



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Regular Meeting Agenda - Final Planning and Zoning Commission

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Tuesday, August 11, 2015

6:00 PM

City Council Chambers

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630 E. Hopkins

- I. Call To Order
- II. Roll Call
- III. Chairperson's Opening Remarks
- IV. 30 Minute Citizen Comment Period

### CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting on July 28, 2015.
2. PC-15-20\_01 (Paso Robles Concept Plat) Consider a request by Pape-Dawson Engineers, LLC, on behalf of Carma Paso Robles, LLC, for approval of a Concept Plat for approximately 1,276 acres, more or less, out of the Edward Burleson Survey located near the intersection of Hunter Road and Centerpoint Road. (T. Carpenter)
3. PC-15-14\_02 (Paso Robles Phase 1 Preliminary Plat) Consider a request by Pape-Dawson Engineers, LLC, on behalf of Carma Paso Robles, LLC, for approval of a Preliminary Plat for approximately 37.21 acres, more or less, out of the Edward Burleson Survey located near the intersection of Hunter Road and Centerpoint Road. (T. Carpenter)
4. PC-15-28\_02 (Cottonwood Creek Phase 1, Section 3) Consider a request by Ramsey Engineering, LLC, on behalf of Cottonwood Creek JDR, LTD, for approval of a Preliminary Subdivision Plat of Cottonwood Creek Phase 1, Section 2 for approximately 12.05 acres, more or less, out of the Farnam Frye, John F Geister, and Charles Henderson Surveys, consisting of 78 residential lots and 3 private parkland lots located near the intersection of Monterrey Oak and Cypress Parkway. (T. Carpenter)

### PUBLIC HEARINGS

5. PVC-15-01 (Meadow Brook Plat Variance) Hold a public hearing and consider a plat variance request by Frances Martinez, on behalf of Elizabeth Zelada and Mauricio Cante, for the Meadow Brook Replat (PC-15-16\_04) to allow a deviation from Section 6.7.2.1(j) of the Land Development Code requiring that the lot depth shall not exceed three times the lot width. (A. Villalobos)

- 6. PC-15-16\_04 (Meadow Brook, Replat) Hold a public hearing and consider a request by David Williamson, Byrn & Associates, Inc., on behalf of Elizabeth Zelada and Mauricio Cante, for approval of a replat of 2.0 acres, more or less, being Lot 31, Meadow Brook Subdivision, establishing Lot 31A and 31B, Meadow Brook Subdivision, City of San Marcos, Guadalupe County, Texas. (A. Villalobos)

**NON-CONSENT AGENDA**

- 7. PDD-15-05 (I-35 & Posey Road) Receive a staff presentation and discuss a request by Highpointe Investments, LLC, for a zoning of "PDD," Planned Development District, on a 417.630 +/- acre tract out of the William H. Van Horn Survey. The property is generally located on the east side of IH-35 south of Posey Road.
- 8. Development Services Report:
  - 1. Zoning for Character Workshops: Aug. 19 & 20
  - 2. Joint City Council and Planning & Zoning Commission Code SMTX & Comp Plan Updates Workshop- September 30, 2015

V. Question and Answer Session with Press and Public.

VI. Adjournment

Notice of Assistance at the Public Meetings

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

\_\_\_\_\_ Title:  
\_\_\_\_\_



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Legislation Text

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**File #:** ID#15-469, **Version:** 1

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**AGENDA CAPTION:**

Consider approval of the minutes of the Regular Meeting on July 28, 2015.

**Meeting date:** August 11, 2015

**Department:** Planning and Development Services

**Funds Required:** n/a

**Account Number:** n/a

**Funds Available:** n/a

**Account Name:** n/a

**CITY COUNCIL GOAL:**

**BACKGROUND:**



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

DRAFT

## Meeting Minutes

### Planning and Zoning Commission

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Tuesday, July 28, 2015

6:00 PM

City Council Chambers

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630 E. Hopkins

#### I. Call To Order

**With a quorum present the regular meeting of the San Marcos Planning and Zoning Commission was called to order by Chair Wood at 6:00 p.m. on Tuesday, July 28, 2015 in the Council Chambers of the City of San Marcos, City Hall , 630 E. Hopkins, San Marcos, Texas 78666**

#### II. Roll Call

- Present** 6 - Chairperson Chris Wood, Vice Chair Kenneth Ehlers, Commissioner Amy Stanfield, Commissioner Travis Kelsey, Commissioner Shawn Dupont, and Commissioner Saul Gonzales
- Absent** 3 - Commissioner Angie Ramirez, Commissioner Brian Olson, and Commissioner Jim Garber

#### III. Chairperson's Opening Remarks

#### IV. 30 Minute Citizen Comment Period

There were no citizen comments.

#### CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting on July 14, 2015.
2. PC-15-27\_03 (Endurance) Consider a request by Seefried Properties, on behalf of WUSD Properties, for approval of a Subdivision Improvement Agreement and Final Plat of lot 1 Block A of the Endurance subdivision consisting of 101.335 acres, more or less, out of the Juan Varamendi Survey on McCarty Lane east of IH 35.

**A motion was made by Vice Chair Ehlers, seconded by Commissioner Kelsey, that the consent agenda be approved. The motion carried by the following vote:**

- For:** 6 - Chairperson Wood, Vice Chair Ehlers, Commissioner Stanfield, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales
- Against:** 0
- Absent:** 3 - Commissioner Ramirez, Commissioner Olson and Commissioner Garber

**PUBLIC HEARINGS**

3. CUP-15-15 (CRAFThouse Urban Kitchen and Tap) Hold a public hearing and consider a request by Willy Jack LLC on behalf of CRAFThouse Urban Kitchen and Tap for a new Conditional Use Permit to allow the sale of mixed beverages for on-premise consumption at 242 N LBJ Dr.

Chair Wood opened the public hearing.

Andrea Villalobos, Planning Technician gave an overview of the request.

Allen Shy, 2686 Blackbear, New Braunfels, Texas stated he was available to answer questions.

There were no additional comments and the public hearing was closed.

**A motion was made by Commissioner Kelsey, seconded by Vice Chair Ehlers, that CUP-15-15 (CRAFThouse Urban Kitchen and Tap) be approved with conditions that the permit shall be valid for one (1) year, provided standards are met, subject to the point system; and that permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:**

**For:** 6 - Chairperson Wood, Vice Chair Ehlers, Commissioner Stanfield, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

**Against:** 0

**Absent:** 3 - Commissioner Ramirez, Commissioner Olson and Commissioner Garber

**NON-CONSENT AGENDA**

4. Development Services Report:  
1. Zoning for Character Workshops, August 19 & 20

Shannon Mattingly advised the Commission that the Zoning for Character Workshops are scheduled on August 19th and 20th from 2-4 pm and 6-8 pm at the Activity Center. She added that staff will mail out invitations to property owners proposed for the six Vision San Marcos Intensity Zones.

**V. Question and Answer Session with Press and Public.**

There were no questions from the press and public.

**VI. Adjournment**

**A motion was made by Commissioner Ehlers, seconded by Commissioner Kelsey that the meeting be adjourned at 6:15 p.m. The motion carried unanimously.**

\_\_\_\_\_  
**Chris Wood, Chair**

\_\_\_\_\_  
**Kenneth Ehlers, Vice Chair**

\_\_\_\_\_  
**Travis Kelsey, Commissioner**

\_\_\_\_\_  
**Amy Stanfield, Commissioner**

\_\_\_\_\_  
**Shawn Dupont, Commissioner**

\_\_\_\_\_  
**Saul Gonzales, Commissioner**

**ATTEST:**

\_\_\_\_\_  
**Francis Serna, Recording Secretary**

Notice of Assistance at the Public Meetings

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

\_\_\_\_\_  
\_\_\_\_\_  
Title:



## Legislation Text

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**File #:** PC-15-20\_01, **Version:** 1

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**AGENDA CAPTION:**

PC-15-20\_01 (Paso Robles Concept Plat) Consider a request by Pape-Dawson Engineers, LLC, on behalf of Carma Paso Robles, LLC, for approval of a Concept Plat for approximately 1,276 acres, more or less, out of the Edward Burleson Survey located near the intersection of Hunter Road and Centerpoint Road. (T. Carpenter)

**Meeting date:** August 11, 2015

**Department:** Planning & Development Services

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**CITY COUNCIL GOAL:** Community Wellness/ Strengthen the Middle Class

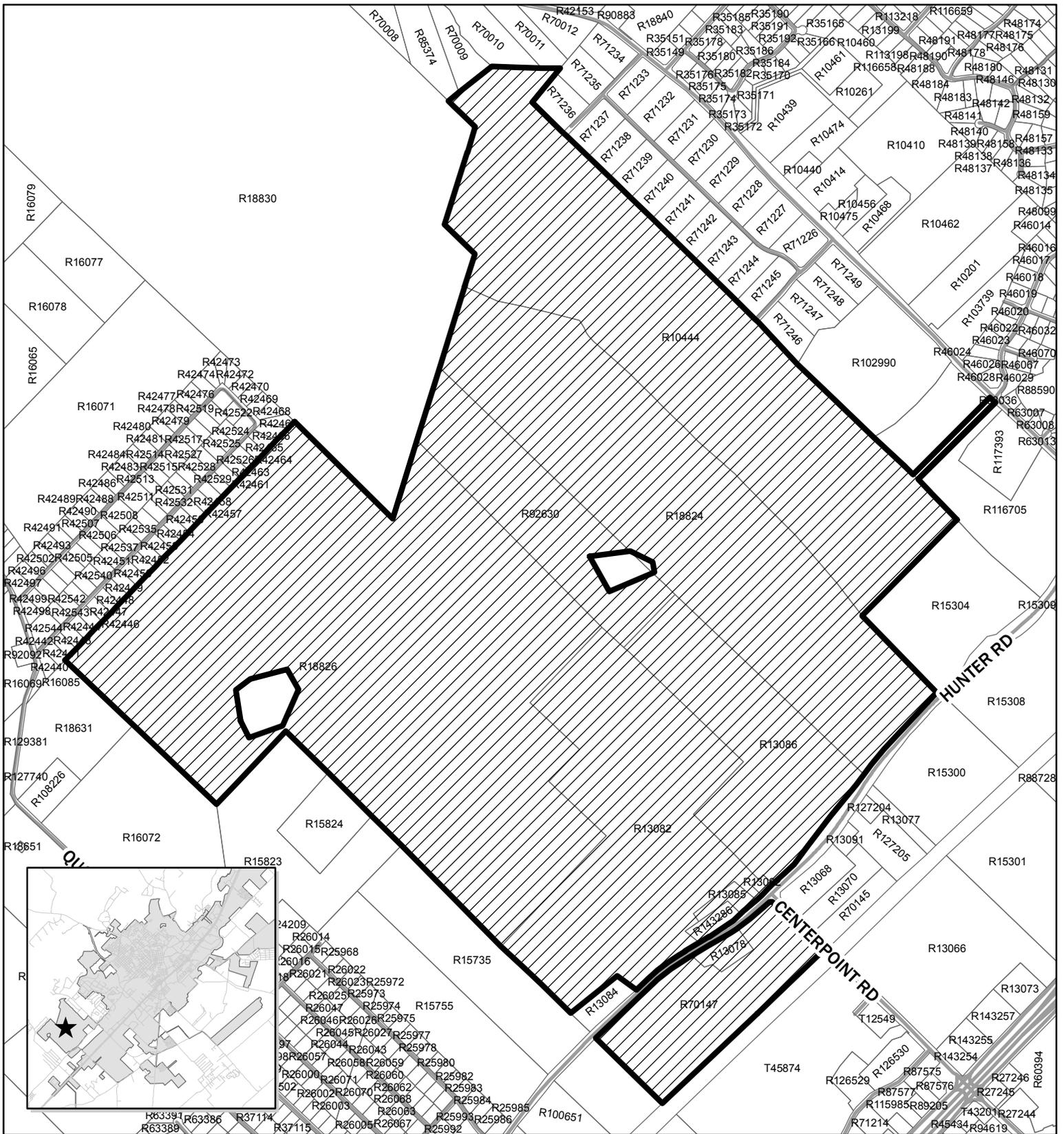
**COMPREHENSIVE PLAN ELEMENT(s):** N/A

**BACKGROUND:**

The subject property consists of the Paso Robles Planned Development District. The majority of the development has a base zoning of Mixed Use with the exception of 48.8 acres to the east of Hunter Road which has a base zoning of General Commercial. The PDD allows for 3,450 single family residential units through 8 phases of development.

City water, reclaimed water, and wastewater will be extended through the development. These extensions include 2 water tank pump stations and 7 wastewater lift stations. The developer is currently constructing a 24 inch waterline extension to serve the development.

Staff has reviewed the request and determined that all of the criteria have been met and is recommending **approval** of this concept plat as submitted.



**PC-15-20\_01**  
**Paso Robles Concept Plat**  
**Hunter Rd & Centerpoint Rd**  
**Map Date: 7/30/2015**

 Site Location

0 750 1,500 3,000 Feet



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



# PC-15-20\_01 Concept Plat, Paso Robles



## Applicant Information:

**Agent:** Pape-Dawson Engineers, Inc.  
7800 Shoal Creek Blvd Suite 220W  
Austin, TX 78757

**Property Owner:** Carma Paso Robles, LLC  
9737 Great Hills Trail  
Suite 260  
Austin, Texas 78759

**Notification:** Notification not required

**Type & Name of  
Subdivision:** Concept Plat, Paso Robles

## Subject Property:

**Summary:** The subject property is approximately 1,276 acres, more or less, and is located east at the intersection of Hunter Road and Centerpoint Road.

**Zoning:** Mixed Use/General Commercial/PDD

**Traffic/ Transportation:** The development of this property requires the extension of Centerpoint Road through the site. All other roads and connections are required to meet the minimum City of San Marcos standards.

**Utility Capacity:** City water and wastewater will be extended through the site. Electric service will be provided by Pedernales Electric Cooperative, Inc.

## Planning Department Analysis:

The purpose of a Subdivision Concept Plat is to delineate the sequence of development within a proposed subdivision, where the tract to be developed is part of a larger parcel of land owned or controlled by the applicant, in order to determine compliance with the City Comprehensive Plan and the availability and capacity of public improvements needed for the subdivision and the larger parcel.

The subject property consists of the Paso Robles Planned Development District. The majority of the development has a base zoning of Mixed Use with the exception of 48.8 acres to the east of Hunter Road which has a base zoning of General Commercial. The PDD allows for 3,450 single family residential units through 8 phases of development.

City water, reclaimed water, and wastewater will be extended through the development. These extensions include 2 water tank pump stations and 7 wastewater lift stations. The developer is currently constructing a 24 inch waterline extension to serve the development.

The following criteria is used to determine whether an application for a Subdivision Concept Plat should be approved, approved with conditions, or denied:

- (1) The plat is consistent with all zoning requirements for the property, and any approved development agreement;
- (2) The plat conforms to the approved Watershed Protection Plan (Phase 1);
- (3) The proposed provision and configuration of roads, water, wastewater, drainage and park facilities is adequate to serve each phase of the subdivision;
- (4) The schedule of development is feasible and prudent, and assures that the proposed development will progress to completion;
- (5) The proposed Subdivision Concept Plat meets residential compatibility standards;
- (6) If the land lies within a Planned Development (PD) zoning district, a Development Transfer Receiving DTR zoning district, or is subject to a Cluster Development Plan, the proposed Subdivision Concept Plat conforms to the PD or DTR district regulations and is consistent with the incorporated Concept Plan, or is consistent with the approved Cluster Development Plan;
- (7) The location, size and sequence of the phases of development proposed assures orderly and efficient development of the land subject to the plat;
- (8) Where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and is subject to an interlocal agreement under Tex. Loc. Gov't Code ch. 242, the proposed Subdivision Concept Plat meets any county standards to be applied under the agreement.

Staff has reviewed the request and determined that all of the above criteria have been met and is recommending **approval** of this concept plat as submitted.

<b>Planning Department Recommendation</b>	
<b>X</b>	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Statutory Denial

**Prepared By:**

Tory Carpenter	Planner	July 29, 2015
<b>Name</b>	<b>Title</b>	<b>Date</b>

**The Commission's Responsibility:**

The Commission is charged with making the final decision regarding this proposed Preliminary Plat. The City Charter delegates all subdivision platting authority to the Planning and Zoning Commission. The Commission's decision on platting matters is final and may not be appealed to the City Council. Your options are to approve, disapprove if the plat does not meet the criteria for approval section of the Land Development Code, or statutorily deny (an action that keeps the application "in process") the plat.



**Brookfield Residential**



**PAPE-DAWSON ENGINEERS**



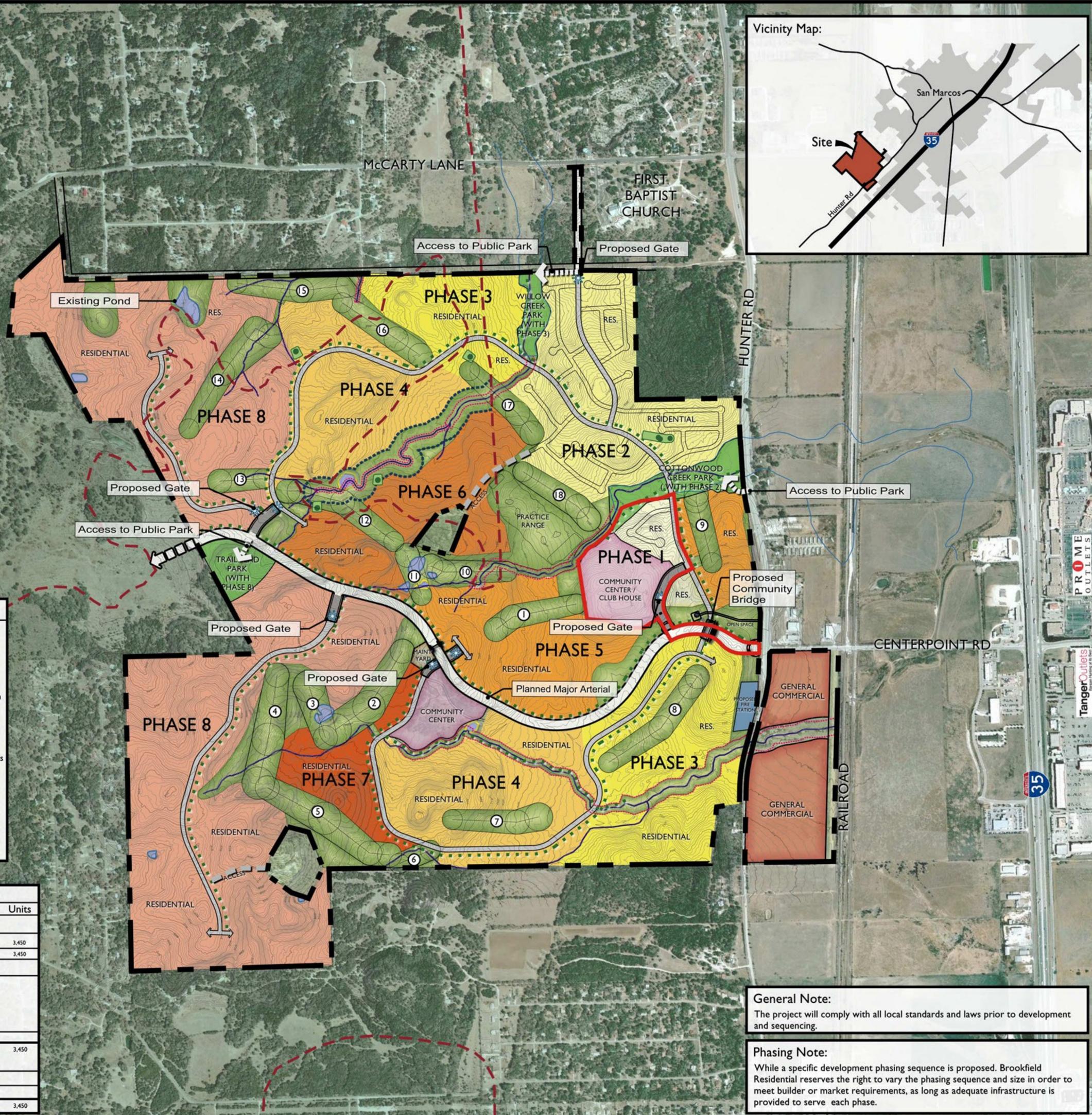
**Phases**

- Phase 1
- Phase 2
- Phase 3
- Phase 4
- Phase 5
- Phase 6
- Phase 7
- Phase 8

**Legend**

- Environmental Feature
- Edwards Aquifer Recharge Area
- Main Trail
- Approximate FEMA 100 Yr. Flood Plain
- Water Quality Zone
- Edwards Recharge Zone Creek Buffer
- Primary Boulevarde Residential Streets
- Primary Residential Streets
- Proposed Community Bridge
- Proposed Gate
- Proposed Entry Feature

Land Use Schedule			
Use	Density	Acreage	Units
<b>Residential</b>			
Residential	3.9 U/A	873.4 Ac.	3,450
<b>Residential Total</b>	<b>(NET) 3.9 U/A</b>	<b>873.4 Ac.</b>	<b>3,450</b>
<b>Community Features</b>			
Community Center(s) / Club House		33.9 Ac.	
Public ROW		25.2 Ac.	
Private ROW		4.8 Ac.	
Parks		28.5 Ac.	
Open Space, L.S. Buffers, Golf & Easements		321.2 Ac.	
Fire Station		3.1 Ac.	
<b>Community Features Total</b>		<b>416.7 Ac.</b>	
<b>SUB-TOTAL (GROSS)</b>	<b>2.7 U/A</b>	<b>1,290.1 Ac.</b>	<b>3,450</b>
<b>Non-Residential</b>			
General Commercial		48.4 Ac.	
<b>Non-Residential Total</b>		<b>48.4 Ac.</b>	
<b>PROJECT TOTAL</b>		<b>1,338.5 Ac.</b>	<b>3,450</b>



**PDD CONCEPT PLAT EXHIBIT**

**PASO ROBLES**  
San Marcos, Texas

**Brookfield Residential**

2" Contour Interval  
DATE: 07-24-2015



SCALE: 1" = 800'  
0 400 800 1600

**General Note:**  
The project will comply with all local standards and laws prior to development and sequencing.

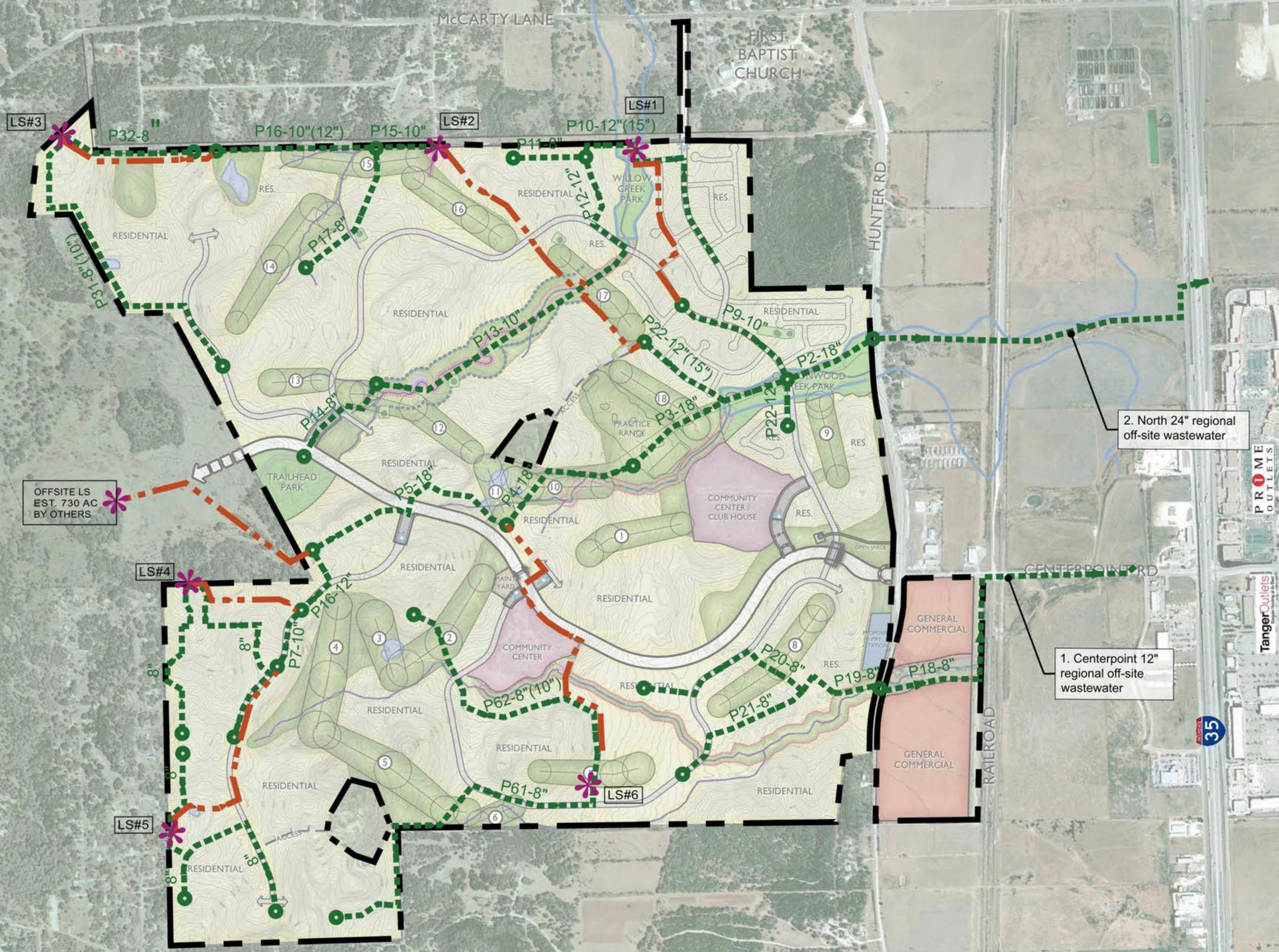
**Phasing Note:**  
While a specific development phasing sequence is proposed, Brookfield Residential reserves the right to vary the phasing sequence and size in order to meet builder or market requirements, as long as adequate infrastructure is provided to serve each phase.

All information presented herein is for informational purposes only. It does not constitute a contract. The information is provided as a guide only and is not intended to be used as a basis for any legal action. The information is provided as a guide only and is not intended to be used as a basis for any legal action. The information is provided as a guide only and is not intended to be used as a basis for any legal action.





Brookfield Residential



OFFSITE LS EST. 730 AC BY OTHERS

2. North 24" regional off-site wastewater

1. Centerpoint 12" regional off-site wastewater

**Legend**

- Force Main
- Gravity Interceptor
- Lift Station

Note: Wastewater Project 1 is CIP eligible; Wastewater Project 2 is sized to serve offsite development

WASTE WATER SYSTEM EXHIBIT

PASO ROBLES San Marcos, Texas

Brookfield Residential

SCALE: 1" = 800'



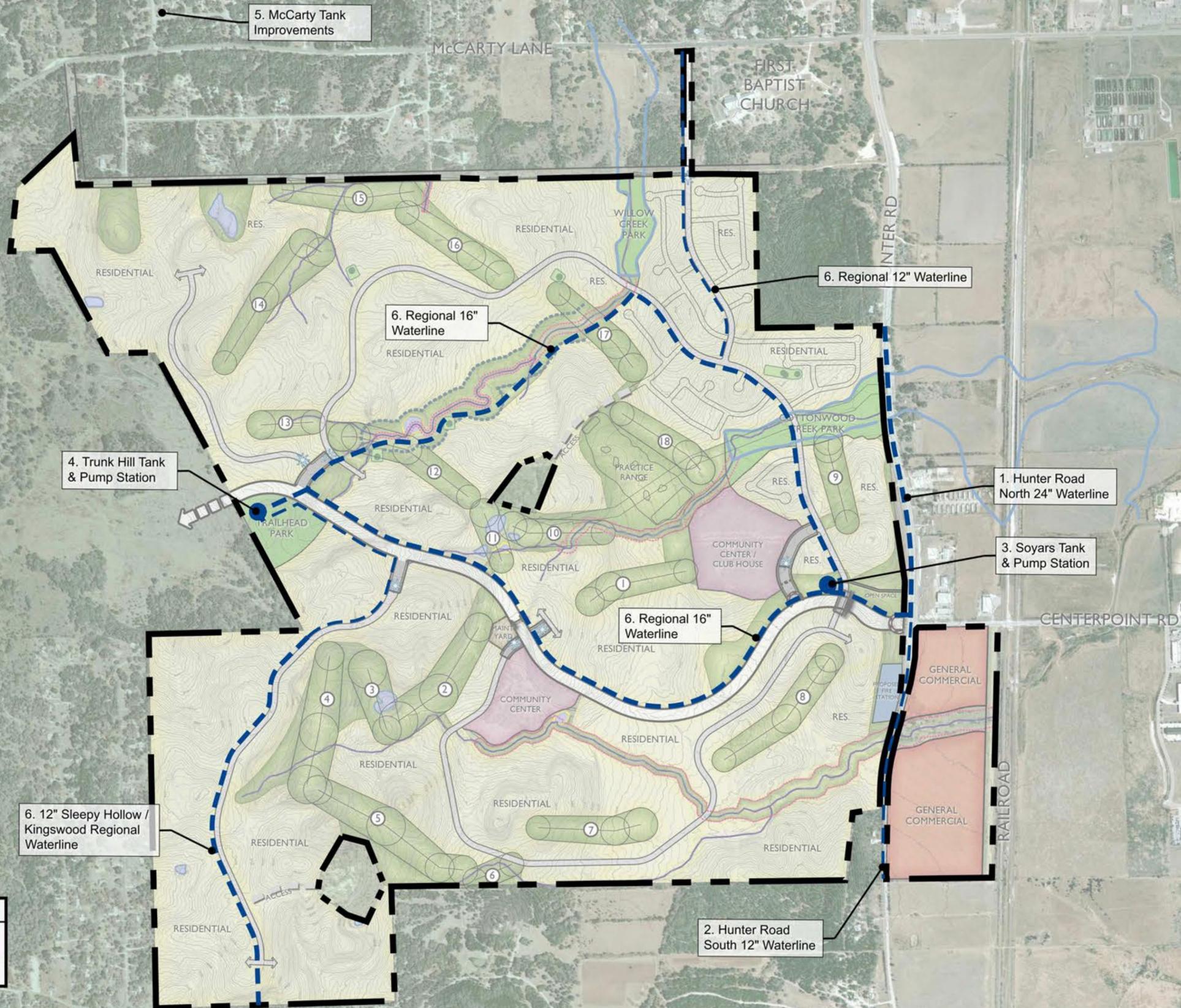
2' Contour Interval

DATE: 06-22-2015

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**Brookfield Residential**



**Legend**

- Tank & Pump Station
- Waterline

Paso Project 3	San Marcos CIP #
1	101
2, 3	102
4	101
5	105, 125
6	102, 124
7	123, 132
8	15
9	121

**Brookfield Residential**

**WATER SYSTEM EXHIBIT**

**PASO ROBLES**  
San Marcos, Texas

2' Contour Interval  
DATE : 06-22-2015



SCALE : 1" = 800'  
0' 400' 800' 1600'

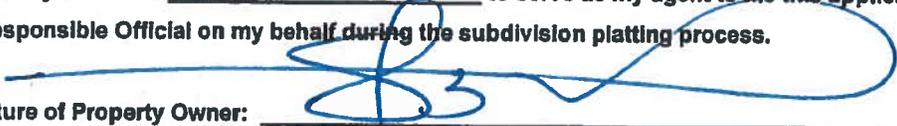
All information furnished herein is for informational purposes only and does not constitute a contract. The user of this information is advised that the user is not a party to the contract and that the user is not bound by the terms and conditions of the contract. The user is advised that the user is not a party to the contract and that the user is not bound by the terms and conditions of the contract. The user is advised that the user is not a party to the contract and that the user is not bound by the terms and conditions of the contract.

**City of San Marcos**  
**SUBDIVISION PLAT APPLICATION**

	<u>APPLICANT</u>	<u>PROPERTY OWNER</u>
<b>Name</b>	<u>Pape-Dawson Engineers, Inc.</u>	<u>Carma Paso Robles, LLC</u>
<b>Mailing Address</b>	<u>7800 Shoal Creek Blvd., Suite 220W</u> <u>Austin, TX 78757</u>	<u>9737 Great Hills Trail, Suite 280</u> <u>Austin, Texas 78759</u>
<b>Daytime Phone</b>	<u>(512) 454-8711</u>	<u>(512) 391-1330</u>
<b>Email Address</b>	<u>mfisher@pape-dawson.com</u>	<u>max.miller@brookfieldrp.com</u>

**AGENT ACKNOWLEDGEMENT STATEMENT:**

I SHAUN CRANSTON acknowledge that I am the rightful owner of the property proposed for subdivision and hereby authorize Michael Fisher, P.E. to serve as my agent to file this application and to work with the Responsible Official on my behalf during the subdivision platting process.

Signature of Property Owner: 

**SHAUN CRANSTON, P.Eng.**  
**SENIOR VICE PRESIDENT**

Printed Name: \_\_\_\_\_ Date: 26 MAY 2015

Signature of Agent: 

Printed Name: Michael Fisher, P.E. Date: 5/26/15

<b>Subdivision Plats</b>		<b>Development Plats</b>	
<input checked="" type="checkbox"/> Subdivision Concept Plat		<input type="checkbox"/> Preliminary Development Plat	
<input type="checkbox"/> Preliminary Subdivision Plat		<input type="checkbox"/> Final Development Plat	
<input type="checkbox"/> Final Subdivision Plat			
<input type="checkbox"/> Variance	Section _____		
<input type="checkbox"/> Plat Vacation	Accompanying _____		
<b>Minor Subdivision Plats (for Administrative Approval)</b>			
<input type="checkbox"/> Minor Subdivision Plat			
<b>Revisions to Recorded Plats (for Administrative Approval)</b>			
<input type="checkbox"/> Amending Plat			
<input type="checkbox"/> Replat without Vacation			

**SUBJECT PROPERTY**

Subdivision Name: PASO ROBLES

Address or General Location: NORTH OF THE INTERSECTION OF CENTERPOINT RD. & HUNTER RD.

Proposed Number of Lots: 3,450 Acres: 1,276

Appraisal District Tax ID: R137960, R138815, R13082, R62240, R16075, R13086, R18824, R10444

Located In  City Limits  ETJ\* - Please circle county: Caldwell Comal Guadalupe Hays  
 S.M. River Corridor  Planned Development District

Proposed Use of Land SINGLE-FAMILY RESIDENTIAL, GOLF COURSES, AMENITY CENTER, PARKS

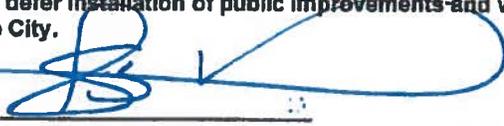
*\*Subdivision plat applications for land in the ETJ may be subject to additional requirements and review as defined by the Interlocal Agreement for the respective county.*

**SUBDIVISION IMPROVEMENT AGREEMENT**

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

I will complete all required public improvements prior to the Final Subdivision Plat or Final Development Plat.

I wish to defer installation of public improvements and will complete a Subdivision Improvement Agreement with the City.

Signature: 

Printed Name: **SHAUN CRANSTON, P.Eng.** Date: 26 MAY 2015  
**SENIOR VICE PRESIDENT**

**ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Electric Service Provider Pedernales Electric Cooperative, Inc.

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Electric Company Official \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

**GAS UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Gas Service Provider CenterPoint Energy

Applicable Utility Service Code(s) B

Comments/Conditions \_\_\_\_\_

Signature of Gas Company Official 

Title M&G CONSULTANT Date 5/26/2015

**WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Water Service Provider City of San Marcos

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Water Utility Official: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Wastewater Service Provider City of San Marcos

Applicable Utility Service Code(s) \_\_\_\_\_

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

Comments/Conditions \_\_\_\_\_

Signature of City or County Wastewater Official: \_\_\_\_\_

Title: \_\_\_\_\_ Date \_\_\_\_\_

**TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Telephone Service Provider CenturyTel

Applicable Utility Service Code(s) C

Comments/Conditions We need to know more on the planned utility easements.

Signature of Telephone Company Official Adam Monsen

Title: Engineer Date 05/29/2015

**SUBMITTAL REQUIREMENTS FOR ALL PLATS:**

- Complete application
- Required fees \$ \$2,010.00 (see next page for Fee Schedule)
- All legislative requirements complete
- Proof of record ownership (recorded deed corresponds to ownership indicated on tax certificate)
- Current tax certificate (must show prior year taxes paid by January 31st of current year)
- Names and addresses of property lien-holders
- One digital copy of submittal materials including CAD file
- Five 18"x24" hard copies of plat document\*

I hereby affirm that if I am not the property owner of record, or if the applicant is an organization or business entity, I have been authorized to represent the owner, organization, or business in this application. I certify the preceding information is complete and accurate, and it is understood that I or another representative should be present at all meetings concerning this application.

Signature of Applicant: 

Printed Name: Michael Fisher, P.E.

Date: 5/26/15

\*Plats in the ETJ may require additional hard copies.

**ADDITIONAL REQUIREMENTS:**

**Subdivision Concept Plats:**

- Watershed Protection Plan (Phase 1)
- Residential compatibility site plan (where applicable)
- Cluster development plan (where applicable)

**Preliminary Subdivision Plats or Preliminary Development Plats**

- Approved Watershed Protection Plan Phase I (can be submitted concurrently)
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

**Final Subdivision or Final Development Plats:**

- Preliminary Plat (where applicable)
- Approved Watershed Protection Plan Phase II and approved Public Improvement Construction Plan by the Director of Engineering (can be submitted concurrently).
- Subdivision Improvement Agreement and surety if public facility construction was deferred.
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential) .  
Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

**Minor Subdivision Plats:**

Minor subdivisions plats must meet the following qualifications:

- Proposed subdivision results in 4 or fewer lots
- All lots front onto an existing public street and construction or extension of a street or alley is not required or is considered a minor extension by Director of Engineering.
- Extension of municipal facilities is not required or the installation of utilities is considered a minor extension by the Director of Engineering.
- Approved WPP Phase II is required if land is located within the Edwards Aquifer Recharge Zone, within a designated stream or river corridor, or if the land contains floodplain, floodway or a waterway as defined by the LDC.

**Amending Plats and Replats:**

- Detailed description of the purposes and circumstances that warrant change of the recorded plat identifying all lots, easements or improvements affected by the proposed change.

## Fee Schedule

For Plats Located Inside/Outside of the City Limits	
Subdivision Minor Plat / Amending Plat	\$400 plus \$100 per acre (max \$1000) + \$10.00 Technology Fee
Concept Plan	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Preliminary Plat	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Final Plat	\$1000 plus \$100 acre (max \$2500) + \$10.00 Technology Fee
Replat, not administrative	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Vacation of Previously Recorded Plat	\$150 + \$10.00 Technology Fee
Subdivision Variance Request	\$600 + \$10.00 Technology Fee
Cluster Development Plan	\$25 per acre (\$100 min / \$1500 max) + \$10.00 Technology Fee

**STAFF USE ONLY:**

Submittal Date: \_\_\_\_\_ **5 Business Days from Submittal:** \_\_\_\_\_

Completeness Review By: \_\_\_\_\_ Date: \_\_\_\_\_

Contact Date for Supplemental Info: \_\_\_\_\_

Supplemental Info Received (required within 5 days of contact): \_\_\_\_\_

Application Returned to Applicant: \_\_\_\_\_

Application Accepted for Review: \_\_\_\_\_ Fee: \_\_\_\_\_

Comments Due to Applicant \_\_\_\_\_

Date for Plat Resubmittals \_\_\_\_\_

Date of Planning and Zoning Commission Meeting: \_\_\_\_\_



7800 Shoal Creek Blvd., Suite 220 West  
Austin, Texas 78757  
Imprest Account

FROST NATIONAL BANK  
AUSTIN, TEXAS

008396

CHECK DATE

May 29, 2015

PAY

Two Thousand Ten and 00/100 Dollars

TO

City of San Marcos

AMOUNT

\$2,010.00

PAPE-DAWSON ENGINEERS, INC.

⑈008396⑈ ⑆114000093⑆ 27 0015997⑈

PAPE-DAWSON ENGINEERS, INC. IMPREST ACCOUNT

008396

05/29/15

Concept Plan  
Project # 50848-00/503  
Paso Robles - Ph 1 Sec 1 & Model Home Park  
Requested by: Jennifer Franklin  
Approved by: Michael Fisher

\$2,010.00

Acct #:



## Legislation Text

---

**File #:** PC-15-14\_02, **Version:** 1

---

**AGENDA CAPTION:**

PC-15-14\_02 (Paso Robles Phase 1 Preliminary Plat) Consider a request by Pape-Dawson Engineers, LLC, on behalf of Carma Paso Robles, LLC, for approval of a Preliminary Plat for approximately 37.21 acres, more or less, out of the Edward Burleson Survey located near the intersection of Hunter Road and Centerpoint Road. (T. Carpenter)

**Meeting date:** August 11, 2015

**Department:** Planning & Development Services

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**CITY COUNCIL GOAL:** Community Wellness/ Strengthen the Middle Class

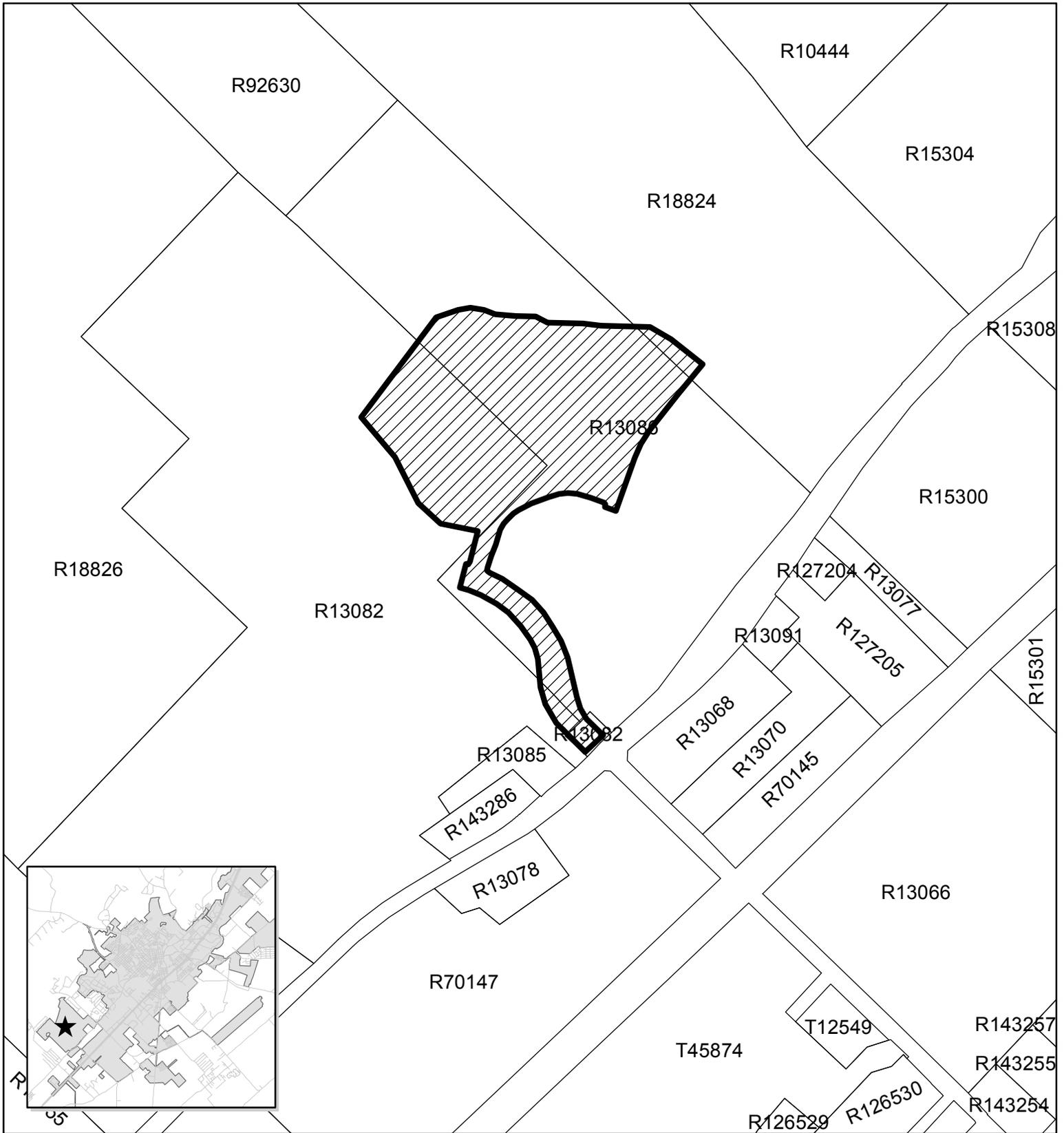
**COMPREHENSIVE PLAN ELEMENT(s):** N/A

**BACKGROUND:**

The subject property is part of the Paso Robles Planned Development District and has a base zoning of Mixed Use. This section is within the single-family portion of the development and provides for the development of 24 residential lots and one lot to be used for amenities of the development. Centerpoint Road will be extended to this phase of the development as a public road. Three new private streets are proposed. City water and wastewater lines will be extended through all streets.

The Commission shall determine whether the application for Preliminary Subdivision Plat shall be approved, approved with conditions, or denied.

Staff has reviewed the request and determined that all of the criteria have been met and is recommending **approval** of this preliminary plat as submitted.



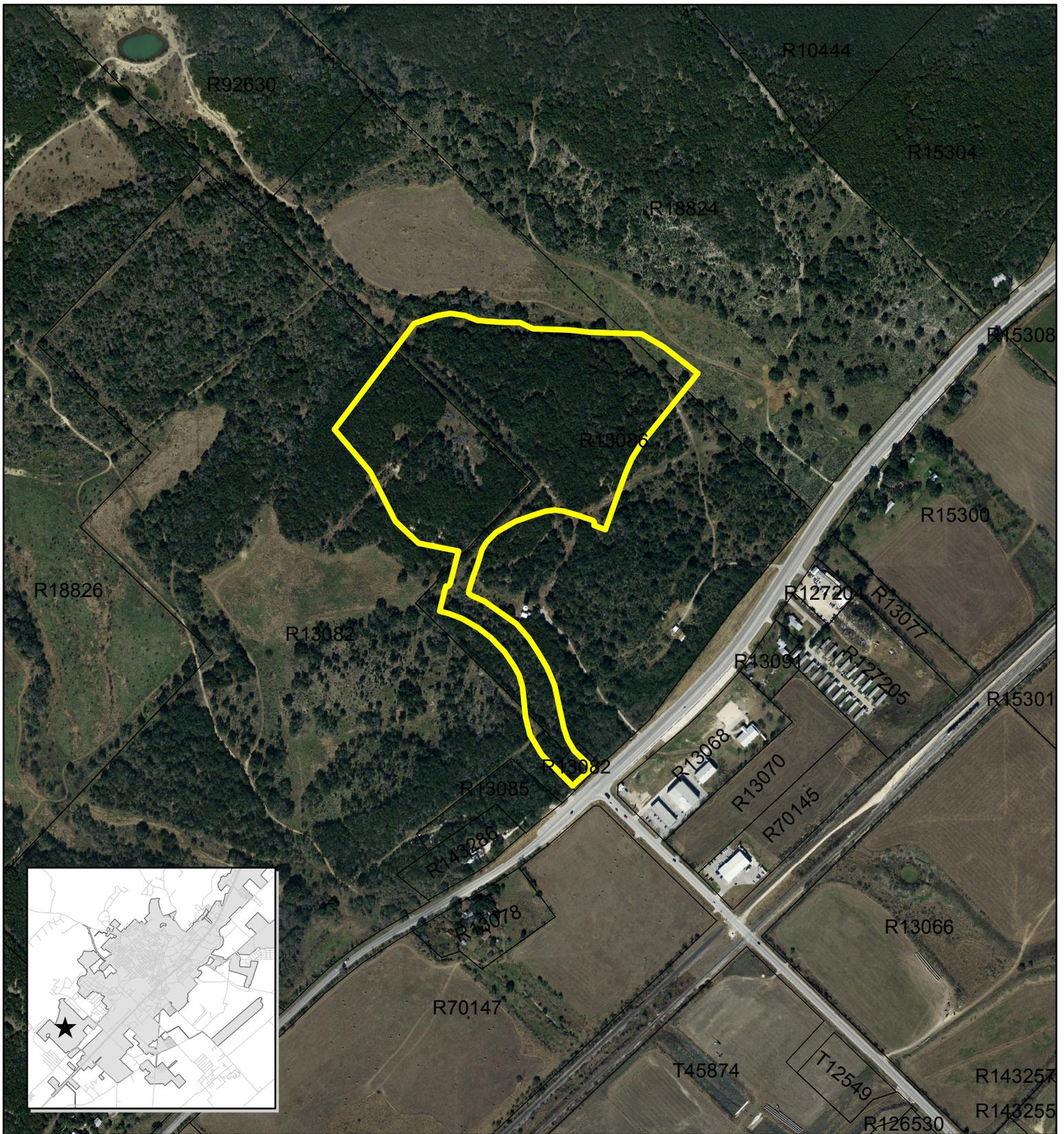
**PC-15-14\_02**  
**Paso Robles**  
**Phase 1 Preliminary Plat**  
**Hunter Rd & Centerpoint Rd**  
**Map Date: 7/30/2015**

 Site Location

0 355 710 1,420  
 Feet



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



**PC-15-14\_02**  
**Paso Robles**  
**Phase 1 Preliminary Plat**  
**Hunter Rd & Centerpoint Rd**  
**Map Date: 7/30/2015**

 Site Location

0 335 670 1,340  
 Feet



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

# PC-15-14\_02 Preliminary Plat, Paso Robles, Phase 1



## Applicant Information:

**Agent:** Pape-Dawson Engineers, Inc.  
7800 Shoal Creek Blvd Suite 220W  
Austin, TX 78757

**Property Owner:** Carma Paso Robles, LLC  
9737 Great Hills Trail  
Suite 260  
Austin, Texas 78759

**Notification:** Notification not required

**Type & Name of  
Subdivision:** Preliminary Plat, Paso Robles, Phase 1

## Subject Property:

**Summary:** The subject property is approximately 37.21 acres, more or less, and is located east at the intersection of Hunter Road and Centerpoint Road.

**Zoning:** Mixed Use/PDD

**Traffic/ Transportation:** The property is northwest of Hunter Road and is accessed through the extension of Centerpoint Road; Three new private drives will be built with this phase.

**Utility Capacity:** City water and wastewater will be extended through the site. Electric service will be provided by Pedernales Electric Cooperative, Inc.

## Planning Department Analysis:

The purpose of a Preliminary Plat is to establish lot design for a subdivision, establish utility layouts, and street and intersection design. The Preliminary Plat stage ensures that the final plat design, if final platting is accomplished in phases, is consistent with the overall plan for the area. Preliminary Plats are not recorded and are not the legal document used for sale of lots, but rather are used to allow for comprehensive review of the proposed development.

The subject property is part of the Paso Robles Planned Development District and has a base zoning of Mixed Use. This section is within the single-family portion of the development and provides for the development of 24 residential lots and one lot to be used for amenities of the development. Centerpoint Road will be extended to this phase of the development as a public road. Three new private streets are proposed. City water and wastewater lines will be extended through all streets.

The following criteria shall be used to determine whether the application for Preliminary Subdivision Plat shall be approved, approved with conditions, or denied.

- (1) The plat is consistent with all zoning requirements for the property, and any approved development agreement;
- (2) The plat conforms to the approved Watershed Protection Plan (Phase 1);
- (3) The proposed provision and configuration of roads, water, wastewater, drainage and park facilities conform to the master facilities plans for the facilities, including without limitation the water facilities, wastewater facilities, transportation, drainage and other master facilities plans;
- (4) The proposed provision and configuration of roads, water, wastewater, drainage and park facilities, and easements and rights-of-way are adequate to serve the subdivision and meet applicable standards of Chapters 6 and 7 of this Land Development Code; and
- (5) The plat meets any county standards to be applied under an interlocal agreement between the City and a county under Tex. Loc. Gov't Code Ch. 242, where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and in the county.

Staff has reviewed the request and determined that all of the above criteria have been met and is recommending **approval** of this preliminary plat as submitted.

