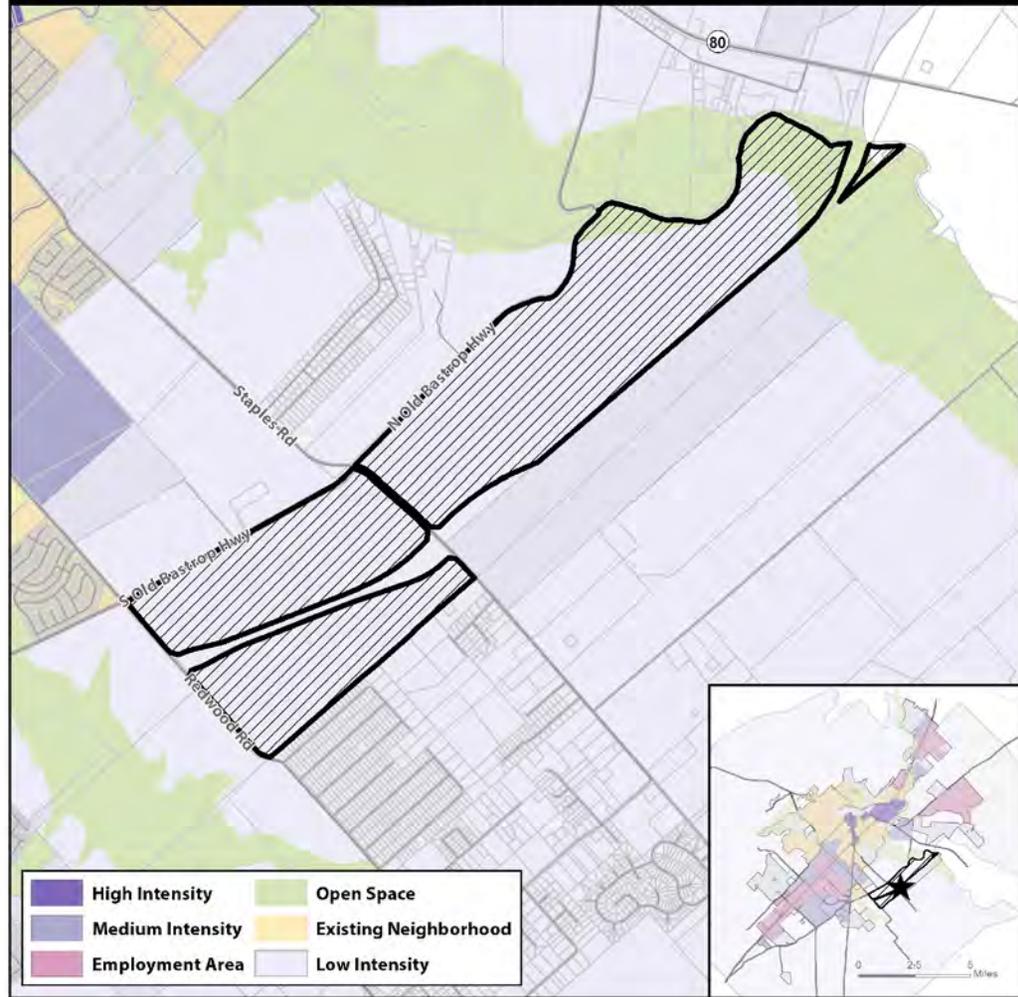


- ★ Site Location
- ▨ Subject Property
- ▭ Parcels
- ▭ City Limit

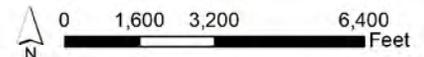


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Map Date: 3/23/2020

**PSA-20-01
Preferred Scenario
Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.**

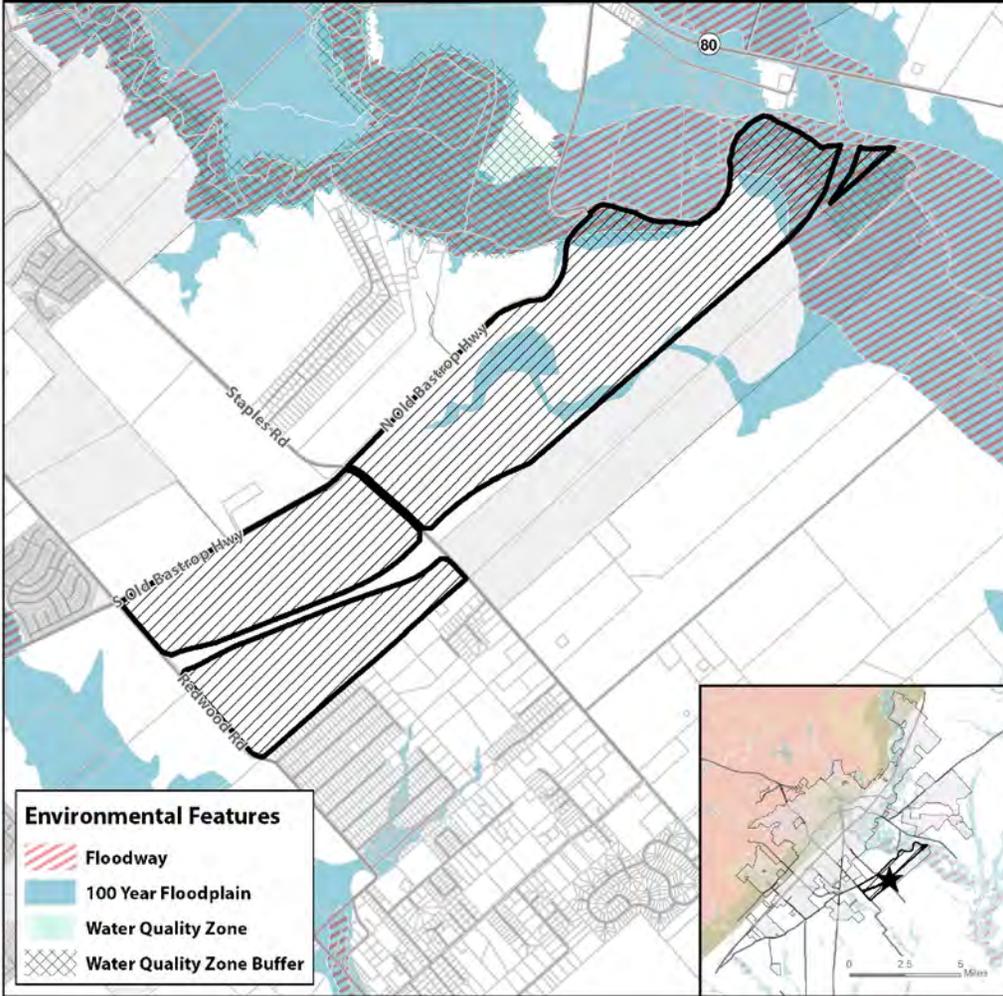


- ★ Site Location
- ▨ Subject Property
- ▭ Parcels
- ▭ City Limit



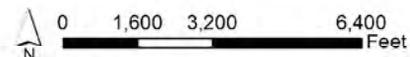
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Map Date: 3/23/2020

