I. Call To Order

II. Roll Call

III. Invocation

IV. Pledges of Allegiance - United States and Texas

V. Citizen Comment Period

NOTE: Citizen Comment sign up procedures have changed:
Persons wishing to participate remotely (speak) during the Citizen Comment portion must sign up at
www.sanmarcostx.gov/citizencommentsignup before 12:00PM the day of the meeting. A link will be
provided for participation on a mobile device, laptop or desktop computer. Those wishing to speak in
person must sign up in the City Clerk's office between 8:00AM - 5:45PM the day of the meeting.

CONSENT AGENDA

THE FOLLOWING ORDINANCES, RESOLUTIONS AND OTHER ITEMS MAY BE ACTED UPON BY
ONE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THE ITEMS IS NECESSARY
UNLESS DESIRED BY A COUNCIL MEMBER OR A CITIZEN, IN WHICH EVENT THE ITEM SHALL BE
CONSIDERED IN ITS NORMAL SEQUENCE AFTER THE ITEMS NOT REQUIRING SEPARATE
DISCUSSION HAVE BEEN ACTED UPON BY A SINGLE MOTION.

1. Consider approval of Resolution 2024-09R, nominating CFAN company to the Office of
the Governor, Economic Development and Tourism, through the Economic
Development Bank as an enterprise project pursuant to the Texas Enterprise Zone Act;
and declaring an effective date.

2. Consider approval of Resolution 2024-10R, approving a contract with Service First
Janitorial for janitorial services for 25 facilities in an amount not to exceed $975,000.00
for the initial 18-month contract term and authorizing up to nine additional one year
extensions with annual increases based on the rate of the yearly consumer price index
(CPI) not to exceed 3.5 percent per year; authorizing the City Manager, or her
designee, to execute the contract and renewals on behalf of the city; and declaring an
effective date.
PUBLIC HEARINGS

NOTE: Public Hearing sign up procedures have changed:
Persons wishing to participate remotely (speak) during the Public Hearing portion must sign up at www.sanmarcostx.gov/citizencommentsignup before 12:00PM the day of the meeting. A link will be provided for participation on a mobile device, laptop or desktop computer. If attending in person, no sign up is required.

3. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-05, annexing into the city approximately 6.26 acres of land, generally located south of the intersection between Rattler Road and East McCarty Lane/ FM 110 (Case No. AN-23-11); including procedural provisions; and providing an effective date; and consider approval of Ordinance 2024-05, on the first of two readings.

4. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-06, amending the Official Zoning Map of the city in Case No. ZC-23-26, by rezoning approximately 2.69 acres of land, generally located on Rattler Road approximately 400 feet south of the intersection between Rattler Road and East McCarty Lane/ FM 110, from Future Development "FD" District to Commercial "CM" District, or, subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2024-06, on the first of two readings.

5. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-07, amending the Official Zoning Map of the city in Case No. ZC-23-27, by rezoning approximately 3.57 acres of land, generally located south of the intersection between Rattler Road and East McCarty Lane/ FM 110, from Future Development "FD" District to Heavy Commercial "HC" District, or, subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2024-07, on the first of two readings.

6. Receive a Staff briefing and hold a Public Hearing to receive comments for or against Ordinance 2024-08, amending Chapter 58, Public Facilities, Parks and Recreation of the San Marcos City Code to add restrictions on certain beverage containers and coolers in the San Marcos River and within designated park areas adjacent to the river; providing penalties for violations of such restrictions; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date; and consider approval of Ordinance 2024-08, on the first of two readings.

NON-CONSENT AGENDA

7. Hold discussion regarding the possible addition of planned development zoning districts to the Development Code; and provide direction by motion to staff.

8. Hold discussion regarding possible requirements for subdivision developers to provide space, funding or other resources for the installation of emergency sirens; and provide direction by motion to staff.
9. Discuss and consider annual appointments to various Boards and Commissions, to wit:

A) Animal Shelter Advisory Committee
B) Arts Commission
C) Cemetery Commission
D) Citizen Utility Advisory Board (CUAB)
E) Convention and Visitors Bureau Board
F) Economic Development San Marcos Board
G) Ethics Review Commission
H) Historic Preservation Commission
I) Housing Authority
J) Human Services Advisory Board
K) Library Board
L) Main Street Advisory Board
M) Neighborhood Commission
N) Parking Advisory Board
O) Parks and Recreation Board
P) Planning and Zoning Commission
Q) Senior Citizen Advisory Board
R) Veteran Affairs Advisory Board
S) Zoning Board of Adjustment

EXECUTIVE SESSION

NOTE: The City Council 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 City Council may also publicly discuss any item listed on the agenda for Executive Session.

10. The City Council will convene in executive session pursuant to the following sections of the Texas Government Code:
A. Section §551.087: Economic Development: consider economic development incentives for Project Journey.
B. Section §551.071: Consultation with Attorney: to receive legal advice regarding The State of Texas v. The City of San Marcos, filed in the District Court of Hays County, Texas pertaining to the City’s enforcement of marijuana laws under Chapter 54, Article 4 of the City Code.

DIRECTION FROM EXECUTIVE SESSION

11. Consider action, by motion, or provide direction to Staff regarding the following Executive Session items held during the Work Session and/or Regular Meeting pursuant to the following section of the Texas Government Code:
A. Section §551.087: Economic Development: consider economic development incentives for Project Journey.
B. Section §551.071: Consultation with Attorney: to receive legal advice regarding The State of Texas v. The City of San Marcos, filed in the District Court of Hays County, Texas pertaining to the City’s enforcement of marijuana laws under Chapter 54, Article 4 of the City Code.
VI. Question and Answer Session with Press and Public.

   NOTE: Question and Answer with Press and Public sign up procedures have changed:
   This is an opportunity for the Press and Public to ask questions related to items on this agenda. Persons
   wishing to participate remotely (speak) during the Citizen Comment portion must sign up
   www.sanmarcostx.gov/citizencommentsignup before 12:00PM the day of the meeting. A call in number
   and link will be provided for participation on a mobile device, laptop or desktop computer. If attending in
   person, no sign up is required.

   NOTICE: In accordance with Section 2.045 of the City Code, speakers must state their name, and must
   limit their remarks to three minutes. The allotted time will commence from the beginning of the speaker's
   remarks and will include any time spent in discussion between the speaker and council or board or
   commission members. Issues taking longer to communicate can be addressed outside the meeting to the
   city staff or to individual members of the council or board or commission, or submitted in writing.

VII. Adjournment.

POSTED ON FRIDAY, FEBRUARY 2, 2024 AT 3:00 PM

ELIZABETH TREVINO, CITY CLERK

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 855-461-6674 or sent by e-mail to
ADArequest@sanmarcostx.gov
AGENDA CAPTION:
Consider approval of Resolution 2024-09R, nominating CFAN company to the Office of the Governor, Economic Development and Tourism, through the Economic Development Bank as an enterprise project pursuant to the Texas Enterprise Zone Act; and declaring an effective date.

Meeting date: February 6, 2024

Department: City Manager's Office

Amount & Source of Funding
Funds Required: $0
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.
Economic Vitality
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☒ Economic Development - Emerging Markets & Industry Relationships
☐ 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:
CFAN, a San Marcos based aerospace component manufacturer is considering a $40M investment in advanced manufacturing equipment from 2024 through 2029 and plans to retain over 350 full-time advanced technology positions. CFAN also plans to add an additional 10 new full-time jobs as a direct result of this project over the next 5 years. The Texas Enterprise Zone Program requires local jurisdictions to nominate companies for enterprise project designation. This program utilizes state funds and does not require local participation.

Council Committee, Board/Commission Action:
Click or tap here to enter text.

Alternatives:
Click or tap here to enter text.

Recommendation:
Approve nominating resolution for CFAN Enterprise Zone project
RESOLUTION NO. 2024- 09R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS NOMINATING CFAN COMPANY TO THE OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT AND TOURISM, THROUGH THE ECONOMIC DEVELOPMENT BANK AS AN ENTERPRISE PROJECT PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

WHEREAS, the City of San Marcos (“City”) has previously passed Ordinance No. 2011-42 electing to participate in the Texas Enterprise Zone Program, and the local incentives offered under this resolution are the same on this date as were outlined in Ordinance No. 2011-42; and

WHEREAS, the Office of the Governor Economic Development and Tourism (“EDC”) through the Economic Development Bank (“Bank”) will consider CFAN Company (“CFAN”) as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code (the "Act"), CFAN has applied to the City for designation as an enterprise project; and

WHEREAS, the City finds that CFAN meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. CFAN is a “qualified business” under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located in an enterprise zone and at least twenty-five percent (25.0%) of the business' new employees will be residents of an enterprise zone, economically disadvantaged individuals or honorably discharged veterans; and

2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and

3. The designation of CFAN Company as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

WHEREAS, the City finds that CFAN Company meets the criteria for tax relief and other incentives adopted by the City and nominates CFAN Company, for enterprise project status on the
grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, the City finds that it is in the best interest of the City to nominate CFAN Company as an enterprise project pursuant to the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. That the findings of the City and its actions approving this resolution taken at the council meeting are hereby approved and adopted.

PART 2. That CFAN Company is a “qualified business,” as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act.

PART 3. That the enterprise project shall take effect on the date of designation of the enterprise project by the agency and terminate five years from the date of the designation.

ADOPTED on February 6, 2024.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk

THE STATE OF TEXAS  )
COUNTY OF HAYS  )
I, Elizabeth Trevino, City Clerk of the City of San Marcos, Texas do hereby certify that the above and foregoing is a true and correct copy of Resolution Number _______ passed by the City of San Marcos City Council on February 6, 2024.

______________________________
Elizabeth Trevino
City Clerk

(City Seal)

THE STATE OF TEXAS  )
) COUNTY OF HAYS  )

BEFORE ME, the undersigned authority, on this day personally appeared Elizabeth Trevino, City Clerk of the City of San Marcos, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this ___ day of February 2024.

______________________________
Notary Public, State of Texas
AGENDA CAPTION:
Consider approval of Resolution 2024-10R, approving a contract with Service First Janitorial for janitorial services for 25 facilities in an amount not to exceed $975,000.00 for the initial 18-month contract term and authorizing up to nine additional one year extensions with annual increases based on the rate of the yearly consumer price index (CPI) not to exceed 3.5 percent per year; authorizing the City Manager, or her designee, to execute the contract and renewals on behalf of the city; and declaring an effective date.

Meeting date: February 6, 2024

Department: Public Works Department - Sabas Avila, Director

Amount & Source of Funding
Funds Required: $975,000
Account Number: 10003180-52555
Funds Available: Yes
Account Name: Janitorial Services

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
Background Information:
On January 4, the City received ten (10) proposals in response to Request for Proposals (RFP) 223-062 for Janitorial Services. Two (2) proposals were deemed non-responsive due to incomplete submissions that lacked required information. A City-staff evaluation team reviewed and evaluated all eight (8) remaining proposals and determined the most qualified and best value to the City to be Service First Janitorial with a home office located in Dallas, Texas.

The purpose of this contract is to maintain cleanliness and safety of the City’s many facilities for our public, employees, and guests. This contract will cover twenty-five (25) facilities totaling nearly 300,000 square feet which located throughout the City.

For this contract specifically, Service First Janitorial will maintain a workforce consisting of at least sixty percent (60%) local employees that reside within the city limits or the City’s ETJ, as requested previously by the City Council.

The initial contract term will be for an 18-month period beginning April 1, 2024, and continuing through September 30, 2025, to align with the fiscal year and budget timelines. Beginning October 1, 2025, the contract will continue with the option of up to nine (9) one-year annual renewals for a period not to exceed ten and a half (10.5) years. The initial contract term is estimated at $975,000 with a base estimated annual contract amount of $650,000. This amount includes capacity for additional as-needed cleaning services. This contract is subject to an annual increase based on the Consumer Price Index (CPI) up to a maximum of three and a half percent (3.5%) beginning at the first automatic renewal. The City may elect at any time to not renew the contract as may be appropriate.
Recommendation:
City staff recommends awarding a contract to Service First Janitorial for janitorial services.
RESOLUTION NO. 2024-10R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING A CONTRACT WITH SERVICE FIRST JANITORIAL FOR JANITORIAL SERVICES FOR 25 FACILITIES IN AN AMOUNT NOT TO EXCEED $975,000.00 FOR THE INITIAL 18-MONTH CONTRACT TERM AND AUTHORIZING UP TO NINE ONE YEAR EXTENSIONS WITH ANNUAL INCREASES BASED ON THE RATE OF THE YEARLY CONSUMER PRICE INDEX (CPI) NOT TO EXCEED 3.5 PERCENT PER YEAR; AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE THE CONTRACT AND RENEWALS ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. A contract with Service First Janitorial, Dallas, Texas (RFP No. 223-062) for janitorial services in the amount not to exceed $975,000.00 for an initial term of 18 months with the option of nine (9) additional one (1) year terms where yearly increases occur at the rate of the relevant consumer price index, not to exceed 3.5% per year, is approved.

PART 2. The City Manager or her designee is authorized to execute the agreement and the renewals on behalf of the City.

PART 3. This resolution shall be in full force and effect immediately from and after its passage.

ADOPTED on February 6, 2024.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk
# PROPOSAL SUBMITTAL LOG

Janitorial Services  
#223-062  
January 4, 2024 – 2:00 p.m., Local Time

<table>
<thead>
<tr>
<th>PROPONENT NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blueprint Svcs LLC, Oklahoma City, OK</td>
</tr>
<tr>
<td>Jani King, Cedar Park, TX</td>
</tr>
<tr>
<td>EcoBrite Svcs LLC, Lehi, UTAH</td>
</tr>
<tr>
<td>AmAjs, LLC, San Marcos, TX</td>
</tr>
<tr>
<td>DLP Svcs, San Antonio, TX</td>
</tr>
<tr>
<td>Ambassador Svcs, LLC, Houston, TX</td>
</tr>
<tr>
<td>LBM Enterprise, Inc, Dallas, TX</td>
</tr>
<tr>
<td>Goodwill Central, TX, Austin TX</td>
</tr>
<tr>
<td>Service 1st Sanitorial, Dallas, TX</td>
</tr>
<tr>
<td>Kleen-Tech, Denver, Colorado</td>
</tr>
</tbody>
</table>

Recorded by:  
Witnessed by:  

Rev. 02/10/20
AGENDA CAPTION:
Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-05, annexing into the city approximately 6.26 acres of land, generally located south of the intersection between Rattler Road and East McCarty Lane/FM 110 (Case No. AN-23-11); including procedural provisions; and providing an effective date; and consider approval of Ordinance 2024-05, on the first of two readings.

Meeting date: February 6, 2024

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: [Please select from the dropdown menu below]
N/A
N/A
N/A

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 - High Density Mixed Use Dev. & Infrastructure in the Activity Nodes & Intensity Zones (supporting walkability and integrated transit corridors)
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
☐ Transportation - Choose an item.
Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]
Vision San Marcos - A River Runs Through Us

Background Information:
The approx. 6 acre site is located at the intersection of Rattler Rd and McCarty Lane adjacent the City limits. This annexation request is accompanied by two separate zoning change requests for “Heavy Commercial” (ZC-23-27) along E McCarty to allow for the construction of a gas station and “Commercial” (ZC-23-26) along Rattler with smaller scale office/commercial uses proposed. The site is located within the “East Village” in the 2013 Comprehensive Plan, which is an area envisaged as an “activity node centered around the intersection of Old Bastrop and Hwy 123, East Village will boast a mix of commercial, retail, and service-oriented activity. This area will offer a variety of residential options including single family homes, duplexes, townhomes, and small multifamily projects”. The site is also within the proposed “East Village”/“Second City Center” in the Draft Comprehensive Plan - details on the ongoing Area Plan (including community outreach results) can be found at <https://storymaps.arcgis.com/collections/3b73f3c89015422842817bcf65ea55e?item=3>. The land to the north of the site on E McCarty was annexed and zoned to Light Industrial in 2022 (Ord 2022-10) and the land to the west of the site was annexed and zoned to Character District-4 (CD-4) in 2023 (Ord 2023-01). An annexation service agreement was approved by Council on December 19th - the City of San Marcos is proposed as the water and wastewater provider, and Bluebonnet co-operative for electric. The Planning and Zoning Commission recommended approval of the two associated zoning cases on January 23, 2024.

Council Committee, Board/Commission Action:
Click or tap here to enter text.

Alternatives:
Click or tap here to enter text.

Recommendation:
Staff recommends approval of AN-23-11 as presented.
AN-23-11
Sahota Center at Rattler Rd Annexation

Receive a staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2023- XX annexing into the City approximately 6.26 acres of land, more or less, out of the Cyrus Wickson Survey in Hays County, TX, generally located south of the intersection between Rattler Rd and East McCarty Lane/FM 110, including procedural provisions; and providing an effective date; and consider approval of Ordinance 2023-XX, on the first of two readings.
Context

Applicant requesting two zoning districts:
• “CM” Commercial (ZC-23-26)
• “HC” Heavy Commercial (ZC-23-27)

Adjacent Right of Way is currently in City limits

Service Plan (attached)
  Water: City of San Marcos
  Sewer: City of San Marcos
  Electric: Bluebonnet
Context

Surrounding Zoning
- Light Industrial
- Character District-4
- ETJ (No Zoning)

Surrounding Uses
- Rural residential
- Industrial Park (under development)
- Vacant/ Agricultural
Annexation and Zoning Schedule

Annexation Schedule:
• City Council Resolution (Approval of Service Agreement and set public hearing date): Dec 19, 2023
• City Council Ordinance 1\textsuperscript{st} Reading (Public Hearing): February 6, 2024
• City Council Ordinance 2\textsuperscript{nd} Reading: February 20, 2024

Zoning Schedule:
• Planning and Zoning Commission (Public Hearing): January 23, 2024
• City Council Ordinance 1\textsuperscript{st} Reading (Public Hearing): February 6
• City Council Ordinance 2\textsuperscript{nd} Reading: February 20, 2024
Recommendation

- Staff recommends **approval** of AN-23-11 as presented.
ORDINANCE NO. 2024-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY APPROXIMATELY 6.26 ACRES OF LAND, GENERALLY LOCATED SOUTH OF THE INTERSECTION BETWEEN RATTLER ROAD AND EAST MCCARTY LANE/FM 110 (CASE NO. AN-23-11); INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. In Case No. AN-23-11 the owner of approximately 6.26 acres of land, generally located south of the intersection between Rattler Road and East McCarty Lane/FM 110, as further described in Exhibit “A,” attached hereto and incorporated herein for all purposes (the “Property”), made a request for the City to annex the Property.

2. Said owner consents to the annexation of the Property.

3. The Owner and the City have entered into a written agreement for the provision of services to the Property.

4. The Property is contiguous and adjacent to the current boundaries of the City.

5. The City Council held a public hearing regarding the request on February 6, 2024.

6. The City Council hereby finds and determines that the adoption of the following ordinance is in the interest of the public health, morals, welfare, and safety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The recitals of this ordinance are approved and adopted.

SECTION 2. The Property, together with abutting right-of-way, if applicable, is annexed to and is a part of the City of San Marcos, Texas and subject to the acts, ordinances, resolutions, and regulations of the City.

SECTION 3. Services to the Property will be provided under the terms of the written agreement for the provision of services entered into between the Owner and the City as noted in Recital 3.

SECTION 4. The corporate limits of the City are extended to include the Property.

SECTION 5. The inhabitants of the Property are entitled to all the rights and privileges of other citizens of the City, and are bound by the acts, ordinances, resolutions, and regulations of the City.
SECTION 6. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 7. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 8. This ordinance shall be effective upon its adoption on second reading.

PASSED AND APPROVED on first reading on February 6, 2024.

PASSED, APPROVED AND ADOPTED on second reading on February 20, 2024.

Jane Hughson
Mayor

Attest: Approved:

Elizabeth Trevino Samuel J. Aguirre
City Clerk City Attorney
EXHIBIT A – PROPERTY DESCRIPTION

[ATTACH LEGAL DESCRIPTION AND SURVEY]
STATE OF TEXAS
COUNTY OF HAYS

BEING A 6.26 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN PROPERTY CONVEYED TO EDMUND JASTER HAYS COUNTY PARTNERSHIP IN VOLUME 1276, PAGE 880, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND Bounds AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found in the southeast line of the abovementioned Jaster tract, same being in the southeast line of a called 8.04 acre tract of land conveyed to the State of Texas in Volume 4899, Page 1, Official Public Records of Hays County, Texas, also being in the southeast line of McCarty Lane (Public R.O.W. Varies), and also being in the northeast line of a called 46.75 acre tract of land conveyed to Reed & Patricia Carr in Volume 2359, Page 218, Official Public Records of Hays County, Texas, for the northern most corner of the herein described tract of land;

THENCE South 44°07'54" West (South 45° West Record), with the southeast line of said Jaster tract, and the meanders of a wire fence, passing the west corner of said 46.75 acre Carr tract, same being the north corner of a called 8.79 acre tract of land conveyed to Judith Telford in Volume 174, Page 176, Deed Records of Hays County, Texas, and continuing for a total distance of 1013.96 feet to a 1/2 inch iron rod with "ASH 5687" cap set at the west corner of said 8.79 acre Telford tract, same being at the south corner of said Edmund Jaster tract, for the south corner of the herein described tract of land, also being in the northeast right of way line of Rattler Road (Public R.O.W. Varies);

THENCE with the northeast line of said Rattler Road and the common southwest line of said Jaster tract, North 45°55'24" West (North 45° West Record), with the southwest line of said Jaster tract and the meanders of a wire fence, a distance of 304.11 feet to a 1/2 inch iron rod found for a westerly south corner of the herein described tract of land, same being a corner of the aforesaid 8.04 acre State of Texas tract;

THENCE along and with the common line of said 8.04 acre State of Texas tract, the following courses and distances numbered (1) through (4):

1) North 44°13'26" East (North 43°55'26" East Record), leaving the southwest line of said Jaster tract, a distance of 41.55 feet (41.71' Record), to a 1/2 inch iron rod found for an interior corner of the herein described tract of land, same being at the beginning of a curve to the right;

2) Northerly 284.49 feet (284.40' Record) along the arc of said curve to the right, having a radius of 408.04 feet (Record) and a chord that bears North 26°07'36" West (North 26°05'31" West Record), a distance of 278.76 feet (278.68' Record), to a 1/2 inch iron rod found for the western most corner of the herein described tract of land, same being at a corner clip at the intersection of the northeast line of said Rattler Road with the southeast line of aforesaid McCarty Lane;

3) North 45°00'27" East (North 44°39' East Record), with said corner clip, a distance of 54.37 feet (54.23' Record) to a 1/2 inch iron rod found in the southeast line of said McCarty Lane, same being at the beginning of a curve to the left;

4) Northeasterly 1014.08 feet (1014.43' Record) along the arc of said curve to the left, having a radius of 1728.00 feet (Record) and a chord that bears North 78°35'29" East (North 78°36'26" East Record), a distance of 999.59 feet (999.92' Record) to the POINT OF BEGINNING and CONTAINING 6.26 ACRES OF LAND.
THE SUBDIVISION OF THIS PROPERTY IS NOT INTENDED TO SUBJUGATE THE RULES AND REGULATIONS OF ANY DEVELOPMENT ORDINANCE; AND ALL REQUIRED STATE, COUNTY, AND CITY PERMITS SHOULD BE OBTAINED BEFORE OCCUPYING THE PREMISES.

BEARING BASIS HEREIN DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES (TEXAS SOUTH CENTRAL ZONE) & NAD83.

I, Richard H. Taylor, do certify that this description and associated exhibit were prepared this date from a boundary survey performed under my direction during January 2016, and is true and correct to the best of my knowledge and belief.

Richard H. Taylor  
Registered Professional Land Surveyor  
No. 3986 State of Texas  
Attachment: Drawing of 6.26 acres  
Job: 15-6060  

01/12/16  
Date
AGREEMENT FOR THE PROVISION OF SERVICES  
(Pursuant to Tex. Local Gov’t Code §43.0672)

Date: December 19, 2023

Owner: Sahota Holdings, LLC, PO Box 592223, San Antonio, TX 78259

City: City of San Marcos, Texas, a home rule municipal corporation, 630 East Hopkins Street, San Marcos, Texas 78666

Property: As described in Exhibit A.

1. The Owner has petitioned the City and the City has elected to annex the Property into the corporate limits of the City. Pursuant to Tex. Local Gov’t Code §43.0672, the Owner and the City enter this agreement (the “Agreement”) for the provision of services to the Property when annexed.

2. By this Agreement, the Owner affirms its consent to such annexation of the Property by the City and that Owner does not wish to enter into and has declined the offer from the City of a development agreement under Sections 43.016 and 212.172 of the Texas Local Government Code.

3. In consideration of the mutual benefits to the Owner and the City arising from the annexation of the Property, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Owner and the City enter into this Agreement and agree that services to the Property will be provided as described in Exhibit B.

4. This Agreement is made, and shall be construed and interpreted under the laws of the State of Texas. Venue for any legal proceedings shall lie in state courts located in Hays County, Texas. Venue for any matters in federal court will be in the United States District Court for the Western District of Texas.

5. If any word, phrase, clause, sentence, or paragraph of this Agreement is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this Agreement will continue in force if they can be given effect without the invalid portion.

6. This Agreement shall be binding upon Owner, and Owner’s heirs, successors and assigns, and all future owners of all or any portion of the Property.

7. This Agreement will become effective as of the date an ordinance annexing the Property is finally passed, approved, and adopted by the City’s city council (the Effective Date).

[SIGNATURES ON NEXT PAGE]
CITY:

By: __________________________

Name: __________________________

Title: __________________________

ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF HAYS §

This instrument was acknowledged before me on _____________________, 20___, by __________________________, __________________________ of the City of San Marcos, in such capacity, on behalf of said municipality.

Notary Public, State of Texas
OWNER:

By: __________________________

Name: __________________________

Title: __________________________

ACKNOWLEDGMENT

STATE OF _____  §

COUNTY OF _____  §

This instrument was acknowledged before me on ____________, 20__. by
__________________________. ______________________ of ______________________ in such
capacity on behalf of said entity.

_________________________________

Notary Public, State of _____________
STATE OF TEXAS  
COUNTY OF HAYS  

6.26 ACRES  
CYRUS WICKSON SURVEY 
ABSTRACT # 474

BEING A 6.26 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN PROPERTY CONVEYED TO EDMUND JASTER HAYS COUNTY PARTNERSHIP IN VOLUME 1276, PAGE 880, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found in the southeast line of the abovementioned Jaster tract, same being in the southeast line of a called 8.04 acre tract of land conveyed to the State of Texas in Volume 4899, Page 1, Official Public Records of Hays County, Texas, also being in the southeast line of McCarty Lane (Public R.O.W. Varies), and also being in the northwest line of a called 46.75 acre tract of land conveyed to Reed & Patricia Carr in Volume 2359, Page 218, Official Public Records of Hays County, Texas, for the northern most corner of the herein described tract of land;

THENCE South 44°07'54" West (South 45° West Record), with the southeast line of said Jaster tract, and the meanders of a wire fence, passing the west corner of said 46.75 acre Carr tract, same being the north corner of a called 8.79 acre tract of land conveyed to Judith Telford in Volume 174, Page 176, Deed Records of Hays County, Texas, and continuing for a total distance of 1013.96 feet to a 1/2 inch iron rod with "ASH 5687" cap set at the west corner of said 8.79 acre Telford tract, same being at the south corner of said Edmund Jaster tract, for the south corner of the herein described tract of land, also being in the northeast right of way line of Rattler Road (Public R.O.W. Varies);

THENCE with the northeast line of said Rattler Road and the common southwest line of said Jaster tract, North 45°55'24" West (North 45° West Record), with the southwest line of said Jaster tract and the meanders of a wire fence, a distance of 304.11 feet to a 1/2 inch iron rod found for a westerly south corner of the herein described tract of land, same being a corner of the aforesaid 8.04 acre State of Texas tract;

THENCE along and with the common line of said 8.04 acre State of Texas tract, the following courses and distances numbered (1) through (4):

1) North 44°13'26" East (North 43°55'26" East Record), leaving the southwest line of said Jaster tract, a distance of 41.55 feet (41.71' Record), to a 1/2 inch iron rod found for an interior corner of the herein described tract of land, same being at the beginning of a curve to the right;

2) Northerly 284.49 feet (284.40' Record) along the arc of said curve to the right, having a radius of 408.04 feet (Record) and a chord that bears North 26°07'36" West (North 26°05'31" West Record), a distance of 278.76 feet (278.68' Record), to a 1/2 inch iron rod found for the western most corner of the herein described tract of land, same being at a corner clip at the intersection of the northeast line of said Rattler Road with the southeast line of aforesaid McCarty Lane;

3) North 45°00'27" East (North 44°39' East Record), with said corner clip, a distance of 54.37 feet (54.23' Record) to a 1/2 inch iron rod found in the southeast line of said McCarty Lane, same being at the beginning of a curve to the left;

4) Northeasterly 1014.08 feet (1014.43' Record) along the arc of said curve to the left, having a radius of 1728.00 feet (Record) and a chord that bears North 78°35'29" East (North 78°36'26" East Record), a distance of 999.59 feet (999.92' Record) to the POINT OF BEGINNING and CONTAINING 6.26 ACRES OF LAND.
THE SUBDIVISION OF THIS PROPERTY IS NOT INTENDED TO SUBJUGATE THE RULES AND REGULATIONS OF ANY DEVELOPMENT ORDINANCE; AND ALL REQUIRED STATE, COUNTY, AND CITY PERMITS SHOULD BE OBTAINED BEFORE OCCUPYING THE PREMISES.