<b>Planning Department Recommendation</b>	
<b>X</b>	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Statutory Denial

**Prepared By:**

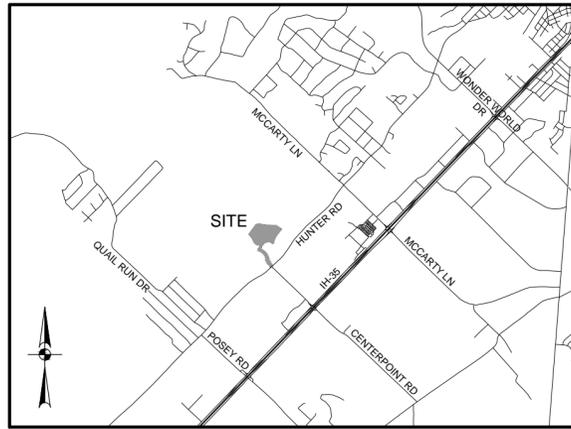
Tory Carpenter	Planner	July 29, 2015
<b>Name</b>	<b>Title</b>	<b>Date</b>

**The Commission's Responsibility:**

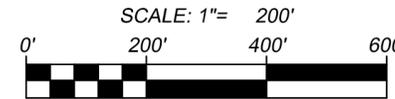
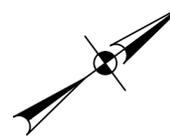
The Commission is charged with making the final decision regarding this proposed Preliminary Plat. The City Charter delegates all subdivision platting authority to the Planning and Zoning Commission. The Commission's decision on platting matters is final and may not be appealed to the City Council. Your options are to approve, disapprove if the plat does not meet the criteria for approval section of the Land Development Code, or statutorily deny (an action that keeps the application "in process") the plat.

# PASO ROBLES, PHASE 1 SAN MARCOS, TEXAS PRELIMINARY SUBDIVISION PLAT

37.21 ACRES OF LAND OUT OF THE ISAAC LOWE SURVEY, ABSTRACT NO. 287, THE EDWARD BURLESON SURVEY, ABSTRACT NO. 63, THE NATHANIEL HUBBARD SURVEY, ABSTRACT NO. 230 AND THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 471 SITUATED IN HAYS COUNTY, TEXAS, SAID 37.14 ACRE TRACT BEING A PORTION OF: A CALLED 0.6509 ACRE TRACT OF LAND IN DEED TO CARMA PASO ROBLES, LLC, RECORDED IN VOLUME 4668, PAGE 157 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, A CALLED 160.033 ACRE TRACT OF LAND IN DEED TO CARMA PASO ROBLES, LLC, RECORDED IN VOLUME 3087, PAGE 318 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, A CALLED 82.835 ACRE TRACT OF LAND IN DEED TO CARMA PASO ROBLES, LLC, RECORDED IN VOLUME 3571, PAGE 588 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND A CALLED 301.926 ACRE TRACT OF LAND IN DEED TO CARMA PASO ROBLES, LLC, RECORDED IN VOLUME 3390, PAGE 411 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.



LOCATION MAP  
N.T.S.



**LEGEND:**

- EXISTING 5' CONTOUR LINE
- EXISTING PROPERTY BOUNDARY
- EXISTING EASEMENT
- PROPOSED SUBDIVISION BOUNDARY
- PROPOSED PROPERTY LINE
- PROPOSED EASEMENT
- MAIN TRAIL

FEMA 1% ANNUAL CHANCE FLOODPLAIN  
(PANEL NO. 48209C0478F, EFFECTIVE  
09/02/2005)

TXDOT TYPE II DISC  
IRON ROD FOUND  
IRON ROD SET

CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	280.00'	033°15'09"	N28°33'31"W	160.23'	162.50'
C2	694.25'	020°34'47"	N22°13'19"W	248.02'	249.36'
C3	494.25'	022°06'41"	N43°34'03"W	189.56'	190.74'
C4	740.00'	011°05'42"	N60°10'14"W	143.07'	143.30'
C5	15.00'	081°50'21"	S24°47'55"E	19.65'	21.43'
C6	360.00'	004°31'35"	S18°23'04"W	28.43'	28.44'
C7	440.00'	004°31'35"	S18°23'04"W	34.75'	34.76'
C8	245.00'	047°02'59"	S39°38'46"W	195.58'	201.19'
C9	460.00'	005°34'39"	S65°57'34"W	44.76'	44.78'
C10	250.00'	040°44'33"	S89°07'10"W	174.05'	177.77'
C11	15.00'	090°00'00"	S25°30'33"E	21.21'	23.56'
C12	720.00'	019°14'05"	S29°06'29"W	240.58'	241.71'
C13	440.00'	004°31'35"	S13°51'29"W	34.75'	34.76'
C14	360.00'	004°31'35"	S13°51'29"W	28.43'	28.44'
C15	15.00'	088°16'03"	N60°15'17"E	20.89'	23.11'
C16	610.00'	034°01'43"	N58°35'50"W	356.98'	362.28'
C17	255.75'	027°03'07"	N18°59'09"W	119.63'	120.75'
C18	394.25'	039°43'30"	S25°19'21"E	267.90'	273.35'

**PLAT NOTES:**

1. THIS PLAT (AND LOTS THEREIN) IS SUBJECT TO THE PDD AGREEMENT WITH THE CITY OF SAN MARCOS, ORDINANCE #2010-59, APPROVED OCTOBER 5, 2010.
2. BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE PASO ROBLES PDD, OR AS APPROVED BY THE CITY OF SAN MARCOS.
3. THIS PROPERTY IS LOCATED WITHIN THE CURRENTLY MAPPED EDWARDS AQUIFER TRANSITION ZONE. EASEMENTS NOT WITHIN THE LIMITS OF THE PLAT WILL BE PROVIDED BY SEPARATE INSTRUMENT.
4. ALL PROPERTY OWNERS FRONTING ONTO A PRIVATE STREET WILL BE ASSESSED ADDITIONAL HOA FEES FOR STREET MAINTENANCE & REPAIRS.
5. WHILE A SPECIFIC DEVELOPMENT PHASING SEQUENCE IS PROPOSED, BROOKFIELD RESIDENTIAL RESERVES THE RIGHT TO VARY THE PHASING SEQUENCE AND SIZE IN ORDER TO MEET BUILDER OR MARKET REQUIREMENTS, AS LONG AS ADEQUATE INFRASTRUCTURE IS PROVIDED TO SERVE EACH PHASE.

IMPERVIOUS COVER CALCULATION			
	AREA (AC.)	IC (AC.)	IC %
MODEL HOMES	5.24	2.00	40%
PRIVATE STREETS	3.99	2.71	68%
RIGHT OF WAY	4.97	2.98	60%
AMENITY LOT	20.91	13.77	65%
SINGLE FAMILY LOT	2.23	0.00	0%
LANDSCAPE LOT	0.08	0.00	0%
TOTAL AREA	37.42	21.13	57%

LAND USE TABLE		
LOT	USAGE TYPE	AREA (AC.)
LOTS 1-24, BLOCK A	SINGLE FAMILY RESIDENTIAL	7.47
LOT 25, BLOCK A	AMENITY	20.91
LOT 26, BLOCK A	LANDSCAPE	0.08
LOT 27, BLOCK A	PRIVATE STREETS	3.99
RIGHT OF WAY	-	4.97
TOTAL AREA	-	37.42

TOTAL NO. OF LOTS: 27  
TOTAL NO. OF S.F. LOTS: 24

**OWNER:**

CARMA PASO ROBLES, LLC  
9737 GREAT HILLS TRAIL  
SUITE 260  
AUSTIN, TX 78759  
512-391-1330

SHAUN CRANSTON

**ENGINEER / SURVEYOR:**

PAPE-DAWSON ENGINEERS  
7800 SHOAL CREEK BLVD.,  
SUITE 220 WEST  
AUSTIN, TX 78757  
PHONE: 512-454-8711  
FAX: 512-459-8867

MICHAEL S. FISHER, P.E.  
PARKER J. GRAHAM, R.P.L.S.

THIS DOCUMENT IS RELEASED FOR INTERIM REVIEW PURPOSES ONLY UNDER THE AUTHORITY OF MICHAEL S. FISHER, P.E. #87704  
DATE: June 22, 2015. IT IS NOT TO BE USED FOR BIDDING, CONSTRUCTION OR PERMITTING PURPOSES, PER T.E.P.A. 137.33(e)



7800 SHOAL CREEK BLVD. | SUITE 220 WEST | AUSTIN TEXAS 78757 | PHONE: 512.454.8711 | FAX: 512.459.8867

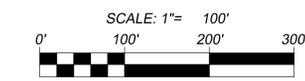
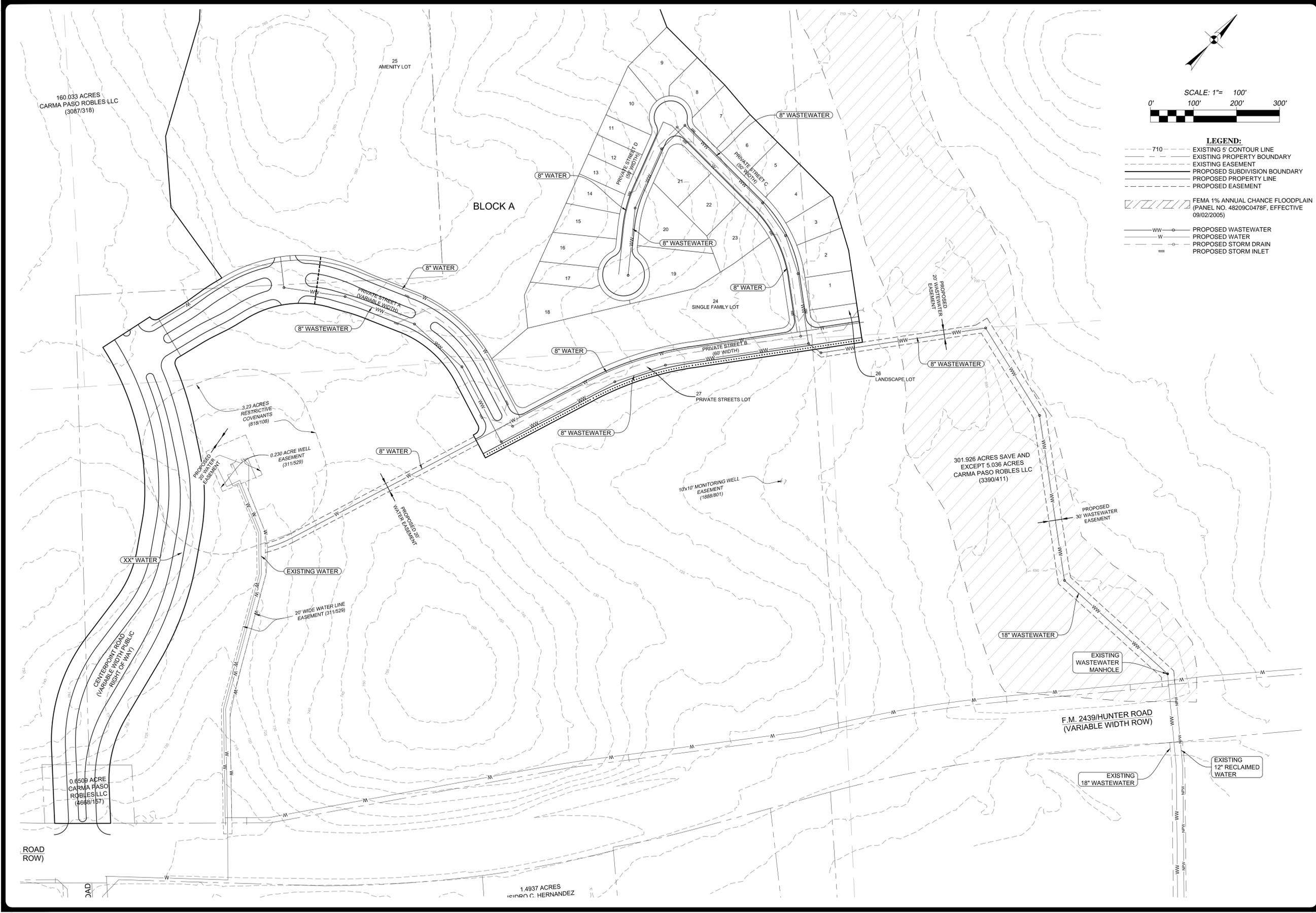
TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470  
TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS, FIRM REGISTRATION # 100288-01

JUNE 2015

SHEET 1 OF 1

DATE: Jun 22, 2015, 12:58PM USER: ID: MSULLIVAN  
 File: P:\PROJECTS\35846\3584600212 PRELIMINARY PLANNING\WP2846-00.DWG

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



- LEGEND:**
- - - 710 - - - EXISTING 5' CONTOUR LINE
  - EXISTING PROPERTY BOUNDARY
  - - - EXISTING EASEMENT
  - PROPOSED SUBDIVISION BOUNDARY
  - PROPOSED PROPERTY LINE
  - - - PROPOSED EASEMENT
  - ////// FEMA 1% ANNUAL CHANCE FLOODPLAIN (PANEL NO. 48209C0478F, EFFECTIVE 09/02/2005)
  - WW --- PROPOSED WASTEWATER
  - W --- PROPOSED WATER
  - S --- PROPOSED STORM DRAIN
  - I --- PROPOSED STORM INLET

REVISIONS:

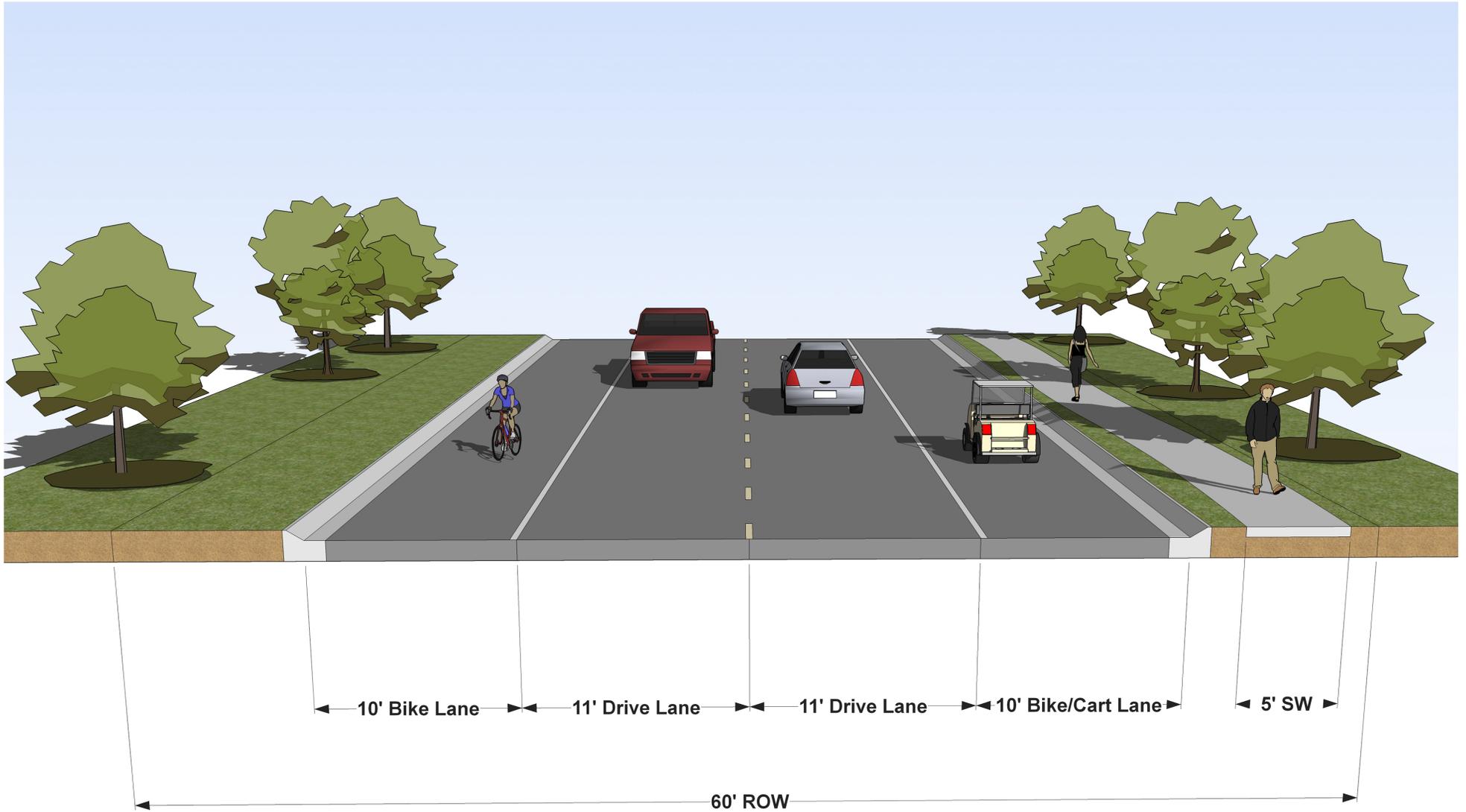
THIS DOCUMENT IS RELEASED FOR INTERIM REVIEW PURPOSES ONLY UNDER THE AUTHORITY OF MICHAEL S. FISHER, P.E. #8704 DATE: June 22, 2015. IT IS NOT TO BE USED FOR PERMITTING CONSTRUCTION OR PERMITTING PURPOSES, PER T.E.P.A. 137.33(c)

**PAPE-DAWSON ENGINEERS**

2800 SHILOH CREEK BLVD | SUITE 220 WEST | AUSTIN, TEXAS 78757 | PHONE: 512.454.9711 FAX: 512.456.8867  
 TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION #470

**PASO ROBLES, PHASE 1  
 SAN MARCOS, TEXAS  
 UTILITY EXHIBIT**

JOB NO.	50848-00
DATE	June 2015
DESIGNER	
CHECKED	DRAWN MKS
SHEET	1 OF 1

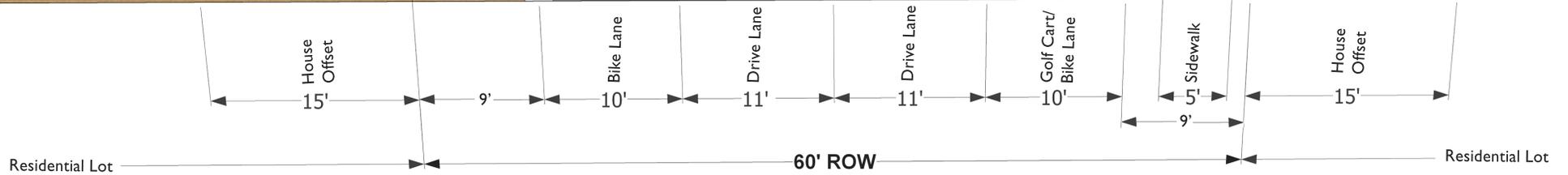


**Brookfield**  
Residential

NTS 04/14/15

# PRIMARY RESIDENTIAL STREET SECTION



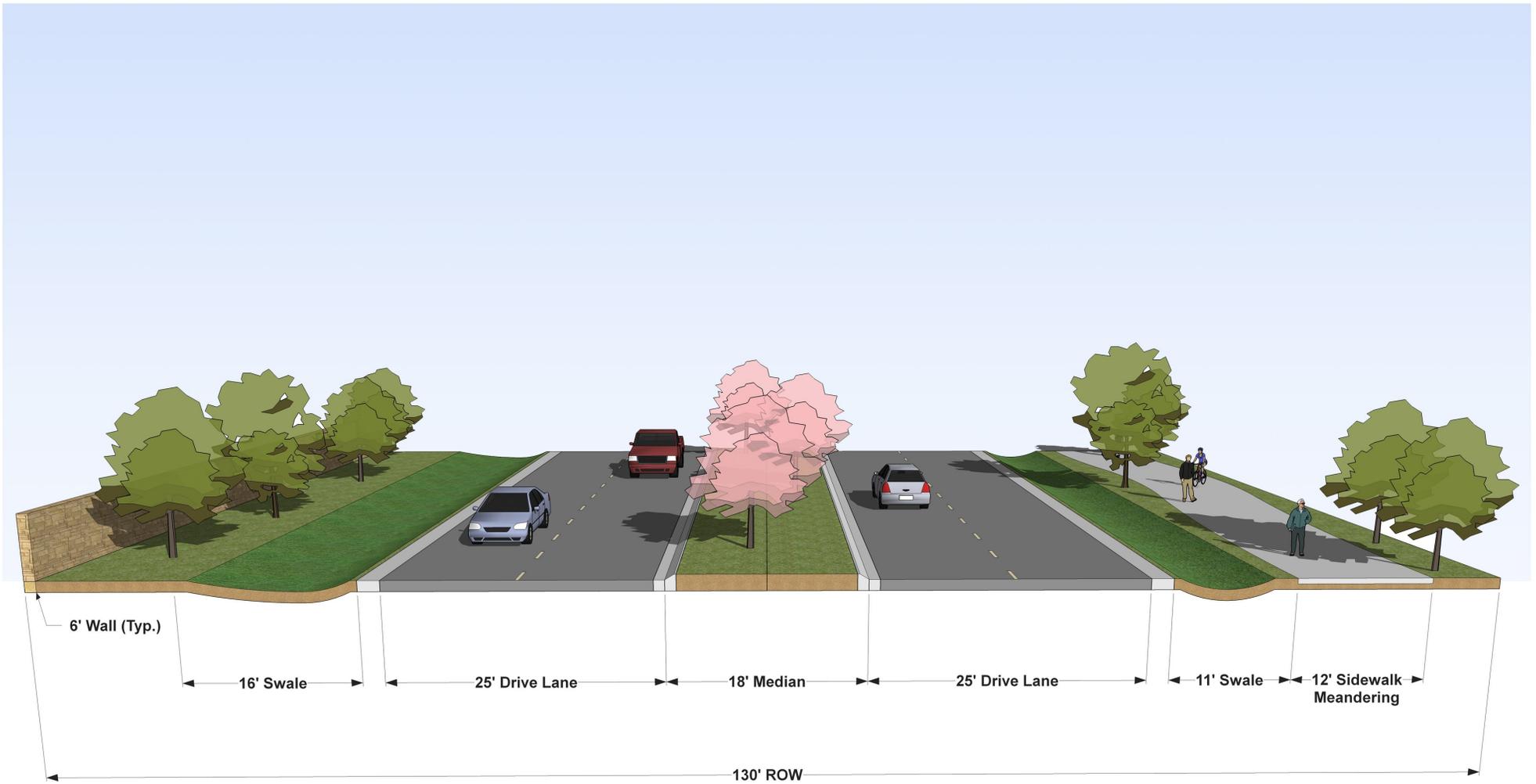


**Brookfield**  
Residential

NTS 04/15/15

# PRIMARY RESIDENTIAL STREET SECTION 2



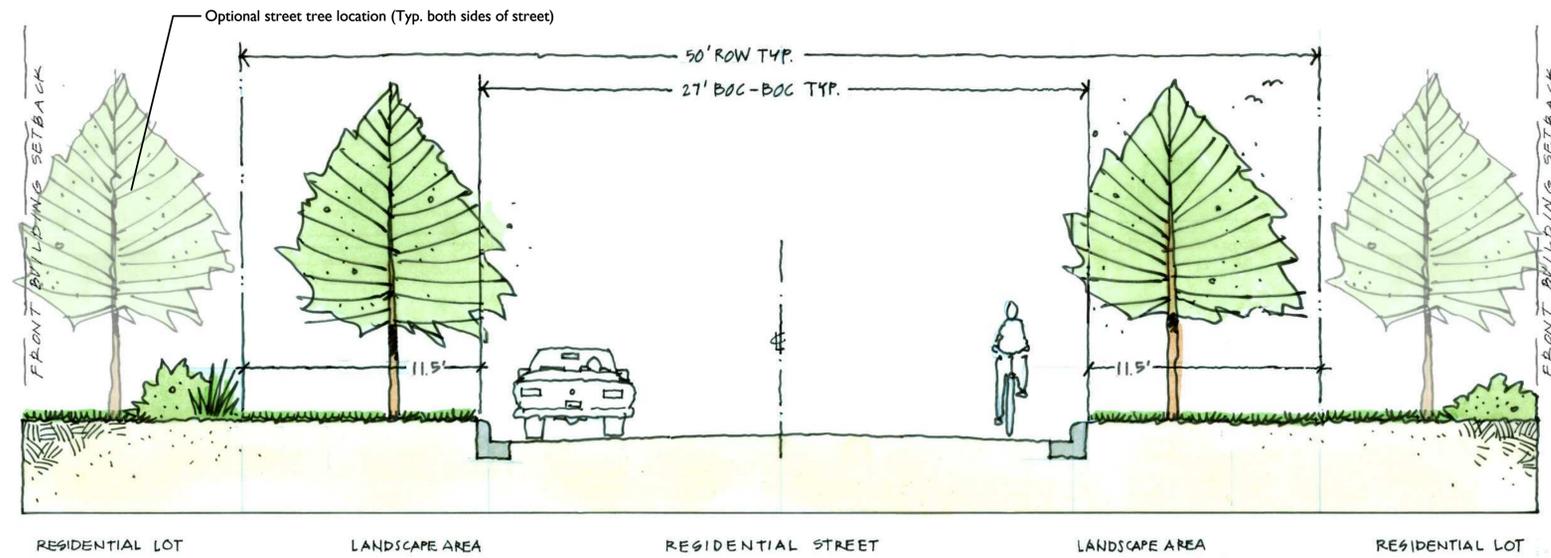
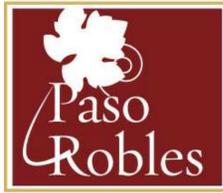


**Brookfield**  
Residential

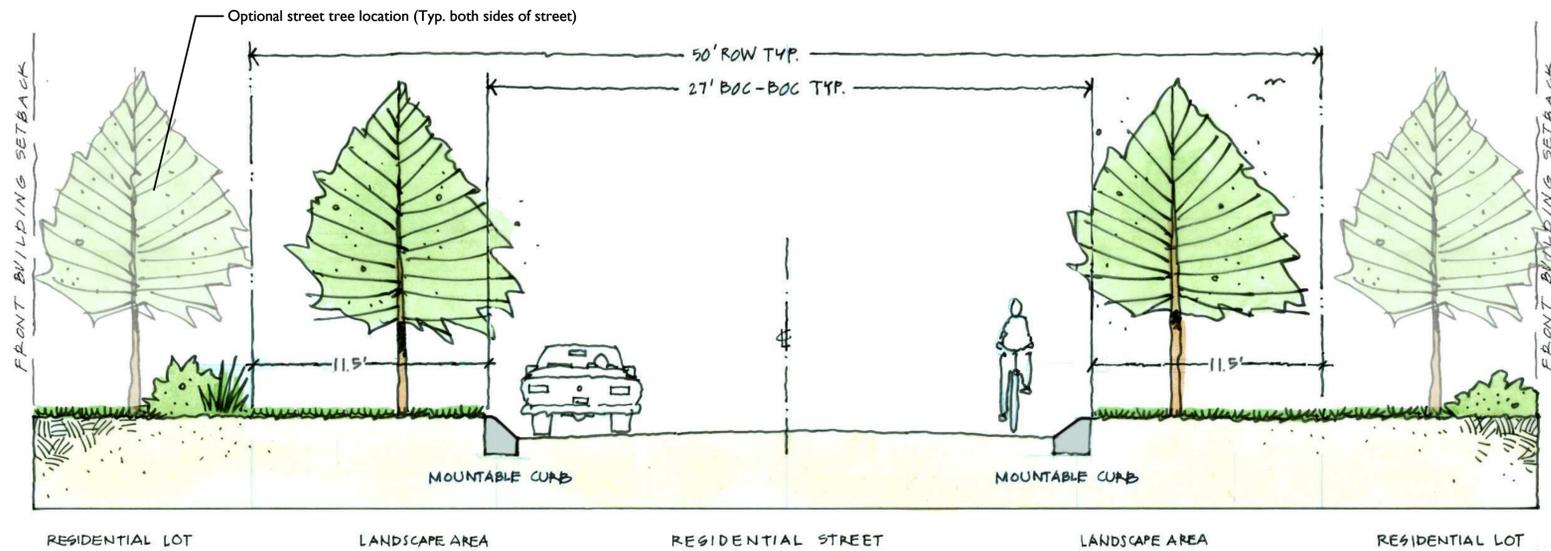
NTS 04/23/15

# MAJOR ARTERIAL SECTION

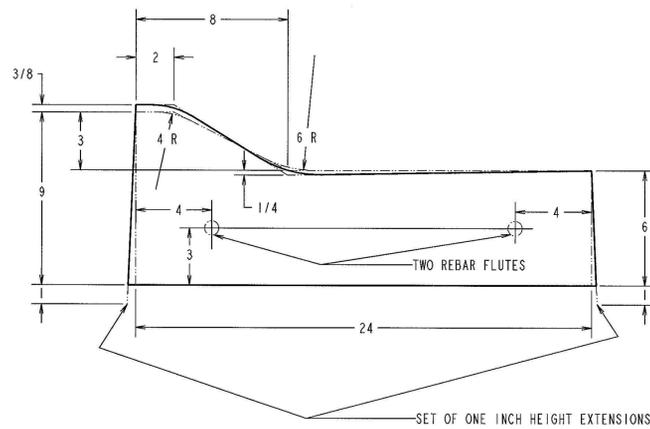




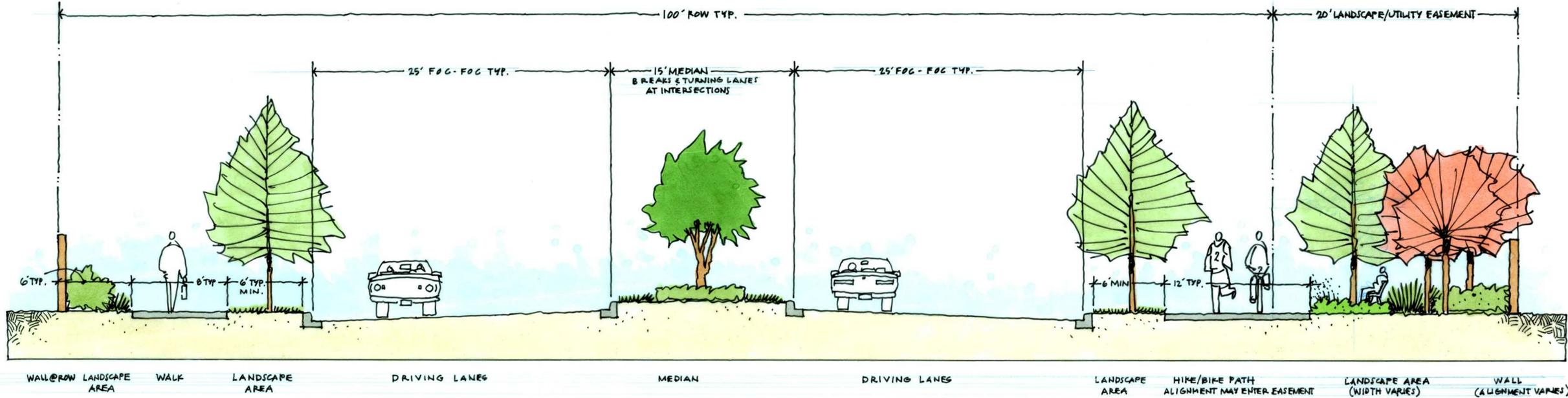
LOCAL RESIDENTIAL STREET



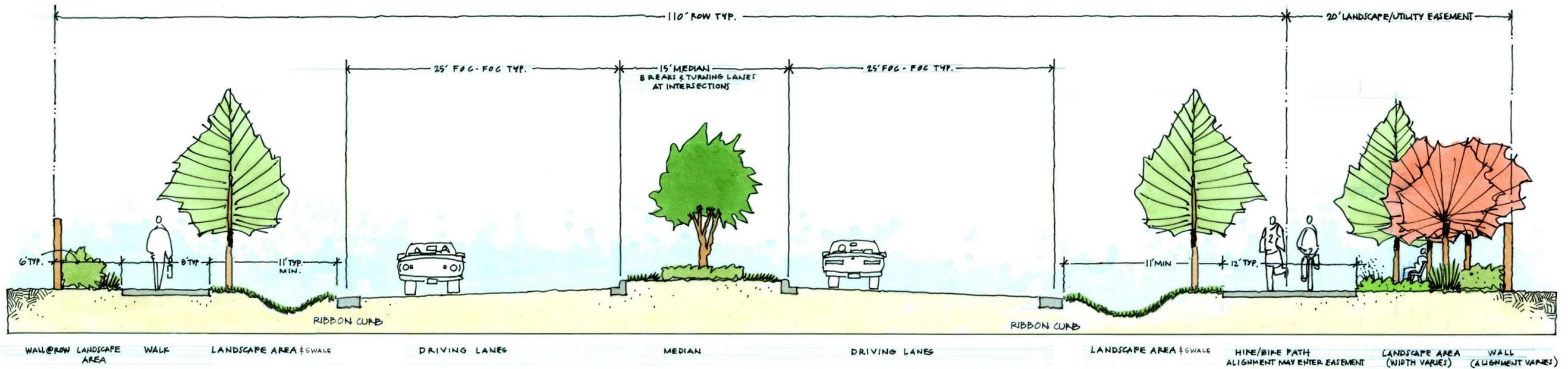
LOCAL RESIDENTIAL STREET



MOUNTABLE CURB DETAIL - NOT TO SCALE.



STANDARD SECTION



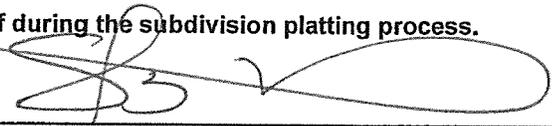
STANDARD SECTION OPTION W/ SWALE

**City of San Marcos**  
**SUBDIVISION PLAT APPLICATION**

	<u>APPLICANT</u>	<u>PROPERTY OWNER</u>
Name	<u>PAPE-DAWSON ENGINEERS, INC.</u>	<u>CARMA PASO ROBLES, LLC</u>
Mailing Address	<u>7800 SHOAL CREEK BLVD.</u> <u>SUITE 220W</u> <u>AUSTIN, TX 78757</u>	<u>9737 GREAT HILLS TRAIL</u> <u>SUITE 260</u> <u>AUSTIN, TX 78759</u>
Daytime Phone	<u>(512) 454-8711</u>	<u>(512) 391-1330</u>
Email Address	<u>MFISHER@PAPE-DAWSON.COM</u>	<u>MAX.MILLER@BROOKFIELDRP.COM</u>

**AGENT ACKNOWLEDGEMENT STATEMENT:**

I SHAUN CRANSTON acknowledge that I am the rightful owner of the property proposed for subdivision and hereby authorize Michael Fisher, P.E. to serve as my agent to file this application and to work with the Responsible Official on my behalf during the subdivision platting process.

Signature of Property Owner: 

Printed Name: **SHAUN CRANSTON, P.Eng.**  
**SENIOR VICE PRESIDENT**

Date: 14 APRIL 2015

Signature of Agent: 

Printed Name: Michael Fisher, P.E. Date: 4/17/15

<b>Subdivision Plats</b> <input type="checkbox"/> Subdivision Concept Plat <input checked="" type="checkbox"/> Preliminary Subdivision Plat <input type="checkbox"/> Final Subdivision Plat  <input type="checkbox"/> Variance                      Section _____ <input type="checkbox"/> Plat Vacation                      Accompanying _____	<b>Development Plats</b> <input type="checkbox"/> Preliminary Development Plat <input type="checkbox"/> Final Development Plat
<b>Minor Subdivision Plats (for Administrative Approval)</b> <input type="checkbox"/> Minor Subdivision Plat	
<b>Revisions to Recorded Plats (for Administrative Approval)</b> <input type="checkbox"/> Amending Plat <input type="checkbox"/> Replat without Vacation	

**SUBJECT PROPERTY**

Subdivision Name: PASO ROBLES

Address or General Location: NORTH OF THE INTERSECTION OF CENTERPOINT RD. & HUNTER RD.

Proposed Number of Lots: 27                      Acres: 37.21

Appraisal District Tax ID: R13086, R137960, R13082, R18824

Located In     City Limits                       ETJ\* - Please circle county: *Caldwell*    *Comal*    *Guadalupe*    *Hays*  
 S.M. River Corridor                       Planned Development District

Proposed Use of Land SINGLE-FAMILY RESIDENTIAL & AN AMENITY CENTER

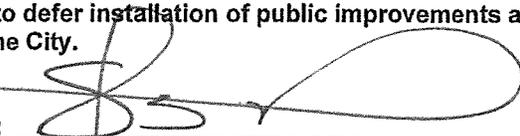
*\*Subdivision plat applications for land in the ETJ may be subject to additional requirements and review as defined by the Interlocal Agreement for the respective county.*

**SUBDIVISION IMPROVEMENT AGREEMENT**

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

I will complete all required public improvements prior to the Final Subdivision Plat or Final Development Plat.

I wish to defer installation of public improvements and will complete a Subdivision Improvement Agreement with the City.

Signature: 

Printed Name: **SHAUN CRANSTON, P.Eng.**  
**SENIOR VICE PRESIDENT**                      Date: 14 APRIL 2015

**ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Electric Service Provider PEDERNALES ELECTRIC COMPANY COOPERATIVE, Inc.

Applicable Utility Service Code(s) A, D

Comments/Conditions PLEASE PLACE A 15' PUE ALONG ALL ROAD  
RIGHT OF WAY AND A 5' PUE ON ALL SIDE LOT LINES. ADDITIONAL  
EASEMENTS WILL BE HANDLED BY SEPERATE INSTRUMENT DURING  
CONSTRUCTION PHASE.

Signature of Electric Company Official 

Title RIGHT OF WAY AGENT Date 4/17/15

**GAS UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Gas Service Provider CENTERPOINT ENERGY

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Gas Company Official \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

**ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Electric Service Provider PEDERNALES ELECTRIC COMPANY

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature of Electric Company Official \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

**GAS UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Gas Service Provider CENTERPOINT ENERGY

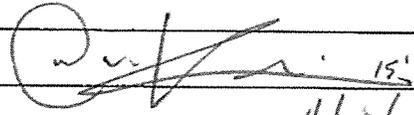
Applicable Utility Service Code(s) B

Comments/Conditions NEED MASTER PLAN (PRELIM) to

forecast SIZING of APPROACH MAIN INFRASTRUCTURE.

ALSO WILL REQUIRE PRE DEVELOPMENT AGREEMENT

W/ BROOKFIELD.

Signature of Gas Company Official  \_\_\_\_\_

Title MARKETING CONSULTANT Date 4/13/2015

*Paso Robles*

**WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Water Service Provider CITY OF SAN MARCOS

Applicable Utility Service Code(s) C

Comments/Conditions Line extension required

Signature of Water Utility Official: *Tommy Selvi*

Title: Water Dist Manager Date: April 17, 2015

Name of Wastewater Service Provider CITY OF SAN MARCOS

Applicable Utility Service Code(s) \_\_\_\_\_

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

Comments/Conditions \_\_\_\_\_

Signature of City or County Wastewater Official: \_\_\_\_\_

Title: \_\_\_\_\_ Date \_\_\_\_\_

**TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:**

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Name of Telephone Service Provider CENTURY TEL

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Telephone Company Official \_\_\_\_\_

Title: \_\_\_\_\_ Date \_\_\_\_\_

**SUBMITTAL REQUIREMENTS FOR ALL PLATS:**

**WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:**

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Name of Water Service Provider CITY OF SAN MARCOS

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Water Utility Official: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Wastewater Service Provider CITY OF SAN MARCOS

Applicable Utility Service Code(s) \_\_\_\_\_

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Comments/Conditions \_\_\_\_\_

Signature of City or County Wastewater Official: \_\_\_\_\_

Title: \_\_\_\_\_ Date \_\_\_\_\_

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Name of Telephone Service Provider CENTURY TEL

Applicable Utility Service Code(s) C, D

Comments/Conditions \_\_\_\_\_

Signature of Telephone Company Official 

Title: Engineer Date 04-16-15

**SUBMITTAL REQUIREMENTS FOR ALL PLATS:**

- Complete application
- Required fees \$ 2,010.00 (see next page for Fee Schedule)
- All legislative requirements complete
- Proof of record ownership (recorded deed corresponds to ownership indicated on tax certificate)
- Current tax certificate (must show prior year taxes paid by January 31st of current year)
- Names and addresses of property lien-holders
- One digital copy of submittal materials including CAD file
- Five 18"x24" hard copies of plat document\*

I hereby affirm that if I am not the property owner of record, or if the applicant is an organization or business entity, I have been authorized to represent the owner, organization, or business in this application. I certify the preceding information is complete and accurate, and it is understood that I or another representative should be present at all meetings concerning this application.

Signature of Applicant: 

Printed Name: Michael Fisher, P.E.

Date: 4/17/15

\*Plats in the ETJ may require additional hard copies.

**ADDITIONAL REQUIREMENTS:**

**Subdivision Concept Plats:**

- Watershed Protection Plan (Phase 1)
- Residential compatibility site plan (where applicable)
- Cluster development plan (where applicable)

**Preliminary Subdivision Plats or Preliminary Development Plats**

- Approved Watershed Protection Plan Phase I (can be submitted concurrently)
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

**Final Subdivision or Final Development Plats:**

- Preliminary Plat (where applicable)
- Approved Watershed Protection Plan Phase II and approved Public Improvement Construction Plan by the Director of Engineering (can be submitted concurrently).
- Subdivision Improvement Agreement and surety if public facility construction was deferred.
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential) .  
Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

**Minor Subdivision Plats:**

Minor subdivisions plats must meet the following qualifications:

- Proposed subdivision results in 4 or fewer lots
- All lots front onto an existing public street and construction or extension of a street or alley is not required or is considered a minor extension by Director of Engineering.
- Extension of municipal facilities is not required or the installation of utilities is considered a minor extension by the Director of Engineering.
- Approved WPP Phase II is required if land is located within the Edwards Aquifer Recharge Zone, within a designated stream or river corridor, or if the land contains floodplain, floodway or a waterway as defined by the LDC.

**Amending Plats and Replats:**

- Detailed description of the purposes and circumstances that warrant change of the recorded plat identifying all lots, easements or improvements affected by the proposed change.

## Fee Schedule

For Plats Located Inside/Outside of the City Limits	
Subdivision Minor Plat / Amending Plat	\$400 plus \$100 per acre (max \$1000) + \$10.00 Technology Fee
Concept Plan	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Preliminary Plat	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Final Plat	\$1000 plus \$100 acre (max \$2500) + \$10.00 Technology Fee
Replat, not administrative	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Vacation of Previously Recorded Plat	\$150 + \$10.00 Technology Fee
Subdivision Variance Request	\$600 + \$10.00 Technology Fee
Cluster Development Plan	\$25 per acre (\$100 min / \$1500 max) + \$10.00 Technology Fee

**STAFF USE ONLY:**

Submittal Date: 4/21/15                      5 Business Days from Submittal: \_\_\_\_\_  
 Completeness Review By: [Signature]                      Date: 4/22/15  
 Contact Date for Supplemental Info: \_\_\_\_\_  
 Supplemental Info Received (required within 5 days of contact): \_\_\_\_\_  
 Application Returned to Applicant: \_\_\_\_\_  
 Application Accepted for Review: [Signature] 4/21/15                      Fee: \_\_\_\_\_  
 Comments Due to Applicant 5/13/15  
 Date for Plat Resubmittals 5/22/15  
 Date of Planning and Zoning Commission Meeting: 6/9/15



## Legislation Text

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**File #:** PC-15-28\_02, **Version:** 1

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**AGENDA CAPTION:**

PC-15-28\_02 (Cottonwood Creek Phase 1, Section 3) Consider a request by Ramsey Engineering, LLC, on behalf of Cottonwood Creek JDR, LTD, for approval of a Preliminary Subdivision Plat of Cottonwood Creek Phase 1, Section 2 for approximately 12.05 acres, more or less, out of the Farnam Frye, John F Geister, and Charles Henderson Surveys, consisting of 78 residential lots and 3 private parkland lots located near the intersection of Monterrey Oak and Cypress Parkway. (T. Carpenter)

**Meeting date:** August 11, 2015

**Department:** Planning & Development Services

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**CITY COUNCIL GOAL:** Community Wellness/ Strengthen the Middle Class

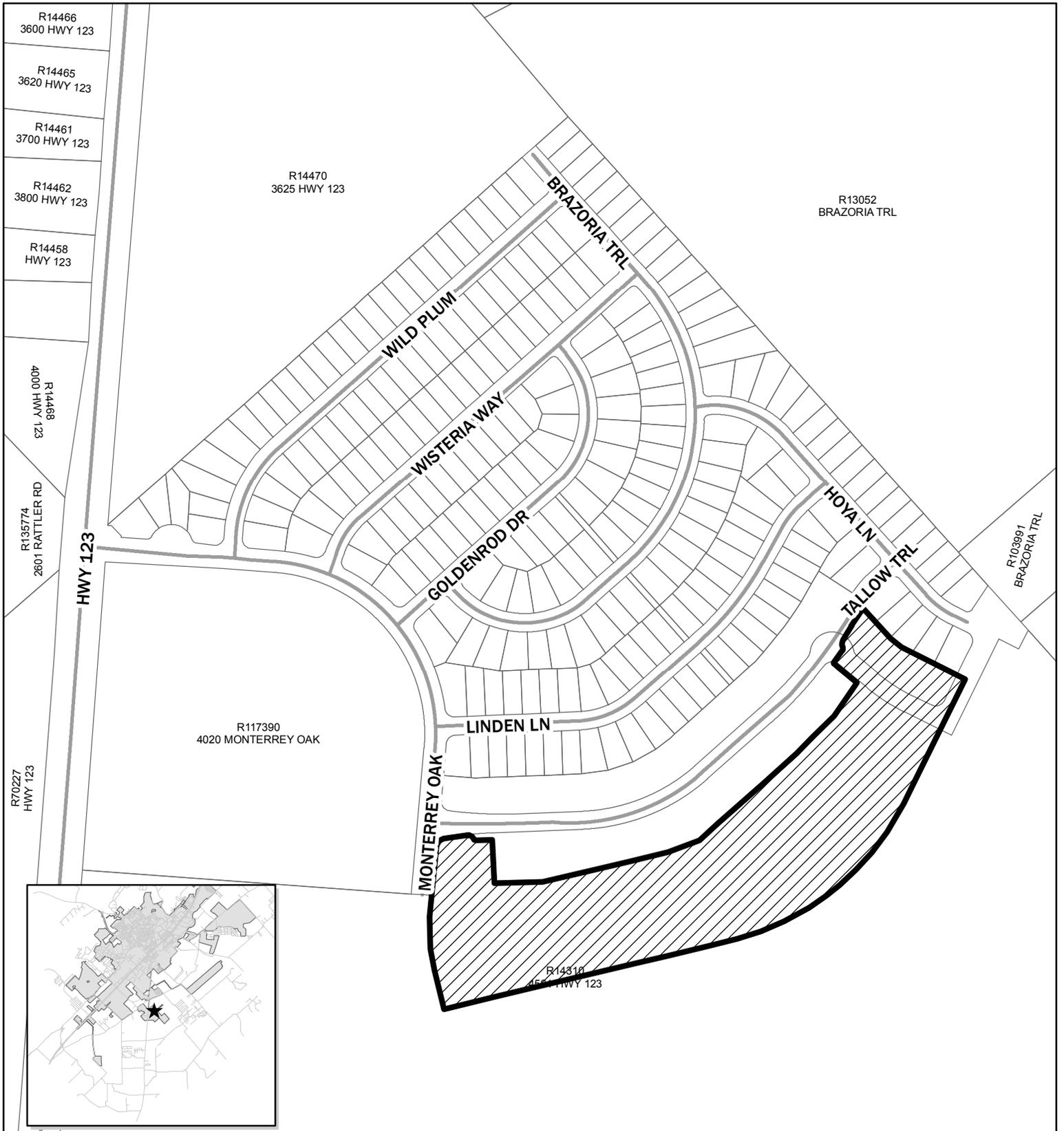
**COMPREHENSIVE PLAN ELEMENT(s):** N/A

**BACKGROUND:**

This phase of the Cottonwood Creek subdivision extends south of Phase 1, Section 1. The subject property is not in the floodplain and does not require a watershed protection plan. A 16-foot trail dividing Block K and Block L is a continuation of the existing trails through the development. This trail system is privately owned and maintained by the homeowner's association.

The developer will construct three new roads; Blair Court, Canterbury Drive, and Georgia Circle. Water and wastewater lines will be extended through these roads.

The plat meets the criteria set forth in the Land Development Code and staff recommends **approval** of the plat as submitted.

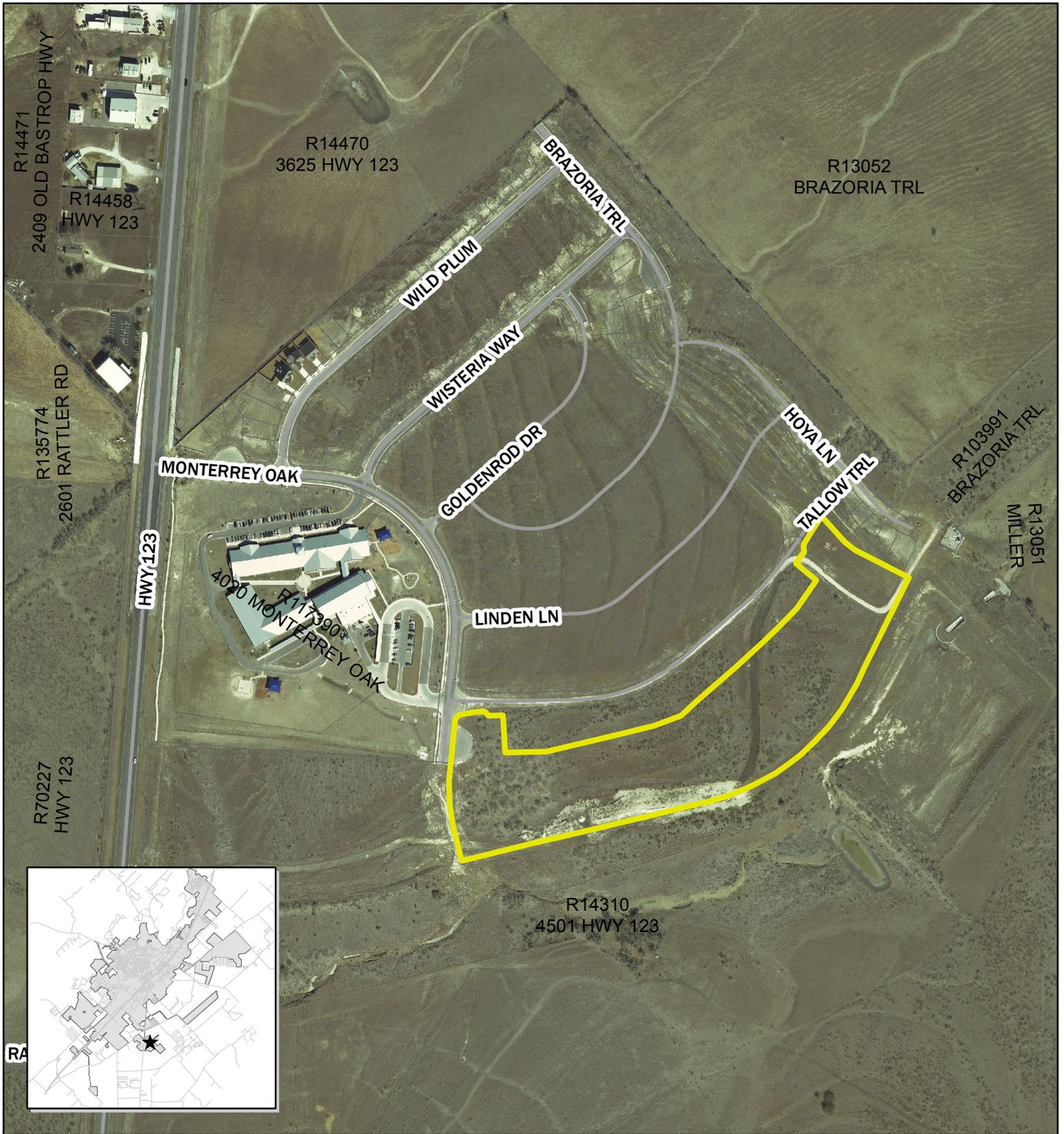


**PC-15-28\_02**  
**Cottonwood Creek**  
**Phase 1, Section 3**  
**Map Date: 7/30/2015**

 Site 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.



