



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final Planning and Zoning Commission

Tuesday, October 13, 2015

6:00 PM

City Council Chambers

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 September 22, 2015.
2. PC-15-34_03 (Cottonwood Creek Phase 1, Section 3) Consider a request by Ramsey Engineering, LLC, on behalf of Cottonwood Creek JDR, LTD, for approval of a Final 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

3. CUP-15-31 (Garcia's Mexican Food Restaurant) Hold a public hearing and consider a request by Garcia-Ybarra Investments on behalf of Garcia's Mexican Food Restaurant for the renewal of a Conditional Use Permit to allow the continued sale of beer and wine for on-premise consumption at 1917 Dutton Drive Suite 200. (W. Parrish)
4. PSA-15-02 (Wonder World Drive and Hunter Road) Hold a public hearing and consider a request by Pape-Dawson Engineers for a Preferred Scenario Amendment to change an Area of Stability and Open Space to an Employment Center and Open Space for an approximately 16.8 acre tract, more or less, out of the J.M. Veramendi Survey, Abstract 17, located at the northwest corner of Wonder World Drive and Hunter Road. (A. Brake)

NON-CONSENT AGENDA

5. Development Services Report:
 1. Texas APA Current Planning Award: Sidewalk Cafes, Parklets & Similar Uses of Public Right-of-Way, presented October 9 at Texas APA Conference

V. Question and Answer Session with Press and Public.

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

VI. Adjournment

Notice of Assistance at the Public Meetings

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

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

_____ Title:



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Legislation Text

File #: ID#15-606, **Version:** 1

AGENDA CAPTION:

Consider approval of the minutes of the Regular Meeting on September 22, 2015.

Meeting date: October 13, 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

Meeting Minutes DRAFT Planning and Zoning Commission

Tuesday, September 22, 2015

6:00 PM

City Council Chambers

630 E. Hopkins

I. Call To Order

II. Roll Call

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 September 22, 2015 in the Council Chambers of the City of San Marcos, City Hall, 630 E. Hopkins, San Marcos, Texas 78666.

Present 8 - Chairperson Chris Wood, Vice Chair Kenneth Ehlers, Commissioner Angie Ramirez, Commissioner Amy Stanfield, Commissioner Jim Garber, Commissioner Travis Kelsey, Commissioner Shawn Dupont, and Commissioner Saul Gonzales

Absent 1 - Commissioner Brian Olson

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 September 8, 2015.
2. PC-15-32_03 (Blanco Vista, Tract K-1 Final Plat) Consider a request by CSF Civil Group, on behalf of Brookfield Residential, for approval of a Subdivision Improvement Agreement and Final Plat for approximately 34.566 acres, more or less, out of the William Ward League Survey, Abstract 467, located west of Royal Oak Boulevard. (A. Brake)

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

For: 8 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

Absent: 1 - Commissioner Olson

PUBLIC HEARINGS

3. CUP-15-25 (A Tan Sushi) Hold a public hearing and consider a request by A Tan LLC on behalf of A Tan Asian Bistro & Sushi Bar for a new Conditional Use Permit to allow the sale of mixed beverages for on-premise consumption at 407 S Stagecoach Trail, Suite 101. (A Villalobos)

Chair Wood opened the public hearing.

Andrea Villalobos, Staff Planning Tech gave an overview of the request.

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

A motion was made by Commissioner Kelsey, seconded by Commissioner Dupont, that CUP-15-25 (A Tan Sushi) be approved with the following conditions that the CUP shall be valid for one (1) year, provided standards are met, subject to the point system; the permit shall be effective upon the issuance of the Certificate of Occupancy; and the CUP shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 8 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

Absent: 1 - Commissioner Olson

4. CUP-15-26 (Wok & Roll) Hold a public hearing and consider a request by Johnny Lai and Mei Wan Lai, on behalf of Fortune Corner LLC., for a renewal of a Conditional Use Permit to allow for the sale of beer and wine at 812 S Guadalupe Street, Suite 101. (W. Parrish)

Chair Wood opened the public hearing.

Will Parrish, Staff Planning Tech gave an overview of the request.

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

A motion was made by Commissioner Kelsey, seconded by Vice Chair Ehlers, that CUP-15-26 be approved with the following conditions that the CUP shall be valid for the life of the TABC license, provided standards are met, subject to the point system; and the CUP shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 8 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

Absent: 1 - Commissioner Olson

5. CUP-15-27 (The Growling Wolf) Hold a public hearing and consider a request by The Growling Wolf LLC, on behalf of Lynx Property Services, for a Conditional Use Permit to allow for the sale of beer and wine for on premise consumption at 700 North LBJ, Suite 111. (W. Parrish)

Chair Wood opened the public hearing.

Will Parrish, Staff Planning Tech gave an overview of the request.

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

A motion was made by Vice Chair Ehlers, seconded by Commissioner Kelsey, that CUP-15-27 (The Growling Wolf) be approved with the following conditions that the CUP shall be valid for one (1) year, provided standards are met, subject to the point system; and the CUP shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 8 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

Absent: 1 - Commissioner Olson

6. CUP-15-30 (Tantra Coffee House) Hold a public hearing and consider a request by Tantra Coffee House LLC, on behalf of Tantra Coffee House, for a renewal of a Conditional Use Permit to allow the continued sale of beer and wine for on-premise consumption at 217 W Hopkins Street. (A. Villalobos)

Chair Wood opened the public hearing.

Andrea Villalobos, Staff Planning Tech gave an overview of the request.

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

A motion was made by Commissioner Dupont, seconded by Commissioner Ramirez, that CUP-15-30 (Tantra Coffee House) be approved with the following conditions that the CUP shall be valid for the life of the TABC

license, provided standards are met, subject to the point system; and the CUP shall be posted in the same area and manner as the Certificate of Occupancy.

The motion carried by the following vote:

For: 8 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

Absent: 1 - Commissioner Olson

7. PSA-15-01 (Blanco Riverwalk) Hold a public hearing and consider a request by Vigil & Associates for a Preferred Scenario Amendment to change from an Area of Stability / Low Intensity to an Employment Center for an approximately 116.628 acre tract out of the Blanco Riverwalk Subdivision located along the west side of IH-35 between Carlson Circle and Yarrington Road. (A. Villalobos)

Chair Wood opened the public hearing.

Andrea Villalobos, Staff Planning Tech gave an overview of the request.

Robert McDonald, 3735 Lost Creek Blvd, Austin, stated that they acquired the property January 1st and was already platted and zoned. He explained that very little activity had occurred because the current zoning does not allow a warehouse component in a business park. Mr. McDonald stated that they acquired the property with the intention to begin four projects immediately almost eight months ago. He added that the tract A, three of the four projects that they planned to start all have a warehouse component. Mr. McDonald said that a lack of the ability to include a warehouse component in the projects has been an issue. He pointed out that they have lost two prospective employers this year. He stated he was available to answer questions. Mr. McDonald added that he does not agree with staff regarding Lot 1, Block F. He feels the requested use is an appropriate use.

