I. Call To Order

II. Roll Call

III. Chairperson's Opening Remarks

IV. 30 Minute Citizen Comment Period

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.

CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of January 14, 2020.

2. PC-19-57 (Blanco Vista, Tract M-2) Consider a request by CSF Civil Group, on behalf of Brookfield Residential, for approval of a Preliminary Plat for approximately 17.445, more or less, out of the William Ward League, Abstract 467, located east of Old Stagecoach Road. (A. Brake)

PUBLIC HEARINGS

3. CUP-20-20 (Freddy C’s Lounge) Hold a public hearing and consider a request by Freddy C’s Lounge to expand an existing Conditional Use Permit to allow for the sale of mixed alcoholic beverages for on-premise consumption at 141 E Hopkins Street. (T. Carpenter)

4. ZC-20-01 (La Cima, Phase 1, Section 2) Hold a public hearing and consider a request by Natural Development, LLC, on behalf of LCSM Ph 1-2, LLC, for a zoning change from “FD” Future Development to “SF-4.5” Single Family - 4.5, for approximately 56.923 acres, more or less, out of the John Williams Survey, Abstract 490, Hays County, generally located west of the intersection of Old Ranch Road 12 and Wonder World Drive. (A. Brake)

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:

________________________________________
AGENDA CAPTION:
Consider approval of the minutes of the regular meeting of January 14, 2020.
Meeting date: January 28, 2020

Department: Planning and 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:
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.
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, January 14, 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: Commissioner Mike Dillon, 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

III. Chairperson’s Opening Remarks

EXECUTIVE SESSION

IV. 30 Minute Citizen Comment Period

There were no speakers.

CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of November 12, 2019.

2. Consider approval of the minutes of the regular meeting of December 10, 2019.

3. PC-18-42_03 (Trace El Rio Street) Consider a request by Caren Williams-Murch, on behalf of Highpoint Trace, LLC, for approval of a Final Plat for approximately 1.830 acres, more or less, out of the William Van Horn Survey No. 18, Abstract No. 464 located at the 1300 Block of Van Horn Trace. (A. Villalobos)

4. PC-19-50 (LaSalle Holdings Prelim) Consider a request by Joann Eagle P.E. on behalf of La Salle Holdings, LLC to amend a preliminary plat consisting of 1748 acres more or less out of the William Hemphill Survey, Abstract 221, generally located at near the intersection of Yarrington Road and County Road 158. (W. Parrish)
A motion was made by Commissioner Gleason, seconded by Commissioner Dillon, that the Consent Agenda be approved. The motion carried by the following vote:

For: 9 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore, Commissioner Kelsey and Commissioner Agnew

Against: 0

PUBLIC HEARINGS

5. PC-19-48 (Blanco Riverwalk IIA Replat) Hold a public hearing and consider a request by Hermann Vigil, on behalf of BRW Office Holdings, LLC, for approval of a replat of Blanco Riverwalk Subdivision II A, consisting of approximately 10.77 acres located at the intersection of North Interstate 35 and Chuck Nash Loop. (T. Carpenter)

Chair Garber opened the Public Hearing.

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

David Cheats, 4005 Bannister Ln. Austin, TX, spoke on behalf of the Engineer and owner. He was available to answer questions from the Commission.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Haverland, seconded by Commissioner Dillon, that PC-19-48 (Blanco Riverwalk IIA Replat) be approved. The motion carried by the following vote:

For: 9 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore, Commissioner Kelsey and Commissioner Agnew

Against: 0

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 6:05 p.m.
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:

_________________________________________________
AGENDA CAPTION:
PC-19-57 (Blanco Vista, Tract M-2) Consider a request by CSF Civil Group, on behalf of Brookfield Residential, for approval of a Preliminary Plat for approximately 17.445, more or less, out of the William Ward League, Abstract 467, located east of Old Stagecoach Road. (A. Brake)

Meeting date: January 28, 2020

Department: Planning and 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: n/a

City Council Strategic Initiative: n/a

Comprehensive Plan Element(s):
☐ Economic Development
☐ Environment & Resource Protection
☐ Land Use
☐ Neighborhoods & Housing
☐ Parks, Public Spaces & Facilities
☐ Transportation
☐ Core Services
☒ Not Applicable

Master Plan: n/a
Background Information:
The subject property is part of the Blanco Vista Planned Development District (PDD) within the single-family portion of the development. It provides for the development of 85 residential lots and three open space and drainage easement lots. The tract is accessed from Brand Iron Drive and Bodark Oak Way. Two new streets and an unnamed alley are proposed. All lots are located above and outside the limits of the LOMR approved by FEMA on April 24, 2017 (Case No. 17-06-1994A). The proposed plat is consistent with development standards in the Blanco Vista PDD.

Council Committee, Board/Commission Action:
n/a

Alternatives:
n/a

Recommendation:
Staff has reviewed the request and determined the Preliminary Plat meets all requirements of Section 3.2.2.4 of the Development Code and recommends approval of PC-19-57.
# Summary

**Request:** Consideration of a Preliminary Plat with 85 single family lots and three open space and drainage easement lots.

**Applicant:** CSF Civil Group  
3636 Executive Center Drive, Suite 209  
Austin, TX 78731  

**Property Owner:** Brookfield Residential  
11501 Alterra Parkway, Suite 100  
Austin, TX 78758  

**Parkland Required:** Completed with initial phase of this project  

**Utility Capacity:** Adequate / By Developer  

**Accessed from:** Brand Iron Drive, Bodark Oak Way, Witchazel Way, and Ginko Street. Existing Brand Iron Drive will be extended.  

**New Street Names:** Witchazel Way, and Ginko Street. An unnamed Alley is also proposed.

## Notification

**Application:** N/A  
**Neighborhood Meeting:** N/A  
**Published:** N/A  
**Posted:** N/A  
**Response:** None as of the date of this report.

## Property Description

**Location:** East of Old Stagecoach Road, north of Trail Ridge Pass  

**Acreage:** 17.445 acres  

**PDD/DA/Other:** Ord. # 2011-37; amended in Ord. # 2012-33  

**Existing Zoning:** Mixed Use  

**Preferred Scenario:** Area of Stability  

**Proposed Use:** Single Family  

**CONA Neighborhood:** Blanco Vista  

**Sector:** 7

## Surrounding Area

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Existing Land Use</th>
<th>Preferred Scenario</th>
</tr>
</thead>
<tbody>
<tr>
<td>North of Property</td>
<td>Mixed Use</td>
<td>Single Family</td>
<td>Area of Stability</td>
</tr>
<tr>
<td>South of Property</td>
<td>Mixed Use</td>
<td>Single Family</td>
<td>Area of Stability</td>
</tr>
<tr>
<td>East of Property</td>
<td>Mixed Use</td>
<td>Single Family</td>
<td>Area of Stability</td>
</tr>
<tr>
<td>West of Property</td>
<td>Mixed Use</td>
<td>Single Family</td>
<td>Area of Stability</td>
</tr>
</tbody>
</table>

## Staff Recommendation

- **X** Approval as Submitted  
- Approval with Conditions / Alternate  
- Denial  

**Staff:** Alison Brake, CNU-A  
**Title:** Planner  
**Date:** January 23, 2020
**History**

The subject property is part of the Blanco Vista Planned Development District (PDD) within the single-family portion of the development. All lots are located above and outside the limits of the LOMR approved by FEMA on April 24, 2017 (Case No. 17-06-1994A).

**Additional Analysis**

Preliminary Plats are not recorded and are not the legal document used for sale of lots, but rather are used to allow for comprehensive review of the proposed development. It is consistent with the development standards in the PDD.

<table>
<thead>
<tr>
<th>Evaluation</th>
<th>Criteria for Approval (Sec.3.2.2.4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consistent</td>
<td></td>
</tr>
<tr>
<td>Inconsistent</td>
<td></td>
</tr>
<tr>
<td>Neutral</td>
<td>If no subdivision concept plat has been approved the criteria in Section 3.2.1.4 shall apply;</td>
</tr>
<tr>
<td>X</td>
<td>The plat conforms to all prior approvals or phasing plans for the development;</td>
</tr>
<tr>
<td>X</td>
<td>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</td>
</tr>
<tr>
<td>N/A</td>
<td>The plat meets any County standards to be applied under an interlocal agreement between the City and a County under Tex. 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.</td>
</tr>
</tbody>
</table>
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: 1/7/2020
PRELIMINARY SUBDIVISION PLAT: BLANCO VISTA TRACT M-2
CITY OF SAN MARCOS, TEXAS

METES AND BOUNDS DESCRIPTION

THE SUBDIVISION IS PLATTED FOR 14.74 ACRES BEING A Portion of a 14.74 ACRE BLOCK CONVEYED TO BLANCO BLANKET LLC FORMERLY KNOWN AS CARINA BLANCO LLC, UNTIL CARINA BLANKET LLC, LLC PROROGUE IN THE NAME OF AND FOR THE USE AND BENEFIT OF THE CITY OF SAN MARCOS, TEXAS

BY THE DEED OF SUBDIVISION GRANTOR.

BY THE COURTS OF THE STATE OF TEXAS IN AND FOR THE COUNTY OF COMAL, TEXAS

ON THE 12TH DAY OF MARCH, 2015

TO BE LEGALLY RECORDED AS記者は、PLAT NOTE # 12377

PLAT NOTES:


2. NO PUBLIC IMPROVEMENT SHALL BE ACCEPTED BY THE CITY UNLESS CONSTRUCTION PLANS FOR OPEN SPACE IMPROVEMENTS AND A OPEN SPACE PLAN DOCUMENTING THE MANAGEMENT AND MAINTENANCE OF THE OPEN SPACE ARE SUBMITTED TO AND APPROVED BY THE CITY.

3. A 10 FOOT-WIDE PUBLIC UTILITY EASEMENT IS HEREBY DESIGNATED ADJOINING TO THE RIGHTS-OF-WAY OF BRAND IRON DRIVE, MUCHA DRIVE, AND GRAND STREET THESE EASEMENTS SHALL BE IN PLACE PRIOR TO THE ADDING ADDING LT BEING SUBDIVIDED.

4. NO CONSTRUCTION OR ALTERATION OF BUILDINGS, EASEMENTS, OR EQUIPMENT THEREON MAY OCCUR WITHOUT THE ADJACENT EASEMENT BEING SUBDIVIDED.

5. THE CITY OF SAN MARCOS, TEXAS, RESERVES THE FOLLOWING EASEMENTS TO BE DEVELOPED ANDatown or UTILITY CONNECTIONS BY THE GOVERNING BODY OF THE CITY OF SAN MARCOS, TEXAS, 1005 BARRINGER STREET, SAN MARCOS, 78666-4604 WHICH ARE REQUIRED TO BE MADE IN THE STREETS OF THE CITY OF SAN MARCOS, TEXAS, 1005 BARRINGER STREET, SAN MARCOS, 78666-4604.