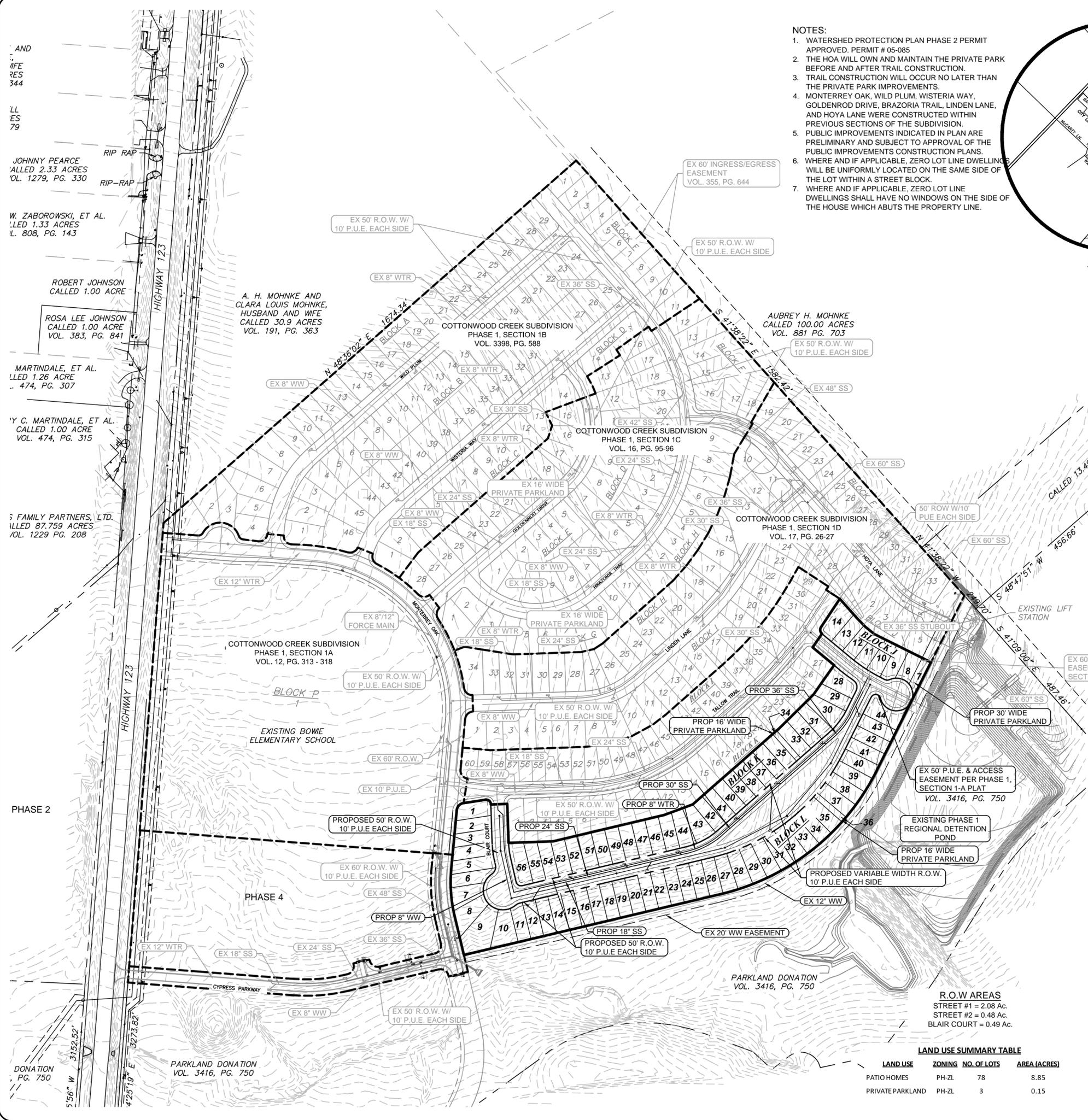
**PC-15-28\_02**  
**Cottonwood Creek**  
**Phase 1, Section 3**  
**Map Date: 7/30/2015**

 Site Location

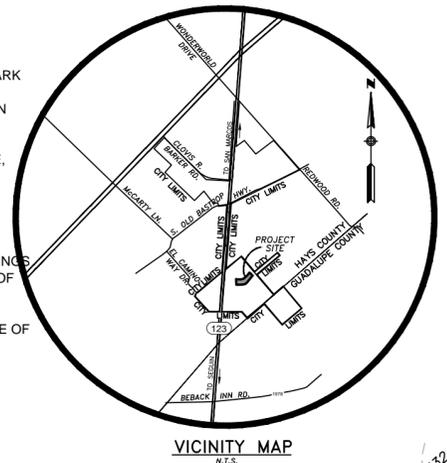


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C:\CompanyData\Clients\0420-Ramsey Engineering LLC\0420-067-15-COTTONWOOD CREEK PH1-SEC3\PRELIM-PLAT.dwg; Layout: "SITE"; Mon, Aug 03, 2015, 1:47pm; by: C1038\_jimmym



- NOTES:**
1. WATERSHED PROTECTION PLAN PHASE 2 PERMIT APPROVED, PERMIT # 05-085
  2. THE HOA WILL OWN AND MAINTAIN THE PRIVATE PARK BEFORE AND AFTER TRAIL CONSTRUCTION.
  3. TRAIL CONSTRUCTION WILL OCCUR NO LATER THAN THE PRIVATE PARK IMPROVEMENTS.
  4. MONTERREY OAK, WILD PLUM, WISTERIA WAY, GOLDENROD DRIVE, BRAZORIA TRAIL, LINDEN LANE, AND HOYA LANE WERE CONSTRUCTED WITHIN PREVIOUS SECTIONS OF THE SUBDIVISION.
  5. PUBLIC IMPROVEMENTS INDICATED IN PLAN ARE PRELIMINARY AND SUBJECT TO APPROVAL OF THE PUBLIC IMPROVEMENTS CONSTRUCTION PLANS.
  6. WHERE AND IF APPLICABLE, ZERO LOT LINE DWELLINGS WILL BE UNIFORMLY LOCATED ON THE SAME SIDE OF THE LOT WITHIN A STREET BLOCK.
  7. WHERE AND IF APPLICABLE, ZERO LOT LINE DWELLINGS SHALL HAVE NO WINDOWS ON THE SIDE OF THE HOUSE WHICH ABUTS THE PROPERTY LINE.



VICINITY MAP  
N.T.S.

**RAMSEY ENGINEERING**  
 Ramsey Engineering, LLC  
 Civil Engineering • Consulting  
 TBBPL Firm No. F-12606  
 Cell: 512-650-6800  
 ramsey-eng@att.net  
 3206 Yellowpine Terrace  
 Austin, Texas 78757  
 DESIGNED: SR    DRAWN: AL    REVIEWED: CD, MG



No.	DATE	REVISIONS	RECORD

PROJECT/SHEET TITLE  
**COTTONWOOD CREEK PHASE 1, SECTION 3  
 SAN MARCOS, TEXAS  
 PRELIMINARY PLAT**

PROJECT No.  
 15-013-10

SHEET No.  
 1 OF 1

SUBDIVISION NAME: COTTONWOOD CREEK SUBDIVISION PHASE 1, SECTION 3	
PROPERTY OWNER: COTTONWOOD CREEK JDR, LTD. RANDALL MORRIS, PRESIDENT 333 CHEATHAM STREET SAN MARCOS, TX 78666 (512) 353-1776	
ENGINEER: RAMSEY ENGINEERING, LLC. 3206 YELLOWPINE TERRACE AUSTIN, TX 78757 (512) 650-6800	
SCALE: 1" = 200'	DATE OF PREPARATION: 6-23-2015
ABSTRACT/SURVEY: J.F. GEISTER SURVEY NO. 6 ABSTRACT NO. 202 J.F. GEISTER SURVEY NO. 7 ABSTRACT NO. 203	

**LAND USE SUMMARY TABLE**

LAND USE	ZONING	NO. OF LOTS	AREA (ACRES)
PATIO HOMES	PH-ZL	78	8.85
PRIVATE PARKLAND	PH-ZL	3	0.15

**R.O.W AREAS**  
 STREET #1 = 2.08 Ac.  
 STREET #2 = 0.48 Ac.  
 BLAIR COURT = 0.49 Ac.

AND  
 WIFE  
 RES  
 344

LL  
 ES  
 79

JOHNNY PEARCE  
 CALLED 2.33 ACRES  
 VOL. 1279, PG. 330

W. ZABOROWSKI, ET AL.  
 CALLED 1.33 ACRES  
 VOL. 808, PG. 143

ROBERT JOHNSON  
 CALLED 1.00 ACRE

ROSA LEE JOHNSON  
 CALLED 1.00 ACRE  
 VOL. 383, PG. 841

MARTINDALE, ET AL.  
 CALLED 1.26 ACRE  
 VOL. 474, PG. 307

Y. C. MARTINDALE, ET AL.  
 CALLED 1.00 ACRE  
 VOL. 474, PG. 315

3 FAMILY PARTNERS, LTD.  
 CALLED 87.759 ACRES  
 VOL. 1229 PG. 208

A. H. MOHNKE AND  
 CLARA LOUIS MOHNKE,  
 HUSBAND AND WIFE  
 CALLED 30.9 ACRES  
 VOL. 191, PG. 363

AUBREY H. MOHNKE  
 CALLED 100.00 ACRES  
 VOL. 881 PG. 703

COTTONWOOD CREEK SUBDIVISION  
 PHASE 1, SECTION 1A  
 VOL. 12, PG. 313 - 318

COTTONWOOD CREEK SUBDIVISION  
 PHASE 1, SECTION 1B  
 VOL. 3398, PG. 588

COTTONWOOD CREEK SUBDIVISION  
 PHASE 1, SECTION 1C  
 VOL. 16, PG. 95-96

COTTONWOOD CREEK SUBDIVISION  
 PHASE 1, SECTION 1D  
 VOL. 17, PG. 26-27

COTTONWOOD CREEK SUBDIVISION  
 PHASE 1, SECTION 1A  
 VOL. 12, PG. 313 - 318

COTTONWOOD CREEK SUBDIVISION  
 PHASE 1, SECTION 1A  
 VOL. 12, PG. 313 - 318

PARKLAND DONATION  
 VOL. 3416, PG. 750

PARKLAND DONATION  
 VOL. 3416, PG. 750

DONATION  
 PG. 750

# PC-15-28\_02

## Cottonwood Creek Phase 1, Section 3

### Preliminary Plat



#### **Applicant Information:**

**Agent:** Ramsey Engineering, LLC  
3206 Yellowpine Terrace  
Austin, TX 78757

**Property Owner:** Cottonwood Creek JDR, LTD  
333 Cheatham Street  
San Marcos, TX 78666

**Notification:** Notification not required

**Type & Name of Subdivision:** Preliminary Plat, Cottonwood Creek Phase 1, Section 3

#### **Subject Property:**

**Summary:** The subject property is located in southeast San Marcos along State Highway 123, about one mile south of Clovis Barker Rd. The applicant is proposing to plat 78 residential lots, with 3 private parkland lots.

**Zoning:** "PH-ZL," Patio Home Zero Lot Line.

**Traffic/ Transportation:** The property will be accessed from Tallow Trail which is currently under construction as part of the Phase 1, Section 2 public improvements.

**Utility Availability:** Water and wastewater service will be provided to this property by the City of San Marcos. Electrical service will be provided by Bluebonnet Electric.

#### **Planning Department Analysis:**

The purpose of a Preliminary Plat is to establish lot design for a subdivision, establish utility layouts, and street and intersection design. The Preliminary Plat stage ensures that the final plat design, if final platting is accomplished in phases, is consistent with the overall plan for the area. Preliminary Plats are not recorded and are not the legal document used for sale of lots, but rather are used to allow for comprehensive review of the proposed development.

This phase of the Cottonwood Creek subdivision extends south of Phase 1, Section 1. The subject property is not in the floodplain and does not require a watershed protection plan. A 16-foot trail dividing Block K and Block L is a continuation of the existing trails through the development. This trail system is privately owned and maintained by the homeowner's association.

The developer will construct three new roads. Water and wastewater lines will be extended through these roads.

The following criteria shall be used to determine whether the application for Preliminary Subdivision Plat shall be approved, approved with conditions, or denied, where a Subdivision Concept Plat has been approved for the land subject to the proposed plat:

- (1) The plat conforms to the general layout of the Subdivision Concept Plat and is consistent with the phasing plan approved therein;
- (2) The proposed provision and configuration of roads, water, wastewater, drainage and park facilities, and easements and rights-of-way are adequate to serve the subdivision and meet applicable standards of Chapters 6 and 7 of this Land Development Code;
- (3) The plat conforms to the approved Watershed Protection Plan (Phase 1); and
- (4) The plat meets any county standards to be applied under an interlocal agreement between the City and a county under Tex. Loc. Gov't Code ch. 242, where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and in the county.

Staff has reviewed the request and determined that all of the above criteria have been met and is recommending **approval** of this preliminary plat as submitted.

Planning Department Recommendation	
<input checked="" type="checkbox"/>	Approve as submitted
<input type="checkbox"/>	Approve with conditions or revisions as noted
<input type="checkbox"/>	Alternative - Postpone
<input type="checkbox"/>	Denial

**The Commission's Responsibility:**

The Commission is charged with making the final decision regarding this proposed Preliminary Plat. The City Charter delegates all subdivision platting authority to the Planning and Zoning Commission. The Commission's decision on platting matters is final and may not be appealed to the City Council. Your options are to approve, disapprove if the plat does not meet the criteria for approval section of the Land Development Code, or statutorily deny (an action that keeps the application "in process") the plat.

**Prepared by:**

Tory Carpenter, CNU-A

Planner

July 29, 2015

**Name**

**Title**

**Date**

**City of San Marcos**  
**SUBDIVISION PLAT APPLICATION**

	<u>APPLICANT</u>	<u>PROPERTY OWNER</u>
Name	<u>RAMSEY ENGINEERING, LLC</u>	<u>COTTONWOOD CREEK JDR,LTD.</u>
Mailing Address	<u>3206 YELLOWPINE TERRACE</u> <u>AUSTIN, TEXAS 78757</u>	<u>333 CHEATHAM STREET</u> <u>SAN MARCOS, TEXAS 78666</u>
Daytime Phone	<u>512-650-6800</u>	<u>512-353-1776</u>
Email Address	<u>ramsey-eng@att.net</u>	<u>jenny@randallmorris.com</u>

**AGENT ACKNOWLEDGEMENT STATEMENT:**

I RANDALL MORRIS acknowledge that I am the rightful owner of the property proposed for subdivision and hereby authorize RAMSEY ENGINEERING, LLC to serve as my agent to file this application and to work with the Responsible Official on my behalf during the subdivision platting process.

Signature of Property Owner: 

Printed Name: Randall Morris Date: 6/29/15

Signature of Agent: 

Printed Name: Stephen Ramsey, P.E. Date: 6/23/15



**ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT:**

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Name of Electric Service Provider Bluebonnet Electric Cooperative, Inc

Applicable Utility Service Code(s) B + D

Comments/Conditions Additional easements may be required.

Signature of Electric Company Official Rodney Genie

Title Sr. Project Coordinator Date 10/25/2015

**GAS UTILITY SERVICE ACKNOWLEDGEMENT:**

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Name of Gas Service Provider \_\_\_\_\_

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Gas Company Official \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

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Name of Electric Service Provider \_\_\_\_\_

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Electric Company Official \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

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Name of Gas Service Provider CenterPoint Energy \_\_\_\_\_

Applicable Utility Service Code(s) A \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Gas Company Official Wendy Jenschke \_\_\_\_\_

Title Operations Supervisor \_\_\_\_\_ Date 6/25/2015 \_\_\_\_\_

Cottonwood Phase 1 Section 3

**WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:**

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Name of Water Service Provider City of San Marcos

Applicable Utility Service Code(s) C

Comments/Conditions line extensions required

Signature of Water Utility Official: Tony Salorio

Title: Water Dist. Manager Date: June 23 2015

Name of Wastewater Service Provider \_\_\_\_\_

Applicable Utility Service Code(s) \_\_\_\_\_

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

Comments/Conditions \_\_\_\_\_

Signature of City or County Wastewater Official: \_\_\_\_\_

Title: \_\_\_\_\_ Date \_\_\_\_\_

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Name of Telephone Service Provider \_\_\_\_\_

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Telephone Company Official \_\_\_\_\_

Title: \_\_\_\_\_ Date \_\_\_\_\_

**SUBMITTAL REQUIREMENTS FOR ALL PLATS:**

Cottonwood Creek Phase I

**WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:**

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Name of Water Service Provider \_\_\_\_\_

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Water Utility Official: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Wastewater Service Provider City of San Marcos

Applicable Utility Service Code(s) B

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

Comments/Conditions Mains and services to be installed by development

Signature of City or County Wastewater Official: [Signature]

Title: Wastewater Collections Mgr Date June 23, 2015

**TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:**

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Name of Telephone Service Provider \_\_\_\_\_

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Telephone Company Official \_\_\_\_\_

Title: \_\_\_\_\_ Date \_\_\_\_\_

**SUBMITTAL REQUIREMENTS FOR ALL PLATS:**

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Name of Water Service Provider \_\_\_\_\_

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Water Utility Official: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Wastewater Service Provider \_\_\_\_\_

Applicable Utility Service Code(s) \_\_\_\_\_

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

Comments/Conditions \_\_\_\_\_

Signature of City or County Wastewater Official: \_\_\_\_\_

Title: \_\_\_\_\_ Date \_\_\_\_\_

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- D. Need easement(s) within subject property

Name of Telephone Service Provider CENTURYLINK

Applicable Utility Service Code(s) B

Comments/Conditions CENTURYLINK WILL PLACE FACILITIES TO SERVE THIS SECTION.

Signature of Telephone Company Official Dany Donald

Title: NETWORK ENGINEER Date 6/25/2015

**SUBMITTAL REQUIREMENTS FOR ALL PLATS:**

- Complete application
- Required fees \$ 1,362.50 (see next page for Fee Schedule)
- All legislative requirements complete
- Proof of record ownership (recorded deed corresponds to ownership indicated on tax certificate)
- Current tax certificate (must show prior year taxes paid by January 31st of current year)
- N/A*  Names and addresses of property lien-holders
- One digital copy of submittal materials including CAD file
- Five 18"x24" hard copies of plat document\*

I hereby affirm that if I am not the property owner of record, or if the applicant is an organization or business entity, I have been authorized to represent the owner, organization, or business in this application. I certify the preceding information is complete and accurate, and it is understood that I or another representative should be present at all meetings concerning this application.

Signature of Applicant: Stephen Ramsey, P.E.

Printed Name: Stephen Ramsey, P.E.

Date: 6/23/15

\*Plats in the ETJ may require additional hard copies.

**ADDITIONAL REQUIREMENTS:**

**Subdivision Concept Plats:**

- Watershed Protection Plan (Phase 1)
- Residential compatibility site plan (where applicable)
- Cluster development plan (where applicable)

**Preliminary Subdivision Plats or Preliminary Development Plats**

- N/A*  Approved Watershed Protection Plan Phase I (can be submitted concurrently)
- N/A*  Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

**Final Subdivision or Final Development Plats:**

- Preliminary Plat (where applicable)
- Approved Watershed Protection Plan Phase II and approved Public Improvement Construction Plan by the Director of Engineering (can be submitted concurrently).
- Subdivision Improvement Agreement and surety if public facility construction was deferred.
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential) .  
Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

**Minor Subdivision Plats:**

Minor subdivisions plats must meet the following qualifications:

- Proposed subdivision results in 4 or fewer lots
- All lots front onto an existing public street and construction or extension of a street or alley is not required or is considered a minor extension by Director of Engineering.
- Extension of municipal facilities is not required or the installation of utilities is considered a minor extension by the Director of Engineering.
- Approved WPP Phase II is required if land is located within the Edwards Aquifer Recharge Zone, within a designated stream or river corridor, or if the land contains floodplain, floodway or a waterway as defined by the LDC.

**Amending Plats and Replats:**

- Detailed description of the purposes and circumstances that warrant change of the recorded plat identifying all lots, easements or improvements affected by the proposed change.

## Fee Schedule

For Plats Located Inside/Outside of the City Limits	
Subdivision Minor Plat / Amending Plat	\$400 plus \$100 per acre (max \$1000) + \$10.00 Technology Fee
Concept Plan	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Preliminary Plat	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Final Plat	\$1000 plus \$100 acre (max \$2500) + \$10.00 Technology Fee
Replat, not administrative	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Vacation of Previously Recorded Plat	\$150 + \$10.00 Technology Fee
Subdivision Variance Request	\$600 + \$10.00 Technology Fee
Cluster Development Plan	\$25 per acre (\$100 min / \$1500 max) + \$10.00 Technology Fee

**STAFF USE ONLY:**

Submittal Date: \_\_\_\_\_ 5 Business Days from Submittal: \_\_\_\_\_

Completeness Review By: \_\_\_\_\_ Date: \_\_\_\_\_

Contact Date for Supplemental Info: \_\_\_\_\_

Supplemental Info Received (required within 5 days of contact): \_\_\_\_\_

Application Returned to Applicant: \_\_\_\_\_

Application Accepted for Review: \_\_\_\_\_ Fee: \_\_\_\_\_

Comments Due to Applicant \_\_\_\_\_

Date for Plat Resubmittals \_\_\_\_\_

Date of Planning and Zoning Commission Meeting: \_\_\_\_\_



## Legislation Text

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**File #:** PVC-15-01, **Version:** 1

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**AGENDA CAPTION:**

PVC-15-01 (Meadow Brook Plat Variance) Hold a public hearing and consider a plat variance request by Frances Martinez, on behalf of Elizabeth Zelada and Mauricio Cante, for the Meadow Brook Replat (PC-15-16\_04) to allow a deviation from Section 6.7.2.1(j) of the Land Development Code requiring that the lot depth shall not exceed three times the lot width. (A. Villalobos)

**Meeting date:** August 11, 2015

**Department:** Planning and Development Services Department

**Funds Required:** n/a

**Account Number:** n/a

**Funds Available:** n/a

**Account Name:** n/a

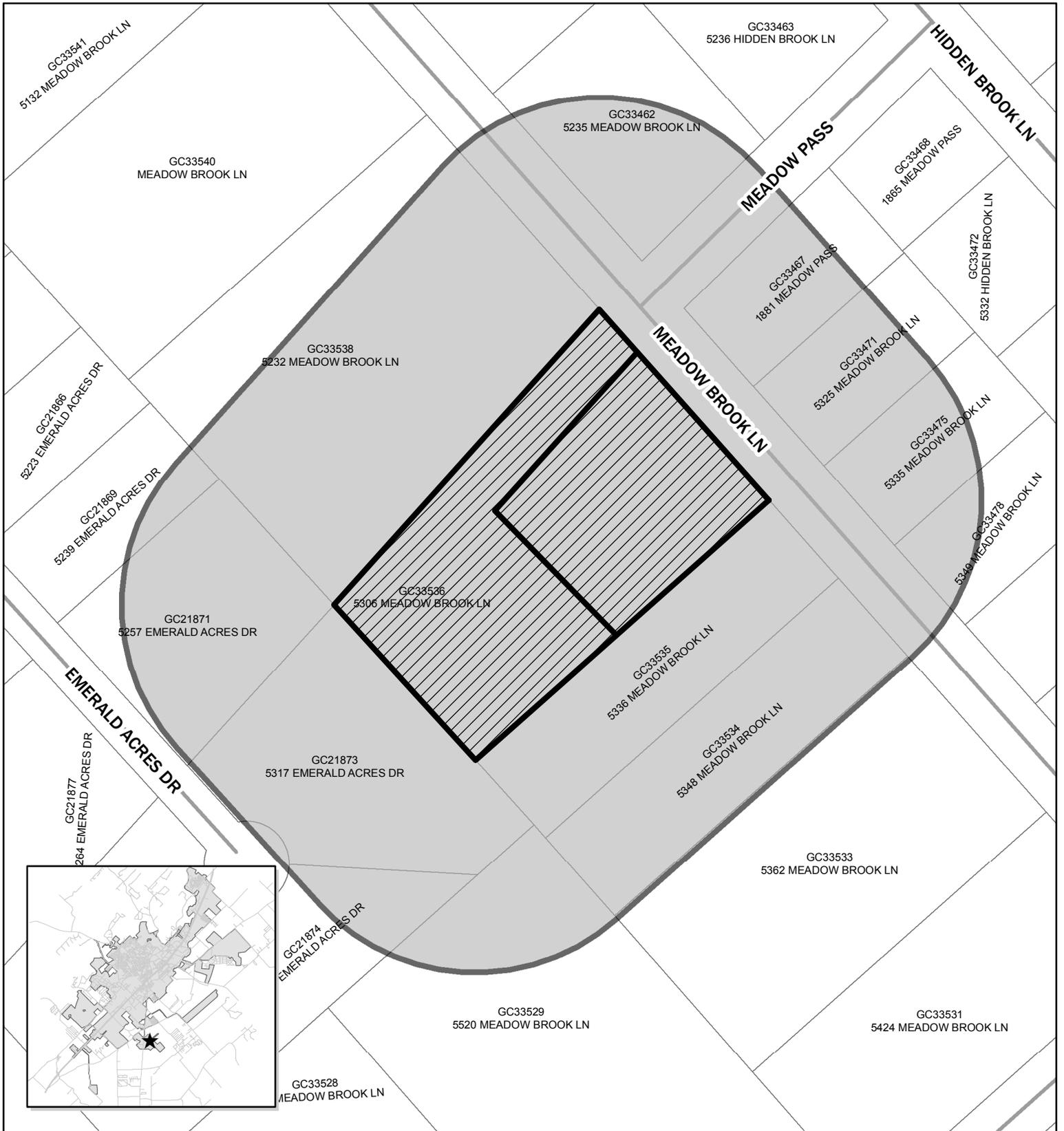
**CITY COUNCIL GOAL:** Community Wellness/ Strengthen the Middle Class

**COMPREHENSIVE PLAN ELEMENT(s):** N/A

**BACKGROUND:**

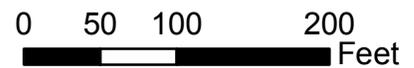
The subject property is approximately two acres and currently consists of two residential homes owned individually by the applicants, Mr. Cante and Ms. Zelada. Mr. Cante, has a home that resides on the front portion of the property, while Ms. Zelada's home is established towards the rear. The applicants are proposing to subdivide Lot 31 to create two legal lots, Lot 31A and 31B, for their existing homesteads. The proposed Replat will create one rectangular, conforming lot, and one irregularly shaped lot that exceeds the lot-to-width ratio requirement outlined in Section 6.7.2.1(j) of the Land Development Code.

The applicant is requesting a variance from Section 6.7.2.1(j) of the Land Development Code requiring that lot depth shall not exceed three times the lot width for lots platted after March 10, 1975. The proposed variance is associated with PC-15-16\_04, Meadow Brook Replat. The Commission is charged with making the final decision regarding this variance request. In deciding the variance petition, the decision-maker shall apply the criteria outlined in section 1.10.2.4(a). Staff has evaluated the request with regard to the criteria for subdivision variances and recommends **approval** of the variance request.



**PVC-15-01**  
**Meadow Brook**  
**Plat Variance**  
**Map Date: 7/30/2015**

-  Site Location
-  200 ft Buffer



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.



# PVC-15-01 Variance Meadow Brook Subdivision



## Applicant Information:

**Agent:** Frances Martinez  
727 E. Dean Keeton  
Austin, TX 78705

**Property Owners:** Elizabeth Zelada & Mauricio Cante  
5312 Meadow Brook Lane  
San Marcos, TX 78666

**Type & Name of Subdivision:** Replat of Lot 31, Meadow Brook Subdivision, San Marcos, TX

**Applicant Request:** The applicant is requesting a variance from Section 6.7.2.1(j) of the Land Development Code requiring that lot depth shall not exceed three times the lot width for lots platted after March 10, 1975.

**Notification:** Personal notification letter mailed to all property owners within 200 ft. on July 30, 2015.

**Response:** None as of Staff Report Date.

## Subject Property:

**Summary:** The proposed variance is associated with PC-15-16\_04, Meadow Brook Replat. The proposed Replat of Lot 31 will establish two residential lots being Lot 31A and 31B.

**Zoning:** None. The subject property is located in the San Marcos Extraterritorial Jurisdiction (ETJ).

**Land Use Map:** Low-Stability

**Existing Use:** Residential

**Proposed Use:** Residential

## **Background:**

The subject property is approximately two acres and currently consists of two residential homes owned individually by the applicants, Mr. Cante and Ms. Zelada. The lot was deeded to the applicants by their father, Ruperto Cante. Mr. Cante, has a home that resides on the front portion of the property, while Ms. Zelada's home is established towards the rear. The applicants are proposing to subdivide Lot 31 to create two legal lots, Lot 31A and 31B. The proposed Replat will create one rectangular, conforming lot, and one irregularly shaped lot that exceeds the lot-to-width ratio requirement outlined in Section 6.7.2.1(j) of the Land Development Code.

The proposed Replat will allow each owner to obtain a legal title to their separate portions of land, as well as obtain requisite permits from Guadalupe County to maintain safe and compliant homesteads. The applicants were granted permission by Guadalupe County to construct two septic tanks to preclude unsanitary conditions for the families. Ms. Zelada and Mr. Cante have indicated that their properties will continue to be used for residential purposes.

## **Planning Department Analysis:**

The lot width requirement outlined in the LDC prevents the creation of long narrow lots, as well as the crowding of buildings along access roads while leaving the land behind the buildings vacant and unserviceable. Additionally, the purpose of subdivision regulations are to:

- Promote the development and the utilization of land in a manner that assures an attractive and high quality community environment.
- Assist orderly, efficient and coordinated development within the City's limits and its extraterritorial jurisdiction.
- Integrate the development of various tracts of land into the existing community, and coordinate the future development of adjoining tracts.
- Provide for compatible relationships between land uses and buildings; provide for the circulation of traffic throughout the municipality, having particular regard to the avoidance of congestion on streets and highways; provide for pedestrian circulation that is appropriate for the various uses of land and buildings; and provide the proper location and width of streets.

In deciding the variance petition, the decision-maker shall apply the following criteria outlined in section 1.10.2.4(a). Staff has evaluated the request with regard to the criteria for subdivision variances:

- 1. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Land Development Code to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land.**

***Consistent;** The applicant states "the presence of a large grid of electrical wires on the property that service the subdivision create a burden on the land. No structures can be built within an easement, requiring the creation of one irregular shaped lot". The existing electric easement covers approximately 80 feet of the subject property along the western portion of the lot. The electrical lines constitute a feature that limits the developable area, however, these circumstances similarly affect a few additional properties within the subdivision that reside along this electric easement.*

- 2. The circumstances causing the hardship do not similarly affect all or most properties in the vicinity of the petitioner's land.**

***Consistent;** The applicant states "no." While the electrical easement described in criteria no. 1 does affect additional properties in the area, it does not affect all or most properties. Properties in the vicinity containing these electric lines are required to construct structures outside the electric easement.*

- 3. The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.**

*Consistent;* The applicant states that “without the variance the applicants will not be able to obtain permits and home improvement loans necessary to maintain homesteads that are safe and compliant with local laws”. Without creating legally platted lots, the applicants would not have the ability to potentially sell their portions of property.

- 4. Granting the variance petition will not be detrimental to the public health, safety or welfare, or injurious to other property within the area.**

*Consistent;* The applicant states that “the variance will not have a negative effect on the rights of the owners of the surrounding properties. No additional homes will be added to the property and no additional traffic will result. The ability of the owners to maintain compliant homes will have a positive effect on the community.” Staff believes that the creation of two lots will not cause any public safety concerns and will allow the applicants to apply for necessary permits in the future so that their existing homes will remain compliant with any code requirements.

- 5. Granting the variance petition is consistent with any special criteria applicable to varying particular standards, as set forth in Chapters 4 through 7 of this Land Development Code.**

*Consistent;* Granting this variance will not eliminate or reduce compliance with any other aspects of the Land Development Code.

- 6. Granting the variance petition will not have the effect of preventing the orderly use and enjoyment of other land within the area in accordance with the provisions of this Code, or adversely affect the rights of owners or residents of surrounding property.**

*Consistent;* The applicant states “No”. The circumstances of this property are unique and are not duplicated in the surroundings properties”. The homes on the subject property are existing and surrounding properties will not be adversely affected by the platting of the property. Additionally, the access easement associated with the plat will provide an orderly access point for the two existing homes.

- 7. The hardship or inequity suffered by petitioner is not caused wholly or in substantial part by the petitioner.**

*Consistent;* The applicant states “the hardship is created by the presence of a large grid of electric wires that service the subdivision.” The irregularity of Lot 31B is caused primarily by the existence of the LCRA electric easement and the existence of two homes on a single lot.

- 8. The request for a variance is not based exclusively on the petitioner’s desire for increased financial gain from the property, or to reduce an existing financial hardship.**

*Consistent;* The applicant states “no.” While the values of the petitioners’ properties may increase if the variance is granted, the request for a variance does not appear to be based exclusively on the petitioner’s desire for increased financial gain from the property, or to reduce an existing hardship.

- 9. The degree of variance requested is the minimum amount necessary to meet the needs of petitioner and to satisfy the standards in this section.**

*Consistent;* The applicant states “yes.” The variance requested by the petitioner is the minimum required to satisfy the standards of the Land Development Code and to allow the applicants to maintain two homesteads. Additionally the width of the proposed access easement (50 feet) at the Meadow Brook frontage is larger than most commonly seen flag lots of this nature.

Staff recommends **approval** of the variance request.

<b>Planning Department Recommendation</b>	
X	Approve
	Deny

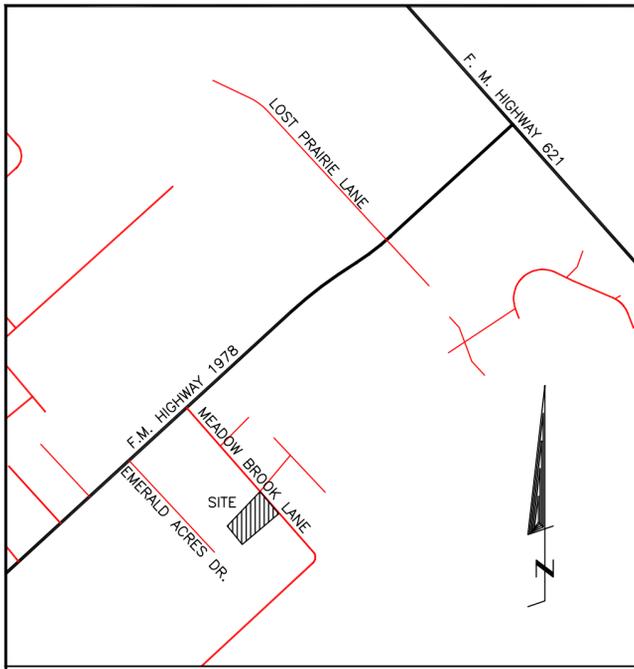
**The Commission's Responsibility:**

The Commission is charged with making the final decision regarding this variance request. The City Charter delegates all platting variances to the Planning and Zoning Commission. The Commission's decision on platting matters is final and may not be appealed to the City Council. Your options are to approve or deny this variance request.

**Prepared By:**

Andrea Villalobos	Planning Technician	July 29, 2015
<b>Name</b>	<b>Title</b>	<b>Date</b>

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VICINITY MAP - 1"=1000'

GENERAL NOTES

1. THIS TRACT IS WITHIN THE CITY OF SAN MARCOS ETJ IN GUADALUPE COUNTY AS OF THE DATE OF THIS PLAT.
2. SIDEWALKS ARE REQUIRED ALONG ALL RIGHT OF WAY IN THE SUBDIVISION AND SHALL BE INSTALLED AT THE TIME OF CONSTRUCTION.

- LEGEND
- GUADALUPE COUNTY DEED OR OFFICIAL PUBLIC RECORDS
  - GUADALUPE COUNTY PLAT RECORDS
  - 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "BYRN SURVEY"
  - 1/2" IRON ROD FOUND OR DIAMETER NOTED
  - CHAIN LINK FENCE
  - WIRE FENCE
  - UTILITY LINE, POLE AND GUY
  - WATER METER
  - WATER VALVE
  - UTILITY PEDESTAL
  - BSL
  - PUE

STATE OF TEXAS\*  
COUNTY OF HAYS\*

WE, ELIZABETH ZELADA, OWNER OF LOT 31, MEADOW BROOK SUBDIVISION, RECORDED IN VOLUME 4, PAGE 211-213 OF THE PLAT RECORDS OF GUADALUPE COUNTY, TEXAS, AND CONVEYED TO ME IN VOLUME 2699, PAGE 906 OF THE OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS, AND THAT MAURICIO CANTE, OWNER OF THE UNDIVIDED ONE-HALF (1/2) INTEREST IN LOT 31, MEADOWBROOK SUBDIVISION, AS CONVEYED TO ME IN VOLUME 1542, PAGE 836 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS, WE DO HEREBY SUBDIVIDE THIS TRACT TO BE KNOWN AS "REPLAT OF LOT 31, BROOK MEADOW SUBDIVISION" AND DEDICATE TO THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN ON THIS PLAT UNLESS OTHERWISE INDICATED.

ELIZABETH ZELADA  
5312 MEADOW BROOK LANE  
SAN MARCOS, TEXAS, 78666

MAURICIO CANTE  
813 PERKINS  
SAN MARCOS, TEXAS, 78666

STATE OF TEXAS\*  
COUNTY OF HAYS\*

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED

\_\_\_\_\_, OWNER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON: \_\_\_\_\_

STATE OF TEXAS\*  
COUNTY OF HAYS\*

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED

\_\_\_\_\_, OWNER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON: \_\_\_\_\_

APPROVED AND AUTHORIZED TO BE RECORDED ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE DIRECTOR OF DEVELOPMENT SERVICES DEPARTMENT OF THE CITY OF SAN MARCOS.

SHANNON MATTINGLY, AICP  
DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES

FRANCIS SERNA  
RECORDING SECRETARY

ENGINEERING / CIP

STATE OF TEXAS \*  
COUNTY OF GUADALUPE \*

I, TERESA KIEL, COUNTY CLERK OF GUADALUPE COUNTY, TEXAS, CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_

O'CLOCK \_\_\_\_M., AND RECORDED ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_ O'CLOCK \_\_\_\_M., IN THE PLAT RECORDS OF GUADALUPE COUNTY, TEXAS IN BOOK \_\_\_\_\_ AT

PAGE \_\_\_\_\_

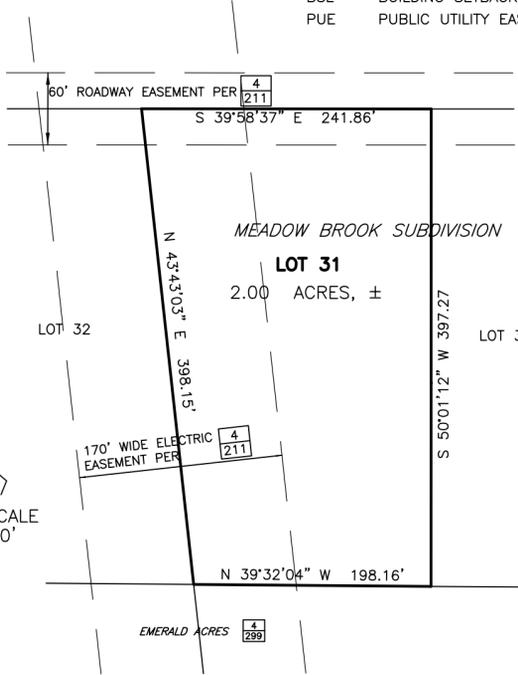
TERESA KIEL  
COUNTY CLERK  
GUADALUPE COUNTY, TEXAS

KNOW ALL MEN BY THESE PRESENTS:

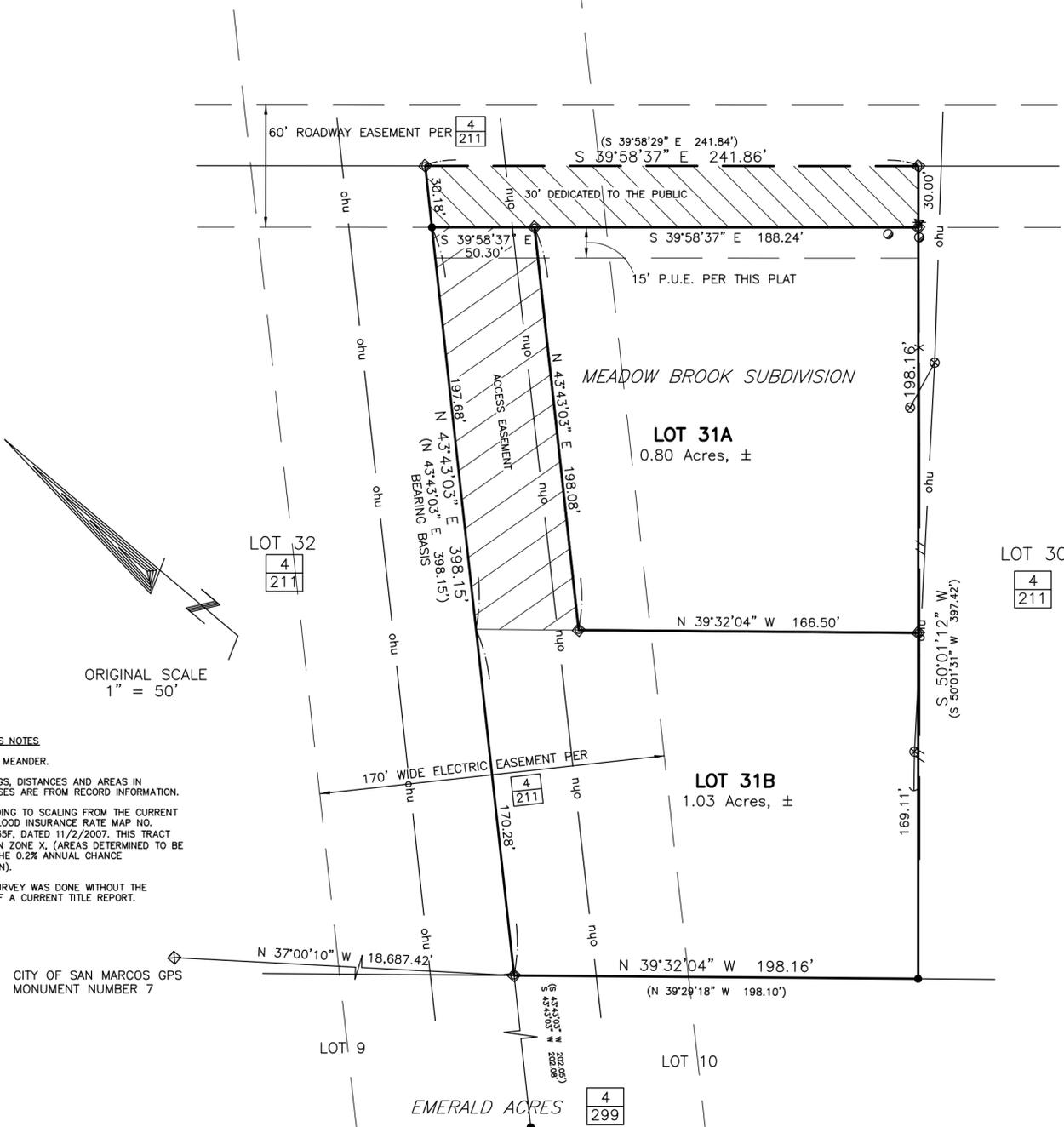
THAT I, DAVID C. WILLIAMSON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS "SET" WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF SAN MARCOS.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

REGISTERED PROFESSIONAL LAND SURVEYOR  
DAVID C. WILLIAMSON, R.P.L.S. NO. 4190



EXISTING LOT



ORIGINAL SCALE  
1" = 50'

SURVEYORS NOTES

1. FENCES MEANDER.
2. BEARINGS, DISTANCES AND AREAS IN PARENTHESES ARE FROM RECORD INFORMATION.
3. ACCORDING TO SCALING FROM THE CURRENT F.E.M.A. FLOOD INSURANCE RATE MAP NO. 48187C0035F, DATED 11/2/2007. THIS TRACT LIES WITHIN ZONE X, (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).
4. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.

CITY OF SAN MARCOS GPS MONUMENT NUMBER 7

REPLAT

REPLAT OF LOT 31  
MEADOW BROOK SUBDIVISION  
GUADALUPE COUNTY, TEXAS

OWNER: ELIZABETH ZELADA  
ADDRESS 5312 MEADOW BROOK LN.  
SAN MARCOS, TEXAS 78666

DATE: OCTOBER 21, 2014

SCALE: 1" = 50'



ENGINEERS SURVEYORS

P.O. BOX 1433 SAN MARCOS, TEXAS 78667  
PHONE 512-396-2270 FAX 512-392-2945

CLIENT: ZELADA, ELIZABETH  
DATE: OCTOBER 21, 2014  
OFFICE: K. SMITH  
CREW: C. SMITH, HADEN  
FB/PG: 732/1  
PLAT NO. 27111-14-c

**City of San Marcos**  
**SUBDIVISION VARIANCE APPLICATION**

	<u>APPLICANT</u>	<u>PROPERTY OWNER</u>
<b>Name</b>	Francis Martinez	Elizabeth Zelada/Mauricio Cante
<b>Mailing Address</b>	727 E. Dean Keeton	5312 Meadow Brook Lane
	Austin, TX 78705	San Marcos, TX 78666
<b>Daytime Phone</b>	512-232-1222	
<b>Email Address</b>	FMartinez@law.utexas.edu	

**PROPERTY DESCRIPTION:**

Street: Meadow Brook Lane Address No: 5312

Legal Description (if platted): Lot: 31 Blk: ADDN: Meadow Brook 2.0000 AC

Tax ID: R 33536 + 33537

Acres 2.000 Zoning Classification NA

Located In  Floodway  Edwards Aquifer Recharge Zone  
 S.M. River Corridor  Historic District

**Note: If the variance is to waive, in its entirety, either a required Subdivision Master Plan or a required plat, a metes and bounds legal description or survey drawing indication the outer boundary of the subject property must be attached.**

**REQUESTED SUBDIVISION VARIANCE:**

Variance to Chapter 6.7.2.1 (j) of the Land Development Code which requires...  
that the lot depth shall not exceed three times the lot width.

**Description of Proposed Variance from the Requirements of the Land Development Code:**

The proposed replat will create two lots. One lot will be rectangular and one lot will be irregularly shaped.

**SUBMITTAL REQUIREMENTS:**

**\$600 Application Fee plus \$10.00 Technology Fee**, payable to the City of San Marcos

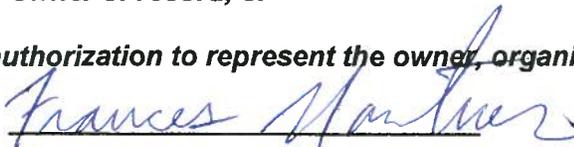
**Answer the questions on the following pages**, as evidence that this request complies with the conditions required for approval of a variance (extra pages and supplemental illustrations or photographs may be used if needed or desired).

*I certify the preceding information is complete and accurate, and it is understood that I or another representative should be present at all meetings concerning this application.*

*I am the property owner of record, or*

*I have attached authorization to represent the owner, organization, or business in this application.*

Signature:



Date: 4/22/15

Printed Name:

Frances Leos Martinez

**TO BE COMPLETED BY STAFF:**

Submittal Date: \_\_\_\_\_ 5 Business Days from Submittal: \_\_\_\_\_

Completeness Review By: \_\_\_\_\_ Date: \_\_\_\_\_

Contact Date for Supplemental Info: \_\_\_\_\_

Supplemental Info Received (required within 5 days of contact): \_\_\_\_\_

Application Returned to Applicant: \_\_\_\_\_

Application Accepted for Review: \_\_\_\_\_ Fee: \_\_\_\_\_

**The following information is provided by the applicant and may or may not be consistent with the Development Services-Planning information contained in the staff report for this request.**

**1. What special circumstances or conditions affect the subject property such that strict application of the provisions of the Land Development Code would create an unnecessary hardship or inequity upon the applicant or would deprive the applicant of the reasonable and beneficial use of the property?**

The property is burdened by the presence of a large grid of electric wires that service the subdivision. The land under the wires cannot be built on, requiring the creation of one irregular lot. Please see attachment for continuation of discussion.

**2. Do the circumstances or conditions causing the hardship similarly affect all or most of the properties in the vicinity of the subject property?**

No, the majority of the properties in the vicinity of this property do not contain the large electric grid of wires.

**3. What substantial property right would not be preserved or enjoyed if the provisions of the Land Development Code were literally enforced?**

Without the variance, the owners will be unable to obtain permits and home improvement loans necessary to maintain homesteads that are safe and compliant with local laws. Please see attachment for further discussion.

**4. What effect, if any, would the variance have on the rights of owners or occupants of surrounding property, or on the public health, safety, or general welfare?**

The variance will not have a negative effect on the rights of the owners of the surrounding properties. No additional homes will be added to the property and no additional traffic result.

The ability of the owners to maintain compliant homes will have a positive effect on the community.

**5. What effect, if any, would the variance have on the orderly subdivision of other land in the area in accordance with the provisions of the Land Development Code?**

**None. The circumstances of this property are unique and are not duplicated in the surrounding properties.**

**6. Is the hardship or inequity suffered by the applicant caused wholly or in substantial part by the property owner or applicant?**

The hardship is created by the presence of a large grid of electric wires that service the subdivision. The developer did not set aside a separate easement and this created the hardship.

**7. To what extent is the request for a variance based upon a desire of the owner, occupant, or applicant for increased financial gain from the property, or to reduce an existing financial hardship?**

The primary reason for seeking the variance is to allow the owners to maintain homesteads

**that are compliant with local laws and are safe.**

Any financial impact is incidental to the primary reason for seeking the variance.

**8. Is the degree of variance requested the minimum amount necessary to meet the needs of the applicant or property owner?**

Yes, the degree of variance is the minimum amount that will allow the lots to come as close as

possible to the requirements of the Land Development Code and to allow them

**to maintain two safe households.**

## VARIANCE CRITERIA

### Section 1.10.2.4 Criteria for Approval

- (a) In deciding the variance petition, the decision-maker shall apply the following criteria:
- (1) There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Land Development code to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land;
  - (2) The circumstances causing the hardship do not similarly affect all or most properties in the vicinity of the petitioner's land;
  - (3) The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner;
  - (4) Granting the variance petition will not be detrimental of the public health, safety or welfare, or injurious to other property within the area;
  - (5) Granting the variance petition will not have the effect of preventing the orderly use and enjoyment of other land within the area in accordance with the provisions of this Code, or adversely affect the rights of owners or residents of surrounding property;
  - (6) Granting the variance petition is consistent with any special criteria applicable to varying particular standards, as set forth in Chapter 4 through 7 of this Land Development Code;
  - (7) The hardship or inequity suffered by petitioner is not caused wholly or in substantial part by the petitioner;
  - (8) The request for a variance is not based exclusively on the petitioner's desire for increased financial gain from the property, or to reduce an existing financial hardship; and
  - (9) The degree of variance requested is the minimum amount necessary to meet the needs of the proponent and to meet the conditions of this Section.