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

A motion was made by Commissioner Kelsey, seconded by Vice Chair Ehlers, that PSA-15-01 (Blanco Riverwalk) be approved with the following staff recommendations: Recommendation of approval of the request to change from an Area of Stability/Low Intensity to an Employment Center for Block A, B, and Block E. Recommendation of denial of the request to change from an Area of Stability/Low Intensity to an Employment Center for Lot 1, Block F. The motion carried by the following vote:

For: 5 - Vice Chair Ehlers, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber and Commissioner Kelsey

Against: 3 - Chairperson Wood, Commissioner Dupont and Commissioner Gonzales

Absent: 1 - Commissioner Olson

8. PSA-15-02 (Wonder World Drive and Hunter Road) Hold a public hearing and consider a request by Pape-Dawson Engineers for a Preferred Scenario Amendment to change an Area of Stability and Open Space to an Employment Center and Open Space for an approximately 16.8 acre tract, more or less, out of the J.M. Veramendi Survey, Abstract 17, located at the northwest corner of Wonder World Drive and Hunter Road. (A. Brake)

Chair Wood announced that the applicant requested postponement of consideration to the October 13, 2015 Planning and Zoning Commission meeting.

Chair Wood opened the public hearing.

There were no citizen comments.

A motion was made by Commissioner Ramirez, seconded by Commissioner Kelsey, to recommend approval to open the public hearing and to postpone the staff presentation and consideration to the October 13, 2015 meeting. The Public Hearing was continued to October 13, 2015. The motion carried by the following vote:

For: 8 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

Absent: 1 - Commissioner Olson

9. **PDD-15-01(2) (I-35 & Posey Road)** Receive a staff presentation and hold a public hearing for a request by Highpointe Investments, LLC, for a zoning of "PDD," Planned Development District, with various base zoning districts, 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.

Chair Wood opened the public hearing.

Brandon Melland, Senior Planner gave an overview of the request.

Meeting went into a five minute Recess.

Meeting Reconvened.

Caren Williams, Project Manager, Land Development Consultant-Realtor for the project gave a brief presentation.

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

A motion was made by Commissioner Kelsey, seconded by Commissioner Ramirez, that PDD-15-01(2) (I-35 & Posey Road) be approved with the

following conditions: 1. The attached PDD Master Plan Document is approved with staff redlined revisions. 2. The meets and bounds legal description is provided for each of the proposed base zoning districts indicated within the concept plan prior to second reading of the Ordinance. 3. The revised “Land Use Matrix” be incorporated into the PDD Master Plan Document (updated version provided by applicant). 4. The developer shall work with city staff to develop permit checklists for staff to utilize when reviewing future development within the PDD. 5. The attached “Parks Cost Estimate” spreadsheet be incorporated into the appendix of the PDD Master Plan Document. 6. The staff recommendations identified in Exhibit A “Developer Memo – Response by Staff” and shown on the previous two slides, shall be incorporated into the PDD Master Plan document.

A motion was made by Commissioner Garber, seconded by Vice Chair Ehlers, that PDD-15-01(2) (IH-35 & Posey Road) be amended to include that the first bullet point within Section 6.2.1 of the proposed PDD Master Plan Document Redline, shall be stricken;. The motion carried by the following vote:

For: 8 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

Absent: 1 - Commissioner Olson

A motion was made by Commissioner Gonzales, seconded by Commissioner Garber, that PDD-15-01(2) (I-35 & Pose Rd) be amended as follows: That section 2.1.1 of the proposed PDD Master Plan Document Redline shall be modified to indicate a maximum of 30% of the 32’ and 40’ alley loaded lots. The motion carried by the following vote:

For: 8 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

Absent: 1 - Commissioner Olson

A motion was made by Vice Chair Ehlers, seconded by Commissioner Stanfield, that PDD-15-01(2) (I-35 & Pose Rd) be amended as follows: that items listed on the “Memo” to the Planning & Zoning Commission, by Caren L. Williams, listed respectively as Page 44, Page 45, Page 46, Page 49, Page 50, Page 52, and Page 54” shall be incorporated into the proposed PDD Master Plan Document Redline. The motion carried by the following vote:

For: 7 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey and Commissioner Dupont

Against: 0

Absent: 2 - Commissioner Olson and Commissioner Gonzales

Chair Wood called for a vote on the Main Motion to approve PDD-15-01(2) (I-35 & Posey Road) with the following conditions: 1. The attached PDD Master Plan Document is approved with staff redlined revisions; 2. The meets and bounds legal description is provided for each of the proposed base zoning districts indicated within the concept plan prior to second reading of the Ordinance; 3. The revised “Land Use Matrix” be incorporated into the PDD Master Plan Document (updated version provided by applicant); 4. The developer shall work with city staff to develop permit checklists for staff to utilize when reviewing future development within the PDD; 5. The attached “Parks Cost Estimate” spreadsheet be incorporated into the appendix of the PDD Master Plan Document; 6. The staff recommendations identified in Exhibit A “Developer Memo – Response by Staff” and shown on the previous two slides, shall be incorporated into the PDD Master Plan document; 7. That the first bullet point within Section 6.2.1 of the proposed PDD Master Plan Document Redline, shall be stricken; 8. That section 2.1.1 of the proposed PDD Master Plan Document Redline shall be modified to indicate a maximum of 30% of the 32’ and 40’ alley loaded lots. 9. That items listed on the “Memo” to the Planning & Zoning Commission, by Caren L. Williams, listed respectively as Page 44, Page 45, Page 46, Page 49, Page 50, Page 52, and Page 54” shall be incorporated into the proposed PDD Master Plan Document Redline. The motion carried by the following vote.

For: 8 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

Absent: 1 - Commissioner Olson

NON-CONSENT AGENDA

10. Development Services Report:

1. Joint P&Z and Council Workshop, Sept. 30, 5:30 p.m., Activity Center
2. APA Conference, Oct. 7-9, Galveston, TX

Shannon Mattingly, Planning & Development Director reminded the Commission about the September 30th Joint City Council and Planning Commission workshop and the Oct 7-9 APA Conference.

V. Question and Answer Session with Press and Public.

There were no questions from the press and public.

VI. Adjournment

A motion was made that the meeting be adjourned at 8:50 p.m. The motion carried by a unanimous vote.