6. THE ADDITIONAL EASEMENTS SHALL BE DEVELOPED AND OWNED BY THE CITY OF SAN MARCOS, TEXAS, 1005 BARRINGER STREET, SAN MARCOS, 78666-4604.

7. THE CITY OF SAN MARCOS, TEXAS, RESERVES THE FOLLOWING EASEMENTS TO BE DEVELOPED AND OWNED BY THE CITY OF SAN MARCOS, TEXAS, 1005 BARRINGER STREET, SAN MARCOS, 78666-4604.

8. THAT ALL RECORDS TO BE MAINTAINED, AND ALL EASEMENTS TO BE DEVELOPED AND OWNED BY THE CITY OF SAN MARCOS, TEXAS, 1005 BARRINGER STREET, SAN MARCOS, 78666-4604.

9. THAT ALL RECORDS TO BE MAINTAINED, AND ALL EASEMENTS TO BE DEVELOPED AND OWNED BY THE CITY OF SAN MARCOS, TEXAS, 1005 BARRINGER STREET, SAN MARCOS, 78666-4604.

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30. THAT ALL RECORDS TO BE MAINTAINED, AND ALL EASEMENTS TO BE DEVELOPED AND OWNED BY THE CITY OF SAN MARCOS, TEXAS, 1005 BARRINGER STREET, SAN MARCOS, 78666-4604.
PRELIMINARY SUBDIVISION PLAT, REPLAT OR CONCEPT PLAT APPLICATION

Case # PC-____-____-

CONTACT INFORMATION

| Applicant’s Name       | CSF Civil Group, LLC |
| Company                | Brookfield Residential |
| Applicant's Mailing Address | 3636 Executive Center |
| Owner's Mailing Address | 11501 Altura Pkwy Suite 100, Austin 78758 |
| Applicant’s Phone #    | 512 917 1122 |
| Owner’s Phone #        | 512 791 0823 |
| Applicant’s Email      | Charles@CSFCivilGroup.com |
| Owner’s Email          | ACGX. Papavasiliou@BrookfieldRT.com |

PROPERTY INFORMATION

Proposed Subdivision Name: Blanco Vista Tract M-2
Subject Property Address or General Location: Trail Ridge Pass
Acres: 17.44
Tax ID #: R 1E736
Located in: X City Limits

DESCRIPTION OF REQUEST

Type of Plat: Preliminary Subdivision Plat
Proposed Number of Lots: 25 S.F
Proposed Land Use: Single-Family

AUTHORIZED

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 $1,030 plus $50 per acre
Technology Fee $12
MAXIMUM COST $2,512*
*Replats that are not Administratively approved – Maximum Cost $3,012

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 / Preliminary Plat Application does not require a Subdivision Improvement Agreement

Signature of Applicant: [Signature] Date: 9-27-19

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: [Signature] Date: 9-27-19

RECORDATION REQUIREMENTS***

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

☐ Two (2) mylars of the subdivision plat (Cornel Co. requires White 20# Bond Paper)

☐ Recording Fee: $___________

☐ Tax Certificate, printed within 30 days of recording 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

Alex Papasiliou
For
Carina Blanco Vista LLC (owner) acknowledge that I am the rightful owner of the
property located at Trail Ridge Pass (Carina Vista Tract M) (address).

I hereby authorize CSF Civil Group (agent name) to serve as my
agent to file this application for Preliminary Final Plat (application type),
and to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: [Signature] Date: 3-7-18
Printed Name: Alex Papasiliou / Carina Blanco Vista LLC

Signature of Agent: [Signature] Date: 3-7-18
Printed Name: Charles E. Steimund, P.C.

To be completed by Staff: Case # ____________
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 $88 plus an $12 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 $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: [Signature]  Date: 9-27-19

Print Name: Charles C. Sternman, P.E.

CSF Civil Group
GAS 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 Gas Service Provider: Centric Point Energy
Applicable Utility Service Code(s): A
Comments / Conditions:

Signature of Gas Company Official: Devin Kleinfelder
Title: Marketing Consultant
Date: 3/7/2018
TELEPHONE 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 Telephone Service Provider: **Charter Communications**
Applicable Utility Service Code(s): 
Comments / Conditions: 

Signature of Telephone Company Official: **Saton Robert**
Title: **Construction Supervisor** Date: **3/2/2018**
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: **CITY OF SAN MARCOS**

Applicable Utility Service Code(s): **3**

Comments / Conditions: 

Signature of Water Official: [Signature]

Title: **Water Distribution Manager**

Date: **3-30-18**
WASTEWATER 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 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: Required wastewater infrastructure to be installed by the developer.

Signature of Wastewater Official: ____________________________
Title: Wastewater Collections Manager
Data: March 29, 2018
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: PEC
Applicable Utility Service Code(s): A
Comments / Conditions: ALL EASEMENTS, CONSTRUCTION, REMOVAL QUESTIONS WILL BE DISCUSSED AND HANDLED DURING APPLICATION PROCESS.
Signature of Electric Company Official:
Title: Designer Date: 3/20/18
## TAX RECEIPT

**Jenifer O'Kane, Tax Assessor-Collector, Hays County**  
712 S. Stagecoach Trail  
San Marcos, TX 78666  
Ph: 512-393-5545  Fax: 512-393-5517

### Receipt Number: SM-2019-1148703

**Payor:** BROOKFIELD RESIDENTIAL (TEXAS)  
**Owner:** CARMA BLANCO VISTA LLC  
**Quick Ref ID:** R18736  
**Owner Address:** C/O BROOKFIELD RESIDENTIAL  
11501 ALTERRA PKWY  
STE 100  
AUSTIN, TX 78758-3201

**Property:** 10-0467-0012-00000-2  
**Legal Description:** A0467 WILLIAM WARD SURVEY.  
ACRES 129.245  
**Situs Address:** OLD STAGECOACH RD SAN MARCOS  
TX 78666

### Tax Year/Taxing Unit  
<table>
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<tr>
<th>Tax Year/Taxing Unit</th>
<th>Taxable Value</th>
<th>Tax Rate</th>
<th>Levy</th>
<th>Tax Paid</th>
<th>Penalty, Interest, &amp; Attorney Fees</th>
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### Total Payment Amount  
**$26,063.57**

**Date Paid:** 1/29/2019  
**Effective Date:** 1/29/2019  
**Station/Till:** ELIZABETH/Elizabeth's Till
# Account Summary

2018

**Property:** 10-0467-0012-00000-2  
**Quick Ref ID:** R18736  
**Owner:** CARMA BLANCO VISTA LLC  
**Situs Address:** OLD STAGECOACH RD SAN MARCOS TX 78666  
**Legal Description:** A0467 WILLIAM WARD SURVEY, ACRES 129.245  

**Exemptions:**

## Tax Bill (Effective Date: 9/25/2019)

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<th>Levy</th>
<th>Levy Balance</th>
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<th>Collection Penalty</th>
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**Balance Due if Paid By 9/30/2019:** $0.00
NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

Effective Date: June 29, 2004

Grantor: HUGHSON INVESTMENTS, LTD, a Texas limited partnership

Grantor’s Mailing Address: 3300 South Old Stagecoach Road
Kyle, Texas 78640

Grantee: CARMA BLANCO VISTA, LTD.

Grantee’s Mailing Address: 350 N. St Paul, Suite 2900
Dallas, Texas 75201

Consideration: Ten Dollars ($10.00) and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged.

Property (including any improvements):

TRACT 1: Being 161.325 acres, more or less, situated in the William Ward League, Patent No 609, in Hays County, Texas, more particularly described by metes and bounds in Exhibit “A” attached hereto and made a part hereof

TRACT 2: Being 6.067 acres, more or less, situated in the William Ward League, Patent No. 609, in Hays County, Texas, more particularly described by metes and bounds in Exhibit “B” attached hereto and made a part hereof.

Reservations from and Exceptions to Conveyance and Warranty:

1. Taxes for the year 2004 and subsequent years not yet due and payable and subsequent assessments for prior years due to change in land, usage or ownership.


5. The terms, conditions and stipulations set out in that certain Boundary Line Agreement #1 dated June 4, 2003, recorded in Volume 2287, Page 166 of the Official Public Records of Hays County, Texas.


7. Rights of tenant in possession under the agricultural lease this date assigned to Grantee.

8. A covenant and restriction that no part of the Property may be used for the placement of manufactured housing.

Grantor, for the consideration and subject to the reservations from, and 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 wise belonging, to have and hold it to Grantee, Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

When the context requires, singular nouns and pronouns include the plural.

HUGHSON INVESTMENTS, LTD.,
a Texas limited partnership, by
Hughson Management, LLC, its General Partner

By:  

Stanley C. Hughson, President
THE STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on June 28, 2004, by STANLEY C. HUGHSON, President of Hughson Management, LLC, the General Partner of HUGHSON INVESTMENTS, LTD., a Texas limited partnership, on behalf of same.

Kathy S. Nunn
Notary Public
State of Texas
My Commission Expires
APRIL 11, 2008

Prepared in the Law Offices of:

REAGAN BURRUS DIERKSEN
LAMON & BLUNTZER, PLLC
401 Main Plaza, Suite 200
New Braunfels, Texas 78130

After Recording Return to:
161.325 ACRES

A DESCRIPTION OF 161.325 ACRES OF LAND OUT OF THE WILLIAM WARD LEAGUE, PATENT NO. 609, BEING A PORTION OF A 101.8 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO STANLEY CARLTON HUGHSON, DATED DECEMBER 30, 1982, RECORDED IN VOLUME 389, PAGE 330 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, AND ALSO BEING A PORTION OF A 106.126 ACRE TRACT OF LAND DESCRIBED IN AN EXCHANGE WARRANTY DEED TO STANLEY CARLTON HUGHSON, DATED DECEMBER 22, 1995, RECORDED IN VOLUME 1196, PAGE 855 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS; SAID 161.325 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with cap set at the base of an old cedar fence post in the apparent east right-of-way line of Old Stagecoach Road (right-of-way width varies), at the northwest corner of the said 101.8 acre tract, being a south corner of approximately 392.8 acres of land described in a deed of record in Volume 1164, Page 883 of the Deed Records of Hays County, Texas;

THENCE South 65°58'27" East, departing the apparent east right-of-way line of Old Stagecoach Road, along the common north line of the 101.8 acre tract and south line of the said 392.8 acre tract, a distance of 1285.04 feet to a 1/2" rebar with cap set at the base of an old cedar fence post, being at the northeast corner of the 101.8 acre tract, being also at the northwest corner of the said 106.126 acre tract;