## Summary

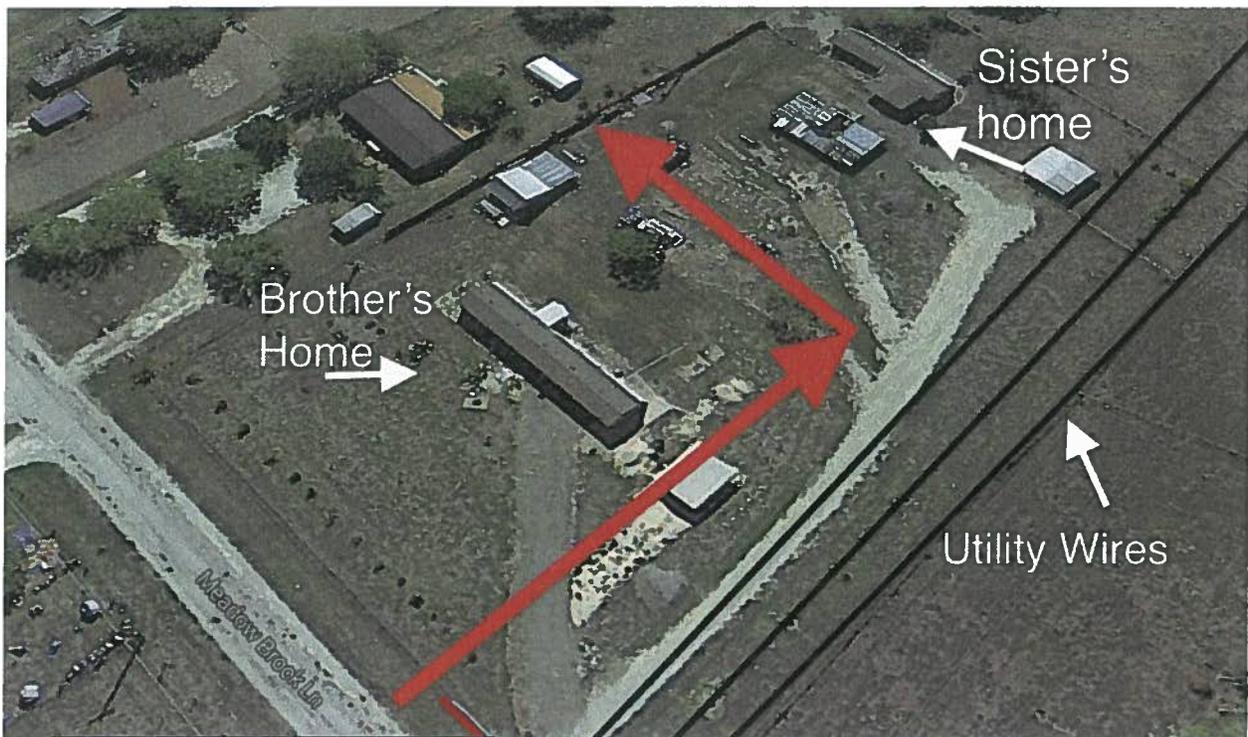
Section 6.7.2.1(j) of the Land Development Code provides that the “[l]ot depth shall not exceed three times the lot width.” This requirement should not be applied in the instant case, because doing so would cause great inequity and unnecessary hardship. Additionally, the owners satisfy each of the variance criteria proscribed in § 1.10.2.4 of the Land Development Code.

The petitioner therefore requests a variance to § 6.7.2.1(j) of the Land Development Code.

## Background and Property Description

Mauricio Cante and his father Ruperto Cante bought a 2-acre plot of land (Lot 31) together. Mauricio believed his father, at death, would convey the remaining interest to him. However, in attempt to assist his daughter, Elizabeth Zelada, through a hard time, Ruperto Cante conveyed his interests in lot 31 to his daughter. After their father deeded the property, the two established individual homes on the property for their families. Additionally, they were granted permission by Guadalupe to construct two septic tanks to preclude creating unsanitary conditions for the families.

Ms. Zelada’s lot is located at the back of the property and Mr. Cante’s lot is located towards the front of the property, as seen in Figure 1 below.



The lot is physically located in Guadalupe County, but is subject to the extraterritorial jurisdiction (ETJ) of the City of San Marcos, due to the interlocal agreement between the County and the City. The agreement gives the City authority to review subdivision master plans and plats within the three-and-one-half mile ETJ.

## Owners' Existing Use and Proposed Use

Ms. Zelada and Mr. Cante's currently used the property for residential purposes. Each owner has a permanently-fixed modular home on the land. Each owner has a storage unit and a covered parking area that is off the street. Ms. Zelada and Mr. Cante will each continue to use their land for residential purposes. The variance will allow the owners to obtain a requisite permits from Guadalupe County to allow them to maintain safe and compliant homesteads. The variance will allow each owner to obtain legal title to their separate portions of the land.

## Application of the Factors Here Favors Granting a Variance

The nine factors set forth in § 1.10.2.4(a) are:

1. Special circumstances causing unnecessary hardship: "There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Land Development Code to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land." *Land Development Code*, § 1.10.2.4(a)(1).

Ms. Zelada and Mr. Cante will endure an unnecessary hardship and inequity, beyond a mere inconvenience, if the variance is not granted because the alternative uses of the property are inadequate. Currently, the only reasonable and beneficial use of the land is as residential property. The other lots on Meadow Brook Lane are all residential properties. The land therefore has very little value for agricultural or other commercial enterprises.

Ms. Zelada and Mr. Cante will endure an unnecessary hardship and inequity, beyond a mere inconvenience, if the variance is not granted because the alternative uses of the property are inadequate. The presence on the property of a large grid of electric wires that services the entire subdivision creates a burden on the land. The only solution that would otherwise satisfy the lot size ratio requirement set forth in § 6.7.2.1(j) would be to subdivide the land irrespective of the electrical easement or location of their homes. However, the land containing the electrical easement cannot be built on. The owners placed their homes away from the grids in a plan that allowed for safety for their families and for an equitable distribution of the property. The variance will allow a plat according to this placement.

Finally, without a variance, the parties cannot get their land properly platted, which prevents them from obtaining future necessary permits required to continue living in a safe and sanitary manner. Moreover, the parties will not be able to obtain clear title to their property, which would continually subject their families to the risk of losing their property. Ms. Zelada and Mr. Cante are not requesting a drastic change to the makeup of Meadow Brook Lane. Instead, the owners are merely asking that they be able to legally plat his land and remain on the property that they have enjoyed with their families over the last several years.

2. Circumstances are unique to petitioner: "The circumstances causing the hardship do not similarly affect all or most properties in the vicinity of the petitioner's land." *Land Development Code*, § 1.10.2.4(a)(2).

The hardship created by the large grid of electric wires servicing the subdivision does not affect the majority of the properties in the subdivision.

3. Necessary to enjoy property: “The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.” *Land Development Code*, § 1.10.2.4(a)(3).

Ms. Zelada and Mr. Cante currently live on the land with their families. Without the variance, they will not be able to properly plat their lots. Accordingly, they will not be able to obtain permits necessary to improve their living conditions in order to protect the health and well-being of their families as improvements are needed. This would also continually subject the families to the risk of being fined. This would be detrimental to each family’s enjoyment of the property. Moreover, the lack of a clear title would continually subject the families to the risk of losing the property in a future dispute. It would also preclude them and their families from receiving government assistance they qualify for and desperately need.

Additionally, because the land at-issue has no value beyond its current residential value, Ms. Zelada and Mr. Cante have no other means to enjoy the property. The intention of their father, Ruperto Cante, was to invest in property with his son and later to provide support for his daughter. If the variance were not granted, the enjoyment of the petitioners’ respective property rights would be inhibited, contrary to the intent of their father.

4. Not detrimental to public health and safety: “Granting the variance petition will not be detrimental to the public health, safety or welfare, or injurious to other property within the area.” *Land Development Code*, § 1.10.2.4(a)(4).

The land at-issue does not create any public health and safety hazards. The land has been successfully lived on for several years. The homes have not added any increase in traffic on Meadow Brook Lane. The lots on and around Meadow Brook Lane are relatively large; the concern of crowding that the lot size ratio restriction attempts to resolve does not exist. Mr. Cante and Ms. Zelada’s will each have a lot approximating 1 acre. The width of each lot provides ample space to properly maintain two family homes. Granting this variance will allow Ms. Zelada and Mr. Cante to legally own their property, which will reduce the risk of fines, potential health hazards from not being granted improvement permits, or losing rights to an invaluable property for their families.

5. Does not adversely affect surrounding property: “Granting the variance petition will not have the effect of preventing the orderly use and enjoyment of other land within the area in accordance with the provisions of this Code, or adversely affect the rights of owners or residents of surrounding property.” *Land Development Code*, § 1.10.2.4(a)(5).

Granting this variance will not affect the use or enjoyment of any of the surrounding tracts of land. First, the variance will not cause any traffic problems. Meadow Brook Lane is not a highly traversed street. The City of San Marcos only requires each lot within its jurisdiction to have 35 feet of frontage. Ms. Zelada’s and Mr. Cante’s lots and their immediate neighbors are all meet this requirement. Second, this variance will not affect the ingress or egress rights of any of the surrounding property owners. Ms. Zelada’s and Mr. Cante’s lots have a driveway that has fronted Meadow Brook Lane for many years. They will continue to use this driveway in the same manner that it has been used if the variance is granted. Third, granting the variance will not affect any of the surrounding property owners’ rights to light and air. The neighboring lots and the homes and driveways on the surrounding lots are all positioned at a safe distance from these lots. Finally, granting the variance will not affect the property values of the surrounding lots. Ms. Zelada’s and Mr. Cante are using their lots as residential homesteads. All of the surrounding lots are also being used for residential purposes. As stated previously, granting the variance will allow Ms. Zelada and Mr. Cante to create a safe and compliant homestead that will add to the enjoyment of neighboring property.

6. Consistent with any special criteria: “Granting the variance petition is consistent with any special criteria applicable to varying particular standards, as set forth in Chapters 4 through 7 of this Land Development Code.” *Land Development Code*, § 1.10.2.4(a)(6).

The petitioner is not aware of any special criteria for granting a variance to § 6.7.2.1(j) of the Land Development Code.

7. Hardship not caused by petitioner: “The hardship or inequity suffered by petitioner is not caused wholly or in substantial part by the petitioner.” *Land Development Code*, § 1.10.2.4(a)(7).

The hardship was created by the presence of the electricity easement, which provides necessary services to the residents of this area and the previous landowner, who partitioned the land. These families should not be punished for adapting to a difficult situation and providing a safe home for their families. Also, an issue arising as a result of the electrical easement was not foreseeable since it was believed that Mauricio Cante would be the sole owner of the property. In attempt to proactively remedy the situation, Mr. Cante and Ms. Zelada have since worked with a surveyor to determine the best way to divide the lot.

8. Not exclusively for petitioner’s increased financial gain: “The request for a variance is not based exclusively on the petitioner's desire for increased financial gain from the property, or to reduce an existing financial hardship.” *Land Development Code*, § 1.10.2.4(a)(8).

Ms. Zelada and Mr. Cante currently reside on the land at-issue with their families. The purpose of the variance is solely to be able to obtain legal title to their homes, ensure compliance with city regulations, and continue to keep the property in safe conditions for their families. The petitioners’ ultimate goals are merely to enjoy safe, decent housing for their families. While the values of the petitioners’ properties may increase if the variance is granted, the desire for financial gain is not the prime, let alone the exclusive, reason for applying for a variance. The request for variance would produce at most an ancillary financial benefit, which would restore Mr. Cante and Ms. Zelada to the positions intended by their father Ruperto Cante.

9. Not overreaching: “The degree of variance requested is the minimum amount necessary to meet the needs of petitioner and to satisfy the standards in this Section.” *Land Development Code*, § 1.10.2.4(a)(9).

The variance requested by the petitioner is the minimum required to come as close as possible to satisfying the standards of the Land Development Code and to allow them to maintain two homesteads that are safe and compliant with local laws. The petitioners are only requesting a variance to those requirements set forth in the Land Development Code that they do not satisfy in order that they may legally plat their land.

In summary, the application of these nine factors clearly favors granting a variance. The petitioners meet each of the nine factors, and it is in both the petitioners’ and the City’s best interests to grant the petition.

**Authority to Act as Agent**

We, Elizabeth Zelada and Mauricio Cante, property owners, authorize Frances Martinez to act as our agent in the preparation and execution of the subdivision variance application to the city of San Marcos for our property located at 5312 Meadow Brook Lane San Marcos, Texas 78666 ("the Property"). Ms. Martinez may sign all documents required for the variance application.



\_\_\_\_\_  
Mauricio Cante

4/22/15

Date



\_\_\_\_\_  
Elizabeth Zelada

4/22/15

Date



## Legislation Text

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**File #:** PC-15-16\_04, **Version:** 1

---

**AGENDA CAPTION:**

PC-15-16\_04 (Meadow Brook, Replat) Hold a public hearing and consider a request by David Williamson, Byrn & Associates, Inc., on behalf of Elizabeth Zelada and Mauricio Cante, for approval of a replat of 2.0 acres, more or less, being Lot 31, Meadow Brook Subdivision, establishing Lot 31A and 31B, Meadow Brook Subdivision, City of San Marcos, Guadalupe County, Texas. (A. Villalobos)

**Meeting date:** August 11, 2015

**Department:** Planning and Development Services Department

**Funds Required:** n/a

**Account Number:** n/a

**Funds Available:** n/a

**Account Name:** n/a

**CITY COUNCIL GOAL:** Community Wellness/ Strengthen the Middle Class

**COMPREHENSIVE PLAN ELEMENT(s):** N/A

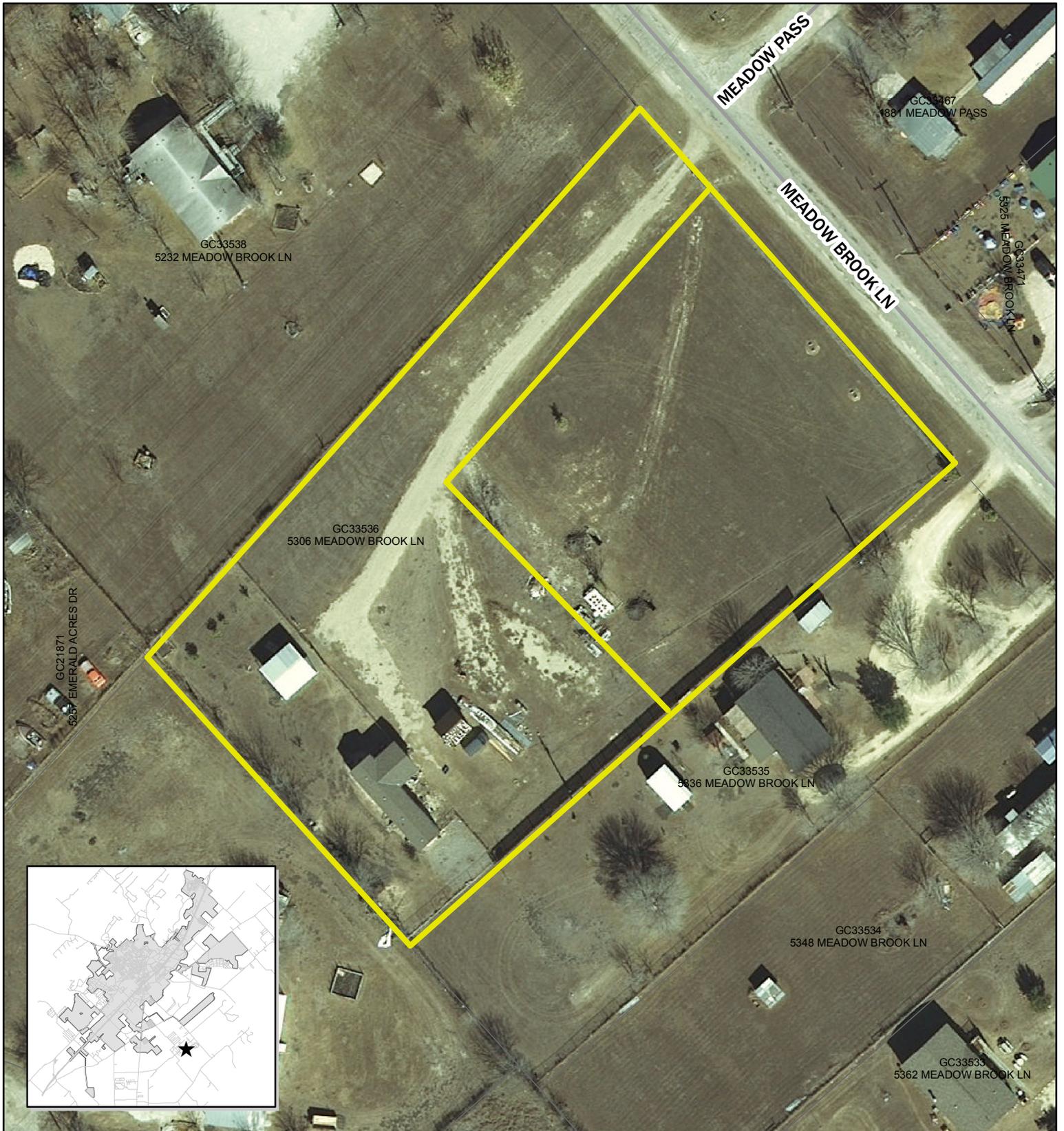
**BACKGROUND:**

The subject property is approximately two acres and currently consists of two residential homes owned individually by the applicants, Mr. Cante and Ms. Zelada. Mr. Cante, has a home that resides on the front portion of the property, while Ms. Zelada's home is established towards the rear. The applicants are proposing to subdivide Lot 31 to create two legal lots, Lot 31A and 31B. The proposed Replat will create one rectangular, conforming lot, and one irregularly shaped lot that exceeds the lot-to-width ratio requirement outlined in Section 6.7.2.1(j) of the Land Development Code.

As proposed, the plat **does not meet** the requirements for Lot Depth outlined in section 1.6.8.2 of the LDC. The applicant has submitted a Subdivision Variance application (PVC-15-01) for relief from the specific Lot Depth standards identified above. If the variance request is approved, the Commission may approve the Replat as submitted or with additional conditions.

**Staff recommends approval of the Replat contingent on the Planning and Zoning Commission approving PVC-15-01.**



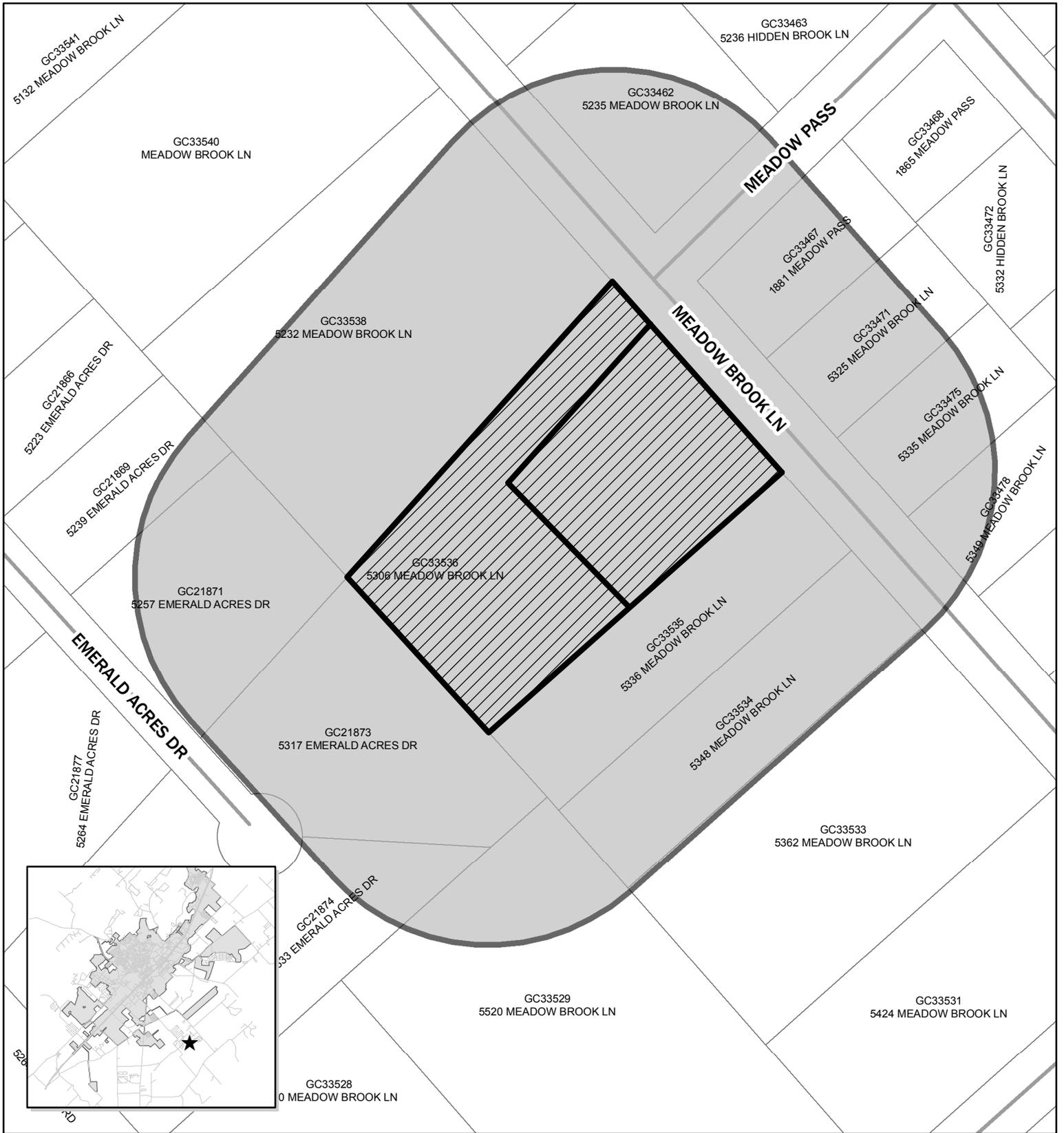


**PC-15-16\_04**  
**Meadow Brook**  
**Replat**  
**Map Date: 7/30/2015**

 Site Location

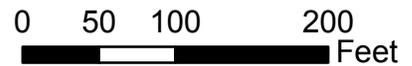


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



**PC-15-16\_04 Meadow Brook Replat**  
**Map Date: 7/30/2015**

-  Site Location
-  200 ft Buffer



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.

# PC-15-16\_04 Meadow Brook Replat



## Applicant Information:

**Applicant:** David Williamson  
P.O Box 1433  
San Marcos, TX 78666

**Property Owner:** Elizabeth Zelada & Mauricio Cante  
5312 Meadow Brook Lane  
San Marcos, TX 78666

**Notification:** Notice published on July 26, 2015, in the San Marcos Daily Record. Personal notification letter mailed to all property owners within 200 ft. on July 30, 2015.

**Response:** None as of Staff Report date.

**Type & Name of Subdivision:** Replat of Lot 31, Meadow Brook Subdivision, San Marcos, TX

**Subject Property:**  
**Summary:** This is a Replat of Lot 31, Meadow Brook Subdivision. The proposed replat will establish two residential lots being Lot 31A and 31B.

**Traffic / Transportation:** Lot 31A and 31B will have frontage on Meadow Brook Lane.

**Utility Capacity:** Electric service will be provided by Bluebonnet Electric Cooperative and the water and wastewater service will be provided by Crystal Clear.

**Parks proposal:** Not required.

**Zoning:** None. The subject property is located in the San Marcos Extra Territorial Jurisdiction (ETJ).

## **Surrounding Zoning and Land use:**

	<b>Current Zoning</b>	<b>Existing Land Use</b>
<b>N of Property</b>	N/A	Outside City Limits
<b>W of Property</b>	N/A	Outside City Limits
<b>S of Property</b>	N/A	Outside City Limits
<b>E of Property</b>	N/A	Outside City Limits

**Planning Department Analysis:**

The subject property is approximately two acres and currently consists of two residential homes owned individually by the applicants, Mr. Cante and Ms. Zelada. The lot was deeded to the applicants by their father, Ruperto Cante. Mr. Cante, has a home that resides on the front portion of the property, while Ms. Zelada's home is established towards the rear. The applicants are proposing to subdivide Lot 31 to create two legal lots, Lot 31A and 31B. The proposed Replat will create one rectangular, conforming lot, and one irregularly shaped lot that exceeds the lot-to-width ratio requirement outlined in the Land Development Code.

The proposed Replat will allow each owner to obtain a legal title to their separate portions of land as well as obtain requisite permits from Guadalupe County to maintain safe and compliant homesteads. The applicants were granted permission by Guadalupe County to construct two septic tanks to preclude unsanitary conditions for the families. Ms. Zelada and Mr. Cante have indicated that their properties will continue to be used for residential purposes.

As proposed, the plat **does not meet** the requirements for Lot Depth outlined in section 1.6.8.2 of the LDC. The applicant has submitted a Subdivision Variance application (PVC-15-01) for relief from the specific Lot Depth standards identified above. If the variance request is approved, the Commission may approve the Replat as submitted or with additional conditions.

**Staff recommends approval of the Replat contingent on the Planning and Zoning Commission approving variance PVC-15-01**

<b>Planning Department Recommendation</b>	
	Approve as submitted
<b>x</b>	Approve with conditions or revisions as noted
	Alternative
	Statutory Denial

**The Commission's Responsibility:**

The Commission is charged with making the final decision regarding this proposed Subdivision Replat. The City Charter delegates all subdivision platting authority to the Planning and Zoning Commission. The Commission's decision on platting matters is final and may not be appealed to the City Council. Your options are to approve, disapprove, or to statutorily deny (an action that keeps the applicant "in process") the plat.

**Prepared By:**

Andrea Villalobos

Planning Technician

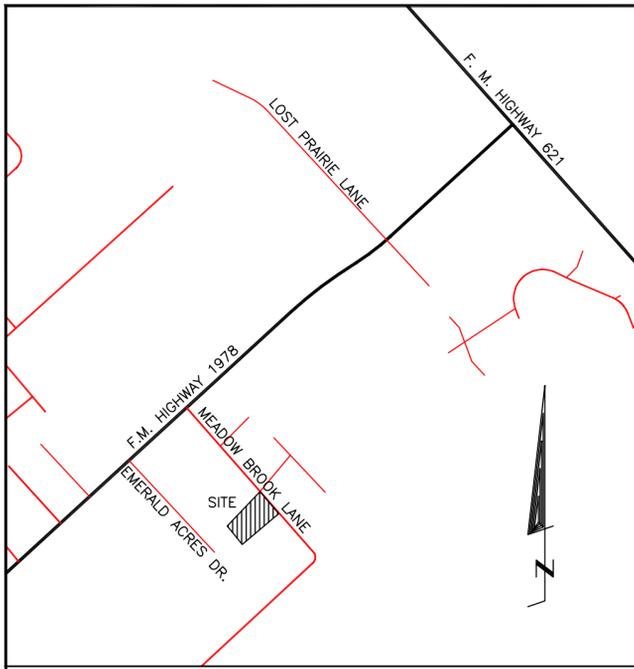
July 29, 2015

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**Name**

**Title**

**Date**



VICINITY MAP - 1"=1000'

GENERAL NOTES

1. THIS TRACT IS WITHIN THE CITY OF SAN MARCOS ETJ IN GUADALUPE COUNTY AS OF THE DATE OF THIS PLAT.
2. SIDEWALKS ARE REQUIRED ALONG ALL RIGHT OF WAY IN THE SUBDIVISION AND SHALL BE INSTALLED AT THE TIME OF CONSTRUCTION.

- LEGEND
- GUADALUPE COUNTY DEED OR OFFICIAL PUBLIC RECORDS
  - GUADALUPE COUNTY PLAT RECORDS
  - 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "BYRN SURVEY"
  - 1/2" IRON ROD FOUND OR DIAMETER NOTED
  - CHAIN LINK FENCE
  - WIRE FENCE
  - UTILITY LINE, POLE AND GUY
  - WATER METER
  - WATER VALVE
  - UTILITY PEDESTAL
  - BUILDING SETBACK LINE
  - PUE

STATE OF TEXAS\*  
COUNTY OF HAYS\*

WE, ELIZABETH ZELADA, OWNER OF LOT 31, MEADOW BROOK SUBDIVISION, RECORDED IN VOLUME 4, PAGE 211-213 OF THE PLAT RECORDS OF GUADALUPE COUNTY, TEXAS, AND CONVEYED TO ME IN VOLUME 2699, PAGE 906 OF THE OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS, AND THAT MAURICIO CANTE, OWNER OF THE UNDIVIDED ONE-HALF (1/2) INTEREST IN LOT 31, MEADOWBROOK SUBDIVISION, AS CONVEYED TO ME IN VOLUME 1542, PAGE 836 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS, WE DO HEREBY SUBDIVIDE THIS TRACT TO BE KNOWN AS "REPLAT OF LOT 31, BROOK MEADOW SUBDIVISION" AND DEDICATE TO THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN ON THIS PLAT UNLESS OTHERWISE INDICATED.

ELIZABETH ZELADA  
5312 MEADOW BROOK LANE  
SAN MARCOS, TEXAS, 78666

MAURICIO CANTE  
813 PERKINS  
SAN MARCOS, TEXAS, 78666

STATE OF TEXAS\*  
COUNTY OF HAYS\*

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED

\_\_\_\_\_, OWNER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON: \_\_\_\_\_

STATE OF TEXAS\*  
COUNTY OF HAYS\*

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED

\_\_\_\_\_, OWNER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON: \_\_\_\_\_

APPROVED AND AUTHORIZED TO BE RECORDED ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE DIRECTOR OF DEVELOPMENT SERVICES DEPARTMENT OF THE CITY OF SAN MARCOS.

SHANNON MATTINGLY, AICP  
DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES

FRANCIS SERNA  
RECORDING SECRETARY

ENGINEERING / CIP

STATE OF TEXAS \*  
COUNTY OF GUADALUPE \*

I, TERESA KIEL, COUNTY CLERK OF GUADALUPE COUNTY, TEXAS, CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_

O'CLOCK \_\_\_\_M., AND RECORDED ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_ O'CLOCK \_\_\_\_M., IN THE PLAT RECORDS OF GUADALUPE COUNTY, TEXAS IN BOOK \_\_\_\_\_ AT

PAGE \_\_\_\_\_

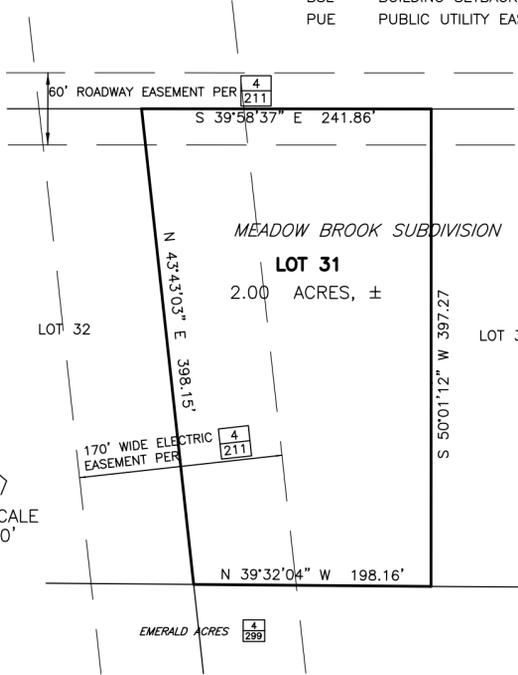
TERESA KIEL  
COUNTY CLERK  
GUADALUPE COUNTY, TEXAS

KNOW ALL MEN BY THESE PRESENTS:

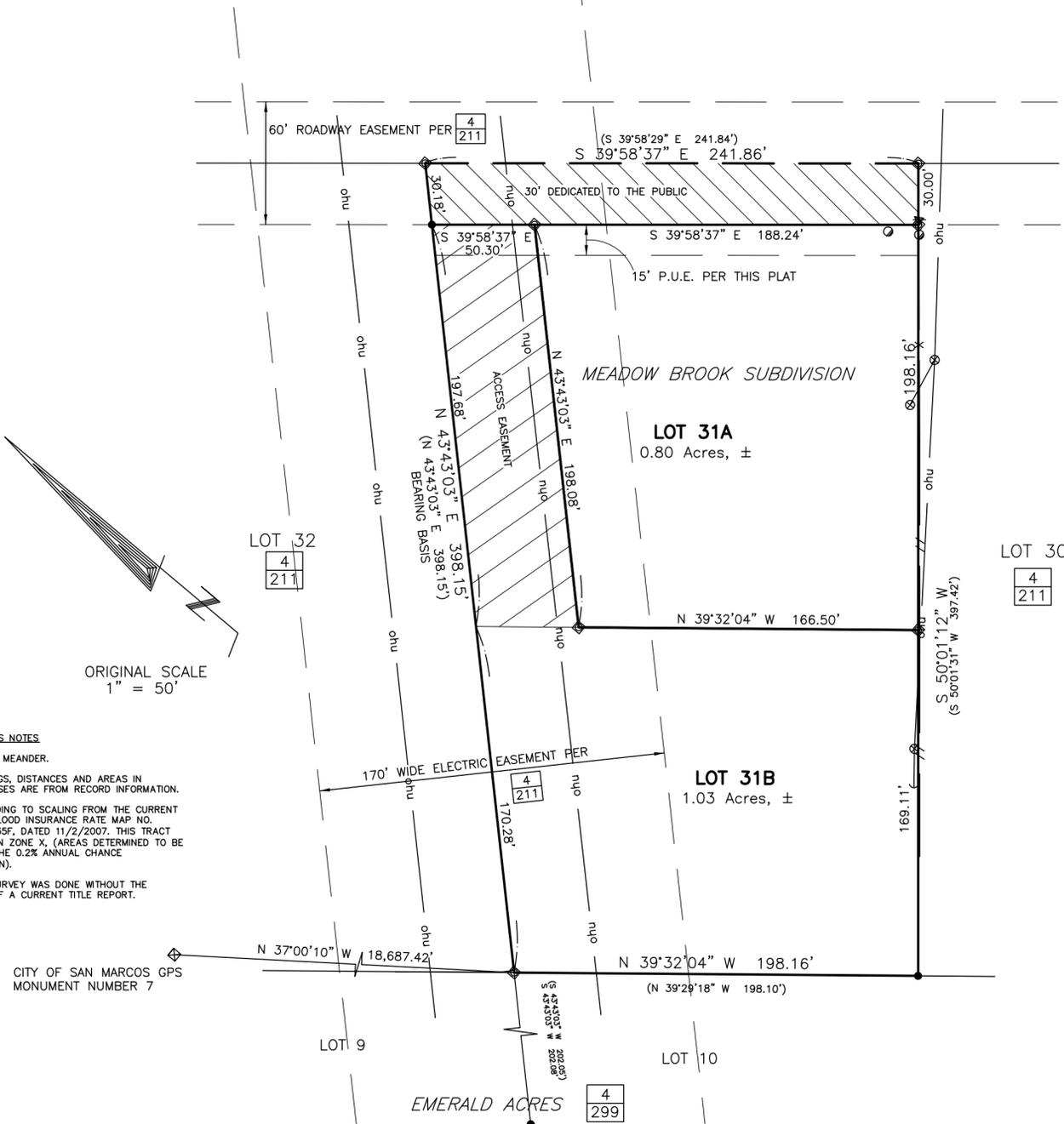
THAT I, DAVID C. WILLIAMSON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS "SET" WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF SAN MARCOS.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

REGISTERED PROFESSIONAL LAND SURVEYOR  
DAVID C. WILLIAMSON, R.P.L.S. NO. 4190



EXISTING LOT



ORIGINAL SCALE  
1" = 50'

SURVEYORS NOTES

1. FENCES MEANDER.
2. BEARINGS, DISTANCES AND AREAS IN PARENTHESES ARE FROM RECORD INFORMATION.
3. ACCORDING TO SCALING FROM THE CURRENT F.E.M.A. FLOOD INSURANCE RATE MAP NO. 48187C0035F, DATED 11/2/2007. THIS TRACT LIES WITHIN ZONE X, (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).
4. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.

CITY OF SAN MARCOS GPS  
MONUMENT NUMBER 7

REPLAT

REPLAT OF LOT 31  
MEADOW BROOK SUBDIVISION  
GUADALUPE COUNTY, TEXAS

OWNER: ELIZABETH ZELADA  
ADDRESS 5312 MEADOW BROOK LN.  
SAN MARCOS, TEXAS 78666

DATE: OCTOBER 21, 2014

SCALE: 1" = 50'



ENGINEERS SURVEYORS

P.O. BOX 1433 SAN MARCOS, TEXAS 78667  
PHONE 512-396-2270 FAX 512-392-2945

CLIENT: ZELADA, ELIZABETH  
DATE: OCTOBER 21, 2014  
OFFICE: K. SMITH  
CREW: C. SMITH, HADEN  
FB/PG: 732/1  
PLAT NO. 27111-14-c



**Subdivision Plats**

- Subdivision Concept Plat
- Preliminary Subdivision Plat
- Final Subdivision Plat

- Variance
- Plat Vacation

Section 6.7.2.1(j)  
 Accompanying \_\_\_\_\_

**Development Plats**

- Preliminary Development Plat
- Final Development Plat

**Minor Subdivision Plats (for Administrative Approval)**

- Minor Subdivision Plat

**Revisions to Recorded Plats (for Administrative Approval)**

- Amending Plat
- Replat without Vacation

**SUBJECT PROPERTY**

Subdivision Name: Lot 31 Blk: Meadow Brook 2.000 AC

Address or General Location: 5312 Meadow Brook Lane

Proposed Number of Lots: 2 Acres: 2 (total acreage)

Appraisal District Tax ID: R 33536 + 33537

Located In  City Limits  ETJ\* - Please circle county: *Caldwell Comal Guadalupe Hays*  
 S.M. River Corridor  Planned Development District

Proposed Use of Land Residential Home

*\*Subdivision plat applications for land in the ETJ may be subject to additional requirements and review as defined by the Interlocal Agreement for the respective county.*

**SUBDIVISION IMPROVEMENT AGREEMENT**

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

- I will complete all required public improvements prior to the Final Subdivision Plat or Final Development Plat.
- I wish to defer installation of public improvements and will complete a Subdivision Improvement Agreement with the City.

Signature: NA

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

**WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Water Service Provider Crystal Clear WSC/SKD

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions There are two existing water meters on these lots for Meadowbrook (lot 31)

Signature of Water Utility Official: [Signature]

Title: Operations Manager Date: 4-14-15

Name of Wastewater Service Provider \_\_\_\_\_

Applicable Utility Service Code(s) \_\_\_\_\_

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

Comments/Conditions \_\_\_\_\_

Signature of City or County Wastewater Official: \_\_\_\_\_

Title: \_\_\_\_\_ Date \_\_\_\_\_

**TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Telephone Service Provider \_\_\_\_\_

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Telephone Company Official \_\_\_\_\_

Title: \_\_\_\_\_ Date \_\_\_\_\_

**SUBMITTAL REQUIREMENTS FOR ALL PLATS:**

**WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Water Service Provider \_\_\_\_\_

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Water Utility Official: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Wastewater Service Provider \_\_\_\_\_

Applicable Utility Service Code(s) \_\_\_\_\_

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

Comments/Conditions \_\_\_\_\_

Signature of City or County Wastewater Official: \_\_\_\_\_

Title: \_\_\_\_\_ Date \_\_\_\_\_

**TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Telephone Service Provider CENTURY LINK

Applicable Utility Service Code(s) A

Comments/Conditions \_\_\_\_\_

Signature of Telephone Company Official Daryl Donald / GARY DONALD

Title: NETWORK ENGINEER II Date 5/7/2015

**SUBMITTAL REQUIREMENTS FOR ALL PLATS:**

**ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Electric Service Provider Bluebonnet Electric Cooperative, Inc

Applicable Utility Service Code(s) A + D

Comments/Conditions Additional easements maybe required.

Signature of Electric Company Official Rodney Gent

Title Project Coordinator

Date 4/13/2015

**GAS UTILITY SERVICE ACKNOWLEDGEMENT:**

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

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

Name of Gas Service Provider NA - No Gas available

Applicable Utility Service Code(s) \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

Signature of Gas Company Official \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

- Complete application
- Required fees \$\_\_\_\_\_ (see next page for Fee Schedule)
- All legislative requirements complete
- Proof of record ownership (recorded deed corresponds to ownership indicated on tax certificate)
- Current tax certificate (must show prior year taxes paid by January 31st of current year)
- Names and addresses of property lien-holders
- One digital copy of submittal materials including CAD file
- Five 18"x24" hard copies of plat document\*

I hereby affirm that if I am not the property owner of record, or if the applicant is an organization or business entity, I have been authorized to represent the owner, organization, or business in this application. I certify the preceding information is complete and accurate, and it is understood that I or another representative should be present at all meetings concerning this application.

Signature of Applicant: 

Printed Name: David Williamson

Date: 4-23-15

\*Plats in the ETJ may require additional hard copies.

**ADDITIONAL REQUIREMENTS:**

**Subdivision Concept Plats:**

- Watershed Protection Plan (Phase 1)
- Residential compatibility site plan (where applicable)
- Cluster development plan (where applicable)

**Preliminary Subdivision Plats or Preliminary Development Plats**

- Approved Watershed Protection Plan Phase I (can be submitted concurrently)
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

**Final Subdivision or Final Development Plats:**

- Preliminary Plat (where applicable)
- Approved Watershed Protection Plan Phase II and approved Public Improvement Construction Plan by the Director of Engineering (can be submitted concurrently).
- Subdivision Improvement Agreement and surety if public facility construction was deferred.
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential) .  
Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

**Minor Subdivision Plats:**

Minor subdivisions plats must meet the following qualifications:

- Proposed subdivision results in 4 or fewer lots
- All lots front onto an existing public street and construction or extension of a street or alley is not required or is considered a minor extension by Director of Engineering.
- Extension of municipal facilities is not required or the installation of utilities is considered a minor extension by the Director of Engineering.
- Approved WPP Phase II is required if land is located within the Edwards Aquifer Recharge Zone, within a designated stream or river corridor, or if the land contains floodplain, floodway or a waterway as defined by the LDC.

**Amending Plats and Replats:**

- Detailed description of the purposes and circumstances that warrant change of the recorded plat identifying all lots, easements or improvements affected by the proposed change.

## Fee Schedule

For Plats Located Inside/Outside of the City Limits	
Subdivision Minor Plat / Amending Plat	\$400 plus \$100 per acre (max \$1000) + \$10.00 Technology Fee
Concept Plan	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Preliminary Plat	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Final Plat	\$1000 plus \$100 acre (max \$2500) + \$10.00 Technology Fee
Replat, not administrative	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
<del>Vacation of Previously Recorded Plat</del>	<del>\$150 + \$10.00 Technology Fee</del>
Subdivision Variance Request	\$600 + \$10.00 Technology Fee
Cluster Development Plan	\$25 per acre (\$100 min / \$1500 max) + \$10.00 Technology Fee

**STAFF USE ONLY:**

Submittal Date: 5/11                      5 Business Days from Submittal: 5/18  
 Completeness Review By: WP                      Date: 5/11  
 Contact Date for Supplemental Info: 5/11  
 Supplemental Info Received (required within 5 days of contact): \_\_\_\_\_  
 Application Returned to Applicant: \_\_\_\_\_  
 Application Accepted for Review: \_\_\_\_\_                      Fee: \_\_\_\_\_  
 Comments Due to Applicant 5/27  
 Date for Plat Resubmittals 6/5  
 Date of Planning and Zoning Commission Meeting: 6/23

2/12  
VOL2699 P60906

09-000626

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

RUPERTO CANTE, ET UX -TO- ELIZABETH ZELADA

**GIFT DEED**

**DATE:** January 12, 2009

**GRANTOR:** RUPERTO CANTE and wife, EGIDIA CANTE

**GRANTOR'S MAILING ADDRESS:** 5312 Meadow Brook Lane, San Marcos, Texas 78666 (Hays County)

**GRANTEE:** ELIZABETH ZELADA, as her separate property and estate

**GRANTEE'S MAILING ADDRESS:** 5312 Meadow Brook Lane, San Marcos, Texas 78666 (Hays County)

**CONSIDERATION:** The love and affection Grantor has for Grantee

**PROPERTY (INCLUDING ANY IMPROVEMENTS):** All of Grantor's undivided right, title and interest in and to the following real property:

Lot Thirty-One (31) MEADOW BROOK SUBDIVISION, Guadalupe County, Texas, according to plat recorded in Volume 4, pages 211-213 of the Plat Records of Guadalupe County, Texas.

**RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE:** Any and all covenants, conditions, easements, restrictions, and any outstanding prior mineral and royalty severances, if any, relating to the hereinabove described property, to the extent, and only to the extent, that the same may still be in force and effect, shown of record in the office of the County Clerk of Guadalupe County, Texas.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance, conveys to Grantee the property, as Grantee's separate property and estate, without express or implied warranty, and all warranties that might arise by common law and the warranties in Section 5.023 of the Texas Property Code (or its successor) are excluded.

  
RUPERTO CANTE

Her " X " mark  
EGIDIA CANTE

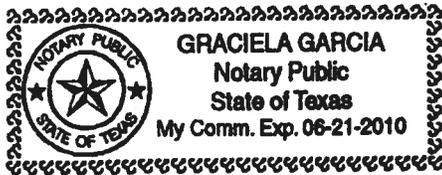
Witnesses to her mark:

Donna Raetzsch  
DONNA RAETZSCH  
Janie Ann Urrutia  
JANIE ANN URRUTIA

THE STATE OF TEXAS

COUNTY OF GUADALUPE

This instrument was acknowledged before me on the 12<sup>th</sup> day of January, 2009, by RUPERTO CANTE.

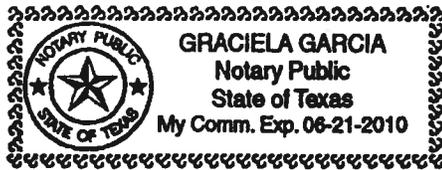


Graciela Garcia  
Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF GUADALUPE

This instrument was acknowledged before me on the 12<sup>th</sup> day of January, 2009, by EGIDIA CANTE, the person who signed this instrument by her mark.



Graciela Garcia  
Notary Public, State of Texas

FILED FOR RECORD

2009 JAN 13 PM 1:31

TERESA KIEL  
COUNTY CLERK GUADALUPE COUNTY

BY Deborah Flow

STATE OF TEXAS  
COUNTY OF GUADALUPE  
I certify this instrument was FILED on the date and at the time stamped thereon and was duly recorded in the Official Public Records of Guadalupe County, Texas.



Teresa Kiel  
TERESA KIEL  
Guadalupe County Clerk

After recording, return to:

A. ROBERT RAETZSCH  
Knobles, Raetzsch, Moore & Eveld, L.L.P.  
202 N. Camp Street  
Seguin, Texas 78155

→

## ASSUMPTION DEED

Date: September 12, 2000

Grantor: RUPERTO CANTE

Grantor's Mailing Address (including county):

813 Perkins  
San Marcos, TX 78666  
Hays County

Grantee: MAURICIO CANTE

Grantee's Mailing Address (including county):

813 Perkins  
San Marcos, TX 78666  
Hays County

**Consideration:** TEN AND NO/100 DOLLARS and other good and valuable consideration and Grantee's assumption of a first-lien note which Grantee assumes and promises to pay according to the note's terms all principal and interest remaining unpaid. The note is dated September 12, 2000, is in the principal amount of TWENTY-FOUR THOUSAND TWO HUNDRED AND NO/100 DOLLARS (\$24,200.00), and is executed by RUPERTO CANTE, payable to the order of LANCE LeDOUX and BETH LeDOUX. It is secured by a deed of trust on that property recorded under Clerk's File # 14740 of the Official Public Records of Hays County, Texas. It is also secured by a Vendor's Lien retained in a deed conveying the property, dated September 12, 2000, recorded under Clerk's File # 14739 of the Official Public Records of Hays County, Texas. As further consideration Grantee promises to keep and perform all the covenants and obligations of grantor named in that deed of trust and to indemnify Grantor against any damages caused by Grantee's breach of its obligations under this assumption.

**Property (including any improvements):**

An undivided one-half (½) interest in and to Lot Thirty-One (31), MEADOW BROOK SUBDIVISION, Guadalupe County, Texas, according to plat recorded in Volume 4, pages 211-213 of the Plat Records of Guadalupe County, Texas.

**Reservations From and Exceptions to Conveyance and Warranty:**

1. Restrictive Covenants as recorded in Volume 816, page 202, Guadalupe County Official Records.
2. Roadway easement as shown on plat recorded in Volume 4, page 211 of the Plat Records of Guadalupe County, Texas, and rights and/or claims, if any, of others thereto and to use thereof.
3. Easement on all property lines as provided in instrument recorded in Volume 816, page 202, Guadalupe County Official Records.
4. Assessments payable to Seller or Property Owners Committee, as applicable, as provided in Deed dated October 10, 1994, from Ralph Giesecke to Glenn Joy et al recorded in Volume 816, page 202, Guadalupe County Official Records.

5. Setback requirements as stated in instrument recorded in Volume 816, page 202, Guadalupe County Official Records, including the following;  
Each side boundary line - 10 feet; and  
Front property line or side boundary line having roadway access - 50 feet.

6. Easement and Right of Way to Lower Colorado River Authority by Willie Ficke and Frieda B. Ficke dated October 21, 1971, recorded in Volume 446, page 400, Guadalupe County Deed Records.

7. Final Judgment dated March 8, 1972, in Cause No. 71-538 styled Lower Colorado River Authority vs. Walter H. Bauerschlag, Jr., et al. recorded in Volume 453, page 41, Guadalupe County Deed Records.

8. Electric easement across property as shown on plat recorded in Volume 4, page 211, Guadalupe County Plat Records.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

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

*Ruperto Cante*  
RUPERTO CANTE

ACKNOWLEDGMENT

STATE OF TEXAS  
COUNTY OF HAYS

§  
§  
§

This instrument was acknowledged before me on 3/07/12, 2000, by RUPERTO CANTE.



*Lucien Altenhoff*  
Notary Public, State of Texas

FILED FOR RECORD

00 SEP 13 PM 2: 22

LIZZIE M. LORENZ  
COUNTY CLERK, GUADALUPE CTY.

BY

*Luzia Bens*

THE STATE OF TEXAS  
COUNTY OF GUADALUPE

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly recorded in the Official Public Records of Guadalupe County, Texas.



*Luzia M. Lorenz*  
County Clerk,  
Guadalupe County Texas



## Legislation Text

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**File #:** PDD-15-01, **Version:** 1

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**AGENDA CAPTION:**

**PDD-15-05 (I-35 & Posey Road)** Receive a staff presentation and discuss a request by Highpointe Investments, LLC, for a zoning of "PDD," Planned Development District, on a 417.630 +/- acre tract out of the William H. Van Horn Survey. The property is generally located on the east side of IH-35 south of Posey Road.

**Meeting date:** July 28, 2015

**Department:** Planning and Development Services

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**CITY COUNCIL GOAL:** Economic Development; Quality of Life and Place

**COMPREHENSIVE PLAN ELEMENT(s):** Land Use: Goal 1; Neighborhoods & Housing: Goal 4; Economic Development: Goal 4

**BACKGROUND:**

This is a discussion item related to a request by Highpointe Investments, LCC, for approval of a "PDD, Planned Development District" for approximately 417.63 +/- acres within the city's extra territorial jurisdiction (ETJ). The attached Concept Plan, Phasing Plan, and Master Plan Document represent a draft submittal. Planning staff anticipates potential revisions to these draft submittals prior to the next Planning and Zoning Commission meeting on August 25, 2015, at which time this request will be presented to the Commission for recommendation to City Council. Potential revisions include general document formatting and design guidelines.

The proposed PDD is intended to facilitate a phased mixed-use development that will include employment center uses, commercial uses, multi-family residential, single family residential, as well as approximately 58 acres of parks and open-space. Consistent with the purpose for creation of a PDD, this proposal intends to allow for flexibility in land use and phasing while providing for a number of enhanced standards and amenities.

Major public improvements within the project, including collector streets, water and wastewater improvements, public art, monument signage, and drainage improvements, are proposed to be financed through the creation of a two-phase reimbursable Public Improvement Districts (PIDs). Additionally, the project is located outside of the Loop 110 Transportation Reinvestment Zone. Thus, ad valorem and sales tax revenue will benefit the City of San Marcos.





# Zoning Change PDD-15-01 IH-35 & POSEY RD.



- Summary:** This is a discussion item. Highpointe Investments, LLC, is requesting an initial zoning classification of “PDD” Planned Development District on a 417.630 +/- acre tract of land located within the city’s extra-territorial jurisdiction (ETJ).
- Applicant:** Highpointe Investments, LLC.  
20 Enterprise, Ste. 320  
Aliso Viejo, CA 92656
- Property Owners:** JOQ San Marcos Ventures, LP.  
P.O. Box 27501  
Houston, TX 77227
- Consultant:** Caren L. Williams  
P.O. Box 2559  
San Marcos, TX 78666
- Notification:** Personal notification not required for this discussion item.
- Response:** None to date.

## **Property/Area Profile:**

- Legal Description:** A 417.630 +/- acre tract of land out of the William H. Van Horn Survey, Abstract No. 464, Hays County, Texas. Being a portion of those certain 100.22 Acre, 67.53 Acre, 248.77 Acre, and 5.01 Acre Tracts Conveyed to JOQ - San Marcos Ventures L.P. by Deed of Record in Volume 1820, Page 715, of the Official Public Records of Hays County, Texas.
- Location:** Generally located on the east side of IH-35, south of Posey Road, and west of Old Bastrop Road.
- Existing Use of Property:** Undeveloped
- Proposed Use of Property:** Mixed Use: General Commercial, Office, Multi-Family, and Single-Family Residential.
- Intensity:** The west portion of the property adjacent to IH-35 is classified as Employment Center. East of that portion, a section is classified as Medium Intensity. The remainder of the site is classified as an Area of Stability.
- Existing Zoning:** Not zoned – property not currently within the city limits.
- Proposed Zoning:** “PDD” – Planned Development District
- Utility Capacity:** Limited existing utilities.