Chris Wood, Chair

Kenneth Ehlers, Vice Chair

Travis Kelsey, Commissioner

Angie Ramirez, Commissioner

Amy Stanfield, Commissioner

Shawn Dupont, Commissioner

Jim Garber, 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

File #: PC-15-34_03, **Version:** 1

AGENDA CAPTION:

PC-15-34_03 (Cottonwood Creek Phase 1, Section 3) Consider a request by Ramsey Engineering, LLC, on behalf of Cottonwood Creek JDR, LTD, for approval of a Final 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: October 13, 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

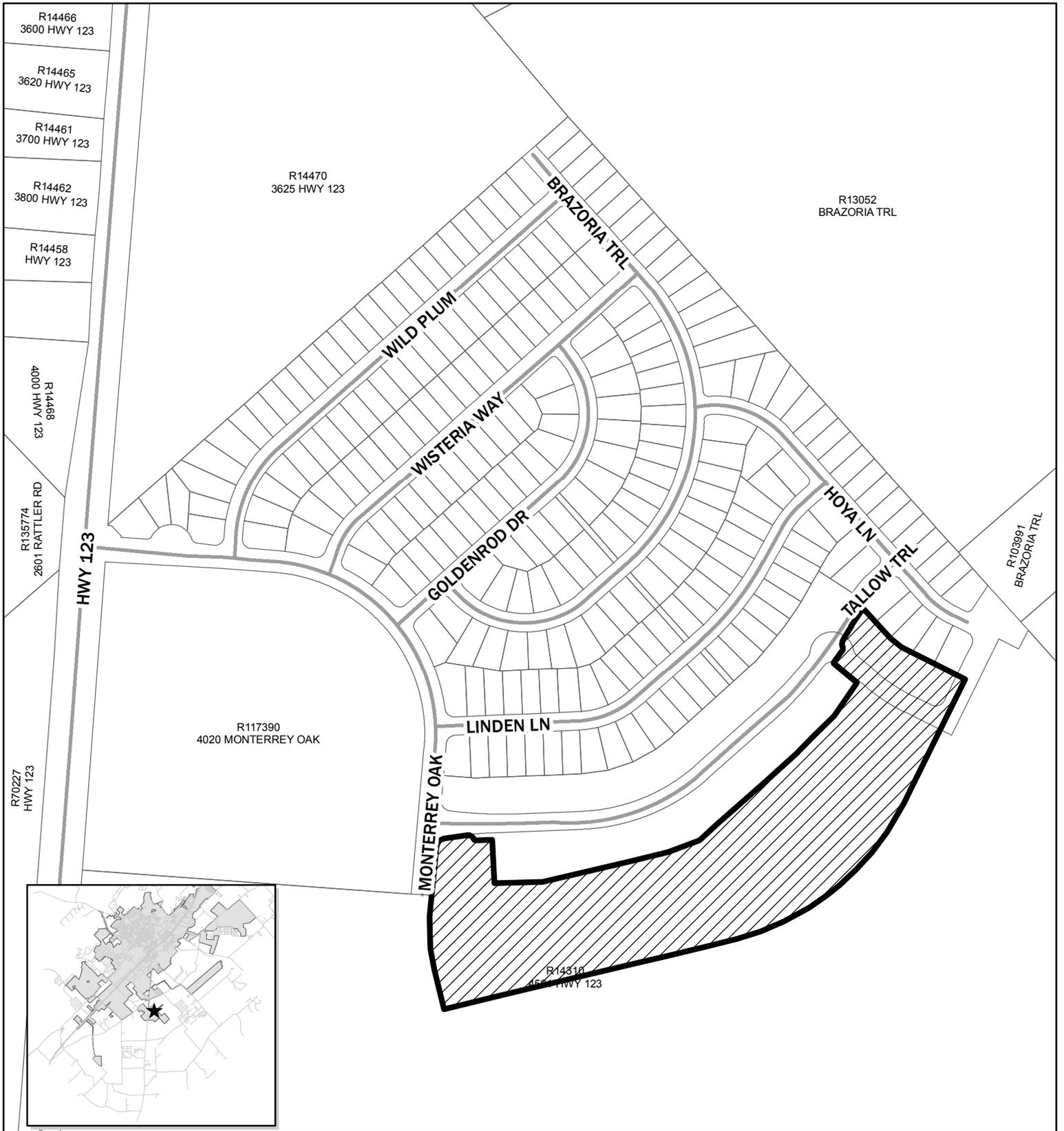
COMPREHENSIVE PLAN ELEMENT(S): N/A

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. 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.