THENCE continuing along the south line of the 392.8 acre tract, with the northeasterly line of the 106.126 acre tract, the following six (6) courses:

1. South 65°44'10" East, a distance of 834.11 feet to a 1/2" rebar with cap set at the base of an old cedar fence post;

2. South 70°38'35" East, a distance of 235.18 feet to a nail found in a fence post;

3. South 16°26'13" West, a distance of 198.75 feet to a 1/2" rebar with cap set at the base of a fence post;

4. South 25°19'13" West, a distance of 549.21 feet to a 1/2" rebar with cap set at the base of a fence post,

EXHIBIT "A"
5. South 25°57'35" West, a distance of 182.26 feet to a 1/2" rebar with cap set at the base of an old cedar fence post;

6. South 41°39'43" East, a distance of 561.43 feet to a 1/2" rebar with cap set at a fence corner for the northeast corner of the 106.126 acre tract, being in the northwest line of a 199.238 acre tract of land described in a deed of record in Volume 427, Page 419 of the Deed Records of Hays County, Texas;

THENCE South 42°30'56" West, along the northwest line of the said 199.238 acre tract, being the southeast line of the 106.126 acre tract, a distance of 1802.22 feet to a 1/2" rebar found at the north corner of a 64.873 acre tract of land described in a deed of record in Volume 1498, Page 491 of the Official Public Records of Hays County, Texas;

THENCE continuing along the southeast line of the 106.126 acre tract, South 42°27'42" West, with the northwest line of the said 64.873 acre tract, a distance of 1088.95 feet to a 1/2" rebar with cap set at the south corner of the 106.126 acre tract, being the east corner of a 50 acre tract of land described in a deed of record in Volume 1196, Page 849 of the Deed Records of Hays County, Texas;

THENCE North 47°32'18" West, along the southwest line of the 106.126 acre tract, being the northeast line of the said 50 acre tract, a distance of 469.14 feet to a 1/2" rebar with cap set in the curving east right-of-way line of Old Stagecoach Road (70' right-of-way), described in a deed of record in Volume 1664, Page 819 of the Official Public Records of Hays County, Texas, and revised in a deed of record in Document No. 9927260 of the Official Public Records of Hays County, Texas, from which a 1/2" rebar found in the east right-of-way line of Old Stagecoach Road bears South 23°39'41" West, a chord distance of 991.30 feet;

THENCE with the east right-of-way line of Old Stagecoach Road, over and across the 106.126 acre tract, along a curve to the left, having a radius of 3020.00 feet, an arc length of 1121.47 feet, and a chord which bears North 03°34'36" East, a distance of 1115.03 feet to a 1/2" rebar with cap set in the common line of the 106.126 acre tract and the 101.8 acre tract;

THENCE continuing along the east right-of-way line of Old Stagecoach Road, over and across the 101.8 acre tract, the following five (5) courses

EXHIBIT "A"
1. Along a curve to the left, having a radius of 3020.00 feet, an arc length of 1127.52 feet, and a chord which bears North 17°45'27" West, a distance of 1120 99 feet to a 1/2" rebar with cap set for a point of tangency;

2. North 28°27'11" West, a distance of 308.82 feet to a 1/2" rebar found for a point of curvature, from which a 1/2" rebar found for a point of curvature in the west right-of-way line of Old Stagecoach Road bears South 61°34'36" West, a distance of 70 04 feet;

3. Along a curve to the right, having a radius of 665.00 feet, an arc length of 862.55 feet, and a chord which bears North 08°41'38" East, a distance of 803 34 feet to a 1/2" rebar found for a point of tangency;

4. North 45°50'58" East, a distance of 446.79 feet to a 1/2" rebar found for a point of curvature;

5. Along a curve to the left, having a radius of 284.99 feet, an arc length of 194.75 feet, and a chord which bears North 26°16'23" East, a distance of 190 98 feet to a 1/2" rebar with cap set,

THENCE North 06°24'22" East, along the apparent east right-of-way line of Old Stagecoach Road, a distance of 302.71 feet to the POINT OF BEGINNING, containing an area of 161.325 acres of land, more or less.


Charles M. Benson
Registered Professional Land Surveyor
State of Texas No. 4863

July 23, 2003

EXHIBIT "A"
TRACT 2
6.067 ACRES

A DESCRIPTION OF 6.067 ACRES OUT OF THE WILLIAM WARD LEAGUE, PATENT NO. 609, BEING A PORTION OF A 50 ACRE TRACT OF LAND DESCRIBED IN AN EXCHANGE WARRANTY DEED TO STANLEY CARLTON HUGHSON DATED DECEMBER 22, 1995, AND APPEARING OF RECORD IN VOLUME 1196, PAGE 849 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, SAID 6.067 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with cap set at the east corner of the said 50 acre tract, being the south corner of a 106.126 acre tract described in an Exchange Warrantiy Deed to Stanley Carlton Hughson dated December 22, 1995, and appearing of record in Volume 1196, page 855 of the Deed Records of Hays County, Texas, being also in the northwest line of a 64.873 acre tract described in a Warranty Deed With Vendor's Lien to Dale Lowden Excavating, Inc., dated December 29, 1998 and appearing of record in Volume 1496, Page 491 of the Deed Records of Hays County, Texas, from which a 1/2" rebar found in the southeast line of the said 106 126 acre tract, at the north corner of the said 64 873 acre tract, being also the west corner of a 198 238 acre tract described in a Warranty Deed With Vendor's Lien to a Centex Associates, dated March 22, 1984 and appearing of record in Volume 427, Page 419 of the Deed Records of Hays County, Texas, bears North 42°27'42" East, a distance of 1088.95 feet,

THENCE South 42°27'42" West, along the common line of the 50 acre tract and the said 64.873 acre tract, a distance of 950.22 feet to a nail found at the east corner of a 2.34 acre tract described in a Warranty Deed With Vendor's Lien to Alan Dale Lowden and wife, Sharon Lanette Lowden, dated October 10, 2000 and appearing of record in Volume 1728, Page 233 of the Deed Records of Hays County, Texas;

THENCE North 43°03'38" West, along the southwest line of the said 50 acre tract, same being the northeast line of the said 2.34 acre tract, a distance of 150.38 feet to a 1/2" rebar found at the north corner of the 2.34 acre tract, being in the northeast right-of-way line of Old Stagecoach Road (70' right-of-way), described in deeds of record in Document No. 9927280, Official Public Records, and in Volume 1664, Page 819, Deed Records, both of Hays County, Texas;

THENCE with the northeast right-of-way line of Old Stagecoach Road, continuing over and across the 50 acre tract, along a curve to the left, having a radius of 3020.00 feet, an arc length of 995.79 feet, and a chord which bears North 23°40'34" East, a distance of 991.29 feet to a 1/2" rebar with cap set in the northeast line of the 50 acre tract, being the southwest line of the 106.126 acre tract;

EXHIBIT "B"
THENCE South 47°32'18" East, departing the northeast right-of-way line of Old Stagecoach Road, along the common line of the 50 acre tract and the 106.126 acre tract, a distance of 469.14 feet to the POINT OF BEGINNING, containing 6.067 acres of land, more or less


Charles M. Benson
Registered Professional Land Surveyor
State of Texas No. 4863

December 5th 2003

EXHIBIT "B"

Filed for Record in:
Hays County
On: Jun 30, 2004 at 01:23P
Document Number: 04018628
Amount: $28.00
Receipt Number: 104395
By:
Rose Robinson, Deputy
Lee Carlisle, County Clerk
Hays County
PC-19-57 (Blanco Vista, Tract M-2)

Consider a request by CSF Civil Group, on behalf of Brookfield Residential, for approval of a Preliminary Plat for approximately 17.445 acres, more or less, out of the William Ward League, Abstract 467, located east of Old Stagecoach Road. (A. Brake)
Location and History:

- +/- 17.445 acres

- Zoned Planned Development District “PDD”, with a base zoning district of Mixed Use (“MU”)

- Proposes 85 single family lots with three open space and drainage easement lots
Recommendation:

Staff has reviewed the request and determined the Preliminary Plat meets all requirements of Section 3.2.2.4 of the Development Code and recommends approval of PC-19-57.
AGENDA CAPTION:
CUP-20-20 (Freddy C's Lounge) Hold a public hearing and consider a request by Freddy C's Lounge to expand an existing Conditional Use Permit to allow for the sale of mixed alcoholic beverages for on-premise consumption at 141 E Hopkins Street. (T. Carpenter)
Meeting date: January 28, 2020

Department: Planning & Development Services

Amount & Source of Funding
Funds Required: N/A
Account Number: N/A
Funds Available: N/A
N/A

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
Background Information:
The Planning & Zoning Commission first approved a Conditional Use Permit for Freddy C’s Lounge in October 2018 for a period of one year. This permit became effective January 2019 after the issuance of the Certificate of Occupancy for the business. This CUP approval included a condition prohibiting speakers or amplified live music outdoors.

The applicant is requesting to expand the business 1050 square feet to encompass the rear suite which, was most recently occupied by Rooster's Emporium. This indoor expansion would include a bathroom and additional seating for customers.

The applicant has also requested to be allowed to have outdoor amplified live music from 2:00 pm to 8:00 pm on weekends. However, given the Police Department's growing concerns with noise complaints in the area, staff is recommending that the previous restrictions for amplified noise remain.

Council Committee, Board/Commission Action:
N/A

Alternatives:
N/A

Recommendation:
Staff recommends approval with the following conditions:

1. The permit shall be valid for three (3) years provided standards are met; 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy; and 3. No speakers or live amplified music shall be permitted in the outdoor areas.
Conditional Use Permit
141 East Hopkins Street
Freddy C’s Lounge

Summary
Request: Renewal and amendment of a Conditional Use Permit
Applicant: James Frailicks
Freddy C’s Lounge
145 E Hopkins St, Ste E
San Marcos, TX 78666
Property Owner: Brian Scofield
127 E Hopkins Street
San Marcos, TX 78666
CUP Expiration: January 2020
Type of CUP: Unrestricted Mixed Beverage
Interior Floor Area: +/- 2,400 sq.ft.
Outdoor Floor Area: +/- 370 sq.ft.
Parking Required: N/A
Parking Provided: Yes
Days & Hours of Operation: Monday – Thursday: 4 p.m. – 2 a.m.
Friday – Sunday: 2 p.m. – 2 a.m.