## **Case Summary**

This is a discussion item for a request by Highpointe Investments, LCC for approval of a “PDD, Planned Development District” for approximately 417.63 +/- acres within the city’s extra territorial jurisdiction (ETJ). The attached Concept Plan, Phasing Plan, and Master Plan Document represent a draft submittal. Planning staff anticipates potential revisions to these draft submittals prior to the next Planning and Zoning Commission meeting on August 25, 2015, at which time this request will be considered for approval. Potential revisions include general document formatting and design guidelines.

The proposed PDD is intended to facilitate a phased mixed-use development that will include employment center uses, commercial uses, multi-family residential, single family residential, as well as approximately 58 acres of parks and open-space. Consistent with the purpose of the creation of a PDD, this proposal intends to allow for flexibility in land use and phasing while providing for a number of enhanced standards and amenities.

Major public improvements within the project, including collector streets, water and wastewater improvements, public art, entry monument signage, and drainage improvements, are proposed to be financed through the creation of a two-phase reimbursable Public Improvement District (PID). Additionally, the project is located outside of the Loop 110 Transportation Reinvestment Zone. Thus, ad valorem and sales tax revenue will go to the City of San Marcos.

Additionally, the annexation of this property is being processed concurrently with this zoning request and with the approval of the requested PID. Final annexation approval is planned to occur at the time of final zoning approval at the October 6, 2015 City Council meeting.

## **Planning Department Analysis**

The proposed PDD is being reviewed according to Section 4.2.6 “Planned Development Districts” within the City of San Marcos Land Development Code (LDC). More specifically, Section 4.2.6.1 states:

*“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.”*

Consistent with this purpose, the proposed PDD plans for a phased mixed-use development as illustrated in the attached “Concept Plan” document and “Phasing Plan” documents. Employment Center and commercial uses will be located adjacent to I-35 and multi-family development will provide transition into the single family residential neighborhoods. Parks and open space will be located throughout the project and provide recreational spaces and serve as a buffer between adjacent land uses.

The attached “Phasing Plan” document illustrates that approximately half of the proposed Single-Family Development (Planning Areas 1, 2, and 3) is planned to be developed within Phase 1. However, the infrastructure for Planning Areas 9, 10, 11, and 12, which are proposed for General Commercial, will also be installed within Phase 1 in order to provide “shovel ready” property for employment center and commercial uses. The remaining Phases 3 and 4, are planned for single family development.

Also consistent with the LDC are provisions within the proposed PDD document that allow for flexibility and variance from several development standards, as well as a number of enhanced development standards and added public amenities. These variances and enhancements are summarized as follows, with specific reference to the corresponding section of the attached draft PDD Master Plan Document:

Flexibility/Variance:

- Reduced paving width on proposed streets to create a more pedestrian friendly cross-section.
- Integration/clustering of varied single family residential development types. (Section 2.1.1 “PD-SF Single Family”)
- Varied Lot and Site Design Standards to facilitate more compact and pedestrian oriented neighborhoods (Section 5.1 “Dimensional and Lot Standards”)
- Additional impervious coverage to allow for increased density. (Section 5.1 “Dimensional and Lot Standards”)
- Additional area for freestanding signage. (Section 11 “Signage”)
- Additional permitted uses within each PDD sub-area (Section 13.2 “Permitted Uses” within the attached Master Plan and Planned Development District Standards.)

Enhanced Development Standards:

- 9.2 Acre Central Park with an Amenity Center, Five (5) Pocket Parks totaling 4.7 acres, and 2 to 3 miles of trails that will provide additional connectivity. (Section 3 “Public Space”)
- Public Art and Entry Monumentation. (Section 3.5 & 3.6 “Iconic Art” & “Entry Monuments”)
- Enhanced Vehicular, Pedestrian, and Bicycle Connectivity. (Section 4 “Circulation and Connectivity”)
- Enhanced Streetscape Design Standards. (Section 4.1 “Street Section Design”)
- Enhanced Architectural Design Standards. (Section 6 “Architectural Design”)
- Enhanced Parking Lot Design Standards. (Section 7 “Parking and Access”)
- Enhanced Screening Standards. (Section 8 “Screening and Fencing”)
- Enhanced Landscaping Standards. (Section 9 “Landscaping and Environmental”)

Planning staff is also reviewing the proposed PDD using the City’s Comprehensive Plan, *Vision San Marcos: A River Runs Through Us*. Staff finds that the draft submittal for the proposed PDD conforms to the Comprehensive Plan Elements specifically regarding Land Use, Economic Development, and Neighborhoods. Further analysis is provided below.

- A Preferred Scenario Amendment has already been completed that allows for the specified land uses within the proposed PDD.
- The subject property is located in the Willow Creek sub-watershed. A modeled impervious cover increase of 100% is anticipated for this watershed.
- The subject property is “least-most” constrained according to the Land Use Suitability Map.
- The subject property is not located in a wastewater or water “hot spot”. Water and waste water service is available to the subject property.
- The Travel Demand Model only analyzes roadways that are designated as Collector or above. The Arterial and Collector roadway(s), that will provide access to this neighborhood are IH-35, Posey Road, and Old Bastrop Road.
- The Preferred Scenario Daily and Peak Level of Service are consistent with the Existing Daily and Peak Level of Service.

In addition, the consistency of this proposed change to the LDC criteria is described below:

Evaluation		Neutral	Criteria (LDC 1.5.1.5)
Consistent	Inconsistent		
X			<p><b>Change implements the policies of the adopted Master Plan, including the land use classification on the Future Land Use Map and any incorporated sector plan maps</b></p> <p><i>The change is consistent with the Preferred Scenario Map and Comprehensive Plan Elements in Vision San Marcos. See the analysis above and the attached Comprehensive Plan Worksheet.</i></p>
		X	<p><b>Consistency with any development agreement in effect</b></p> <p><i>No development agreements are in effect for this property.</i></p>
X			<p><b>Whether the uses permitted by the proposed change and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified</b></p> <p><i>The proposed PDD and underlying zoning would be consistent with the comprehensive plan goal to achieve diversified housing options to serve citizens with varying needs and interests.</i></p>
X			<p><b>Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area</b></p> <p><i>There are no Capital Improvement Plan projects anticipated in the immediate area.</i></p>
X			<p><b>Other factors which substantially affect the public health, safety, morals, or general welfare</b></p> <p><i>None noted.</i></p>

Additionally, the Commission should consider:

- (1) Is the property suitable for use as presently zoned?

*Staff evaluation: The property is not currently located within the city. Annexation proceedings are being processed concurrently.*

- (2) Has there been a substantial change of conditions in the neighborhood surrounding the subject property?

*Staff evaluation: The area surrounding the property is primarily rural.*

- (3) Will the proposed rezoning address a substantial unmet public need?

*Staff evaluation: The proposed PDD would be consistent with the comprehensive plan goal to achieve diversified housing options to serve citizens with varying needs and interests.*

- (4) Will the proposed rezoning confer a special benefit on the landowner/developer and cause a substantial detriment to the surrounding lands?

*Staff evaluation: There is no special benefit to the landowner.*

(5) Will the proposed rezoning serve a substantial public purpose?

*Staff evaluation: One goal within the Comprehensive Plan is to achieve diversified housing options to serve citizens with varying needs and interests. The proposed rezoning will contribute to a diverse range of housing options.*

**Staff presents this request to the Commission for discussion only.**

**The Commission's Responsibility:**

To hold a discussion regarding the proposed zoning change. When the item is placed on the agenda for consideration, the Commission is required by law to hold a public hearing and receive public comment regarding the proposed zoning. After considering the public input, the Commission is charged with making an advisory recommendation to the City Council regarding the request. The City Council will ultimately decide whether to approve or deny the zoning change request. The Commission's advisory recommendation to the Council is a discretionary decision.

**Prepared by:**

Brandon Melland, AICP	Senior Planner	July 30, 2015
<b>Name</b>	<b>Title</b>	<b>Date</b>

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**PDD-15-01 Zone Change Review**

**(By Comp Plan Element)**

**LAND USE – Preferred Scenario Map / Land Use Intensity Matrix**

	YES	NO (map amendment required)
Does the request meet the intent of the Preferred Scenario Map and the Land Use Intensity Matrix?	X	

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

STRATEGY	SUMMARY	Supports	Contradicts	Neutral
Preparing the 21 <sup>st</sup> Century Workforce	Provides / Encourages educational opportunities	X		
Competitive Infrastructure & Entrepreneurial Regulation	Provides / Encourages land, utilities and infrastructure for business	X		
The Community of Choice	Provides / Encourages safe & stable neighborhoods, quality schools, fair wage jobs, community amenities, distinctive identity	X		

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

*INCLUDE MAP*	1 (least)	2	3 (moderate)	4	5 (most)
Level of Overall Constraint	X	X	X		
Constraint by Class - ANALYSIS PROVIDED FOR SITES WITH A 3, 4 OR 5 OVERALL					
Cultural	X				
Edwards Aquifer	X				
Endangered Species	X				
Floodplains	X	X		X	
Geological	X				
Slope	X				
Soils	X	X		X	
Vegetation	X				
Watersheds	X				
Water Quality Zone	X			X	X

**ENVIRONMENT & RESOURCE PROTECTION –**

Located in Subwatershed:	Willow Creek				
	0-25%	25-50%	50-75%	75-100%	100%+
Modeled Impervious Cover Increase Anticipated for watershed					X
Notes:					

**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

	YES	NO	
Will Parks and / or Open Space be Provided?	X		
Will Trails and / or Green Space Connections be Provided?	X		
<b>Maintenance / Repair Density</b>	Low (maintenance)	Medium	High (maintenance)
Wastewater Infrastructure	X		
Water Infrastructure	X		
Public Facility Availability			
	YES	NO	
Parks / Open Space within ¼ mile (walking distance)?		X	
Wastewater service available?	X		
Water service available?	X		

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

	A	B	C	D	F
Existing Daily LOS	ROADWAY 1: N IH-35	X			
	ROADWAY 2: Posey Rd.	X			
	ROADWAY 3: Old Bastrop Hwy.	X			
Existing Peak LOS	ROADWAY 1: N IH-35	X			
	ROADWAY 2: Posey Rd.	X			
	ROADWAY 3: Old Bastrop Hwy.	X			
Preferred Scenario Daily LOS	ROADWAY 1: N IH-35	X			
	ROADWAY 2: Posey Rd.				X
	ROADWAY 3: Old Bastrop Hwy.	X			
Preferred Scenario Peak LOS	ROADWAY 1: N IH-35	X			
	ROADWAY 2: Posey Rd.				X
	ROADWAY 3: Old Bastrop Hwy.	X			
	N/A	Good	Fair	Poor	
Sidewalk Availability: No sidewalk available along any adjacent street frontages.	X				
	YES	NO			
Adjacent to existing bicycle lane?		X			
Adjacent to existing public transportation route?		X			
Notes:					

# LOOKING SOUTHEAST AT IH-35 FRONTAGE



MASTER PLAN  
and  
PLANNED DEVELOPMENT DISTRICT STANDARDS FOR



TRACE

Submitted July \_\_, 2015

Section 1:	Intro
1.1	Goals .....
1.2	Introduction .....
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## Section 1: Intro

### 1.1 Goals

Highpointe Communities, Inc. has a founding principle of creating quality communities that will endure. In order to successfully execute their objectives and achieve their goals, they rely on two main attributes - knowledge and discipline - to make the most of the opportunities they encounter. Successful large master planned communities begin with a vision and a set of goals by the land developer. For Trace, these goals are:

- To provide needed housing to the city of San Marcos at a variety of home prices to the entry level, first time home buyer as well as the move up market buyer.
- To deliver a family oriented, kid friendly community.
- To create a community that has both walking and biking access to trails, open space, parks, neighborhood shopping areas and employment areas.
- To create new employment opportunities in the City of San Marcos and allow for easy access to and from those employment centers within Trace.
- To be environmentally sensitive in design and avoid impacts to wetlands, creeks and sensitive drainage areas where ever possible.
- To be water use conservative in landscape design.
- To create a better quality living experience in roadway design.

### 1.2 Introduction

Trace is a 420-acre mixed use development that is situated on the southern edge of the City of San Marcos. This project offers an impressive gateway into the City from the south. An iconic work of art will be visible at the eastern edge of the property to mark the entrance to the community and San Marcos as a whole and the views from the highway will highlight the natural beauty of the landscape. The development is intended to serve as a quality commercial, business and residential community where people may live, work and enjoy enhanced amenities commensurate with a master planned community.

Trace will be composed of a mix of residential, business-park and commercial retail uses, as well as, an abundance of parks and open space. Residential uses include single-family home sites and multi-family communities. The commercial uses include general, community and neighborhood commercial retail. A business park is strategically located adjacent to I-35 and provides a smooth transition between the freeway and residential neighborhoods. Parks and natural open space spread throughout the site buffer natural waterways and provide recreational areas.

A mix of single family housing styles and sizes will be available. The residential area will include one or more multi-family communities that will buffer the business and commercial areas from the single family neighborhoods. Trace will be developed with respect for the existing landscape using the creeks and wetlands as a feature of the residential communities so that the natural beauty of the property remains intact. The community's collector roadways will be built as parkways by separating traffic lanes with tree-lined medians and planting the right of ways with native flowers and shrubs. The planned bike lanes are widened for more-comfortable rides; and swaths of open space run parallel to the roadways allowing trails to sweep through trees and along the creek edges.

An amenity center and elementary school are also planned and will be located in the heart of the community, providing central places to gather, learn, and play. Altogether, Trace adds to the numerous attractions of San Marcos in a way that seems like it has always been part of the city.

### 1.3 Project Location

Trace is located on the south end of the city of San Marcos and will act as the southern gateway to the City. It is situated south of Posey Road, east of the I-35 freeway, and west of Old Bastrop Highway.

Illustration 1: Vicinity Map

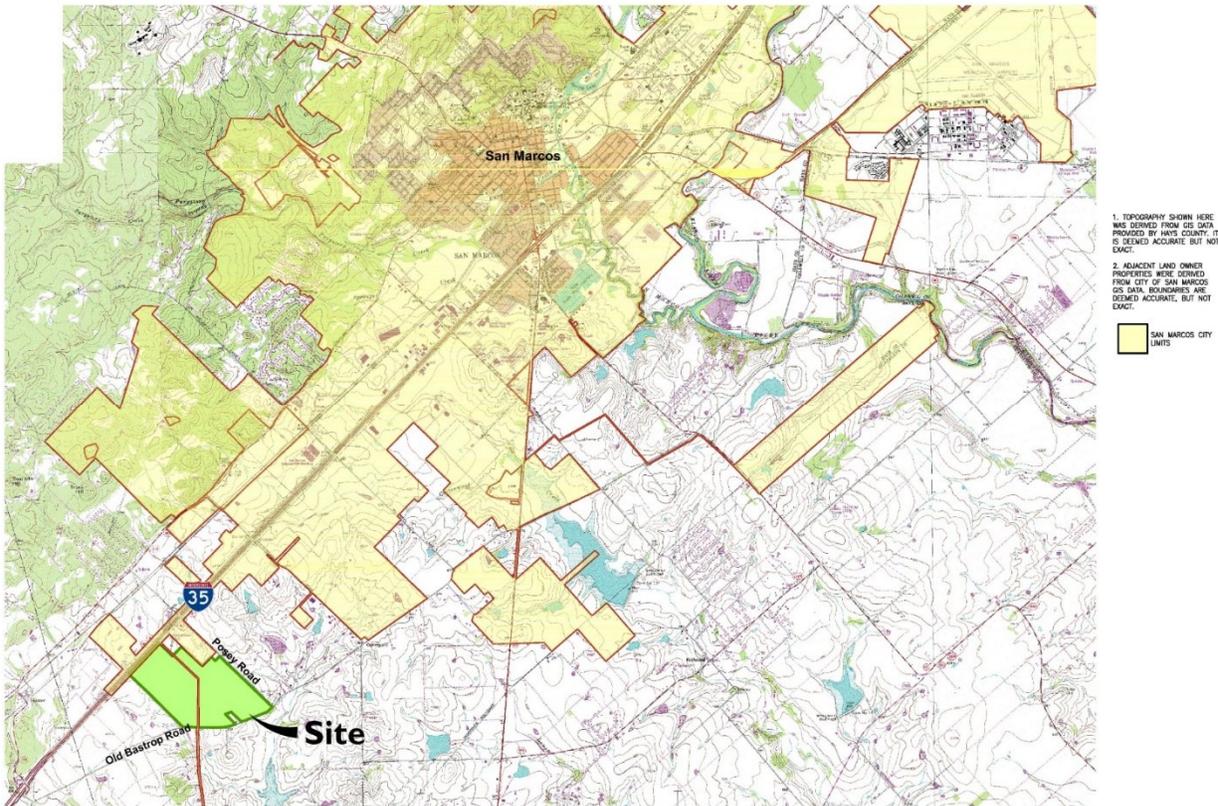


Illustration 2: Portion of the Project within City Limits

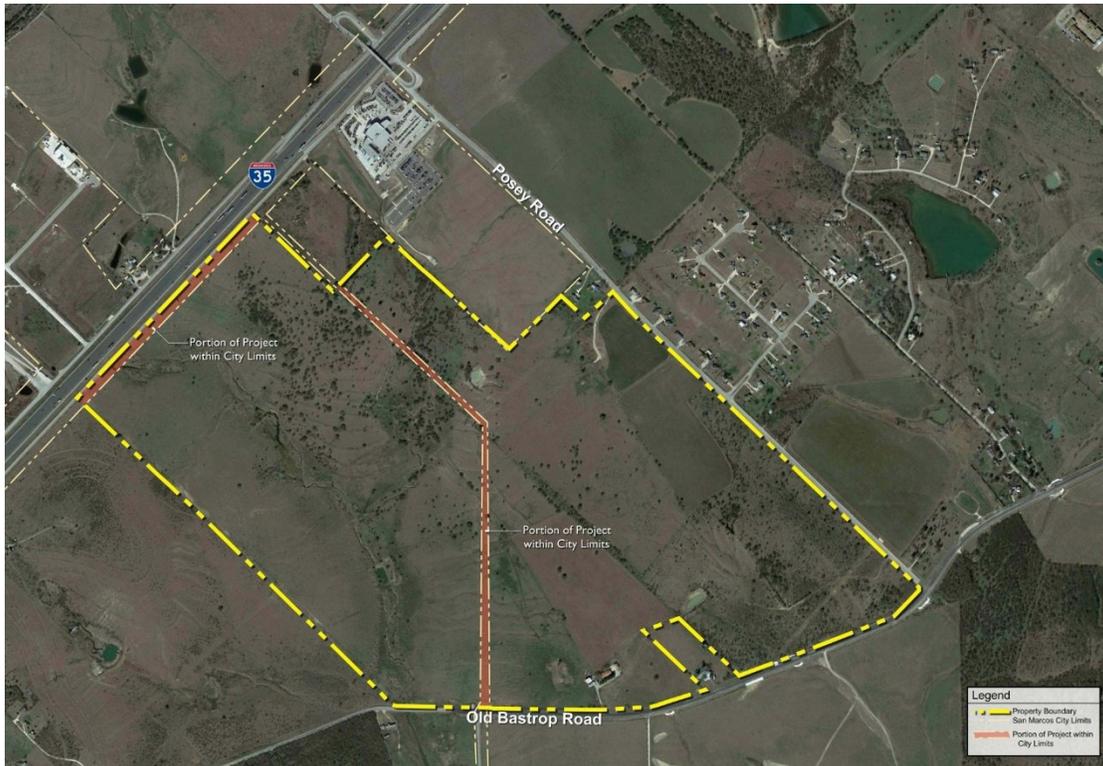
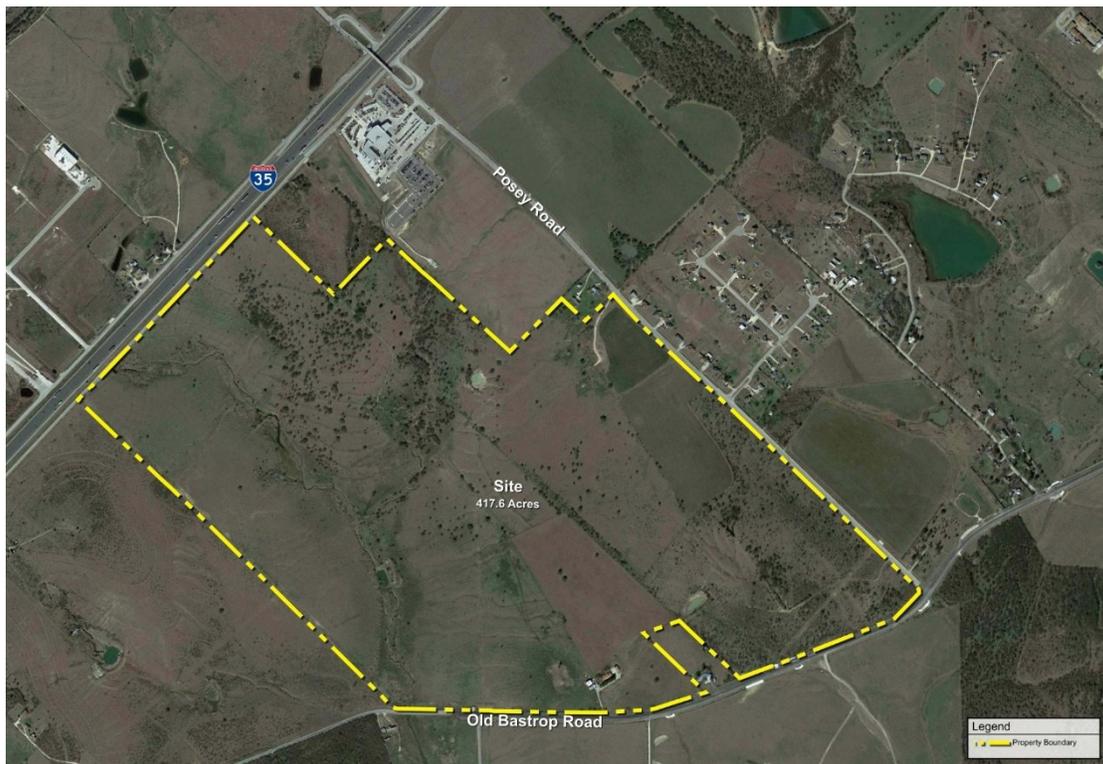


Illustration 3: Base Aerial



## 1.4 Existing Property Conditions

Trace is currently undeveloped agricultural land utilized for grazing and hay production. The property was purchased by its current ownership in 2001 and has been leased to a local rancher since that time. The Trace Development site has been subjected to long term impacts associated with grazing and erosion over time. The property includes two manmade stock ponds, debris piles, agricultural equipment, cattle pens, and one occupied and two abandoned single family residences. There are no paved roads, or other improvements currently on the subject property. A Natural gas pipeline, reclaimed water line and electric line were identified on the subject property. The occupied house contains a septic system; however no sanitary sewers or septic systems were identified near the two abandoned residences. Utilities include overhead electrical power lines with non-PCB pole mounted transformers. Native grasses currently cover most of the subject property.

The property is east of the Edwards Aquifer recharge zone on deep Blackland Prairie soils. The area surrounding the subject property may be generally described as rural, transitioning to suburban. Nearby properties have been recently developed along the east side of Posey Road as well as several homes northwest of the subject property. The San Marcos Toyota car dealership, located on the southwest corner of Posey Road and IH 35, is the only commercial property on the east side of IH 35 in the surrounding area. The surrounding land is utilized for grazing and hay production or is open, unmaintained land. The San Pedro Cemetery is located at the northwest corner of the Posey Road and S Old Bastrop Highway intersection.

### Illustration 4: Existing Conditions

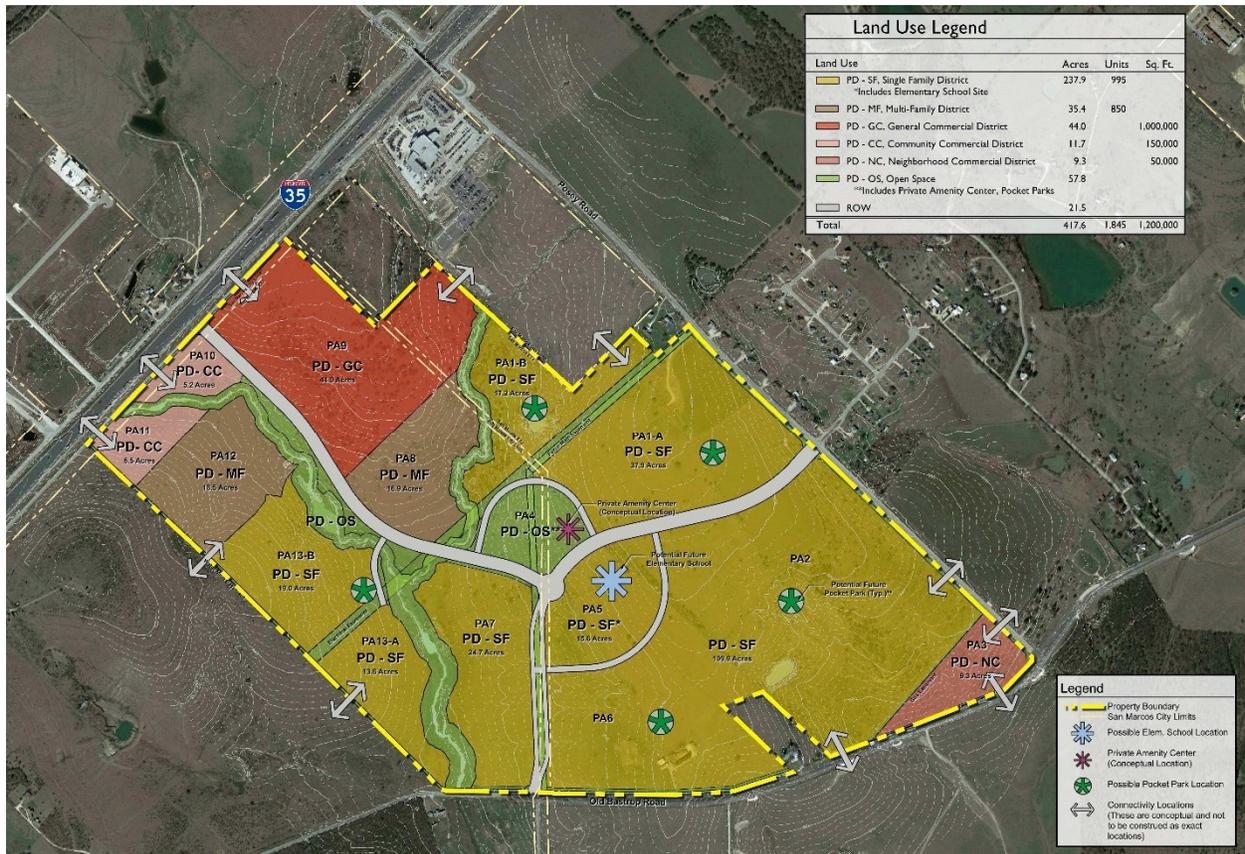


Illustration 5: Slope Map (Located in the Appendix)

Illustration 6: Topography & Environmental Features (Located in the Appendix)

## Section 2: Concept Plan

Illustration 7: Concept Zoning Plan



### 2.1 General Land Use Designations

#### 2.1.1 PD-SF Single Family

Trace contains 237.9 acres of single family residential uses. The community allows for a mix of Single-Family type lots in a variety of sizes and configurations in order to achieve a high quality master planned community. These single family uses would be designed within the SF 6 criteria of the City of San Marcos zoning regulations and would include 50' wide lots to achieve a 6,000 SF lot; 60' wide lots to achieve a 7,200 SF lot; and 70' wide lots to achieve a 8,400 SF lot. Varying lot sizes would be utilized in different neighborhoods and configurations to achieve a variety of housing types at different price ranges.

Trace would also offer small lots in the range from 2,500 SF to 4,500 SF both as attached and detached units. These lots would be designed similar to the SF 4.5, D, TH and PH-ZL criteria

of the City of San Marcos zoning regulations but could be alley loaded as well as street loaded. Attached garages and detached garages could be utilized in this range of lots. Duplex and Townhome type housing could be designed within the Trace Planned Development District.

Maximum densities for each Planning Area are shown in the table below. Each Planning Area could have any of the lotting types as address in this table.

Planning Area	Acreage	% of Residential Acreage	Types of lots	Max Density units/acre	Maximum allowable Units
1A	37.9	16%	32' Alley-loaded; 40' wide detached garage; 40' wide traditional lots; 50' wide traditional lots; duplex units; townhouse units	6.0	227
1B	17.2	7%	40' wide detached garage; 40' wide traditional lots; 50' wide traditional lots; duplex units; townhouse units	6.0	103
2 / 6	109.9	46%	32' Alley-loaded; 40' wide detached garage; 40' wide traditional lots; 50' wide traditional lots; 60' wide traditional lots; 70' wide traditional lots	5.0	550
School Site	15.6	7%	32' Alley-loaded; 40' wide detached garage; 40' wide traditional lots; 50' wide traditional lots; 60' wide traditional lots; 70' wide traditional lots	5.0	78
7	24.7	10%	50' wide traditional lots; 60' wide traditional lots; 70' wide traditional lots	4.0	99
13 A	13.6	6%	50' wide traditional lots; 60' wide traditional lots; 70' wide traditional lots; duplex units; townhouse units	6.0	82
13 B	19.00	8%	50' wide traditional lots; 60' wide traditional lots; 70' wide traditional lots; duplex units; townhouse units	6.0	114
Totals	237.9 acres	100%		5.26 Avg. DU/AC	1,253

This table allows for a maximum of 1,253 single family units, however due to site constraints, open space and parks there is currently planned to have only a maximum of 995 single family units allowed at Trace. A deviation of 20% of the maximum number of units planned will be allowed with further approval from the City Planning Director. No more than 30% of those single family homes will be of the smaller lot configuration which includes the 32' wide Alley-loaded, 40' wide detached garage; 40' wide traditional style lots; duplex units or townhouse units. If the school site is not accepted by the San Marcos Consolidated Independent School District then the school site could have a maximum of 82 lots. Further discussion of this is located under Section 3.1.

### 2.1.2 PD-MF Multi Family

Trace has 35.4 acres of multi-family use. The Multiple-Family Residential District in Planning Areas 8 and 12 is intended for development of multiple-family, for sale or market rate for rent residences not to exceed more than 24 units per acre. This Multi-Family Residential District shall not have “rent by the room” apartments. This district will serve as a buffer between low or medium density residential development and the nonresidential development. Planning Area 8 shall have an overlay District of the PD-GC use. It is intended that if an entity wanted to purchase a 60+ acre site for a larger employment center use this area could be utilized for this purpose. A conditional use permit would be required in order to address screening and buffering to the adjacent Single family use in PA 1B.

### 2.1.3 PD-NC Neighborhood Commercial

The Neighborhood Commercial District encompasses 9.3 acres and is established to provide low intensity office, retail and service facilities for the local neighborhood area. These uses shall be compatible with residential uses in the neighborhood. A Neighborhood Commercial area within Trace is conveniently located at the intersection of Posey Road and Old Bastrop Highway. It is divided from the residential uses by a 50’ wide gas pipeline easement which will be landscaped and screened. Enhanced architectural guidelines for this area are discussed in Section 6.3 Commercial.

### 2.1.4 PD-CC Community Commercial

The Community Commercial District contains a total of 11.7 acres and is established to provide areas for quality larger general retail establishments and service facilities for the retail sale of goods and services. This district should generally consist of retail nodes located along or at the intersection of major collectors or thoroughfares to accommodate high traffic volumes generated by general retail uses. The location of this area allows for the retail businesses to serve not only area residents but community residents as well. Enhanced architectural guidelines for this area are discussed in Section 6.3 Commercial.

### 2.1.5 PD-GC General Commercial

The Employment Center/General Commercial District, containing 44 acres, is intended to provide shovel ready opportunities for prospective companies and employers. These could include limited (light) commercial and service-related establishments; clean manufacturing; corporate headquarters; and office park/office building uses. The commercial uses within this district will have operation characteristics that are generally compatible with the Community Commercial District and the Multi-Family residential areas immediately adjacent to this area. Careful consideration of building heights and screening will apply. Enhanced architectural guidelines for this area are discussed in Section 6.3 Commercial.

### 2.1.6 PD-OS Open Space/Park

Trace contains approximately 84 acres of open space and parks. The City of San Marcos has determined that recreational areas in the form of public parks and open spaces are necessary for the enjoyment and well-being of residents of the City. The City has further determined that a reasonable connection exists between the subdivision of residential property and the need for additional parkland to serve new residents of the community. Open Space and Parks and Trails are discussed in more detail in Section 3.

## 2.2 Phasing

The project will be developed in a series of phases as described below.

Development - Phase 1A will begin at the intersection of Posey Road and Road Segment A and will service Planning Areas 1, 2, 3 and the private amenity center of Planning Area 4. In order to provide wastewater services for the two residential planning areas, lift stations A and B located within Planning Areas 2 and 7, will also need to be constructed concurrent with this phase of development. Also, one and one-half miles of off-site force main will need to be constructed from Lift Station B north of the project to connect to an existing wastewater line near the Tanger Outlet Malls on Centerpoint Drive. Planning Areas 1 & 2 will contain single family home sites for merchant builders. Planning Area 3 is a neighborhood retail site and will be subject to market demand but will be “shovel ready” and available for sale in conjunction with the construction of Planning Areas 1 and 2.

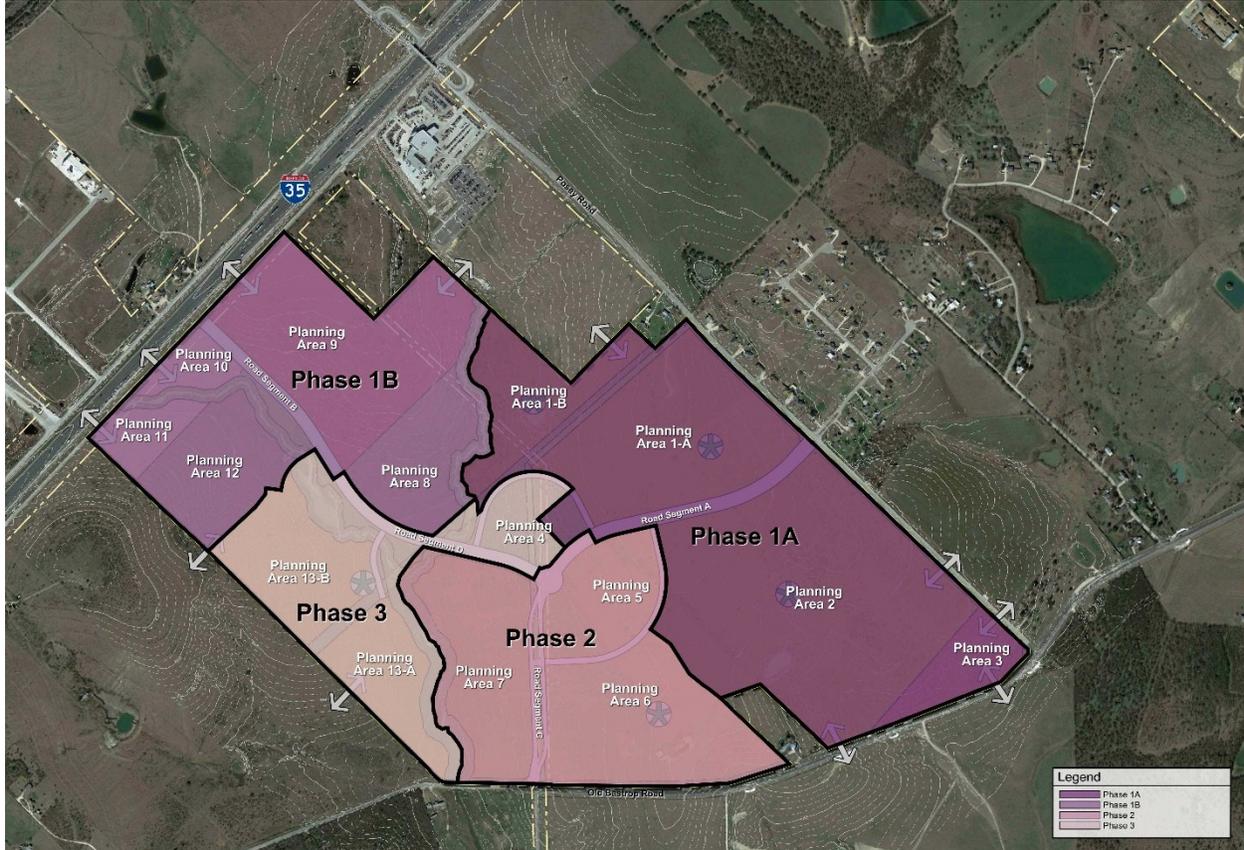
Development - Phase 1B will begin at the intersection of I-35 and Road Segment B and will service Planning Areas 8, 9, 10, 11 and 12. The grading of Phase 1B of development will be commenced almost concurrently with Phase 1A to provide shovel ready properties contingent upon securing buyers / users for the retail, business center or multi-family sites noting that these sites will be available for sale as soon as the water and wastewater facilities are available to serve them. This phase of construction is dependent solely on the development of Phase 1A because the water lines serving Development Phase 1B come from Posey Road, thru Road Segment A, a portion of Road Segment C, Road Segment D, and Road Segment B. These water lines are well over 1 mile in length. Wastewater service cannot be delivered to Development Phase 1B until the Wastewater Lift Station at the southeasternmost corner of the project is fully built and operating. There are over 2.5 miles of force main lines commencing at this lift station and traveling north from the project site to a point near or just north of the Outlet Malls which must also be built prior to delivery of shovel ready properties within Development Phase 1B. As well Development Phase 1B will require approximately 8/10ths of a mile of gravity sewer line to be built from Development Phase 1B to the lift station located at the southeasternmost corner of the project. Planning Area 9 is a 44 acre general commercial site with a variety of uses allowed and will be for sale subject to securing either a user or developer. Planning Areas 8 and 12 are multi-family sites and will be for sale subject to market demand. Planning Areas 10 & 11 are community commercial sites and will be for sale, subject to market demand.

Development - Phase 2 will then begin at the intersection of Old Bastrop Highway and Road Segment C and will service Planning Areas 5, 6 and 7. Planning Area 5 is an elementary school site and will be donated to, and built by, the local school district when sufficient student demand has occurred. Alternatively, if not developed as a school site, this site will contain additional single family lots. Planning Area 6 is planned for the largest lots in the development, subject to market conditions, and will provide for larger and more expensive homes. The timing of Planning Area 7 will be subject to absorption of homes in Planning Area 1 or 2.

Development - Phase 3 will complete the internal circulation by constructing Road Segment D which connects all internal road segments including Segments A, B and C and will

service the remaining Planning Area 13. The remainder of Planning Area 3 which will contain the public park areas will be completed with this phase.

**Illustration 8: Phasing Plan**



### Section 3 Public Space

The Trace development will include approximately eighty four (84) acres of parks and open space designed to preserve the natural landscape and create a shared sense of community within the project, a school site offered to the school district for development of an elementary school and 2 to 3 miles of trails.

#### 3.1 Open Space

**Open Space Requirement** - The City of San Marcos’ current Land Development Code requires that a minimum of 20 percent of the gross land area within the entire PD district, except within TND developments, shall be devoted to open space. The Trace project contains 417.63 acres so 20% would be 83.5 acres. Open space for PD districts may be satisfied by either public or by a combination of public and private open space. Public open space shall be dedicated to the City.

Trace Total Open Space

- Central park / Amenity center:	9.2 acres
- Pocket parks:	4.7 acres
- Electrical Easement:	7.9 acres
- Boulevard landscaping:	13.1 acres
- Environmental buffer:	22.9 acres
- Detention Basins:	<u>26.4 acres</u>
- Total Open Space:	84.2 acres

Currently the Concept Zoning Plan submitted with this document shows 57.8 acres of open space within the Trace project. The detention basin open space areas shall be addressed and shown on the subsequent Subdivision Concept Plat submittals required in Section 12.1

Trace will contain approximately twenty three (23) acres of open space along the existing creeks and wetland on the property. This greenspace technically provides a water quality buffer for the creeks and wetlands. The installation of supplemental native plants to enhance the visual and functional qualities of these areas will provide Trace with a dual purpose amenity. Approximately thirteen (13) of acres of open space flank roadways within the project. These areas will be strategically planted with native and adapted ornamental plant materials to create a framework and transition to the native landscape beyond. The width and quantity of these roadway open spaces shall create opportunities for major trail connections to create pastoral, pleasant experiences for pedestrians and cyclists.

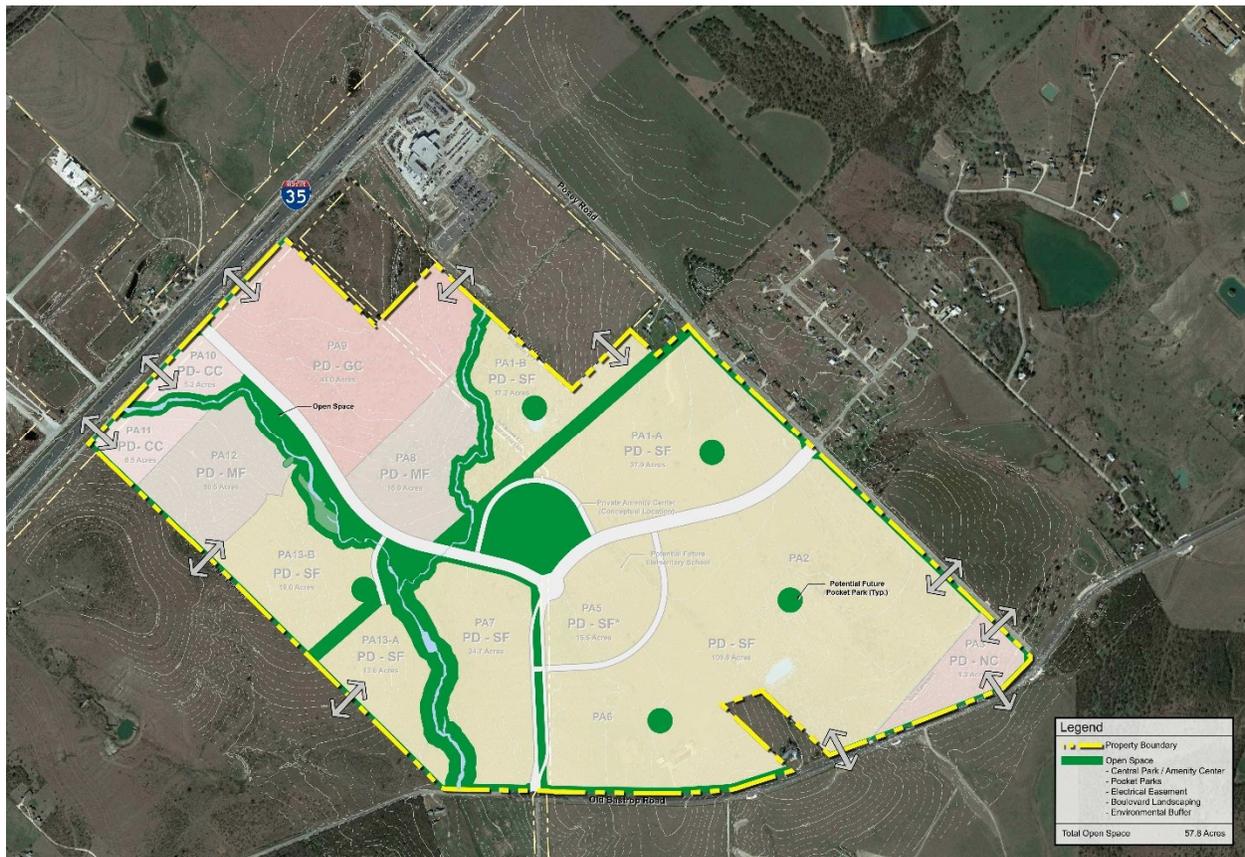
The walkability of Trace enhances the cohesiveness of the community and raises the quality of life for residents. Enhancement such as re-establishment of prairie grasses and other bank stabilizing vegetation will provide forage and cover opportunities for a variety of birds and small mammals to regenerate natural cycles on a property that has been historically overgrazed.

Existing utility easements create opportunities for a restorative native landscape and trail system. These trails will be great connections as well as educational and interpretive elements of Trace. The overall amount and connectivity of the open spaces throughout Trace will create a network of trails that link to a variety of activities and amenities.

Concept Plan Open Space: Based on the Concept Zoning Plan dated 07/07/2015

- Central park / Amenity center:	9.2 acres
- Pocket parks:	4.7 acres
- Electrical Easement:	7.9 acres
- Boulevard landscaping:	13.1 acres
- Environmental buffer:	<u>22.9 acres</u>
- Total Concept Zoning Plan Open Space:	57.8 acres

Illustration 9: Concept Plan Open Space (does not include detention basin locations)



### 3.2 Parkland Dedication

Standard City Requirements for Parkland - The City of San Marcos Land Development Code requires 5 acres of parkland per 1,000 residents. It requires that 2.7 residents are calculated per single family unit and 2.1 residents are calculated per multi-family unit (based on the maximum allowed units per acre per multi-family zoning designation). Drainage ditches, detention ponds, power line easements and steep slopes are not eligible for dedication but the 100 year flood plain is considered eligible for parkland credit. The calculations below detail the amount of parkland over and above the base requirement which will be dedicated to the City.

Parkland Dedication Requirement Calculations: Based on Concept Zoning Plan dated 07/07/2015

Single-Family:	995 units x 2.7 residents per unit =	2,687 residents
Multi-Family:	850 units x 2.1 residents per unit =	1,785 residents
Total Residents:		4,472 residents
Minimum Parkland requirement:		
4,472 total residents x 5 acres per 1,000 residents =		22.4 acres
- Total Concept Zoning Plan Open Space:		57.8 acres

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<u>Acreage Not Eligible for Parkland Dedication</u>	<u>27.5 acres</u>
- Private amenity center (subtract):	-2.0 acres
- Pocket parks (subtract)	- 4.7 acres
- Electrical Easement (subtract):	- 7.9 acres
- Perimeter boulevard landscaping (subtract):	- 9.0 acres
- Creeks and wetlands in environmental buffer (subtract)	- 3.9 acres
<u>Parkland for Dedication (itemized below):</u>	<u>30.3 acres</u>
Central park	7.2 acres
- Boulevard landscaping:	4.1 acres
- Environmental buffer:	19.0 acres

Parkland to be dedicated to the city will total 30.3 acres which is in excess of the City of San Marcos requirement of 22.4 acres.

- Land proposed for dedication as public parkland or open space shall be designated on the final plat for that phase or section of the project.
- Typically open space requirements would be satisfied for each phase of a multi-phased residential development, however if open space is not to be provided proportionally among phases of development, the applicant shall execute a reservation of open space in a form that will assure the City that such open space will be provided. All open space within the PDD shall be provided prior to completion of development within the district.
- Parkland shall be easily accessible for the public and open to public view so as to benefit area residents, enhance the visual character of the City, protect public safety and minimize conflicts with adjacent land uses.
- All public parkland must be accessible and any proposed development adjacent to a public park or opens space area shall not be designed to restrict reasonable access or visibility into the park.
- All parks will have at least 2-sides visible from public streets and the terrain of Trace is gentle enough that physical accessibility challenges are readily managed.
- Land dedication for public use and maintenance shall have a minimum of 150 feet of frontage on a Local or Collector Street.
- Parkland shall be safely accessed by pedestrians, especially children.

Illustration 10: Open Space Not Eligible for Parkland Dedication – 27.5 acres

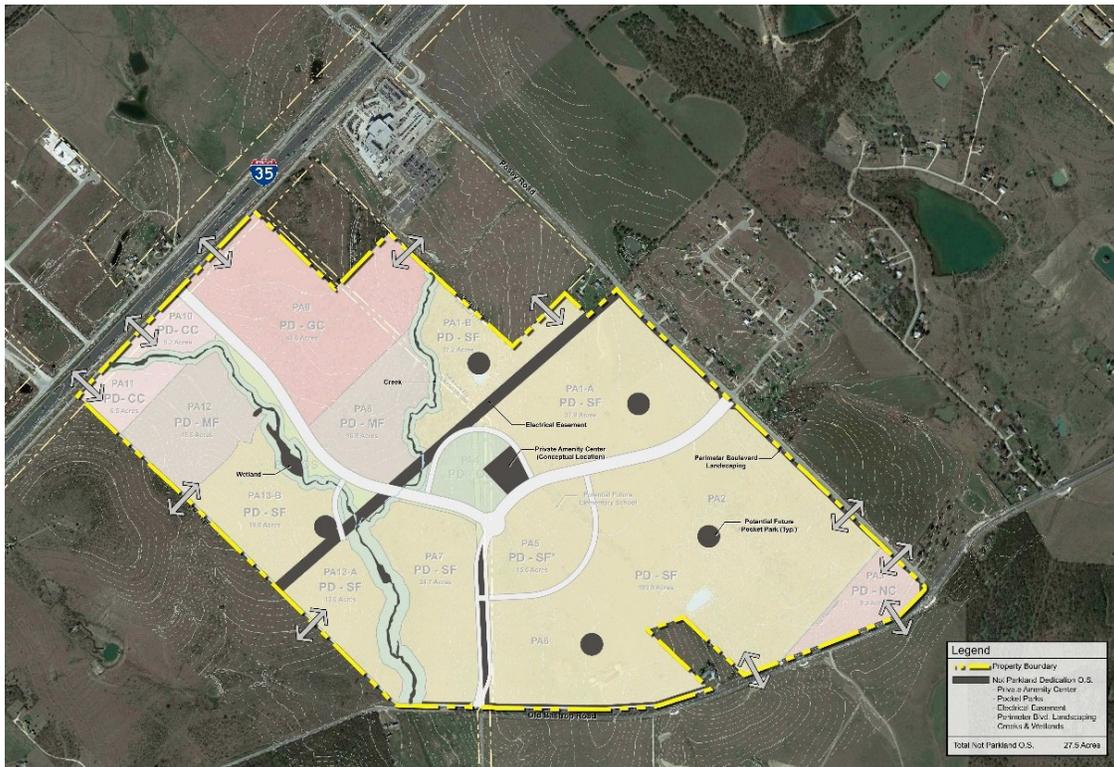
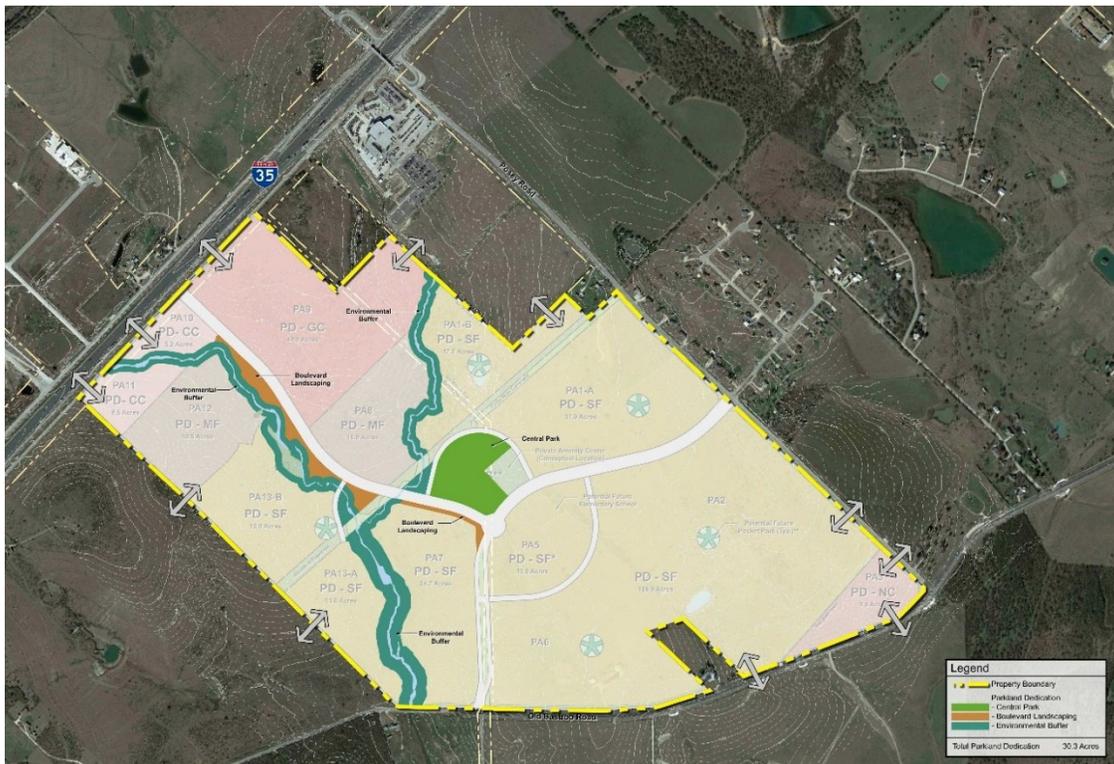


Illustration 11: Parkland for Dedication – 30.3 acres



### 3.3 Open Space & Parks Programming

Trace is a relatively compact community; easily walkable with generous amounts of open space and parkland. Because of the compact size of the Community and the central location of the main Amenity Center and School, the park system within Trace will have a variety of experiences to suit the residents and users.