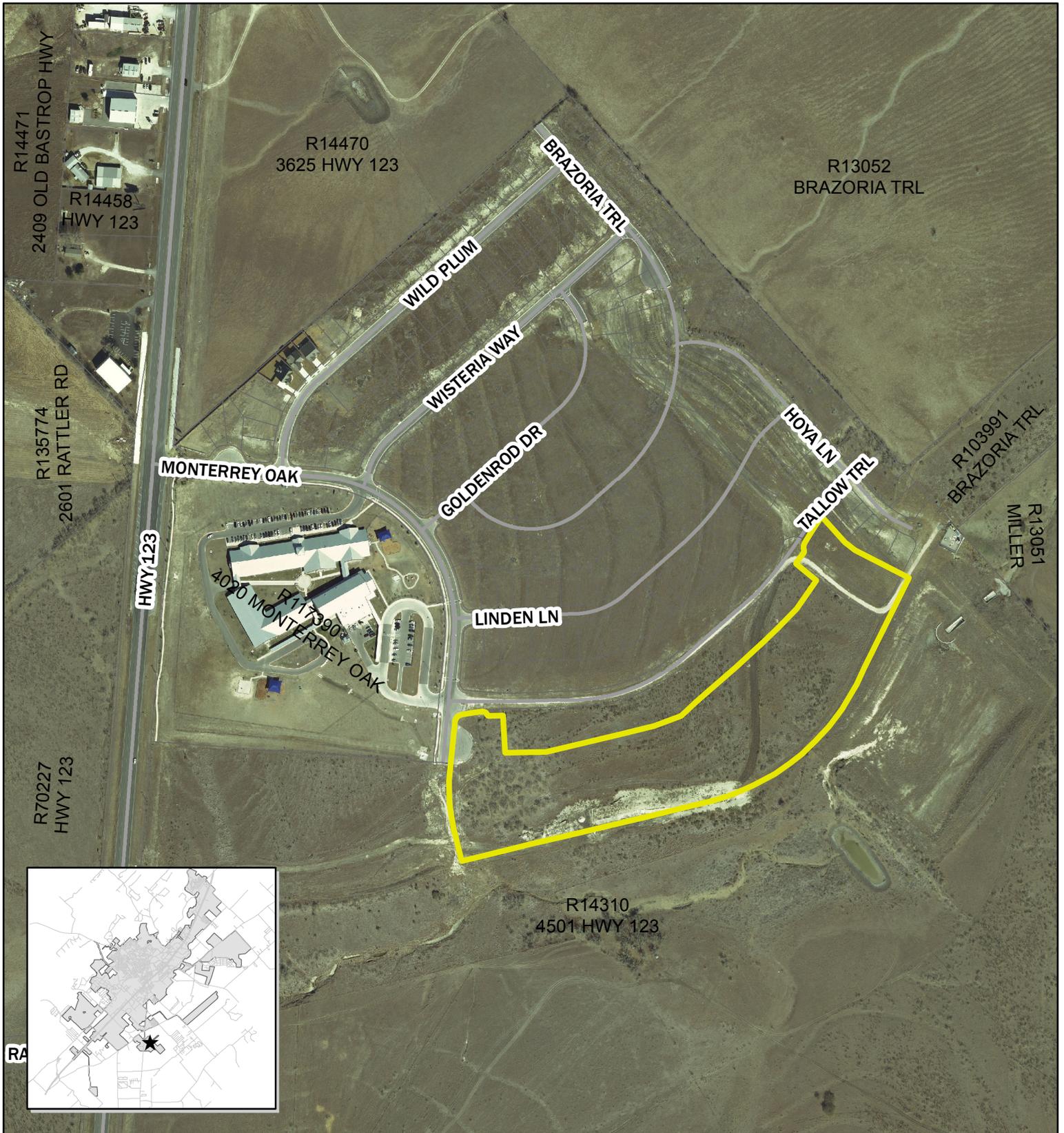


PC-15-34_03
Cottonwood Creek
Phase 1, Section 3
Map Date: 9/30/2015

 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-15-34_03
Cottonwood Creek
Phase 1, Section 3
Map Date: 9/30/2015

 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-15-34_03 Cottonwood Creek Phase 1, Section 3 Final 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:** Final 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 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:

A preliminary plat for this phase was approved without conditions by the Planning and Zoning Commission on August 11, 2015. This final plat encompasses the entirety of the approved preliminary plat.

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, Park Lane, and Shadow Cove. Water and wastewater lines will be extended through these roads. Park Land and Shadow Court have been identified as duplicate street names by Hays County. Staff is recommending approval with the conditions that the street names be changed and approved by the County prior to recordation of the final plat.

Staff has reviewed the request and determined that all of the above criteria have been met and is recommending **approval** with the following conditions:

- 1. That Shadow Cove and Park Land Street names and approved be changed by Hays County prior to plat recordation.**

Planning Department Recommendation	
<input type="checkbox"/>	Approve as submitted
<input checked="" 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 Final Subdivision 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, or to statutorily deny (an action that keeps the applicant "in process") the plat.

Prepared by:

Tory Carpenter, CNU-A	Planner	September 30, 2015
Name	Title	Date

Attachments

- Plat
- Application

COTTONWOOD CREEK SUBDIVISION

PHASE 1, SECTION 3

IN THE CITY OF SAN MARCOS

HAYS COUNTY, TEXAS

CITY OF SAN MARCOS CERTIFICATE OF APPROVAL:

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

 CHRIS WOOD, CHAIRMAN DATE
 PLANNING AND ZONING COMMISSION

 SHANNON S. MATTINGLY, AICP DATE
 DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES

 FRANCIS SERNA DATE
 RECORDING SECRETARY

 _____ DATE
 ENGINEERING AND CAPITAL IMPROVEMENTS

STATE OF TEXAS §
 COUNTY OF HAYS § KNOWN BY ALL MEN PRESENTS

OWNER'S CERTIFICATION:

THAT THE UNDERSIGNED, COTTONWOOD CREEK JDR, LTD., A TEXAS LIMITED LIABILITY PARTNERSHIP, ACTING THROUGH OUR DULY AUTHORIZED REPRESENTATIVE, RANDALL MORRIS, PRESIDENT, OWNERS OF THAT CERTAIN 12.06 ACRES OF LAND OUT OF 272.24 ACRES OF LAND, DESCRIBED AS TRACT 1, AS CONVEYED IN VOLUME 2457, PAGE 9, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, WHICH INCLUDES 0.47 ACRES OF LAND OUT OF THE PREVIOUSLY RECORDED COTTONWOOD CREEK SUBDIVISION PHASE 1, SECTION 1A, VOLUME 12, PAGES 313-318, HAYS COUNTY, PLAT RECORDS, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS HEREON, SUBJECT TO ANY EASEMENTS PREVIOUSLY GRANTED AND NOT RELEASED, TO BE KNOWN AS, COTTONWOOD CREEK SUBDIVISION, PHASE 1, SECTION 2.

 RANDALL MORRIS, PRESIDENT DATE
 COTTONWOOD CREEK JDR, LTD.
 333 CHEATHAM STREET, SAN MARCOS, TEXAS 78666

STATE OF _____ §
 COUNTY OF _____ § KNOWN BY ALL MEN PRESENTS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, _____, AUTHORIZED AGENT OF COTTON WOOD CREEK JDR, LTD., ON BEHALF OF SAID COTTONWOOD CREEK JDR, LTD., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2015, A.D.

 NOTARY PUBLIC DATE
 IN AND FOR THE STATE OF _____

GENERAL NOTES:

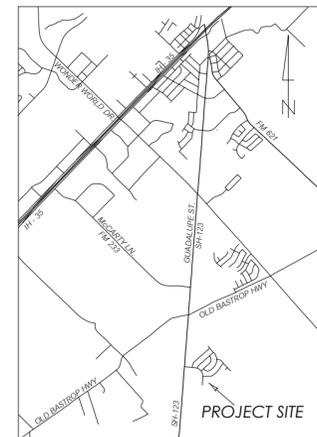
1. SIDEWALKS ARE REQUIRED AT THE TIME OF SITE DEVELOPMENT.
2. THIS SUBDIVISION IS NOT LOCATED WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
3. THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF THE SAN MARCOS INDEPENDENT SCHOOL DISTRICT.
4. THIS IS SUBJECT TO ANY AND ALL EASEMENTS AND DEDICATIONS OF THE COTTONWOOD CREEK PHASE 1, SECTION 1A, AS RECORDED IN VOLUME 12, PAGE 313, P.R.H.C.TX. UNLESS SHOWN OTHERWISE HEREON.
5. DEVELOPER WILL CONSTRUCT TRAILS AND PRIVATE PARKS WHILE THE HOMEOWNERS ASSOCIATION WILL OWN AND WILL BE RESPONSIBLE FOR MAINTENANCE. SEE VOLUME 3663, PAGE 661, O.P.R.H.C.TX. FOR COVENANTS AND RESTRICTIONS. THE TRAIL SHALL BE CONSTRUCTED IN COMPLIANCE WITH ADA STANDARDS; AND CROSSWALKS SHALL BE STRIPED WHERE THE TRAIL INTERSECTS ANY STREET. LOT 34 BLOCK K, LOT 36 BLOCK L AND LOT 7, BLOCK J ARE FOR PRIVATE PARKLAND TRAILS.
6. WATERSHED PROTECTION PLAN PHASE 2 PERMIT APPROVED. PERMIT # 05-085.
7. TRAIL CONSTRUCTION WILL OCCUR NO LATER THAN THE PRIVATE PARK IMPROVEMENTS OR THE IMPROVEMENTS WITHIN THE MEDIAN OF THE PARK LANE RIGHT OF WAY BY THE HOMEOWNERS ASSOCIATION (H.O.A.).
8. WHERE AND IF APPLICABLE, ZERO LOT LINE DWELLINGS WILL BE UNIFORMLY LOCATED ON THE SAME SIDE OF THE LOT WITHIN A STREET BLOCK.
9. WHERE AND IF APPLICABLE, ZERO LOT LINE DWELLINGS SHALL HAVE NO WINDOWS ON THE SIDE OF THE HOUSE WHICH ABUTS THE PROPERTY LINE.
10. THE PUBLIC IMPROVEMENT CONSTRUCTION PLANS ARE REQUIRED TO BE APPROVED BEFORE THE PLAT APPROVAL AND EITHER THE IMPROVEMENTS CONSTRUCTED OR SURETY POSTED FOR THE FILING OF THE PLAT.