PSA-20-02
Environmental Features
Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.



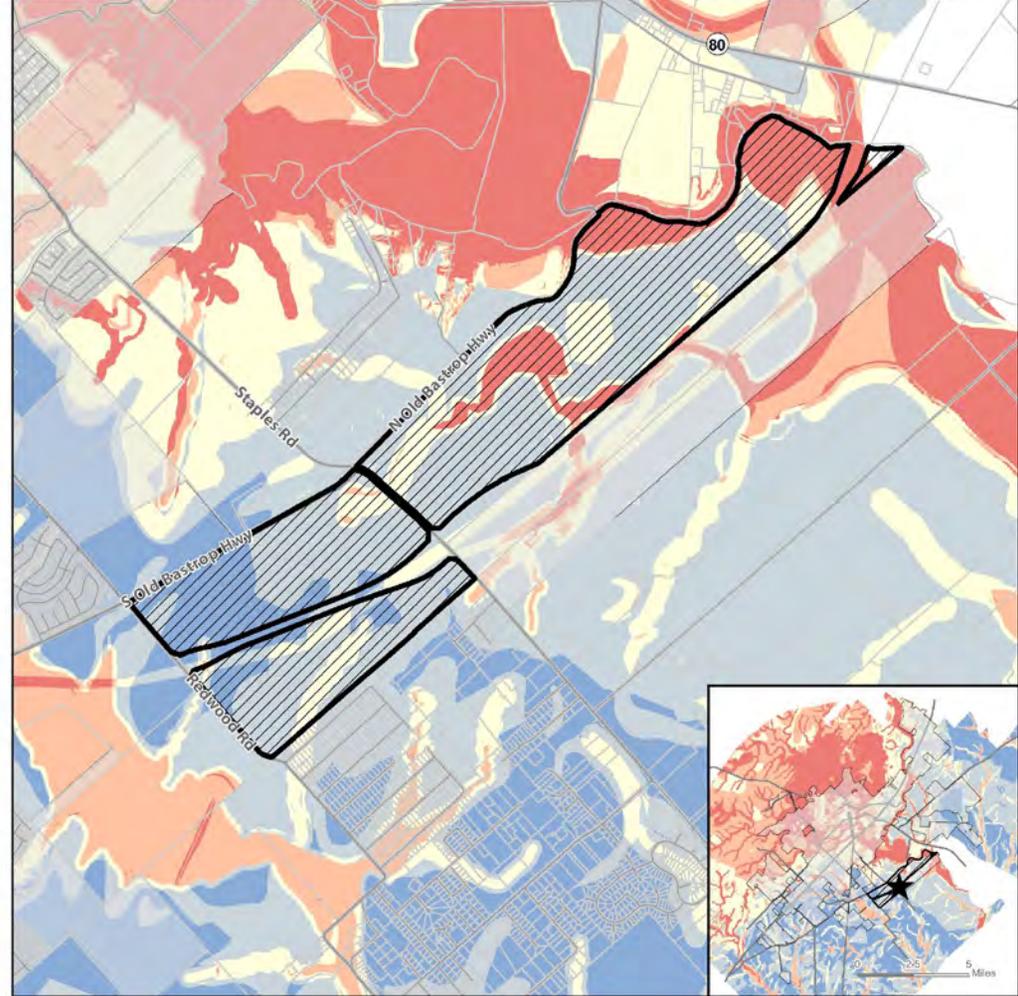
- Environmental Features**
- Floodway
 - 100 Year Floodplain
 - Water Quality Zone
 - Water Quality Zone Buffer

- Site Location
- Subject Property
- Parcels
- City Limit



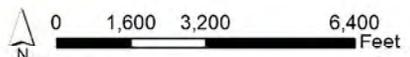
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 Map Date: 3/23/2020

PSA-20-02
Land Use Suitability
Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.