BEARING BASIS HEREIN DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES (TEXAS SOUTH CENTRAL ZONE) & NAD83.

I, Richard H. Taylor, do certify that this description and associated exhibit were prepared this date from a boundary survey performed under my direction during January 2016, and is true and correct to the best of my knowledge and belief.

Richard H. Taylor
Registered Professional Land Surveyor
No. 3986 State of Texas
Attachment: Drawing of 6.26 acres
Job: 15-6060

01/12/16
Date
EXHIBIT B

When the Property is annexed, services will be provided to the Property as follows:

1. **Police Protection**
   Police services, including patrolling, response to calls and other routine services, will begin on the Effective Date of the annexation using existing personnel and equipment.

2. **Fire Protection**
   Fire protection services, including emergency response calls, will begin on the Effective Date of the annexation using existing personnel and equipment and within the limitations of the available water supply.

3. **Emergency Medical Services**
   The City of San Marcos contracts for emergency medical services through the San Marcos – Hays County EMS, which already provides service to the area being annexed.

4. **Solid Waste Collection**
   Solid waste collection services, provided under contract with a private company, will be made available to all properties on the Effective Date of the annexation. Residents of the Property may elect to continue using the services of a private solid waste hauler for a period of two years after the Effective Date of the annexation. Businesses and institutions must make arrangements with private solid waste haulers.

5. **Operation and Maintenance of Water and Wastewater Facilities**
   a. **Water.** The Property is located within an area over which the City of San Marcos holds a Certificate of Convenience and Necessity (CCN) for water service. The City will make water service available to the Property on the Effective Date of the annexation on the same basis as available to other owners of property in the City, i.e., the Owner is solely responsible for the cost to construct and extend all infrastructure, facilities, and lines necessary to serve the Property.

   b. **Wastewater.** The Property is not covered by a CCN for wastewater service; however, the City of San Marcos has wastewater lines in the vicinity of the Property and agrees to make wastewater service available to the Property on the Effective Date of the annexation on the same basis as available to other owners of property in the City, i.e., the Owner is solely responsible for the cost to construct and extend all infrastructure, facilities, and lines necessary to serve the Property.

6. **Construction, Operation and Maintenance of Roads and Streets**
   As new development occurs within the Property, the Owner(s) of Property will be required to construct streets at the Owner’s sole expense in accordance with applicable ordinances of the City.
7. Electric Service
The Property is located within the Bluebonnet Electric service area. Thus, the City will not provide electric service to the Property.

8. Operation and Maintenance of Parks, Playgrounds, and/or Swimming Pools
No parks, playgrounds, and/or swimming pools currently exist within the Property. The same standards and policies now established and in force within the city limits will be followed in maintaining and expanding recreational facilities to serve the Property. Upon annexation, the owners and residents of property located within the Property shall be entitled to the use of all municipal parks and recreational facilities, subject to the same restrictions, fees, and availability that pertains to the use of those facilities by other citizens of the city.

9. Operation and Maintenance of Other Public Facilities, Buildings, and Services
No other public facilities, buildings, or services currently exist within the Property. The same standards and policies now established and in force within the city limits will be followed in maintaining and expanding other public facilities, building, and services. Upon annexation, the owners and residents of property located within the Property shall be entitled to the use of all municipal facilities, buildings, and services, subject to the same restrictions, fees, and availability that pertains to the use of those facilities and services by other citizens of the city.
OWNER'S CONSENT TO ANNEXATION OF LAND

Date: 11-13-23
City: City of San Marcos, Texas, a home rule municipal corporation
Owner: Sahoto Holdings, LLC
Property: 6.26 acres of land, more or less, out of the Cyrus Wilkinson Survey, Abstract 4174, Hays County, Texas, being more particularly described in attached exhibit "A."

Owner petitioned the City to initiate proceedings to annex the Property. Owner acknowledges and agrees that, in connection with annexation of the Property:

1. Owner does not wish to enter into a development agreement with the City under Section 212.172 and has declined the offer by the City of such a development agreement.

2. Unless specifically authorized by a written agreement with Owner approved by the City Council under applicable ordinances, the City has no obligation to extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property at the City's expense, and the City has made no offers, representations or promises that the City will, at the City's expense, extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property. Such extensions to the Property shall be made available in the same manner and on the same basis as available to other areas of the City, whereby it shall be Owner's sole obligation, and at Owner's sole expense, to construct and install all infrastructure necessary to extend such services to the Property under applicable ordinances.

3. Owner waives any and all rights of Owner to assert any claim or demand, or to file suit against, and covenants not to sue, the City on the basis that the annexation of the Property by the City is invalid, void or voidable, in whole or in part.

4. This instrument is made, and shall be construed and interpreted under the laws of the State of Texas. Venue for any legal proceedings concerning this instrument shall lie in State courts having jurisdiction located in Hays County, Texas. Venue for any matters in federal court will be in the United States District Court for the Western District of Texas.
5. If any word, phrase, clause, sentence, or paragraph of this instrument is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this instrument will continue in force if they can be given effect without the invalid portion.

6. This instrument may be recorded in the Official Public Records of the County or Counties in which the Property is located and is binding on Owner's successors, heirs and assigns, and any future owners of the Property.

[SIGNATURE(S) ON NEXT PAGE]
OWNER:

[Signature]

ACKNOWLEDGMENT

STATE OF Texas §
COUNTY OF Comal §

This instrument was acknowledged before me on NOV. 14, 2023 by
RAVINDE SAHITA

[Notary Seal]

Cynthia A. Carroll
Notary Public, State of
DECLINATION OF OFFER OF DEVELOPMENT AGREEMENT

The attached Development Agreement was offered by the City of San Marcos to the owner of the property subject to the following application/petition (check one):

___ Out of City Utility Connection of Extension Application

X Petition for Annexation (without OCU Request)

By signing below, the owner of the subject property declines the offer to enter into such Development Agreement.

OWNER (individual):

__________________________

Date: _______________________

[OR]

OWNER (Entity):

By: ________________________

Name: Ravinder Sahota

Title: Member

Date: 11-22-2023

ACKNOWLEDGMENT

STATE OF Texas $

COUNTY OF Comal $

This instrument was acknowledged before me on November 22, 2023 by Ravinder Sahota, Member of Sahota Holding LLC on behalf of said entity.

[Signature]

Notary Public, State of Texas

Case No. AN-23-11 (to be inserted by City Staff)
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.

Date: 11/22/2023
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.

Date: 12/28/2023
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.

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Date: 12/28/2023
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.

Date: 1/22/2024
Figure 112: SMFD 8-Minute Effective Response Force

_Six fire stations with Station 2 relocated to Centerpoint, and Station 6 at Old Bastrop west of Posey with minimum staffing of 20 personnel._

AN-23-11 /ZC-23-26/ZC-23-27 APPROXIMATE LOCATION
Notice of Public Hearing on Proposed Annexation

Annexation of 6.26 +/- acres of land, more or less, out of the Cyrus Wickson Survey, Abstract No. 474, generally located south of the intersection between Rattler Rd and East McCarty Lane/FM 110.

The San Marcos City Council will conduct a hybrid, in-person / virtual, public hearing on the proposed voluntary annexation, by petition of the landowners, of the area described in this notice. At the hearing, the City Council will hear and consider comments on issues related to the City’s proposed annexation of the area.

Public Hearing Date and Time: Tuesday, February 6, 2024; 6:00 p.m.

Public Hearing Location: Public Hearings will be a hybrid of in-person and virtual meetings. All interested citizens are invited to attend in person in the City Council Chambers, 630 E. Hopkins, but are encouraged to watch or participate in the public hearing by watching the public hearing using the following link: www.sanmarcostx.gov/videos, or on Grande Channel 16.

Persons wishing to participate (speak) during the public hearing should signup at www.sanmarcostx.gov/citizencommentsignup or by calling 512-393-8090 prior to 12:00 p.m. the day of the meeting. A call-in number to join by phone or a link to join by a mobile device, laptop or desktop computer will be provided for participation.

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.
January 16, 2024

Notification of Proposed Annexation by the City of San Marcos – AN-23-11 (Sahota Center at Rattler Rd Annexation)

Dear Public Entity Representative:

Under Local Government Code Chapter 43, cities are required to notify certain public entities of all proposed annexations. The San Marcos City Council is considering the following annexations that may affect your jurisdiction:

Annexation of 6.26 +/- acres of land, more or less, out of the Cyrus Wickson Survey, Abstract No. 474, generally located south of the intersection between Rattler Rd and East McCarty Lane/FM 110.

All annexations are subject to notification, public hearings, and vote by City Council. The annexation schedule is as follows:

Ordinance 1st Reading (Public Hearing): February 6, 2024 at 6pm, City Council Chambers, City Hall, 630 E. Hopkins St, San Marcos. (This hearing is a hybrid of virtual and in-person meeting)

Ordinance 2nd Reading: February 20, 2024 at 6pm City Council Chambers, City Hall, 630 E. Hopkins St, San Marcos. (Hybrid of virtual and in-person meeting)

The City Council of the City of San Marcos, Texas, will hold a public hearing via hybrid meeting at 6:00 p.m. on Tuesday, February 6, 2024 to consider the above request. You may watch the public hearing on Grande channel 16 or Spectrum channel 10 or by using the following link: https://sanmarcostx.gov/Videos. Or sign up via www.sanmarcostx.gov/citizencommentssignup or call 512-393-8090 to request a link to participate in the public hearing by computer, mobile device, or phone. Public Hearings will be a hybrid of in person and virtual meetings. All interested citizens are invited to attend in person but are encouraged to watch or participate in the public hearing by the means described below.

If you cannot participate in the public hearing of the City Council, but wish to comment, you may email written comments to councilmembers@sanmarcostx.gov. All written comments and requests to participate must be received before 12 PM on the day of the meeting.

Persons who require auxiliary aids and services for these meetings should contact the City of San Marcos ADA Coordinator at 512-805-2645 (voice) or 512-393-8229 (TDD).

Should you have any questions or comments, please contact Julia Cleary at 512.805.2658 or by email at jcleary@sanmarcostx.gov.

If any contact information has changed, please let us know so we can update our records accordingly.

Sincerely,

Julia Cleary, AICP
Senior Planner
City of San Marcos - Planning & Development Services
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.

Date: 11/22/2023
ANNEXATION APPLICATION

Updated: March, 2023

CONTACT INFORMATION

<table>
<thead>
<tr>
<th>Applicant's Name</th>
<th>Caren Williams-Murch</th>
<th>Property Owner</th>
<th>Ravi Sahota</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company</td>
<td>Land Consultants, Ltd. Co.</td>
<td>Company</td>
<td>Sahota Holdings, LLC</td>
</tr>
<tr>
<td>Applicant's Mailing Address</td>
<td>144 Sage Meadows Dr. San Marcos, TX 78666</td>
<td>Owner's Mailing Address</td>
<td>PO Box 592233, San Antonio, TX 78259</td>
</tr>
<tr>
<td>Applicant's Phone #</td>
<td>512-757-7006</td>
<td>Owner's Phone #</td>
<td>830-832-7284</td>
</tr>
<tr>
<td>Applicant’s Email</td>
<td><a href="mailto:Cmurch@txlandltd.com">Cmurch@txlandltd.com</a></td>
<td>Owner’s Email</td>
<td><a href="mailto:ravisahota@gmail.com">ravisahota@gmail.com</a></td>
</tr>
</tbody>
</table>

PROPERTY INFORMATION

- Is the property adjacent to city limits: ✓ YES □ NO
- Is the property proposing to connect to City utilities: ✓ YES, WATER ✓ YES, WASTE WATER □ NO
- Is the property subject to an approved development or other agreement: □ YES ✓ NO

Proposed Use: Commercial
Proposed Zoning: CM/ HC
Reason for Annexation / Other Considerations: To get city approved zoning.

AUTHORIZED

By submitting this digital application, 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 $1,800 Technology Fee $15 TOTAL COST $1,815

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

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/
I, Ravi Sahota (owner name) on behalf of Satcharan Holdings, LLC (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at FM 110, SAN MARCOS, TX 78666 (address).

I hereby authorize Caren Williams-Murch (agent name) on behalf of Land Consultants, Ltd. Co. (agent company) to file this application for Annexation (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: ___________________________ Date: 9-21-23
Printed Name, Title: ___________________________

Signature of Agent: ___________________________ Date: 9-21-2023
Printed Name, Title: ___________________________
November 13, 2023

City of San Marcos Planning Department  
Ms. Julia Clearly, Senior Planner  
603 East Hopkins  
San Marcos, Texas 78666

Re: Annexation Application AN-23-11 Sahota Center at Rattler Road

Dear Julia,

This letter is in addition to the application form and documents uploaded to the City portal for AN-23-11. My client owns approximately 6.26 acres at the corner of Rattler Road and McCarty Lane. He is requesting annexation of the entire parcel.

On this parcel of 6.26 acres, he intends to develop a small retail and business park center to provide rental space for small retail, restaurant and office uses in this area and a gas station with convenience facing McCarty Lane.

If you have any questions, please feel free to contract me at 512-757-7006 or at cmurch@txlandltd.com

Thank you for your consideration.

Sincerely,

Caren Williams-Murch  
Senior Project Manager
STATE OF TEXAS
COUNTY OF HAYS

BEING A 6.26 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN PROPERTY CONVEYED TO EDMUND JASTER HAYS COUNTY PARTNERSHIP IN VOLUME 1276, PAGE 880, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found in the southeast line of the abovementioned Jaster tract, same being in the southeast line of a called 8.04 acre tract of land conveyed to the State of Texas in Volume 4899, Page 1, Official Public Records of Hays County, Texas, also being in the southeast line of McCarty Lane (Public R.O.W. Varies), and also being in the northwest line of a called 46.75 acre tract of land conveyed to Reed & Patricia Carr in Volume 2359, Page 218, Official Public Records of Hays County, Texas, for the northern most corner of the herein described tract of land;

THENCE South 44°07’54” West (South 45° West Record), with the southeast line of said Jaster tract, and the meanders of a wire fence, passing the west corner of said 46.75 acre Carr tract, same being the north corner of a called 8.79 acre tract of land conveyed to Judith Telford in Volume 174, Page 176, Deed Records of Hays County, Texas, and continuing for a total distance of 1013.96 feet to a 1/2 inch iron rod with “ASH 5687” cap set at the west corner of said 8.79 acre Telford tract, same being at the south corner of said Edmund Jaster tract, for the south corner of the herein described tract of land, also being in the northeast right of way line of Rattler Road (Public R.O.W. Varies);

THENCE with the northeast line of said Rattler Road and the common southwest line of said Jaster tract, North 45°55’24” West (North 45° West Record), with the southwest line of said Jaster tract and the meanders of a wire fence, a distance of 304.11 feet to a 1/2 inch iron rod found for a westerly south corner of the herein described tract of land, same being a corner of the aforesaid 8.04 acre State of Texas tract;

THENCE along and with the common line of said 8.04 acre State of Texas tract, the following courses and distances numbered (1) through (4):

1) North 44°13’26” East (North 43°55’26” East Record), leaving the southwest line of said Jaster tract, a distance of 41.55 feet (41.71’ Record), to a 1/2 inch iron rod found for an interior corner of the herein described tract of land, same being at the beginning of a curve to the right;

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3) North 45°00’27” East (North 44°39’ East Record), with said corner clip, a distance of 54.37 feet (54.23’ Record) to a 1/2 inch iron rod found in the southeast line of said McCarty Lane, same being at the beginning of a curve to the left;

4) Northeasterly 1014.08 feet (1014.43’ Record) along the arc of said curve to the left, having a radius of 1728.00 feet (Record) and a chord that bears North 78°35’29” East (North 78°36’26” East Record), a distance of 999.59 feet (999.92’ Record) to the POINT OF BEGINNING and CONTAINING 6.26 ACRES OF LAND.
THE SUBDIVISION OF THIS PROPERTY IS NOT INTENDED TO SUBJUGATE THE RULES AND REGULATIONS OF ANY DEVELOPMENT ORDINANCE; AND ALL REQUIRED STATE, COUNTY, AND CITY PERMITS SHOULD BE OBTAINED BEFORE OCCUPYING THE PREMISES.

BEARING BASIS HEREIN DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES (TEXAS SOUTH CENTRAL ZONE) & NAD83.

I, Richard H. Taylor, do certify that this description and associated exhibit were prepared this date from a boundary survey performed under my direction during January 2016, and is true and correct to the best of my knowledge and belief.

Richard H. Taylor
Registered Professional Land Surveyor
No. 3986 State of Texas
Attachment: Drawing of 6.26 acres
Job: 15-6060
**** Electronically Filed Document ****

Hays County Texas
Liz Q. Gonzalez
County Clerk

Document Number: 2016-16003058
Recorded As : ELECTRONIC RECORDING

Recorded On: January 29, 2016
Recorded At: 03:08:55 pm
Number of Pages: 7

Recording Fee: $46.00

Parties:
Direct- EDMUND JASTER HAYS COUNTY PARTNERSHIP
Indirect- SAHOTA HOLDINGS LLC

Receipt Number: 419725
Processed By: Rose Robinson

********** THIS PAGE IS PART OF THE INSTRUMENT **********

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

I hereby certify that this instrument was filed for record in my office on the date and
time stamped hereon and was recorded on the volume and page of the named records
of Hays County, Texas

Liz Q. Gonzalez, County Clerk
NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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.

GENERAL WARRANTY DEED

STATE OF TEXAS
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS:

That EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership ("Grantor", whether one or more), for and in consideration of the sum of TEN DOLLARS ($10.00) and other valuable consideration to the undersigned paid by SAHOTA HOLDINGS, LLC, a Texas limited liability company ("Grantee", whether one or more), the receipt of which is hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto Grantee, the following described real property (the "Property"), to-wit:

6.26 acres of land, more or less, out of the Cyrus Wilkinson Survey, Abstract 474, Hays County, Texas, being more particularly described in attached Exhibit "A".

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, Grantee's successors and assigns forever; and Grantor does hereby bind Grantor, Grantor's successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the said premises unto Grantee, Grantee's successors and assigns, against every person whomsoever claiming or to claim the same or any part thereof.

This conveyance is made subject to all and singular the restrictions, easements, conditions, reservations, exceptions and covenants, if any, applicable to and enforceable against the Property as shown by the records of Hays County, Texas.

Current ad valorem taxes on the Property having been prorated, the payment thereof is assumed by Grantee.

[SIGNATURE PAGE FOLLOWS]
EXECUTED as of the 29th day of January, 2016.

GRANTOR:

EDMUND JASTER HAYS COUNTY PARTNERSHIP,
a Texas general partnership

By: ____________________________
    George E. Jaster, Partner

By: ____________________________
    Albert A. Jaster, Partner

By: ____________________________
    John R. Jaster, Partner

By: ____________________________
    Jean E. Hausmann, Partner

By: ____________________________
    Elaine S. Wilkinson, Partner

Address of Grantee:

P.O. Box 592233
San Antonio, TX 78259

STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me this 29th day of January, 2016 by George E. Jaster, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

RENEE D. JOHNSON
My Notary ID # 4875004
Expires December 17, 2016

Notary Public, State of Texas
STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me this 29 day of January, 2016 by Albert A. Jaster, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

[Signature]
Notary Public, State of Texas

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STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me this 29 day of January, 2016 by John R. Jaster, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

[Signature]
Notary Public, State of Texas

---

STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me this 29 day of January, 2016 by Jean E. Hausmann, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

[Signature]
Notary Public, State of Texas
STATE OF TEXAS §

COUNTY OF HAYS $ §

This instrument was acknowledged before me this 27th day of January, 2016 by Elaine S. Wilkinson, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

RENEE D. JOHNSON
My Notary ID # 4875004
Expires December 17, 2016

Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

CORRIDOR TITLE, LLC

15-1737-S
STATE OF TEXAS  
COUNTY OF HAYS  

BEING A 6.26 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN PROPERTY CONVEYED TO EDMUND JASTER HAYS COUNTY PARTNERSHIP IN VOLUME 1276, PAGE 880, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found in the southeast line of the abovementioned Jaster tract, same being in the southeast line of a called 8.04 acre tract of land conveyed to the State of Texas in Volume 4899, Page 1, Official Public Records of Hays County, Texas, also being in the southeast line of McCarty Lane (Public R.O.W. Varies), and also being in the northwest line of a called 46.75 acre tract of land conveyed to Reed & Patricia Carr in Volume 2359, Page 218, Official Public Records of Hays County, Texas, for the northern most corner of the herein described tract of land;

THENCE South 44°07'54" West (South 45° West Record), with the southeast line of said Jaster tract, and the meanders of a wire fence, passing the west corner of said 46.75 acre Carr tract, same being the north corner of a called 8.79 acre tract of land conveyed to Judith Telford in Volume 174, Page 176, Deed Records of Hays County, Texas, and continuing for a total distance of 1013.96 feet to a 1/2 inch iron rod with "ASH 5687" cap set at the west corner of said 8.79 acre Telford tract, same being at the south corner of said Edmund Jaster tract, for the south corner of the herein described tract of land, also being in the northeast right of way line of Rattler Road (Public R.O.W. Varies);

THENCE with the northeast line of said Rattler Road and the common southwest line of said Jaster tract, North 45°55'24" West (North 45° West Record), with the southwest line of said Jaster tract and the meanders of a wire fence, a distance of 304.11 feet to a 1/2 inch iron rod found for a westerly south corner of the herein described tract of land, same being a corner of the aforesaid 8.04 acre State of Texas tract;

THENCE along and with the common line of said 8.04 acre State of Texas tract, the following courses and distances numbered (1) through (4):

1) North 44°13'26" East (North 43°55'26" East Record), leaving the southwest line of said Jaster tract, a distance of 41.55 feet (41.71' Record), to a 1/2 inch iron rod found for an interior corner of the herein described tract of land, same being at the beginning of a curve to the right;

2) Northeasterly 284.49 feet (284.40' Record) along the arc of said curve to the right, having a radius of 408.04 feet (Record) and a chord that bears North 26°07'36" West (North 26°05'31" West Record), a distance of 278.76 feet (278.68' Record), to a 1/2 inch iron rod found for the western most corner of the herein described tract of land, same being at a corner clip at the intersection of the northeast line of said Rattler Road with the southeast line of aforesaid McCarty Lane;

3) North 45°00'27" East (North 44°39' East Record), with said corner clip, a distance of 54.37 feet (54.23' Record) to a 1/2 inch iron rod found in the southeast line of said McCarty Lane, same being at the beginning of a curve to the left;

4) Northeasterly 1014.08 feet (1014.43' Record) along the arc of said curve to the left, having a radius of 1728.00 feet (Record) and a chord that bears North 78°35'29" East (North 78°36'26" East Record), a distance of 999.59 feet (999.92' Record) to the POINT OF BEGINNING and CONTAINING 6.26 ACRES OF LAND.
THE SUBDIVISION OF THIS PROPERTY IS NOT INTENDED TO SUBJUGATE THE RULES AND REGULATIONS OF ANY DEVELOPMENT ORDINANCE; AND ALL REQUIRED STATE, COUNTY, AND CITY PERMITS SHOULD BE OBTAINED BEFORE OCCUPYING THE PREMISES.

BEARING BASIS HEREIN DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES (TEXAS SOUTH CENTRAL ZONE) & NAD83.

I, Richard H. Taylor, do certify that this description and associated exhibit were prepared this date from a boundary survey performed under my direction during January 2016, and is true and correct to the best of my knowledge and belief.

Richard H. Taylor
Registered Professional Land Surveyor
No. 3986 State of Texas
Attachment: Drawing of 6.26 acres
Job: 15-6060

01/12/16 Date
DECLINATION OF OFFER OF DEVELOPMENT AGREEMENT

The attached Development Agreement was offered by the City of San Marcos to the owner of the property subject to the following application/petition (check one):

___ Out of City Utility Connection of Extension Application

X Petition for Annexation (without OCU Request)

By signing below, the owner of the subject property declines the offer to enter into such Development Agreement.

OWNER (individual):

______________________________

Date: _________________________

[OR]

OWNER (Entity):

By:

______________________________

Name: RAVINDER SAKOTA

Title: MEMBER

Date: 11-22-2023

ACKNOWLEDGMENT

STATE OF Texas §

COUNTY OF Comal §

This instrument was acknowledged before me on November 22, 2023 by RAVINDER SAKOTA, Member of Sakota Holding LLC on behalf of said entity.

______________________________

Notary Public, State of Texas

Case No. _______________________(to be inserted by City Staff)
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.

OWNER'S CONSENT TO ANNEXATION OF LAND

Date: 11-13-23

City: City of San Marcos, Texas, a home rule municipal corporation

Owner: Sahoto Holdings LLC

Property: 6.26 acres of land more or less, out of the Cyrus Wilkinson Survey Abstract 474, Hays County, Texas, being more particularly described in attached exhibit "A".

Owner petitioned the City to initiate proceedings to annex the Property. Owner acknowledges and agrees that, in connection with annexation of the Property:

1. Owner does not wish to enter into a development agreement with the City under Section 212.172 and has declined the offer by the City of such a development agreement.

2. Unless specifically authorized by a written agreement with Owner approved by the City Council under applicable ordinances, the City has no obligation to extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property at the City’s expense, and the City has made no offers, representations or promises that the City will, at the City’s expense, extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property. Such extensions to the Property shall be made available in the same manner and on the same basis as available to other areas of the City, whereby it shall be Owner’s sole obligation, and at Owner’s sole expense, to construct and install all infrastructure necessary to extend such services to the Property under applicable ordinances.

3. Owner waives any and all rights of Owner to assert any claim or demand, or to file suit against, and covenants not to sue, the City on the basis that the annexation of the Property by the City is invalid, void or voidable, in whole or in part.

4. This instrument is made, and shall be construed and interpreted under the laws of the State of Texas. Venue for any legal proceedings concerning this instrument shall lie in State courts having jurisdiction located in Hays County, Texas. Venue for any matters in federal court will be in the United States District Court for the Western District of Texas.
5. If any word, phrase, clause, sentence, or paragraph of this instrument is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this instrument will continue in force if they can be given effect without the invalid portion.

6. This instrument may be recorded in the Official Public Records of the County or Counties in which the Property is located and is binding on Owner's successors, heirs and assigns, and any future owners of the Property.

[SIGNATURE(S) ON NEXT PAGE]
OWNER:

[Signature]

ACKNOWLEDGMENT

STATE OF Texas §
COUNTY OF Comal §

This instrument was acknowledged before me on NOV. 14, 2023 by

[Signature]

Notary Public, State of

[Stamp]

CYNTHIA A. CARROLL
My Notary ID # 5863336
Expires June 27, 2022
STATE OF TEXAS
COUNTY OF HAYS

6.26 ACRES
CYRUS WICKSON SURVEY
ABSTRACT #474

BEING A 6.26 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN PROPERTY CONVEYED TO EDMUND JASTER HAYS COUNTY PARTNERSHIP IN VOLUME 1276, PAGE 880, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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I, Richard H. Taylor, do certify that this description and associated exhibit were prepared this date from a boundary survey performed under my direction during January 2016, and is true and correct to the best of my knowledge and belief.

[Signature]

Richard H. Taylor  
Registered Professional Land Surveyor  
No. 3986 State of Texas  
Attachment: Drawing of 6.26 acres  
Job: 15-6060  

01/12/16  
Date
AGENDA CAPTION:
Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-06, amending the Official Zoning Map of the city in Case No. ZC-23-26, by rezoning approximately 2.69 acres of land, generally located on Rattler Road approximately 400 feet south of the intersection between Rattler Road and East McCarty Lane/FM 110, from Future Development "FD" District to Commercial "CM" District, or, subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2024-06, on the first of two readings.

Meeting date: February 6, 2024

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: [Please select from the dropdown menu below]
N/A
N/A
N/A

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 - High Density Mixed Use Dev. & Infrastructure in the Activity Nodes & Intensity Zones (supporting walkability and integrated transit corridors)
☐ Neighborhoods & Housing - Choose an item.
File #: Ord. 2024-06, Version: 1

☐ 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)]
Vision San Marcos - A River Runs Through Us

Background Information:
The site is currently located outside of the City limits and is accompanied by a request for annexation (AN-23-11) which is being considered concurrently. The approx. 6-acre annexation site was subject to two separate zoning change requests: this request for CM Commercial (ZC-23-26) and another "HC" Heavy Commercial Zoning request along McCarty Lane which is proposed to accommodate a gas station and convenience store (ZC-23-27). The site is located within the “East Village” in the 2013 Comprehensive Plan, which is an area envisaged as an “activity node centered around the intersection of Old Bastrop and Hwy 123, East Village will boast a mix of commercial, retail, and service-oriented activity. This area will offer a variety of residential options including single family homes, duplexes, townhomes, and small multifamily projects.” The land on the opposite side of Rattler Rd was annexed and zoned to Character-District-4 (CD-4) in January 2023 (ZC-22-43) and the site is approximately 0.5 miles west of the City’s Public Services complex.

Council Committee, Board/Commission Action:
The Planning and Zoning voted 9-0 to recommend approval of ZC-23-26 at their regular meeting on January 23, 2024.

Alternatives:
Click or tap here to enter text.