Notification
Application: N/A
Published: N/A
Posted: January 10
Response: None as of the date of this report

Neighborhood Meeting: N/A
# of Participants: N/A
Personal: January 10

Property Description
Legal Description: Original Town of San Marcos, Block 20, Lot East part of 5
Location: Hopkins Street and LBJ Drive
Acreage: 0.198 acres
PDD/DA/Other: N/A
Existing Zoning: CD-5D
Proposed Zoning: CD-5D
Existing Use: Bar
Proposed Use: Bar
Preferred Scenario: High Intensity
Proposed Designation: Same
CONA Neighborhood: Downtown
Sector: 8
Utility Capacity: Adequate
Floodplain: No
Historic Designation: Downtown
My Historic SMTX Resources Survey: Yes
Medium Priority

Surrounding Area
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<th>Existing Land Use</th>
<th>Preferred Scenario</th>
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<td>East of Property:</td>
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Conditional Use Permit
CUP-20-02
Freddy C’s Lounge

141 East Hopkins Street

Staff Recommendation

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<th>X</th>
<th>Approval with Conditions / Alternate</th>
<th>Denial</th>
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<tr>
<td>1. The permit shall be valid for three (3) years provided standards are met;</td>
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<td>2. The permit shall be posted in the same area and manner as the Certificate of Occupancy; and</td>
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</tr>
<tr>
<td>3. No speakers or live amplified music shall be permitted in the outdoor areas.</td>
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Staff: Tory Carpenter, AICP, CNU-A  Title: Planner  Date: January 23, 2020

History

The Planning & Zoning Commission first approved a Conditional Use Permit for Freddy C’s Lounge in October 2018 for a period of one year. This permit became effective January 2019 after the issuance of the Certificate of Occupancy for the business. This CUP approval included a condition prohibiting speakers or amplified live music outdoors.

Additional Analysis

The applicant is requesting to expand the business 1,050 square feet to encompass the rear suite, which was most recently occupied by Rooster’s Emporium. This indoor expansion would include a bathroom and additional seating for customers.

The applicant has also requested to be allowed to have outdoor amplified live music from 2:00 pm to 8:00 pm on weekends. However, given the Police Department’s growing concerns with noise complaints in the area, staff is recommending that the previous restrictions for amplified noise remain.

Comments from Other Departments

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<th>Department</th>
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<td>Police</td>
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<td>Fire</td>
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### Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5)

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- The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.
- The proposed use is consistent with any adopted neighborhood character study for the area.
- The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations. *CD-5D zoning allows for a bar use with a Conditional Use Permit.*
- 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. *Conditions are proposed to address noise.*
- 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. *The proposed request is consistent with the established use of a bar/entertainment business on the property.*
- 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.
- 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.*
- 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. *The proposed request is consistent with the established use of a bar/entertainment business on the property.*
- 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.
- The proposed use is not within 300 ft. of a church, public or private school, or public hospital.
- The proposed use is not within 1,000 ft. of a public or private school as outlined within section 1.5.1.1.
CUP-20-02
Aerial View
Freddy C's Lounge Renewal — 141 East Hopkins Street

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: 1/8/2020
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.
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: 1/8/2020
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CONDITIONAL USE PERMIT APPLICATION
(ALCOHOL WITHIN CBA)

Updated: October, 2019

CONTACT INFORMATION

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<tr>
<th>Applicant's Name</th>
<th>James Frailicks</th>
<th>Property Owner</th>
<th>Brian Scofield</th>
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<td>Company</td>
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<td>Applicant's Mailing Address</td>
<td>145 E. Hopkins St Ste E San Marcos, TX 78666</td>
<td>Owner's Mailing Address</td>
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<td>Applicant's Phone #</td>
<td>512-787-2191</td>
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<td>Applicant's Email</td>
<td><a href="mailto:smtxlounge@gmail.com">smtxlounge@gmail.com</a></td>
<td>Owner's Email</td>
<td><a href="mailto:blascofield32@gmail.com">blascofield32@gmail.com</a></td>
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PROPERTY INFORMATION

Subject Property Address: 141 E. Hopkins St San NMarcos, Texas 78666

Zoning District: Original Town of San Marcos Tax ID #: R 416025

Legal Description: Lot E Block 20 Subdivision

Number of Parking Spaces: 

Is property more than 300' from church, school, hospital, or residential district? ☑ Y ☐ N

DESCRIPTION OF REQUEST

Business Name: Freddy C's Lounge ☑ Restaurant ☐ Bar ☐ Other: 

☐ NEW ☐ RENEWAL/AMENDMENT ☐ Mixed Beverage ☐ Beer & Wine ☐ Late Hours

Hours of Operation(ex. Mon 12pm-1am): Mon 4-2am Tue 4-2am Wed 4-2am

Thurs 4-2am Fri 2-2am Sat 2-2am Sun 2-2am

Indoor Seating Capacity: 160 Outdoor Seating Capacity: 40 Gross Floor Area: 2300 ft²

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, [owner name] on behalf of [company, if applicable] acknowledge that I/we am/are the rightful owner of the property located at 141 & 145 E. Hopkins St San Marcos, TX 78666 (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: [signature] Date: 1-7-2020

Printed Name, Title: [name, title]

Signature of Agent: [signature] Date: 01/07/2020

Printed Name, Title: [agent name]

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: __01/07/2020___
Print Name: Janice Franklin

Form Updated October, 2019
CUP-20-20 (Freddy C’s Lounge)

Hold a public hearing and consider a request by Freddy C’s Lounge to expand an existing Conditional Use Permit to allow for the sale of mixed alcoholic beverages for on-premise consumption at 141 E Hopkins Street. (T. Carpenter)
Location:

• Property is located at the intersection of E Hopkins St & N LBJ Drive

• Located within the Downtown High Intensity Zone as designated on the Preferred Scenario Map.
Context & History:

- Previously Barfish
- Granted a one year CUP in 2018, which became effective with Certificate of Occupancy in January 2019
- Current condition restricts amplified music outdoors
- Requesting 1,050 sq.ft. indoor expansion
- Total proposed service area of 2,770 sq.ft.
- Requesting outdoor amplified live music 2:00 – 8:00 pm on weekends
Floor Plan

Proposed Indoor Expansion
1050 sqft

Existing Service Area
1720 sqft
Site Photos
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 permit shall be posted in the same area and manner as the Certificate of Occupancy; and
3. No speakers or live amplified music shall be permitted in the outdoor areas.
AGENDA CAPTION:
ZC-20-01 (La Cima, Phase 1, Section 2) Hold a public hearing and consider a request by Natural Development, LLC, on behalf of LCSM Ph 1-2, LLC, for a zoning change from “FD” Future Development to “SF-4.5” Single Family - 4.5, for approximately 56.923 acres, more or less, out of the John Williams Survey, Abstract 490, Hays County, generally located west of the intersection of Old Ranch Road 12 and Wonder World Drive. (A. Brake)

Meeting date: January 28, 2020

Department: Planning and 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: n/a

City Council Strategic Initiative:
N/A

Comprehensive Plan Element (s):
☐ Economic Development
☐ Environment & Resource Protection
☒ Land Use - Direct Growth, Compatible with Surrounding Uses
☒ Neighborhoods & Housing - Diversified housing options to serve citizens with varying needs and interests
☐ Parks, Public Spaces & Facilities
☐ Transportation
☐ Core Services
☐ Not Applicable
Background Information:
This property is part of the larger La Cima Development included in a Development Agreement with the City of San Marcos originally adopted September 16, 2014 (Resolution 2014-131R); amended in 2018 (Resolution 2018-75R). This agreement regulates issues including but not limited to the schedule of annexation, the permitted uses and development standards, impervious cover, environmental and water quality standards, and architectural design standards. The Future Development (“FD”) zoning classification is a default classification for newly annexed land. Per the development agreement, SF-4.5 is an allowable residential use. Phase 1, Section 2 provides for development of 101 residential lots, seven new streets, and seven open space lots. The zoning request is being processed concurrently with an annexation request for the property.

The City of San Marcos will provide water and wastewater services at the site. The developer has extended water and wastewater facilities through the site. Pedernales Electric Cooperative will provide electric service to this development.

Upon annexation, the property will be zoned “FD”, the default classification for newly annexed land. The annexation request will be considered prior to the zoning change by City Council. See Comprehensive Plan Analysis Checklist and Criteria Checklists.

Council Committee, Board/Commission Action:

n/a

Alternatives:

n/a

Recommendation:
Staff provides this request to the Commission for your consideration and recommends approval of the request for a zoning change from “FD” Future Development to “SF-4.5” Single Family - 4.5.
Zoning Request
La Cima
Phase 1, Section 2

Summary
Request: Zoning change from “FD” Future Development to “SF-4.5” Single Family
Applicant: Natural Development Austin, LLC
11612 FM 2244, Bldg. 1, Ste. 140
Austin, TX 78738
Property Owner: LCSM Ph. 1-2, LLC
303 Colorado, Ste. 2300
Austin, TX 78701

Notification
Application: December 18, 2019
Neighborhood Meeting: N/A
Published: January 12, 2020
# of Participants N/A
Posted: January 10, 2020
Personal: January 10, 2020
Response: None as of Staff Report date

Property Description
Legal Description: +/- 56.923 acre tract out of the John Williams Survey, Abstract 490, Hays County
Location: Generally west of the intersection of Old Ranch Road 12 and Wonder World Drive
Acreage: 56.923
Existing Zoning: “FD” Future Development
Proposed Zoning: “SF-4.5” Single Family
Existing Use: Vacant / Rural
Proposed Use: Single Family
Existing Occupancy: N/A
Occupancy: Restrictions Do Apply
Preferred Scenario: Low Intensity Area
Proposed Designation: Low Intensity Area
CONA Neighborhood: N/A
Sector: N/A
Utility Capacity: Adequate.
Floodplain: No
Historic Designation: N/A
My Historic SMTX Resources Survey: No

Surrounding Area
<table>
<thead>
<tr>
<th>Zoning</th>
<th>Existing Land Use</th>
<th>Preferred Scenario</th>
</tr>
</thead>
<tbody>
<tr>
<td>North of Property:</td>
<td>SF-4.5</td>
<td>Single Family</td>
</tr>
<tr>
<td>South of Property:</td>
<td>ETJ</td>
<td>Vacant</td>
</tr>
<tr>
<td>East of Property:</td>
<td>ETJ</td>
<td>Vacant</td>
</tr>
<tr>
<td>West of Property:</td>
<td>ETJ</td>
<td>Vacant</td>
</tr>
</tbody>
</table>

Staff Recommendation
X Approval as Submitted
Approval with Conditions / Alternate
Denial
Staff: Alison Brake, CNU-A
Title: Historic Preservation Officer & Planner
Date: January 23, 2020
Zoning Request

ZC-20-01

La Cima
Phase 1, Section 2

History
This property is part of the larger La Cima Development included in a Development Agreement with the City of San Marcos originally adopted September 16, 2014 (Resolution 2014-131R); amended in 2018 (Resolution 2018-75R). This agreement regulates issues including but not limited to the schedule of annexation, the permitted uses and development standards, impervious cover, environmental and water quality standards and architectural design standards. The Future Development ("FD") zoning classification is a default classification for newly annexed land. Per the development agreement, SF-4.5 is an allowable residential use. Phase 1, Section 2 provides for development of 101 residential lots, seven new streets, and seven open space lots. The zoning request is being processed concurrently with an annexation request for the property.