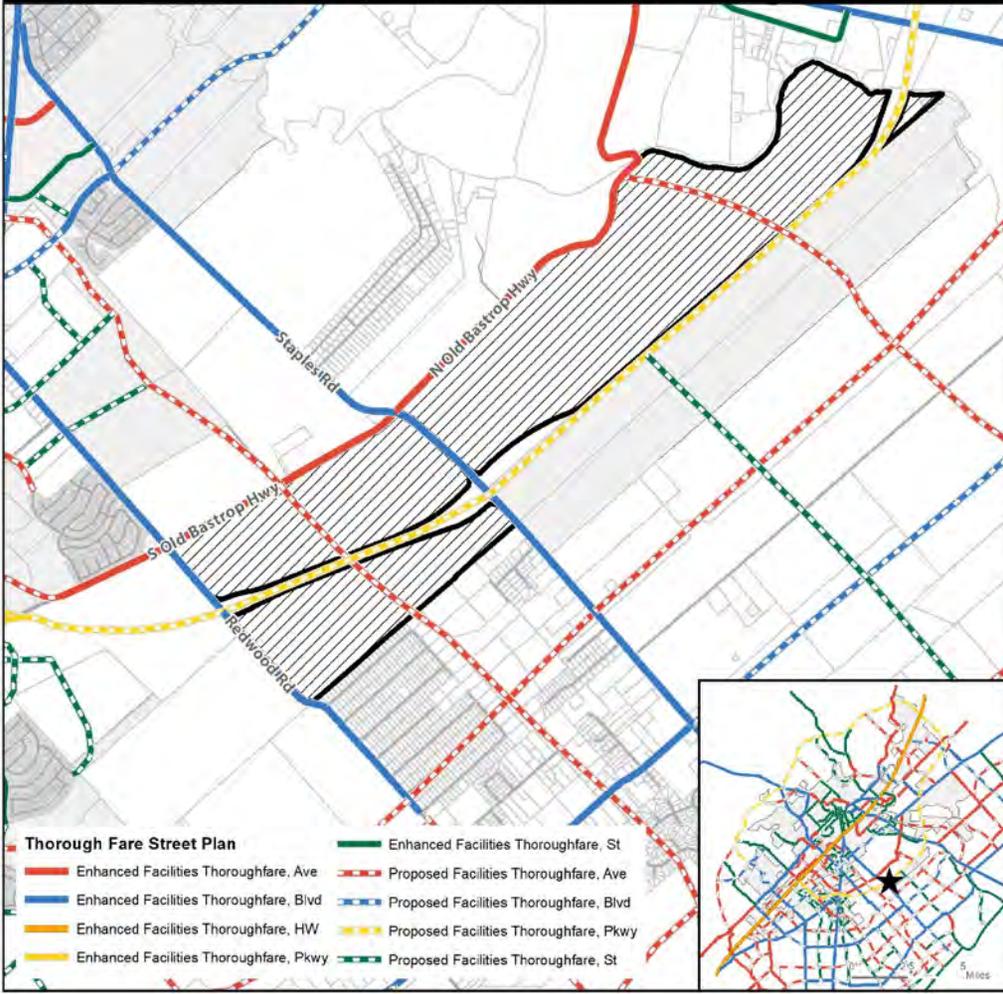
- Land Use Suitability**
- Value
- Least Constrained
 - 2
 - Moderately Constrained
 - 4
 - Most Constrained

- Site Location
- Subject Property
- Parcels
- City Limit



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 Map Date: 3/23/2020

**PSA-20-02
Transportation Master Plan
Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.**



- | | |
|--|--|
| Thoroughfare Street Plan | Enhanced Facilities Thoroughfare, St |
| Enhanced Facilities Thoroughfare, Ave | Proposed Facilities Thoroughfare, Ave |
| Enhanced Facilities Thoroughfare, Blvd | Proposed Facilities Thoroughfare, Blvd |
| Enhanced Facilities Thoroughfare, HW | Proposed Facilities Thoroughfare, Pkwy |
| Enhanced Facilities Thoroughfare, Pkwy | Proposed Facilities Thoroughfare, St |