Recommendation:
Staff recommends approval of ZC-23-26 as presented.
Public Hearing
ZC-23-26
Sahota Center at Rattler Rd FD to CM

Receive a staff presentation and hold a public hearing to receive comments for or against Ordinance 2023-XXX amending the Official Zoning Map of the City in Case ZC-23-26, by rezoning approximately 2.69 acres of land, more or less, out of the Cyrus Wickson Survey, Abstract No. 474, generally located on Rattler Rd approximately 400' south of the intersection between Rattler Rd and East McCarty Lane/FM 110, from Future Development "FD" to Commercial "CM" or, subject to consent of the owner, another less intense zoning district classification, including procedural provisions; and providing an effective date, and consider approval of Ordinance 2023-XXX on the first of two readings.
Property Information

• Approximately 3 acres

• Located south of the intersection between FM-110 and Rattler Rd.

• Located within ETJ, annexation concurrently considered by City Council (AN-23-11).
Context & History

• Currently Vacant

• Surrounding Uses
  – Rural residential
  – Vacant (planned multifamily and light industrial)
  – Public Services Complex

• Separate zoning request for Heavy Commercial is also being considered (ZC-23-27).
Context & History

• Existing Zoning: Future Development (FD)
  – Intended to be a temporary zoning upon annexation. Allows limited residential, agricultural and commercial uses.

• Proposed Zoning: Commercial (CM)
  – Allows various commercial uses with enhanced site design standards.
Comprehensive Plan Analysis

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

- Existing Preferred Scenario: Medium Intensity (East Village)

- “An area of change intended to accommodate the City’s future growth and expansion where people can meet their daily needs within a short walk, bike, transit trip, or drive” (4.1.1.6)
Comprehensive Plan Analysis

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

“Commercial” (CM) within a “Medium Intensity Zone.”

### Table 4.1 Comprehensive Plan / District Translation

<table>
<thead>
<tr>
<th>District Classification</th>
<th>Comprehensive Plan Designations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Open Space/Agricultural</td>
</tr>
<tr>
<td>Conventional Residential</td>
<td>NP</td>
</tr>
<tr>
<td>Neighborhood Density Districts</td>
<td>NP</td>
</tr>
<tr>
<td>Character Districts</td>
<td>NP</td>
</tr>
<tr>
<td>Special Districts</td>
<td>PSA</td>
</tr>
</tbody>
</table>

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

- **District primarily intended to serve as a commercial gateway** and to take advantage of proximity to major roadways.
- **Permitted building types** include Live/Work, General Commercial/Mixed Use Shopfront and Civic Buildings.
- **General commercial and office uses** proposed.

**Zoning Analysis Table**

<table>
<thead>
<tr>
<th><strong>Building Types Allowed</strong></th>
<th><strong>Section</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Live/Work</td>
<td>4.4.6.10</td>
</tr>
<tr>
<td>General Commercial</td>
<td>4.4.6.12</td>
</tr>
<tr>
<td>Mixed Use Shopfront*</td>
<td>4.4.6.13</td>
</tr>
<tr>
<td>Civic Building</td>
<td>4.4.6.14</td>
</tr>
</tbody>
</table>
*No Residential on the ground floor

**Building Standards**

<table>
<thead>
<tr>
<th><strong>Building</strong></th>
<th><strong>Stories</strong></th>
<th><strong>Height</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Principle Building Height</td>
<td>4</td>
<td>62 ft.</td>
</tr>
<tr>
<td>Accessory Structure Height</td>
<td>N/A</td>
<td>24 ft.</td>
</tr>
</tbody>
</table>

**Density**

- Impervious Cover: 80% max.

**Transportation**

- Block Perimeter: 5,000 ft. max.
- Streetcape Type: Conventional

**District Intended Statements**

CM is intended to serve as a commercial gateway and to take advantage of proximity to major roadways; therefore the quality and aesthetics of new development is very important. CM should be applied along highway corridors that serve as entrances to downtown or other pedestrian oriented activity areas.
Environmental Analysis

- Classified as “Moderately Constrained” on the Land Use Suitability Map.
- Not located within the Edwards Aquifer Recharge Zone or Transition Zone.
- Not located within 100-year floodplain or floodway.
Infrastructure

• Streets
  – Streetscape Improvements
  – Transportation Master Plan
  – Block perimeter (5,000 feet)
  – Bicycle & Sidewalk connections

• Utilities
  – City of San Marcos Water / Wastewater
  – Bluebonnet Electric
Recommendation

• The Planning and Zoning Commission recommended approval of ZC-23-26 as presented with a 9-0 vote.
  – Discussion Topics
    • “East Village” vs “Medium Intensity” Designation in the Comprehensive Plan
    • Access onto FM-110
    • “Cultural” elements identified in the Land Use Suitability Analysis Tool
    • Site Design/ Parking Location Requirements for “CM” Commercial zoning

• Staff recommended approval of ZC-23-26 as presented.
## Zoning District Comparison Chart

<table>
<thead>
<tr>
<th>Topic</th>
<th>Existing Zoning: Future Development (FD)</th>
<th>Proposed Zoning: Commercial District (CM)</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>CM is intended to serve as a commercial gateway and to take advantage of proximity to major roadways, therefore the quality and aesthetics of new development is very important. Building type options include live work, shopfront house, mixed use and general commercial buildings. CM should be applied along commercial corridors that serve as entrances to downtown or other pedestrian-oriented activity areas.</td>
</tr>
<tr>
<td><strong>Uses</strong></td>
<td>Residential / Agricultural (See Land Use Matrix)</td>
<td>Variety of commercial uses permitted including offices; retail; medical; hotels; recreation; light manufacturing, and restaurants. (See Land Use Matrix)</td>
</tr>
<tr>
<td><strong>Parking Location</strong></td>
<td>No location standards</td>
<td>Surface parking – no parking in the 1st layer; parking allowed in the 2nd and 3rd Layer</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Garage parking - allowed in the third layer only</td>
</tr>
<tr>
<td><strong>Parking Standards</strong></td>
<td>Dependent upon use</td>
<td>Dependent upon use</td>
</tr>
<tr>
<td><strong>Max Residential Units per acre</strong></td>
<td>0.4 units per acre (max)</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Occupancy Restrictions</strong></td>
<td>N/A</td>
<td>N/A</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>4 stories</td>
</tr>
<tr>
<td><strong>Setbacks</strong></td>
<td>50' minimum front, 20' side, and 20% of total lot depth measured at point of greatest depth in rear</td>
<td>For Primary buildings – 10'-20' setback from Primary Street, 10-15 ft setback from Secondary St. 5' min side setback, 20' min rear set back (3' rear if abutting alley).</td>
</tr>
<tr>
<td><strong>Impervious Cover (max)</strong></td>
<td>30%</td>
<td>80%</td>
</tr>
<tr>
<td><strong>Lot Sizes</strong></td>
<td>Minimum 2 acres lot area, Minimum 200 ft lot width</td>
<td>Min, 4,000 sq ft for general commercial, mixed use shopfront and civic buildings; Minimum of 1,100 sq ft for live/ work.</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>Conventional: 6’ sidewalk, street trees every 40’ on center average, 7’ planting area.</td>
</tr>
<tr>
<td><strong>Blocks</strong></td>
<td>No Block Perimeter Required</td>
<td>5,000 ft. Block Perimeter Max</td>
</tr>
</tbody>
</table>
ORDINANCE NO. 2024-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING THE OFFICIAL ZONING MAP OF THE CITY IN CASE NO. ZC-23-26, BY REZONING APPROXIMATELY 2.69 ACRES OF LAND, GENERALLY LOCATED ON RATTLER ROAD APPROXIMATELY 400 FEET SOUTH OF THE INTERSECTION BETWEEN RATTLER ROAD AND EAST MCCARTY LANE/FM 110, FROM FUTURE DEVELOPMENT "FD" DISTRICT TO COMMERCIAL "CM" DISTRICT, OR, SUBJECT TO CONSENT OF THE OWNER, ANOTHER LESS INTENSE ZONING DISTRICT CLASSIFICATION; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. On January 23, 2024, the Planning and Zoning Commission of the City of San Marcos held a public hearing regarding a request to change the zoning designation from Future Development "FD" District to Commercial "CM" District for approximately 2.69 acres of land, generally located on Rattler Road approximately 400 feet south of the intersection between Rattler Road and East McCarty Lane/FM 110 (the “Property”), as described in Exhibit A, attached hereto and made a part hereof for all purposes.

2. On January 23, 2024, the Planning and Zoning Commission voted 9–0 to recommend approval of the request.

3. The City Council held a public hearing on February 6, 2024, regarding the request.

4. All requirements pertaining to Zoning Map amendments have been met.

5. The City Council hereby finds and determines that the adoption of the following ordinance is in the interest of the public health, morals, welfare and safety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The Official Zoning Map of the City is amended to rezone the Property, as described in Exhibit A from Future Development "FD" District to Commercial "CM" District.

SECTION 2. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 3. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.
SECTION 4. This ordinance will take effect after its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on February 6, 2024.

PASSED, APPROVED AND ADOPTED on second reading on February 20, 2024.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk

Approved:

Samuel J. Aguirre
City Attorney
EXHIBIT A

[ATTACH LEGAL DESCRIPTION AND SURVEY]
STATE OF TEXAS

COUNTY OF HAYS

TRACT 2

2.692 ACRES

CYRUS WIKSON SURVEY

ABSTRACT NO. 474

BEING A 2.692 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING OVER A PORTION OF THAT CERTAIN CALLED 6.26 ACRE TRACT OF LAND CONVEYED TO SAHOTA HOLDINGS LLC., BY DEED DATED JANUARY 1, 2016, AND RECORDED IN DOCUMENT NO. 16003058, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 3/8” IRON ROD WITH CAP MARKED “B&A” WITH THE TEXAS SOUTH CENTRAL ZONE STATE PLANE COORDINATES, NORTHING - 13850164.13’ & EASTING - 2300151.61’ FOUND AT THE NORTH CORNER OF SAHOTA CALLED 6.26 ACRE TRACT, SAME BEING AT THE COMMON WEST CORNER OF THAT CERTAIN CALLED 46.75 ACRE TRACT OF LAND CONVEYED TO REED AND PATRICIA CARR, BY DEED RECORDED IN VOLUME 2359, PAGE 218, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AND BEING IN THE ARC OF A CURVE IN THE SOUTHEAST LINE OF EAST MCCARTY LANE (F.M. HIGHWAY NO. 110), A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY, AS DESCRIBED AND ILLUSTRATED BY INSTRUMENT RECORDED IN VOLUME 4899, PAGE 1, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS;;

THENENCE SOUTH 44°07’54” WEST (S45°W RECORD), DEPARTING SAID McCARTY LANE (F.M. HIGHWAY NO. 110), WITH THE SOUTHEAST LINE OF SAHOTA CALLED 6.26 ACRE TRACT AND THE COMMON NORTHWEST LINE OF SAID CARR CALLED 46.75 ACRE TRACT, PASSING THE WEST CORNER OF SAID CARR CALLED 46.47 ACRE TRACT AND THE COMMON NORTH CORNER OF THAT CERTAIN CALLED 8.79 ACRE TRACT OF LAND CONVEYED TO JUDITH TELFORD, BY DEED RECORDED IN VOLUME 174, PAGE 176, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AND CONTINUING ON IN ALL FOR A TOTAL DISTANCE OF 550.07 FEET TO THE POINT OF BEGINNING WITH THE TEXAS SOUTH CENTRAL ZONE STATE PLANE COORDINATES, NORTHING - 13849769.32’ & EASTING - 2299768.59’ TO THE POINT OF BEGINNING, FOR AN EAST CORNER OF THE TRACT OF LAND HEREIN DESCRIBED;
THENCE SOUTH 44°07'54" WEST (S45°W RECORD), WITH THE SOUTHEAST LINE OF SAID SAHOTA CALLED 6.26 ACRE TRACT, AND THE COMMON NORTHWEST LINE OF SAID TELFORD CALLED 8.79 ACRE TRACT, A DISTANCE OF 463.89 FEET TO A 1/2" IRON ROD SET WITH CAP MARKED “RPLS 5687” AT THE SOUTH CORNER OF SAID SAHOTA CALLED 6.26 ACRE TRACT, FOR THE SOUTH CORNER OF THE TRACT OF LAND HEREIN DESCRIBED AND THE COMMON WEST CORNER OF SAID TELFORD CALLED 8.79 ACRE TRACT, SAME BEING IN THE NORTHEAST LINE OF RATTLER ROAD, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY;


THENCE THROUGH AND SEVERING SAID SAHOTA CALLED 6.26 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES NUMBERED (1) THROUGH (4):

1) NORTH 44°07'54" EAST, A DISTANCE OF 65.26 FEET TO A CORNER;

2) NORTH 89°07'54" EAST, A DISTANCE OF 40.87 FEET TO A CORNER;

3) NORTH 44°07'54" EAST, A DISTANCE OF 369.99 FEET TO A CORNER;

4) SOUTH 45°52'06" EAST, A DISTANCE OF 247.73 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.692 ACRES OF LAND.

BEARING BASIS HEREIN DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES (TEXAS SOUTH-CENTRAL ZONE) & NAD83 (HORIZONTAL).

ATTACHED HEREWITH IS AN EXHIBIT DRAWING, WHICH IS AN INTEGRAL PART OF THIS METES AND BOUNDS DESCRIPTION.

I, RICHARD H. TAYLOR, DO CERTIFY THAT THIS DESCRIPTION AND ASSOCIATED EXHIBIT WERE PREPARED THIS DATE FROM A BOUNDARY SURVEY PERFORMED UNDER MY DIRECTION DURING FEBRUARY 25, 2016, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

____________________________  10/22/2023
RICHARD H. TAYLOR
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 3986 STATE OF TEXAS
ATTACHMENT: EXHIBIT MAP OF 2.692 ACRE TRACT – TRACT 2
JOB: 16-6060
EXHIBIT MAP TO ACCOMPANY DESCRIPTION OF:

BEING A 2.692 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING OVER A PORTION OF THAT CERTAIN CALLED 6.26 ACRE TRACT OF LAND CONVEYED TO SAHOTA HOLDINGS LLC., BY DEED DATED JANUARY 1, 2016, AND RECORDED IN DOCUMENT NO. 16003058, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED:

<table>
<thead>
<tr>
<th>LINE TABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO.</td>
</tr>
<tr>
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<tr>
<td>C2</td>
</tr>
<tr>
<td>C3</td>
</tr>
</tbody>
</table>

OWNER: SAHOTA HOLDINGS LLC.

I, RICHARD H. TAYLOR, DO HEREBY CERTIFY THAT THIS PLAT OF THE PROPERTY SHOWN HEREIN, WAS PREPARED FROM A SURVEY PERFORMED UNDER MY DIRECTION AND SUPERVISION DURING FEBRUARY 25, 2018, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

RICHARD H. TAYLOR, RPLS
REGISTERED PROFESSIONAL LAND SURVEYOR
NUMBER 5986 - STATE OF TEXAS

ASH & ASSOCIATES
SURVEYING - PLANNING - MAPPING
142 JACKSON LANE
SAN MARCOS, TEXAS 78666
(512) 392-1719
ashandassociates.net
Surveying: 100847-00

"SERVING THE COMMUNITY OF TEXAS"

Job No: 15-6060 Drawn by: MAM/RHT FB FILE

10/22/2023
**Summary**

<table>
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<tr>
<th>Request:</th>
<th>Zoning change from Future Development to Commercial</th>
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</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Caren Williams-Murch Land Consultants, Ltd. Co. 144 Sage Meadows Dr, San Marcos TX, 78666</td>
</tr>
<tr>
<td>Property Owner:</td>
<td>Ravi Sahota, Sahota Holdings, LLC PO Box 592233 San Antonio, TX 78259</td>
</tr>
</tbody>
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**Notification**

| Application: | November 22, 2023 |
| Published: | December 24, 2023 |
| Posted: | December 22, 2023 |
| Response: | None as of the date of this report |

**Property Description**

| Legal Description: | Approximately 2.69 acres of land, more or less, out of the Cyrus Wickson Survey, Abstract No. 474 |
| Location: | Generally located on Rattler Rd approximately 400’ south of the intersection between Rattler Rd and East McCarty Lane/FM 110. |
| Acreage: | 2.69 acres |
| Existing Zoning: | None (ETJ) |
| Existing Use: | Vacant |
| Proposed Zoning: | Commercial |
| Proposed Use: | General Commercial/Office |
| Existing Occupancy: | N/A |
| Preferred Scenario: | Medium Intensity- East Village |
| Proposed Designation: | Medium Intensity – East Village |
| CONA Neighborhood: | N/A |
| Sector: | N/A |
| Utility Capacity: | Available |
| 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>
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<tbody>
<tr>
<td>North of Property:</td>
<td>ETJ – proposed HC</td>
<td>Vacant</td>
</tr>
<tr>
<td>South of Property:</td>
<td>CD-4/ ETJ</td>
<td>Vacant/ Rural Residential</td>
</tr>
<tr>
<td>East of Property:</td>
<td>None (ETJ)</td>
<td>Vacant/ Rural Residential</td>
</tr>
<tr>
<td>West of Property:</td>
<td>Character District-4</td>
<td>Vacant</td>
</tr>
</tbody>
</table>

**Staff Recommendation**

<table>
<thead>
<tr>
<th>Approval as Submitted</th>
<th>Alternate Approval</th>
<th>Denial</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
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</tbody>
</table>

**Staff:** Julia Cleary, AICP  **Title:** Senior Planner  **Date:** Jan 3, 2024
Commission Recommendation

<table>
<thead>
<tr>
<th>X</th>
<th>Approval as Submitted</th>
<th>Approval with Conditions / Alternate</th>
<th>Denial</th>
</tr>
</thead>
</table>

Speakers in favor or opposed
Caren Williams Murch (applicant) – in favor
Ravi Sahota (applicant) – in favor
Lisa Marie Coppoletta – general comments

Recommendation from the Planning and Zoning Commission Meeting held January 23, 2024.
A motion was made by Commissioner Kelsey, second by Commissioner Agnew to recommend approval of the request. The vote passed with a 9-0 vote
For: 9 (Agnew, Burleson, Case, Costilla, Dunn, Garber, Kelsey, Meeks, Spell)
Against: 0
Absent: 0

Discussion Topics:

Comprehensive Plan designation – Commissioner Agnew asked why the property was shown as both “East Village” and “Medium Intensity” Designation in the Comprehensive Plan. Staff clarified that it was indeed both – with Medium Intensity a higher level designation and “East Village” providing an additional level of details specific to that area (details on the East Village can be found on page 72 of the 2013 San Marcos Comprehensive Plan).

Access onto FM-110 – Commissioner Spell asked whether the site would take access from FM 110. The applicant noted that there was an existing driveway onto FM 110 which the development would make use of.

Cultural elements identified in the Land Use Suitability Analysis Tool – Commissioner asked why the Land Use Suitability GIS Tool in the Comprehensive Plan checklist had identified a high level of “cultural constraint” on the site. Staff responded that the GIS tool was developed in 2013 with a number of data sources however they were unable to identify what caused the tool to give such a high weighting for cultural resources on this particular site.

- Following the meeting staff confirmed the high cultural constraint was likely due to a mapping error which showed this property as the location of city owned land for the, at the time, future FM 110.

Site Design Requirements for “CM” Commercial zoning - Commissioner Agnew enquired about the build to and parking location requirements for the requested zoning districts. Staff responded that the applicant would need to conform to the build to requirement in CM Zoning and that parking would not be allowed in the first layer (in front of the building).
Zoning Request  
ZC-23-26  
2100BLK Rattler Rd  
Sahota Center at Rattler Rd  
FD to CM

**History**
The site is currently located outside of the City limits and is accompanied by a request for annexation (AN-23-11) which is being considered concurrently. The approx. 6-acre annexation site was subject to two separate zoning change requests: this request for CM Commercial (ZC-23-26) and another “HC” Heavy Commercial Zoning request along McCarty Lane which is proposed to accommodate a gas station and convenience store (ZC-23-27). The site is located within the “East Village” in the 2013 Comprehensive Plan, which is an area envisaged as an “activity node centered around the intersection of Old Bastrop and Hwy 123, East Village will boast a mix of commercial, retail, and service-oriented activity. This area will offer a variety of residential options including single family homes, duplexes, townhomes, and small multifamily projects.” The land on the opposite side of Rattler Rd was annexed and zoned to Character-District-4 (CD-4) in January 2023 (ZC-22-43) and the site is approximately 0.5 miles west of the City’s Public Services complex.

**Additional Analysis**
Table 4.1 in the development code states that this zoning district is “Not Preferred” in Medium Intensity Zones in the Comprehensive Plan. It should be noted that currently, there is no other zoning district in the Land Development Code which would require some element of commercial development while also requiring enhanced site design standards for non-auto-oriented development. (This includes Character District-5, which allows 100% multifamily with no associated commercial by right per the Table 5.1 in the Development Code).

**Comments from Other Departments**
- Police: No Comment
- Fire: No Comment
- Public Services: No Comment
- Engineering: No Comment

<table>
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<tr>
<th>Evaluation</th>
<th>Criteria for Approval (Sec.2.5.1.4)</th>
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<tbody>
<tr>
<td>Consistent</td>
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</tr>
<tr>
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</table>
## Evaluation Criteria for Approval (Sec.2.5.1.4)

<table>
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<th>Consistent</th>
<th>Inconsistent</th>
<th>Neutral</th>
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<tbody>
<tr>
<td>X</td>
<td></td>
<td>Whether the proposed zoning will reinforce the existing or planned character of the area</td>
</tr>
<tr>
<td>X</td>
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<td>Whether the site is appropriate for the development allowed in the proposed district</td>
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<tr>
<td>X</td>
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<td>Whether there are substantial reasons why the property cannot be used according to the existing zoning</td>
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<td><strong>The site will be zoned “FD” Future Development upon annexation, which is intended to be a temporary zoning district with limited development options including agricultural and very low density residential.</strong></td>
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<tr>
<td>X</td>
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<td>Whether there is a need for the proposed use at the proposed location</td>
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<td><strong>It should be noted that an end user for this site has not been specified at this time however as part of ongoing public outreach undertaken as part of the Second City Center/ East Village Area Plan, many community members expressed a desire for additional commercial uses such as eating establishments and retail which would be permitted by right in this zoning.</strong></td>
</tr>
<tr>
<td>X</td>
<td></td>
<td>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</td>
</tr>
<tr>
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<td><strong>There are existing water and wastewater lines adjacent the site.</strong></td>
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<tr>
<td>X</td>
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<td>Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property</td>
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<tr>
<td></td>
<td></td>
<td><strong>There are no “bad neighbor” uses permitted by right within this district which are anticipated to have a significant adverse impact on adjacent properties.</strong></td>
</tr>
<tr>
<td>N/A</td>
<td></td>
<td>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</td>
</tr>
<tr>
<td></td>
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<td><strong>This is not a request for a Neighborhood Density District.</strong></td>
</tr>
<tr>
<td>X</td>
<td></td>
<td>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</td>
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<td><strong>The site is located outside the floodplain, the San Marcos River Corridor and the Edwards Aquifer Recharge Zone. There is an existing drainage channel on the southeastern boundary of the site which the applicant has incorporated as drainage on their proposed site plan.</strong></td>
</tr>
<tr>
<td>N/A</td>
<td></td>
<td>Any other factors which shall substantially affect the public health, safety, morals, or general welfare</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.

Date: 11/28/2023
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Date: 12/11/2023
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Date: 11/28/2023
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Date: 11/28/2023
Figure 112: SMFD 8-Minute Effective Response Force

*Six fire stations with Station 2 relocated to Centerpoint, and Station 6 at Old Bastrop west of Posey with minimum staffing of 20 personnel.*

AN-23-11 /ZC-23-26/ZC-23-27 APPROXIMATE LOCATION
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.

Date: 12/12/2023
Notice of Public Hearing

UPDATED P&Z HEARING DATE
Zoning Change Request
“FD” Future Development to “CM” Commercial
2100BLK Rattler Rd / Sahota Center at Rattler Rd FD to CM

ZC-23-26 (2100BLK Rattler Rd / Sahota Center at Rattler Rd FD to CM) Hold a public hearing and consider a request by Land Consultants, Ltd. Co., on behalf of Sahota Holdings, LLC, for a Zoning Change from Future Development (FD) to Commercial (CM), or, subject to consent of the owner, another less intense zoning district classification, of approximately 2.69 acres of land, more or less, out of the Cyrus Wickson Survey, Abstract No. 474 generally located on Rattler Rd approximately 400’ south of the intersection between Rattler Rd and East McCarty Lane/FM 110. (J. Cleary)

The San Marcos Planning and Zoning Commission will consider the above request at an upcoming public hearing to obtain citizen comments and will recommend approval, or denial of the request. This recommendation will be forwarded to the San Marcos City Council. Before making a final decision, the Council will hold a public hearing 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 hybrid, virtual / in-person, Planning and Zoning Commission Meeting on Tuesday, January 23, 2024 at 6:00 p.m. in the City Council Chambers, 630 E. Hopkins. One may watch the public hearing on Grande channel 16, Spectrum channel 10, or by using the following link: http://sanmarcostx.gov/541/PZ-Video-Archives. Or email planninginfo@sanmarcostx.gov or call 512-393-8230 to request a link or phone number to participate in the public hearing virtually by computer, mobile device, or phone.

- A public hearing will be held at the hybrid, virtual / in-person, City Council Meeting on Tuesday, February 6, 2024 at 6:00 p.m. in the City Council Chambers, 630 E. Hopkins. One may watch the public hearing on Grande channel 16, Spectrum channel 10, or by using the following link: https://sanmarcostx.gov/Videos. Or sign up at: www.sanmarcostx.gov/citizencommentsignup or call 512-393-8090 to request a link to participate in the public hearing virtually by computer, mobile device, or phone.

Public Hearings will be a hybrid of in-person and virtual meetings. All interested citizens are invited to attend in person, but are encouraged to watch or participate in the public hearing virtually by the means described above. If you cannot participate in the public hearing of the Planning and Zoning Commission or the City Council, but wish to comment, you may write to the below address. All written comments and requests to participate must be received before 12 PM on the day of the meeting.

For Planning & Zoning Commission:
Planning and Development Services
630 East Hopkins
San Marcos, TX 78666
planninginfo@sanmarcostx.gov

For City Council:
www.sanmarcostx.gov/citizencommentsignup

For more information regarding this request, contact the case manager, Julia Cleary, at 512.805.2658 or jcleary@sanmarcostx.gov. When calling, please refer to case number ZC-23-26.

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
<table>
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<tr>
<th>Property ID</th>
<th>Site Address</th>
<th>Owner</th>
<th>Owner Address</th>
<th>Owner City /Zip/State</th>
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<tr>
<td>91423</td>
<td>110 CERRO VISTA DR, SAN MARCOS, TX  78666</td>
<td>MURAD ROSSANA Y PINILLA</td>
<td>110 CERRO VISTA DR</td>
<td>SAN MARCOS, TX 78666-1065</td>
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<td>91424</td>
<td>126 CERRO VISTA DR, SAN MARCOS, TX  78666</td>
<td>LUGO, MARCOS</td>
<td>126 CERRO VISTA DR</td>
<td>SAN MARCOS, TX 78666-1065</td>
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<td>91425</td>
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<td>CHAVEZ ALBERTO &amp; IRENE</td>
<td>142 CERRO DR</td>
<td>SAN MARCOS, TX 78666</td>
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<td>136097</td>
<td>FM 110, SAN MARCOS, TX  78666</td>
<td>SAHOTA HOLDINGS LLC</td>
<td>PO BOX 592233</td>
<td>SAN ANTONIO, TX 78259-0161</td>
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<tr>
<td>18942</td>
<td>2303 RATTLER RD, SAN MARCOS, TX  78666</td>
<td>TELFORD, JUDITH M</td>
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<td>129183</td>
<td>MCCARTY LN, SAN MARCOS, TX  78666</td>
<td>HAYS COUNTY OF</td>
<td>AUDITORS OFFICE, 712 S STAGECOACH TRAIL</td>
<td>SAN MARCOS, TX 78666-5396</td>
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<td>MCCARTY LN, SAN MARCOS, TX  78666</td>
<td>STATE OF TEXAS</td>
<td>TEXAS DEPARTMENT OF TRANSPORTATION, ATTN: RIGHT-OF-WAY ADMINISTRATOR, 118 E RIVERSIDE DR</td>
<td>AUSTIN, TX 78704-1202</td>
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<td>18946</td>
<td>MCCARTY LN, SAN MARCOS, TX  78666</td>
<td>PEREZ JULIAN &amp; MARTINA CURA LP</td>
<td>2200 E MCCARTY LN</td>
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<td>18916</td>
<td>S OLD BASTROP HWY, SAN MARCOS, TX  78666</td>
<td>CARR REED &amp; PATRICIA REVOCABLE TRUST</td>
<td>Attn: REED &amp; PATRICIA M CARR TRUSTEES, 2516 S OLD BASTROP HWY</td>
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<td>18927</td>
<td>E MCCARTY LN, SAN MARCOS, TX  78666</td>
<td>JASTER EDMUND HAYS COUNTY PARTNERSHIP</td>
<td>GEORGE JASTER, P O BOX 481</td>
<td>MADISONVILLE, TX 77864-0481</td>
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<td>156496</td>
<td>RATTLER RD, SAN MARCOS, TX  78666</td>
<td>HAYS COUNTY</td>
<td>111 E SAN ANTONIO ST</td>
<td>SAN MARCOS, TX 78666-5534</td>
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<td></td>
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<td>CONA Rep Amy Thomaides</td>
<td>San Marcos TX 78666</td>
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<td></td>
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<td></td>
<td>Neighborhood Rep Roland Saucedo</td>
<td>San Marcos TX 78666</td>
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</table>
# Zoning District Comparison Chart

<table>
<thead>
<tr>
<th>Topic</th>
<th>Existing Zoning: Future Development (FD)</th>
<th>Proposed Zoning: Commercial District (CM)</th>
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</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>CM is intended to serve as a commercial gateway and to take advantage of proximity to major roadways, therefore the quality and aesthetics of new development is very important. Building type options include live work, shopfront house, mixed use and general commercial buildings. CM should be applied along commercial corridors that serve as entrances to downtown or other pedestrian-oriented activity areas.</td>
</tr>
<tr>
<td>Uses</td>
<td>Residential / Agricultural (See Land Use Matrix)</td>
<td>Variety of commercial uses permitted including offices; retail; medical; hotels; recreation; light manufacturing, and restaurants. (See Land Use Matrix)</td>
</tr>
<tr>
<td>Parking Location</td>
<td>No location standards</td>
<td>Surface parking – no parking in the 1st layer; parking allowed in the 2nd and 3rd Layer Garage parking - allowed in the third layer only</td>
</tr>
<tr>
<td>Parking Standards</td>
<td>Dependent upon use</td>
<td>Dependent upon use</td>
</tr>
<tr>
<td>Max Residential Units per acre</td>
<td>0.4 units per acre (max)</td>
<td>N/A</td>
</tr>
<tr>
<td>Occupancy Restrictions</td>
<td>N/A</td>
<td>N/A</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>4 stories</td>
</tr>
<tr>
<td>Setbacks</td>
<td>50’ minimum front, 20’ side, and 20% of total lot depth measured at point of greatest depth in rear</td>
<td>For Primary buildings – 10’-20’ setback from Primary Street, 10-15 ft setback from Secondary St. 5’ min side setback, 20’ min rear set back (3’ rear if abutting alley).</td>
</tr>
<tr>
<td>Impervious Cover (max)</td>
<td>30%</td>
<td>80%</td>
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<tr>
<td>Lot Sizes</td>
<td>Minimum 2 acres lot area, Minimum 200 ft lot width</td>
<td>Min, 4,000 sq ft for general commercial, mixed use shopfront and civic buildings; Minimum of 1,100 sq ft for live/work.</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>Conventional: 6’ sidewalk, street trees every 40’ on center average, 7’ planting area.</td>
</tr>
<tr>
<td>Blocks</td>
<td>No Block Perimeter Required</td>
<td>5,000 ft. Block Perimeter Max</td>
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</table>
Section 4.2.1.2 Building Types Allowed by District

Building types are allowed by district as set forth below.