The City of San Marcos will provide water and wastewater services at the site. The developer has extended water and wastewater facilities through the site. Pedernales Electric Cooperative will provide electric service to this development.

Additional Analysis
Upon annexation, the property will be zoned “FD”, the default classification for newly annexed land. The annexation request will be considered prior to the zoning change by City Council. See Comprehensive Plan Analysis Checklist and Criteria Checklists.

Comments from Other Departments

<table>
<thead>
<tr>
<th>Department</th>
<th>Comment</th>
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<tbody>
<tr>
<td>Police</td>
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<tr>
<td>Fire</td>
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<tr>
<td>Public Services</td>
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<tr>
<td>Engineering</td>
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</table>

Compatibility of Uses & Density Criteria (Sec.4.1.2.5)

<table>
<thead>
<tr>
<th>Evaluation</th>
<th>Consistent</th>
<th>Inconsistent</th>
<th>Neutral</th>
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<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Helps prevent the impacts of high density uses on low density areas. <strong>The subject property is regulated by an approved development agreement. SF-4.5 is an allowable use within that agreement.</strong></td>
<td></td>
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<tr>
<td>X</td>
<td></td>
<td>N/A</td>
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<tr>
<td></td>
<td>Limits changes in neighborhood density categories unless directed by a small area plan or neighborhood character study. <strong>Studies were not complete at the time of the request.</strong></td>
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<tr>
<td>X</td>
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<tr>
<td></td>
<td>Encourages more opportunities for home ownership. <strong>SF-4.5 allows for residential uses which may offer homeownership opportunities through legal lots.</strong></td>
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<tr>
<td>X</td>
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<tr>
<td></td>
<td>Ensures a diversity of housing to serve citizens with varying needs and interests. <strong>Allowable residential Building Types are Accessory Dwelling, House, and Cottage.</strong></td>
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<tr>
<td>Evaluation</td>
<td>Criteria for Approval (Sec.2.5.1.4)</td>
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<tr>
<td>------------</td>
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<td></td>
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<tr>
<td>Consistent</td>
<td>Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan and preferred scenario map. <strong>The change in zoning is consistent with the Preferred Scenario Map. SF-4.5 an allowable zoning category to request without first changing the Preferred Scenario Map.</strong></td>
<td></td>
<td></td>
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<tr>
<td>Inconsistent</td>
<td>Whether the proposed zoning map amendment is consistent with any adopted small area plan or neighborhood character study for the area. <strong>Studies were not complete at time of request.</strong></td>
<td></td>
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</tr>
<tr>
<td>Neutral</td>
<td>Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect. <strong>Resolution 2014-131 was approved in 2014 and amended in 2018 (Resolution 2018-75R) between the City of San Marcos and Lazy Oaks Ranch, LP. SF-4.5 is an allowable use per Section 1.04(A)(1) of the agreement.</strong></td>
<td></td>
<td></td>
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<tr>
<td>Consistent</td>
<td>Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses shall be appropriate in the immediate area of the land to be reclassified. <strong>Uses allowed within the Single Family district are compatible and appropriate for this area. This area is mostly residential in nature, with the San Marcos Academy located to the north.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consistent</td>
<td>Whether the proposed zoning will reinforce the existing or planned character of the area. <strong>Approval of this zoning change would allow the property to develop according to the approved development agreement.</strong></td>
<td></td>
<td></td>
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<tr>
<td>Consistent</td>
<td>Whether the site is appropriate for the development allowed in the proposed district. <strong>Approval of this zoning change would allow the property to develop according to the approved development agreement.</strong></td>
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<tr>
<td>N/A</td>
<td>Whether there are substantial reasons why the property cannot be used according to the existing zoning. <strong>The property is currently not zoned as it is located outside of the city limits.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consistent</td>
<td>Whether there is a need for the proposed use at the proposed location. <strong>The rezoning does serve a substantial public purpose by providing additional single family housing in San Marcos.</strong></td>
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</tr>
</tbody>
</table>
| X | Whether the City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, public safety, and emergency services, while maintaining sufficient levels of service to existing development.  
*The property will be served with City water and wastewater per the approved development agreement.* |   |
| X | Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property.  
*The surrounding area has remained single-family with The Settlement subdivision to the north of the property.* |   |
| N/A | For requests to a Neighborhood Density District, whether the proposed amendment complies with the compatibility of uses and density in Section 4.1.2.5.  
*This request is not for a Neighborhood Density District.* |   |
| X | The impact the proposed amendment has with regard to the natural environment, including the quality and quantity of water and other natural resources, flooding, and wildlife management.  
*Standards are in place per the approved development agreement to lessen the impact of the development to the natural environment.* |   |
| X | Any other factors which shall substantially affect the public health, safety, morals, or general welfare.  
*None noted.* |   |
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.
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Map Date: 1/7/2020
Environmental Features

- Floodway
- 100 Year Floodplain
- Edwards Aquifer Contributing Zone
- Edwards Aquifer Contributing Zone within the Transition Zone
- Edwards Aquifer Transition Zone
- Edwards Aquifer Recharge Zone

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Map Date: 1/6/2020
ZC-20-01
400' Notification Buffer
FD to SF-4.5 - La Cima Phase 1, Section 2

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Map Date: 12/20/2019
<table>
<thead>
<tr>
<th>Property</th>
<th>Site Address</th>
<th>Owner Name</th>
<th>Owner Address</th>
<th>Address 2</th>
<th>Owner City</th>
<th>Owner State</th>
<th>Owner Zip</th>
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<tbody>
<tr>
<td>R159436</td>
<td>132 BEAUTYBERRY RD</td>
<td>HIGHLAND HOMES- AUSTIN, LLC</td>
<td>5601 DEMOCRACY DR</td>
<td>STE 300</td>
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<td>R159389</td>
<td>123 TULIP GARDEN TRL</td>
<td>LCSM PH 1-1 LLC</td>
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<td>YANEZ JORGE J &amp; DEBRA G</td>
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<td>SARA LEE UNDERWOOD-MYERS</td>
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<td>SAN MARCOS</td>
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<td>JOSE CANTU</td>
<td>1120 DEBBIE COURT</td>
<td>SAN MARCOS</td>
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## Section 5.1.1.2  Land Use Matrix

### Table 5.1  Land Use Matrix

<table>
<thead>
<tr>
<th>Types of Land Uses</th>
<th>Conventional Residential</th>
<th>Neighborhood Density Districts</th>
<th>Character Districts</th>
<th>Special Districts</th>
<th>Definition Use Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FD</td>
<td>SF-1</td>
<td>SF-2</td>
<td>SF-3</td>
<td>SF-4.5</td>
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<td><strong>Agricultural Uses</strong></td>
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<tr>
<td>Barns or agricultural buildings</td>
<td>P</td>
<td>L -- --</td>
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<tr>
<td>Stables</td>
<td>P</td>
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<tr>
<td>Community Garden</td>
<td>P</td>
<td>P L L</td>
<td>L L L</td>
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<td>Urban Farm</td>
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<td>Plant Nursery</td>
<td>L</td>
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<td>-- L</td>
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<td><strong>Accessory Uses and Structures</strong></td>
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<td>Accessory Dwelling Unit</td>
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<td>Outdoor Storage</td>
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<td>Outdoor Display</td>
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<td>L</td>
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<tr>
<td>Food Truck</td>
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<td>Drive-thru or Drive-in</td>
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<td>--</td>
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<tr>
<td>Home Occupation</td>
<td>L</td>
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<td>Family Home Care</td>
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<td>Short Term Rental</td>
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<td><strong>Residential Uses</strong></td>
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<tr>
<td>Single Family Detached</td>
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<td>L L L</td>
<td>L L L</td>
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<tr>
<td>Cottage Court</td>
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<td>-- --</td>
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<td>L L</td>
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<tr>
<td>Two Family</td>
<td>--</td>
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<td>L L</td>
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<tr>
<td>Single Family Attached</td>
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<td>L L L</td>
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<tr>
<td>Small Multi-Family (up to 9 units)</td>
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<tr>
<td>Courtyard Housing (up to 24 units)</td>
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<td>L L</td>
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<td>Multi-family (10 or more units)</td>
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<td>Purpose Built Student Housing</td>
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<tr>
<td>Manufactured Home</td>
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<tr>
<td>Mobile Home Community</td>
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</tbody>
</table>
### Table 5.1 Land Use Matrix

<table>
<thead>
<tr>
<th>Types of Land Uses</th>
<th>Conventional Residential</th>
<th>Neighborhood Density Districts</th>
<th>Character Districts</th>
<th>Special Districts</th>
<th>Definition Use Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FD</td>
<td>SF-R</td>
<td>SF-1</td>
<td>SF-6</td>
<td>SF-4 1/2</td>
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<tr>
<td>Community Home</td>
<td>L</td>
<td>L</td>
<td>L</td>
<td>L</td>
<td>L</td>
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<tr>
<td>Fraternity or Sorority Building</td>
<td>--</td>
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### Commercial Uses

<table>
<thead>
<tr>
<th>Types of Land Uses</th>
<th>Conventional Residential</th>
<th>Neighborhood Density Districts</th>
<th>Character Districts</th>
<th>Special Districts</th>
<th>Definition Use Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FD</td>
<td>SF-R</td>
<td>SF-1</td>
<td>SF-6</td>
<td>SF-4 1/2</td>
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<tr>
<td>Professional Office</td>
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<tr>
<td>Medical, except as listed below:</td>
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</tr>
<tr>
<td>Urgent care, emergency clinic, or hospital</td>
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<tr>
<td>Nursing/retirement home</td>
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<tr>
<td>Personal Services, except as listed below:</td>
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<tr>
<td>Animal care (indoor)</td>
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<tr>
<td>Animal care (outdoor)</td>
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<tr>
<td>Funeral Home</td>
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<tr>
<td>Adult Oriented Businesses</td>
<td>See Section 18, Article 6 of the City Code</td>
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<td>All Retail Sales, except as listed below:</td>
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</tr>
<tr>
<td>Tattoo, body piercing</td>
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<tr>
<td>Building material sales</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Vehicle Sales/Rental</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Pawnshop</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Restaurant/Bar, as listed below:</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Eating Establishment</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Bar</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Mobile Food Court</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Sale of Alcohol for on premise consumption</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Overnight Lodging, as listed below:</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Bed and Breakfast (up to 8 rooms)</td>
<td>L</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Boutique Hotel (9 - 30 rooms)</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>
## Table 5.1 Land Use Matrix