SURVEYORS NOTE:

ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES UNLESS OTHERWISE NOTED.

BASIS OF BEARINGS:

THE BASIS OF BEARINGS OF THIS SURVEY SHOWN HEREON, IS THE TEXAS COORDINATE SYSTEM NAD83, TEXAS SOUTH CENTRAL ZONE, UTILIZING STATIC OBSERVATIONS AND CORRECTIONS PERFORMED BY THE NGS-OPUS WEBSITE.



FLOOD PLAIN NOTE:

NO PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100 YEAR FLOOD PLAIN OF ANY WATERWAY THAT IS WITHIN THE LIMITS OF STUDY OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS NO'S. 48209C0479F AND 48209C0483F, DATED SEPTEMBER 02, 2005, THIS TRACT FALLS WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN).

STATE OF TEXAS §
 COUNTY OF HAYS § KNOWN BY ALL MEN PRESENTS

I, LIZ GONZALEZ, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH IT'S CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 2015, A.D., AT _____ O'CLOCK __. M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN BOOK _____, PAGE(S) _____.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK OF SAID COUNTY
 THE _____ DAY OF _____, 2015, A.D.

 LIZ GONZALEZ, COUNTY CLERK
 HAYS COUNTY, TEXAS

ENGINEER'S CERTIFICATION:

I, STEPHEN RAMSEY, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

 STEPHEN RAMSEY DATE
 TEXAS REGISTRATION NO. - P.E. 47970
 RAMSEY ENGINEERING, LLC.,
 3206 YELLOWPINE TERRACE,
 AUSTIN, TEXAS 78757
 TBPE FIRM NO.: F-12606

SURVEYOR'S CERTIFICATION:

I, SCOTT A. HAHN, AM REGISTERED IN THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF LAND SURVEYING, AND DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION AND THAT THE MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

 SCOTT A. HAHN DATE
 TEXAS REGISTRATION NO. 6375
 SPOT ON SURVEYING
 1345 ELLIOTT RANCH ROAD
 BUDA, TX. 78610
 TBPLS FIRM NO.: 10193894