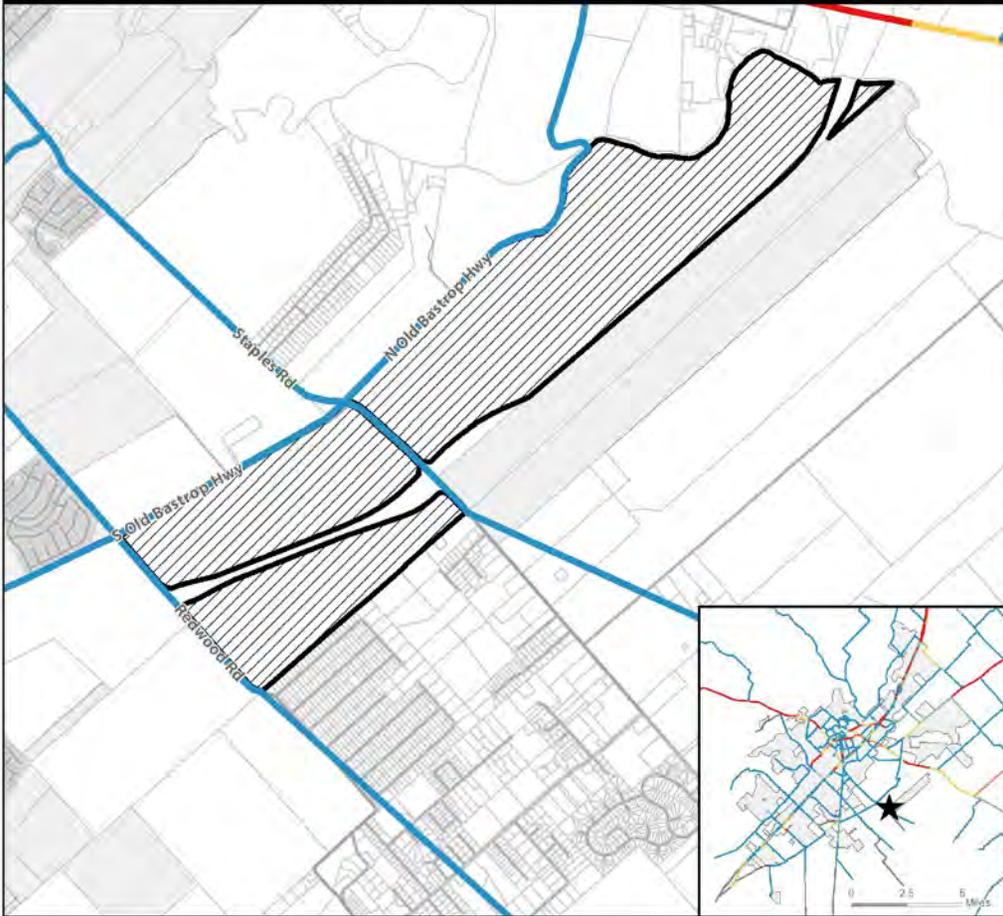
| | |
|-------------------------|--|
| Site Location | 0 1,600 3,200 6,400 Feet |
| Subject Property | This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Map Date: 3/23/2020 |
| Parcels | |
| City Limit | |

**PSA-20-02
Water/Wastewater Lines
Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.**

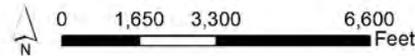


| | |
|-------------------------|--|
| Site Location | 0 1,600 3,200 6,400 Feet |
| Subject Property | This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Map Date: 3/23/2020 |
| Parcels | |
| City Limit | |

PSA -20-02
TDM Existing Daily
Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.
 TDM derived from 2010 CAMPO Regional Model



- ★ Site Location
 - ▨ Subject Property
 - ▭ Parcels
 - ▭ City Limit
- Level of Service (LOS)***
- LOS A (0.00 - 0.60)
 - LOS B (0.61 - 0.70)
 - LOS C (0.71 - 0.80)
 - LOS D (0.81 - 0.90)
 - LOS E (0.91 - 1.00)
 - LOS F (Over 1.00)
- *Level of Service (LOS) defined by maximum volume over capacity



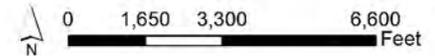
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 3/23/2020

PSA-20-02
TDM Existing Peak
Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.
 TDM derived from 2010 CAMPO Regional Model



- ★ Site Location
 - ▨ Subject Property
 - ▭ Parcels
 - ▭ City Limit
- Level of Service (LOS)***
- LOS A (0.00 - 0.60)
 - LOS B (0.61 - 0.70)
 - LOS C (0.71 - 0.80)
 - LOS D (0.81 - 0.90)
 - LOS E (0.91 - 1.00)
 - LOS F (Over 1.00)
- *Level of Service (LOS) defined by maximum volume over capacity