**Table 4.10 Building Types Allowed by District**

<table>
<thead>
<tr>
<th>Building Type</th>
<th>FD</th>
<th>CD-2</th>
<th>CD-3</th>
<th>CD-4</th>
<th>CD-5</th>
<th>CD-5D</th>
<th>ND-3</th>
<th>ND-3.5</th>
<th>ND-4</th>
<th>N-CM</th>
<th>HC, BP</th>
<th>LI, HI</th>
<th>CM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Dwelling Unit</td>
<td>■</td>
<td>■</td>
<td>■</td>
<td>■</td>
<td>■</td>
<td>■</td>
<td>■</td>
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<tr>
<td>House</td>
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<td>■</td>
<td>■</td>
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</tr>
<tr>
<td>Cottage Court</td>
<td>--</td>
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<tr>
<td>Duplex</td>
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<td>Zero Lot Line House</td>
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<td>Townhouse</td>
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<tr>
<td>Small Multi-Family</td>
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<td>■</td>
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<td>■</td>
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<tr>
<td>Courtyard Housing</td>
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<td>Apartment</td>
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### Table 4.10  Building types allowed by district

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<thead>
<tr>
<th></th>
<th>FD</th>
<th>CD-2</th>
<th>SF-6</th>
<th>SF 4.5</th>
<th>ND-3</th>
<th>ND-3.5</th>
<th>ND-4</th>
<th>N-CM</th>
<th>CD-3</th>
<th>CD-4</th>
<th>CD-5</th>
<th>CD-5D</th>
<th>HC, BP</th>
<th>LI, HI</th>
<th>CM</th>
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<tbody>
<tr>
<td><strong>Live/Work</strong></td>
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<td><strong>Mixed Use Shopfront</strong></td>
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<td><strong>Civic</strong></td>
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**Legend**
- ■ = Allowed
- -- = Not Allowed

(Ord. No. 2020-60, 9-1-2020)
## 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>
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<tr>
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<td>FD</td>
<td>SF-R</td>
<td>SF-4.5</td>
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<td>NF-3</td>
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<td>Agricultural Uses</td>
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<td>Barns or agricultural buildings</td>
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<td>Stables</td>
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<td>Community Garden</td>
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<td>L</td>
<td>L</td>
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<td>Urban Farm</td>
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<td>C</td>
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<td>Plant Nursery</td>
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<td>Accessory Uses and Structures</td>
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<td>Accessory Use, except as listed below:</td>
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<td>P</td>
<td>P</td>
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<td>Food Truck</td>
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<td>Drive-thru or Drive-in</td>
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<td>Family Home Care</td>
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<td>Short Term Rental</td>
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<td>Residential Uses</td>
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<tr>
<td>Single Family Detached / Tiny Home</td>
<td>P</td>
<td>L</td>
<td>L</td>
<td>L</td>
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</tr>
<tr>
<td>Cottage Court</td>
<td>--</td>
<td>--</td>
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</tr>
<tr>
<td>Two Family</td>
<td>--</td>
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<td>Single Family Attached</td>
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<tr>
<td>Small Multi-Family (up to 9 units)</td>
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<td>Courtyard Housing (up to 24 units)</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>
</tbody>
</table>

**Legend**

| P | Permitted Use | L | Limited Use | C | Conditional Use | -- | Uses Not Permitted |
## Table 5.1 Land Use Matrix

### Types of Land Uses

<table>
<thead>
<tr>
<th></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>ST-R</td>
<td>SF-4.5</td>
<td>ND-3</td>
</tr>
<tr>
<td>Mobile Home Community / Manufactured Home Park / Tiny Home Village</td>
<td>--</td>
<td>--</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>
</tr>
<tr>
<td>Fraternity or Sorority Building</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

### Commercial Uses

| Professional Office | -- | -- | -- | -- | -- | L | P | -- | -- | -- | L | P | P | P | P | -- | -- | -- | -- | 5.1.5.1 |
| Medical, except as listed below: | -- | -- | -- | -- | -- | L | P | -- | -- | -- | L | P | P | P | P | -- | -- | -- | -- | 5.1.5.2 |
| Urgent care, emergency clinic, or hospital | -- | -- | -- | -- | -- | -- | -- | -- | P | -- | -- | -- | P | P | P | P | -- | -- | -- | 5.1.5.2 |
| Nursing/retirement home | -- | -- | -- | -- | -- | -- | P | P | -- | -- | -- | P | P | P | P | = | -- | -- | -- | -- | 5.1.5.2 |
| Personal Services, except as listed below: | -- | -- | -- | -- | -- | L | P | -- | -- | -- | L | P | P | P | P | -- | -- | -- | -- | 5.1.5.3 |
| Animal care (indoor) | C | -- | -- | -- | -- | -- | -- | -- | P | -- | -- | -- | P | P | P | P | -- | -- | -- | 5.1.5.3 |
| Animal care (outdoor) | C | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | C | C | -- | -- | -- | 5.1.5.3 |
| Funeral Home | -- | -- | -- | -- | -- | -- | -- | -- | C | -- | -- | -- | C | C | P | P | -- | -- | -- | 5.1.5.3 |
| Tattoo, body piercing | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | 5.1.5.3 |

### Adult Oriented Businesses

See Section 18, Article 6 of the City Code

### All Retail Sales, except as listed below:

| Gasoline Sales | -- | -- | -- | -- | -- | -- | -- | -- | L | -- | -- | -- | C | C | P | -- | -- | -- | 5.1.5.4 |
| Truck stop | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | L | -- | -- | 5.1.5.4 |
| Tattoo, body piercing | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | 5.1.5.4 |
| Building material sales | -- | -- | -- | -- | -- | -- | C | C | -- | -- | -- | -- | C | C | P | P | P | -- | 5.1.5.4 |
| Vehicle Sales/Rental | -- | -- | -- | -- | -- | -- | C | C | -- | -- | -- | -- | C | C | P | P | -- | -- | 5.1.5.4 |
| Pawnshop | -- | -- | -- | -- | -- | -- | C | C | -- | -- | -- | -- | C | C | P | P | -- | -- | 5.1.5.4 |

### Restaurant/Bar, as listed below:

| Eating Establishment | -- | -- | -- | -- | -- | -- | L | P | -- | -- | -- | L | P | P | P | P | -- | -- | -- | 5.1.5.5 |
| Bar | -- | -- | -- | -- | -- | -- | C | C | -- | -- | -- | C | C | C | C | -- | -- | -- | 5.1.5.5 |
| Mobile Food Court | -- | -- | -- | -- | -- | -- | C | C | -- | -- | -- | P | P | C | -- | -- | -- | -- | 5.1.5.5 |

### Legend

| P | Permitted Use |
| L | Limited Use |
| C | Conditional Use |
| -- | Uses Not Permitted |

Amended: November 3, 2021 San Marcos Development Code
### 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>
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<tr>
<td></td>
<td>FD</td>
<td>SF-R</td>
<td>SF-6</td>
<td>SF-4.5</td>
<td>ND-3</td>
</tr>
<tr>
<td>Sale of Alcohol for on premise consumption</td>
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<td>--</td>
<td>--</td>
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<td>Overnight Lodging, as listed below:</td>
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</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>
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<tr>
<td>Boutique Hotel (9 - 30 rooms)</td>
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<tr>
<td>Hotel/ Motel (more than 30 rooms)</td>
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<tr>
<td>Outdoor Recreation, except as listed below:</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Golf Course</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Traveler Trailers/ RVs Short Term stays</td>
<td>P</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Shooting Range</td>
<td>C</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Indoor Recreation, except as listed below:</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Gym/ Health club</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Smoking Lounge</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Charitable Gaming Facility</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Special Event Facility</td>
<td>C</td>
<td>C</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

### Public & Institutional

| Civic, except as listed below: | P | L | L | L | L | L | L | L | L | P | P | P | P | P | P | P | P | P | P | P | 5.1.6.1 |
| Day Care Center | C | -- | -- | -- | C | C | C | L | P | -- | C | C | L | P | P | P | P | P | P | P | -- | P | 5.1.6.1 |
| Major Utilities | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | C | 5.1.6.3 |

### Antenna

See Section 5.1.6.3D

### Legend

<table>
<thead>
<tr>
<th>P</th>
<th>Permitted Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>L</td>
<td>Limited Use</td>
</tr>
<tr>
<td>C</td>
<td>Conditional Use</td>
</tr>
<tr>
<td>--</td>
<td>Uses Not Permitted</td>
</tr>
</tbody>
</table>
# Chapter 5: Use Regulations

Amended: November 3, 2021 San Marcos Development Code

## 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>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FD</td>
<td>SF-R</td>
<td>SF-4.5</td>
<td>ND-3</td>
</tr>
<tr>
<td><strong>Industrial</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Light Industrial</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Light Manufacturing</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle Service, as listed below:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car Wash</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle repair (minor)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle repair (major)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warehouse &amp; Distribution</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waste-Related service</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wholesale trade</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Self Storage</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wrecking/Junk Yard</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Legend**

<table>
<thead>
<tr>
<th>P</th>
<th>L</th>
<th>C</th>
<th>--</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted Use</td>
<td>Limited Use</td>
<td>Conditional Use</td>
<td>Uses Not Permitted</td>
</tr>
</tbody>
</table>

(Ord. No. 2020-60, 9-1-2020; Ord. No. 2021-47, 8-3-21)
CM is intended to serve as a commercial gateway and to take advantage of proximity to major roadways, therefore the quality and aesthetics of new development is very important. CM should be applied along highway corridors that serve as entrances to downtown or other pedestrian oriented activity areas.

**District Intent Statements**

- **Density**
  - Impervious Cover: 80% max.

- **Transportation**
  - Block Perimeter: 5,000 ft. max. (Section 3.6.2.1)
  - Streetscape Type: Conventional (Section 3.8.1.7)

**Building Types Allowed**

- Live/Work: Section 4.4.6.10
- General Commercial: Section 4.4.6.12
- Mixed Use Shopfront*: Section 4.4.6.13
- Civic Building: Section 4.4.6.14

*No Residential on the ground floor

**Building Standards**

- Principle Building Height: 4 stories max. 62 ft. max.
- Accessory Structure Height: N/A 24 ft. max.
### Lot

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Lot Area</th>
<th>Lot Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live/Work</td>
<td>1,100 sq ft</td>
<td>15 ft</td>
</tr>
<tr>
<td>General Commercial</td>
<td>4,000 sq ft</td>
<td>40 ft</td>
</tr>
<tr>
<td>Mixed Use Shopfront</td>
<td>4,000 sq ft</td>
<td>40 ft</td>
</tr>
<tr>
<td>Civic Building</td>
<td>4,000 sq ft</td>
<td>40 ft</td>
</tr>
</tbody>
</table>

### Setbacks - Principal Building

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street</td>
<td>10 ft min/ 20 ft max.</td>
<td></td>
</tr>
<tr>
<td>Secondary Street</td>
<td>10 ft min/ 15 ft max.</td>
<td></td>
</tr>
<tr>
<td>Side</td>
<td>5 ft. min.</td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td>20 ft. min.</td>
<td></td>
</tr>
<tr>
<td>Rear, abutting alley</td>
<td>3 ft. min.</td>
<td></td>
</tr>
</tbody>
</table>

### Setbacks - Accessory Structure

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street</td>
<td>50 ft min.</td>
<td></td>
</tr>
<tr>
<td>Secondary Street</td>
<td>20 ft. min.</td>
<td></td>
</tr>
<tr>
<td>Side</td>
<td>5 ft. min.</td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td>5 ft. min.</td>
<td></td>
</tr>
</tbody>
</table>

### Parking Location

<table>
<thead>
<tr>
<th>Layer (Section 4.3.3.1)</th>
<th>Surface</th>
<th>Garage</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Layer</td>
<td>Not Allowed</td>
<td>Not Allowed</td>
</tr>
<tr>
<td>Second Layer</td>
<td>Allowed</td>
<td>Not Allowed</td>
</tr>
<tr>
<td>Third Layer</td>
<td>Allowed</td>
<td>Allowed</td>
</tr>
</tbody>
</table>

### Durable Building Material and Blank Wall Area

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Material</td>
<td>80% min.</td>
</tr>
<tr>
<td>Secondary Material</td>
<td>20% max.</td>
</tr>
<tr>
<td>Blank Wall Area</td>
<td>35 ft. max.</td>
</tr>
</tbody>
</table>

(Employment Center (EC) renamed Commercial (CM) Ord. No. 2021-47 on 8-3-21)
SECTION 4.4.1.1  FUTURE DEVELOPMENT DISTRICT

GENERAL DESCRIPTION
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.

DENSITY

<table>
<thead>
<tr>
<th>Metric</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Units Per Gross Acre</td>
<td>.4 max.</td>
</tr>
<tr>
<td>Impervious Cover</td>
<td>30% max.</td>
</tr>
</tbody>
</table>

TRANSPORTATION

<table>
<thead>
<tr>
<th>Streetscape Type</th>
<th>Residential</th>
<th>Section 3.8.1.10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sidewalks</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BUILDING TYPES ALLOWED

<table>
<thead>
<tr>
<th>Type</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Dwelling</td>
<td>4.4.5.1</td>
</tr>
<tr>
<td>House</td>
<td>4.4.5.2</td>
</tr>
<tr>
<td>Civic</td>
<td>4.4.5.14</td>
</tr>
</tbody>
</table>
## Zoning Regulations

**Amended: November 3, 2021  San Marcos Development Code**

### Building Standards

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Principle Building Height</th>
<th>Accessory Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2 stories max. 40 ft. max.</td>
<td>N/A N/A</td>
</tr>
</tbody>
</table>

### Lot

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Lot Area</th>
<th>Lot Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>House</td>
<td>2 acres min.</td>
<td>200 ft. min.</td>
</tr>
<tr>
<td>Civic Building</td>
<td>2 acres min.</td>
<td>200 ft. min.</td>
</tr>
</tbody>
</table>

### Setbacks - Principal Building

<table>
<thead>
<tr>
<th>Component</th>
<th>Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street</td>
<td>50 ft. min.</td>
</tr>
<tr>
<td>Secondary Street</td>
<td>25 ft. min.</td>
</tr>
<tr>
<td>Side</td>
<td>20 ft. min.</td>
</tr>
<tr>
<td>Rear</td>
<td>Min. 20% of total lot depth measured at the point of the greatest depth</td>
</tr>
</tbody>
</table>

### Setbacks - Accessory Structure

<table>
<thead>
<tr>
<th>Component</th>
<th>Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street</td>
<td>50 ft. min.</td>
</tr>
<tr>
<td>Secondary Street</td>
<td>25 ft. min.</td>
</tr>
<tr>
<td>Side</td>
<td>10 ft. min.</td>
</tr>
<tr>
<td>Rear</td>
<td>10 ft. min.</td>
</tr>
</tbody>
</table>
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? See Tables 4.1, 4.4, and 4.5 in the Land Development Code.</th>
<th>“C” Consider</th>
<th>“NP” Not Preferred</th>
<th>“PSA” Preferred Scenario Map Amendment required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes – Per Table 4.1, Special Districts are “Not Preferred“ in Medium Intensity Zones</td>
<td></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>X</td>
</tr>
<tr>
<td>Competitive Infrastructure &amp; Entrepreneurial Regulation</td>
<td>Provides / Encourages land, utilities, and infrastructure for business</td>
<td>X</td>
<td></td>
<td></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>X</td>
<td></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>Cultural</td>
<td>31.6%</td>
<td></td>
<td></td>
<td></td>
<td>68.4%</td>
</tr>
<tr>
<td>Edwards Aquifer</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Endangered Species</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floodplains</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Geological</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slope</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Soils</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>100%</td>
</tr>
<tr>
<td>Vegetation</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Watersheds</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Quality Zone</td>
<td>100%</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(s):</th>
<th>Cottonwood Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>Modeled Impervious Cover Increase Anticipated for Watershed (Preferred Scenario)</td>
<td>0-25%</td>
</tr>
<tr>
<td>The 2013 Comprehensive Plan predicted a 342% increase of impervious cover under the Preferred Scenario of development. Although this may seem alarming, the area is primarily rural, undeveloped, and used for agriculture so any increase in impervious cover will seem high compared to the existing amount of 1.8% at the time the Comprehensive Plan was adopted. The predicted increase in impervious cover is attributed to multiple intensity zones located within the watershed.</td>
<td></td>
</tr>
</tbody>
</table>

NEIGHBORHOODS – Where is the property located

| CONA Neighborhood(s): | N/A |
| Neighborhood Commission Area(s): | N/A |
| Neighborhood Character Study Area(s): | N/A |

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>

A Shared Use path shall be required at the time of platting

<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)?</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wastewater service available? There is a 12&quot; wastewater line on the other side of Rattler Rd.</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Water service available? There is a water line adjacent the property on Rattler Rd.</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Rattler Rd</td>
<td>A</td>
<td>B</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>Existing Daily LOS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roadway segment closest to FM 110</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roadway segment closest to High School</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td><strong>Existing Peak LOS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roadway segment closest to FM 110</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Roadway segment closest to High School</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td><strong>Preferred Scenario Daily LOS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roadway segment closest to FM 110</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Roadway segment closest to High School</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td><strong>Preferred Scenario Peak LOS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roadway segment closest to FM 110</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Roadway segment closest to High School</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Sidewalk Availability</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing sidewalk along the frontage of the property on Rattler Rd.</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td><strong>Adjacent to existing bicycle lane?</strong> There is a striped bike lane along Rattler Rd.</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td><strong>Adjacent to existing public transportation route?</strong></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**Notes:**
ZONING CHANGE, OVERLAY OR ESTABLISHMENT OF A HISTORIC DISTRICT/LANDMARK APPLICATION

Updated: March, 2023

CONTACT INFORMATION

<table>
<thead>
<tr>
<th>Applicant's Name</th>
<th>Caren Williams-Murch</th>
<th>Property Owner</th>
<th>Ravi Sahota</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company</td>
<td>Land Consultants, Ltd. Co.</td>
<td>Company</td>
<td>Sahota Holdings, LLC</td>
</tr>
<tr>
<td>Applicant's Mailing Address</td>
<td>144 Sage Meadows Dr. San Marcos TX</td>
<td>Owner's Mailing Address</td>
<td>PO Box 592233, San Antonio, TX 78259</td>
</tr>
<tr>
<td>Applicant's Phone #</td>
<td>5127577006</td>
<td>Owner's Phone #</td>
<td>830-832-7284</td>
</tr>
<tr>
<td>Applicant's Email</td>
<td><a href="mailto:Cmurch@txlandltd.com">Cmurch@txlandltd.com</a></td>
<td>Owner's Email</td>
<td><a href="mailto:ravisahota@gmail.com">ravisahota@gmail.com</a></td>
</tr>
</tbody>
</table>

PROPERTY INFORMATION

Subject Property Address(es): FM 110, San Marcos, TX 78666

Legal Description: Lot 6.26 Acres Block Cyrus----> Subdivision Wickson Survey Ab #474

Total Acreage: 6.26

Preferred Scenario Designation: empty land

Existing Zoning: none

DESCRIPTION OF REQUEST

Proposed Zoning District(s): CM/HC

Proposed Land Uses / Reason for Change: Build a convenience store and gas station with a commercial retail center behind it.

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* $1,000 plus $150 per acre Technology Fee $15 MAXIMUM COST $5,015

*Existing Neighborhood Regulating Plan Included.

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

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

Planning & Development Services • 630 East Hopkins • San Marcos, Texas 78666 • 512-393-8230
I, Ravi Sahota (owner name) on behalf of Sahota Holdings, LLC (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at FM 110 San Marcos, TX 78666 (address).

I hereby authorize Caren Williams-Murch (agent name) on behalf of Land Consultants, Ltd. Co. (agent company) to file this application for Zoning Change (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: Ravi Sahota Date: 9-21-23
Printed Name, Title: Ravi Sahota

Signature of Agent: Caren Williams-Murch Date: 9-21-2023
Printed Name, Title: Caren Williams-Murch
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 $150 plus a $15 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 $150 plus a $15 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: Ravi Sahota
Print Name: Ravi Sahota
Date: 9-21-23

Form Updated March, 2023
November 13, 2023

City of San Marcos Planning Department
Ms. Julia Clearly, Senior Planner
603 East Hopkins
San Marcos, Texas 78666

Re: Zone Change application ZC-23-26

Dear Julia,

This letter is in addition to the application form and documents uploaded to the City portal for ZC-23-26. My client owns approximately 6.26 acres at the corner of Rattler Road and McCarty Lane. He is requesting annexation of the entire parcel and two changes to the existing zoning.

On this parcel of 3.57 acres he is requesting a zone change to CM-commercial. He intended use it to build a small retail and business park center to provide rental space for small retail, restaurant and office uses in this area.

If you have any questions, please feel free to contact me at 512-757-7006 or at cmurch@txlandltd.com

Thank you for your consideration.

Sincerely,

Caren Williams-Murch
Senior Project Manager
STATE OF TEXAS  
COUNTY OF HAYS

TRACT 2  
2.692 ACRES

CYRUS WICKSON SURVEY
ABSTRACT NO. 474

BEING A 2.692 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING OVER A PORTION OF THAT CERTAIN CALLED 6.26 ACRE TRACT OF LAND CONVEYED TO SAHOTA HOLDINGS LLC., BY DEED DATED JANUARY 1, 2016, AND RECORDED IN DOCUMENT NO. 16003058, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 3/8" IRON ROD WITH CAP MARKED “B&A” WITH THE TEXAS SOUTH CENTRAL ZONE STATE PLANE COORDINATES, NORTHING - 13850164.13' & EASTING - 2300151.61' FOUND AT THE NORTH CORNER OF SAID SAHOTA CALLED 6.26 ACRE TRACT, SAME BEING AT THE COMMON WEST CORNER OF THAT CERTAIN CALLED 46.75 ACRE TRACT OF LAND CONVEYED TO REED AND PATRICIA CARR, BY DEED RECORDED IN VOLUME 2359, PAGE 218, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AND BEING IN THE ARC OF A CURVE IN THE SOUTHEAST LINE OF EAST MCCARTY LANE (F.M. HIGHWAY NO. 110), A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY, AS DESCRIBED AND ILLUSTRATED BY INSTRUMENT RECORDED IN VOLUME 4899, PAGE 1, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS;

THENCE SOUTH 44º07'54" WEST (S45ºW RECORD), DEPARTING SAID McCARTY LANE (F.M. HIGHWAY NO. 110), WITH THE SOUTHEAST LINE OF SAID SAHOTA CALLED 6.26 ACRE TRACT AND THE COMMON NORTHWEST LINE OF SAID CARR CALLED 46.75 ACRE TRACT, PASSING THE WEST CORNER OF SAID CARR CALLED 46.47 ACRE TRACT AND THE COMMON NORTH CORNER OF THAT CERTAIN CALLED 8.79 ACRE TRACT OF LAND CONVEYED TO JUDITH TELFORD, BY DEED RECORDED IN VOLUME 174, PAGE 176, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AND CONTINUING ON IN ALL FOR A TOTAL DISTANCE OF 550.07 FEET TO THE POINT OF BEGINNING WITH THE TEXAS SOUTH CENTRAL ZONE STATE PLANE COORDINATES, NORTHING - 13849769.32' & EASTING - 2299768.59' TO THE POINT OF BEGINNING, FOR AN EAST CORNER OF THE TRACT OF LAND HEREIN DESCRIBED;

1
THENCE SOUTH 44°07'54" WEST (S45°W RECORD), WITH THE SOUTHEAST LINE OF SAID SAHOTA CALLED 6.26 ACRE TRACT, AND THE COMMON NORTHWEST LINE OF SAID TELFORD CALLED 8.79 ACRE TRACT, A DISTANCE OF 463.89 FEET TO A 1/2" IRON ROD SET WITH CAP MARKED “RPLS 5687” AT THE SOUTH CORNER OF SAID SAHOTA CALLED 6.26 ACRE TRACT, FOR THE SOUTH CORNER OF THE TRACT OF LAND HEREIN DESCRIBED AND THE COMMON WEST CORNER OF SAID TELFORD CALLED 8.79 ACRE TRACT, SAME BEING IN THE NORTHEAST LINE OF RATTLER ROAD, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY;


THENCE THROUGH AND SEVERING SAID SAHOTA CALLED 6.26 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES NUMBERED (1) THROUGH (4):

1) NORTH 44°07'54" EAST, A DISTANCE OF 65.26 FEET TO A CORNER;

2) NORTH 89°07'54" EAST, A DISTANCE OF 40.87 FEET TO A CORNER;

3) NORTH 44°07'54" EAST, A DISTANCE OF 369.99 FEET TO A CORNER;

4) SOUTH 45°52'06" EAST, A DISTANCE OF 247.73 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.692 ACRES OF LAND.

BEARING BASIS HEREIN DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES (TEXAS SOUTH-CENTRAL ZONE) & NAD83 (HORIZONTAL).

ATTACHED HEREWITH IS AN EXHIBIT DRAWING, WHICH IS AN INTEGRAL PART OF THIS METES AND BOUNDS DESCRIPTION.

I, RICHARD H. TAYLOR, DO CERTIFY THAT THIS DESCRIPTION AND ASSOCIATED EXHIBIT WERE PREPARED THIS DATE FROM A BOUNDARY SURVEY PERFORMED UNDER MY DIRECTION DURING FEBRUARY 25, 2016, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

__________________________  10/22/2023
RICHARD H. TAYLOR  DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 3986 STATE OF TEXAS
ATTACHMENT: EXHIBIT MAP OF 2.692 ACRE TRACT – TRACT 2
JOB: 16-6060
EXHIBIT MAP TO ACCOMPANY DESCRIPTION OF:

BEING A 2.692 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING OVER A PORTION OF THAT CERTAIN CALLED 6.26 ACRE TRACT OF LAND CONVEYED TO SAHOTA HOLDINGS LLC., BY DEED DATED JANUARY 1, 2016, AND RECORDED IN DOCUMENT NO. 16003058, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND Bounds ATTACHED:

STATE OF TEXAS

8.26 ACRES
(DOC. NO. 16003058)

TRACT 2
2.692 AC.

LINE TABLE

NO. BEARING LENGTH
L1 N44°15'59"E 41.55'
L2 N45°00'27"E 54.37'
L3 S59°07'34"W 40.87'
L4 N44°07'54"W 68.26'
L5 N45°55'24"W 27.48'

CURVE TABLE (PUBLIC R.O.W. VARIES)

CURVE
RADIUS
CHORD LENGTH
CHORD BEARING
CT 1728.00' 104.04' 996.59' N 59°31'29" W
CT 408.04' 208.49' 297.67' N 78°36'28" W
CT 408.04' 208.49' 297.67' N 78°36'28" W

OWNER: SAHOTA HOLDINGS LLC.
(6.26 ACRES)
(DOC. NO. 16003058)

I, RICHARD H. TAYLOR, DO HEREBY CERTIFY THAT THIS PLAT OF THE PROPERTY SHOWN HEREON, WAS PREPARED FROM A SURVEY PERFORMED UNDER MY DIRECTION AND SUPERVISION DURING FEBRUARY 25, 2018, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

RICHARD H. TAYLOR, RPL
REGISTERED PROFESSIONAL LAND SURVEYOR
NUMBER 9986 STATE OF TEXAS
©ASH & ASSOCIATES, LLC.