- Large fields, pools and/or splash pads will be centrally located to give maximum access as well as direct higher traffic volumes to larger roads.
- Internal neighborhood pocket parks will be either un-programmed passive areas for neighborhood gatherings or lightly programmed play areas that may serve the homes furthest from the central activity area. The intent is that pocket parks would allow sufficient outdoor quality of life experiences when time prohibits walking to the central amenity center.

## Open Space & Parks Programming Schedule

M	Mandatory Improvement
O	Allowed Optional Improvement
D	Discourage Improvement

<b>Facility</b>	<b>HOA Amenity Center</b>	<b>Public Central Park</b>	<b>Pocket Park #1</b>	<b>Pocket Park #2</b>	<b>Pocket Park #3</b>	<b>Pocket Park #4</b>	<b>Pocket Park #5</b>	<b>Open Space - Buffer Trail System</b>	<b>Open Space - Electrical Easement</b>
Paths/Trails	M	M	M	O	O	O	O	M	M
Park Identification Signage	M	M	M	M	M	M	M	M	M
Way Finding	M	M	O	O	O	O	O	M	M
Landscaping	M	M	M	M	M	M	M	M	M
Bike Rack	M	M	M	M	O	O	O	O	D
Seating, 2 benches	M	M	M	M	M	M	M	O	D
Picnic Tables, 2 minimum	M	M	M	M	O	O	O	D	D
Grills	M	M	O	O	O	O	M	D	D
Drinking Fountain	M	M	O	O	O	O	O	D	D
Pet Fountain	M	M	O	O	O	O	O	O	D
Trash Receptacles	M	M	M	M	M	M	M	O	D
Pet Waste Receptacles	M	M	M	M	M	M	M	M	O
Restrooms	M	M	D	D	D	D	D	D	D
Playscape	M	O	O	O	O	O	O	D	D
Gazebo	D	O	O	O	O	O	O	D	D
Shade Structure	M	O	O	O	O	O	O	D	D
Exercise Equipment Circuit	D	O	O	O	O	O	O	O	D
Multi-Purpose Court	M	O	O	O	O	O	O	D	D
Multi-Purpose Fields	D	M	D	D	D	D	D	D	D
Volleyball (Sand) Court	M	O	D	D	D	D	D	D	D
Pavilion with Restrooms	M	D	D	D	D	D	D	D	D
Dog Park	O	O	D	D	D	D	D	O	D
Environmental Education	M	M	O	O	O	O	M	M	D
Sports Lighting	D	D	D	D	D	D	D	D	D

Illustration 12: Open Space and Parks Programming Plan



### 3.3.1 Public Central Park

A public Central Park of approximately 9 acres will provide over 7 acres of public space as well as a private 2 acre Homeowner Amenity Center. One of the goals of Trace was to create connectivity to the open space and parks as well as deliver recreational and passive facilities to meet the diverse needs of its residents. The recreational and amenity center will be centrally located so that it can be easily accessed by pedestrian, bicycle or vehicles. Greenspace trails and breaks in lot blocks will provide convenient and direct pedestrian routes to this central amenity to form a cohesive community.

### 3.3.2 Pocket Parks

Trace will include up to five family friendly pocket parks centrally located within the different sections of the community.

- These pocket parks will range in program, size and orientation to respond to the various product types and demographic expected in the respective section.
- Pocket Parks shall be a minimum of ½ acre in size.
- They shall be designed to function as the neighborhood gathering spaces for interaction, play and encourage engagement with the outdoors.

- Some of these pocket parks will be completely surrounded by residential streets with no houses backing up to them as shown in Illustration 15, however a few of the pocket parks are located with houses backing up to them as shown on Illustration 13. In this case, no more than 20 lots shall back up to the pocket park.
- Pocket Parks shall have at least two access points from the residential streets as shown on Illustration 13.
- All lots backing up to these pocket parks shall have tubular steel view fencing with a gate to allow for easy access from those houses to the park area as shown in Illustration 13.



**Illustration 13: Typical Pocket Park**



**Illustration 13: Typical Fencing Elevation at Pocket Parks**



### 3.3.3 Open Space Trails and Boulevard Trails

Trace will provide 2 to 3 miles of trail system that follows the terrain and makes natural features accessible for learning and observing.

- The trail system will provide access throughout the Community that minimizes potential conflicts with automobile traffic.
- The trail system will connect the commercial, the corporate campus, the multi-family and single family areas so that residents can live, work, and play within the Trace Community without getting in a car.
- The trails will range in width and surface to respond to the projected use and location. Trails along the main transportation corridors will be larger (10 to 12 feet width) and permanent concrete surfacing to allow for younger pedestrians and cyclists to traverse the property while minimizing interactions with vehicular traffic.
- Other trails may be decomposed granite, mulch or mowed trails through restored wildflower meadows. Widths will vary from 5' minimum up to 10' or 12' where projected traffic warrants.

### 3.3.4 Parkland and Open Space Walking Distance

One of the goals of the Trace Master Planned Community was to provide parks, open space and trails within walking distance of its residents. 98% of the Trace project is within ¼ mile of either a park, a trail or an open space area. The only area not within ¼ mile walking distance of a park, open space or trail is Planning Area 3 located at the corner of Posey Road and Old Bastrop Highway.

- Street connections between residential neighborhoods shall be provided, wherever possible, to provide reasonable access to parks and open space areas.
- Proposed access and public availability, both physical and visual, of parkland shall be reviewed by the City's Community Services Director and approved by the Planning and Zoning Commission.

Illustration 14:  
Property within ¼  
mile of Open Space  
or Parks

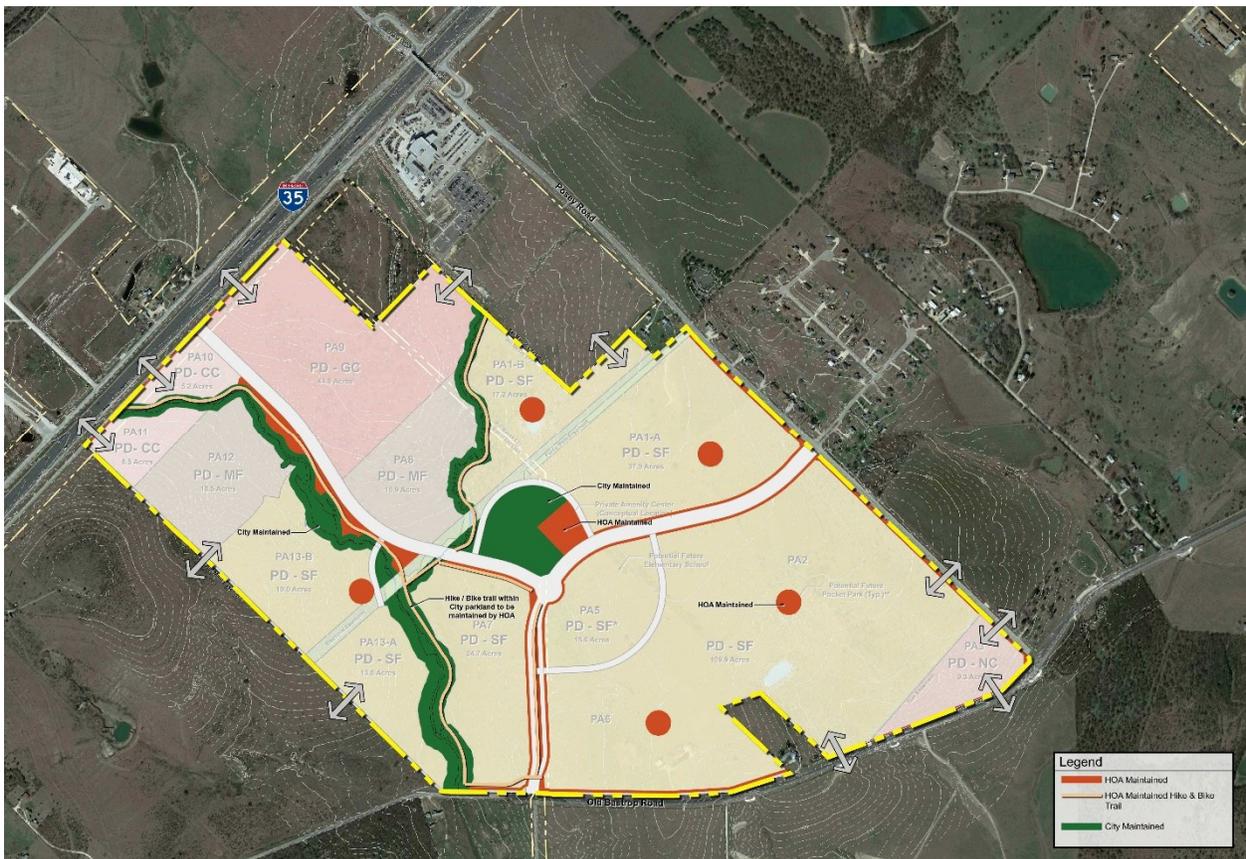


### 3.3.5 Parkland and Open Space Maintenance

The Trace parkland, open space and trails systems will be maintained by a combination of both Homeowner’s association and city maintenance. The exhibit below shows three types of maintenance.

- Areas to be dedicated to the City of San Marcos and maintained by the City of San Marcos
- Areas to be dedicated to the City of San Marcos such as medians and large linear parks that will be maintained by the Homeowner’s Association
- Areas to be owned by the Homeowner’s Association and maintained by the Homeowner’s Association

Illustration 15: Landscape Maintenance Plan



### 3.4 Elementary School

Within the Trace Project, approximately 15 acres shall be set aside and designated for use by the San Marcos Consolidated Independent School District (“SMCISD”) for the construction of an elementary school campus. However, if the SMCISD fails to accept the property and establish an elementary school by October 1, 2020, then the property will be retained for residential development and/or parkland at the discretion of the Developer. Upon acceptance of the property for the school, the SMCISD may construct the campus in accordance with its capital improvements plans.

### 3.5 Iconic Art

To distinguish the Trace master planned community and to highlight entry into the greater San Marcos area, Iconic Art will be commissioned and located at southeastern boundary of the Property. It is anticipated that this iconic and visible art piece will be located to help mark the arrival to San Marcos and Trace. **The Public/Iconic Art will be reviewed by the City of San Marcos Arts Commission for their**

### 3.6 Entry Monuments

Trace’s location within the City of San Marcos requires a certain level of responsibility on the part of the community to represent and help form an impression of San Marcos. With this in mind the Entry Monuments and finishes will be commensurate with this responsibility. Conceptual locations and sign types are included in Illustration 17.

- There will be a hierarchy of signage and monumentation throughout the project. A comprehensive Entry Monument and Signage Master Plan Illustration is included.
- The monuments will be of a size, scale and finish comparable to quality Master Planned Communities in the area (Belterra, Blanco Vista, Sunfield for example).
- Signs will be lit using dark sky compliant techniques. Full cut-off down lights, halo effect lighting or shielded low level lighting is acceptable
- Potential materials for signage to include:
  - Stone Masonry
  - Brick Masonry
  - Metal (Aluminum, Corten, Raw Steel, or Stainless Steel) for letter and possible sign background.
  - Wood (limited use, treated, stained or painted and protected from decay)
  - Stucco
  - Concrete (Board Formed, Stained)

#### Illustration 16: Entry Monument and Signage Examples



Iconic Art



Major Entry Monument

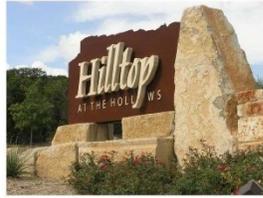


Minor Entry Monument



Commercial Signage

### Illustration 16: Entry Monument and Signage Examples



Neighborhood Monument



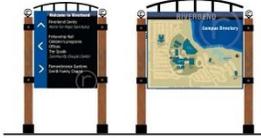
Parkland Signage



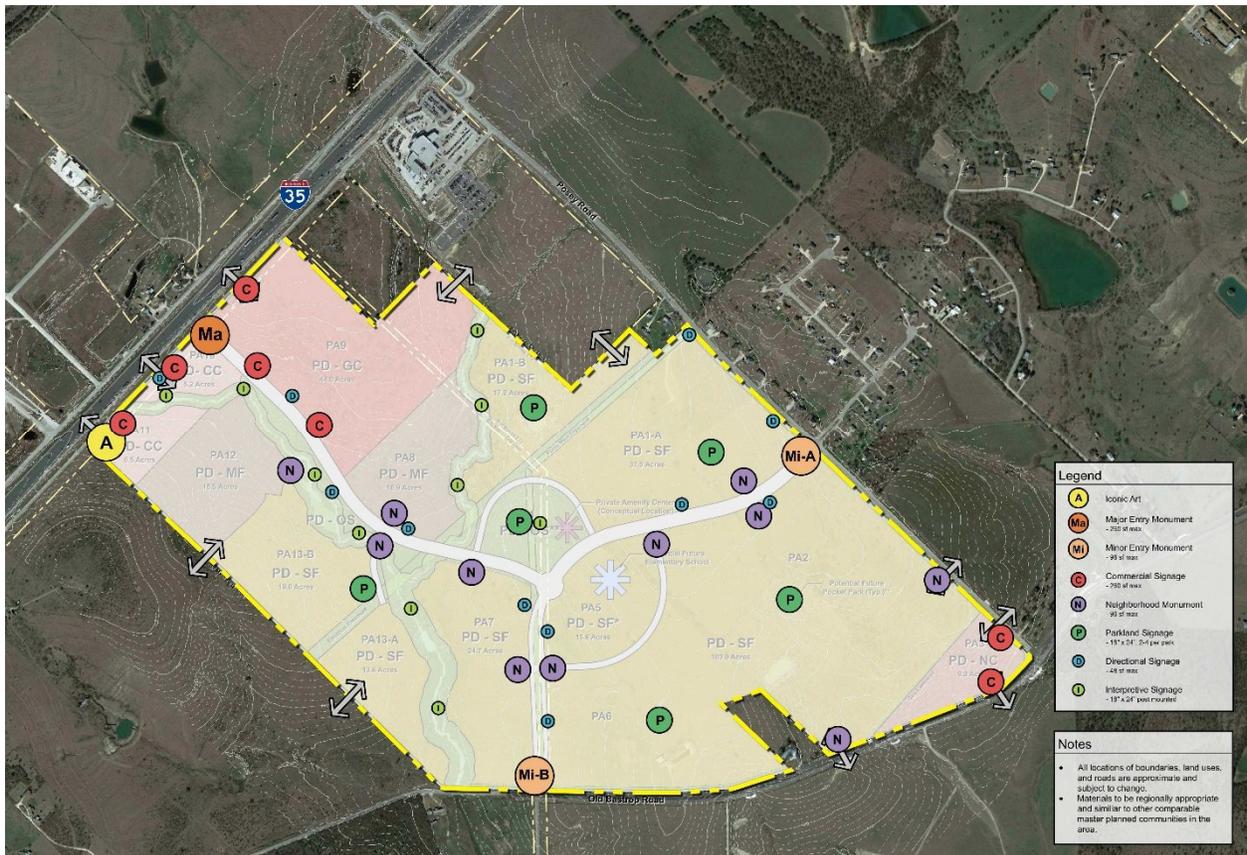
Directional Signage



Interpretive Signage



### Illustration 17: Entry Monument and Signage Plan



## Section 4 Circulation and Connectivity

The Project will offer superior street designs that will include wider sidewalks, separated bike paths and enhanced landscaping to provide an attractive and inviting aesthetic that provides residents with a pedestrian and bicycle friendly community. Separated bike paths and wide sidewalks create a safer environment for parents and children walking to and from the centrally located central park, amenity center and elementary school.

The entire street scene is superior due to the fact that homes will front onto the Residential Collector Streets leading to a more inviting and friendly community. In addition to the enhanced parkways on either side of the collector roads, a minimum 16 foot median is added to convey a park-like impression as well as to give an added safety feature of a left hand turn lane where needed. On the road entering the project from Old Bastrop Highway, the existing 50 foot wide City Wastewater easement is utilized as a linear park with a 12 foot meandering bike trail. Throughout the entire community added landscaped parkways and wide naturalized buffers have been added.

In the area near the Business Center an additional 25' landscape area further buffers that area from street traffic. The neighborhood retail areas, the multi-family areas and the single family areas are separated from the collector street by a naturalized landscape buffer and water quality zone that ranges from approximately 120 feet up to approximately 315 feet. This area will have a meandering 10 foot trail and native and adapted ornamental plant materials to lend a park like atmosphere even in the most intense uses of the community.

**Illustration 18: Vehicle Circulation Plan**

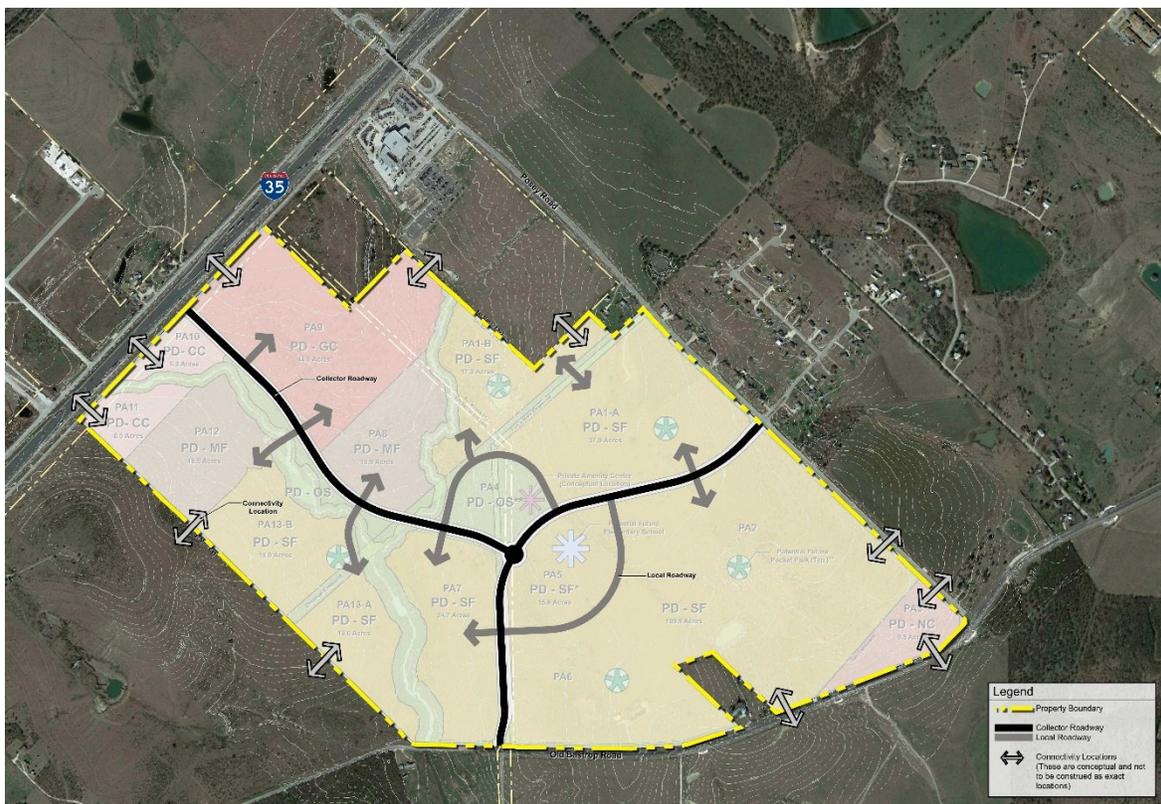
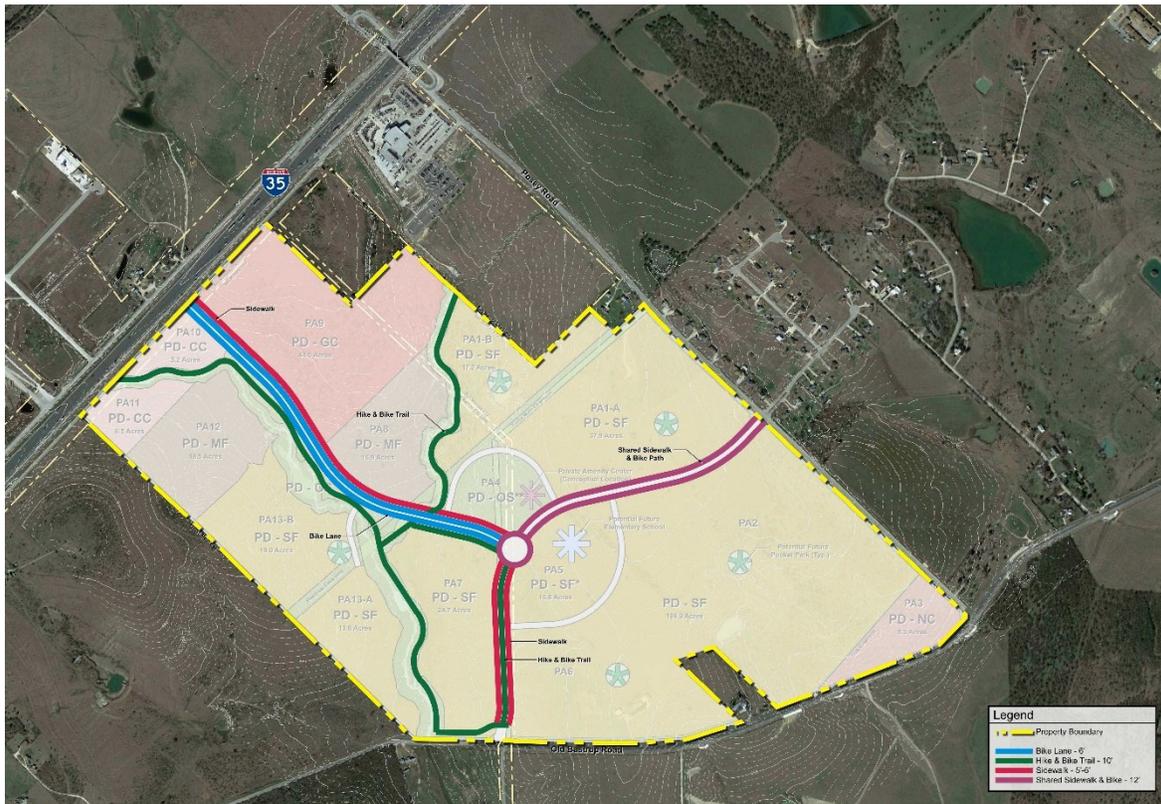


Illustration 19: Pedestrian / Bicycle Circulation Plan



#### 4.1 Street Section Design

- Driveway access to single family homes shall be prohibited along Street Section AA, BB and CC except for a permitted driveways into the school site and or the central park and amenity center.
- At the time of the Subdivision Concept Plat for Planning Area 9, a roadway shall be provided to connect the Toyota property thru Planning Area 9 to the Commercial /Multi-Family Collector Road (DD). The applicant will show that there will be a north – south connection from the Toyota Property thru Planning Area 9 connecting to the roadway situated between Planning Area 12 and 13. A Traffic Analysis will be provided at that time based on proposed land uses to warrant the size of the right of way as well as the ability to design this Connector Road in either a straight or circuitous manner. (1100' discuss with Brandon)

Roadway Design Standards Table

Design Elements	2 Way Alley		Residential Street				Residential Collector			Commercial/Multifamily Collector		
	Existing City Standard	Trace Standard	Existing City Standard	Trace Standard Residential	Trace Standard (School)	Trace Standard (Central Park)	Existing City Standard	Trace Standard AA and BB	Trace Standard CC	Existing City Standard	Trace Standard DD	Trace Standard EE
Expected ADT (vpd)	-	-	500	500	500	500	500 - 3,000	500 - 3,000	500 - 3,000	2,000-10,000	2,000 - 10,000	2,000 - 10,000
Minimum ROW (feet)	16	20	53	50	54	54	62	110	120	80	100	100
Minimum Paved Width (feet)	15	20	33	28	32	32	38	20+20	20+20	48	32+32	32+32
Number of Lane	1-2	2	2	2	2	2	2	2	2	2-4	4	4
Lane Width (feet)	15-20	10	10 - 11 <sup>a</sup>	14	12	12	10 - 11 <sup>a</sup>	12	12	11-12	12	12
Design Speed (mph)	-	-	20 - 30	20 - 30	20 - 30	20 - 30	30 - 35	30 - 35	30 - 35	30-40	30 - 40	30 - 40
Curb Basis (feet)	-	-	10				10.5			14.5		
Tangent Length between reverse curves (feet)	-	-	50	50	50	50	100 - 150	100 - 150	100 - 150	110-150	100 - 150	100 - 150
Spacing of Cross-Street (feet)	-	-	<300	<300	<300	<300	300 - 500	300 - 500	300 - 500	500	300 - 500	300 - 500
Driveways Permitted	-	-	Yes	Yes	Yes	Yes	Yes	No <sup>b</sup>	No <sup>b</sup>	Restricted	Restricted	Restricted
Driveway Spacing (feet) <sup>c</sup>	-	-	1 per property	1 per property	1 per property	1 per property	50 - 75	N/A	N/A	75-100	75 - 100	75 - 100
Parking	-	-	Yes / 2 sides	Yes / 2 sides	Yes / 2 sides	Yes / 2 sides	Yes	Yes / 2 sides	Yes / 2 sides	Restricted	Restricted	Restricted
Landscaping	-	-	Both Sides 3'+3'=6'	Both Sides 7'	Both Sides 7'	Both Sides 7'	Both Sides 3.5' + 2'=5.5'	Both Sides 7' + 5'=12'	Both Sides 7'	Both sides 6'+2'=8'	Both Sides 8'	Both Sides 8'
Sidewalks (width)	-	-	Yes 4'	Yes 4'	Yes 4'	Yes 4'	Yes 5'	Yes 6' Joined with Bike Path	Yes 6'	Yes 5'	Yes 5'	Yes 5' on one side 10' trail on other
Bike Path Bike Lane	-	-	None	None	None	None	None	Yes 6' Joined with Sidewalk 12' on ea. side	Yes Bike Path 12' meandering in linear park	None	Yes Bike Lane 6' w/ 2' striping	Yes Bike Lane 6' w/ 2' striping
Grades % (max) <sup>d</sup>	2%	2%	8%	8%	8%	8%	8%	8%	8%	8%	8%	8%
Min. Median Widths (feet)	-	-	-	-	-	-	4	16	50 Tapers smaller at entry	4	20	20
Expected percent of Heavy Vehicles (%)	-	-	1.7	<1.0	<1.0	<1.0	1.4 - 8.3	<2.0	<2.0	2.0-9.8	<5.0	<5.0

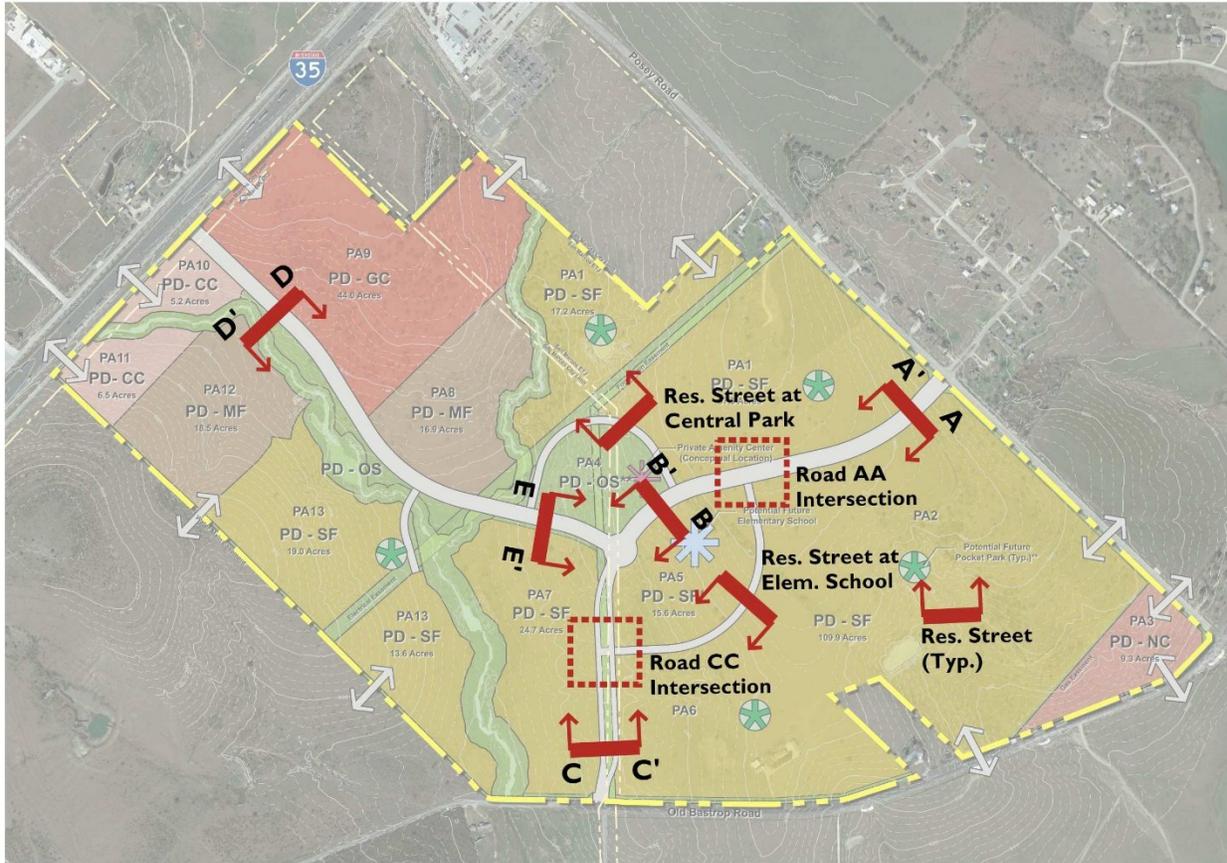
<sup>a</sup> - With Additional parking lanes of 7 - 8 feet on both sides

<sup>b</sup> - Individual Driveways to single family homes will not be permitted along Street Sections AA, BB, CC nor EE except for entrance to the school site or park site

<sup>c</sup> - Varies with the design speed of the roadway and is different for City and TxDOT roadways. Refer to Chapter 5: Driveway Design and Access Management

<sup>d</sup> - For construction of steeper grades, detailed traffic and environmental studies are required

### Key Map to Street Cross Sections



### Illustration 20: Enhanced Residential Street ROW

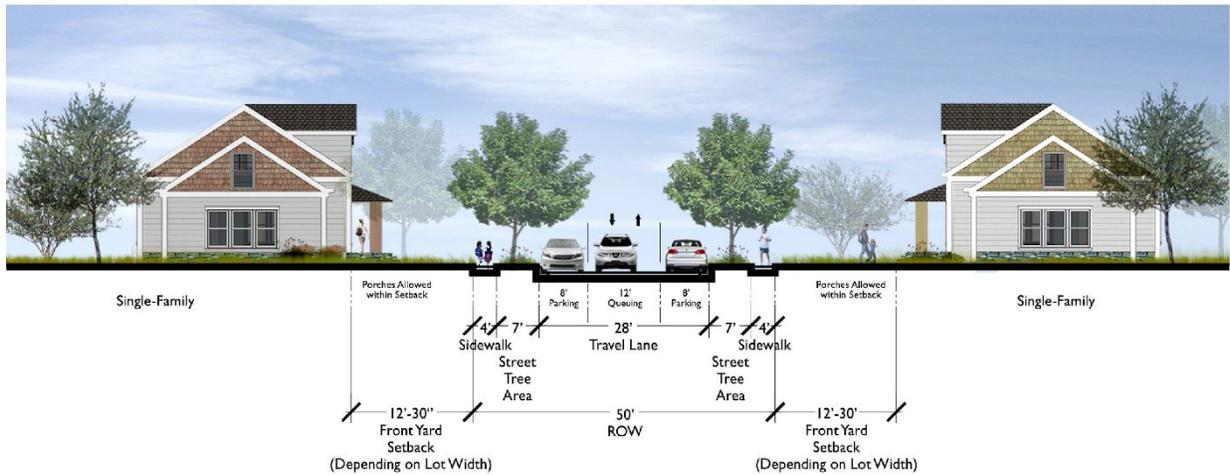


Illustration 21: Enhanced Residential Street at Central Park

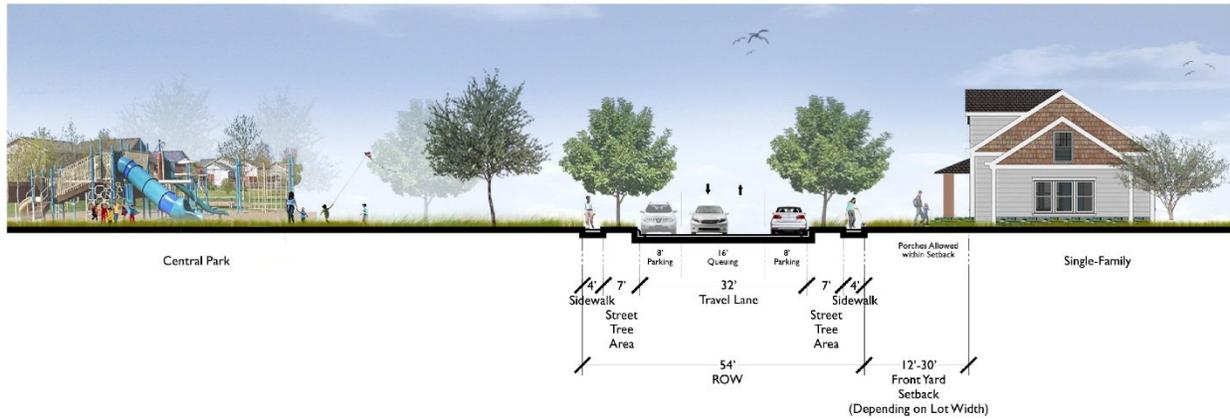


Illustration 22: Enhanced Residential Street at School

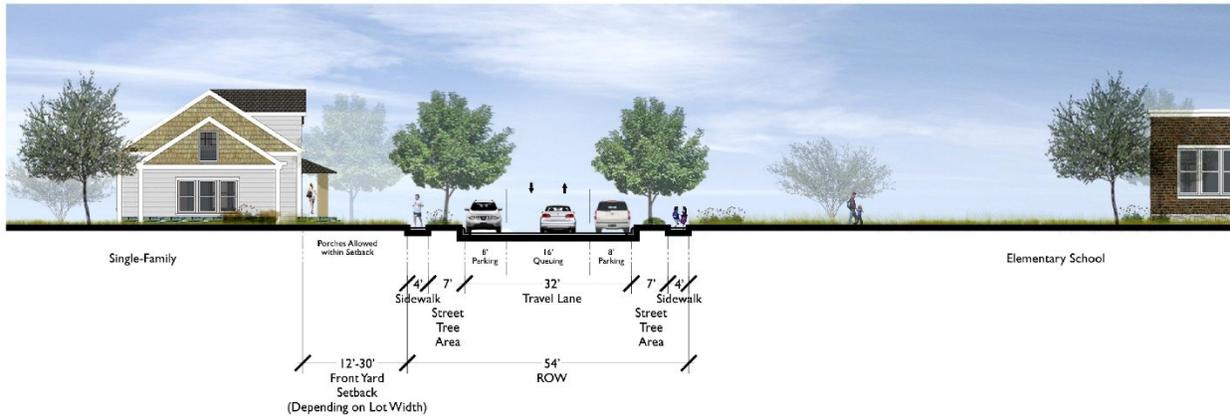


Illustration 23: Enhanced ROW Section AA

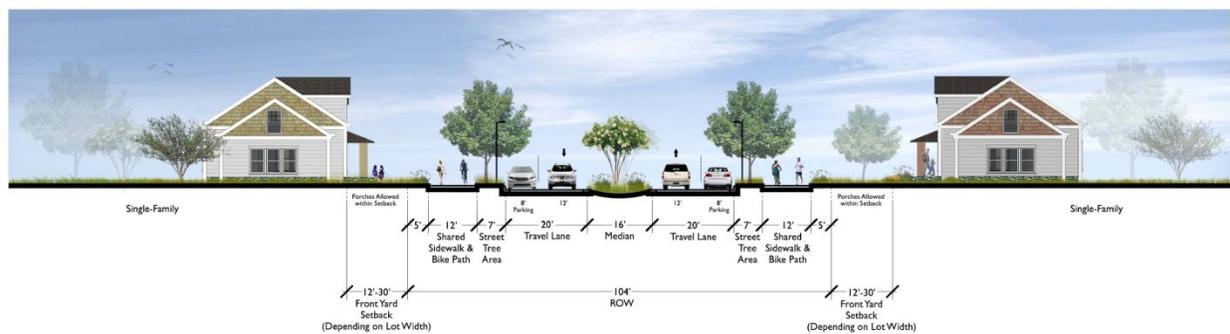


Illustration 24: Plan View Section AA



Illustration 25: Typical Intersection at ROW Section AA

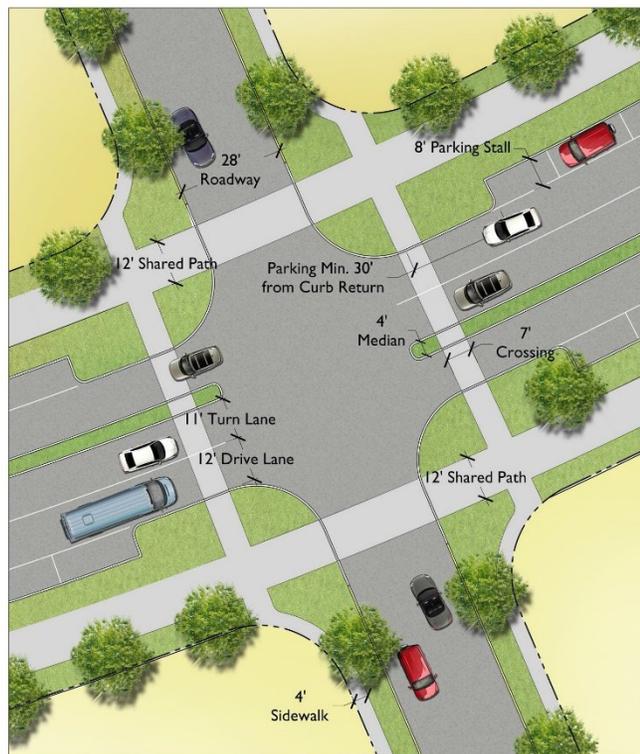


Illustration 26: Enhanced ROW Section BB

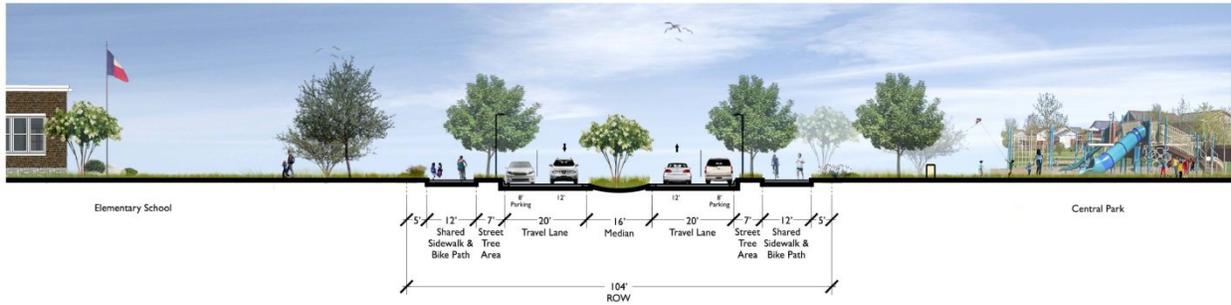


Illustration 27: Roundabout Plan View and Typical Future Bus Stop Plan



Illustration 28: Enhanced ROW Section CC

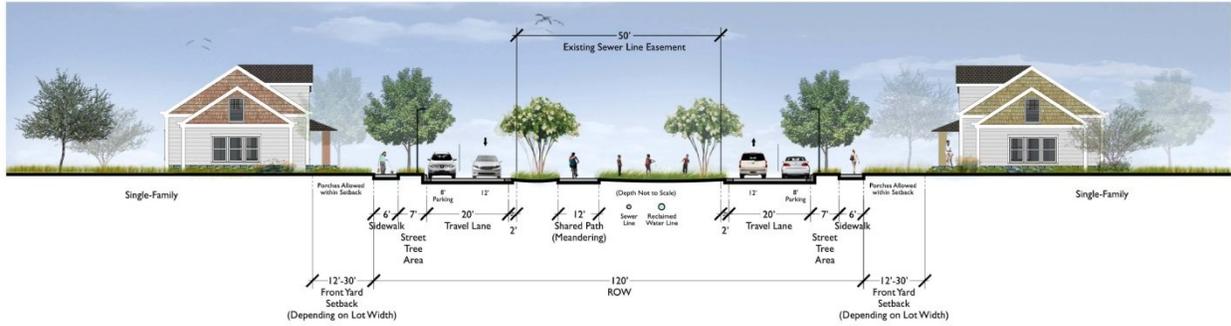


Illustration 29: Plan View of Section CC



Illustration 30: Typical Intersection at ROW Section CC

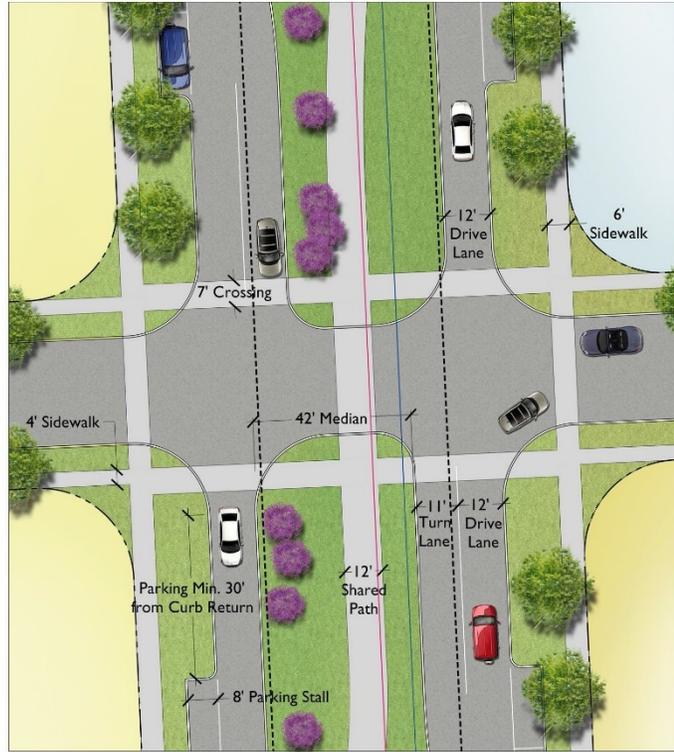


Illustration 31: Enhanced ROW Section DD

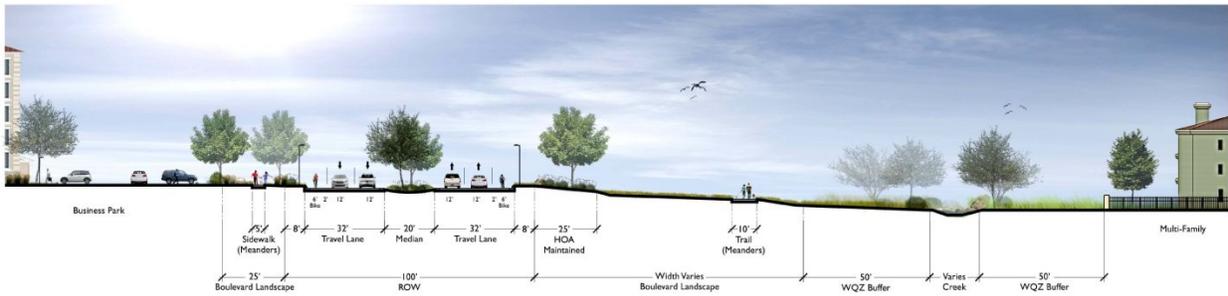
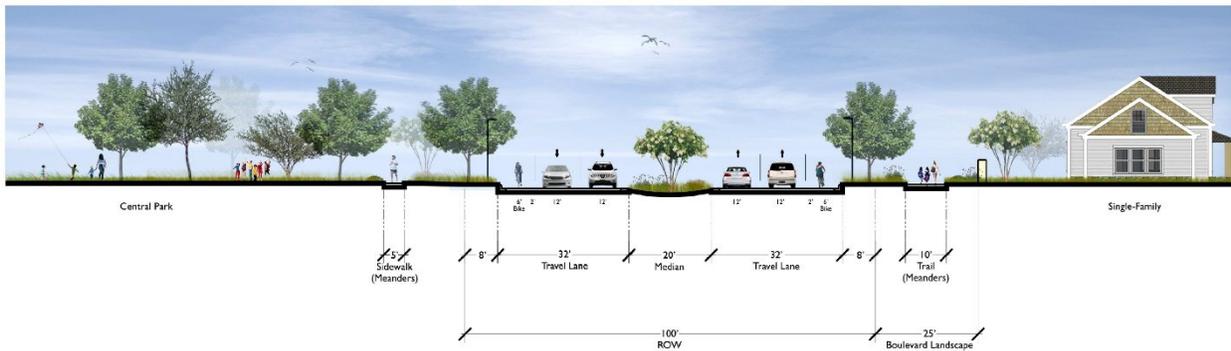


Illustration 32: Enhanced ROW Section EE



## 4.2 Cul-De-Sacs

A cul-de-sac is a circular turnaround at the end of a short, dead-end street. The illustration to the right depicts a typical cul-de-sac design for the Trace project.

- Landscape areas shall be provided within the circular area of the cul-de-sac to include at least one (1) street tree of between 2” – 4” caliper.
- Cul-de-sacs shall not be more than 450 feet in length unless it is not feasible to design them in any other length. In no case shall the cul-de-sacs in Trace be designed more than 500 feet in length unless approved by the City Engineer for specific reasons concerning site constraints such as avoidance of environmentally sensitive areas, topography or engineering design.
- The driving surface for a residential cul-de-sac shall be a minimum of 31 feet wide with an inside radius of 18 feet to accommodate the landscaped island.
- Cul-de-sacs shall include sidewalk pedestrian access from the end of the cul-de-sac to the next adjoining street.
- Construction of cul-de-sacs shall include proper signage at the entrance to inform drivers that the street is not a through street.

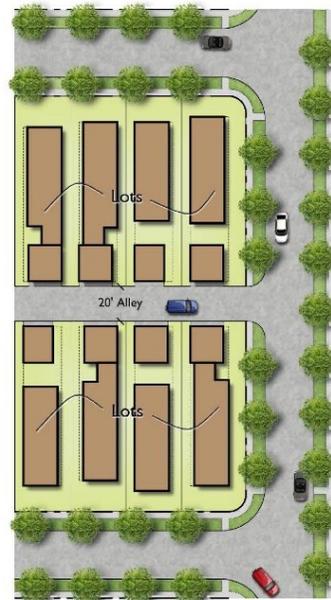


**Illustration 33: Typical Cul de Sac and Alley**

## 4.3 Alleys

Older, traditional urban development in cities prior to World War II used the alley for garage access extensively. With the popularity of the car, alley designed access for garages became almost obsolete. In keeping with a more traditional neighborhood design at Trace, alleys shall be permitted in Trace but not required in every single instance of subdivision design.

- Alleys shall be a minimum of 20' wide
- Alley loaded product shall be required along the entire length of Street Section AA and Street Section CC.



#### 4.4 Block Lengths

- Residential blocks in Trace shall not exceed eleven hundred (1,100) feet in length nor be less than six hundred (600) feet.
- Residential block edge lengths shall be a minimum of 260' in length.

#### 4.5 Horizontal Alignment

- The horizontal approach to an intersection should be tangent for a length of 50-100 feet.
- The desirable angle of intersection is 90 degree. Intersections skewed at angles less than 80 degrees or more than 100 degrees should be avoided but are allowed within Trace due to specific reasons concerning site constraints such as avoidance of environmentally sensitive areas, topography or engineering design.

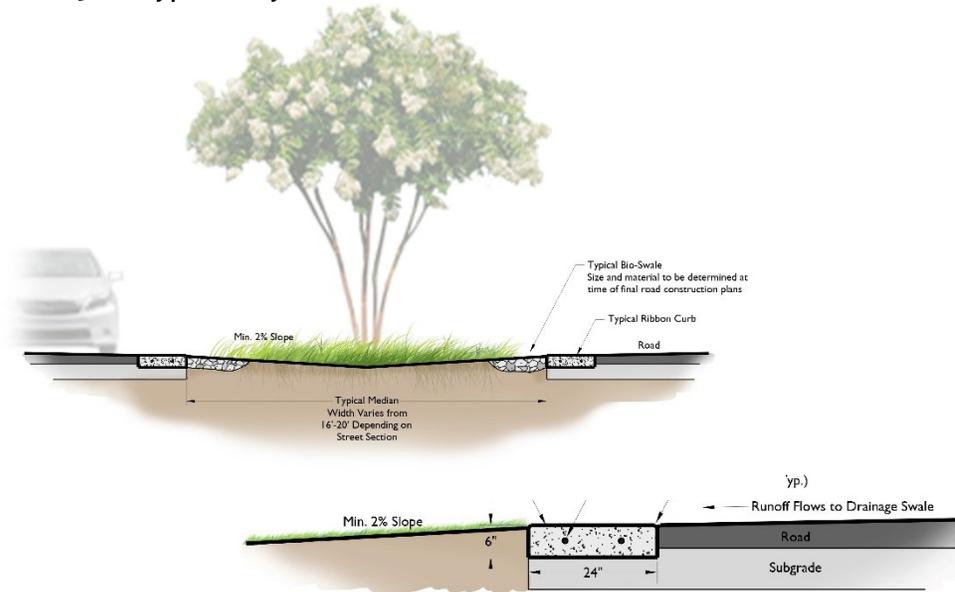
#### 4.6 Street Trees

- Street trees shall be provided along Street Sections AA, BB, CC, DD and EE at one (1) shade tree per 30 lineal feet of street frontage. Shade trees shall range in caliper size of 2" to 4" with an average caliper size of 3" and be spaced at 30' on center.
- Along Street Sections AA, BB, CC, DD and EE ornamental trees shall be provided at one (1) ornamental tree per five (5) shade trees and be of a caliper size of 2".
- On Residential Lots, Builders shall provide two trees per lot with one tree placed within the lot and one tree within the 7' street tree area. These trees shall be 2" size in caliper.

#### 4.7 Bio-Swales

- The Residential Collector roads within Trace will have landscaped medians which can offer a unique approach to water quality. It is anticipated that the medians will be inverted and will capture runoff from all ROW, as the inside curb of both sides of traffic will be of the laydown or ribbon variety. This will allow the roadway to sheet flow into the median, where vegetated infiltration strips can be utilized to treat runoff.

Illustration 34: Typical Laydown or Ribbon Curb and Bio-Swale



28-Day Concrete Strength = 3500 psi

## Section 5 Site Design

### 5.1 Dimensional and Lot Standards

The following Lot and Dimensional Standards shall apply to the Property and the Project in order to result in a higher quality development for the community. These Standards modify the requirements of the City Code. The italicized standards are exceptions to the City’s required dimensional and lot standards. Two new types of lots are permitted in the Trace Master Plan to allow for a variety of different types of housing. Except and unless expressly varied by these PDD Standards, the Property and the Project shall be subject to all applicable requirements of City of San Marcos ordinances, zoning regulations and Land Development Code (“LDC”) (collectively, the “Base Regulations”).