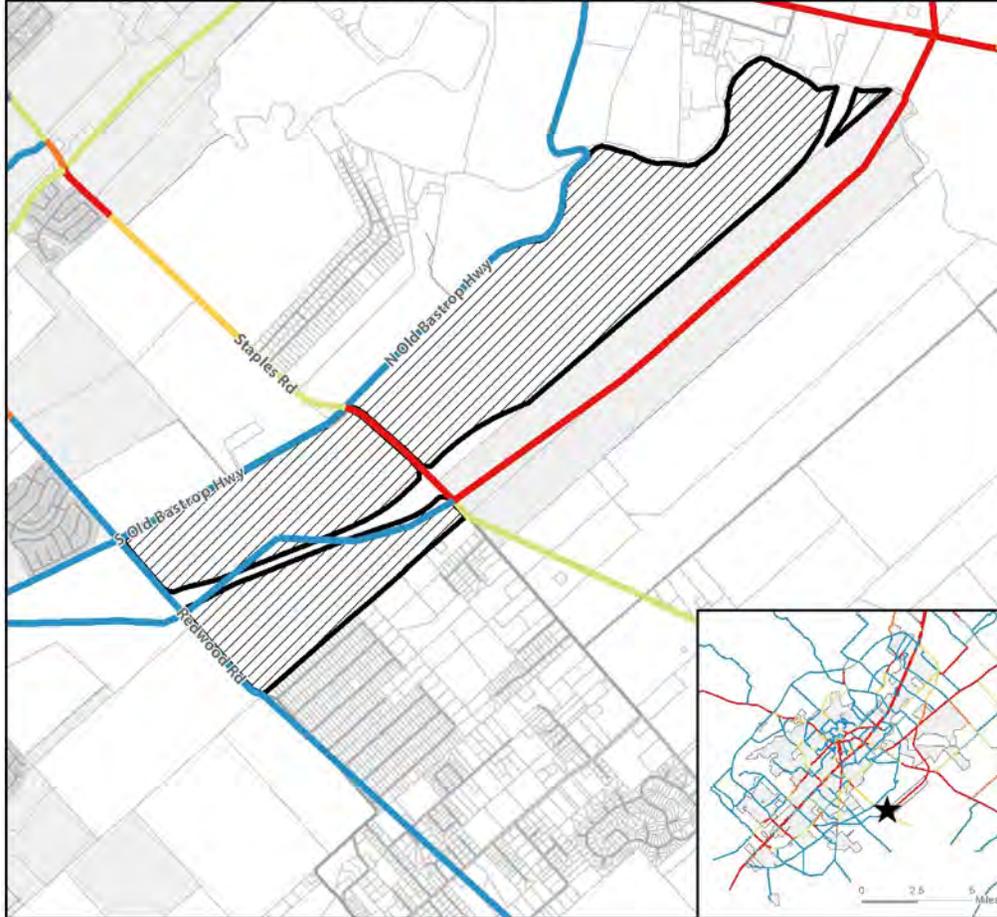


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 3/23/2020

**PSA-20-02
TDM Future Daily
Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.**

TDM derived from 2010 CAMPO Regional Model



★ Site Location

▨ Subject Property

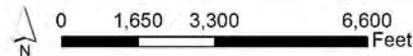
▭ Parcels

▭ City Limit

*Level of Service (LOS) defined by maximum volume over capacity.

Level of Service (LOS)*

- LOS A (0.00 - 0.60)
- LOS B (0.61 - 0.70)
- LOS C (0.71 - 0.80)
- LOS D (0.81 - 0.90)
- LOS E (0.91 - 1.00)
- LOS F (Over 1.00)