10/22/2023 DATE

ASH & ASSOCIATES
SURVEYING - PLANNING - MAPPING
142 JACKSON LANE
SAN MARCOS, TEXAS 78666
(512) 392-1719
ashandassociates.net
Surveying: 100847-00

"SERVING THE COMMUNITY OF TEXAS"
Hays County Texas
Liz Q. Gonzalez
County Clerk

Document Number: 2016-16003058
Recorded As: ELECTRONIC RECORDING

Recorded On: January 29, 2016
Recorded At: 03:08:55 pm
Number of Pages: 7
Recording Fee: $46.00

Parties:
Direct: EDMUND JASTER HAYS COUNTY PARTNERSHIP
Indirect: SAHOTA HOLDINGS LLC

Receipt Number: 419725
Processed By: Rose Robinson

************ THIS PAGE IS PART OF THE INSTRUMENT ************

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

[Signature]
Liz Q. Gonzalez, County Clerk
NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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

GENERAL WARRANTY DEED

STATE OF TEXAS §

COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS:

That EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership ("Grantor", whether one or more), for and in consideration of the sum of TEN DOLLARS ($10.00) and other valuable consideration to the undersigned paid by SAHOTA HOLDINGS, LLC, a Texas limited liability company ("Grantee", whether one or more), the receipt of which is hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto Grantee, the following described real property (the "Property"), to-wit:

6.26 acres of land, more or less, out of the Cyrus Wilkinson Survey, Abstract 474, Hays County, Texas, being more particularly described in attached Exhibit "A".

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, Grantee’s successors and assigns forever; and Grantor does hereby bind Grantor, Grantor’s successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the said premises unto Grantee, Grantee’s successors and assigns, against every person whomsoever claiming or to claim the same or any part thereof.

This conveyance is made subject to all and singular the restrictions, easements, conditions, reservations, exceptions and covenants, if any, applicable to and enforceable against the Property as shown by the records of Hays County, Texas.

Current ad valorem taxes on the Property having been prorated, the payment thereof is assumed by Grantee.

[SIGNATURE PAGE Follows]
EXECUTED as of the 29th day of January, 2016.

GRANTOR:

EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership

By: George E. Jaster, Partner

By: Albert A. Jaster, Partner

By: John R. Jaster, Partner

By: Jean E. Hausman, Partner

By: Elaine S. Wilkinson, Partner

Address of Grantee:

P.O. Box 592233
San Antonio, TX 78259

STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me this 29th day of January, 2016 by George E. Jaster, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

RENEE D. JOHNSON
My Notary ID # 4875004
Expires December 17, 2016

Notary Public, State of Texas
STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me this 29 day of January, 2016 by Albert A. Jaster, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me this 29 day of January, 2016 by John R. Jaster, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me this 19 day of January, 2016 by Jean E. Hausmann, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

Notary Public, State of Texas
STATE OF TEXAS §

COUNTY OF HAYS §

This instrument was acknowledged before me this 27 day of January, 2016 by Elaine S. Wilkinson, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

[Signature]
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

CORRIDOR TITLE, LLC

15-1737-S
STATE OF TEXAS
COUNTY OF HAYS

6.26 ACRES
CYRUS WICKSON SURVEY
ABSTRACT # 474

BEING A 6.26 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN PROPERTY CONVEYED TO EDMUND JASTER HAYS COUNTY PARTNERSHIP IN VOLUME 1276, PAGE 880, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found in the southeast line of the abovementioned Jaster tract, same being in the southeast line of a called 8.04 acre tract of land conveyed to the State of Texas in Volume 4899, Page 1, Official Public Records of Hays County, Texas, also being in the southeast line of McCarty Lane (Public R.O.W. Varieties), and also being in the northwest line of a called 46.75 acre tract of land conveyed to Reed & Patricia Carr in Volume 2359, Page 218, Official Public Records of Hays County, Texas, for the northern most corner of the herein described tract of land;

THENCE South 44°07'54" West (South 45° West Record), with the southeast line of said Jaster tract, and the meanders of a wire fence, passing the west corner of said 46.75 acre Carr tract, same being the north corner of a called 8.79 acre tract of land conveyed to Judith Telford in Volume 174, Page 176, Deed Records of Hays County, Texas, and continuing for a total distance of 1013.96 feet to a 1/2 inch iron rod with "ASH 5687" cap set at the west corner of said 8.79 acre Telford tract, same being at the south corner of said Edmund Jaster tract, for the south corner of the herein described tract of land, also being in the northeast right of way line of Rattler Road (Public R.O.W. Varieties);

THENCE with the northeast line of said Rattler Road and the common southwest line of said Jaster tract, North 45°55'24" West (North 45° West Record), with the southwest line of said Jaster tract and the meanders of a wire fence, a distance of 304.11 feet to a 1/2 inch iron rod found for a westerly south corner of the herein described tract of land, same being a corner of the aforesaid 8.04 acre State of Texas tract;

THENCE along and with the common line of said 8.04 acre State of Texas tract, the following courses and distances numbered (1) through (4):

1) North 44°13'26" East (North 43°55'26" East Record), leaving the southwest line of said Jaster tract, a distance of 41.55 feet (41.71' Record), to a 1/2 inch iron rod found for an interior corner of the herein described tract of land, same being at the beginning of a curve to the right;

2) Northeasterly 284.49 feet (284.40' Record) along the arc of said curve to the right, having a radius of 408.04 feet (Record) and a chord that bears North 26°07'36" West (North 26°05'31" West Record), a distance of 278.76 feet (278.68' Record), to a 1/2 inch iron rod found for the western most corner of the herein described tract of land, same being at a corner clip at the intersection of the northeast line of said Rattler Road with the southeast line of aforesaid McCarty Lane;

3) North 45°00'27" East (North 44°39' East Record), with said corner clip, a distance of 54.37 feet (54.23' Record) to a 1/2 inch iron rod found in the southeast line of said McCarty Lane, same being at the beginning of a curve to the left;

4) Northeasterly 1014.08 feet (1014.43' Record) along the arc of said curve to the left, having a radius of 1728.00 feet (Record) and a chord that bears North 78°35'29" East (North 78°36'26" East Record), a distance of 999.59 feet (999.92' Record) to the POINT OF BEGINNING and CONTAINING 6.26 ACRES OF LAND.
THE SUBDIVISION OF THIS PROPERTY IS NOT INTENDED TO SUBJUGATE THE RULES AND REGULATIONS OF ANY DEVELOPMENT ORDINANCE; AND ALL REQUIRED STATE, COUNTY, AND CITY PERMITS SHOULD BE OBTAINED BEFORE OCCUPYING THE PREMISES.

BEARING BASIS HEREIN DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES (TEXAS SOUTH CENTRAL ZONE) & NAD83.

I, Richard H. Taylor, do certify that this description and associated exhibit were prepared this date from a boundary survey performed under my direction during January 2016, and is true and correct to the best of my knowledge and belief.

Richard H. Taylor
Registered Professional Land Surveyor
No. 3986 State of Texas
Attachment: Drawing of 6.26 acres
Job: 15-6060

01/12/16
Date
Previous Projects by Developer

Figure 1 - Trace Convenience Store
Figure 2 - San Antonio Retail Center
Figure 4 - San Antonio Retail
Figure 5 - Trace Convenience Store Aerial
AGENDA CAPTION:
Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-07, amending the Official Zoning Map of the city in Case No. ZC-23-27, by rezoning approximately 3.57 acres of land, generally located south of the intersection between Rattler Road and East McCarty Lane/FM 110, from Future Development "FD" District to Heavy Commercial "HC" District, or, subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2024-07, on the first of two readings.

Meeting date: February 6, 2024

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: [Please select from the dropdown menu below]
N/A
N/A
N/A

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.
Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]
Vision San Marcos - A River Runs Through Us

Background Information:
The site is currently located outside of the City limits and is accompanied by a request for annexation (AN-23-11) which is being considered concurrently. The approx. 6-acre annexation site was subject to two separate zoning change requests:

1. ZC-23-26 (FD to CM Commercial)
2. ZC-23-27 FD to Heavy Commercial (this request)

This proposed Heavy Commercial site will have frontage on E McCarty Lane/ Fm 110 and Ratter Rd and per the submitted site plan will include a gas station with a convenience store.

The site is located within the “East Village” in the 2013 Comprehensive Plan, which is an area envisaged as an “activity node centered around the intersection of Old Bastrop and Hwy 123, East Village will boast a mix of commercial, retail, and service-oriented activity. This area will offer a variety of residential options including single family homes, duplexes, townhomes, and small multifamily projects.”

The site is approximately 0.3 miles west of the City’s Public Services complex. The land on the opposite side of Rattler Rd was annexed and zoned to Character-District-4 (CD-4) in January 2023 (ZC-22-43), while the land across the street on the northern side of McCarty Lane was annexed and zoned to Light Industrial in February 2022 (ZC-22-02).

Council Committee, Board/Commission Action:
The Planning and Zoning Commission voted 9-0 to recommend approval of ZC-23-27 at their regular meeting on January 23, 2024.

Alternatives:
Click or tap here to enter text.

Recommendation:
Staff recommends approval of ZC-23-27 as presented.
Public Hearing
ZC-23-27
Sahota Center at Rattler Rd FD to HC

Hold a public hearing and consider a request by Land Consultants, Ltd. Co., on behalf of Sahota Holdings, LLC, for a Zoning Change from Future Development (FD) to Heavy Commercial (HC), or, subject to consent of the owner, another less intense zoning district classification, of approximately 3.57 acres of land, more or less, out of the Cyrus Wickson Survey, Abstract No. 474 generally located south of the intersection between Rattler Rd and East McCarty Lane/FM 110 (J.Cleary)
Property Information

- Approximately 3.5 acres

- Located at the intersection between FM-110/ E McCarty Ln and Rattler Rd.

- Located within ETJ, annexation concurrently considered by City Council (AN-23-11).
Context & History

• Currently Vacant

• Surrounding Uses
  – Rural residential
  – Vacant (planned multifamily and light industrial)
  – Public Services Complex

• Separate zoning request for Commercial is also being considered (ZC-23-26).
Context & History

- Existing Zoning:
  Future Development (FD)
  - Intended to be a temporary zoning upon annexation. Allows limited residential/ RVs and agricultural uses.

- Proposed Zoning:
  Heavy Commercial (HC)
  - Allows various commercial uses
Comprehensive Plan Analysis

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

- Existing Preferred Scenario: Medium Intensity (East Village)

- “An area of change intended to accommodate the City’s future growth and expansion where people can meet their daily needs within a short walk, bike, transit trip, or drive” (4.1.1.6)
Comprehensive Plan Analysis

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

“Heavy Commercial” (HC) within a “Medium Intensity Zone.”

**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>
</tr>
</thead>
<tbody>
<tr>
<td>Conventional Residential</td>
<td>NP</td>
<td>NP</td>
<td>C</td>
<td>PSA</td>
<td>PSA</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>
</tr>
<tr>
<td>Character Districts</td>
<td>NP</td>
<td>See Section 4.1.2.6</td>
<td>PSA</td>
<td>C</td>
<td>NP</td>
</tr>
<tr>
<td>Special Districts</td>
<td>PSA</td>
<td>NP</td>
<td>PSA</td>
<td>NP</td>
<td>C</td>
</tr>
</tbody>
</table>

Legend: PSA = Not Allowed (PSA Required)  NP = Not Preferred  C = Consider
Zoning Analysis

• District primarily intended to accommodate auto oriented and other heavy commercial uses. Development should be operated in a relatively clean and quiet manner, and should not be obnoxious to nearby residential or commercial uses.

• Permitted building types include General Commercial and Civic Buildings.

• Applicant proposing gas station with convenience store.
Environmental Analysis

- Classified as “Moderately Constrained” on the Land Use Suitability Map.
- Not located within the Edwards Aquifer Recharge Zone or Transition Zone.
- Not located within 100-year floodplain or floodway.
Infrastructure

• Streets
  – Streetscape Improvements
  – Transportation Master Plan
  – Block perimeter (5,000 feet)
  – Bicycle & Sidewalk connections

• Utilities
  – City of San Marcos Water / Wastewater
  – Bluebonnet Electric
Recommendation

• The Planning and Zoning Commission recommended approval of ZC-23-27 as presented with a 9-0 vote.
  – Discussion Topics
    • Development feasibility under less intense zoning districts.
    • Extent of drainage area within draft site plan.

• Staff recommended approval of ZC-23-27 as presented.
# Zoning District Comparison Chart

<table>
<thead>
<tr>
<th>Topic</th>
<th>Existing Zoning: Future Development (FD)</th>
<th>Proposed Zoning: Heavy Commercial (HC)</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>Heavy Commercial (HC) is intended to accommodate auto oriented and other heavy commercial uses. Development should be operated in a relatively clean and quiet manner, and should not be obnoxious to nearby residential or commercial uses.</td>
</tr>
<tr>
<td><strong>Uses</strong></td>
<td>Residential / Agricultural (See Land Use Matrix)</td>
<td>Primarily commercial and manufacturing uses with some allowances for and public/institutional and agricultural uses (See Land Use Matrix).</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>Dependent upon use</td>
<td>Depends on use.</td>
</tr>
<tr>
<td><strong>Max Residential Units per acre</strong></td>
<td>0.4 units per acre (max)</td>
<td>Residential uses are not permitted</td>
</tr>
<tr>
<td><strong>Occupancy Restrictions</strong></td>
<td>N/A</td>
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<td><strong>Impervious Cover (max)</strong></td>
<td>30%</td>
<td>80%</td>
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<tr>
<td><strong>Lot Sizes</strong></td>
<td>Minimum 2 acres lot area, Minimum 200 ft lot width</td>
<td>6,000 sq. ft minimum</td>
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<tr>
<td><strong>Streetscapes</strong></td>
<td>Residential Street: 5’ sidewalk for lots smaller than 1 acre, street trees every 40’ on center average, planting area between sidewalk and street required.</td>
<td>Conventional Street: 6’ sidewalk, street trees every 40’ 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>5,000 ft. Block Perimeter Max</td>
</tr>
</tbody>
</table>
ORDINANCE NO. 2024-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING THE OFFICIAL ZONING MAP OF THE CITY IN CASE NO. ZC-23-27, BY REZONING APPROXIMATELY 3.57 ACRES OF LAND, GENERALLY LOCATED SOUTH OF THE INTERSECTION BETWEEN RATTLER ROAD AND EAST MCCARTY LANE/FM 110, FROM FUTURE DEVELOPMENT "FD" DISTRICT TO HEAVY COMMERCIAL "HC" DISTRICT, OR, SUBJECT TO CONSENT OF THE OWNER, ANOTHER LESS INTENSE ZONING DISTRICT CLASSIFICATION; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. On January 23, 2024, the Planning and Zoning Commission of the City of San Marcos held a public hearing regarding a request to change the zoning designation from Future Development "FD" District to Heavy Commercial "HC" District for approximately 3.57 acres of land, generally located south of the intersection between Rattler Road and East McCarty Lane/FM 110 (the “Property”), as described in Exhibit A, attached hereto and made a part hereof for all purposes.

2. On January 23, 2024, the Planning and Zoning Commission voted 9–0 to recommend approval of the request.

3. The City Council held a public hearing on February 6, 2024, regarding the request.

4. All requirements pertaining to Zoning Map amendments have been met.

5. The City Council hereby finds and determines that the adoption of the following ordinance is in the interest of the public health, morals, welfare and safety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The Official Zoning Map of the City is amended to rezone the Property, as described in Exhibit A from Future Development "FD" District to Heavy Commercial "HC" District.

SECTION 2. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 3. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 4. This ordinance will take effect after its passage, approval and adoption on
second reading.

PASSED AND APPROVED on first reading on February 6, 2024.

PASSED, APPROVED AND ADOPTED on second reading on February 20, 2024.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk

Approved:

Samuel J. Aguirre
City Attorney
EXHIBIT A

[ATTACH LEGAL DESCRIPTION AND SURVEY]
STATE OF TEXAS  
COUNTY OF HAYS

TRACT 1  
3.566 ACRES  
CYRUS WICKSON SURVEY  
ABSTRACT NO. 474

BEING A 3.566 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING OVER A PORTION OF THAT CERTAIN CALLED 6.26 ACRE TRACT OF LAND CONVEYED TO SAHOTA HOLDINGS LLC., BY DEED DATED JANUARY 1, 2016, AND RECORDED IN DOCUMENT NO. 16003058, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 3/8" IRON ROD WITH CAP MARKED “B&A” WITH THE TEXAS SOUTH CENTRAL ZONE STATE PLANE COORDINATES, NORTHING – 13,850,164.13’ & EASTING – 2,300,151.61’, FOUND AT THE NORTH CORNER OF SAID SAHOTA CALLED 6.26 ACRE TRACT, FOR THE NORTH CORNER OF THE TRACT OF LAND HEREIN DESCRIBED, SAME BEING AT A COMMON CORNER OF THAT CERTAIN CALLED 46.75 ACRE TRACT OF LAND CONVEYED TO REED AND PATRICIA CARR, BY DEED RECORDED IN VOLUME 2359, PAGE 218, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AND BEING IN THE ARC OF A CURVE IN THE SOUTHEAST LINE OF EAST MCCARTY LANE (F.M. HIGHWAY NO. 110), A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY, AS DESCRIBED AND ILLUSTRATED BY INSTRUMENT RECORDED IN VOLUME 4899, PAGE 1, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS;

THENCE SOUTH 44°07'.54" WEST (545°W RECORD), DEPARTING SAID McCARTY LANE (F.M. HIGHWAY NO. 110), WITH THE SOUTHEAST LINE OF SAID SAHOTA CALLED 6.26 ACRE TRACT AND THE COMMON NORTHWEST LINE OF SAID CARR CALLED 46.75 ACRE TRACT, ALONG THE MEANDERS OF A WIRE FENCE, PASSING THE WEST CORNER OF SAID CARR CALLED 46.47 ACRE TRACT AND THE COMMON NORTH CORNER OF THAT CERTAIN CALLED 8.79 ACRE TRACT OF LAND CONVEYED TO JUDITH TELFORD, BY DEED RECORDED IN VOLUME 174, PAGE 176, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AND CONTINUING ON IN ALL FOR A TOTAL DISTANCE OF 550.07 FEET TO A SOUTH CORNER OF THE TRACT OF LAND HEREIN DESCRIBED, AND FROM WHICH THE SOUTH CORNER OF SAID SAHOTA CALLED 6.26 ACRE TRACT, BEARS SOUTH 44°07'.54" WEST, A DISTANCE OF 463.89 FEET;
THENCE THROUGH AND SEVERING SAID SAHOTA CALLED 6.26 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES NUMBERED (1) THROUGH (4):

1) NORTH 45°52'06" WEST, A DISTANCE OF 247.73 FEET TO A CORNER;

2) SOUTH 44°07'54" WEST, A DISTANCE OF 369.99 FEET TO A CORNER;

3) SOUTH 89°07'54" WEST, A DISTANCE OF 40.87 FEET TO A CORNER;

4) SOUTH 44°07'54" WEST, A DISTANCE OF 65.26 FEET TO A CORNER IN THE SOUTHWESTERLY LINE OF SAID SAHOTA CALLED 6.26 ACRE TRACT AND COMMON THE NORTHEASTERLY LINE OF RATTER ROAD, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY, FROM WHICH THE AFOREMENTIONED SOUTH CORNER OF SAID SAHOTA CALLED 6.26 ACRE TRACT, BEARS S45°55'24"E, A DISTANCE OF 276.63 FEET;

THENCE WITH THE SOUTHWEST LINE OF SAID SAHOTA CALLED 6.26 ACRE TRACT AND THE COMMON NORTHEAST LINE OF SAID RATTER ROAD, NORTH 45°55'24" WEST (N45°W RECORD), A DISTANCE OF 27.48 FEET (27.63’ RECORD) TO AN IRON ROD FOUND FOR A CORNER AT THE INTERSECTION OF THE NORTHEAST LINE OF SAID RATTER ROAD WITH THE SOUTHEASTERLY LINE OF AFORESAID EAST McCARTY LANE (F.M. HIGHWAY NO. 110);

THENCE WITH SOUTHEASTERLY LINE OF SAID McCARTY LANE (F.M. HIGHWAY NO. 110) AND THE COMMON NORTHWEST LINE OF SAID SAHOTA CALLED 6.26 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES AND DISTANCES NUMBERED (1) THROUGH (4):

1) NORTH 44°13'26" EAST (N43°55'26"E RECORD), A DISTANCE OF 41.55 FEET (41.71’ RECORD) TO A 3/8” IRON ROD FOUND WITH CAP MARKED “B&A” FOR A CORNER AT THE BEGINNING OF THE ARC OF A CURVE TO THE RIGHT;

2) NORTHWESTERLY, A DISTANCE OF 284.49 FEET (284.40’ RECORD) ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 408.04 FEET (RECORD), AND A CHORD WHICH BEARS NORTH 26°07'36" WEST (N26°05'36"W RECORD), A DISTANCE OF 278.76 FEET (278.68’ RECORD) TO A 3/8” IRON ROD FOUND WITH CAP MARKED “B&A” FOR A CORNER;

3) NORTH 45°00'27" EAST (N44°39'00"E RECORD), A DISTANCE OF 54.37 FEET (54.23’ RECORD) TO A 3/8” IRON ROD FOUND WITH CAP MARKED “B&A” FOR A CORNER, AT THE BEGINNING OF THE ARC OF A CURVE TO THE LEFT;

4) NORTHEASTERLY, A DISTANCE OF 1014.08 FEET (1014.43’ RECORD) ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1728.00 FEET (RECORD), AND A CHORD WHICH BEARS NORTH 78°35'29" EAST (N78°36'26" E), A DISTANCE OF 999.59 FEET (999.92’ RECORD) TO THE POINT OF BEGINNING AND CONTAINING 3.566 ACRES OF LAND.
BEARING BASIS HEREIN DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES (TEXAS SOUTH-CENTRAL ZONE) & NAD83 (HORIZONTAL).

ATTACHED HEREWITH IS AN EXHIBIT DRAWING WHICH IS AN INTEGRAL PART OF THIS METES AND BOUNDS DESCRIPTION.

I, RICHARD H. TAYLOR, DO CERTIFY THAT THIS DESCRIPTION AND ASSOCIATED EXHIBIT WERE PREPARED THIS DATE FROM A BOUNDARY SURVEY PERFORMED UNDER MY DIRECTION DURING FEBRUARY 25, 2016, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Signature]

10/22/2023

RICHARD H. TAYLOR
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 3986 STATE OF TEXAS
ATTACHMENT: EXHIBIT MAP OF 3.566 ACRE TRACT – TRACT 1
JOB: 16-6060
EXHIBIT MAP TO ACCOMPANY DESCRIPTION OF:
BEING A 3.566 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING OVER A PORTION OF THAT CERTAIN CALLED 6.26 ACRES TRACT OF LAND CONVEYED TO SAHOTA HOLDINGS LLC., BY DEED DATED JANUARY 1, 2016, AND RECORDED IN DOCUMENT NO. 16003058, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED:

<table>
<thead>
<tr>
<th>LINE TABLE</th>
<th>NO.</th>
<th>BEARING</th>
<th>LENGTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1</td>
<td>N44°15'30&quot;W</td>
<td>41.85</td>
<td></td>
</tr>
<tr>
<td>L2</td>
<td>N44°15'30&quot;W</td>
<td>41.85</td>
<td></td>
</tr>
<tr>
<td>L3</td>
<td>N44°15'30&quot;W</td>
<td>41.85</td>
<td></td>
</tr>
<tr>
<td>L4</td>
<td>N44°15'30&quot;W</td>
<td>41.85</td>
<td></td>
</tr>
<tr>
<td>L5</td>
<td>N44°15'30&quot;W</td>
<td>41.85</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CURVE TABLE</th>
<th>(PUBLIC R.O.W. VARIES)</th>
<th>(N 45° W)</th>
</tr>
</thead>
<tbody>
<tr>
<td>C1</td>
<td>172.00</td>
<td>101.00</td>
</tr>
<tr>
<td>C2</td>
<td>408.04</td>
<td>288.40</td>
</tr>
</tbody>
</table>

OWNER: SAHOTA HOLDINGS LLC. (6.26 ACRES) (DOC. NO. 16003058)

1. RICHARD H. TAYLOR, DO HERETO CERTIFY THAT THIS PLAT OF THE PROPERTY SHOWN HERON, WAS PREPARED FROM A SURVEY PERFORMED UNDER MY DIRECTION AND SUPERVISION DURING FEBRUARY 25, 2016, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

RICHARD H. TAYLOR, RPLS
REGISTERED PROFESSIONAL LAND SURVEYOR
NUMBER 5986
STATE OF TEXAS

ASH & ASSOCIATES
SURVEYING - PLANNING - MAPPING
142 JACKSON LANE
SAN MARCOS, TEXAS 78666
(512) 392-1719
ashandassociates.net
Surveying: 100847-00

"SERVING THE COMMUNITY OF TEXAS"
### Zoning Request

**ZC-23-27**

**Sahota Center at Rattler Rd**

**Rattler Rd/ E McCarty Ln**

### Summary

**Request:** Zoning change from Future Development to Heavy Commercial

**Applicant:** Caren Williams-Murch Land Consultants, Ltd. Co.
144 Sage Meadows Dr, San Marcos TX, 78666

**Property Owner:** Ravi Sahota, Sahota Holdings, LLC
PO Box 592233
San Antonio, TX 78259

### Notification

**Application:** November 22, 2023

**Published:** December 24, 2023

**Posted:** December 22, 2023

**Response:** None as of the date of this report

### Property Description

**Legal Description:** Approximately 3.57 acres of land, more or less, out of the Cyrus Wickson Survey, Abstract No. 474

**Location:** Generally located southeast of the intersection between Rattler Rd and East McCarty Lane/FM 110.

**Acreage:** 3.57 acres

**Existing Zoning:** None (ETJ)

**Existing Use:** Vacant

**Existing Occupancy:** N/A

**Preferred Scenario:** Medium Intensity- East Village

**CONA Neighborhood:** N/A

**Utility Capacity:** Available

**Historic Designation:** N/A

**Proposed Zoning:** Heavy Commercial

**Proposed Use:** Gas Station and Convenience Store

**Occupancy:** N/A

**Proposed Designation:** Same

**CONA Neighborhood:** N/A

**Sector:** N/A

**Floodplain:** No

**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><strong>North of Property:</strong></td>
<td>Light Industrial</td>
<td>Medium Intensity</td>
</tr>
<tr>
<td><strong>South of Property:</strong></td>
<td>ETJ (proposed CM Commercial)</td>
<td>Medium Intensity</td>
</tr>
<tr>
<td><strong>East of Property:</strong></td>
<td>None (ETJ)</td>
<td>Medium Intensity</td>
</tr>
<tr>
<td><strong>West of Property:</strong></td>
<td>Character District-4</td>
<td>Medium Intensity</td>
</tr>
</tbody>
</table>

### Staff Recommendation

- **Approval as Submitted**: [X]  
- **Alternate Approval**:  
- **Denial**:  

**Staff:** Julia Cleary, AICP  
**Title:** Senior Planner  
**Date:** Jan 3, 2024
Zoning Request
ZC-23-27
Rattler Rd/ E McCarty Ln
Sahota Center at Rattler Rd
FD to HC

Commission Recommendation

<table>
<thead>
<tr>
<th>X</th>
<th>Approval as Submitted</th>
<th>Approval with Conditions / Alternate</th>
<th>Denial</th>
</tr>
</thead>
</table>

Speakers in favor or opposed
Caren Williams Murch (applicant) – in favor
Ravi Sahota (applicant) – in favor
Lisa Marie Coppoletta – opposed

Recommendation from the Planning and Zoning Commission Meeting held January 23, 2024.
A motion was made by Commissioner Kelsey, second by Commissioner Agnew to recommend approval of the request.
The vote passed with a 9-0 vote
For: 9 (Agnew, Burleson, Case, Costilla, Dunn, Garber, Kelsey, Meeks, Spell)
Against: 0
Absent: 0

Discussion Topics:

Drainage area on the site plan – Commissioner Agnew said he was surprised that approximately 49% of the site plan was drainage based on looking at the site. The applicant responded that the percentage also took into account the on-site detention requirements specified in the City’s code.

Development under less intense zoning districts – Commissioner Case asked if the applicant had considered developing under the less intense CM zoning district with a CUP. Staff noted that this had not been the recommended district because the build to zone and parking location requirements were not conducive to building a gas station.
**Zoning Request**

**ZC-23-27**

**Rattler Rd/ E McCarty Ln**

**Sahota Center at Rattler Rd**

**FD to HC**

---

**History**

The site is currently located outside of the City limits and is accompanied by a request for annexation (AN-23-11) which is being considered concurrently. The approx. 6-acre annexation site was subject to two separate zoning change requests:

1. ZC-23-26 (FD to CM Commercial)
2. ZC-23-27 FD to Heavy Commercial (this request)

This proposed Heavy Commercial site will have frontage on E McCarty Lane/ Fm 110 and Ratter Rd and per the submitted site plan will include a gas station with a convenience store.