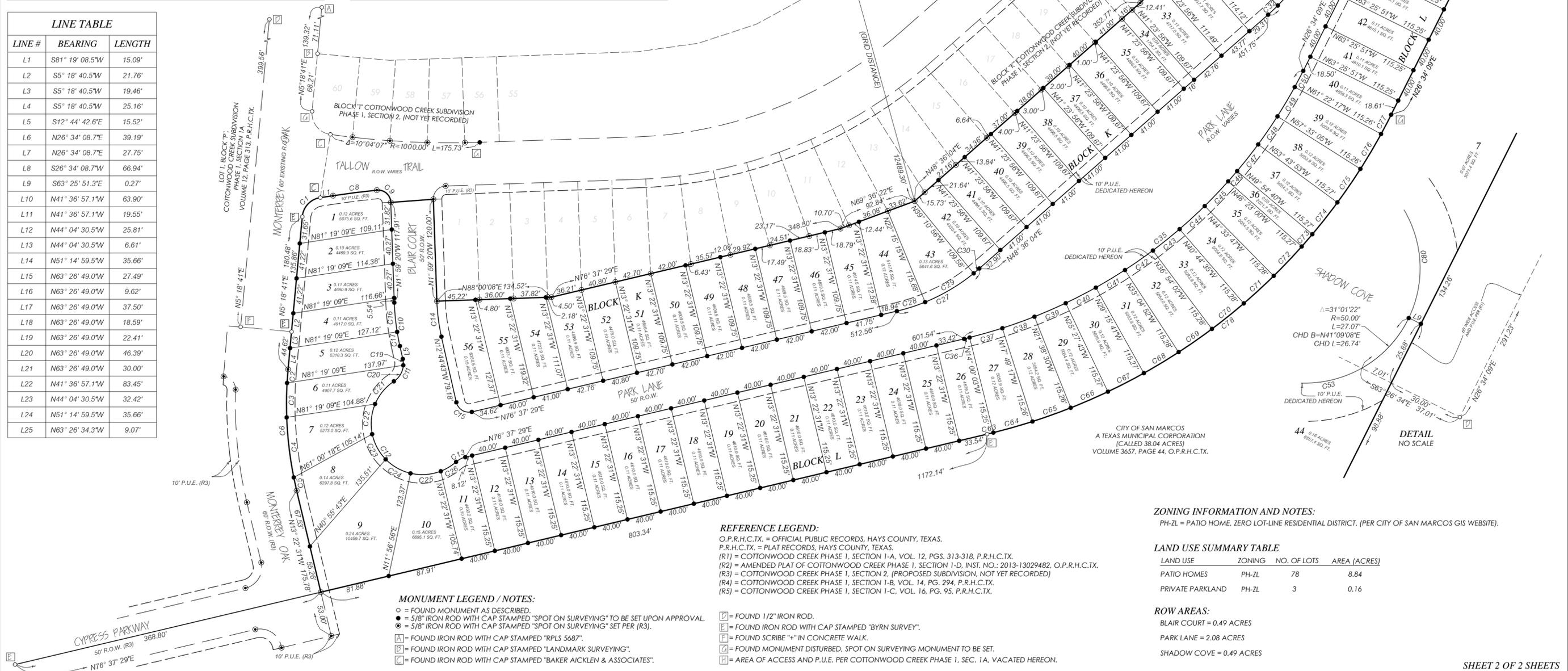


CURVE TABLE					
C #	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DIST.
C1	Δ=76°00'28"	R=25.00'	L=33.16'	S43°18'55"W	30.79'
C2	Δ=2°05'00"	R=440.00'	L=16.00'	S4°16'11"W	16.00'
C3	Δ=5°16'46"	R=440.00'	L=40.54'	S0°35'18"W	40.53'
C4	Δ=9°16'04"	R=440.00'	L=71.17'	S6°41'07"E	71.09'
C5	Δ=2°03'21"	R=440.00'	L=15.79'	S12°20'50"E	15.79'
C6	Δ=18°41'11"	R=440.00'	L=143.50'	S4°01'55"E	142.87'
C8	Δ=2°57'48"	R=999.99'	L=51.72'	S82°48'02"W	51.71'
C9	Δ=93°43'45"	R=15.00'	L=24.54'	N48°51'12"W	21.89'
C10	Δ=10°45'23"	R=275.00'	L=51.63'	S7°22'01"E	51.55'
C11	Δ=69°05'37"	R=25.00'	L=30.15'	N21°48'06"E	28.35'
C12	Δ=187°55'02"	R=60.00'	L=196.79'	N37°36'37"W	119.71'
C13	Δ=28°11'37"	R=25.00'	L=12.30'	S62°31'41"W	12.18'
C14	Δ=10°45'23"	R=225.00'	L=42.24'	S7°22'01"E	42.18'
C15	Δ=90°37'48"	R=15.00'	L=23.73'	N58°03'37"W	21.33'
C16	Δ=7°12'23"	R=274.83'	L=34.57'	S5°35'23"E	34.54'
C17	Δ=3°33'00"	R=275.35'	L=17.06'	S10°58'05"E	17.06'
C19	Δ=17°15'22"	R=25.00'	L=7.53'	S4°07'02"E	7.50'
C20	Δ=51°50'15"	R=25.00'	L=22.62'	S30°25'47"W	21.85'
C21	Δ=33°31'48"	R=60.00'	L=35.11'	S39°35'00"W	34.61'
C22	Δ=34°33'26"	R=60.00'	L=36.19'	S5°32'23"W	35.64'
C23	Δ=32°34'08"	R=60.00'	L=34.11'	S28°01'24"E	33.65'
C24	Δ=32°28'12"	R=60.00'	L=34.00'	S60°32'34"E	33.55'
C25	Δ=34°31'38"	R=60.00'	L=36.16'	N85°57'31"E	35.61'
C26	Δ=20°15'49"	R=60.00'	L=21.22'	N58°33'47"E	21.11'
C27	Δ=28°01'25"	R=225.00'	L=110.05'	S62°36'47"W	108.96'
C28	Δ=8°52'45"	R=225.00'	L=34.87'	N72°11'07"E	34.83'
C29	Δ=16°55'40"	R=225.00'	L=66.48'	N59°16'55"E	66.23'
C30	Δ=2°13'00"	R=225.00'	L=8.71'	N49°42'34"E	8.70'

CURVE TABLE					
C #	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DIST.
C31	Δ=22°01'55"	R=225.00'	L=86.52'	S37°35'06"W	85.99'
C32	Δ=3°59'00"	R=225.00'	L=15.64'	N46°36'34"E	15.64'
C33	Δ=17°17'05"	R=225.00'	L=67.88'	N35°58'32"E	67.62'
C34	Δ=0°45'50"	R=225.00'	L=3.00'	N26°57'04"E	3.00'
C35	Δ=50°03'21"	R=600.00'	L=524.18'	S51°35'49"W	507.67'
C36	Δ=0°37'33"	R=600.00'	L=6.55'	N76°18'43"E	6.55'
C37	Δ=3°49'13"	R=600.00'	L=40.01'	N74°05'20"E	40.00'
C38	Δ=3°49'13"	R=600.00'	L=40.01'	N70°16'07"E	40.00'
C39	Δ=3°49'13"	R=600.00'	L=40.01'	N66°26'54"E	40.00'
C40	Δ=3°47'58"	R=600.00'	L=39.79'	N62°38'18"E	39.78'
C41	Δ=3°49'11"	R=600.00'	L=40.00'	N58°49'44"E	39.99'
C42	Δ=3°49'11"	R=600.00'	L=40.00'	N55°00'33"E	39.99'
C43	Δ=3°50'32"	R=600.00'	L=40.24'	N51°10'42"E	40.23'
C44	Δ=3°49'13"	R=600.00'	L=40.00'	N47°20'49"E	40.00'
C45	Δ=3°49'12"	R=600.00'	L=40.00'	N43°31'37"E	40.00'
C46	Δ=1°31'41"	R=600.00'	L=16.00'	N40°51'10"E	16.00'
C47	Δ=3°49'12"	R=600.00'	L=40.00'	N38°10'43"E	40.00'
C48	Δ=3°49'12"	R=600.00'	L=40.00'	N34°21'31"E	40.00'
C49	Δ=3°49'12"	R=600.00'	L=40.00'	N30°32'19"E	40.00'
C50	Δ=2°03'35"	R=600.00'	L=21.57'	N27°35'56"E	21.57'
C51	Δ=81°58'53"	R=25.00'	L=35.77'	N14°25'18"W	32.80'
C52	Δ=140°17'05"	R=15.00'	L=36.73'	N83°18'27"W	28.22'
C53	Δ=141°11'38"	R=50.00'	L=123.21'	N83°45'43"W	94.32'
C54	Δ=55°26'06"	R=50.00'	L=48.38'	S67°11'02"E	46.51'
C55	Δ=20°39'06"	R=50.00'	L=18.02'	N74°46'22"E	17.92'
C56	Δ=52°06'36"	R=15.00'	L=13.64'	S89°29'52"E	13.18'
C57	Δ=1°00'08"	R=495.00'	L=8.66'	S62°56'30"E	8.66'
C58	Δ=5°33'14"	R=495.00'	L=47.98'	S59°39'49"E	47.96'