Standard Category	SF-6	SF-4.5	SF-Alley Loaded	SF - Det. Garage	D	TH	PH-ZL
Lot/Parcel Area Minimum Sq. Ft.	6,000	4,500	3,500	4,400	11,000	2,500	4,000
Units per Acre Maximum/Gross Acre	5.5	7.5	10.0	8.0	6	6/12	7.5
Lot Frontage, Minimum Feet	35	35	N/A	30	60	25	35
Lot width, Minimum Feet	50	40	32	40	90	25	40
Front Yard Setback, Average Feet	25	20	15	20	25	20	20
Allowable variance to Front Yard Setback	5	3	3	3	5	3	3
Front yard Setback, Range in Feet	20' to 30'	17' to 23'	12' to 18'	17' to 23'	20' to 30'	17' to 23'	17' to 23'
Side Yard Setback, Minimum Feet, Interior	5	5	5	5	5	0	0/10
Side Setback, Minimum Feet, corner	15	15	10	10	10	10	10
Rear Yard Setback, Minimum	20	10	3 <sup>1</sup>	10	20	3 <sup>1</sup>	10
Lot Depth, Minimum Feet	100	90	110	110	100	N/A	85
Impervious Cover, Max %	50%	60%	80%	80%	75%	80%	75%
Building Height, Maximum Stories	2	2	2	2	2	2	2

<sup>1</sup> Rear Yard Setback - This rear yard setback is measured from the garage door to the edge of the alley pavement.

Illustration 35: Typical Lot Layouts SF-6 – 50', 60' and 70' wide Lots

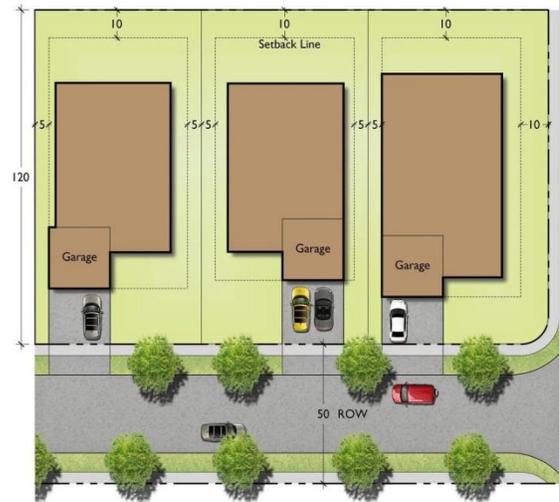


### 50' Wide Single Family Lots

Min. Lot Size	6,000 SF
Lot Width:	50'
Lot Depth:	120'
Front Yard Setback:	Range 20' to 30' (Avg. 25')
Side yard Setback:	5' (10' Corner Lot)
Rear yard Setback:	10'
Attached Garage:	Yes
Alley:	No

### 60' Wide Single Family Lots

Min. Lot Size	7,200 SF
Lot Width:	60'
Lot Depth:	120'
Front Yard Setback:	Range 20' to 30' (Avg. 25')
Side yard Setback:	5' (10' Corner Lot)
Rear yard Setback:	10'
Attached Garage:	Yes
Alley:	No



### 70' Wide Single Family Lots

Min. Lot Size	8,400 SF
Lot Width:	70'
Lot Depth:	120'
Front Yard Setback:	Range 20' to 30' (Avg. 25')
Side yard Setback:	5' (10' Corner Lot)
Rear yard Setback:	10'
Attached Garage:	Yes
Alley:	No



Illustration 36: Typical Lot Layouts SF-4.5 – SF Alley Loaded – SF Detached Garage

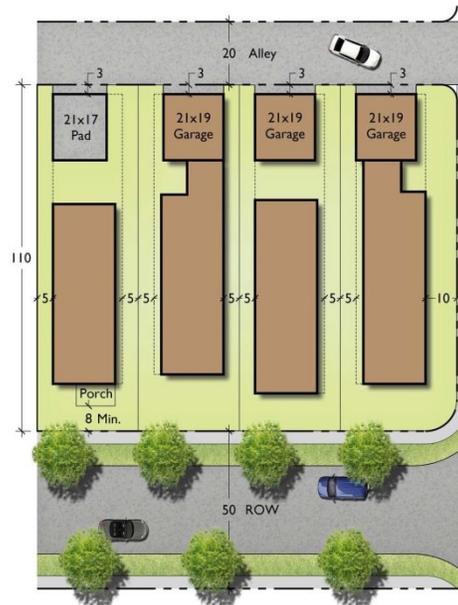


40' Wide Single Family Lots

Min. Lot Size	4,500 SF
Lot Width:	40'
Lot Depth:	90' Min. - 120' Typ.
Front Yard Setback:	Range 20' to 30' (Avg. 25')
Side yard Setback:	5' (10' Corner Lot)
Rear yard Setback:	10'
Attached Garage:	Yes
Alley:	No

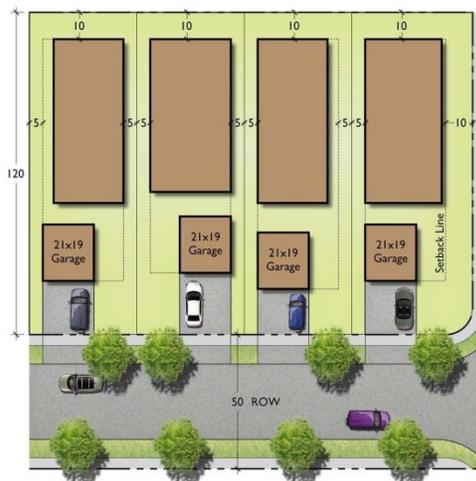
32' Wide Single Family Lots – Alley Loaded

Min. Lot Size	3,500 SF
Lot Width:	32' – 34'
Lot Depth:	110'
Front Yard Setback:	Range 12' to 18' (Avg. 15')
Side yard Setback:	5' (10' Corner Lot)
Garage Setback from Alley:	3'
Garage:	21' x 19' or 21' x 17' Pad
Alley:	Yes – 20' wide
Porch:	Min. 8' Setback from ROW



40' Wide Single Family Lots – Det. Garage

Min. Lot Size	4,400 SF
Lot Width:	40'
Lot Depth:	110' Min. - 120' Typ.
Front Yard Setback:	Range 17' to 23' (Avg. 20')
Side yard Setback:	5' (10' Corner Lot)
Rear yard Setback:	10' if front loaded
From Alley:	3'
Garage:	21' x 19'
Alley:	Sometimes; – 20' wide



## Illustration 37: Typical Lot Layouts Duplex – Townhome – Patio Home-Zero Lot Line



### 90' Wide Duplex Lots

Min. Lot Size	11,000 SF
Lot Width:	90'
Lot Depth:	100' Min. Typ.
Front Yard Setback:	Range 20' to 30' (Avg. 25')
Side yard Setback:	5' (10' Corner Lot)
Rear yard Setback:	20'

### Townhome – Alley Loaded

Min. Lot Size	2,500 SF
Lot Width:	25' – 30' (corner)
Lot Depth:	100'
Front Yard Setback:	Range 17' to 23' (Avg. 20')
Sideyard Setback:	10' Corner Lot
Garage Setback from Alley:	3'
Alley:	Yes – 20' wide
Porch:	Min. 8' Setback from ROW

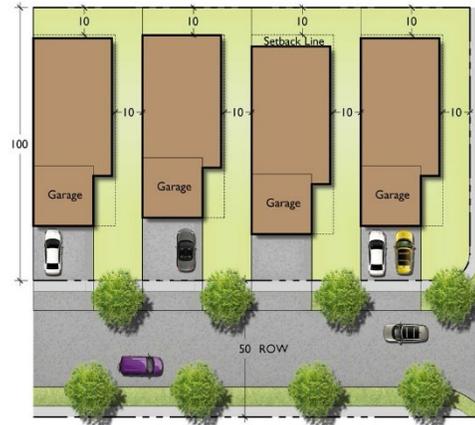


### Townhome – Cluster

Min. Unit Width:	28'
Units per bldg.:	4
Min. Sep Between Buildings:	15' Side to Side 20' Side to Rear 30' Back to back
Min. Driveway width:	24'

### Patio Home – Zero Lot Line

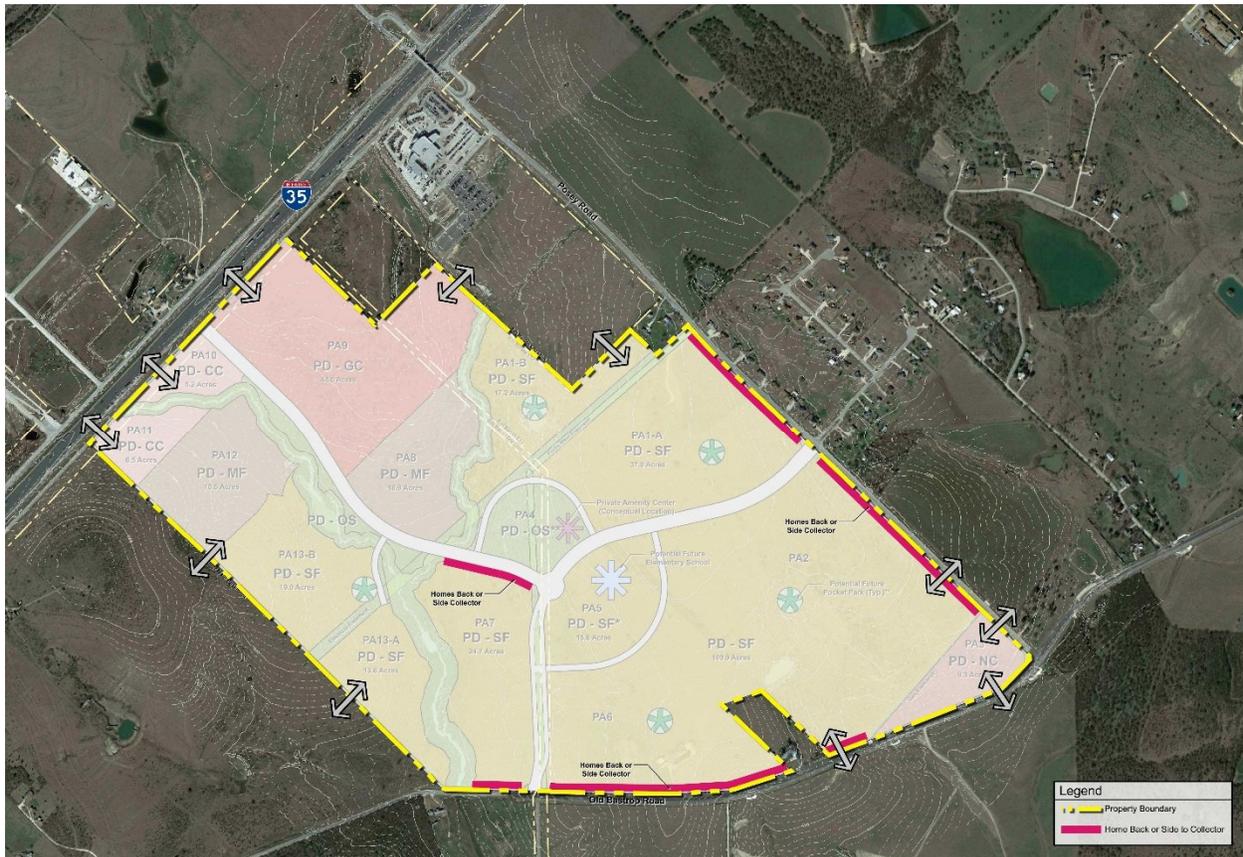
Min. Lot Size	4,000 SF
Lot Width:	40'
Lot Depth:	85' Min. - 100' Typ.
Front Yard Setback:	Range 17' to 23' (Avg. 20')
Side yard Setback:	0/10'
Rear yard Setback:	10' if front loaded
From Alley:	3'
Garage:	21' x 19'
Alley:	Sometimes; – 20' wide



## 5.2 Site Design

- No house will be allowed to back up to nor take driveway access from Street Sections AA, BB, or CC.
- Individual houses shall be allowed to back up to Posey Road, Old Bastrop Highway and a portion of Road Section EE as shown on Illustration 38.

**Illustration 38: Areas where Houses May Back-up to a Public Street**



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## Section 6: Architectural Design

### 6.1 Single Family Residential

Except for the standards outlined below, the Property and the Project shall be subject to the existing City Code of Ordinances, Subpart B – Land Development Code, Chapter 4, Article 2, Division 1 – Section 4.2.1.5 - SF-6, Single-Family District; Section 4.2.1.6 - SF-4.5, Single-Family District; Section 4.2.1.7 - D, Duplex Residential District (Low Density); Section 4.2.1.9 - TH, Townhouse Residential District; and Section 4.2.1.10 - PH-ZL, Patio Home, Zero-Lot-Line Residential District Design Standards attached in Appendix.

The Standards outlined below reflect superior requirements than the existing City Code of Ordinances. If the provisions of the standards below are inconsistent with provisions found in the existing City Code of Ordinances, the standards below shall control. Trace shall require the following Single Family Residential Architectural Standards.

#### 6.1.1 Variation

- Each block face shall contain a mix of one and two story units.
- Each block face shall contain a minimum of three floor plan models for the single family residential areas.
- For each floor plan there shall be a minimum of three different elevations utilizing a variety of materials and colors. Varying entry areas such as porches, porticos as well as window pop-outs shall be used to create diversity in the street scene.
- A separation of at least 4 lots shall be maintained for any floor plan with repeating elevations.
- A variety of architectural styles within the neighborhood will be required.
- Each block face shall contain a mix of homes with varied colors. A minimum separation of at least 3 units shall be maintained between repeating houses with similar paint color.
- Each block face shall contain variation in roof design of individual structures. A minimum separation of three units shall be maintained between similar types.
- Rear elevations of homes that back up to Posey Road, Old Bastrop Highway, Road Segments A, B, C and D shall include roof line variations; patio covers; and window and door treatments.

#### 6.1.2 Form & Scale

- Change in massing and roof form shall be employed along all facades facing a public street or siding on a public street.
- Employment of moldings, belt courses, decorative eaves, and similar architectural details that provide scale and visual interest shall be required on facades that front or side onto a public street.
- Houses on corner lots shall be sited and designed so that they present attractive elevations to both streets. Wrap around porches, façade compositions, building and landscape elements and/or other design schemes should be employed.

#### Specific to Attached Single Family Residences

- May appear as “big houses” or as an individual attached unit with distinctly different facades and roof forms

- Monolithic and/or repetitive forms are not permitted.

#### 6.1.3 Roof Design

- Primary roof structures shall employ gabled roofs, hipped roofs, dormered roofs and gambrel roofs. Additional variation shall be achieved with gabled roofs by employing a mix of front/rear facing gabled roofs and side facing gabled roofs as the predominant roof structure type.
- Secondary roof projections, such as porches, shall employ similar roof types and variation.
- Variation in roof color and material shall be employed.
- Variation in ridgeline and eave height shall be employed.

#### 6.1.4 Porches

- All entrances that face a public street shall have a covered entry.
- If front porches are utilized, they shall be a minimum of 6 feet in any direction and have a minimum of 60 square feet.
- If a porch is utilized on a corner lot, the porch shall wrap around the corner of the house, shall be a minimum of 6 feet deep from house to porch front and shall contain a minimum area of 120 square feet.
- Two story front porches shall be allowed. The second story porch shall have a useable floor and a roof covering. Second story porches may be screened or un-screened.

#### 6.1.5 Materials & Color

- A variety of materials for siding on homes shall be used. Combinations of board & batten, painted metal siding, brick, stone, stucco, horizontal lap siding, clapboard, shake or shingle siding shall be used. Fiber cement siding shall be allowed but will be used in such a manner to not be the primary type of siding on the front of a house.
- Heavier materials shall occur below the lighter materials to accentuate the base of the home.
- For each home, multiple colors shall be employed to differentiate between façade elements such as primary surfaces, trim, doors and windows in order to provide visual interest.
- Chimneys shall be constructed of brick or stone.
- When more than 12" of foundation is visible then exposed foundation shall be covered with masonry, painted or finished with stucco. Where this applies, at the front of a house or on a corner lot, the exposed foundation at the two sides facing the street shall be covered with masonry.

#### 6.1.6 Garages, Pool Equipment, Trash containers, Misc. Accessory Structures

- Detached garages can be utilized. Two car garage doors shall have windows within the door.
- Pool and air conditioning equipment on corner lots shall be located on an interior side property line or behind solid back yard fencing.
- Trash and waste containers shall be located within the garage and/or an area in the rear yard screened from public view. Small fenced-in areas containing only the trash receptacles will be allowed in the alley areas if those lots are designed in the project.

- Utility structures for individual houses or along streets shall be screened in accordance with screening guidelines in Section 8 Screening and Fencing.
- Main house entrances or individual unit entrances shall be well lit and easily accessible. Garages on alleys shall have at least one carriage light per garage.
- Accessory buildings, if built or placed upon the individual lots, shall be subject to review by the architectural committee of the HOA.

## 6.2 Multi Family Residential

Except for the standards outlined below, the Property and the Project shall be subject to the existing City Code of Ordinances, Subpart B – Land Development Code, Chapter 4, Article 4, Division 3 – Multi Family Residential Design Standards attached in Appendix.

The Standards outlined below reflect superior requirements than the existing City Code of Ordinances. If the provisions of the standards below are inconsistent with provisions found in the attached existing City Code of Ordinances, the standards below shall control.

### 6.2.1 Variation

- To create visual building variation, building types may have the same footprint but shall use a variety of materials that are complimentary but not exactly matching. Combinations of board & batten, painted metal siding, brick, stone, stucco, clapboard, shake or shingle siding shall be used. Fiber cement siding shall be allowed but will be used in such a manner to not be the primary type of siding on the front of a building
- For any street frontage containing at least three (3) and not more than (5) buildings (excluding clubhouses/leasing offices), there shall be at least three (3) distinctly different building designs using the methods above.
- For all street frontages, there shall be no two (2) similar buildings placed next to each other along a street.

### 6.2.2 Building Design

- Combinations of two and three story; three and four story; or two, three and four story buildings shall be used to create visual building variation and roof lines.

### 6.2.3 Roof Design

- A variety of roof modulations including turrets, dormers, cross gables, dual pitched roofs, cupolas, fenestrations and exposed rafters shall be used to create roof variations within any one building.

### 6.2.4 Lighting

- Main building entrances or individual unit entrances shall be well lit and easily accessible.

### 6.2.5 Miscellaneous

- This Multi-Family Residential District shall not have “rent by the room” apartments.

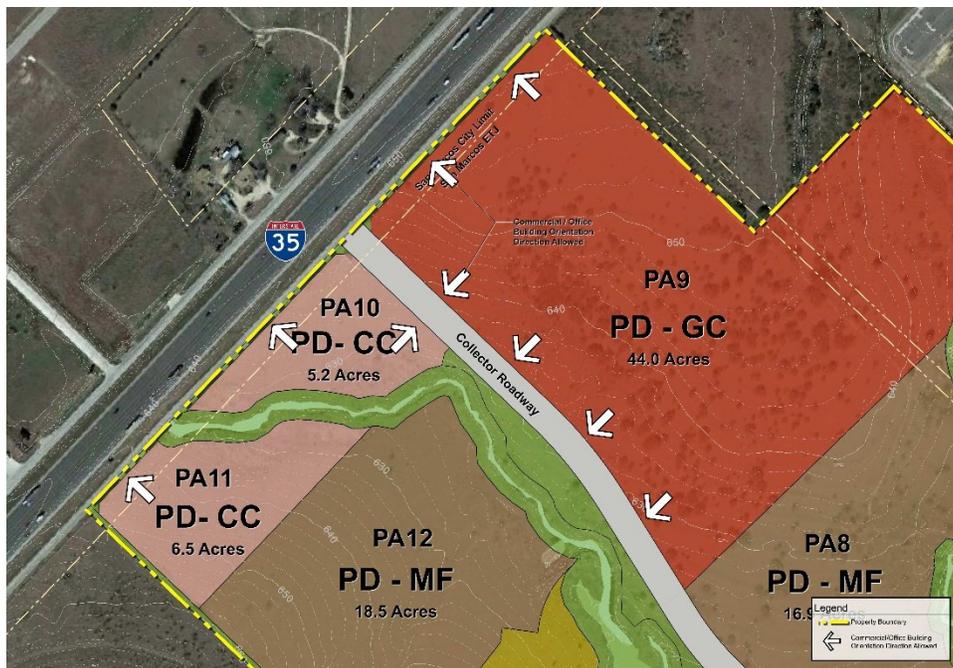
### 6.3 Commercial

Trace shall require the following Commercial Architectural Standards. In order to ensure the aesthetic value and visual appeal of the City to residents and to visitors and potential businesses, the standards and criteria contained within this section are established as minimum standards. These standards shall apply to all construction (new, altered or repaired). Portions of building elevations that are not generally visible from public view (streets, trails, parks or similar property) are exempt from these requirements.

#### 6.3.1 Orientation

- Buildings should respond to the orientation of neighboring buildings within the commercial areas and to neighboring uses. i.e commercial to commercial or commercial to multi-family
- Buildings may back up to I-35 provided they are screened and setback appropriately.
- Buildings may be oriented towards I-35 but should also be oriented to the Collector Roadway as shown on Illustration 40: Allowable Commercial Orientation.

Illustration 39: Allowable Commercial Orientation



#### 6.3.2 Form & Scale

##### Horizontal Articulation: (All facades visible from public view)

- Facades shall be broken up into vertical bays of 40-50 feet. Bays shall be articulated by pilasters, piers, and change in material texture, color, or variation in wall plane.
- Change in wall plane and material must occur every 50 to 80 feet.
- Buildings located on corners should employ a change in wall plane to address the corner.

Vertical Articulation: (All facades visible from public view)

- Buildings shall have a clearly defined three part façade consisting of a base, middle, and top, which contribute to the human scale of the building.
- Architectural details employed in the three part façade shall include water tables, string course, sign band, cornice, overhanging eaves, changes in color, material, and texture, and fenestration.
- Multi-Story buildings shall also employ and a pattern of windows for the middle and upper section(s)''.
- For single story buildings with exceptionally high ceiling plate, such as the case with large format retail, a string course shall be employed at a typical 2nd floor plate of 15-20 feet.
- Changes in height shall be employed at locations where wall plane is modulated.
- Buildings located on corners should employ a change in wall height to address the corner.

Ground Level Articulation: (All facades visible from public view)

- Where there is a retail use, ground floor facades shall have arcades, display windows, entry areas, awnings, and other features no less than 50% of their entire length.
- Where there is an office use, ground floor facades shall have entry areas, awnings, and other features no less than 25% of their entire length.

### 6.3.3 Roof Form

- Gabled, hipped, or other sloped roof forms that relate to residential human scale, are encouraged.

### 6.3.4 Entries

- Entries should be clearly defined and highly visible.
- Entry articulation shall be the most prominent element of the façade.
- Entry features shall include at least one awnings, porches, porticos, arcades, colonnades, and change in massing, wall planes, or roof forms.
- Multi-Story entry elements are permitted but must provide habitable space on upper floors.

### 6.3.5 Materials

- Buildings shall be clad with glass, steel, architectural metals, and/or masonry materials such as decorative/textured split face concrete block, brick, stone, or cement stucco.
- Synthetic stucco materials, such as Exterior Insulation and Finish Systems (EIFS) and composite materials such as cementitious fiberboard (hardiplank), should be limited to no more than 20 percent of the total area of each façade, not including doors and windows.
- Permitted Materials for Roof Construction. The following materials are permitted for roof construction: Copper, Metal sheet roofing, Tile – Concrete or Clay, A Commercial Flat (built up) Roof and/or Composition Roof.
- Composite materials such as cementitious fiberboard (hardiplank), should be limited to no more that 25 percent of the total area of each façade, not including doors and windows.

### 6.3.6 Exterior Site Design Requirements for Commercial Areas

These areas shall be enhanced through specific urban design regulations, including:

- Pedestrian activities such as "al fresco" dining along the sidewalk should be promoted to enhance the character of the commercial area.
- Create pedestrian areas that encourages pedestrian activity while accommodating vehicular requirements.
- The use of pedestrian promenades characterized by outdoor plaza elements between commercial buildings should create unity, cohesiveness and a sense of space while promoting walkable pedestrian activity centers.
- Commercial building entries should incorporate pedestrian elements and amenities such as seating, lighting, and hardscape elements that help create or enhance special pedestrian areas.
- Detention Location and Design for Commercial Areas shall be held to the highest standard of the Stormwater Technical Manual, Appendix N - Aesthetically Enhanced Detention and Water Quality Basins attached in the Appendix.

### 6.3.7 Lighting for Commercial Areas

The intent is to enhance day and night time appearances, establish a safe environment for occupants and employees and minimize light pollution, while minimizing glare and light trespass onto adjacent properties. The lighting of all parking areas, pedestrian walkways, entrances, and exterior portions of the site shall be designed for its specific task and shall comply with the provisions of the existing City Code of Ordinances, Subpart B – Land Development Code, Chapter 6, Article 5 attached in the Appendix.

- Lighting shall be: vandal-proof; compatible with building architecture; and, scaled (dimension and intensity) to complement its location context.
- Lighting shall not be obscured by landscaping.

### 6.3.8 Detention Location and Design for Commercial Areas

- Commercial developments shall be held to the highest standard of the Stormwater Technical Manual, Appendix N - Aesthetically Enhanced Detention and Water Quality Basins attached in the Appendix.

### 6.3.9 Refuse and Recycling Dumpsters for Commercial Areas

The intent is to provide convenient access to dumpsters for occupants to reduce littering and outside storage of trash.

- Equal Amenities - Equal amenities shall be provided for trash and recycling.
- Location - All commercial developments shall provide both trash and recycling dumpsters located next to each other. Both shall be located within 500 feet of the back entrance to each ground floor unit measured from the back entrance of the unit and along improved pedestrian paths. The Director may allow alternate facilities, such as chutes, provided that the request is determined to have met the intent of this Section.

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## Section 7: Parking and Access

### 7.1 Design

- Large parking areas over 100 spaces shall be divided into smaller “parking blocks” by establishing a clear pattern of internal streets spaced no less than 500 feet apart. Internal streets shall incorporate pedestrian and landscape amenities such as street trees and sidewalks.
- Curbed landscape islands shall be located at the end of each parking block and within each parking aisle at intervals of no greater than one island per 10 spaces. Each landscaped island shall be a minimum of 280 square feet.
- Where appropriate, use formal streetscape treatments such as parkway strips between street and sidewalk, regularly spaced canopy trees, and special paving to denote pedestrian zones.
- It is envisioned that within commercial and office parking areas, wide, centrally located pedestrian ways will be spaced no less than 500’. These will be wide enough for at least an 8’ pedestrian walk with supplemental landscaping for shaded pedestrian access from the parking lot to the surrounding buildings with limited interaction with auto traffic.
- When possible these internal parking medians will also assist in water quality and drainage by employing bio-swale and/or rain garden techniques.

### 7.2 Access

- Mutual access shall be required between all parking areas

## Section 8: Screening and Fencing

Trace will employ a variety of screening and fencing types in response to the location and visual exposure to public view.

### 8.1 Service and Loading Area Screening

- Service and loading areas must be oriented away from public view from collector streets and/or primary parking areas.
- Services and loading areas must be concealed by screens at least as high as the equipment they hide and of color and material matching or compatible with the colors and material found on the façade of the primary building.

### 8.2 Mechanical Equipment Screening for Commercial Areas

The intent is to place equipment in less visible locations and obscure them from view while maintaining a safe environment.

- Rooftop mechanical equipment shall be hidden or screened with architecturally integral elements at least as high as the equipment to be screened. This height may be reduced if the developer demonstrates that the equipment will be screened from public view such as through a site line study. Parapet roof structures are approved for screening such equipment.
- Mechanical equipment at ground level shall be concealed by screens at least as high as the equipment they hide and of a color and material matching or compatible with the colors and material on the façade of the primary building. Screening may include architecturally integral wing walls and/or landscaping.
- Wall mounted equipment shall be screened with compatible materials and/or painted to match the structure.

- Mechanical equipment shall be located where their acoustics will not be disruptive to occupants or residents.
- All utilities shall be screened from streets and passageways.
- Screening of all electric utilities shall meet the minimum requirements of San Marcos Electric Utility or applicable electric provider's guidelines for granting safe access to equipment for operation and maintenance and for ventilation and cooling.
- Large utilities such as telephone equipment stations and electrical equipment stations that will be difficult to screen should be carefully placed in areas that will help to conceal them, such as landscape beds, wall cut outs, etc. while allowing for maintenance access and service.

### 8.3 Parking Area Screening

- Perimeters of parking areas adjacent to public right of way must be landscaped with
  - shrubs reaching mature height of at least three feet and spaced a maximum of five feet on center or,
  - trees planted 30 feet on center or,
  - in combination with a decorative 3 foot high fence with vines planted every 10' on center.

### 8.4 I-35 Frontage Screening

- Buildings and service and loading areas backing up to I-35 frontage must be screened with a minimum six foot tall masonry fence with pilasters at a spacing no greater than 12 feet and shrubs reaching a mature height of at least three feet and spaced a maximum of five feet on center or trees planted between 15 and 35 feet on center.

### 8.5 Other Screening

- Along prominent public views (Posey Road and main spine roads) full masonry or a combination of masonry and durable opaque fence (capped, stained board on metal post or concrete type fence) will be used.
- Along perimeters that front on less prominent public views, stained capped full wood or concrete type fences will be used.
- On lots that back to substantial open space metal view fences will be used. In areas where privacy might be a concern, a masonry knee wall (approximately 2' height) would be used and the remaining 4' would be installed as view fence.
- Internal neighborhood fencing will be capped, stained board on metal fencing for side lots facing streets. Side yard fencing will be standard board fencing by builders.
- If a nonresidential use is adjacent to a residential use other than multiple-family, such nonresidential use shall be screened in accordance with Section 6.1.2.1. Non Residential and Multi-Family Screening Required (New Construction) attached in the Appendix and shall include a vegetative buffer.

### 8.6 Refuse and Recycling Dumpsters Screening for Commercial Areas

- Screening shall be designed to reduce the escape of trash. Material and design shall be consistent with the primary building.
- All refuse and recycling dumpsters shall be screened from view from the street or public rights-of-way.
- Approved screening techniques include privacy fences, evergreen vegetative screens, landscape berms, existing vegetation or any combination thereof. In any case in which a fence/wall is

constructed to provide screening, landscaping elements shall be incorporated along a majority of the fence/wall.

## Section 9: Landscaping and Environmental

### 9.1 Landscape Standards

The Development shall comply with 6.1.1.4. Required Landscape Standards attached in the Appendix. If the provisions of the standards below are inconsistent with provisions found in the attached existing City Code of Ordinances, the standards below shall control.

#### 9.1.1 Street Trees

- Street trees shall be provided along Street Sections AA, BB, CC, DD and EE at one (1) shade tree per 30 lineal feet of street frontage. Shade trees shall range in caliper size of 2" to 4" with an average caliper size of 3" and be spaced at 30' on center.
- Along Street Sections AA, BB, CC, DD and EE ornamental trees shall be provided at one (1) ornamental tree per five (5) shade trees and be of a caliper size of 2".
- On Residential Lots, Builders shall provide two trees per lot with one tree placed within the lot and one tree within the 7' street tree area. These trees shall be 2" size in caliper.

#### 9.1.2 Parking Lot Trees

- One parking lot tree shall be provided per 250 sf required including the curbed landscape areas called for in Section 7.1.

#### 9.1.3 Median Landscaping

- Median trees shall be above and beyond street tree requirements. Trees and landscape will be xeriscaping (ref. 9.2.1) and compatible with the development.

#### 9.1.4 Single Family Home Landscaping

- Landscaping on a corner lot shall present a front façade to both streets.

#### 9.1.5 Enhanced Landscaping Features

The Standards outlined below reflect superior requirements than the existing City Code of Ordinances. If the provisions of the standards below are inconsistent with provisions found in the attached existing City Code of Ordinances, the standards below shall control.

- New landscaped areas shall be prepared with at least 6 inches of topsoil. Native topsoil shall be a blend of 75% soil and 25% compost that is fertile and friable. Soil should be free of stones over 1 inch in diameter, lumps, refuse, plants or their roots, sticks, noxious weeds, salts, soil sterilants or other material that is detrimental to plant growth.
- Whenever possible, direct storm water/rain water runoff from hard surfaces such as; pavers, concrete, asphalt, decking, roofs, or other hard materials to landscape areas. Landscape areas include; plant beds, gardens, turf grass, native grasses. Draining the storm water/rain water runoff to an area that is aggregate is also beneficial. Consider using pervious pavement in lieu of traditional hard surfaces to promote the storm water /rain water infiltrating into the soil in individual yards and in large landscape areas within the multi family, commercial and business park areas.

- The project shall adhere to and incorporate the Sensible Landscaping for Central Texas water conservation practices adopted by the Home Builders Association of Greater Austin and attached in the Appendix.

## 9.2 Environmental Standards

### 9.2.1 Xeriscaping

Striving toward water conservation and low impact development will be part of the Design Standard at Trace. Native or adapted vegetation used in coordination with efficient drip and controlled spray irrigation will be one tool used in the Community. The irrigation systems will be weather adaptive with solar, rain and soil moisture sensors as appropriate.

There will be wide areas along the natural drainage ways that will be enhanced with appropriate plant species to provide habitat and forage opportunities for wildlife native to the area. These areas will have multiple opportunities for educational and interpretive signage for the Community.

Water Harvesting will be employed at the Amenity Center. The school will be encouraged to harvest water from the roof and condenser units to supplement irrigation for watering the landscape around the school. This provides an educational opportunity for the Community and the public at large

Where soil conditions permit, all plant material selections and irrigation design will employ water conservation techniques including: native or adaptive plant selection from City of San Marcos Preferred Plant List. Irrigation will utilize soil moisture sensors, drip irrigation in beds, MPR Rotators on turf areas, weather synchronized irrigation controllers. The project shall adhere to and incorporate the Sensible Landscaping for Central Texas water conservation practices adopted by the Home Builders Association of Greater Austin as amended from time to time and attached in the Appendix.

### 9.2.2 Plant Palette

- All plants will be selected from the City of San Marcos, Land Development Code, Technical Manual, Article 2: Preferred Plant list as attached in the Appendix. No plants from Division 3: Discouraged Planting Materials will be used.
- Perennial grasses and wildflowers will be used in large areas where irrigation would be impractical or ill-advised.
- Ornamental plants, grasses and trees will be limited to higher use areas most travelled by pedestrian or vehicular traffic.

### 9.2.3 Water Quality Zones

The existing creeks and wetland on the site are the backbone to Trace's open space and recreational network. While the project is not located within the Edwards Aquifer Recharge Zone, great care is taken to buffer the waterways and preserve wildlife habitat.

Water Quality Zones are established primarily as stream buffers and are intended to promote healthy soils and vegetation along the creek corridors and allow the stream adequate space

to migrate over time. Stream buffers help control flood impacts, reduce channel erosion and property loss; help maintain good water quality, reduce operation and maintenance costs; and provide multiple community benefits.

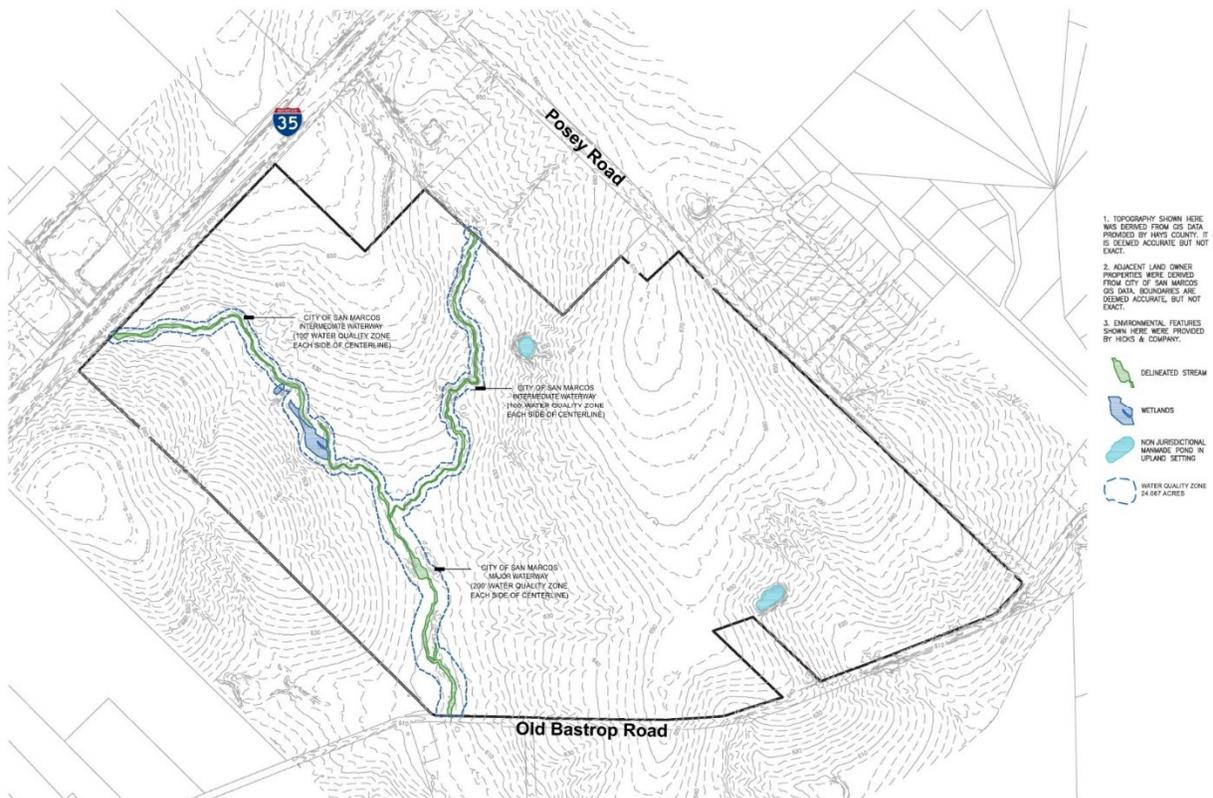
Natural Buffer areas adjacent to streams and natural drainage ways play an important role in maintaining predevelopment water quality. The riparian vegetation stabilizes stream channels and floodplain areas, reducing erosion. In addition they provide an area to filter overland flow from adjacent development.

#### 9.2.4 Erosion Control/Water Quality Benefits from Detention Ponds

Trace storm water management programs are aimed at controlling increased urban runoff generated by the development. More frequent flooding, increased rates and volumes of runoff, increased stream channel erosion and degradation, increased sedimentation and increased water pollution are all problems identified with development.

The proposed storm water management facilities such as detention ponds have proven to significantly reduce downstream flooding, reduce sedimentation and pollutant loads, and provide debris removal which all benefit water quality

**Illustration 40: Water Quality /Stream Setbacks**



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## Section 10: Lighting

### 10.1 Street Lighting

Lighting should be provided to improve the safety of streets or alleys and the ease and comfort of operation. Properly design street lighting and parking lot lighting will improve comfort and visibility at night. This should improve and encourage vehicular and pedestrian movement.

- To preserve the night sky, the sub-divider will install a standard provider street light at all intersections along the spine road(s) at intervals no less than 600 feet along the spine road(s).
- Streetlights shall be installed by the sub-divider at the end of cul-de-sacs and shall have no greater distance than 600 feet between them within or abutting the subdivision.

### 10.2 Non-Street Lighting

The intent is to enhance day and night time appearances, establish a safe environment for residents, occupants and employees and minimize light pollution, while minimizing glare and light trespass onto adjacent properties.

- Lighting for security and visibility shall be installed at the subdivider's discretion within parks and open spaces.
- The lighting of all parks, open spaces, parking areas, pedestrian walkways, entrances, and exterior portions of the site shall be designed for its specific task and shall comply with the provisions of Chapter 6, Article 5 of the City of San Marcos Development code attached in the Appendix.
- Lighting shall be: vandal-proof; compatible with building architecture; and, scaled (dimension and intensity) to complement its location context.
- Lighting shall not be obscured by landscaping.
- Lighting for security will be dark sky compatible, and energy conserving.
- To preserve the night sky, lighting shall be compatible with the design that may employ programmed power reduction in combination with motion sensors to allow for maximum reduction in energy use.
- Non-Street lighting shall be a coordinated family of fixtures that are compatible with the overall look and feel of Trace.

## Section 11 Signage

Trace strives to be a signature project in the San Marcos Area, attracting businesses and providing an opportunity for single family homebuyers that is currently in need of more stock in the area. There will be a hierarchy of signage and monumentation throughout the project. Public signage such as traffic signs, street signs and safety signs will comply with current city and traffic standards. The signage described below and shown in [Illustration 17: Entry Monument and Signage Plan](#) are related to only private signage. Conceptual locations and sign types are included in that illustration.

- The entry monuments shall be of a size, scale and finish comparable to quality Master Planned Communities in the area (Belterra, Blanco Vista, Sunfield for example).
- Signs may be lit using dark sky compliant techniques. Full cut-off down lights, halo effect lighting or shielded low level lighting.

- The signs will meet applicable safety codes, however they will be designed to reinforce the vision and aesthetic of the Trace Community and tie into the overarching aesthetic of the surrounding amenities and landscape.
- Electronic and flashing signage shall be prohibited.

### 11.1. Iconic Art: (A)

The Iconic Art shown by the “A” on the map will be of size and significance to serve as a “Gateway” indicator for the City of San Marcos.

- Height may be up to 42-1/2’ tall and the design will be submitted to the City of San Marcos Art Commission for review.

Potential materials to include:

- Stone Masonry
- Brick Masonry
- Metal (Aluminum, Corten, Raw Steel, or Stainless Steel) for letter and possible sign background.
- Wood (limited use, treated, stained or painted and protected from decay)
- Stucco
- Concrete (Board Formed, Stained)

### 11.2 Major Entry Monumentation (Ma)

The symbol indicated as “Ma” on the Signage Plan will be a major entry monument along I-35 for the Trace Community.

- The SF of the signage will be calculated as the smallest rectangle around the lettering comprising the message.
- Logo SF will be calculated separately, however the cumulative SF of the Sign and Logo will be no greater than 260 sf (each side if two sided).
- The sign height will be calculated using the highest elevation of the lettering above grade. The logo may be higher.
- The structure will be limited to 35’ in height so as to reduce visual competition with the Iconic Art Installation.

Potential materials to include:

- Stone Masonry
- Brick Masonry
- Metal (Aluminum, Corten, Raw Steel, or Stainless Steel) for letter and possible sign background.
- Wood (limited use, treated, stained or painted and protected from decay)
- Stucco
- Concrete (Board Formed, Stained)

### 11.3 Minor Entry Monumentation (Mi-A)

The symbol indicated as “Mi-A” on the Signage Plan will be a minor entry monument for Posey Road to the Trace Community (Residential). This monument will serve as the main entry monument for the residential section of Trace and likely as the sole monument for the initial phase of the project.

- The SF of the signage will be calculated as the smallest rectangle around the lettering comprising the message.
- Logo SF will be calculated separately, however the cumulative SF (sign and logo) will be no greater than 96 sf (each side if two sided).
- The sign height will be calculated using the highest elevation of the lettering above grade. The logo may be higher.
- The structure supporting the sign will be no taller than 16' and will not be regarded as part of the effective area of the sign.

Potential materials to include:

- Stone Masonry
- Brick Masonry
- Metal (Aluminum, Corten, Raw Steel, or Stainless Steel) for letter and possible sign background.
- Wood (limited use, treated, stained or painted and protected from decay)
- Stucco
- Concrete (Board Formed, Stained)

#### 11.4 Minor Entry Monumentation (Mi-B)

The symbol indicated as “Mi-B” on the Signage Plan will be a minor entry monument for Old Bastrop Road to the Trace Community (Residential). This monument will serve as the secondary entry monument for the residential section of Trace.

- The SF of the signage will be calculated as the smallest rectangle around the lettering comprising the message.
- Logo SF will be calculated separately, however the cumulative SF will be no greater than 96 sf (each side if two-sided).
- The height will be calculated using the highest elevation of the lettering above grade. The logo may be higher.
- The structure supporting the sign will be no taller than 12'.

Potential materials to include:

- Stone Masonry
- Brick Masonry
- Metal (Aluminum, Corten, Raw Steel, or Stainless Steel) for letter and possible sign background.
- Wood (limited use, treated, stained or painted and protected from decay)
- Stucco
- Concrete (Board Formed, Stained)

#### 11.5 Commercial Signage (C)

The symbol indicated as “C” on the Signage Plan represents signage for the Commercial Parcels of Trace. These monuments will serve to announce major single occupants or multiple tenant spaces in the areas designated on the land plan.

- The signage will be complimentary and sub-servient to the Major Entry Feature designated at I-35.

- Overall Height of Structure and Sign will be limited to 20’.

Potential materials to include:

- Stone Masonry
- Brick Masonry
- Metal (Aluminum, Corten, Raw Steel, or Stainless Steel) for letter and possible sign background.
- Wood (limited use, treated, stained or painted and protected from decay)
- Stucco
- Concrete (Board Formed, Stained)

## 11.6 Neighborhood Signage (N)

The symbol indicated as “N” on the Signage Plan represents signage for designated residential portions of Trace. These monuments will serve to announce various sections of Trace. The signs will be similar to “village” signs seen typically in Master Planned Communities.

- The signage will be complimentary and sub-servient to the Entry Monumentation.
- The height of the lettering will be no greater than 6’ above grade/or adjacent road elevation.
- The logo will be treated separately, but the SF of both the logo and lettering will not exceed 40 sf (each side if two sided).
- The structure height will be limited to 10’.

Potential materials to include:

- Stone Masonry
- Brick Masonry
- Metal (Aluminum, Corten, Raw Steel, or Stainless Steel) for letter and possible sign background.
- Wood (limited use, treated, stained or painted and protected from decay)
- Stucco
- Concrete (Board Formed, Stained)

## 11.7 Parkland Signage (P)

The symbol indicated as “P” on the Signage Plan represents signage for designated parkland portions of Trace. These monuments will serve to announce various parklands of Trace. The signs will be similar to “village” signs seen typically in Master Planned Communities.

- The signage will be complimentary and sub-servient to the Entry Monumentation.
- The height of the lettering will be no greater than 6’ above grade/or adjacent road elevation. The logo will be treated separately, but the SF of both the logo and lettering will not exceed 40 sf. The structure height will be limited to 8’.

Potential materials to include:

- Stone Masonry
- Brick Masonry
- Metal (Aluminum, Corten, Raw Steel, or Stainless Steel) for letter and possible sign background.
- Wood (limited use, treated, stained or painted and protected from decay)
- Stucco

- Concrete (Board Formed, Stained)

## 11.8 Directional Signage (D)

The symbol indicated as “D” on the Signage Plan represents directional signage to be placed throughout Trace. These monuments will serve to announce various elements of Trace. These signs will be concise, directional and informative to offer assistance to visitors to orient themselves to the major elements of Trace.

- The height of the lettering will be no greater than 6’ above grade/or adjacent road elevation.
- The SF of the entire composition of sign and structure will be limited to 48 sf.
- The structure height will be limited to 8’.

Potential materials to include:

- Stone Masonry
- Brick Masonry
- Metal (Aluminum, Corten, Raw Steel, or Stainless Steel) for letter and possible sign background.
- Wood (limited use, treated, stained or painted and protected from decay)
- Stucco
- Concrete (Board Formed, Stained)
- Izone or similar signage material for print

## 11.9 Interpretive Signage (I)

The symbol indicated as “I” on the Signage Plan represents interpretive signage to be placed throughout Trace. These monuments will serve as educational elements along the trails, in the parks and wherever a unique opportunity arises. For example, wildflower areas, a short explanation of the history of Trace and/or San Marcos, or to help identify birds along the preserved or enhanced natural areas throughout Trace.

- The signs will be identifiable, but blend into the landscape with a size no greater than 16 sf for any one sign.

Potential materials to include:

- Stone Masonry
- Brick Masonry
- Metal (Aluminum, Corten, Raw Steel, or Stainless Steel) for letter and possible sign background.
- Wood (limited use, treated, stained or painted and protected from decay)
- Stucco
- Concrete (Board Formed, Stained)
- Izone or similar signage material for print

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## Section 12: Special Standards and Administration

### 12.1 Concept Plan Revisions

The Concept Plan may be revised with the approval of Owner, the City, and the owners of the portions of the Property within the area being revised on the Concept Plan. In addition, the boundaries of any tract shown on the Concept Plan may be revised, from time to time without City Council approval, if:

- the revision is approved, in writing, by the owners of all the property within the tracts being revised;
- the revision is approved, in writing, by Owner;
- a revised Concept Plan is submitted to the City concurrently with the submission of any preliminary plat covering any portion of the property subject to the change;
- the cumulative effect of all revisions does not change the area, residential unit count, or office/commercial square footage within any tract by more than 20%, (based on the tracts as they existed on the Effective Date), or the revisions are limited to relocating the elementary school site, and
- in no case shall this reduce the open space by 20%

If the Concept Plan is revised as provided by this section, the revision shall be considered an amendment to this Planned Development District (PDD) document, the City shall cause the revised Concept Plan to be attached to the official version of this PDD on file with the City's Secretary's Office, and Owner shall cause the revised Concept Plan to be recorded in the recorded in the deed records of the County as an amendment to this PDD.

### 12.2 Concept Plat

- A concept or Subdivision Concept Plat shall be submitted to the Planning Department for approval prior to the submittal of a Preliminary Plat in accordance with the existing City Code of Ordinances, Subpart B – Land Development Code, Chapter 1, Article 6, Division 2 – Subdivision Concept Plats attached in the Appendix.
- Subdivision Concept Plats may be submitted on portions or phases of the project and are not required on the whole project at the time of submittal of the first Subdivision Concept Plat.
- At a minimum the Subdivision Concept Plat shall contain
  - Proposed circulation information for the area located within the submitted Subdivision Concept Plat, including the location and dimensions of all proposed streets, alleys, trails, parking areas or pedestrian features that are located only within the area of the Subdivision Concept Plat being reviewed at that time.
  - The location, shape and acreage of all proposed parks, open space, natural areas, landscaped features or proposed buffers located within the submitted Subdivision Concept Plat being reviewed at that time. Park land proposed to be dedicated to the City must comply with park land dedication requirements of the subdivision ordinance.

### 12.3 Residential Sales Office(s)

“Residential Sales Office” shall mean a structure or dwelling in a developing subdivision, located on a legal lot of record, and is limited to temporary use as a sales office for the subdivision and to provide an example of the dwellings which have been built or which are proposed to be built within

the same subdivision. This use may operate until such time all available lots and or structures within the subdivision are sold. Temporary permits for a specific time and location as determined may be issued by the building official and shall be subject to review and renewal for reasonable cause.

#### 12.4 Construction Field Office Buildings

“Construction Field Office” shall mean a structure or shelter used in connection with a development or building project for housing on the site of temporary administrative and supervisory functions and for sheltering employees and equipment. Temporary permits for a specific time and location as determined may be issued by the building official and shall be subject to review and renewal for reasonable cause.

#### 12.5 Temporary Construction Buildings

Temporary buildings and temporary building material storage areas to be used for construction purposes may be permitted for a specific period of time in accordance with a permit issued by the Building Official and subject to periodic renewal by the Building Official for cause shown. Upon completion or abandonment of construction or expiration of a permit, the field offices or buildings and material storage areas shall be removed to the satisfaction of the Building Official.