The site is located within the “East Village” in the 2013 Comprehensive Plan, which is an area envisaged as an “activity node centered around the intersection of Old Bastrop and Hwy 123, East Village will boast a mix of commercial, retail, and service-oriented activity. This area will offer a variety of residential options including single family homes, duplexes, townhomes, and small multifamily projects.”

The site is approximately 0.3 miles west of the City's Public Services complex. The land on the opposite side of Rattler Rd was annexed and zoned to Character-District-4 (CD-4) in January 2023 (ZC-22-43), while the land across the street on the northern side of McCarty Lane was annexed and zoned to Light Industrial in February 2022 (ZC-22-02).

**Additional Analysis**

See below.

**Comments from Other Departments**

<table>
<thead>
<tr>
<th>Department</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>No Comment</td>
</tr>
<tr>
<td>Fire</td>
<td>No Comment</td>
</tr>
<tr>
<td>Public Services</td>
<td>No Comment</td>
</tr>
<tr>
<td>Engineering</td>
<td>No Comment</td>
</tr>
</tbody>
</table>

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<tr>
<th>Evaluation</th>
<th>Criteria for Approval (Sec.2.5.1.4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consistent</td>
<td>Inconsistent</td>
</tr>
<tr>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

- Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan and preferred scenario map

  **Heavy Commercial is a Special District which per Table 4.1 is “Not Preferred” in Medium Intensity zones.**

- Whether the proposed zoning map amendment is consistent with any adopted small area plan or neighborhood character study for the area

  **Studies were not complete at the time of the request. Please note that this site is within the boundary of the draft Area Plan for the Second City Center/ East Village.**

- Whether the proposed zoning map amendment implements the policies of any applicable plan adopted by City Council

- Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect

- 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

---
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<th>Criteria for Approval (Sec.2.5.1.4)</th>
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<td>Consistent</td>
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<tr>
<td><strong>X</strong></td>
<td>Whether the proposed zoning will reinforce the existing or planned character of the area</td>
</tr>
<tr>
<td><strong>X</strong></td>
<td>Whether the site is appropriate for the development allowed in the proposed district</td>
</tr>
<tr>
<td><strong>X</strong></td>
<td>Whether there are substantial reasons why the property cannot be used according to the existing zoning. <strong>The site will be zoned “FD” Future Development upon annexation, which is intended to be a temporary zoning district with limited development options including agricultural and very low density residential.</strong></td>
</tr>
<tr>
<td><strong>X</strong></td>
<td>Whether there is a need for the proposed use at the proposed location. <strong>The City does not have data pertaining to the need for gas stations, however it should be noted that the nearest existing gas station/convenience store is approximately 1 mile away on the eastern side of the intersection between SH-123 and Rattler Rd, with additional gas stations under development at Leah and McCarty Avenue (approximately 1 mile to the west) and Clovis Barker/SH 123 approximately 1 mile to the northeast of the site. There are no gas stations on the south side of E McCarty Lane between I-35 and SH-123.</strong></td>
</tr>
<tr>
<td><strong>X</strong></td>
<td>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. <strong>There are existing water and wastewater lines adjacent the site.</strong></td>
</tr>
<tr>
<td><strong>X</strong></td>
<td>Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property. <strong>There are no “bad neighbor” uses permitted by right within this district which are anticipated to have a significant adverse impact on adjacent properties.</strong></td>
</tr>
<tr>
<td><strong>N/A</strong></td>
<td>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. <strong>This is not a request for a Neighborhood Density District.</strong></td>
</tr>
<tr>
<td><strong>X</strong></td>
<td>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. <strong>The site is located outside the floodplain, the San Marcos River Corridor and the Edwards Aquifer Recharge Zone. There is an existing drainage channel on the southeastern boundary of the site which the applicant has incorporated as drainage on their proposed site plan.</strong></td>
</tr>
<tr>
<td><strong>N/A</strong></td>
<td>Any other factors which shall substantially affect the public health, safety, morals, or general welfare</td>
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# Zoning District Comparison Chart

<table>
<thead>
<tr>
<th>Topic</th>
<th>Existing Zoning: Future Development (FD)</th>
<th>Proposed Zoning: Heavy Commercial (HC)</th>
</tr>
</thead>
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<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>Heavy Commercial (HC) is intended to accommodate auto oriented and other heavy commercial uses. Development should be operated in a relatively clean and quiet manner, and should not be obnoxious to nearby residential or commercial uses.</td>
</tr>
<tr>
<td><strong>Uses</strong></td>
<td>Residential / Agricultural (See Land Use Matrix)</td>
<td>Primarily commercial and manufacturing uses with some allowances for and public/institutional and agricultural uses (See Land Use Matrix).</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>Dependent upon use</td>
<td>Depends on use.</td>
</tr>
<tr>
<td><strong>Max Residential Units per acre</strong></td>
<td>0.4 units per acre (max)</td>
<td>Residential uses are not permitted</td>
</tr>
<tr>
<td><strong>Occupancy Restrictions</strong></td>
<td>N/A</td>
<td>N/A</td>
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<td>5,000 ft. Block Perimeter Max</td>
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</tbody>
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Section 4.2.1.2 Building Types Allowed by District

Building types are allowed by district as set forth below.

**Table 4.10 Building types allowed by district**

<table>
<thead>
<tr>
<th>Building Type</th>
<th>FD</th>
<th>CD-2</th>
<th>SF-6</th>
<th>SF 4.5</th>
<th>ND-3</th>
<th>ND-3.5</th>
<th>ND-4</th>
<th>N-CM</th>
<th>CD-3</th>
<th>CD-4</th>
<th>CD-5</th>
<th>CD-5D</th>
<th>HC, BP</th>
<th>LI, HI</th>
<th>CM</th>
</tr>
</thead>
<tbody>
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<td>Accessory Dwelling Unit</td>
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Table 4.10 Building types allowed by district

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Legend: ■ = Allowed, -- = Not Allowed

(Ord. No. 2020-60, 9-1-2020)
### Section 5.1.1.2 Land Use Matrix

#### Table 5.1 Land Use Matrix

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<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>
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<td>Plant Nursery</td>
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<td>Single Family Detached / Tiny Home</td>
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<td>Cottage Court</td>
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<td>Two Family</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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<td>Manufactured Home</td>
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#### Legend

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<th>L</th>
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<tbody>
<tr>
<td>Permitted Use</td>
<td>Limited Use</td>
<td>Conditional Use</td>
<td>Uses Not Permitted</td>
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5:4 San Marcos Development Code Amended: November 3, 2021
### Table 5.1 Land Use Matrix

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<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>
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<td>SF-R</td>
<td>SF-5</td>
<td>SF-4.5</td>
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<td>Mobile Home Community / Manufactured Home Park / Tiny Home Village</td>
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<td>Community Home</td>
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<td>L</td>
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<tr>
<td>Fraternity or Sorority Building</td>
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### Commercial Uses

| Professional Office | -- | -- | -- | -- | -- | -- | -- | -- | L | P | -- | -- | -- | -- | -- | L | P | P | P | -- | P | 5.1.5.1 |
| Medical, except as listed below: | -- | -- | -- | -- | -- | -- | -- | -- | L | P | -- | -- | -- | -- | L | P | P | P | -- | P | 5.1.5.2 |
| Urgent care, emergency clinic, or hospital | -- | -- | -- | -- | -- | -- | -- | -- | P | -- | -- | -- | -- | -- | P | P | P | P | -- | P | 5.1.5.2 |
| Nursing/retirement home | -- | -- | -- | -- | -- | P | P | -- | -- | -- | -- | P | P | -- | -- | -- | -- | P | -- | P | 5.1.5.2 |
| Personal Services, except as listed below: | -- | -- | -- | -- | -- | -- | -- | -- | L | P | -- | -- | -- | -- | L | P | P | P | -- | P | 5.1.5.3 |
| Animal care (indoor) | C | -- | -- | -- | -- | -- | -- | -- | P | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | P | 5.1.5.3 |
| Animal care (outdoor) | C | -- | -- | -- | -- | -- | -- | -- | C | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | C | 5.1.5.3 |
| Funeral Home | -- | -- | -- | -- | -- | -- | -- | -- | C | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | C | 5.1.5.3 |
| Tattoo, body piercing | -- | -- | -- | -- | -- | -- | -- | -- | C | C | -- | -- | -- | -- | C | C | P | P | -- | -- | P | 5.1.5.3 |
| Adult Oriented Businesses | See Section 18, Article 6 of the City Code |
| All Retail Sales, except as listed below: | -- | -- | -- | -- | -- | -- | -- | -- | L | P | -- | -- | -- | -- | -- | L | P | P | P | -- | P | 5.1.5.4 |
| Gasoline Sales | -- | -- | -- | -- | -- | -- | -- | -- | L | -- | -- | -- | -- | -- | -- | C | C | P | -- | -- | C | 5.1.5.4 |
| Truck stop | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | L | -- | -- | -- | 5.1.5.4 |
| Tattoo, body piercing | -- | -- | -- | -- | -- | -- | -- | -- | E | E | -- | -- | -- | -- | E | E | P | P | -- | -- | -- | P | 5.1.5.4 |
| Building material sales | -- | -- | -- | -- | -- | -- | -- | -- | C | -- | -- | -- | -- | -- | -- | C | C | P | P | -- | P | 5.1.5.4 |
| Vehicle Sales/Rental | -- | -- | -- | -- | -- | -- | -- | -- | C | -- | -- | -- | -- | -- | -- | C | C | P | -- | -- | P | 5.1.5.4 |
| Pawnshop | -- | -- | -- | -- | -- | -- | -- | -- | C | -- | -- | -- | -- | -- | -- | C | P | P | -- | -- | P | 5.1.5.4 |
| Restaurant/Bar, as listed below: | -- | -- | -- | -- | -- | -- | -- | -- | L | P | -- | -- | -- | -- | L | P | P | P | -- | -- | P | 5.1.5.5 |
| Eating Establishment | -- | -- | -- | -- | -- | -- | -- | -- | L | P | -- | -- | -- | -- | L | P | P | P | -- | -- | P | 5.1.5.5 |
| Bar | -- | -- | -- | -- | -- | -- | -- | -- | C | -- | -- | -- | -- | -- | -- | C | C | C | -- | -- | C | 5.1.5.5 |
| Mobile Food Court | -- | -- | -- | -- | -- | -- | -- | -- | C | -- | -- | -- | -- | -- | -- | P | P | C | -- | -- | -- | 5.1.5.5 |

### Legend

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Amended: November 3, 2021 | San Marcos Development Code | 5-5 |
# Table 5.1 Land Use Matrix

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<th>Character Districts</th>
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<th>Definition Use Standards</th>
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<td>Sale of Alcohol for on premise consumption</td>
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<td>Bed and Breakfast (up to 8 rooms)</td>
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<td>Boutique Hotel (9 - 30 rooms)</td>
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<td>Hotel/ Motel (more than 30 rooms)</td>
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**Public & Institutional**

| Civic, except as listed below:                         | P  | L   | L   | L   | L   | L   | P   | P   | L   | L   | L   | P   | P   | P   | P   | P   | P   | P   | P   | P   | P   | P   | P   | P   | 5.1.6.1 |
| Day Care Center                                        | C  | --  | --  | --  | C   | C   | L   | P   | --  | C   | C   | C   | L   | P   | P   | P   | P   | P   | P   | P   | P   | P   | P   | P   | 5.1.6.1 |
| Major Utilities                                        | -- | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | --  | 5.1.6.3 |
| Antenna                                               |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | See Section 5.1.6.3D |

**Legend**

- **P**: Permitted Use
- **L**: Limited Use
- **C**: Conditional Use
- **--**: Uses Not Permitted

---

San Marcos Development Code  
Amended: November 3, 2021
## Table 5.1 Land Use Matrix

<table>
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<tr>
<th>Types of Land Uses</th>
<th>Conventional Residential</th>
<th>Neighborhood Density Districts</th>
<th>Character Districts</th>
<th>Special Districts</th>
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<td>Warehouse &amp; Distribution</td>
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<td>Self Storage</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Research and Development</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Wrecking/Junk Yard</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

### Table 5.1 Legend

<table>
<thead>
<tr>
<th>P</th>
<th>Permitted Use</th>
<th>L</th>
<th>Limited Use</th>
<th>C</th>
<th>Conditional Use</th>
<th>--</th>
<th>Uses Not Permitted</th>
</tr>
</thead>
</table>

(Ord. No. 2020-60, 9-1-2020; Ord. No. 2021-47, 8-3-21)
HC is intended to accommodate auto oriented and other heavy commercial uses. Development should be operated in a relatively clean and quiet manner, and should not be obnoxious to nearby residential or commercial uses.

**Density**

- Impervious Cover: 80% max.

**Transportation**

- Block Perimeter: 5,000 ft. max  
  - Section 3.6.2.1
- Streetscape Type: Conventional  
  - Section 3.8.1.7

**Building Types Allowed**

- General Commercial: Section 4.4.6.12
- Civic Building: Section 4.4.6.14

**Building Standards**

- Principle Building Height: 4 stories max.  
  - 62 ft. max.
- Accessory Structure Height: N/A  
  - 24 ft. max.
**Lot**

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Lot Area</th>
<th>Lot Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Commercial</td>
<td>6,000 sq ft</td>
<td>60 ft min.</td>
</tr>
<tr>
<td>Civic Building</td>
<td>6,000 sq ft</td>
<td>60 ft min.</td>
</tr>
</tbody>
</table>

**Setbacks - Principal Building**

<table>
<thead>
<tr>
<th></th>
<th>Primary Street</th>
<th>Secondary Street</th>
<th>Side</th>
<th>Rear</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary</td>
<td>20 ft min.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secondary</td>
<td>20 ft min.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Side</td>
<td>5 ft min.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td>20 ft min.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Setbacks - Accessory Structure**

<table>
<thead>
<tr>
<th></th>
<th>Primary Street</th>
<th>Secondary Street</th>
<th>Side</th>
<th>Rear</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary</td>
<td>20 ft min.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secondary</td>
<td>20 ft min.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Side</td>
<td>5 ft min.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td>5 ft min.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Parking Location**

<table>
<thead>
<tr>
<th>Layer (Section 4.3.3.1)</th>
<th>Surface</th>
<th>Garage</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Layer</td>
<td>Allowed</td>
<td>Allowed</td>
</tr>
<tr>
<td>Second Layer</td>
<td>Allowed</td>
<td>Allowed</td>
</tr>
<tr>
<td>Third Layer</td>
<td>Allowed</td>
<td>Allowed</td>
</tr>
</tbody>
</table>

**Durable Building Material and Blank Wall Area**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Material</td>
<td>80% min.</td>
</tr>
<tr>
<td>Secondary Material</td>
<td>20% max.</td>
</tr>
<tr>
<td>Blank Wall Area</td>
<td>50 ft. max.</td>
</tr>
</tbody>
</table>
SECTION 4.4.1.1  FUTURE DEVELOPMENT DISTRICT

GENERAL DESCRIPTION
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.

DENSITY
Units Per Gross Acre  .4 max.
Impervious Cover  30% max.

TRANSPORTATION
Streetscape Type  Residential  Section 3.8.1.10
Sidewalks are not required for lots greater than 1 acre

BUILDING TYPES ALLOWED
Accessory Dwelling  Section 4.4.5.1
House  Section 4.4.5.2
Civic  Section 4.4.5.14
### Building Standards

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Principle Building Height</th>
<th>Accessory Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2 stories max.</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>40 ft. max.</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### Lot

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Lot Area</th>
<th>Lot Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>House</td>
<td>2 acres min.</td>
<td>200 ft min.</td>
</tr>
<tr>
<td>Civic Building</td>
<td>2 acres min.</td>
<td>200 ft min.</td>
</tr>
</tbody>
</table>

### Setbacks - Principal Building

<table>
<thead>
<tr>
<th>Setback</th>
<th>Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street</td>
<td>50 ft. min.</td>
</tr>
<tr>
<td>Secondary Street</td>
<td>25 ft. min.</td>
</tr>
<tr>
<td>Side</td>
<td>20 ft. min.</td>
</tr>
<tr>
<td>Rear</td>
<td>Min. 20% of total lot depth measured at the point of the greatest depth</td>
</tr>
</tbody>
</table>

### Setbacks - Accessory Structure

<table>
<thead>
<tr>
<th>Setback</th>
<th>Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street</td>
<td>50 ft. min.</td>
</tr>
<tr>
<td>Secondary Street</td>
<td>25 ft. min.</td>
</tr>
<tr>
<td>Side</td>
<td>10 ft. min.</td>
</tr>
<tr>
<td>Rear</td>
<td>10 ft. min.</td>
</tr>
</tbody>
</table>
**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>“C” Consider</th>
<th>“NP” Not Preferred</th>
<th>“PSA” Preferred Scenario Map Amendment required</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>See Tables 4.1, 4.4, and 4.5 in the Land Development Code.</em></td>
<td></td>
<td></td>
<td>$X$ – Per Table 4.1, Special Districts are “Not Preferred” in Medium Intensity Zones</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>X</td>
<td></td>
</tr>
<tr>
<td>Competitive Infrastructure &amp; Entrepreneurial Regulation</td>
<td>Provides / Encourages land, utilities, and infrastructure for business</td>
<td></td>
<td>X</td>
<td></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>X</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 (moderate)</th>
<th>3 (moderate)</th>
<th>4</th>
<th>5 (most)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural</td>
<td>39.7%</td>
<td></td>
<td></td>
<td></td>
<td>60.3%</td>
</tr>
<tr>
<td>Edwards Aquifer</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Endangered Species</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floodplains</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Geological</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slope</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Soils</td>
<td>14.3%</td>
<td>85.7%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vegetation</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Watersheds</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Quality Zone</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ENVIRONMENT & RESOURCE PROTECTION – Water Quality Model Results

Located in Subwatershed(s): Cottonwood Creek

<table>
<thead>
<tr>
<th>Modeled Impervious Cover Increase Anticipated for Watershed (Preferred Scenario)</th>
<th>0-25%</th>
<th>25-50%</th>
<th>50-75%</th>
<th>75-100%</th>
<th>100%+</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

The 2013 Comprehensive Plan predicted a 342% increase of impervious cover under the Preferred Scenario of development. Although this may seem alarming, the area is primarily rural, undeveloped, and used for agriculture so any increase in impervious cover will seem high compared to the existing amount of 1.8% at the time the Comprehensive Plan was adopted. The predicted increase in impervious cover is attributed to multiple intensity zones located within the watershed.

NEIGHBORHOODS – Where is the property located

<table>
<thead>
<tr>
<th>CONA Neighborhood(s):</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighborhood Commission Area(s):</td>
<td>N/A</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

| Will Parks and / or Open Space be Provided? | X |
| Will Trails and / or Green Space Connections be Provided? | X |

*A Shared Use path along FM 110 shall be required at the time of site 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)?</th>
<th>X</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wastewater service available? <em>There is a 12’ wastewater line on the other side of Rattler Rd.</em></td>
<td>X</td>
</tr>
<tr>
<td>Water service available? <em>There is a water line adjacent the property on Rattler Rd.</em></td>
<td>X</td>
</tr>
</tbody>
</table>
## TRANSPORTATION – Level of Service (LOS), Access to sidewalks, bicycle lanes and public transportation

<table>
<thead>
<tr>
<th>Rattler Rd</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Daily LOS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rattler Rd</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>FM 110/ McCarty Ln - <em>No data</em></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Peak LOS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Rattler Rd</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FM 110/ McCarty Ln – <em>No data</em></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preferred Scenario Daily LOS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Rattler Rd</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FM 110/ McCarty Ln</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Preferred Scenario Peak LOS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Rattler Rd</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FM 110/ McCarty Lane</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sidewalk Availability</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Existing sidewalk along the frontage of the property on Rattler Rd.</em></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>Adjacent to existing bicycle lane?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Adjacent to existing public transportation route?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**Notes:**
ZONING CHANGE, OVERLAY OR ESTABLISHMENT OF A HISTORIC DISTRICT/LANDMARK APPLICATION

Updated: March, 2023

CONTACT INFORMATION

<table>
<thead>
<tr>
<th>Applicant’s Name</th>
<th>Property Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caren Williams-Murch</td>
<td>Ravi Sahota</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Consultants, Ltd. Co.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant’s Mailing Address</th>
<th>Owner's Mailing Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>144 Sage Meadows Dr.</td>
<td>PO Box 592233,</td>
</tr>
<tr>
<td>San Marcos TX</td>
<td>San Antonio, TX 78259</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant’s Phone #</th>
<th>Owner’s Phone #</th>
</tr>
</thead>
<tbody>
<tr>
<td>5127577006</td>
<td>830-832-7284</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant’s Email</th>
<th>Owner’s Email</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:Cmurch@txlandltd.com">Cmurch@txlandltd.com</a></td>
<td><a href="mailto:ravisahota@gmail.com">ravisahota@gmail.com</a></td>
</tr>
</tbody>
</table>

PROPERTY INFORMATION

Subject Property Address(es): FM 110, San Marcos, TX 78666

Legal Description: Lot 6.26 Acres Block Cyrus Subdivision Wickson Survey Ab #474

Total Acreage: 3.57

Tax ID #: R136097

Preferred Scenario Designation: 

Existing Zoning: none

Existing Land Use(s): empty land

DESCRIPTION OF REQUEST

Proposed Zoning District(s): HC

Proposed Land Uses / Reason for Change: Build a convenience store and gas station.

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 $1,000 plus $150 per acre Technology Fee $15 MAXIMUM COST $5,015

*Existing Neighborhood Regulating Plan Included:

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

APPLY ONLINE – www.mygovernmentonline.org/

Planning & Development Services • 630 East Hopkins • San Marcos, Texas 78666 • 512-393-8230
I, ______________________ (owner name) on behalf of Sahota Holdings, LLC (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at FM 110 San Marcos, TX 78666 (address).

I hereby authorize Caren Williams-Murch (agent name) on behalf of Land Consultants, Ltd. Co. (agent company) to file this application for Zoning Change (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: ______________________ Date: 10/17/23
Printed Name, Title: Ravi Sahota

Signature of Agent: ______________________ Date: 11/10/23
Printed Name, Title: Caren Williams-Murch

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 $150 plus a $15 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 $150 plus a $15 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: ________________

Ravi Sahota

Print Name: _____________________________

Ravi Sahota

Form Updated March, 2023
November 21, 2023

City of San Marcos Planning Department
Ms. Julia Clearly, Senior Planner
603 East Hopkins
San Marcos, Texas 78666

Re: Zone Change Application ZC-23-27 Sahota Center at Rattler Road

Dear Julia,

This letter is in addition to the application form and documents uploaded to the City portal for ZC-23-27. My client owns approximately 6.26 acres at the corner of Rattler Road and McCarty Lane. He is requesting a zone change on a portion of the property to HC - Heavy Commercial.

On this parcel of 3.57 acres, he intends to develop a gas station with convenience store and drive thru car wash facing McCarty Lane with the adjoining parcel behind this one to be zoned CM – Commercial with a small retail and business park center to provide rental space for small retail, restaurant and office uses in this area.

If you have any questions, please feel free to contact me at 512-757-7006 or at cmurch@txlandltd.com

Thank you for your consideration.

Sincerely,

Caren Williams-Murch
Senior Project Manager
STATE OF TEXAS
COUNTY OF HAYS

TRACT 1
3.566 ACRES
CYRUS WICKSON SURVEY
ABSTRACT NO. 474

BEING A 3.566 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING OVER A PORTION OF THAT CERTAIN CALLED 6.26 ACRE TRACT OF LAND CONVEYED TO SAHOTA HOLDINGS LLC., BY DEED DATED JANUARY 1, 2016, AND RECORDED IN DOCUMENT NO. 16003058, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 3/8" IRON ROD WITH CAP MARKED “B&A” WITH THE TEXAS SOUTH CENTRAL ZONE STATE PLANE COORDINATES, NORTHING – 13,850,164.13’ & EASTING – 2,300,151.61’, FOUND AT THE NORTH CORNER OF SAID SAHOTA CALLED 6.26 ACRE TRACT, FOR THE NORTH CORNER OF THE TRACT OF LAND HEREIN DESCRIBED, SAME BEING AT A COMMON CORNER OF THAT CERTAIN CALLED 46.75 ACRE TRACT OF LAND CONVEYED TO REED AND PATRICIA CARR, BY DEED RECORDED IN VOLUME 2359, PAGE 218, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AND BEING IN THE ARC OF A CURVE IN THE SOUTHEAST LINE OF EAST MCCARTY LANE (F.M. HIGHWAY NO. 110), A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY, AS DESCRIBED AND ILLUSTRATED BY INSTRUMENT RECORDED IN VOLUME 4899, PAGE 1, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS;

THENCE SOUTH 44°07’54” WEST (S45°W RECORD), DEPARTING SAID McCARTY LANE (F.M. HIGHWAY NO. 110), WITH THE SOUTHEAST LINE OF SAID SAHOTA CALLED 6.26 ACRE TRACT AND THE COMMON NORTHWEST LINE OF SAID CARR CALLED 46.75 ACRE TRACT, ALONG THE MEANDERS OF A WIRE FENCE, PASSING THE WEST CORNER OF SAID CARR CALLED 46.47 ACRE TRACT AND THE COMMON NORTH CORNER OF THAT CERTAIN CALLED 8.79 ACRE TRACT OF LAND CONVEYED TO JUDITH TELFORD, BY DEED RECORDED IN VOLUME 174, PAGE 176, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AND CONTINUING ON IN ALL FOR A TOTAL DISTANCE OF 550.07 FEET TO A SOUTH CORNER OF THE TRACT OF LAND HEREIN DESCRIBED, AND FROM WHICH THE SOUTH CORNER OF SAID SAHOTA CALLED 6.26 ACRE TRACT, BEARS SOUTH 44°07’54” WEST, A DISTANCE OF 463.89 FEET;
THENCE THROUGH AND SEVERING SAID SAHOTA CALLED 6.26 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES NUMBERED (1) THROUGH (4):

1) NORTH 45°52'06" WEST, A DISTANCE OF 247.73 FEET TO A CORNER;

2) SOUTH 44°07'54" WEST, A DISTANCE OF 369.99 FEET TO A CORNER;

3) SOUTH 89°07'54" WEST, A DISTANCE OF 40.87 FEET TO A CORNER;

4) SOUTH 44°07'54" WEST, A DISTANCE OF 65.26 FEET TO A CORNER IN THE SOUTHWESTERLY LINE OF SAID SAHOTA CALLED 6.26 ACRE TRACT AND COMMON THE NORTHEASTERLY LINE OF RATTLER ROAD, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY, FROM WHICH THE AFOREMENTIONED SOUTH CORNER OF SAID SAHOTA CALLED 6.26 ACRE TRACT, BEARS S45°55'24"E, A DISTANCE OF 276.63 FEET;

THENCE WITH THE SOUTHWEST LINE OF SAID SAHOTA CALLED 6.26 ACRE TRACT AND THE COMMON NORTHEAST LINE OF SAID RATTLER ROAD, NORTH 45°55'24" WEST (N45°W RECORD), A DISTANCE OF 27.48 FEET (27.63’ RECORD) TO AN IRON ROD FOUND FOR A CORNER AT THE INTERSECTION OF THE NORTHEAST LINE OF SAID RATTLER ROAD WITH THE SOUTHEASTERLY LINE OF AFORESAID EAST McCARTY LANE (F.M. HIGHWAY NO. 110);

THENCE WITH SOUTHEASTERLY LINE OF SAID McCARTY LANE (F.M. HIGHWAY NO. 110) AND THE COMMON NORTHWEST LINE OF SAID SAHOTA CALLED 6.26 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES AND DISTANCES NUMBERED (1) THROUGH (4):

1) NORTH 44°13'26" EAST (N43°55'26"E RECORD), A DISTANCE OF 41.55 FEET (41.71’ RECORD) TO A 3/8” IRON ROD FOUND WITH CAP MARKED “B&A” FOR A CORNER AT THE BEGINNING OF THE ARC OF A CURVE TO THE RIGHT;

2) NORTHWESTERLY, A DISTANCE OF 284.49 FEET (284.40’ RECORD) ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 408.04 FEET (RECORD), AND A CHORD WHICH BEARS NORTH 26°07'36" WEST (N26°05'36"W RECORD), A DISTANCE OF 278.76 FEET (278.68’ RECORD) TO A 3/8” IRON ROD FOUND WITH CAP MARKED “B&A” FOR A CORNER;

3) NORTH 45°00'27" EAST (N44°39'00"E RECORD), A DISTANCE OF 54.37 FEET (54.23’ RECORD) TO A 3/8” IRON ROD FOUND WITH CAP MARKED “B&A” FOR A CORNER, AT THE BEGINNING OF THE ARC OF A CURVE TO THE LEFT;

4) NORTHEASTERLY, A DISTANCE OF 1014.08 FEET (1014.43’ RECORD) ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1728.00 FEET (RECORD), AND A CHORD WHICH BEARS NORTH 78°35'29" EAST (N78°36'26" E), A DISTANCE OF 999.59 FEET (999.92’ RECORD) TO THE POINT OF BEGINNING AND CONTAINING 3.566 ACRES OF LAND.
BEARING BASIS HEREIN DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES (TEXAS SOUTH-CENTRAL ZONE) & NAD83 (HORIZONTAL).

ATTACHED HEREWITH IS AN EXHIBIT DRAWING WHICH IS AN INTEGRAL PART OF THIS METES AND BOUNDS DESCRIPTION.