CURVE TABLE					
C #	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DIST.
C59	Δ=5°22'41"	R=495.00'	L=46.46'	S54°11'52"E	46.45'
C60	Δ=1°26'40"	R=495.00'	L=12.48'	S50°47'11"E	12.48'
C61	Δ=282°23'16"	R=50.00'	L=246.43'	S25°38'28"W	62.67'
C62	Δ=13°22'43"	R=495.00'	L=115.58'	S56°45'13"E	115.32'
C63	Δ=0°36'58"	R=715.00'	L=7.69'	N76°19'00"E	7.69'
C64	Δ=3°49'18"	R=715.00'	L=47.69'	N74°05'52"E	47.68'
C65	Δ=3°49'18"	R=715.00'	L=47.69'	N70°16'33"E	47.68'
C66	Δ=3°49'18"	R=715.00'	L=47.69'	N66°27'15"E	47.68'
C67	Δ=3°48'03"	R=715.00'	L=47.43'	N62°38'34"E	47.42'
C68	Δ=3°49'16"	R=715.00'	L=47.68'	N58°49'55"E	47.67'
C69	Δ=3°49'16"	R=715.00'	L=47.68'	N55°00'39"E	47.68'
C70	Δ=3°50'38"	R=715.00'	L=47.97'	N51°10'42"E	47.96'
C71	Δ=3°49'18"	R=715.00'	L=47.69'	N47°20'44"E	47.68'
C72	Δ=3°49'18"	R=715.00'	L=47.69'	N43°31'27"E	47.68'
C73	Δ=1°31'43"	R=715.00'	L=19.08'	N40°50'56"E	19.08'
C74	Δ=3°49'17"	R=715.00'	L=47.69'	N38°10'26"E	47.68'
C75	Δ=3°49'17"	R=715.00'	L=47.69'	N34°21'09"E	47.68'
C76	Δ=3°49'17"	R=715.00'	L=47.69'	N30°31'52"E	47.68'
C77	Δ=2°03'04"	R=715.00'	L=25.60'	N27°35'41"E	25.60'
C78	Δ=50°03'21"	R=715.00'	L=624.65'	N51°35'49"E	604.97'
C79	Δ=5°20'53"	R=545.00'	L=50.87'	N52°44'18"W	50.85'
C80	Δ=65°06'26"	R=50.00'	L=56.82'	S6°54'46"E	53.81'

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S81° 19' 08.5"W	15.09'
L2	S5° 18' 40.5"W	21.76'
L3	S5° 18' 40.5"W	19.46'
L4	S5° 18' 40.5"W	25.16'
L5	S12° 44' 42.6"E	15.52'
L6	N26° 34' 08.7"E	39.19'
L7	N26° 34' 08.7"E	27.75'
L8	S26° 34' 08.7"W	66.94'
L9	S63° 25' 51.3"E	0.27'
L10	N41° 36' 57.1"W	63.90'
L11	N41° 36' 57.1"W	19.55'
L12	N44° 04' 30.5"W	25.81'
L13	N44° 04' 30.5"W	6.61'
L14	N51° 14' 59.5"W	35.66'
L15	N63° 26' 49.0"W	27.49'
L16	N63° 26' 49.0"W	9.62'
L17	N63° 26' 49.0"W	37.50'
L18	N63° 26' 49.0"W	18.59'
L19	N63° 26' 49.0"W	22.41'
L20	N63° 26' 49.0"W	46.39'
L21	N63° 26' 49.0"W	30.00'
L22	N41° 36' 57.1"W	83.45'
L23	N44° 04' 30.5"W	32.42'
L24	N51° 14' 59.5"W	35.66'
L25	N63° 26' 34.3"W	9.07'



MONUMENT LEGEND / NOTES:

- = FOUND MONUMENT AS DESCRIBED.
- = 5/8" IRON ROD WITH CAP STAMPED "SPOT ON SURVEYING" TO BE SET UP APPROVAL.
- = 5/8" IRON ROD WITH CAP STAMPED "SPOT ON SURVEYING" SET PER (R3).
- ⊠ = FOUND IRON ROD WITH CAP STAMPED "RPLS 5687".
- ⊡ = FOUND IRON ROD WITH CAP STAMPED "LANDMARK SURVEYING".
- ⊢ = FOUND IRON ROD WITH CAP STAMPED "BAKER AICKLEN & ASSOCIATES".

REFERENCE LEGEND:

- O.P.R.H.C.T.X. = OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS.
- P.R.H.C.T.X. = PLAT RECORDS, HAYS COUNTY, TEXAS.
- (R1) = COTTONWOOD CREEK PHASE 1, SECTION 1-A, VOL. 12, PGS. 313-318, P.R.H.C.T.X.
- (R2) = AMENDED PLAT OF COTTONWOOD CREEK PHASE 1, SECTION 1-D, INST. NO.: 2013-13029482, O.P.R.H.C.T.X.
- (R3) = COTTONWOOD CREEK PHASE 1, SECTION 2, (PROPOSED SUBDIVISION, NOT YET RECORDED)
- (R4) = COTTONWOOD CREEK PHASE 1, SECTION 1-B, VOL. 14, PG. 294, P.R.H.C.T.X.
- (R5) = COTTONWOOD CREEK PHASE 1, SECTION 1-C, VOL. 16, PG. 95, P.R.H.C.T.X.

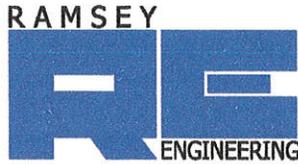
ZONING INFORMATION AND NOTES:

PH-ZL = PATIO HOME, ZERO LOT-LINE RESIDENTIAL DISTRICT. (PER CITY OF SAN MARCOS GIS WEBSITE).

LAND USE SUMMARY TABLE			
LAND USE	ZONING	NO. OF LOTS	AREA (ACRES)
PATIO HOMES	PH-ZL	78	8.84
PRIVATE PARKLAND	PH-ZL	3	0.16

ROW AREAS:

- BLAIR COURT = 0.49 ACRES
- PARK LANE = 2.08 ACRES
- SHADOW COVE = 0.49 ACRES



Ramsey Engineering, LLC

Civil Engineering - Consulting
TBPE Firm No. F-12606

3206 Yellowpine Terrace
Austin, Texas 78757
Cell: 512-650-6800
ramsey-eng@att.net

August 31, 2015

Ms. Shannon Mattingly, AICP, Director
City of San Marcos
Planning & Development Services
630 E. Hopkins Street
San Marcos, Texas 78666

RE: Cottonwood Creek Phase 1 Section 3
Final Plat Application
Project No. 15-013-15

Dear Ms. Mattingly:

Please accept this cover letter with attachments for the referenced Final Plat application. Attached please find the following items:

1. Complete Application;
2. Required City Fee of \$2,216.00;
3. Proof of Record Ownership (Warranty Deed);
4. Current 2014 Paid Tax Certificate;
5. CD for PDFs and CAD File; and
6. Five (5) copies of the Final Plat Document.

We trust you will find this application submittal to be complete and satisfactory. We request to be placed on the October 13, 2015 Planning & Zoning Commission Meeting agenda for approval action. Please let us know if you need anything else.

Sincerely,

A handwritten signature in black ink that reads "Stephen Ramsey". The signature is written in a cursive, flowing style.