<table>
<thead>
<tr>
<th>Types of Land Uses</th>
<th>Conventional Residential</th>
<th>Neighborhood Density Districts</th>
<th>Character Districts</th>
<th>Special Districts</th>
<th>Definition</th>
<th>Use Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotel/ Motel (more than 30 rooms)</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>Section 5.1.5.6</td>
</tr>
<tr>
<td>Outdoor Recreation, except as listed below:</td>
<td>--</td>
<td>--</td>
<td>C</td>
<td>P</td>
<td>C</td>
<td>Section 5.1.5.7</td>
</tr>
<tr>
<td>Golf Course</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>Section 5.1.5.7</td>
</tr>
<tr>
<td>Traveler Trailers/ RVs Short Term stays</td>
<td>P</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>Section 5.1.5.7</td>
</tr>
<tr>
<td>Shooting Range</td>
<td>C</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>Section 5.1.5.7</td>
</tr>
<tr>
<td>Indoor Recreation, except as listed below:</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>Section 5.1.5.8</td>
</tr>
<tr>
<td>Gym/ Health club</td>
<td>--</td>
<td>--</td>
<td>L</td>
<td>P</td>
<td>P</td>
<td>Section 5.1.5.8</td>
</tr>
<tr>
<td>Smoking Lounge</td>
<td>--</td>
<td>--</td>
<td>C</td>
<td>--</td>
<td>C</td>
<td>Section 5.1.5.8</td>
</tr>
<tr>
<td>Charitable Gaming Facility</td>
<td>--</td>
<td>--</td>
<td>C</td>
<td>--</td>
<td>C</td>
<td>Section 5.1.5.8</td>
</tr>
<tr>
<td>Civic, except as listed below:</td>
<td>P</td>
<td>L</td>
<td>L</td>
<td>L</td>
<td>L</td>
<td>Section 5.1.6.1</td>
</tr>
<tr>
<td>Day Care Center</td>
<td>C</td>
<td>--</td>
<td>--</td>
<td>C</td>
<td>L</td>
<td>Section 5.1.6.1</td>
</tr>
<tr>
<td>Parks, Open Space, and Greenways</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>Section 5.1.6.2</td>
</tr>
<tr>
<td>Minor Utilities</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>Section 5.1.6.3</td>
</tr>
<tr>
<td>Major Utilities</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>Section 5.1.6.3</td>
</tr>
<tr>
<td>Antenna</td>
<td>See Section 5.1.6.3D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Light Industrial</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>Section 5.1.7.1</td>
</tr>
<tr>
<td>Light Manufacturing</td>
<td>--</td>
<td>--</td>
<td>C</td>
<td>--</td>
<td>P</td>
<td>Section 5.1.7.2</td>
</tr>
<tr>
<td>Vehicle Service, as listed below:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car Wash</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>Section 5.1.7.3</td>
</tr>
<tr>
<td>Vehicle repair (minor)</td>
<td>--</td>
<td>--</td>
<td>C</td>
<td>--</td>
<td>P</td>
<td>Section 5.1.7.3</td>
</tr>
<tr>
<td>Vehicle repair (major)</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>Section 5.1.7.3</td>
</tr>
<tr>
<td>Warehouse &amp; Distribution</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>C</td>
<td>Section 5.1.7.4</td>
</tr>
<tr>
<td>Waste-Related service</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>C</td>
<td>Section 5.1.7.5</td>
</tr>
<tr>
<td>Wholesale trade</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>Section 5.1.7.6</td>
</tr>
<tr>
<td>Self Storage</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>Section 5.1.7.7</td>
</tr>
<tr>
<td>Research and Development</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>C</td>
<td>Section 5.1.7.8</td>
</tr>
<tr>
<td>Wrecking/Junk Yard</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>C</td>
<td>Section 5.1.7.9</td>
</tr>
</tbody>
</table>
# Zoning District Comparison Chart

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning Description</td>
<td>The Future Development (FD) District is intended to serve as a temporary zoning district for properties that shall develop in the future, but have been newly annexed and/or are not yet ready to be zoned for a particular Use. Characterized by primarily agricultural use with woodlands and wetlands and scattered buildings.</td>
<td>The SF-4.5 district is primarily intended to accommodate single family detached houses. Characterized by smaller landscaped areas with moderate setbacks and more frequent pedestrian uses. Uses that would substantially interfere with the residential nature of the district are not allowed.</td>
</tr>
<tr>
<td>Uses</td>
<td>Residential (See Land Use Matrix)</td>
<td>Residential (See Land Use Matrix)</td>
</tr>
<tr>
<td>Parking Location</td>
<td>No location standards</td>
<td>No location standards</td>
</tr>
<tr>
<td>Parking Standards</td>
<td>2 spaces per dwelling unit (Single Family Detached)</td>
<td>2 spaces per dwelling unit (Single Family Detached)</td>
</tr>
<tr>
<td>Max Residential Units per acre</td>
<td>0.4 units per acre (max)</td>
<td>7.5 units per acre (max)</td>
</tr>
<tr>
<td>Occupancy Restrictions</td>
<td>N/A</td>
<td>Restricted to a family and up to one other person who is not related to any of the other family members by blood, legal adoption, marriage, or conservatorship</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Tree and shrub requirements</td>
<td>Tree and shrub requirements</td>
</tr>
<tr>
<td>Building Height (max)</td>
<td>2 stories</td>
<td>2 stories</td>
</tr>
<tr>
<td>Setbacks</td>
<td>Based on Zoning District</td>
<td>Based on Zoning District</td>
</tr>
<tr>
<td>Impervious Cover (max)</td>
<td>30%</td>
<td>60%</td>
</tr>
<tr>
<td>Lot Sizes</td>
<td>Allows a variety of lot sizes depending on Building Type.</td>
<td>Allows for a minimum lot size of 4,500 square feet</td>
</tr>
<tr>
<td>Streetscapes</td>
<td>Residential Street: 5’ sidewalk for lots smaller than 1 acre, street trees every 40’ on center average, 7’ planting area between sidewalk and street required.</td>
<td>Residential Street: 5’ sidewalk, street trees every 35’ on center average, 7’ planting area between sidewalk and street required.</td>
</tr>
<tr>
<td>Blocks</td>
<td>No Block Perimeter Required</td>
<td>3,000 ft. Block Perimeter max</td>
</tr>
</tbody>
</table>
**GENERAL DESCRIPTION**

The SF-4.5 district is intended to accommodate single family detached houses with a minimum lot size of 4,500 square feet. Characterized by smaller landscaped areas with moderate setbacks and more frequent pedestrian use. Uses that would substantially interfere with the residential nature of the district are not allowed.

**DENSITY**

- Units Per Gross Acre: 7.5 max.
- Impervious Cover: 60% max.
- Occupancy Restrictions: Section 5.1.4.1

**TRANSPORTATION**

- Block Perimeter: 3,000 ft. max. Section 3.6.2.1
- Streetscape Type: Residential Section 3.8.1.10

**BUILDING TYPES ALLOWED**

- Accessory Dwelling Section 4.4.6.1
- House Section 4.4.6.2
- Cottage Section 4.4.6.3
- Civic Section 4.4.6.15
**LAND USE** – Preferred Scenario Map / Land Use Intensity Matrix

<table>
<thead>
<tr>
<th>Does the request meet the intent of the Preferred Scenario Map and the Land Use Intensity Matrix?</th>
<th>YES</th>
<th>NO (map amendment required)</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ECONOMIC DEVELOPMENT** – Furthering the goal of the Core 4 through the three strategies

<table>
<thead>
<tr>
<th>STRATEGY</th>
<th>SUMMARY</th>
<th>SUPPORTS</th>
<th>CONTRADICTS</th>
<th>NEUTRAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preparing the 21st Century Workforce</td>
<td>Provides / Encourages educational opportunities</td>
<td></td>
<td></td>
<td>Applicant has not indicated that educational facilities will be included.</td>
</tr>
<tr>
<td>Competitive Infrastructure &amp; Entrepreneurial Regulation</td>
<td>Provides / Encourages land, utilities and infrastructure for business</td>
<td></td>
<td></td>
<td>Applicant has not indicated that infrastructure will be extended.</td>
</tr>
<tr>
<td>The Community of Choice</td>
<td>Provides / Encourages safe &amp; stable neighborhoods, quality schools, fair wage jobs, community amenities, distinctive identity</td>
<td></td>
<td></td>
<td>Applicant has not indicated that opportunities for jobs and services will be included.</td>
</tr>
</tbody>
</table>

**ENVIRONMENT & RESOURCE PROTECTION** – Land Use Suitability & Development Constraints

<table>
<thead>
<tr>
<th>Level of Overall Constraint</th>
<th>1 (least)</th>
<th>2</th>
<th>3 (moderate)</th>
<th>4</th>
<th>5 (most)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constraint by Class</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cultural</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Edwards Aquifer</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Endangered Species</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floodplains</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Geological</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slope</td>
<td>X</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Soils</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Vegetation</td>
<td>X</td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>Watersheds</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Water Quality Zone</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ENVIRONMENT & RESOURCE PROTECTION – Water Quality Model Results

<table>
<thead>
<tr>
<th>Located in Subwatershed:</th>
<th>Purgatory Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>Modeled Impervious Cover Increase Anticipated for watershed</td>
<td>0-25%</td>
</tr>
<tr>
<td>Notes: The change in impervious cover under the Preferred Scenario is attributed to portions of the Paso Robles development, the Government Center, and downtown development. Purgatory Creek is a direct tributary of the San Marcos River, home of several endangered species. The Plan emphasizes the need to identify potential pollution from redevelopment as construction runoff and debris can wash into the creek during storm events.</td>
<td></td>
</tr>
</tbody>
</table>

NEIGHBORHOODS – Where is the property located

<table>
<thead>
<tr>
<th>CONA Neighborhood(s):</th>
<th>N/A – Outside City Limits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighborhood Commission Area(s):</td>
<td>N/A – Outside City Limits</td>
</tr>
<tr>
<td>Neighborhood Character Study Area(s):</td>
<td>N/A</td>
</tr>
</tbody>
</table>

PARKS, PUBLIC SPACES AND FACILITIES – Availability of parks and infrastructure

<table>
<thead>
<tr>
<th>Will Parks and / or Open Space be Provided?</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will Trails and / or Green Space Connections be Provided?</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

As part of the overall La Cima Development.