I, RICHARD H. TAYLOR, DO CERTIFY THAT THIS DESCRIPTION AND ASSOCIATED EXHIBIT WERE PREPARED THIS DATE FROM A BOUNDARY SURVEY PERFORMED UNDER MY DIRECTION DURING FEBRUARY 25, 2016, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Signature]

10/22/2023

RICHARD H. TAYLOR
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 3986 STATE OF TEXAS
ATTACHMENT: EXHIBIT MAP OF 3.566 ACRE TRACT – TRACT 1
JOB: 16-6060
EXHIBIT MAP TO ACCOMPANY DESCRIPTION OF:
BEING A 3.566 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474,
HAYS COUNTY, TEXAS, SAME BEING OVER A PORTION
OF THAT CERTAIN CALLED 6.26 ACRE TRACT OF LAND
CONVEYED TO SAHOTA HOLDINGS, LLC, BY DEED DATED
JANUARY 1, 2016, AND RECORDED IN DOCUMENT NO.
16003058, OFFICIAL PUBLIC RECORDS OF HAYS
COUNTY, TEXAS, AND BEING MORE PARTICULARLY
DESCRIBED BY METES AND BOUNDS ATTACHED:

STATE OF TEXAS (6.04 ACRES)
(4880FT)

SAHOTA HOLDINGS, LLC.
6.26 ACRES
(DOC. 16003058)

RATTLE ROAD

CURVE TABLE
(PUBLIC R.O.W. VARIES)
(N 45° W)

RATTLE ROAD

CURVE TABLE
(PUBLIC R.O.W. VARIES)
(N 45° W)

CURVE RADIUS ARC LENGTH CHORD LENGTH CHORD BEARING
C1 1728.00 101.172 999.37 999.37 W 78°59'29" E
C2 408.06 284.40 276.70 276.70 W 30°38'21" E

OWNER: SAHOTA HOLDINGS LLC.
(6.26 ACRES)
(DOC. NO. 16003058)

1. RICHARD H. TAYLOR, DO HEREBY CERTIFY THAT THIS PLAT OF THE
PROPERTY SHOWN HERETON, WAS PREPARED FROM A SURVEY
PERFORMED UNDER MY DIRECTION AND SUPERVISION DURING
FEBRUARY 25, 2016, AND IS TRUE AND CORRECT TO THE BEST OF
MY KNOWLEDGE AND BELIEF.

10/22/2023

RICHARD H. TAYLOR, RPLS
REGISTERED PROFESSIONAL LAND SURVEYOR
NUMBER 5986
STATE OF TEXAS

ASH & ASSOCIATES, LLC.

RICHARD H. TAYLOR, RPLS
REGISTERED PROFESSIONAL LAND SURVEYOR
NUMBER 5986
STATE OF TEXAS

ASH & ASSOCIATES, LLC.

SURVEYING - PLANNING - MAPPING
142 JACKSON LANE
SAN MARCOS, TEXAS 78666
(512) 392-1719
ashandassociates.net
Surveying: 100847-00

"SERVING THE COMMUNITY OF TEXAS"
Hays County Texas
Liz Q. Gonzalez
County Clerk

Document Number: 2016-16003058
Recorded As: ELECTRONIC RECORDING

Recorded On: January 29, 2016
Recorded At: 03:08:55 pm
Number of Pages: 7
Recording Fee: $46.00

Parties:
Direct: EDMUND JASTER HAYS COUNTY PARTNERSHIP
Indirect: SAHOTA HOLDINGS LLC

Receipt Number: 419725
Processed By: Rose Robinson

********** THIS PAGE IS PART OF THE INSTRUMENT **********
Any provision herein which restricts the Sala, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

I hereby certify that this instrument was filed for record in my office on the date and
time stamped hereon and was recorded on the volume and page of the named records
of Hays County, Texas

Liz Q. Gonzalez, County Clerk
NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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

GENERAL WARRANTY DEED

STATE OF TEXAS

COUNTY OF HAYS

§

§

§

KNOW ALL MEN BY THESE PRESENTS:

That EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership ("Grantor", whether one or more), for and in consideration of the sum of TEN DOLLARS ($10.00) and other valuable consideration to the undersigned paid by SAHOTA HOLDINGS, LLC, a Texas limited liability company ("Grantee", whether one or more), the receipt of which is hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto Grantee, the following described real property (the "Property"), to-wit:

6.26 acres of land, more or less, out of the Cyrus Wilkinson Survey, Abstract 474, Hays County, Texas, being more particularly described in attached Exhibit "A".

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, Grantee's successors and assigns forever; and Grantor does hereby bind Grantor, Grantor's successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the said premises unto Grantee, Grantee's successors and assigns, against every person whomsoever claiming or to claim the same or any part thereof.

This conveyance is made subject to all and singular the restrictions, easements, conditions, reservations, exceptions and covenants, if any, applicable to and enforceable against the Property as shown by the records of Hays County, Texas.

Current ad valorem taxes on the Property having been prorated, the payment thereof is assumed by Grantee.

[SIGNATURE PAGE Follows]
EXECUTED as of the 29th day of January, 2016.

GRANTOR:

EDMUND JASTER HAYS COUNTY PARTNERSHIP,
a Texas general partnership

By: ________________________________
   George E. Jaster, Partner

By: ________________________________
   Albert A. Jaster, Partner

By: ________________________________
   John R. Jaster, Partner

By: ________________________________
   Jean E. Hausmann, Partner

By: ________________________________
   Elaine S. Wilkinson, Partner

Address of Grantee:

P.O. Box 5922 33
San Antonio, TX 78209

STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me this 29th day of January, 2016
by George E. Jaster, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas
general partnership, on behalf of said partnership.

[Signature]
Notary Public, State of Texas
STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me this 29 day of January, 2016 by Albert A. Jaster, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

[Signature]
Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me this 29 day of January, 2016 by John R. Jaster, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

[Signature]
Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me this 29 day of January, 2016 by Jean E. Hausmann, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

[Signature]
Notary Public, State of Texas
STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me this 27 day of January, 2016 by Elaine S. Wilkinson, Partner of EDMUND JASTER HAYS COUNTY PARTNERSHIP, a Texas general partnership, on behalf of said partnership.

RENEE D. JOHNSON
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

CORRIDOR TITLE, LLC

15-1737-S
STATE OF TEXAS
COUNTY OF HAYS

BEING A 6.26 ACRE TRACT OF LAND SITUATED IN THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN PROPERTY CONVEYED TO EDMUND JASTER HAYES COUNTY PARTNERSHIP IN VOLUME 1276, PAGE 880, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found in the southeast line of the abovementioned Jaster tract, same being in the southeast line of a called 8.04 acre tract of land conveyed to the State of Texas in Volume 4899, Page 1, Official Public Records of Hays County, Texas, also being in the southeast line of McCarty Lane (Public R.O.W. Varies), and also being in the northwest line of a called 46.75 acre tract of land conveyed to Reed & Patricia Carr in Volume 2359, Page 218, Official Public Records of Hays County, Texas, for the northern most corner of the herein described tract of land;

THENCE South 44°07'54" West (South 45° West Record), with the southeast line of said Jaster tract, and the meanders of a wire fence, passing the west corner of said 46.75 acre Carr tract, same being the north corner of a called 8.79 acre tract of land conveyed to Judith Telford in Volume 174, Page 176, Deed Records of Hays County, Texas, and continuing for a total distance of 1013.96 feet to a 1/2 inch iron rod with "ASH 5687" cap set at the west corner of said 8.79 acre Telford tract, same being at the south corner of said Edmund Jaster tract, for the south corner of the herein described tract of land, also being in the northeast right of way line of Rattler Road (Public R.O.W. Varies);

THENCE with the northeast line of said Rattler Road and the common southwest line of said Jaster tract, North 45°55'24" West (North 45° West Record), with the southwest line of said Jaster tract and the meanders of a wire fence, a distance of 304.11 feet to a 1/2 inch iron rod found for a westerly south corner of the herein described tract of land, same being a corner of the aforesaid 8.04 acre State of Texas tract;

THENCE along and with the common line of said 8.04 acre State of Texas tract, the following courses and distances numbered (1) through (4):

1) North 44°13'26" East (North 43°55'26" East Record), leaving the southwest line of said Jaster tract, a distance of 41.55 feet (41.71' Record), to a 1/2 inch iron rod found for an interior corner of the herein described tract of land, same being at the beginning of a curve to the right;

2) Northeasterly 284.49 feet (284.40' Record) along the arc of said curve to the right, having a radius of 408.04 feet (Record) and a chord that bears North 26°07'36" West (North 26°05'31" West Record), a distance of 278.76 feet (278.68' Record), to a 1/2 inch iron rod found for the western most corner of the herein described tract of land, same being at a corner clip at the intersection of the northeast line of said Rattler Road with the southeast line of aforesaid McCarty Lane;

3) North 45°00'27" East (North 44°39' East Record), with said corner clip, a distance of 54.37 feet (54.23' Record) to a 1/2 inch iron rod found in the southeast line of said McCarty Lane, same being at the beginning of a curve to the left;

4) Northeasterly 1014.08 feet (1014.43' Record) along the arc of said curve to the left, having a radius of 1728.00 feet (Record) and a chord that bears North 78°35'29" East (North 78°36'26" East Record), a distance of 999.59 feet (999.92' Record) to the POINT OF BEGINNING and CONTAINING 6.26 ACRES OF LAND.
THE SUBDIVISION OF THIS PROPERTY IS NOT INTENDED TO SUBJUGATE THE RULES AND REGULATIONS OF ANY DEVELOPMENT ORDINANCE; AND ALL REQUIRED STATE, COUNTY, AND CITY PERMITS SHOULD BE OBTAINED BEFORE OCCUPYING THE PREMISES.

BEARING BASIS HEREIN DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES (TEXAS SOUTH CENTRAL ZONE) & NAD83.

I, Richard H. Taylor, do certify that this description and associated exhibit were prepared this date from a boundary survey performed under my direction during January 2016, and is true and correct to the best of my knowledge and belief.

Richard H. Taylor
Registered Professional Land Surveyor
No. 3986 State of Texas
Attachment: Drawing of 6.26 acres
Job: 15-6060

01/12/16
Date
Previous Projects by Developer

Figure 1 - Trace Convenience Store
Figure 2 - San Antonio Retail Center
Figure 3 - San Antonio Retail
Figure 4 - San Antonio Retail
AGENDA CAPTION:
Receive a Staff briefing and hold a Public Hearing to receive comments for or against Ordinance 2024-08, amending Chapter 58, Public Facilities, Parks and Recreation of the San Marcos City Code to add restrictions on certain beverage containers and coolers in the San Marcos River and within designated park areas adjacent to the river; providing penalties for violations of such restrictions; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date; and consider approval of Ordinance 2024-08, on the first of two readings.

Meeting date: February 6, 2024

Department: Parks and Recreation

Amount & Source of Funding
Funds Required: $100,000
Account Number: General Fund and Hotel Tax Fund for Communications Plan
Funds Available: A budget amendment will be required
Account Name: N/A

Fiscal Note:

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

City Council Strategic Initiative: [Please select from the dropdown menu below]
Quality of Life & Sense of Place
Environmental Protection
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 - Natural Resources necessary for community's health, well-being, and prosperity secured for future development
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
Background Information:

September 19, 2023 - The City Council held a discussion regarding a single use container ban and provided direction for the Parks and Recreation Board to bring back a recommendation.

November 30, 2023 - The Parks & Recreation Board approved the attached Recommendation Resolution which includes their proposed recommendations.

December 6, 2023 - The City Council discussed the Recommendation Resolution and following discussion requested to have further discussion during a Work Session.

January 16, 2024 - The City Council received a staff presentation and provided direction regarding the implementation of a single-use beverage container prohibition.

The following was the direction provided to staff for purposes of drafting an Ordinance for future consideration:

1. The use of single-use beverage containers will be prohibited in the public waterway and in designated "No Zones" within the riverfront parks.

2. However, single-use beverage containers will still be allowed in designated "Go Zones". "No Zones" will be clearly marked with signage and included on our existing large park maps within the riverfront parks. We will also make the map available on our website to allow people to plan their visit in advance.

3. There will be a limit of one 30qt cooler per person on the public waterway, but no limitations within the riverfront parks themselves.

4. Open containers with a volume capacity of five fluid ounces or less will be prohibited in both the public waterway and the riverfront parks. However, capri sun pouches or juice boxes, which are generally 6oz, will still be allowed.

5. The fenced areas of Ramon Lucio Ballfields, Rio Vista Pool, and city facilities such as the Activity Center, Pauline Espinosa Community Hall, and Fish Hatchery will be considered "Go Zones".

6. The ordinance will go into effect on May 1, 2023. During the first year, there will be an education period...
and no citations will be issued for violations.

In addition, we have provided a break down for the cost of personnel, such as park ambassadors, and park rangers vs. deputy marshals, to address some inquiries that were made during the work session.

Regarding the Communications Plan, the Parks and Recreation Department, the Communications team, and the Convention & Visitor Bureau staff have begun working on developing marketing materials, a public education campaign, and signage design, to be launched promptly after the ordinance is adopted.

**Council Committee, Board/Commission Action:**
Parks and Recreation Board Recommendation Resolution 2023-03RR-PRB attached

**Alternatives:**
Click or tap here to enter text.

**Recommendation:**
Click or tap here to enter text.
City of San Marcos

City Council Regular Meeting

February 6, 2024
Purpose

Receive a staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-XX amending Chapter 58, Public Facilities, Parks and Recreation of the San Marcos City Code to add restrictions on certain beverage containers and coolers in the San Marcos River and within designated park areas adjacent to the river.
Overview

• Components of the Ordinance
• Proposed “Go Zones”
• Update regarding the Communications and Marketing Plan
• Personnel Cost Comparison
• Next Steps
Riverfront Parks System
Ordinance Provisions

1. The use of single-use beverage containers will be prohibited in the public waterway of the San Marcos River and in designated "No Zones" within the riverfront parks.

2. "No Zones" will be clearly marked with signage. If signage is not present then it is considered a “Go Zone”, and no restriction exists.
3. There will be a limit of one 30-quart cooler per person on the public waterway, but no limitations within the riverfront parks themselves.

4. Alcoholic beverages with a volume capacity of five fluid ounces or less will be prohibited in both the public waterway and the riverfront parks.

5. The ordinance will go into effect on May 1, 2023. During the first year, there will be an education period and no citations will be issued for violations.
Go Zone Criteria Considered

1. How best to minimize impacts to patrons while accomplishing the goal of the restriction.

2. Picnic areas clearly established for patrons to enjoy.

3. Proximity to the river in order to create a buffer for signage and education.

4. Considering how to make education area as easy as possible for personnel to manage.
Go Zones – Rio Vista

- In “Go Zones” picnic and park use activity remains unchanged.
- “No Zones” will be bordered with bilingual signage alerting patrons that reusable beverage containers would only be allowed.
Go Zones – Ramon Lucio
Go Zones – Children’s Park
Go Zones – Plaza Park
Go Zones – City Park
Personnel Cost Comparison

**Park Ambassador**
Patron Engagement & Education
Seasonal Full-Time
684 hrs per year
(May - Labor Day)
$8,406 / hire

**Deputy Marshal**
Licensed Peace Officer
Permanent Full-Time
2080 hrs per year
$126,947 / hire
*Cost of vehicle lease per year included
**Enforces all Fed, State and Local Laws

**Park Ranger**
Licensed Emergency Medical Technician
Part-Time
1508 hrs per year
$61,237 / hire
*Only able to enforce Class C City Ordinances
Communications Plan

• The primary goal of outreach strategies developed through the communications plan will be education to the public on rules, boundaries, and awareness of the Single-Use Container Ban ordinance.

• Outreach strategies will incorporate messaging in English and Spanish for both local residents and tourists visiting the river.
# Suggested Outreach Strategies

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Cost</th>
<th>Resident Focus</th>
<th>Visitor Focus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent outdoor signage, plus installation</td>
<td>$615/sign</td>
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<tr>
<td>Print and distribute flyers</td>
<td>$145/100</td>
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<td>Design and distribute City-branded reusable containers/stickers</td>
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<td>Billboard messaging</td>
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<tr>
<td>Utility billing inserts</td>
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<td>Direct postcard mailer</td>
<td>$15,000/15,000 domestic water utility accounts</td>
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<tr>
<td>Regional influencer campaign</td>
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<td>Regional tourism videos</td>
<td>$10,000/3 videos</td>
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<tr>
<td>Portable water tank/stand</td>
<td>$2,000/unit</td>
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</table>
# Suggested Outreach Strategies

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Cost</th>
<th>Resident Focus</th>
<th>Visitor Focus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Website landing page, home page banner, FAQ document</td>
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<tr>
<td>Cable channel slates/educational content</td>
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<td>Activity Center marquee/temporary signage</td>
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<tr>
<td>Newsletters, direct messages to Activity Center members, program patrons, and website subscribers</td>
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<td>Connect to short term rental properties via connectivity software</td>
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<td>Press release and PSAs with media partners</td>
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<tr>
<td>Employee engagement/staff training</td>
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<td>X</td>
</tr>
<tr>
<td>Leveraging community partnerships with local businesses, organizations, and schools</td>
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<td></td>
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</tr>
</tbody>
</table>
Next Steps

• Adoption of Ordinance.

• Final Development and implementation of Communications and Marketing Plan.

• Approval of funding for implementation of communications plan.

• Education period begins May 1, 2024 – April 30, 2025.
ORDINANCE NO. 2024-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 58, PUBLIC FACILITIES, PARKS AND RECREATION, OF THE SAN MARCOS CITY CODE TO ADD RESTRICTIONS ON CERTAIN BEVERAGE CONTAINERS AND COOLERS IN THE SAN MARCOS RIVER AND WITHIN DESIGNATED PARK AREAS ADJACENT TO THE RIVER; PROVIDING PENALTIES FOR VIOLATIONS OF SUCH RESTRICTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. The San Marcos River and the City’s adjacent parks are premier City resources enjoyed by residents and visitors alike.

2. The City’s history, culture and sense of place are inextricably linked to the river and adjacent parks.

3. The river and adjacent parks provide inexpensive and safe outdoor and recreational opportunities for residents and visitors.

4. As coveted resources, the City seeks to maintain the natural beauty, safety and cleanliness of the river and adjacent parks.

5. However, due to the growing volume of visitors to the river and adjacent parks, litter, trash and debris left by visitors has increased greatly, creating health and safety concerns for people, animals and natural environment.

6. As a result, the City is spending more money and resources to maintain the river and adjacent parks in a clean and safe condition.

7. The City has identified certain beverage containers and types of coolers as major contributors to the total volume of litter, trash and debris and restricting such types of containers and coolers would reduce the volume of litter, trash and debris and the costs for the City to maintain the river and adjacent parks in a clean and safe condition.

8. For these reasons, adopting restrictions on such containers and coolers in the river and adjacent city parks is in the interest of the public health safety and welfare.
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The city council finds the Recitals to be true and adopts them as the findings of the city council.

SECTION 2. Section 58.026 of the San Marcos City Code is hereby amended as set forth below. Added text is indicated by underlining. Deleted text is indicated by strikethroughs. Amendments to remaining sections of the City Code herein will be similarly indicated.

Sec. 58.026. Definitions.

In this article:

All-terrain vehicle means a motor vehicle that is equipped with a saddle for the use of the rider, designed to propel itself with three or four tires in contact with the ground, designed by the manufacturer for off-highway use by the operator only.

Artifacts mean objects used or modified by humans, including but not limited to arrowheads, dart points, stone, bone or shell implements, or any other object of historic or archeological significance.

Boat means a vessel not more than 30 feet in length, measured from end to end over the deck, excluding sheer, and manufactured or used primarily for noncommercial use.

Camp or camping means erecting a tent, arranging bedding, or both for the purpose of remaining overnight, or the use of a trailer, camper, or other vehicle for the purpose of sleeping during the night.

Children's Park means an area bounded on the north by the driveway leading from Cheatham Street to the Children's Park parking areas, on the east by the San Marcos River, on the south by the Union Pacific Railroad tracks, and on the west by Purgatory Creek.

City park means any area of real property owned, used, or maintained by the city as a public park, playground, or athletic facility.

Container means a bottle, can, or other receptacle.

Cooler means an insulated container for keeping food and drink cool.

Cultural features include but are not limited to city archeological landmarks, archeological sites, historic sites and structures, Indian rock art, or historic rock art.

Department means the parks and recreation department.
Director means the director of the parks and recreation department.

Endangered species means any plant, insect, animal, bird, amphibian, reptile, fish, shellfish, or other aquatic or terrestrial life listed by the U.S. Department of the Interior, U.S. Fish and Wildlife Service, or Texas Parks and Wildlife Department as endangered or threatened.

Harass means to disturb or irritate persistently. Implies systematic persecution by besetting with annoyances, threats, or demands.

Motor vehicle has the meaning given in the state Uniform Act Regulating Traffic on Highways, V.T.C.A. Transportation Code § 501.002.

Natural area means city-owned property in excess of one acre designated as a natural area by ordinance or signage at the main entrance or entrances.

Night means the period beginning one-half hour after sunset and ending one-half hour before sunrise.

Nude or state of nudity means the appearance of a human bare buttock, anus, male genitals, female genitals, female breasts or a state of dress which fails to opaquely cover a human buttock, anus, male genitals, female genitals or areola of the female breast.

Open Container means a container that is open, that has been opened, that has a broken seal, or the contents of which are fully or partially removed.

Person means natural persons, firms, partnerships, corporations, clubs, and all associations or combinations of persons.

Plant life means all plants including trees, dead or downed wood, shrubs, vines, wildflowers, grass, sedge, fern, moss, lichen, fungus, or any other member of the plant family.

Playscape area of Children's Park means an area in Children's Park bordered by timbers enclosing the community playscape.

Public Waterway means the portion of the San Marcos River within the corporate city limits of the City of San Marcos. This does not include being on a landing, dock, wharf, deck, or other structure that is attached to and is a part of private property that is adjacent to the San Marcos River.

Receptacle means an object or space used to contain something.
Single-Use Beverage Container means any container used to hold beverages designed to be used once before being thrown away. They may include, but not limited to, containers made of metal or aluminum, cardboard, Styrofoam, plastic, or glass.

Styrofoam includes foam, polypropylene, expanded polypropylene, and polystyrene.

Temporary restriction means any restriction imposed by the mayor or city manager on the use of city park areas or facilities for a period less than 30 days.

Unattended pet means any domesticated animal that is unaccompanied or not under the immediate physical control of its owner or caretaker.

Weapon means any device from which a shot, projectile, arrow, or bolt is fired by the force of an explosion, compressed air, gas, or mechanical device. Weapons include but are not limited to the following: rifle, shotgun, handgun, air rifle, pellet gun, longbow, cross bow, sling shot, blow gun, or dart gun.

Wildlife means any non-domesticated animal, bird, amphibian, reptile, fish, shellfish, or other aquatic life or any portion thereof.

SECTION 3. Sections 58.033-58.056 of the San Marcos City Code are hereby amended as set forth below.

Sec. 58.033. Public display or consumption of alcoholic beverages in city parks.

(a) It is unlawful for any person to publicly consume or display alcoholic beverages within a city park.

(b) It shall be unlawful for anyone to use, carry, possess, or dispose of an open alcoholic beverage container with a volume capacity of five fluid ounces or less in a city riverfront park or on or in the public waterway.

(bc) It is a defense to prosecution that the alcohol was consumed or displayed within a special event contract designated area of a rented pavilion, park, facility, or picnic tables, and the person is a part of the group that rented the area.

(de) It is a defense to prosecution that the alcohol was consumed or displayed while conducting water activities that include but not limited to tubes, canoes, kayaks, and within the river or waterway of city parks.

(ed) It is not a defense to prosecution that the alcohol was consumed or displayed while standing, sitting, or walking along the water's edge.
The department may establish entry and exit points designated along the river where the display of alcohol may be permitted. Open containers or consumption of alcohol are not permitted in these areas.

A person convicted of a violation of littering beverage containers in the San Marcos River or convicted of littering any materials or objects in any city park is subject to being fined in an amount of not less than $250.00 but not more than $500.00.

Sec. 58.034. Glass and Single-Use beverage containers prohibited.

(a) It is unlawful for any person to possess any glass beverage container in any city park.

(b) It is unlawful for any person to possess any glass or single-use beverage container in or on the public waterway or in any designated areas where signs prohibit them on city park property.

(c) Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not more than $500.00.

(1) It is an affirmative defense to prosecution if the individual was involved in the clean up or collection of trash and debris from the rivers.

Sec. 58.036. Authority of park rangers.

Park rangers designated by the director of the city parks and recreation department or their designee are authorized to issue municipal court citations to enforce this chapter, all City Code provisions and all class C misdemeanor offenses or other offenses punishable by fine only, as defined by state law, within city parks.

SECTION 4. Section 58.039 of the San Marcos City Code is hereby amended as set forth below.

Sec. 58.039. Miscellaneous rules.

(a) The mayor or city manager may, in order to protect the public's health, safety, or welfare, or preserve city park resources, impose temporary restrictions on the use of city parks and facilities by posting notice at the main entrance of the facility, park, trailhead or other conspicuous location.

(b) It is unlawful for a person to:
(1) Enter or remain in an area of a city park that has been posted by the
department as closed.

(2) Violate any restrictions on the use of city park areas or facilities
where the restrictions have been posted or the person has received
notice of the restrictions.

(3) Solicit, sell or offer to sell any good, or merchandise of any kind in
a city park except by authority of an approved concession contract
or permit properly issued or approved by the director.

(4) To remove notices posted by the department or post notices not
approved by the department.

(5) Fail to display or present permit upon request a permit issued by the
department.

(6) Place any table, grill, tarp, tent, or shelter between the closest trail,
pathway, or sidewalk and in or on the banks of the river or anywhere
restricted by signs.

(7) Dispose of any container into the waters or banks of the public
waterway within a city park or in any area of a city park unless it is
disposed into a properly authorized and placed trash receptacle.

(c) Employees of the department, peace officers, park rangers, and
emergency personnel are exempt from these rules to the extent these rules conflict
with the discharge of their official duties.

(d) Any person who shall violate any provision of this section shall be
deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished
by a fine not more than $500.00.

SECTION 5. Section 58.073 of the San Marcos City Code is hereby amended as set forth
below.

Sec. 58.073. Coolers that are allowed on rivers. Securing lids and covers to
containers

It is unlawful to fail to secure the lid by strap, lock or other device to any
ice chest, cooler, or other container designed for use to contain food or drink
products while in use in or upon the San Marcos River.

(a) It shall be unlawful for anyone to use, carry, possess, or dispose of
a cooler or other type of receptacle that has a capacity greater than 30 quarts on or
in the portions of the public waterway that lie within city park property. All coolers
or receptacles used, carried, and possessed on the San Marcos River shall be secured by a zipper, Velcro snap, mechanical latch, or bungee cord to prevent the contents of the cooler or receptacle from falling out of the cooler or receptacle.

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(2) It is an affirmative defense to prosecution if the individual was involved in the clean up or collection of trash and debris from the rivers.

SECTION 6. In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

SECTION 7. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 8. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 9. This ordinance will take effect on May 1, 2024, after its passage, approval and adoption on second reading and publication of the caption in accordance with the City Charter.

PASSED AND APPROVED on first reading on February 6, 2024.

PASSED, APPROVED AND ADOPTED on second reading on February 20, 2024.

Mayor

Jane Hughson

Attest: Approved:

Elizabeth Trevino Samuel J. Aguirre
City Clerk City Attorney
ORDINANCE NO. 2024-

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Sec. 58.026. Definitions.

In this article:

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*Artifacts* mean objects used or modified by humans, including but not limited to arrowheads, dart points, stone, bone or shell implements, or any other object of historic or archeological significance.

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(bc) It is a defense to prosecution that the alcohol was consumed or displayed within a special event contract designated area of a rented pavilion, park, facility, or picnic tables, and the person is a part of the group that rented the area.

(de) It is a defense to prosecution that the alcohol was consumed or displayed while conducting water activities that include but not limited to tubes, canoes, kayaks, and within the river or waterway of city parks.

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The department may establish entry and exit points designated along the river where the display of alcohol may be permitted. Open containers or consumption of alcohol are not permitted in these areas.

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(c) Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not more than $500.00.

(1) It is an affirmative defense to prosecution if the individual was involved in the clean up or collection of trash and debris from the rivers.

Sec. 58.036. Authority of park rangers.

Park rangers designated by the director of the city parks and recreation department city manager or their designee are authorized to issue municipal court citations to enforce this chapter, all City Code provisions and all class C misdemeanor offenses or other offenses punishable by fine only, as defined by state law, within city parks.

SECTION 4. Section 58.039 of the San Marcos City Code is hereby amended as set forth below.

Sec. 58.039. Miscellaneous rules.

(a) The mayor or city manager may, in order to protect the public's health, safety, or welfare, or preserve city park resources, impose temporary restrictions on the use of city parks and facilities by posting notice at the main entrance of the facility, park, trailhead or other conspicuous location.

(b) It is unlawful for a person to:
(1) Enter or remain in an area of a city park that has been posted by the department as closed.

(2) Violate any restrictions on the use of city park areas or facilities where the restrictions have been posted or the person has received notice of the restrictions.

(3) Solicit, sell or offer to sell any good, or merchandise of any kind in a city park except by authority of an approved concession contract or permit properly issued or approved by the director.

(4) To remove notices posted by the department or post notices not approved by the department.

(5) Fail to display or present permit upon request a permit issued by the department.

(6) Place any table, grill, tarp, tent, or shelter between the closest trail, pathway, or sidewalk and in or on the banks of the river or anywhere restricted by signs.