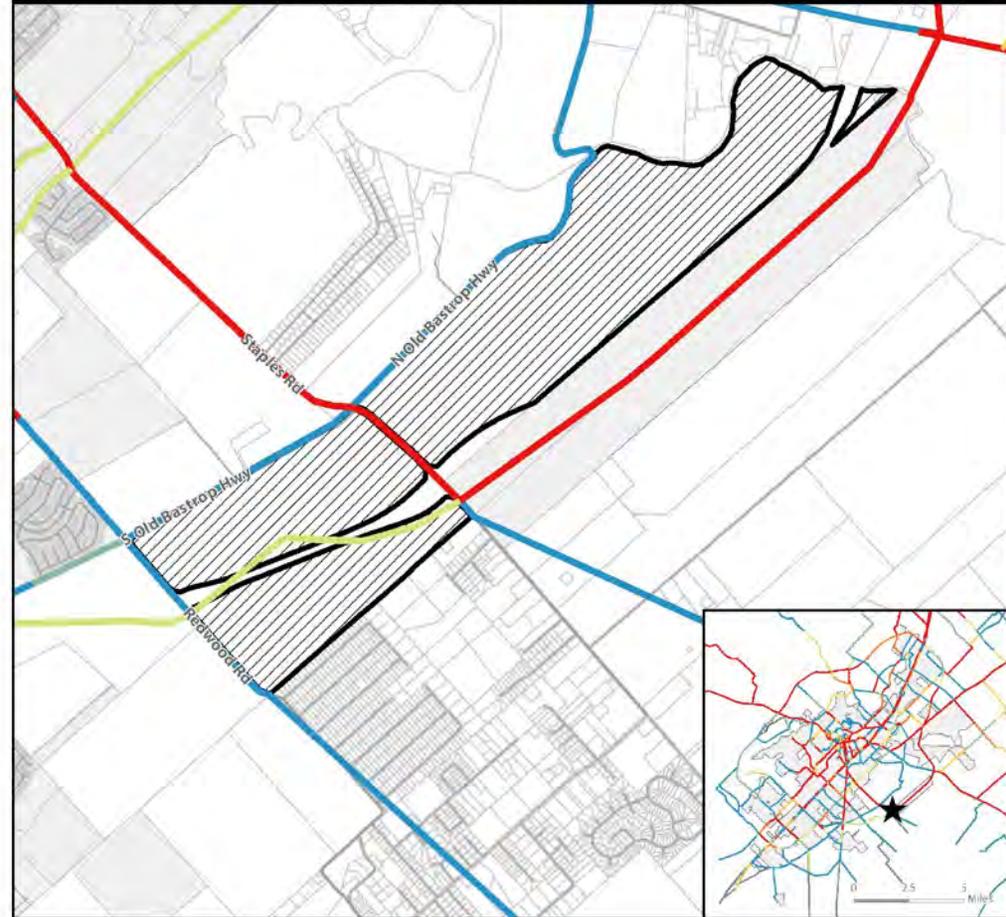


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Map Date: 3/23/2020

**PSA-20-02
TDM Future Peak
Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.**

TDM derived from 2010 CAMPO Regional Model



★ Site Location

▨ Subject Property

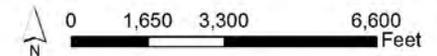
▭ Parcels

▭ City Limit

*Level of Service (LOS) defined by maximum volume over capacity.

Level of Service (LOS)*

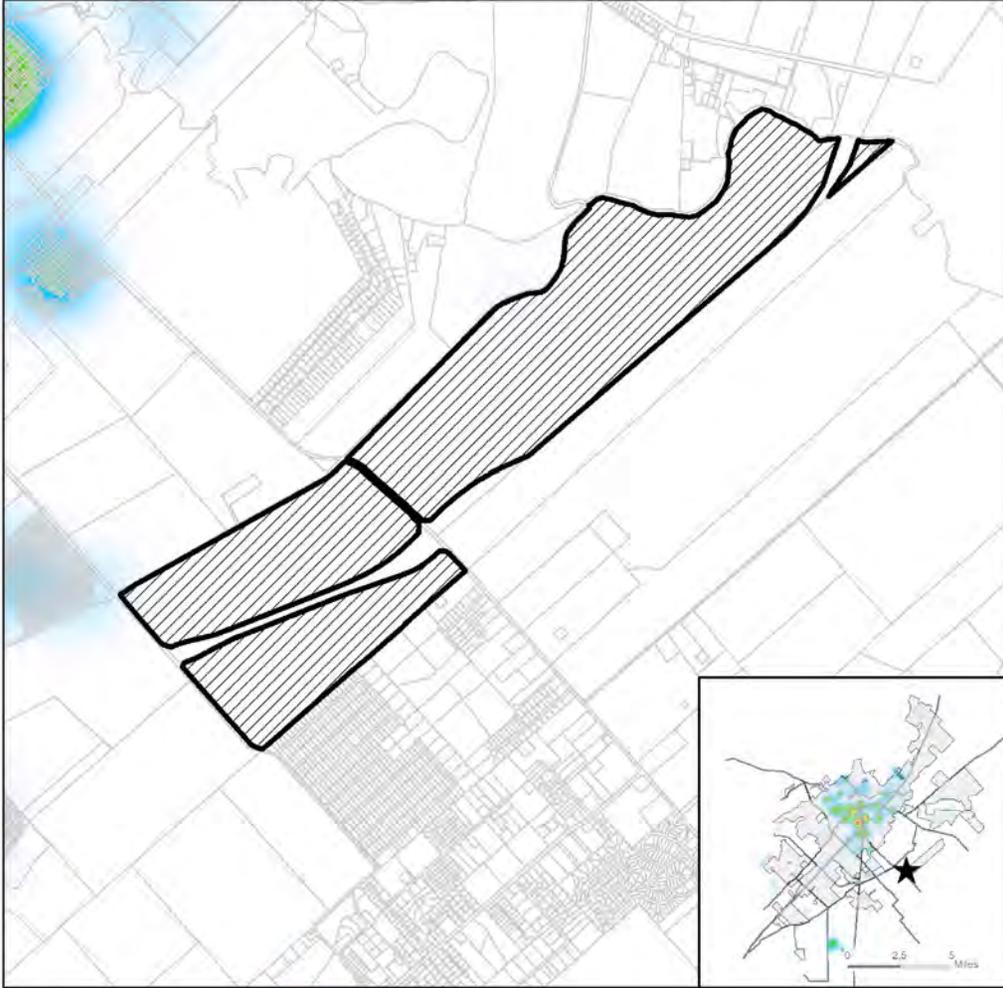
- LOS A (0.00 - 0.60)
- LOS B (0.61 - 0.70)
- LOS C (0.71 - 0.80)
- LOS D (0.81 - 0.90)
- LOS E (0.91 - 1.00)
- LOS F (Over 1.00)



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 3/23/2020

PSA-20-02
Water Hotspots
Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.



| | | |
|-------------------------|---|--|
| Subject Property | Hot | |
| Site Location | Cold | |
| Parcels | Hotspot analysis based on service requests from 2013 to 2018. | |
| City Limit | This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. | |
| Map Date: 3/23/2020 | | |

PSA-20-02
Wastewater Hotspots
Riverbend Ranch PSA — North Old Bastrop Hwy. & Staples Rd.



| | | |
|-------------------------|---|--|
| Subject Property | Hot | |
| Site Location | Cold | |
| Parcels | Hotspot analysis based on service requests from 2013 to 2018. | |
| City Limit | This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. | |
| Map Date: 3/23/2020 | | |



Legislation Text

File #: ID#20-114, **Version:** 1

AGENDA CAPTION:

Receive a staff presentation of the 2021-2030 Capital Improvement Program.