<table>
<thead>
<tr>
<th>Maintenance / Repair Density</th>
<th>Low (maintenance)</th>
<th>Medium</th>
<th>High (maintenance)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wastewater Infrastructure</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Infrastructure</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Public Facility Availability

<table>
<thead>
<tr>
<th>Parks / Open Space within ¼ mile (walking distance)? Upper Purgatory Creek Natural Area is located to the south of the La Cima Development.</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wastewater service available? As part of Development Agreement, extensions are required and developer will provide.</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Water service available? As part of Development Agreement, extensions are required and developer will provide.</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

TRANSPORTATION – Level of Service (LOS), Access to sidewalks, bicycle lanes and public transportation

<table>
<thead>
<tr>
<th>Existing Daily LOS</th>
<th>Wonder World Drive Old Ranch Road 12</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Existing Peak LOS</td>
<td>Wonder World Drive Old Ranch Road 12</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Preferred Scenario Daily LOS</td>
<td>Wonder World Drive Old Ranch Road 12</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Preferred Scenario Peak LOS</td>
<td>Wonder World Drive</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |

| Preferred Scenario Daily LOS | Wonder World Drive Old Ranch Road 12 | X |   |   |   | X |
| Preferred Scenario Peak LOS  | Wonder World Drive                     | X |   |   |   | |
The Transportation Demand Model shows that Wonder World Drive remains at a level of service A for the Existing Daily and Peak along with the Preferred Daily. It drops from an A to a C LOS in the Preferred Scenario Peak LOS. Old Ranch Road 12 is shown as a LOS F across the board. This could be alleviated with the construction of West Centerpoint Road through the La Cima Development.

<table>
<thead>
<tr>
<th>Old Ranch Road 12</th>
<th></th>
<th></th>
<th>X</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sidewalk Availability</td>
<td>N/A</td>
<td>Good</td>
<td>Fair</td>
</tr>
<tr>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adjacent to existing bicycle lane?</td>
<td>YES</td>
<td>NO</td>
<td></td>
</tr>
<tr>
<td>Adjacent to existing public transportation route?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Notes: The closest CARTS bus route is Route 7, which is the Bishop Street route.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Notice of Public Hearing
Zoning Change Request
“FD” Future Development to “SF-4.5” Single Family – 4.5
La Cima, Phase 1, Section 2

Hold a public hearing and consider a request by Natural Development Austin, LLC, on behalf of LCSM Ph 1-2, LLC, for a zoning change from “FD” Future Development to “SF-4.5” Single Family – 4.5, for approximately 56.923 acres, more or less, out of the John Williams Survey, Abstract 490, Hays County, generally located west of the intersection of Old Ranch Road 12 and Wonder World Drive.

The San Marcos Planning and Zoning Commission will consider the above request at an upcoming public hearing and will either approve or deny the request. This recommendation will be forwarded to the San Marcos City Council. Before making a decision, the Commission and Council will hold public hearings to obtain citizen comments. Because you are listed as the owner of property located within 400 feet of the subject property, we would like to notify you of the following public hearings and seek your opinion of the request:

- A public hearing will be held at the Planning Zoning Commission Meeting on **Tuesday, January 28, 2020** at 6:00 p.m. in the Council Chambers in City Hall, 630 East Hopkins.

- A public hearing will be held at the City Council Meeting on **Tuesday, February 18, 2020** at 6:00 p.m. in the Council Chambers in City Hall, 630 East Hopkins.

All interested citizens are invited to attend and participate in the public hearing. If you cannot attend but wish to comment, you may write to the below address. Your written comments will be given to the Planning & Zoning Commission and City Council if they are received before 5 PM on the day of the meeting.

Development Services-Planning
630 East Hopkins
San Marcos, TX 78666
planninginfo@sanmarcostx.gov

For more information regarding this request, contact the case manager, Alison Brake, at 512.393.8232. When calling, please refer to case number **ZC-20-01**.

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

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PLANNING AND DEVELOPMENT SERVICES
Enclosure: Map (See Reverse)
CONTACT INFORMATION

<table>
<thead>
<tr>
<th>Applicant's Name</th>
<th>Doug Goss</th>
<th>Property Owner</th>
<th>LCSM Ph 1-2, LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company</td>
<td>Natural Development</td>
<td>Company</td>
<td>LCSM Ph 1-2, LLC</td>
</tr>
<tr>
<td>Applicant's Mailing Address</td>
<td>11612 FM 2244, Bldg 1, Ste 140, Austin, TX 78738</td>
<td>Owner's Mailing Address</td>
<td>303 Colorado, Ste 2300, Austin, TX 78701</td>
</tr>
<tr>
<td>Applicant's Phone #</td>
<td>512-402-1790</td>
<td>Owner's Phone #</td>
<td>512-457-8000</td>
</tr>
<tr>
<td>Applicant's Email</td>
<td><a href="mailto:dougg@nd-austin.com">dougg@nd-austin.com</a></td>
<td>Owner's Email</td>
<td><a href="mailto:ericw@nd-austin.com">ericw@nd-austin.com</a></td>
</tr>
</tbody>
</table>

PROPERTY INFORMATION

Subject Property Address(es): W. Centerpoint Road and Copper Sage Drive (east side of W. Centerpoint Road)

Legal Description: Lot ALL Block ALL Subdivision La Cima Phase 1, Section 2

Total Acreage: 56.923

Preferred Scenario Designation: Existing Zoning: NA

Existing Land Use(s): Agriculture--wildlife exemption

DESCRIPTION OF REQUEST

Proposed Zoning District(s): SF 4.5

Proposed Land Uses / Reason for Change: City requiring annexation upon platting per development agreement

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 $3,013

*Existing Neighborhood Regulating Plan Included.

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

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/
PROPERTY OWNER AUTHORIZATION

I, Bryan Lee, Manager (owner name) on behalf of LCSM Ph. 1-2, LLC (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at W. Centerpoint Road and Copper Sage (address).

I hereby authorize Doug Goss (agent name) on behalf of Natural Development (agent company) to file this application for Zoning (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: [Signature] Date: 12-5-19
Printed Name, Title: Bryan Lee, Manager

Signature of Agent: [Signature] Date: 11/5/2019
Printed Name, Title: Doug Goss, Project 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 they 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: [Signature]

Print Name: [Print Name]

Date: 12/5/19

Form Updated October, 2019

Planning & Development Services • 630 East Hopkins • San Marcos, Texas 78666 • 512-393-8230
FIELD NOTES DESCRIPTION

DESCRIPTION OF 56.923 ACRES OF LAND IN THE JOHN WILLIAMS SURVEY, A-490, HAYS COUNTY, TEXAS, BEING A PORTION OF A CERTAIN CALLED 58.636 ACRE TRACT DESCRIBED IN THE DEED TO LCSM PH. 1-2, LLC OF RECORD IN INSTRUMENT NO. 17017222, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SIAD 58.636 ACRE TRACT BEING A PORTION OF A CERTAIN CALLED 649.592 ACRE TRACT DESCRIBED IN THE DEED TO LAZY OAKS RANCH, LP OF RECORD IN VOLUME 4877, PAGE 632, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 56.923 ACRES OF LAND AS SURVEYED BY BOWMAN CONSULTING GROUP, LTD., BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ¼-inch iron rod with a plastic cap stamped “BCG” set in the southeast line of the said 649.592 acre tract and the northwest line of a certain called 311.74 acre tract described in the deed to Claud Kern Wildenthal of record in Volume 1385, Page 398, Official Public Records of Hays County, Texas, for the south corner of a certain called 5.000 acre tract described in Exhibit C, reservation for exploration, exploitation and/or production of oil/gas or minerals, of record in said Volume 4877, Page 632, Official Public Records of Hays County, Texas, for a northeast corner of the said 58.636 acre tract and for a northeast corner and POINT OF BEGINNING of the tract described herein, from which a ¼-inch iron rod with a plastic cap stamped “BCG” previously set at an angle point in the southeast line of the said 649.592 acre tract and the northwest line of the said 311.74 acre tract bears N 45°32’23” E, a distance of 836.08 feet;

THENCE S 45°32’23” W, with the southeast line of the said 58.636 acre tract and the northwest line of the said 311.74 acre tract, with the southeast line of the tract described herein, a distance of 1,011.20 feet to a ¼-inch iron rod with a plastic cap stamped “BCG” set for the south corner of the said 58.636 acre tract and of the tract described herein, from which a 6-inch cedar fence post found at an angle point in the southeast line of the said 649.592 acre tract and the northwest line of the said 311.74 acre tract bears S 45°32’23” W, a distance of 5,336.80 feet;

THENCE N 08°46’59” W leaving the northwest line of the said 311.74 acre tract, crossing the said 649.592 acre tract, with the west line of the said 58.636 acre tract and of the tract described herein a distance of 269.69 feet to a ¼-inch iron rod with a plastic cap stamped “BCG” set for an angle point in the west line of the tract described herein;

THENCE crossing the said 58.636 acre tract and continuing across the said 649.592 acre tract, with the west line of the tract described herein, the following eight (8) courses and distances:

1. N 00°55’44” W, a distance of 241.78 feet to a ¼-inch iron rod with plastic cap stamped “BCG” previously set for an angle point,

2. N 01°43’52” W, a distance of 88.35 feet to a ¼-inch iron rod with plastic cap stamped “BCG” previously set for an angle point,

3. N 09°27’36” W, a distance of 130.16 feet to a ¼-inch iron rod with plastic cap stamped “BCG” previously set for an angle point,

4. N 12°02’57” W, a distance of 320.26 feet to a ¼-inch iron rod with plastic cap stamped “BCG” previously set for an angle point,

5. N 24°03’48” W, a distance of 137.75 feet to a ¼-inch iron rod with plastic cap stamped “BCG” previously set for an angle point,

6. N 29°44’01” W, a distance of 172.57 feet to a ¼-inch iron rod with plastic cap stamped “BCG” previously set for an angle point,

7. N 36°16’25” W, a distance of 99.57 feet to a ¼-inch iron rod with plastic cap stamped “BCG” previously set for an angle point, and
8. N 43°14'53" W, a distance of 82.50 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set in the southeast right-of-way line of West Centerpoint Road, a variable-width right-of-way, called 45.839 acres and described in the street deed to Hays County, Texas, of record in Volume 5310, Page 161, Official Public Records of Hays County, Texas, for the northwest corner of the tract described herein;

THENCE continuing across the said 649.592 acre tract, with the southeast right-of-way line of said West Centerpoint Road, with the northwest line the said 58.636 acre tract and of the tract described herein, the following twenty (20) courses and distances:

1. N 13°47'53" E, a distance of 162.99 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point of non-tangent curvature,

2. with the arc of a curve to the left, having a radius of 1,015.00 feet, an arc length of 55.59 feet, and a chord which bears N 39°06'44" E, a distance of 55.58 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point of reverse-curvature,

3. with the arc of a curve to the right, having a radius of 20.00 feet, an arc length of 29.76 feet, and a chord which bears N 80°10'00" E, a distance of 27.09 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,