(7) Dispose of any container into the waters or banks of the public waterway within a city park or in any area of a city park unless it is disposed into a properly authorized and placed trash receptacle.

(c) Employees of the department, peace officers, park rangers, and emergency personnel are exempt from these rules to the extent these rules conflict with the discharge of their official duties.

(d) Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not more than $500.00.

SECTION 5. Section 58.073 of the San Marcos City Code is hereby amended as set forth below.

Sec. 58.073. Coolers that are allowed on rivers. Securing lids and covers to containers.

It is unlawful to fail to secure the lid by strap, lock or other device to any ice chest, cooler, or other container designed for use to contain food or drink products while in use in or upon the San Marcos River.

(a) It shall be unlawful for anyone to use, carry, possess, or dispose of a cooler or other type of receptacle that has a capacity greater than 30 quarts on or in the portions of the public waterway that lie within city park property. All coolers
or receptacles used, carried, and possessed on the San Marcos River shall be secured by a zipper, Velcro snap, mechanical latch, or bungee cord to prevent the contents of the cooler or receptacle from falling out of the cooler or receptacle.

(1) Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not more than $500.00.

(2) It is an affirmative defense to prosecution if the individual was involved in the clean up or collection of trash and debris from the rivers.

SECTION 6. In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

SECTION 7. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 8. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 9. This ordinance will take effect on May 1, 2024, after its passage, approval and adoption on second reading and publication of the caption in accordance with the City Charter.

PASSED AND APPROVED on first reading on February 6, 2024.

PASSED, APPROVED AND ADOPTED on second reading on February 20, 2024.

Jane Hughson
Mayor

Attest:       Approved:

Elizabeth Trevino     Samuel J. Aguirre
City Clerk     City Attorney
MEMO

To: Stephanie Reyes, City Manager
From: Jamie Lee Case, Director of Parks and Recreation
Date: November 30, 2023
Re: Parks & Recreation Board Recommendation Resolution 2023-03RR-PRB

Summary:

Recommendation Resolution was passed by the Parks & Recreation Board on November 30, 2023. The purpose of this Recommendation is to request the City Council implement a single-use beverage container ban and limit cooler size per person within the riverfront parks system.

Background:

September 19, 2023 – The City Council held a discussion regarding a single use container ban and provided direction for the Parks and Recreation Board to bring back a recommendation.

September 21, 2023 – The Parks & Recreation Board held an initial discussion regarding a single use container ban and created a subcommittee to bring back a recommendation for the board to consider at a future meeting.

October 19, 2023 – The Parks & Recreation Board received the proposed recommendation from the single use container subcommittee. The board determined that they would like to recommend a single-use beverage container ban instead of a ban on all single-use containers. Additionally, the board wanted to recommend limiting cooler size similar to the City of New Braunfels by only allowing up to a 30 quart cooler per person within riverfront parks.

November 16, 2023 – The Parks & Recreation Board failed to reach quorum, but the Chair agreed to call a Special Meeting to consider the Recommendation Resolution on November 30.

November 30, 2023 – The Parks & Recreation Board approved the attached Recommendation Resolution which includes their proposed recommendations.

End
RECOMMENDATION RESOLUTION

PARKS AND RECREATION BOARD

Recommendation Number: 2023-03RR – PRB
Single-Use Container Ban

WHEREAS, the City Council directed on September 19, 2023, that the Parks and Recreation Board provide a recommendation regarding the implementation of a single-use container ban, and
WHEREAS, the Parks and Recreation Board created a subcommittee on September 21, 2023 during their regular meeting to work on the assigned task, and
WHEREAS, the Parks and Recreation Board received and discussed recommendations from the subcommittee during their regular meeting on October 19, 2023, and
WHEREAS, the Parks and Recreation Board recommends that the City Council implement a ban of single-use beverage containers within the riverfront parks but exempting the fenced area of the Ramon Lucio baseball fields to allow for San Marcos Youth Baseball and Softball concessions and Rio Vista Swimming Pool to allow for the sale of vending machine beverages, and
WHEREAS, the Parks and Recreation Board recommends limiting the cooler size allowed per person within the riverfront parks, and
WHEREAS, the Parks and Recreation Board recommends that the City Council adopt a specific enforcement plan and vote for an ongoing funding source in the annual city budget for adequate enforcement personnel, and
WHEREAS, the Parks and Recreation Board recommends that a single-use beverage container ban in our riverfront parks only be adopted and become effective after a specific enforcement plan and funding source is adopted, and
WHEREAS, the Parks and Recreation Board discourages the addition of additional signage in our riverfront parks and believe that it is an ineffective strategy to gain voluntary compliance as there are numerous park rules present that can be amended to add this new rule without adding new ones, and
WHEREAS, the Parks and Recreation Board recognizes that there is a Park Ambassador program to help educate riverfront park patrons of Park Rules, and
WHEREAS, the Parks and Recreation Board also recognizes that the City Marshals are the only personnel who are professionally trained to address non-compliant riverfront park patrons and have the authority to successfully enforce the ban, and

NOW, THEREFORE, BE IT RESOLVED that the Parks and Recreation Board encourages the San Marcos City Council to fully and openly discuss the challenges and costs associated with adoption and enforcement of a single-use beverage container ban within the San Marcos riverfront parks system.

Date of Approval: 11/30/23

Record of the vote:

Attest: [Signature]

(Staff or board/commission chair can sign)
AGENDA CAPTION:
Hold discussion regarding the possible addition of planned development zoning districts to the Development Code; and provide direction by motion to staff.
Meeting date: February 6, 2024

Department: Requested by Mayor Hughson

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.
DIVISION 3: PETITION FOR PLANNED DEVELOPMENT DISTRICT

Section 1.5.3.1 - Purpose and Effect

(a) **Purpose.** The purpose of a petition for a PD district is to authorize a special overlay zoning district designed to result in a higher quality development for the community, in accordance with an approved conceptual plan and development standards, than would otherwise result from the use of conventional zoning districts.

(b) **Effect.** Enactment of an ordinance approving a petition to establish a PD district results in the addition of "PD Planned Development District" as an overlay zoning district on the official Zoning Map, thereby amending the map. Approval also results in adoption of a Concept Plan, zoning regulations and development standards for the overlay district, which may vary regulations applicable within the base zoning district, or standards in Chapters 5, 6 and 7 of this Land Development Code as applied to the land within the PD district. Thereafter, the property owner is authorized to establish any use allowed in the PD district or in the base zoning district, subject to the Concept Plan incorporated within the PD district, and the development standards in the PD and base zoning districts, upon obtaining approval of all applications for development permits required by this Land Development Code. Establishment of a PD district amends any development or public facilities standards otherwise applicable to plat approval to the extent of any conflict with standards applicable within the PD district, without the necessity of approval of a variance petition.

Section 1.5.3.2 - Sequence of Approvals

(a) **Prior Applications.** A petition for a PD district shall not be accepted until a petition for amendment of the City's Comprehensive Plan, upon which the petition for the PD district is dependent, has first been approved.

(b) **Accompanying Applications.** A petition for a planned development district may be accompanied by a petition to amend the base zoning district. The petition may also be accompanied by an application for a Watershed Protection Plan (Phase 1), together with an application for approval of a Cluster Development Plan, provided that the petition for the PD district shall be approved by ordinance before the Watershed Protection Plan (Phase 1) and Cluster Development Plan applications are decided.

(c) **Subsequent Approvals.** No Site Preparation Permit for any tract or lot within the PD district shall be approved until a Cluster Development Plan has been approved, where applicable, under Division 8 of this Article 5.

   *(Ord. No. 2013-35, § 1(Exh. A), 8-6-13)*

Section 1.5.3.3 - Application Requirements

(a) **Contents.** The petition for a PD district shall be accompanied by an application prepared in accordance with Chapter 1 of the Technical Manual.

Section 1.5.3.4 - Processing of Application and Decision

(a) **Responsible Official.** The Director shall be the responsible official for a petition for a PD district.

(b) **Changes Prior to Establishment of PD district.** Features of the Concept Plan or the development standards may be modified throughout the review and adoption process in response to continued refinements and negotiations regarding the terms of the PD district. Items may be added to improve the Concept Plan and development standards, and objectionable features of the plan and the development standards may be removed. Amendments may not, however, include an enlargement of the size of the PD district, a change to the base zoning district, or an increase in residential density without submission of a new petition.

(c) **Procedures.** Procedures for processing and deciding the petition for a PD district shall be the same as those governing a petition for a zoning map amendment under Division 1 of this Article 5.

   *(Ord. No. 2013-35, § 1(Exh. A), 8-6-13)*

Section 1.5.3.5 - Criteria for Approval
(a) **Factors.** The following criteria will be used by the Planning and Zoning Commission in recommending and the Council in deciding whether to approve, approve with modifications, or deny a petition for a PD district:

1. The extent to which the land covered by the proposed PD district fits one or more of the special circumstances in **Section 4.2.6.1** warranting a PD district classification.
2. The extent to which the proposed PD district furthers the policies of the Comprehensive Plan, as follows:
   a. Does the request further the goals of the Core 4 through their strategies as outlined in the Comprehensive Plan?
   b. Is the request in an area suitable for development as show on the Land Use Suitability Map? If not, what development constraints exist?
   c. Does the request have a negative impact on the watershed?
   d. Is the request consistent with any adopted Neighborhood Character Study for the area?
   e. Is the request near existing parks and public utilities?
   f. Will additional parks or greenspace be provided?
   g. Is the request near a water or wastewater maintenance hotspot?
   h. Based on the Travel Demand Model, is the request in an area with sufficient roadway capacity?
3. The extent to which the proposed PD district will result in a superior development than could be achieved through conventional zoning classifications.
4. The extent to which the proposed PD district will resolve or mitigate any compatibility issues with surrounding development.
5. The extent to which the PD district is generally consistent with the criteria for approval of a watershed plan for land within the district.
6. The extent to which proposed uses and the configuration of uses depicted in the Concept Plan are compatible with existing and planned adjoining uses.
7. The extent to which the proposed development is consistent with adopted master facilities plans, including without limitation the water facilities, master wastewater facilities, transportation, drainage and other master facilities plans.
8. The extent to which the proposed open space and recreational amenities within the development provide a superior living environment and enhanced recreational opportunities for residents of the district and for the public generally.

(b) **Conditions.** The Planning and Zoning Commission may recommend and the Council may impose such conditions to the PD district regulations and Concept Plan as are necessary to assure that the purpose of the PD district is implemented.

(Ord. No. 2013-35, § 1(Exh. A), 8-6-13; Ord. No. 2017-36, § 4, 8-1-17)

Section 1.5.3.6 - Amendments and Relief Measures

(a) **Amendments.** The Director may permit the applicant to make minor amendments to the Concept Plan without the necessity of amending the ordinance that established the PD district. If the Director determines that proposed amendments substantially impact the nature or purposes of the approved PD, whether individually or cumulatively, the Director will deny the request for approval of the modifications and provide the applicant with the opportunity to revise the proposed amendments to bring them into compliance with the PD. If an applicant wishes to make any amendments to an approved Concept Plan other than minor amendments approved by the Director, the Director will submit the amendments to the Planning and Zoning Commission and City Council for review and approval as a revised PD district. Minor amendments shall be as follows:

1. Corrections in spelling, distances and other labeling that do not affect the overall development concept;
2. Changes in building position or layout that are less than ten feet or ten percent of the total building project or area;
3. Changes in proposed property lines as long as the original total project acreage is not exceeded, and the area of any base zoning district is not changed by more than five percent; and
4. Changes in parking layouts as long as the number of required spaces and general original design are maintained.
Variances. A separate variance from the standards in Chapters 4 through 7 of this Land Development Code shall not be required where the development standards incorporated within the PD district expressly modify such standards.

(Ord. No. 2013-35, § 1(Exh. A), 8-6-13)

Section 1.5.3.7 - Expiration of Rights

(a) **Lapse of Rights in District.** In a PD district, progress toward development of the Concept Plan shall occur within the following time periods:

1. An application for approval of a Cluster Development Plan, accompanied by a Watershed Protection Plan (Phase 1), where applicable, or other required permit, shall be submitted for approval within five years of the date of establishment of the PD district, unless otherwise provided in the adopting ordinance. If a Cluster Development Plan or required permit application for all or a phase of the development depicted in the Concept Plan is not submitted within this period, the authority to submit a Cluster Development Plan or required permit and all subsequent Cluster Development Plans or required permits for the PD district shall be suspended.

2. If the land within the PD district is to be developed in phases, a Cluster Development Plan and Watershed Protection Plan (Phase 1), or other required permit, shall be submitted for the next phase within two years from approval of a Cluster Development Plan or required permit application for the preceding phase, or as otherwise provided in the approved phasing schedule for the PD district. If a subsequent Cluster Development Plan or required permit application is not submitted within this period, the authority to submit a Cluster Development Plan or permit application for that portion of the property and any subsequent Cluster Development Plans for the district shall be suspended.

3. Expiration of an approved Cluster Development Plan or required permit shall result in suspension of the authority to submit a new Cluster Development Plan or required permit for that portion of the property and any Cluster Development Plans or required permits for subsequent phases of development within the district.

(b) **Commission Recommendation.** Following expiration of the right to submit a Cluster Development Plan or required permit, the Planning and Zoning Commission shall consider whether the undeveloped land within PD district should be changed to another zoning classification in accordance with the procedures for action upon a petition for a zoning map amendment under Division 1 of this Article 5. The Planning and Zoning Commission thereafter shall recommend to the City Council whether the right to submit a Cluster Development Plan or required permit application should be reinstated, or whether the property should be zoned to another classification.

(c) **Council Consideration.** The Planning and Zoning Commission's recommendation shall be considered by the City Council in accordance with procedures for action upon a petition for a zoning map amendment under Division 1 of this Article 5. The Council shall determine whether the right to submit the Cluster Development Plan or required permit application should be reinstated, or whether the property should be rezoned to another classification. In making such determination, the Council shall consider the following factors:

1. Whether the PD district remains consistent with the Comprehensive Plan and any adopted Neighborhood Character Study;
2. Whether the uses authorized in the PD district are compatible with existing and planned land uses adjacent to the site;
3. Whether there are extenuating circumstances justifying the failure to submit a development plan during the applicable time period; and
4. Whether rezoning the property to another classification would constitute confiscation of a vested property right or deprive the owner of the economically viable use of the land.

(d) **Council Action.** The City Council may take the following actions:

1. Reinstate the right to submit the Cluster Development Plan or required permit application within a time certain, subject to any conditions that may be appropriate to ensure that significant progress will be made toward development of land within the PD district;
2. Modify the PD district regulations applicable to the property; or
(3) Repeal the PD district for the affected portions of the property and zone the property to another zoning district classification.

(Ord. No. 2013-35, § 1(Exh. A), 8-6-13; Ord. No. 2017-36, § 5, 8-1-17)
Section 4.2.6.1 - Purpose, Applicability, Nature and Size of District

(a) **Purpose.** The purpose of an overlay planned development zoning district ("PD District") is to provide for the development of land as an integral unit for single or mixed use in accordance with a PD Concept Plan that may include uses, regulations and other requirements that vary from the provisions of other zoning districts. PD districts are intended to implement generally the goals and objectives of the City’s Comprehensive Plan. PD districts are also intended to encourage flexible and creative planning, to ensure the compatibility of land uses, to allow for the adjustment of changing demands to meet the current needs of the community, and to result in a higher quality development for the community than would result from the use of conventional zoning districts.

(b) **Applicability.** A PD district may only be established in one of the following circumstances:

1. The land is located in close proximity to established residential neighborhoods where conventional zoning classifications may not adequately address neighborhood concerns regarding the quality or compatibility of the adjacent development, and where it may be desirable to the neighborhood, the developer or the City to develop and implement mutually-agreed, enforceable development standards;

2. The land, or adjacent property that would be impacted by the development of the land, has sensitive or unique environmental features requiring a more flexible approach to zoning, or special design standards, in order to afford the best possible protection of the unique qualities of the site or the adjacent property;

3. The land is proposed for development as a mixed-use development or a traditional neighborhood development requiring more flexible and innovative design standards;

4. The land consists of inner-City or downtown property that is proposed for redevelopment or infill development, and special design considerations are deemed desirable;

5. The land serves as transition between different and seemingly incompatible land uses;

6. The land is proposed for development as an employment center, and special design standards may be warranted; and

7. The land is of such a character that it is in the community’s best interest to encourage high quality development through flexible development standards to further the goals and objectives of the City’s Comprehensive Plan.

(c) **Nature of District.** Each PD district shall be established as an overlay zoning district that combines with one or more base zoning districts. Development in a PD district must be consistent with a Concept Plan that is incorporated as part of the district by the adopting ordinance.

(d) **Minimum District Size.** No PD district shall be established for a gross contiguous area less than the following:

1. Single-family detached, attached and duplex uses: two acres;

2. Multifamily uses: one acre;

3. Nonresidential uses: one acre;

4. Mixed residential and nonresidential uses: two acres.

(Ord. No. 2013-35, § 1(Exh. A), 8-6-13)

Section 4.2.6.2 - Authorized Uses

(a) **Base Zoning District Uses.** Any use permitted outright or conditionally in the base district shall be permitted in the PD district, unless the use is prohibited or otherwise conditioned in the regulations adopted for the PD district. Uses designated as conditional uses in the land use matrix in Article 3, Division 1 of this Chapter 4 may be authorized in the PD district only if designated on the Concept Plan adopted as part of the PD district, in which case the use does not require a separate Conditional Use Permit under Chapter 1, Article 5, Division 7.

(b)
Overlay Zoning District Uses. The PD district may provide for uses not allowed in the base zoning district, provided that the uses are compatible with the stated purposes of the district and do not conflict with policies in the Comprehensive Plan, considering the arrangement, combination and design features of the uses within the PD district, as depicted on the Concept Plan.

(c) **Location and Arrangement of Uses.** The location and arrangement of all authorized uses in the PD district shall be consistent with the Concept Plan approved with the district.

(d) **Limitations on Residential Uses.** Proposed lot sizes for residential uses in the PD district shall be no smaller on average than the lot sizes allowed in the base zoning district for each type of housing (e.g., single-family, duplex, etc.). Minor deviations from the standards are allowed in a small percentage of the lots in order to provide improved design, or to provide flexibility in the layout of the subdivision or diversity in lot size choices. Unless otherwise provided by the PD district regulations on the basis of exceptional design and provision of enhanced open space, residential density shall not exceed 7.5 units per gross acre for single-family residential use and 24 units per gross acre for multifamily use.

(Ord. No. 2013-35, § 1(Exh. A), 8-6-13)

Section 4.2.6.3 - Development Standards

(a) **Base District and Supplemental Standards.** In a PD district, uses shall conform to the standards in the base zoning district governing area, building and height requirements in this Chapter 4, and to the supplemental standards in Chapter 6 of this Land Development Code, unless specifically excepted in the ordinance establishing the PD district.

(b) **Overlay Zoning District Standards.** In a PD district, standards otherwise applicable to authorized uses in the base zoning district or pursuant to Chapter 6 of this Land Development Code may be varied, and thereafter shall be applied to the uses established in the PD district, only if approved in the ordinance establishing the PD district. Standards that may be varied include, but may not be limited to, residential density, lot area, lot width, lot depth, yard depths and widths, building height and size, building exterior construction, lot coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signage and lighting. Varied standards may increase or decrease the requirements otherwise applicable to particular uses. Any graphic depictions used to illustrate such standards, unless otherwise provided in the PD district regulations, shall be considered standards that apply to subsequent development applications.

(c) **Traditional Neighborhood Design.** Traditional Neighborhood Design (TND), is emerging as a popular type of development in many urban areas. The following are characteristics of this type of development and shall be incorporated into all Planned Developments that desire to incorporate this design concept:

1. Compact, mixed-use, pedestrian-oriented design,
2. Incorporation of open space, public plazas, or other public amenity,
3. Human-scale design (Three stories or less) that encourages pedestrian circulation,
4. High quality development standards for signs, landscaping, building materials, and other components,
5. Integrated design or clustering of residential uses,

Projects without the above-listed characteristics shall not be considered TND projects.

(d) **Open Space Standards.** In residential or mixed-use PD districts, unless otherwise expressly provided by the PD regulations or designated in the PD Concept Plan, the following standards governing open space shall apply:

1. A minimum of 20 per cent of the gross land area within the entire PD district, except within TND developments, shall be devoted to open space. Open space for PD districts may be satisfied by either public or by a combination of public and private open space. Open space requirements specified in this subsection are in addition to requirements for site landscaping and buffering. Public open space shall be dedicated to the City.

2. The 100-year floodplain areas shall be encouraged to be preserved and maintained as open space; and

3. Significant stands of native trees and shrubs shall be preserved and protected from destruction or alteration.
(4) Open space requirements shall be satisfied for each phase of a multi-phased residential development. If open space is not to be provided proportionally among phases of development, the applicant must execute a reservation of open space in a form that will assure the City that such open space will be provided. The City may require that all open space within the district must be provided prior to completion of development within the district.

(e) **Public Facilities Standards**. In order to implement the plan of development depicted in the Concept Plan and to assure that the purposes of the district are realized, public facilities standards in Chapter 7 of this Land Development Code may be varied, provided that such exceptions are expressly identified in the PD district regulations and illustrated where necessary on the Concept Plan incorporated as part of the district regulations. Thereafter, standards applicable to plat applications and applications for site preparation plans shall conform to the variations approved in the ordinance establishing the PD district.

(f) **Public Facilities Studies**. In order to justify variations from public facilities standards pertaining to provision of roadway and drainage facilities and to demonstrate compliance with the adequate public facilities policies in Chapter 7 of this Land Development Code, a traffic impact study or drainage study may be required as a pre-requisite for approving a petition for a PD district.

(Ord. No. 2013-35, § 1(Exh. A), 8-6-13)

Section 4.2.6.4 - Concept Plan

(a) **Requirement for Concept Plan**. No PD district may be established without approval of a Concept Plan that illustrates the proposed location and arrangement of uses, the relationship of such uses to base zoning districts, development phasing, planned public improvements, open space, proposed amenities and the overall design of the development. Detailed requirements for the contents of a Concept Plan are contained in Chapter 1, Article 5, Division 3. The Concept Plan shall be incorporated as a component part of the PD district regulations, and shall be construed in conjunction with the authorized uses and development standards set forth in such regulations.

(b) **Consistency Required**. All development applications within the PD district shall be consistent with the incorporated Concept Plan. Failure of a subsequent development application to conform to the approved Concept Plan for the PD district shall result in denial of the application, unless the PD district regulations first are amended through incorporation of a Concept Plan with which the development application is consistent.

Section 4.2.6.5 - Subsequent Development Applications

(a) **Development Applications Authorized**. The development standards for a PD district shall be applied to the authorized uses through the following types of development applications:

1. Cluster Development Plan, and
2. Plat application.

(b) **Minor Deviations from Approved Concept Plan**. Minor deviations from the Concept Plan may be approved by the Director. The following are considered minor deviations:

1. Corrections in spelling, distances, and other labeling that does not affect the overall development concept.
2. Changes in building position or layout that are less than ten feet or ten per cent in size.
3. Changes in the proposed property lines as long as the original stated project acreage is not exceeded.
4. Changes in parking layouts as long as the number of required spaces and general original design is maintained.

(Ord. No. 2013-35, § 1(Exh. A), 8-6-13)

Section 4.2.6.6 - Adopting Ordinance

(a) The ordinance establishing a PD district shall incorporate the approved Concept Plan as part of the district regulations and shall set forth the following:

1. The base zoning district(s) to be overlaid, together with the boundaries of the district(s);
2. A statement as to the purpose and intent of the PD district established therein;
(3) The permitted, conditional and accessory uses authorized in the district, the location of such uses, the residential densities or floor-to-area ratios associated with base districts or phases of the development in conformance with the approved Concept Plan;

(4) The general standards applicable to development within the district, with or without reference to the base district, including but not limited to: density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, accessory buildings, signs, lighting, project phasing or scheduling, management associations, and such other requirements as the City Council may deem necessary in order to implement the Comprehensive Plan, and the purposes of the PD District;

(5) Provisions stating that all zoning standards not expressly set forth for the district in the adopting ordinance shall be as provided in the base zoning district(s), and that any standard in Chapters 5, 6 and 7 that has not been expressly varied in the adopting ordinance shall be applicable to subsequent development permits for land within the PD district;

(6) Design standards applicable to the development;

(7) A specific list of deviations from standards in the base zoning district(s), together with any standards in Chapters 5, 6 and 7 which are to be varied for development within the PD district;

(8) Required dedications of land or public improvements;

(9) The timing of performance by the developer in relation to the phasing of development, where applicable; and

(10) Such additional conditions as are established by the Council to assure that the PD district and Concept Plan are consistent with the stated purposes of the district.

(b) Residential PD Concept Plan. A Concept Plan shall be submitted with any residential PD zoning request for a development comprised of single-family or two-family (duplex) dwellings on individually platted lots, and shall show general uses, the topography and boundaries of the PD area, existing physical features of the site, location of existing or proposed public facilities, phasing of the development, access, thoroughfares, alleys (if proposed), preliminary lot arrangements, proposed densities, proposed screening, landscaped or private amenity areas, conceptual project scheduling, and other pertinent development data.

(c) Nonresidential or Multifamily PD Concept Plan. A Concept Plan shall be submitted with any nonresidential, multifamily, single-family attached, or manufactured (mobile) home PD zoning request, and shall clearly show all pertinent aspects of the type and nature of the proposed development. The Concept Plan shall show the types of use(s) proposed; access, topography and boundaries of the PD area; existing physical features of the site; existing and proposed streets, alleys, easements and lot lines; location of existing or proposed public facilities; building heights and locations; parking areas and ratios; fire lanes; screening and landscaped areas; conceptual project phasing and scheduling; and other pertinent development data to adequately describe the proposed development (see Chapter 1 and the Technical Manual of this Code for Concept Plan requirements and procedures).

(1) For a nonresidential, multifamily, single-family attached, or manufactured (mobile) home PD (or portion of a PD). A detailed Site Plan shall be submitted for approval within one year from the approval date of the Concept Plan for all or some portion of the PD covered by the overall PD Concept Plan. If a detailed Site Plan is not submitted within one year, then the PD Concept Plan may be subject to review by the Planning and Zoning Commission and the City Council to determine its continued validity. If the City determines that the PD Concept Plan is no longer valid or that the proposed development is no longer viable, then a new PD Concept Plan (along with a zoning application to amend the PD ordinance and its accompanying Concept Plan) must be submitted for review and approval prior to detailed Site Plan review/approval (and any subsequent issuance of a building permit) for any nonresidential, multifamily, single-family attached, or manufactured (mobile) home portion of the PD district.

(Ord. No. 2013-35, § 1(Exh. A), 8-6-13)
AGENDA CAPTION:
Hold discussion regarding possible requirements for subdivision developers to provide space, funding or other resources for the installation of emergency sirens; and provide direction by motion to staff.

Meeting date: February 6, 2024

Department: Requested by Mayor Hughson

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
AGENDA CAPTION:
Discuss and consider annual appointments to various Boards and Commissions, to wit:

A) Animal Shelter Advisory Committee
B) Arts Commission
C) Cemetery Commission
D) Citizen Utility Advisory Board (CUAB)
E) Convention and Visitors Bureau Board
F) Economic Development San Marcos Board
G) Ethics Review Commission
H) Historic Preservation Commission
I) Housing Authority
J) Human Services Advisory Board
K) Library Board
L) Main Street Advisory Board
M) Neighborhood Commission
N) Parking Advisory Board
O) Parks and Recreation Board
P) Planning and Zoning Commission
Q) Senior Citizen Advisory Board
R) Veteran Affairs Advisory Board
S) Zoning Board of Adjustment

Meeting date: February 6, 2024

Department: City Clerk’s Office

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: Annual Appointments were last made on February 13, 2023

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.
- ☒ Not Applicable

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

Background Information:
Annual Board/Commission appointments are being made in accordance with City Code Sec. 2.072. - Appointments.
   (a) Appointments to all city boards and commissions whose membership is wholly appointed by the city council shall be in February of each year with terms to commence March 1 unless otherwise provided in the ordinance, resolution or other law governing a board or commission.

All applications filed by January 18, 2024 have been provided to the Council for review.

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.
AGENDA CAPTION:
The City Council will convene in executive session pursuant to the following sections of the Texas Government Code:
A. Section §551.087: Economic Development: consider economic development incentives for Project Journey.
B. Section §551.071: Consultation with Attorney: to receive legal advice regarding The State of Texas v. The City of San Marcos, filed in the District Court of Hays County, Texas pertaining to the City’s enforcement of marijuana laws under Chapter 54, Article 4 of the City Code.
Meeting date: February 6, 2024

Department: City Manager’s Office

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.
Economic Vitality
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☒ Economic Development - Fiscally Responsible Incentives for Economic Development
☐ 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.
AGENDA CAPTION:
Consider action, by motion, or provide direction to Staff regarding the following Executive Session items held during the Work Session and/or Regular Meeting pursuant to the following section of the Texas Government Code:
A. Section §551.087: Economic Development: consider economic development incentives for Project Journey.
B. Section §551.071: Consultation with Attorney: to receive legal advice regarding The State of Texas v. The City of San Marcos, filed in the District Court of Hays County, Texas pertaining to the City’s enforcement of marijuana laws under Chapter 54, Article 4 of the City Code.
Meeting date: February 6, 2024

Department: City Manager’s Office/City Attorney

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.
Economic Vitality
Choose an item.

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☒ Economic Development - Fiscally Responsible Incentives for Economic Development
☐ 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.