Meeting date: April 14, 2020

Department: CIP/Engineering

Amount & Source of Funding

Funds Required: Click or tap here to enter text.

Account Number: Click or tap here to enter text.

Funds Available: Click or tap here to enter text.

Account Name: Click or tap here to enter text.

Fiscal Note:

Prior Council Action: Click or tap here to enter text.

City Council Strategic Initiative: [Please select from the dropdown menu below]

Workforce Housing

Multi Modal Transportation

City Facilities

Workforce Development

Downtown Vitality

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 - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services
- Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

FY2021-2030 10-year Capital Improvement Program. Only the first year of funding will be considered by Council.

Council Committee, Board/Commission Action:

**April 14 - Staff Presentation to the Commission
Public Hearing and Discussion Items
and recommendation to City Council**

**April 28 -
May 12 - Public Hearing**

Alternatives:

Click or tap here to enter text.

Recommendation:

Click or tap here to enter text.



10 Year Capital Improvements Program

Planning and Zoning Commission Meeting

April 14th, 2020

Capital Improvements Program

- Long-range plan and schedule for capital projects and system assets
- Identifies options for financing projects
- Only the first year CIP is approved in the budget
- Detailed look at projects in first 3-years
- Projects out 7-10 years are less defined

Capital Improvements Program Funding

Electric Fund

- Electric Rates

Drainage or Stormwater Fund

- Drainage Utility Fee
- Drainage and Water Quality

Water/Wastewater Fund

- W/WW Rates and Impact Fees

General Fund

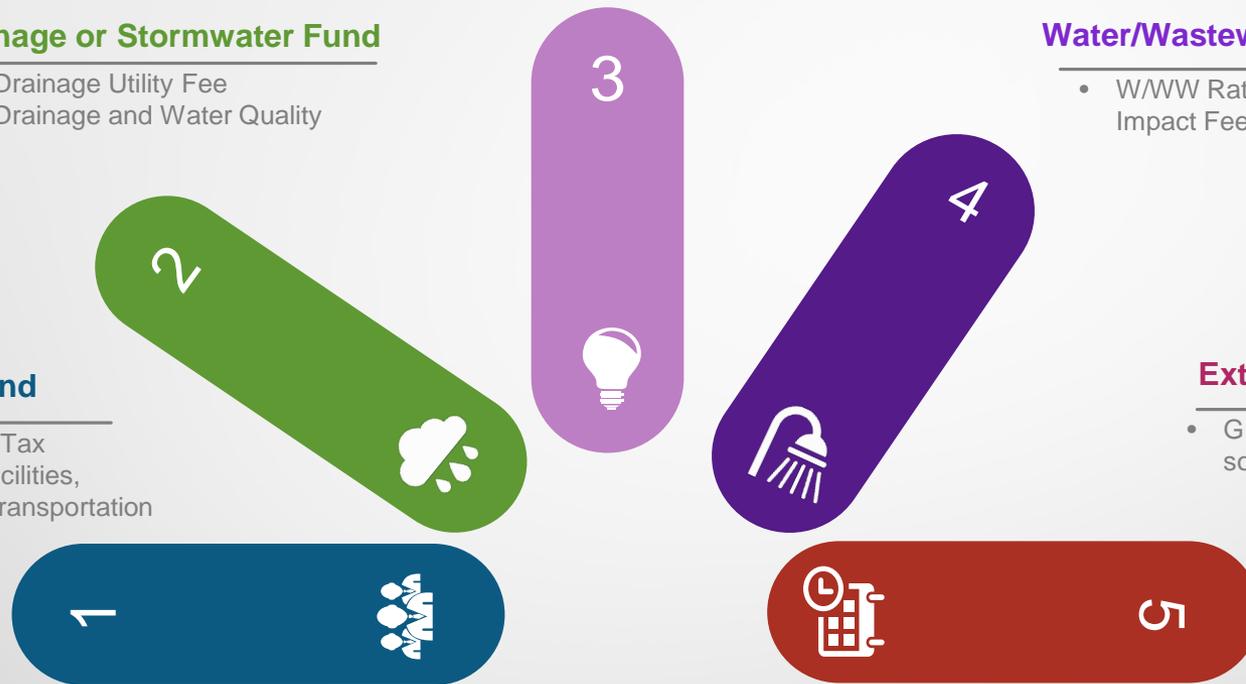
- Property & Sales Tax
- Airport, Parks, Facilities, Public Safety & Transportation

External Funding

- Grants or outside sources

Funding Sources

4 City Funding Sources
External Sources



FY 21 CIP Process – Where are we?