4. N 36°21'31" E, a distance of 60.12 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point of non-tangent curvature,

5. with the arc of a non-tangent curve to the right, having a radius of 20.00 feet, an arc length of 31.61 feet, and a chord which bears N 11°56'15" W, a distance of 28.42 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-tangency,

6. N 33°20'06" E, a distance of 34.25 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,

7. N 41°29'53" E, a distance of 22.65 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-curvature,

8. with the arc of a non-tangent curve to the left, having a radius of 250.00 feet, an arc length of 89.33 feet, and a chord which bears N 31°15'40" E, a distance of 88.86 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-tangency,

9. N 33°20'06" E, a distance of 323.11 feet to a ½-inch iron rod with plastic cap stamped "BCG" set for a point-of-curvature,

10. with the arc of a curve to the left, having a radius of 1,535.00 feet, an arc length of 269.37 feet, and a chord which bears N 28°18'28" E, a distance of 269.02 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-tangency,

11. N 23°16'50" E, a distance of 106.62 feet to a ½-inch iron rod with a plastic cap stamped "BCG" previously set for a point-of-curvature,

12. with the arc of a curve to the right, having a radius of 20.00 feet, an arc length of 31.42 feet, and a chord which bears N 68°16'50" E, a distance of 28.28 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,

13. N 23°16'50" E, a distance of 60.00 feet a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point of non-tangent curvature,

14. with the arc of a curve to the right, having a radius of 20.00 feet, an arc length of 31.42 feet, and a chord which bears N 21°43'10" W, a distance of 28.28 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-tangency,
15. N 23°16'50" E, a distance of 140.14 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-curvature,

16. with the arc of a curve to the right, having a radius of 715.00 feet, an arc length of 632.32 feet, and a chord which bears N 48°36'56" E, a distance of 611.91 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point of compound-curvature,

17. with the arc of a curve to the right, having a radius of 20.00 feet, an arc length of 32.85 feet, and a chord which bears S 59°00'02" E, a distance of 29.28 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,

18. N 77°50'53" E, a distance of 60.00 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point of non-tangent curvature,

19. with the arc of a curve to the right, having a radius of 20.00 feet, an arc length of 32.32 feet, and a chord which bears N 34°20'37" E, a distance of 28.92 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-tangency, and

20. N 80°38'20" E, a distance of 262.13 feet to a ½-inch iron rod with plastic cap stamped "BCG" set for the northerly northeast corner of the tract described herein, from which a ½-inch iron rod with a plastic cap stamped "BCG" previously set for the northeast corner of the said 58.636 acre tract bears N 80°38'20" E, a distance of 13.06 feet;

THENCE leaving the southeast right-of-way line of said West Centerpoint Road and crossing the said 58.636 acre tract, with the east line of the tract described herein, the following five (5) courses and distances:

1. S 03°11'10" W, a distance of 1,461.22 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set for an angle point,

2. S 13°10'56" W, a distance of 91.81 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set for an angle point,

3. S 22°56'08" W, a distance of 39.67 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set for an angle point,

4. S 22°14'34" W, a distance of 53.71 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set for an angle point, and

5. S 22°05'52" W, a distance of 63.16 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set in the north line of the said 5.000 acre tract, same being an angle point in the east line of the tract described herein;

THENCE continuing across the said 649.592 acre tract, with the north and west lines of the said 5.000 acre tract, with a southeast and northeast line of the said 58.636 acre tract and of the tract described herein, the following two (2) courses and distances:

1. S 45°32'23" W, a distance of 663.91 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set for the west corner of the said 5.000 acre tract, same being a re-entrant corner of the tract described herein, and

2. S 44°27'37" E, a distance of 400.00 feet to the POINT OF BEGINNING and containing 56.923 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.

BOWMAN WORD FILE: FN2327(jb)
H:\Survey\FieldNotes\FN-2000s\FN2327(jb).doc
56.923 Acres
John Williams Survey, A-490,
Hays County, Texas

THE STATE OF TEXAS

COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a series of surveys made on the ground during the months of December 2013 through December 2019, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on this 30th day of December 2019 A.D.

Bowman Consulting Group, Ltd.
Austin, Texas 78746

John D. Barnard
Registered Professional Land Surveyor
No. 5749 – State of Texas
ZC-20-01 (La Cima, Phase 1, Section 2)

Hold a public hearing and consider a request by Natural Development Austin, LLC, on behalf of LCSM Ph 1-2, LLC, for a zoning change from “FD” Future Development to “SF-4.5” Single Family – 4.5, for approximately 56.923 acres, more or less, out of the John Williams Survey, Abstract 490, Hays County, generally located west of the intersection of Old Ranch Road 12 and Wonder World Drive. (A. Brake)
Location:

- Approximately 56.923 acres

- **Current Configuration:**
  Vacant / Agricultural land

- Surrounding uses include:
  - Single-family (ETJ)
  - San Marcos Academy
  - Vacant / rural

- Located outside the City Limits (Extraterritorial Jurisdiction)
Context & History

- **Existing Zoning:** Outside City Limits (ETJ)

- **Proposed Zoning:** Single Family – 4.5 (SF-4.5)

- Proposed SF-4.5 zoning allows for residential uses

- Annexation request is being processed concurrently for property located outside City Limits
  - FD zoning is default classification for newly annexed land.
Comprehensive Plan Analysis

Step 1: Where is the property located on the Comprehensive Plan?

Located in a Low Intensity Zone

“Low Intensity Areas are varied and diverse with respect to environmental sensitivity and development suitability of the land. They are generally made up of larger undeveloped tracts of land where the preservation of sensitive environmental areas, flood hazard areas and agricultural lands should be considered as part of any development proposal. Development in these areas should be guided by the Land Use Suitability Map of the Comprehensive Plan.” (4.1.1.6)
Comprehensive Plan Analysis

**Step 2:** Is the request consistent with the Comprehensive Plan / District Translation Table?

Applicant is requesting “Conventional Residential” (SF-4.5) within a Low Intensity Zone. Development Agreement in place prior to Code SMTX adoption. Zoning request is consistent with existing Development Agreement.

**Table 4.1 Comprehensive Plan / District Translation**

<table>
<thead>
<tr>
<th>DISTRICT CLASSIFICATION</th>
<th>OPEN SPACE/AGRICULTURAL</th>
<th>LOW INTENSITY</th>
<th>EXISTING NEIGHBORHOOD</th>
<th>MEDIUM OR HIGH INTENSITY ZONE</th>
<th>EMPLOYMENT CENTER</th>
<th>CORRIDOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conventional Residential</td>
<td>NP</td>
<td>NP</td>
<td>C</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Neighborhood Density Districts</td>
<td>NP</td>
<td>NP</td>
<td>See Section 4.1.2.4 - 4.1.2.5</td>
<td>NP</td>
<td>NP</td>
<td>C</td>
</tr>
<tr>
<td>Character Districts</td>
<td>NP</td>
<td>C</td>
<td>--</td>
<td>C</td>
<td>NP</td>
<td>C</td>
</tr>
<tr>
<td>Special Districts</td>
<td>--</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>C</td>
</tr>
</tbody>
</table>

Legend: -- = Not Allowed (PSA Required), NP = Not Preferred, C = Consider
SF-4.5 Zoning Analysis:

- SF-4.5 zoning is primarily intended to accommodate single family detached houses with a minimum lot size of 4,500 square feet. Uses that would substantially interfere with the residential nature of the district are not allowed.

- **Allowable Building Types:** House, Cottage, Accessory Dwelling Unit, Civic Building

- Proposed rezoning aligns with vision of the Comprehensive Plan, which states that the community needs diversified housing options.

- The property is vacant.
Environmental Analysis

• Not located in floodplain; floodplain is adjacent

• Existing development standards within Development Agreement to mitigate for impact to natural features
Staff Recommendation:

Staff provides this request to the Commission for your consideration and recommends approval of the request for a zoning change from “FD” Future Development to “SF-4.5” Single Family – 4.5
## Zoning District Comparison Chart

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Zoning Description</strong></td>
<td>The Future Development (FD) District is intended to serve as a temporary zoning district for properties that shall develop in the future, but have been newly annexed and/or are not yet ready to be zoned for a particular Use. Characterized by primarily agricultural use with woodlands and wetlands and scattered buildings.</td>
<td>The CD-3 district is primarily intended to accommodate one and two family houses. Uses that would substantially interfere with the residential nature of the district are not allowed.</td>
</tr>
<tr>
<td><strong>Uses</strong></td>
<td>Residential <em>(See Land Use Matrix)</em></td>
<td>Residential <em>(See Land Use Matrix)</em></td>
</tr>
<tr>
<td><strong>Parking Location</strong></td>
<td>No location standards</td>
<td>No location standards</td>
</tr>
<tr>
<td><strong>Parking Standards</strong></td>
<td>2 spaces per dwelling unit <em>(Single Family Detached)</em></td>
<td>2 spaces per dwelling unit <em>(Single Family Detached)</em></td>
</tr>
<tr>
<td><strong>Max Residential Units per acre</strong></td>
<td>0.4 units per acre <em>(max)</em></td>
<td>7.5 units per acre <em>(max)</em></td>
</tr>
<tr>
<td><strong>Occupancy Restrictions</strong></td>
<td>N/A</td>
<td>Restricted to a family and up to one other person who is not related to any of the other family members by blood, legal adoption, marriage, or conservatorship</td>
</tr>
<tr>
<td><strong>Landscaping</strong></td>
<td>Tree and shrub requirements</td>
<td>Tree and shrub requirements</td>
</tr>
<tr>
<td><strong>Building Height (max)</strong></td>
<td>2 stories</td>
<td>2 stories</td>
</tr>
<tr>
<td><strong>Setbacks</strong></td>
<td>Based on Zoning District</td>
<td>Based on Zoning District</td>
</tr>
<tr>
<td><strong>Impervious Cover (max)</strong></td>
<td>30%</td>
<td>60%</td>
</tr>
<tr>
<td><strong>Lot Sizes</strong></td>
<td>Allows a variety of lot sizes depending on Building Type.</td>
<td>Allows a variety of lot sizes depending on Building Type.</td>
</tr>
<tr>
<td><strong>Streetscapes</strong></td>
<td>Residential Street: 5’ sidewalk for lots smaller than 1 acre, street trees every 40’ on center average, 7’ planting area between sidewalk and street required.</td>
<td>Residential Street: 5’ sidewalk, street trees every 35’ on center average, 7’ planting area between sidewalk and street required.</td>
</tr>
<tr>
<td><strong>Blocks</strong></td>
<td>No Block Perimeter Required</td>
<td>3,000 ft. Block Perimeter max</td>
</tr>
</tbody>
</table>