## Section 13: Appendixes

### 13.1 Legal Description

BEING A 417.630 ACRE TRACT OUT OF THE WILLIAM H. VAN HORN SURVEY, ABSTRACT NO. 464, HAYS COUNTY, TEXAS, AND BEING A PORTION OF THOSE CERTAIN 100.22 ACRE, 67.53 ACRE, 248.77 ACRE, AND 5.01 ACRE TRACTS CONVEYED TO JOQ-SAN MARCOS VENTURES L.P. BY DEED OF RECORD IN VOLUME 1820, PAGE 715, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 417.630 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1-inch iron pipe found in the east right-of-way line of Interstate Highway 35 (300' R.O.W.), being the called northeast corner of that certain 85.00 acre tract conveyed to San Marcos 197 Acre Associates, LLC, by Deed of record in Volume 4015, Page 562, of said Official Public Records, also being the northwest corner of said 248.77 acre tract, for the northwesterly corner hereof;

THENCE, N43°34'33"E, along said east right-of-way line of Interstate Highway 35, being the north line of said 248.77 acre tract, a distance of 2222.49 feet to a 1/2-inch iron rod found near the base of a fence post at the called northeast corner of said 248.77 acre tract, being the northwest corner of that certain 14.86 acre tract conveyed to Kimberley Gunnarson, by Deed of record in Volume 3281, Page 47, of said Official Public Records, for the northeasterly corner hereof;

THENCE, S45°57'08"E, leaving said east right-of-way line, along the west line of said 14.86 acre tract, being an east line of said 248.77 acre tract, generally with the remnants of an old barbed-wire fence (a new barbed-wire fence meanders parallel and several feet to the west), a distance of 976.48 feet to a calculated point at the called southwest corner of said 14.86 acre tract, being an angle point of said 248.77 acre tract, for an angle point hereof, from which an 8-inch cedar fence post found bears S45°57'08"E, a distance of 0.87 feet;

THENCE, N44°02'46"E, along the south line of said 14.86 acre tract, generally with a barbed-wire fence, at 14.92 feet passing a 1/2-inch iron rod found at the base of an 8-inch cedar fence post, being approximately at an angle point in the east line of said 248.77 acre tract and the approximate northwest corner of said 67.53 acre tract, and continuing along the north line of said 67.53 acre tract for a total distance of 673.37 feet to a 1/2-inch iron rod found at the base of a leaning 10-inch cedar fence post at the called southeast corner of said 14.86 acre tract, being the northeast corner of said 67.53 acre tract, also being in the west line of Lot 2, Final Plat of San Marcos Toyota Subdivision, of record in Book 9, Pages 155-156, of the Plat Records of Hays County, Texas, for an angle point hereof;

THENCE, S46°27'25"E, in part along the west line of said Lot 2 and in part along the remainder of that certain 56.288 acre tract conveyed to JMC Realty, LP, by Deed of record in Volume 1662, Page 628, of said Official Public Records, being the east line of said 67.53 acre tract, generally with a barbed-wire fence as called in said Volume 1662, Page 628 and Volume 1820, Page 715, a distance of 181.47 feet to a 3-inch cedar fence post found, for an angle point hereof;

THENCE, continuing along the west line of said 56.288 acre tract, being the east line of said 67.53 acre tract, generally with a barbed-wire fence as called in said Volume 1662, Page 628 and said Volume 1820, Page 715, the following four (4) courses and distances:

1) S46°59'15"E, a distance of 232.69 feet to an 8-inch cedar fence post found, for an angle point hereof;

2) S49°30'26"E, deviating from a re-established fence line over a creek, a distance of 126.95 feet to a 6-inch cedar fence post found, for an angle point hereof;

3) S47°20'32"E, rejoining and continuing generally with a barbed-wire fence line, a distance of 387.84 feet to a 1/2-inch iron rod found in the base of a hackberry tree, as called in said Volume 1662, Page 628, for an angle point hereof;

4) S47°39'57"E, a distance of 528.76 feet to a 1/2-inch iron rod found at the called southwest corner of said 56.288 acre tract, being at the base of a 10-inch cedar fence post at a called angle point in the east line of said 67.53 acre tract, for an angle point hereof;

THENCE, N44°31'00"E, along the south line of said 56.288 acre tract, being an east line of said 67.53 acre tract, generally with a barbed-wire fence, a distance of 646.04 feet to a 1/2-inch iron rod found at an angle point in the east line of said 67.53 acre tract, being the northwest corner of that certain 1.000 acre tract conveyed to Wilford L. Wootan, Jr., et ux, by Deed of record in Volume 536, Page 849, of the Real Property Records of Hays County, Texas, for an angle point hereof;

THENCE, S46°59'32"E, leaving the south line of said 56.288 acre tract, along the west line of said 1.000 acre tract, being an east line of said 67.53 acre tract, generally with a barbed-wire fence, a distance of 280.51 feet to a 1/2-inch iron rod found at the base of a fence post at the called southwest corner of said 1.000 acre tract, for an angle point hereof;

THENCE, N47°03'15"E, along the south line of said 1.000 acre tract and that certain 1.335 acre tract conveyed to Wilford L. Wootan, Jr., et ux, by Deed of record in Volume 401, Page 769, of said Real Property Records, being an east line of said 67.53 feet, generally with a barbed-wire fence, a distance of 335.24 feet to a 1/2-inch iron rod with "Capital Surveying Company" cap found at the northwest corner of that certain 0.8521 acre tract

conveyed to Hays County, Texas for right-of-way purposes, by Deed of record in Volume 2927, Page 699, of said Official Public Records, being the southwest right-of-way line of Posey Road (R.O.W. varies), for an angle point hereof;

THENCE, leaving the south line of said 1.335 acre tract, over and across said 67.53 acre tract and said 100.22 acre tract, along said southwest right-of-way line of Posey Road, being the west line of said 0.8521 acre tract, and those certain 0.5415 acre and 2.4004 acre tracts conveyed to Hays County, Texas for right-of-way purposes, by said Deed of record in Volume 2927, Page 699, the following eight (8) courses and distances:

1) S41°53'43"E, a distance of 78.28 feet to a disturbed 1/2-inch iron rod found at the point of curvature of a curve to the left;

2) Along said curve, having a radius of 6075.00 feet, a central angle of 04°47'50", an arc length of 508.66 feet, and a chord which bears S44°20'45"E, a distance of 508.51 feet to a 1/2-inch iron rod with "Capital Surveying Company" cap found at the point of tangency of said curve;

3) S46°43'43"E, at 327.46 feet passing a 1/2-inch iron rod found on the south line of said 67.53 acre tract, being the north line of said 100.22 acre tract, and continuing for a total distance of 865.99 feet to a calculated point at the point of curvature of a curve to the right;

4) Along said curve, having a radius of 15031.48 feet, a central angle of 00°34'12", an arc length of 149.56 feet, and a chord which bears S46°08'19"E, a distance of 149.56 feet to a 1/2-inch iron rod with "Capital Surveying Company" cap found at the point of tangency of said curve;

5) S46°08'26"E, a distance of 1770.49 feet to a calculated point at the point of curvature of a curve to the left;

6) Along said curve, having a radius of 14862.04 feet, a central angle of 00°34'49", an arc length of 150.53 feet, and a chord which bears S46°25'49"E, a distance of 150.53 feet to a 1/2-inch iron rod with "Capital Surveying Company" cap found at the point of tangency of said curve;

7) S46°41'07"E, a distance of 195.22 feet to a 1/2-inch iron rod with "Capital Surveying Company" stamp found near the base of a 2-inch steel fence post, for an angle point hereof;

8) S01°32'03"E, a distance of 28.03 feet to a calculated point at the southwest corner of said 2.4004 acre tract, being in the south line of said 100.22 acre tract, also being the intersection of said southwest right-of-way line of Posey Road and the northeast right-of-way line of County Road 266/Old Bastrop Highway/El Camino Real (R.O.W. varies), for the southeasterly corner hereof;

THENCE, along the used and occupied northeast right-of-way line of County Road 266, being the called south line of said 100.22 acre tract, generally with a barbed-wire fence, the following two (2) courses and distances:

- 1) S43°45'05"W, a distance of 70.45 feet to an 8-inch cedar fence post found, for an angle point hereof;
- 2) S44°04'56"W, a distance of 207.09 feet to a calculated point at the point of curvature of a curve to the right, being near the base of a 2-inch steel fence post, also being the east corner of that certain 0.0123 acre tract conveyed to Hays County, Texas for right-of-way purposes, by Deed of record in Volume 4600, Page 118, of said Official Public Records;

THENCE, continuing along said northeast right-of-way line, over and across said 100.22 acre tract, along said curve to the right, having a radius of 950.00 feet, a central angle of 08°05'19", an arc length of 134.11 feet, and a chord which bears S62°20'44"W, a distance of 134.00 feet to a calculated point near the base of a 2-inch steel fence post at the west corner of said 0.123 acre tract, being on the called south line of said 100.22 acre tract, for an angle point hereof;

THENCE, continuing along the used and occupied northeast right-of-way line of County Road 266, being the called south line of said 100.22 acre tract, generally with a barbed-wire fence, the following four (4) courses and distances:

- 1) S68°39'21"W, a distance of 769.76 feet to an 8-inch cedar fence post found, for an angle point hereof;
- 2) S69°15'47"W, a distance of 221.52 feet to a 60D nail found in an 8-inch cedar fence post, for an angle point hereof;
- 3) S70°25'00"W, a distance of 127.68 feet to an 8-inch cedar fence post found, for an angle point hereof;
- 4) S69°14'26"W, a distance of 228.32 feet to a calculated point at the called southwest corner of said 100.22 acre tract, being the southeast corner of that certain 5.0000 acre tract conveyed to Pleasant F. Rexroat and wife, Elwanda J. Rexroat, by Deed of record in Volume 1898, Page 98, of said Official Public Records, for an angle point hereof;

THENCE, N45°06'19"W, leaving said northeast right-of-way line of County Road 266, along the called west line of said 100.22 acre tract, generally with the remnants of an old barbed-wire fence (new wire fence meanders approximately parallel and several feet southwest of old fence), a distance of 85.52 feet to a 6-inch cedar fence post found leaning, for an angle point;

THENCE, N46°36'04"W, continuing generally with the remnants of an old-barbed wire fence as called in said Volume 1820, Page 715, a distance of 642.34 feet to a 1/2-inch iron pipe found near the base of a fence post, being the called northeast corner of said Rexroat 5.0000 acre tract, also being an angle point in the occupied east line of said 248.77 acre tract, for an angle point hereof;

THENCE, S70°39'07"W, leaving the occupied west line of said 100.22 acre tract, along the called and occupied north line of said Rexroat 5.0000 acre tract, being the occupied east line of said 248.77 acre tract, generally with a barbed-wire fence, a distance of 329.36 feet to a 1/2-inch iron pipe found near the base of a fence post at the called northwest corner of said Rexroat 5.0000 acre tract, being the occupied northeast corner of said 5.01 acre tract, for an angle point hereof;

THENCE, S46°20'51"E, leaving the east line of said 248.77 acre tract, along the called and occupied west line of said Rexroat 5.0000 acre tract, being the occupied east line of said 5.01 acre tract, generally with a barbed-wire fence, a distance of 747.43 feet to a 1/2-inch iron pipe found near the base of a fence post at the called southwest corner of said Rexroat 5.0000 acre tract, being the southeast corner of said 5.01 acre tract, also being in said used and occupied northeast right-of-way line of County Road 266, for an angle point hereof;

THENCE, S72°25'29"W, along the used and occupied northeast right-of-way of County Road 266, being the called south line of said 5.01 acre tract, generally with a barbed-wire fence, a distance of 335.30 feet to a calculated point in a fence line, being the called southwest corner of said 5.01 acre tract, being the occupied southeast corner of said 248.77 acre tract, from which a 1/2-inch iron pipe found bears N46°20'31"W, a distance of 2.00 feet, for an angle point hereof;

THENCE, continuing along the used and occupied northeast right-of-way line of County Road 266, being the called south line of said 248.77 acre tract, generally with a barbed-wire fence, the following nine (9) courses and distances:

- 1) S71°40'15"W, a distance of 115.86 feet to a calculated point in a fence line, for an angle point hereof;
- 2) S76°06'10"W, a distance of 46.03 feet to an 8-inch cedar fence post found, for an angle point hereof;
- 3) S86°28'05"W, a distance of 428.20 feet to an 8-inch cedar fence post found, for an angle point hereof;
- 4) N89°34'56"W, a distance of 321.83 feet to a T-post found, for an angle point hereof;
- 5) N89°02'24"W, a distance of 554.59 feet to a calculated point in a fence line, for an angle point hereof;
- 6) S89°48'27"W, a distance of 68.91 feet to an 8-inch creosoted fence post found, for an angle point hereof;
- 7) N81°53'25"W, a distance of 50.53 feet to an 8-inch creosoted fence post found, for an angle point hereof;
- 8) N88°55'45"W, at approximately 713 feet leaving said barbed-wire fence line, and continuing for a distance of 802.47 feet to a 1/2-inch iron rod with "Macias" cap found, for an angle point hereof;
- 9) N70°06'57"W, a distance of 39.04 feet to an 8-inch creosoted fence post found, for the southwesterly corner hereof;

THENCE, N46°27'14"W, continuing along the used and occupied northeast right-of-way line of County Road 266, being the called west line of said 248.77 acre tract, generally with a barbed-wire fence, a distance of 79.93 feet to a 1/2-inch iron pipe found at the called southeast corner of said 85.00 acre tract, for an angle point hereof;

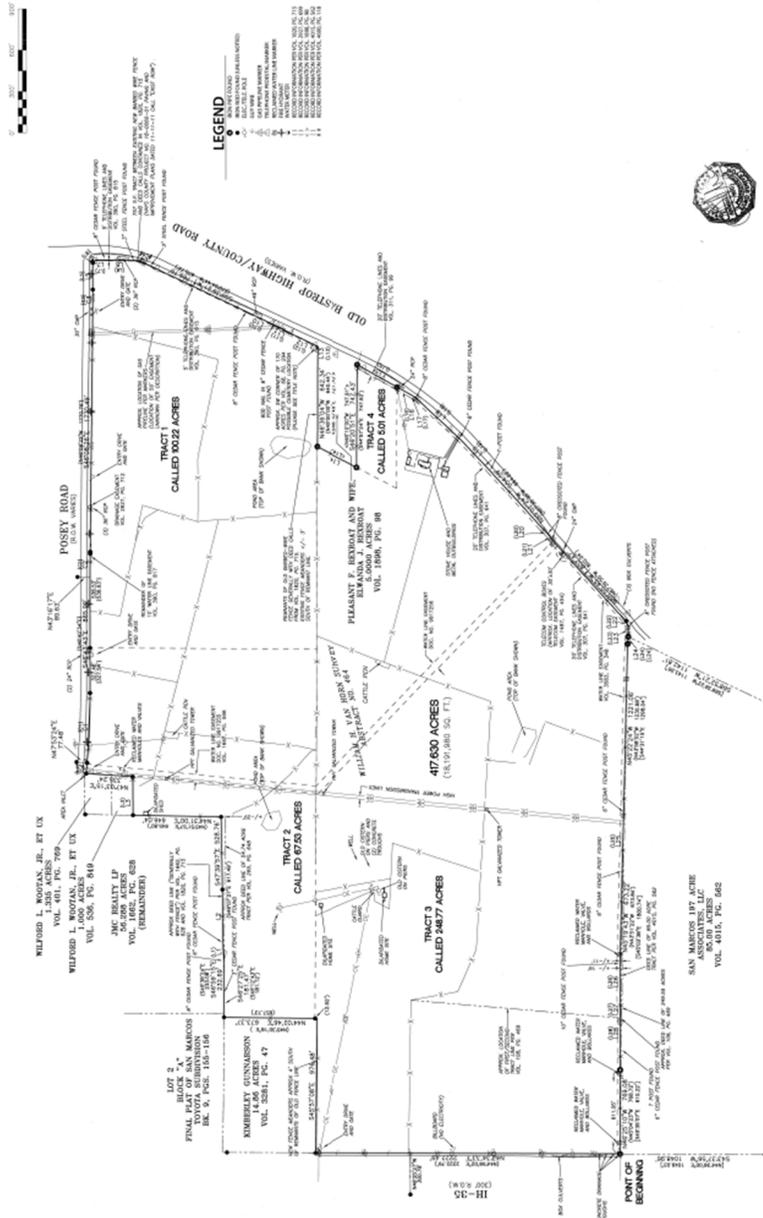
THENCE, leaving said northeast right-of-way line of County Road 266, along the occupied east line of said 85.00 acre tract, being the called and occupied west line of said 248.77 acre tract, generally with a barbed wire fence, the following eight (8) courses and distances:

- 1) N41°35'30"W, a distance of 51.65 feet to a 1/2-inch iron pipe found, for an angle point hereof;
- 2) N45°22'24"W, a distance of 1221.06 feet to a 6-inch cedar fence post found, for an angle point hereof;
- 3) N45°15'48"W, a distance of 427.82 feet to a 6-inch cedar fence post found, for an angle point hereof;
- 4) N45°19'43"W, a distance of 673.22 feet to a 10-inch cedar fence post found, for an angle point hereof;
- 5) N46°33'40"W, a distance of 275.02 feet to a calculated point in a fence line, for an angle point hereof;
- 6) N47°51'30"W, a distance of 124.53 feet to a 6-inch cedar fence post found, for an angle point hereof;
- 7) N46°26'02"W, a distance of 218.87 feet to a T-post found, for an angle point hereof;
- 8) N46°25'10"W, at 158.03 feet passing a 1/2-inch iron pipe found, and continuing for a total distance of 769.08 feet to the POINT OF BEGINNING, and containing 417.630 acres (18,191,980 square feet) of land, more or less.

NOTE: THE COMPANY IS PROHIBITED FROM INSURING THE AREA OR QUANTITY OF THE LAND DESCRIBED HEREIN. ANY STATEMENT IN THE ABOVE LEGAL DESCRIPTION OF THE AREA OR QUANTITY OF LAND IS NOT A REPRESENTATION THAT SUCH AREA OR QUANTITY IS CORRECT, BUT IS MADE ONLY FOR INFORMATIONAL AND/OR IDENTIFICATION PURPOSES AND DOES NOT OVERRIDE ITEM 2 OF SCHEDULE B HEREOF.

Illustration 41: Survey Map

SURVEY OF 417.630 ACRES OUT OF THE WILLIAM H. VAN HORN SURVEY, ABSTRACT NO. 464, SITUATED IN HAYS COUNTY, TEXAS, BEING A PORTION OF THOSE CERTAIN 100.22 ACRE, 67.53 ACRE, 248.77 ACRE, AND 5.01 ACRE TRACTS CONVEYED TO JOQ-SAN MARCOS VENTURES L.P. BY DEED OF RECORD IN VOLUME 1620, PAGE 715, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.





## 13.2 Permitted Uses

Planned Development District (“PDD”) Standards. The following uses, regulations and requirements that vary from the requirements of other zoning districts and overlay the base zoning district shall apply to the Property and the Project in order to result in a higher quality development for the community. Except and unless expressly varied by these PDD Standards, the Property and the Project shall be subject to all applicable requirements of City of San Marcos ordinances, zoning regulations and Land Development Code (“LDC”) (collectively, the “Base Regulations”).

PD-SF Land Use Matrix - All uses allowed in the SF-6 zone shall be allowed in the PD-SF Zone except for the uses modified in the table below.

LEGEND		
P - Permitted Use		
C - May be approved as a Conditional Use Permit (CUP)		
X - Prohibited Use		
PD-SF Land Use Matrix Types of Land Uses	City Code - SF-6	PD-SF As Amended by the PDD
<b>Residential Uses</b>		
Single Family Detached Home (with SF-4.5 design criteria) <sup>1</sup>	X	P
Single Family Detached Alley Loaded <sup>1</sup>	X	P
Single Family Detached Front Garage Home <sup>1</sup>	X	P
Single Family Zero Lot Line / Patio Home <sup>1</sup>	X	P
Single Family Townhouse (Attached) <sup>1</sup>	X	P
Duplex/Two Family Duplex Condominiums <sup>1</sup>	X	P
<b>Amusement and Recreational Uses</b>		
Tennis Court (Lighted)	C	P
<b>Institutional / Governmental Uses</b>		
Antenna (Commercial)	(See Section 4.3.4.1)	X
Broadcast Towers (Commercial)	(See Section 4.3.4.1)	X

<sup>1</sup> – The total number of lots with these design criteria shall not exceed 300 lots for the Trace Project.

PD-MF/MU Land Use Matrix - All uses allowed in the MF-24 zone shall be allowed in the PD-MF Zone except for the uses modified in the table below. The total allowed density of multi-family units may be transferred between Planning Areas 8 and 12.

PD-MF Land Use Matrix Types of Land Uses	City Code - MF-24	PD-MF/MU As Amended by the PDD
Residential Uses		
Accessory Dwelling (One Accessory Dwelling Per Lot)	X	C
Caretaker's/Guard's Residence	X	P

PD-NC Land Use Matrix - All uses allowed in the NC zone shall be allowed in the PD-NC Zone except for the uses modified in the table below.

PD-NC Land Use Matrix Types of Land Uses	City Code - NC	PD-NC As Amended by the PDD
Personal and Business Service Uses		
Funeral Home	X	C
Mini-Warehouse/Self Storage Units	X	C
Photocopying/Duplicating/Copy Shop	C	P
Sexually Oriented Business	(See Section 18, Article 6 of the City Code)	X
Studio for Radio or Television (without tower)	X	C
Washateria/Laundry (Self Serve)	C	P
Retail and Service Type Uses		
All Terrain Vehicle Dealer/Sales	X	C
Antique Shop (with outside storage)	C	P
Auto Supply Store for New and Rebuilt Parts	X	C
Bike Sales and/or Repair	X	C
Convenience Store Without Gas Sales	C	P
Retail and Service Type Uses (cont.)		
Food or Grocery Store with Gasoline Sales	C	P
Food or Grocery Store without Gasoline Sales	C	P
Gravestone/Tombstone Sales	X	C
Gun Smith	X	C

PD-NC Land Use Matrix Types of Land Uses	City Code - NC	PD-NC As Amended by the PDD
Pharmacy	C	P
Plant Nursery (Retail Sales/Outdoor Storage)	C	P
Restaurant/Prepared Food Sales	C	P
Restaurant/Prepared Food Sales with drive thru	X	C
Retail Store (over 10,000 s.f. or more Bldg.)	X	C
Retail Store (under 10,000 s.f. or more Bldg.) outside sales	C	P
Retail Store (under 10,000 s.f. or more Bldg.) no outside sales	C	P
Security Systems Installation Company	X	C
Studio Tattoo or Body Piercing	C	P
Veterinarian (Indoor Kennels)	X	C
<b>Transportation and Automotive Uses</b>		
Auto Body Repair	X	P
Auto Muffler Shop	X	P
Auto Repair (General)	X	P
Auto Repair as an Accessory Use to Retail Sales	X	C
Auto Tire Repair/Sales (Indoors)	X	C
Car Wash (Self Service; Automated)	X	P
Full Service Car Wash (Detail Shop)	X	P
<b>Amusement and Recreational Uses</b>		
Smoking Lounge	C	X
On-Premises Consumption of Alcohol	C	X
<b>Institutional / Governmental Uses</b>		
Adult Day Care (No Overnight Stay)	C	P
Assisted Living Facility/Hospice	C	P
Child Day Care (Business)	C	P
Meeting Place/Nonreligious	C	P
Clinic (Medical)	C	P
Emergency Care Clinic	C	P
<b>Institutional / Governmental Uses (cont.)</b>		
Fraternal Organization/Civic Club	C	P
Nursing/Convalescent Home	C	P
Philanthropic organization	C	P
Retirement Home/Home for the Aged	X	P
School, Vocational (Business/Commercial Trade)	C	P
Caterer	C	P

Commercial and Wholesale Trade Uses		
Feed and Grain Store	X	P
Maintenance/Janitorial Service	C	P
Industrial/ Manufacturing Uses		
Contractor's Temporary On-Site Construction Office (only with permit)	(Issued by the Building Official)	

PD-EC/GC Land Use Matrix - All uses allowed in the GC zone shall be allowed in the PD-GC Zone except for the uses modified in the table below.

PD-EC/GC Land Use Matrix Types of Land Uses	City Code - CC	PD-EC/GC As Amended by the PDD
Personal and Business Service Uses		
Sexually Oriented Business	(See Section 18, Article 6 of the City Code)	X
Tool Rental (with Outdoor Storage)	C	P
Retail and Service Type Uses		
Gravestone/Tombstone Sales	C	P
Gun Smith	C	P
Transportation and Automotive Uses		
Auto Body Repair	C	P
Auto Paint Shop	C	P
Public Garage Parking Structure	C	P
Transit Terminal	C	P
Truck Terminal	C	P
Amusement and Recreational Uses		
Broadcast Station (with Tower)	X	P
Commercial and Wholesale Trade Uses		
Bio-Medical Facilities	X	P
Caterer	C	P
Furniture Manufacture	X	P
Metal Fabrication Shop	C	P
Moving Storage Company	C	P
Veterinarian (Outdoor Kennels or Pens)	X	C
Warehouse/Office and Storage	C	P
Welding Shop	X	P

PD-EC/GC Land Use Matrix Types of Land Uses	City Code - CC	PD-EC/GC As Amended by the PDD
Industrial/ Manufacturing Uses		
Contractor's Office/Sales, with Outside Storage including Vehicles	X	P
Contractor's Temporary On-Site Construction Office (only with permit)	(Issued by the Building Official)	
Distribution Center	X	P
Engine Repair/Motor Manufacturing Re-Manufacturing and/or Repair	X	P
Food Processing (no Outside Public Consumption)	X	P
Laboratory Equipment Manufacturing	X	P
Leather Products Manufacturing	X	C
Machine Shop	X	P
Marble or Stone Finishing	X	C
Motor Freight Terminal	X	C
Outside Storage (as primary use)	C	X
Plastic Products Molding/Reshaping	X	P
Research Lab (Non-Hazardous)	C	P
Sand/Gravel Sales (storage or Sales)	X	C
Sign Manufacturing	X	P
Stone/Clay/Glass Manufacturing	X	P

13.3 Comparison Table variances/enhancements to City Ordinances/Code

LDC  
Modifications

PDD Section	CoSM Section	Subject	Existing Regulation	PDD Modification
4.1	TDM Table 1-1	Residential Street	Minimum ROW 53'	Residential Street ROW is 50', unless at School or Central Park site where 54' to accommodate two sides of parking
4.1	TDM Table 1-1	Residential Street	Paved width: 33'	Paved width is 28', unless at School or Central Park site where 32' to accommodate parking on two sides
4.1	TDM Table 1-1	Residential Collector	Paved width: 38'	Paved width: 20'+20' (divided)
4.1	TDM Table 1-1	Commercial Collector	Minimum paved width: 48'	Paved width: 32'+32' (divided)
4.1	TDM Table 1-1	Commercial Collector	Tangent length between reverse curves: 110'-150'	Tangent length between reverse curves: 100'-150'
4.1	TDM Table 1-1	Commercial Collector	Spacing of cross street: 500'	Spacing of cross street: 300-500'
4.5	LDC 7.4.1.4 (g)	Intersections	No street shall intersect at an angle less than 85 degrees	The desirable angle of a street intersection is 90 degrees. However, street intersection angles are allowed to vary between 80 and 100 degrees
5.1	LDC 4.2	Zoning Districts		See Table 5.1
12.1	LDC 2.2.1.4	Land Use Plan		Allow 20% deviation from Land Use Plan without amendment to PDD
12.3		Temporary Sales Office		Temporary Residential Sales buildings and/or offices for construction purposes may be permitted by the Building Official
12.4 12.5	LDC Art.2-Ch.4-64	Construction Field Office	None	Temporary buildings and storage areas for construction purposes may be permitted by the Building Official

## LDC Modifications

13.5	LDC 4.3	Use Regulations		See Table 13.4
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## LDC Enhancements

PDD Section	CoSM Section	Subject	Existing Regulation	PDD Enhancement
3.1	LDC	Open Space	20% gross land shall be devoted to open space = 83.5 acres	Trace contains 84.2 acres of open space
3.2	LDC 7.6.1.2	Parkland Dedication	5 acres per 1,000 residents = 22.4 acres	Trace contains 30.3 acres of parkland for dedication
3.3.1	LDC 7.1.1.1	Public Central Park	None	A public central park with 7 acres public and 2 acres private for an amenity center will be centrally located in the community
3.3.2	LDC 7.1.1.1	Pocket Parks	None	5 family friendly pocket parks will be centrally located within different sections of the community; privately maintained by the HOA and having view fencing with gates for direct access to pocket parks by adjacent homeowners
3.3.2	LDC 7.6.1.3	Public Park Access	Parks shall be open to public view	Parks will have a least 2 sides visible from a public street including the pocket parks
3.3.3	LDC 7.1.1.1	Trails	None	2-3 miles of trails 10-12 feet in width
3.4	LDC 7.1.1.1	Elementary School	None	15 acres set aside for use by the San Marcos Consolidated Independent School District
4.1	TDM Table 1-1	Residential Street	Landscaping: both sides 6'	Landscaping; both sides 7'

## LDC Enhancements

4.1	TDM Table 1-1	Residential Collector	Minimum ROW: 62'	ROW: 110'-120' to accommodate median with bio-swale, turn lanes, bike paths and enlarged sidewalks
4.1	TDM Table 1-1	Residential Collector	Landscaping: both sides 5.5'	Landscaping: both sides 7 to 12'
4.1	TDM Table 1-1	Residential Collector	Sidewalks: 5'	Sidewalks and Bike Path combined for a 12' path on both sides
4.1	TDM Table 1-1	Residential Collector	Bike Path: None	
4.1	TDM Table 1-1	Residential Collector	Sidewalks: 5'	Sidewalks: 6' both sides
4.1	TDM Table 1-1	Residential Collector	Bike Path: None	Meandering 12' combination path is provided in the linear park area.
4.1	TDM Table 1-1	Residential Collector	Median: 4'	Median: 16' (50' along a portion of Street Section CC to accommodate sewer easement)
4.1	TDM Table 1-1	Commercial Collector	Minimum ROW: 80'	Minimum ROW: 100' to accommodate median with bio-swale, turn lanes, bike paths and enlarged sidewalks
4.1	TDM Table 1-1	Commercial Collector	Median: 4'	Median: 20' with bio-swale and turn lanes
4.1	TDM Table 1-1	Commercial Collector	Sidewalks: 5'	Sidewalk 5' one side; 10' trail one side
4.2	LDC 7.4.1.4 (k)	Max. Cul-De-Sac Length	A cul-de-sac street shall not be longer than 500'	A cul-de-sac street shall not be longer than 450'
4.2	LDC 7.4.1.4	Cul-De-Sacs	None	Landscape areas shall be provided within the circular area of the cul-de-sac to include at least 1 street tree. Cul-de-sacs shall include pedestrian access from the end of the cul-de-sac to the next adjoining street

## LDC Enhancements

4.3	LDC 7.4.2.2	Alleys	No use requirement	Alley loaded product shall be required along the entire length of Street Sections AA and CC
4.4	LDC 7.4.1.4 (j)	Max. Block Length	Block length shall not exceed 1,200'	Block length shall not exceed 1,100'
4.6	LDC 6.1.1.4 (b)(2)	Street Trees	1 per 50 LF of street frontage	1 per 30 LF of street frontage along Street Sections AA, BB, CC, DD, EE
4.6	LDC 6.1.1.4 (b)(2)	Street Trees	None	Ornamental trees shall be planted 1 per every 5 street trees on road sections AA, BB, CC, DD, EE
4.6	LDC 6.1.1.5 (b)	Street Trees	Street Trees planted for credit shall be min. 2" caliper	Shade trees planted for credit shall be between 2"-4" in caliper (avg. 3") on Street Sections AA, BB, CC, DD, EE. Ornamental trees shall be min. 2" in caliper.
4.7	LDC 5.1.1.3 (d)	Runoff Attenuation	LID practices may be used	The medians of Residential Collector roads will contain ribbon curbs, bio-swales and vegetative filter strips to treat runoff
6	4.4.2.1	Architectural Design		See Section 6 for list of superior architectural standards
7.1	LDC 6.2.2.1	Parking Design	None	Pedestrian walkways will be spaced 600' in commercial and office parking lots. They shall be wide enough for an 8' path and supplemental landscape with the possibility to add bio-swales.
8.4	LDC 6.1.2.3	Screening Along Arterial Roadways	Masonry or alternate	Fences along prominent public views to be full masonry or a combination of masonry and durable opaque fence

LDC Enhancements				
8.5	LDC 6.1.3.2	Residential Fences	Fences may be constructed of wood, decorative metal, chain link, or other traditional material	Fences along non-prominent public views to be stained capped full wood or concrete type
8.5	LDC 6.1.3.2	Residential Fences	Fences may be constructed of wood, decorative metal, chain link, or other traditional material	Residential lots that back to open space to use decorative metal view fence
9.2.1	LDC 5.1.1.3 (d)	Runoff Attenuation	LID practices may be used	Water harvesting will be employed at the Amenity center
9.2.1	LDC 6.1.1.5 (c)(8)	Xeriscaping	Developers and home builders are encouraged to use xeriscape plant materials	The project shall adhere to the Sensible Landscaping for Central Texas water conservation practices adopted by the Home Builders Association of Greater Austin
9.2.1	LDC 6.1.1.5 (c)(10)	Irrigation control	None	The irrigation system will be weather adaptive with solar, rain, or soil moisture sensors and weather synchronized irrigation controllers
9.1.2	LDC 6.1.1.4 (e)	Parking Lot Trees	1 tree per 250 SF	1 tree per 200 SF
11.1	LDC 7.1.1.1	Public Art	None	Iconic art to mark the entry to the greater San Marcos area. To be reviewed by the San Marcos Arts Commission. May be up to 42.5' tall.
11.2	LDC 6.3.3.3 (5)	Major Entry Monumentation	260 SF max. sign area along I-35. Max 42.5' tall.	260 SF max. sign area (each side) along I-35. Max. 35' tall.
11.3	LDC 6.3.3.3 (5)	Minor Entry Monumentation	120 SF max. sign area along all other roadways. Max 25' tall.	96 SF max. sign area along all other roadways. Max 16' tall.

LDC  
Enhancements

11.6	LDC 6.3.3.3 (5)	Neighborhood Signage	80 SF max. sign area for ground/monument signs	40 SF max. sign area (each side) for ground/monument signs
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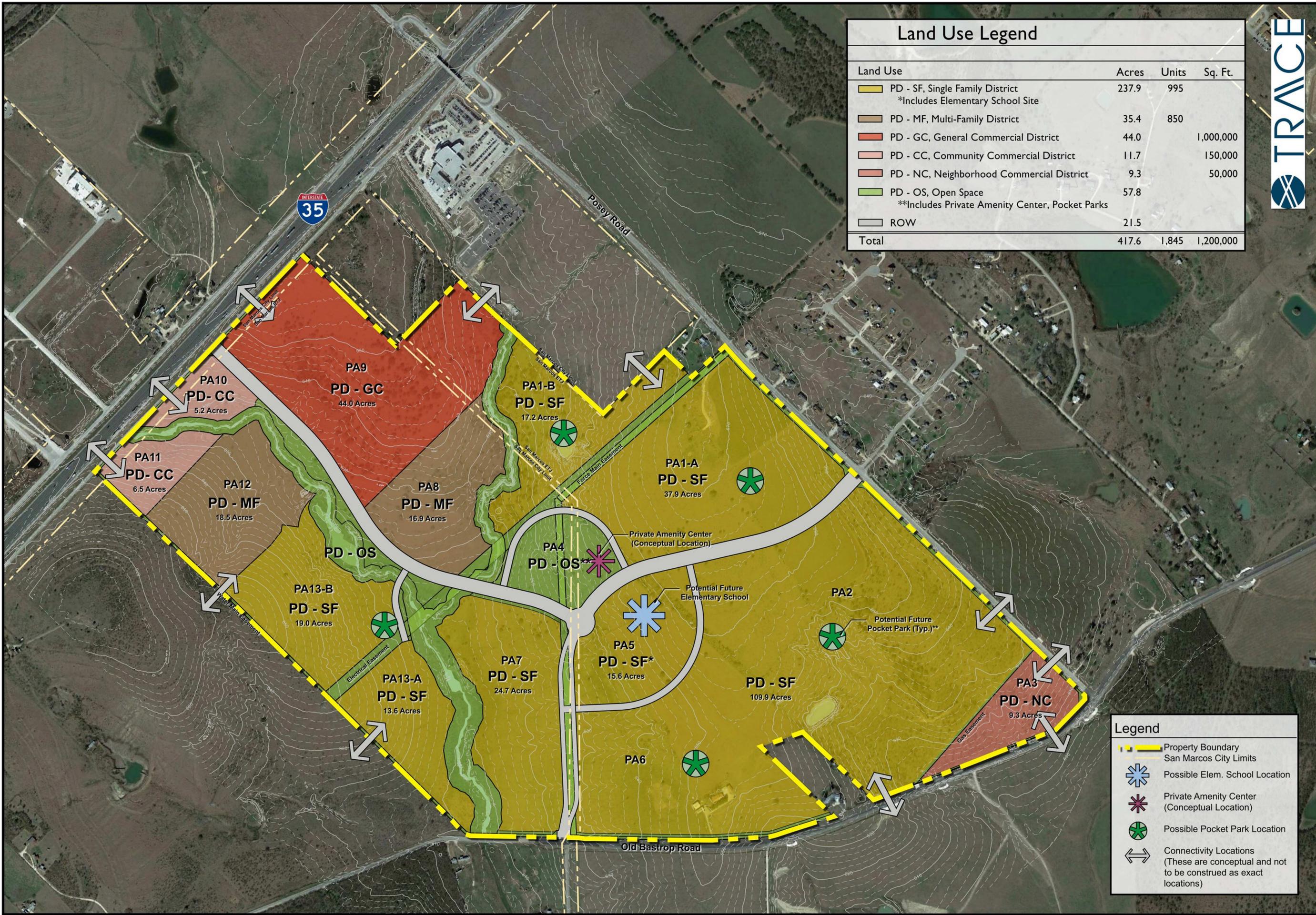
## 13.4 Illustrations

Illustration 1:	Vicinity Map
Illustration 2:	Portion of the Project within City Limits
Illustration 3:	Base Aerial
Illustration 4:	Existing Conditions
Illustration 5:	Slope Map
Illustration 6:	Topography and Environmental Features
Illustration 7:	Concept Zoning Plan
Illustration 8:	Phasing Plan
Illustration 9:	Concept Plan Open Space
Illustration 10:	Open Space Not Eligible in Parkland Dedication
Illustration 11:	Parkland for Dedication
Illustration 12:	Open Space and Parks Programming Plan
Illustration 13:	Typical Pocket Park and Fencing Elevation at Pocket Parks
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Illustration 15:	Landscape Maintenance Plan
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Illustration 17:	Entry Monument and Signage Plan
Illustration 18:	Vehicle Circulation Plan
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Illustration 20:	Enhanced Residential Street ROW
Illustration 21:	Enhanced Residential Street ROW at Central Park
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Illustration 23:	Enhanced ROW Section AA
Illustration 24:	Plan View Section AA
Illustration 25:	Typical Intersection at ROW Section AA
Illustration 26:	Enhanced ROW Section BB
Illustration 27:	Roundabout Plan and Typical Future Bus Stop Locations
Illustration 28:	Enhanced ROW Section CC
Illustration 29:	Plan View ROW Section CC
Illustration 30:	Typical Intersection at ROW Section CC
Illustration 31:	Enhanced ROW Section DD
Illustration 32:	Enhanced ROW Section EE
Illustration 33:	Typical Cul de Sacs and Alleys
Illustration 34:	Bio Swale and Typical Ribbon Curb
Illustration 35:	Typical Lot Layouts SF-6: 50'; 60' and 70' wide lots
Illustration 36:	Typical Lot Layouts SF-4.5; SF-Alley Loaded and SF-Detached Garage
Illustration 37:	Typical Lot Layouts Duplex; Townhome and Patio Home-Zero Lot Line
Illustration 38:	Areas where Houses May Back Up to a Public Street
Illustration 39:	Allowable Commercial Orientation
Illustration 40:	Water Quality / Stream Setback
Illustration 41:	Survey Map
Illustration 42:	Survey Map Notes

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## 13.5 Applicable Ordinances

- 13.5.1 City Code of Ordinances, Subpart B – Land Development Code, Chapter 4, Article 2, Division 1, Section 4.2.1.5 - SF-6, Single-Family District; Section 4.2.1.6 - SF-4.5, Single-Family District; Section 4.2.1.7 - D, Duplex Residential District (Low Density); Section 4.2.1.9 - TH, Townhouse Residential District; and Section 4.2.1.10 - PH-ZL, Patio Home, Zero-Lot-Line Residential District Design Standards
- 13.5.2 City Code of Ordinances, Subpart B – Land Development Code, Chapter 4, Article 4, Division 2, Section 4 - Procedure for Determining Alternative Exterior Materials
- 13.5.3 City Code of Ordinances, Subpart B – Land Development Code, Chapter 4, Article 4, Division 3 – Multi Family Residential Design Standards
- 13.5.4 City Code of Ordinances, Subpart B – Land Development Code, Chapter 6, Article 1, Division 1, Section 4 – Required Landscape Area Standards
- 13.5.6 City Code of Ordinances, Subpart B – Land Development Code, Chapter 6, Article 1, Division 2, Section 1 - Non Residential and Multi-Family Screening Required (New Construction)
- 13.5.7 City Code of Ordinances, Subpart B – Land Development Code, Chapter 6, Article 5 – Lighting and Glare Standards
- 13.5.8 City of San Marcos - Land Development Code, Technical Manual, Article 2: Preferred Plant List, Division 2 – Blackland Prairie Planting Materials and Division 3 – Discouraged Planting Materials
- 13.5.9 Sensible Landscaping for Central Texas, A Guide for Home Builders and Homeowners
- 13.5.10 City of San Marcos Stormwater Technical Manual, Appendix N - Aesthetically Enhanced Detention and Water Quality Basins
- 13.5.11 City Code of Ordinances, Subpart B – Land Development Code, Chapter 1, Article 6, Division 2 – Subdivision Concept Plats



### Land Use Legend

Land Use	Acres	Units	Sq. Ft.
<span style="color: yellow;">█</span> PD - SF, Single Family District *Includes Elementary School Site	237.9	995	
<span style="color: brown;">█</span> PD - MF, Multi-Family District	35.4	850	
<span style="color: orange;">█</span> PD - GC, General Commercial District	44.0		1,000,000
<span style="color: lightcoral;">█</span> PD - CC, Community Commercial District	11.7		150,000
<span style="color: pink;">█</span> PD - NC, Neighborhood Commercial District	9.3		50,000
<span style="color: lightgreen;">█</span> PD - OS, Open Space **Includes Private Amenity Center, Pocket Parks	57.8		
<span style="color: gray;">█</span> ROW	21.5		
<b>Total</b>	<b>417.6</b>	<b>1,845</b>	<b>1,200,000</b>

### Legend

<span style="color: yellow;">▬</span>	Property Boundary
<span style="color: yellow;">▬</span>	San Marcos City Limits
<span style="color: blue;">✱</span>	Possible Elem. School Location
<span style="color: pink;">✱</span>	Private Amenity Center (Conceptual Location)
<span style="color: green;">✱</span>	Possible Pocket Park Location
<span style="color: gray;">↔</span>	Connectivity Locations (These are conceptual and not to be construed as exact locations)



712 Congress Avenue, Suite 300  
 Austin, TX 78701  
 Tel: (512) 480-0032 Fax: (512) 480-0617  
 www.rvpplanning.com

All information furnished regarding this property is from sources deemed reliable. However, RVI has not made an independent investigation of the property and does not warrant the accuracy of the information. The land use plan is conceptual in nature and does not require any regulatory approval. Land plans are subject to change. The developer has reserved the right, without notice, to amend, modify, or delete any aspect of the development to comply with governmental requirements and to fulfill its marketing objectives.

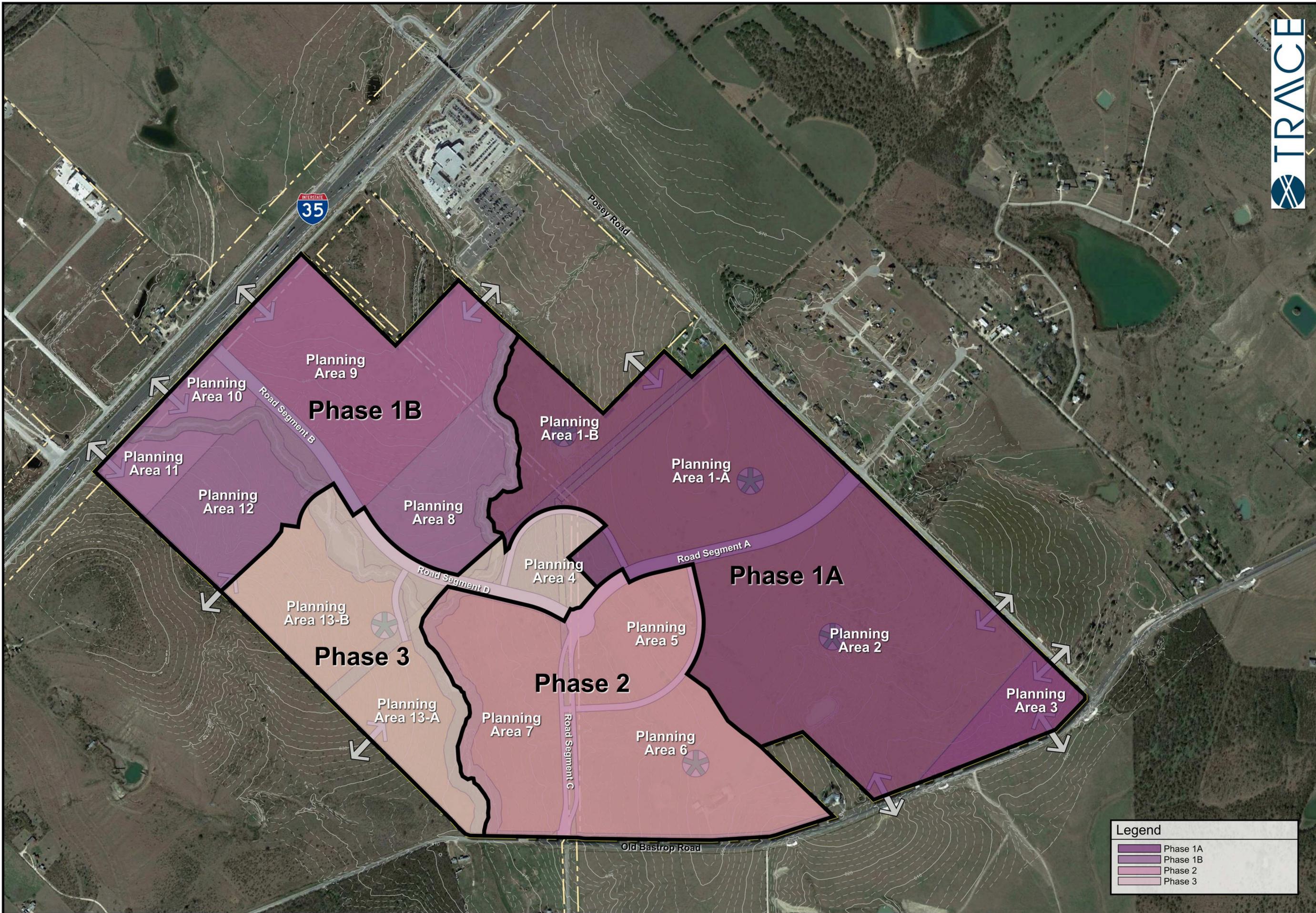
Illustration 7 - Concept Zoning Plan

SCALE: 1"=300'  
 0 150 300 600  
 DATE: 07-29-2015



Aerial Photography circa January 2014  
 2' Contour Interval

**Highpointe Communities**  
 San Marcos, Texas



Legend	
<span style="display:inline-block; width:15px; height:10px; background-color:purple; border:1px solid black;"></span>	Phase 1A
<span style="display:inline-block; width:15px; height:10px; background-color:mediumslateblue; border:1px solid black;"></span>	Phase 1B
<span style="display:inline-block; width:15px; height:10px; background-color:lightpurple; border:1px solid black;"></span>	Phase 2
<span style="display:inline-block; width:15px; height:10px; background-color:lightpink; border:1px solid black;"></span>	Phase 3



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Illustration 8 - Phasing Plan

SCALE: 1"=300'  
 0 150 300 600  
 DATE: 07-29-2015

Aerial Photography circa January 2014  
 2' Contour Interval



**Highpointe  
 Communities**  
 San Marcos, Texas

**City of San Marcos**  
**PLANNED DEVELOPMENT DISTRICT**  
**ZONING / LAND USE PLAN / WRITTEN DEVELOPMENT STANDARDS**

	<u>APPLICANT</u>	<u>PROPERTY OWNER</u>	<u>CONSULTANT</u>
Name:	Highpointe Investments, Inc	JOQ San Marcos, Ventures, LP	Caren L. Williams
Mailing Address:	20 Enterprise, Ste. 320 Aliso Viejo, CA. 92656	Attn: Robert C. Wilson P.O. Box 27501 Houston, TX 77227	P.O. Box 2559 San Marcos, TX 78667
Telephone No.:	512-757-7006		512-757-7006
E-mail address:	Caren.williams@highpointeinc.com	wilson@glokdhco.com	Caren@starlandandrealty.com

**PROPERTY DESCRIPTION:**

Street: Posey Road Address No.: No.

Legal Description (if platted): attached

Proposed Subdivision Name (if not platted): Trace

\* a metes and bounds description is required if property is a partial lot or is not platted

Appraisal District Tax ID No.: R 18632, 18633, 18634, 18657 Acres: 417.6

Current Master Plan Land Use Designation(s): Employment Center, Med. Intensity, Area of Stability / low intensity

Property is located in:  City Limits  ETJ (County) Hays  
 San Marcos River Corridor  Edwards Aquifer Recharge Zone

Total Land Area Within 100-Year Floodplain, if any None Acre(s)

Lien Holder(s) - for notification purposes:  
Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

(If more than one lien holder, please provide information on a separate page)

A certificate of no tax delinquency must be attached to this application

**PROPOSED DEVELOPMENT:**

Proposed New Base Zoning Classification: PDD

Proposed New Master Plan Land Use Designation(s), if any: N/A

Proposed Use(s) of Land and Buildings: Mixed use community with single family, multi-family, commercial, business park, openspace, parks, school site and retail.

Number of Lots: 995 Residential Density: 4.17 (Units/Acre)

Total Number of Dwelling Units, if any: 1845

Total Land Area Allocated to Non-Residential Use, if any: 143.6 Acre(s)

**SUBMITTAL REQUIREMENTS:**

- **Application Fee** of \$1,500 plus \$100 per acre (\$4,000 maximum) plus \$10.00 Technology Fee payable to the City of San Marcos.
- **Name(s) and Mailing Address(es) of Property Lien-Holder(s)**, if any.
- **If not platted**, a metes and bounds legal description of the property.
- **One Reproducible or 15 Non-Reproducible Copies of the proposed Land Use Plan.**
- **Written Development Standards**
- **If in the San Marcos River Corridor**, an SMRC Development Application, if not incorporated in the PDD Development Plan, a separate SMRC site Plan.

*I certify the preceding information is complete and accurate. If I am not the property owner of record, or if the applicant is an organization or business entity, I hereby affirm that I have been authorized to represent the owner, organization, or business in this application.*

Signature: Caren L. Williams Date: 1-12-15

Printed Name: Caren L. Williams

**To be completed by Staff:**

Meeting Date: \_\_\_\_\_ Application Deadline: \_\_\_\_\_

Accepted By: A. Brake Date: 1-12-15

## AGREEMENT TO THE PLACEMENT OF ZONING NOTIFICATION SIGNS

The City of San Marcos Land Development Code provides that notification signs shall be placed on any property that is the subject of a zoning change, zoning variance, or conditional use permit. The signs shall be placed on the property by the Development Services-Planning Department staff prior to the 10<sup>th</sup> day before the scheduled public hearing based on the following criteria:

- Signs shall be placed on each street for property having multiple street frontages
- Signs shall be placed in a visible, unobstructed location near the front property line

Signs shall remain in place until final action is taken on the application, unless the case is formally withdrawn by the applicant prior to a final decision. Staff will remove the signs.

**It is the responsibility of the applicant to periodically check the sign locations to verify that signs remain in place and have not been vandalized or removed. It is the responsibility of the applicant to immediately notify the Development Services-Planning Department 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.

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*I have read the above statement and agree to allow the placement of notification signs as required on the project covered by the attached request. The City's Development Services-Planning staff has my permission to place these signs on my property. I will notify City staff if the sign is damaged or removed.*

Caren L. Williams  
Signature of Applicant

1-12-15  
Date

FOR STAFF USE ONLY:	
Sign (s) were placed by staff on _____	by _____
Sign (s) were removed by staff on _____	by _____



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Legislation Text

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**File #:** ID#15-470, **Version:** 1

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**AGENDA CAPTION:**

Development Services Report:

1. Zoning for Character Workshops: Aug. 19 & 20
2. Joint City Council and Planning & Zoning Commission Code SMTX & Comp Plan Updates Workshop-  
September 30, 2015

**Meeting date:** August 11, 2015

**Department:** Planning and Development Services

**Funds Required:** n/a

**Account Number:** n/a

**Funds Available:** n/a

**Account Name:** n/a

**CITY COUNCIL GOAL:**

**BACKGROUND:**