New Projects

Departments Submit New Project Requests



Department Review

All Departments Review Comprehensive List of Projects



Workload Capacity

Projects reviewed for timeline and workload capacity



General Fund Constraints

Bond Project Constraints of \$8.5M per year



P&Z Review

Discussion with P&Z Commission & Public Hearing



P&Z Recommendation

Receive P&Z Recommendation for City Council



Recommendation to Council

Present City Council with P&Z Recommendation

Role of P&Z In Capital Improvement Program

- Established in Charter
- “Submit annually to the city council, not less than one hundred and twenty days prior to the beginning of the fiscal year, a list of recommended capital improvements found necessary or desirable.”
- Review Document
- Presentation & Public Hearing – April 28th
- Approve recommendation – May 12th

Understanding the Spreadsheet

| Category | Project | Project Name | Project Description | Comp Plan Goal | Strategic Initiative | Prioritization Rank | Funding Source | Previously Approved Funding | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 |
|----------------------------------|---------|---|--|--------------------------------------|--|---------------------|--|--|--|---|------|--|-------------------------|------|--------------------------|
| *Approved Bond Projects | | | | | | | | | | | | | | | |
| *Potential 2022 Bond Projects | | | | | | | | | | | | | | | |
| *Potential TIRZ Funding Projects | | | | | | | | | | | | | | | |
| Multi | 524 | Airport - Taxiway System, Ramp Rehab Design | Various analysis in 2013, 2015, and 2017 indicate failure of pavement on taxiways Alpha through Foxtro. The City will initiate design for taxiways Alpha and Charlie as the priority, to be ready for construction when discretionary or other funds become available. 2022 funding is a 10% local match to TxDOT's Aviation CIP for repair of Taxiway Alpha or possible normal discretionary funds. 2023 funding is to support future repairs on Taxiway Charlie. | EDG601 EDG602 EDG603 EDG604 | | 40 | General Stormwater | \$ 374,000 \$ 15,000 | | \$ 1,280,000 | | | | | |
| Multi | 507 | Airport - Utilities & Stormwater Imps | Extension of utilities and stormwater improvements from the Airport entrance to the ILS of runway 13, to provide for development sites on the north side development area. Waterlines are within the airport property and are separate connections to the 12" waterline | LUG105 EDG601 EDG602 EDG603 | Stormwater | 10 | Water Wastewater Stormwater | | \$ 140,000 \$ 140,000 \$ 140,000 | | | \$ 1,400,000 \$ 1,400,000 \$ 1,400,000 | | | |
| Multi | 627 | Belvin Street Improvements | Belvin Street improvements to include waterline and wastewater upsizes/replacement from Johnson to Southside of Scott street, and on streets/alleys between Belvin to Hopkins. Stormwater improvements will be added on Belvin and connect to 6"x4" box culvert on Travis Street. Belvin will receive a full depth reconstruction with sidewalks to accommodate stormwater improvements. Sidewalk gaps will be closed on Mitchell and | ERPG204 ERPG101 LUG302 | Stormwater, Multi-Modal Transportation | 30 | General Water Wastewater Stormwater Electric | \$ 60,000 \$ 160,000 \$ 75,000 \$ 130,000 \$ 100,000 | | \$ 90,000 \$ - \$ 125,000 \$ 170,000 \$ - | | \$ 750,000 \$ 800,000 \$ 900,000 \$ 1,600,000 \$ 150,000 | | | |
| Multi | 730 | Bishop Sidewalk Imps - Franklin to Prospect | Construct sidewalks on N. Bishop Street from Prospect Street to Franklin Drive. The project will include approximate 3,100 LF of sidewalks, drainage, curbs, driveways, and impacting mailboxes and trees. Project construction should start after the Bishop Street Sidewalk project, which ends at Prospect Street. | | Stormwater, Multi-Modal Transportation | 20 | General Stormwater | | | | | | \$ 225,000 \$ 75,000 | | \$ 980,000 \$ 325,000 |

Grouped by Category

- Multi – projects with more than one funding source.

Supporting Strategic Initiatives & Comp Plan Goals

Prioritization Ranking

Shows funding needed by Source and Year

Blue Highlight = Potential Bond Projects

Purple Highlight = Approved Bond Project

Brown Highlight = TIRZ Funding

Pink Highlight = Impact Fee Funds

Next Steps

April 28th - Public Hearing & Discussion
Items

May 12th – Public Hearing and
Recommendation to City Council

May 19th – City Council Receives P&Z
Recommendation

May - Aug - Council Budget
Workshops

Sept - Budget Adoption by City Council
including the FY21 CIP Projects



Legislation Text

File #: ID#20-129(p), Version: 1

AGENDA CAPTION:

Election of the following officers:

- a. Planning and Zoning Commission Chair
- b. Planning and Zoning Commission Vice Chair

Meeting date: April 14, 2020

Department: Planning & Zoning Commission

Amount & Source of Funding

Funds Required: [Click or tap here to enter text.](#)

Account Number: [Click or tap here to enter text.](#)

Funds Available: [Click or tap here to enter text.](#)

Account Name: [Click or tap here to enter text.](#)

Fiscal Note:

Prior Council Action: [Click or tap here to enter text.](#)

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

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 - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services
- Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

Planning & Zoning Commission Chairs are elected annually, with their positions becoming effective immediately.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Click or tap here to enter text.