Stephen Ramsey, P.E.
Manager/President

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: *Randall Morris*

Printed Name: Randall Morris Date: 8/31/15

Signature of Agent: *Stephen Ramsey, P.E.*

Printed Name: Stephen Ramsey, P.E. Date: 8/27/15

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

SUBJECT PROPERTY

Subdivision Name: COTTONWOOD CREEK PHASE 1 SECTION 3

Address or General Location: MONTERREY OAK AT TALLOW TRAIL

Proposed Number of Lots: 81 Acres: 12.06

Appraisal District Tax ID: R14310

Located In City Limits ETJ* - Please circle county: Caldwell Comal Guadalupe Hays

S.M. River Corridor Planned Development District

Proposed Use of Land RESIDENTIAL; PRIVATE PARKLAND

**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, *is recorded.*

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

Signature: *Randall Morris*

Printed Name: Randall Morris Date: 8-31/15

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

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

Comments/Conditions _____

Signature of Electric Company Official Rodney Gerik

Title Sr. Project Coordinator Date 8-27-2015

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:

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- 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* _____

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* _____

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: CENTER POINT ENERGY

Applicable Utility Service Code(s) B

Comments/Conditions _____

Signature of Gas Company Official [Signature]

Title MARKETING CONSULTANT Date 8/31/2015

Cottonwood Creek Phase 1 Section 3

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 _____

Signature of Water Utility Official: [Signature]

Title: Water Dept Manager Date: Aug 31, 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 _____

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:

Cottonwood Creek Phase 1, Section 3 Final Plat

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 City of San Marcos

Applicable Utility Service Code(s) A

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

Comments/Conditions _____

Signature of City or County Wastewater Official: Lloyd Juarez

Title: Wastewater coll. mgr. Date 8-31-15

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 CenturyLink, Inc. _____

Applicable Utility Service Code(s) C _____

Comments/Conditions Entrance easements needed. _____

Signature of Telephone Company Official Adam Monsen _____

Title: Engineer _____ Date 08/31/2015 _____

SUBMITTAL REQUIREMENTS FOR ALL PLATS:

- Complete application
- Required fees \$ 2,216.00 (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)
- 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: 8/27/15

*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: _____



Legislation Text

File #: CUP-15-31, **Version:** 1

AGENDA CAPTION:

CUP-15-31 (Garcia's Mexican Food Restaurant) Hold a public hearing and consider a request by Garcia-Ybarra Investments on behalf of Garcia's Mexican Food Restaurant for the renewal of a Conditional Use Permit to allow the continued sale of beer and wine for on-premise consumption at 1917 Dutton Drive Suite 200. (W. Parrish)

Meeting date: October 13, 2015

Department: Planning and Development Services

Funds Required: NA

Account Number: NA

Funds Available: NA

Account Name: NA

CITY COUNCIL GOAL: NA

COMPREHENSIVE PLAN ELEMENT(s): NA

BACKGROUND:

This Conditional Use Permit application is to authorize the sale of beer and wine at Garcia's Mexican Food Restaurant's second location in San Marcos. The Planning and Zoning Commission previously granted this restaurant a Conditional Use Permit valid for three (3) years on October 23, 2012. This restaurant is 3,300 square feet and has indoor seating for 94, with an additional 20 seats outdoors. The hours of operation are Monday through Saturday from 8:00 a.m. to 10:00 p.m. and Sunday from 8:00 a.m. to 9:00 p.m.

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

- 1. The CUP shall be valid for the life of the TABC permit, provided standards are met, subject to the point system; and**
- 2. The CUP shall be posted in the same area and manner as the Certificate of Occupancy.**



CUP-15-31
Garcia's Mexican Food Restaurant
1917 Dutton Drive Ste 200
Map Date: 9/29/2015

 Site Location

0 100 200 400
Feet



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

**CUP-15-31
 Conditional Use Permit
 Garcia's Mexican Food Restaurant
 1917 Dutton Drive Suite 200**



Applicant Information:

Applicant: Garcia-Ybarra Investments
 766 Haven Point Loop
 New Braunfels, TX 78123

Property Owner: Ben and Marcy McCollum
 1917 Dutton Drive
 San Marcos, TX 78666

Applicant Request: Request for renewal of a Conditional Use Permit (CUP) to allow the on-premise consumption of beer and wine.

Notification: Public hearing notification mailed on October 2, 2015

Response: None as of Staff Report Date

Subject Property:

Location: 1917 Dutton Drive Suite 200

Legal Description: San Marcos Business Park, Block 1, Lot 3

Frontage On: Dutton Drive

Neighborhood: NA

Existing Zoning: General Commercial (GC)

Utilities: Adequate

Existing Use of Property: Restaurant / Commercial Shopping Center

Zoning and Land Use:

	Current Zoning	Existing Land Use
N of Property	GC	Commercial
S of Property	GC, T5	Vacant, Commercial
E of Property	GC	Vacant
W of Property	GC	Commercial

Code Requirements:

A Conditional Use Permit (CUP) allows the establishment of uses which may be suitable only in certain locations or only when subject to standards and conditions that assure compatibility with adjoining uses. Conditional uses are generally compatible with permitted uses, but require individual review and imposition of conditions in order to ensure the appropriateness of the use at a particular location.

Under Section 4.3.4.2 of the LDC, a business applying for on-premise consumption of alcohol must not be within 300 feet of a church, school, hospital, or a residence located within a zoning district that limits density to six units per acre or less. This location **does meet** the distance requirements. There is no church or school within 1,000 feet.

This location is also outside the boundary of the Central Business Area (CBA) and is therefore not subject to the additional requirements in the CBA.

Case Summary

This is Garcia's Mexican Food Restaurant's second location in San Marcos. The Planning and Zoning Commission previously granted this restaurant a Conditional Use Permit valid for three (3) years on October 23, 2012. This restaurant is 3,300 square feet and has indoor seating for 94, with an additional 20 seats outdoors. The hours of operation are Monday through Saturday from 8:00 a.m. to 10:00 p.m. and Sunday from 8:00 a.m. to 9:00 p.m.

Comments from Other Departments:

There have been no comments or concerns from other departments. There have been no other code or Police Department violations at the subject property.

Planning Department Analysis:

Staff has reviewed the request for compliance with the Land Development Code and it appears that the request is consistent with the policies and the general intent of the zoning district.

In addition to the minimum requirements of Section 4.3.4.2 of the LDC, staff has considered the impact of the proposed conditional use on surrounding properties under section 1.5.7.5 of the LDC. Staff finds that the request does not generate pedestrian or vehicular traffic which is hazardous or conflicts with existing traffic, and no other specific adverse impacts were identified.

In order to monitor new permits for on-premise consumption of alcohol, the Planning Department's standard recommendation is initial approval of the permit for a limited time period. Other new conditional use permits have been approved as follows:

- Initial approval for 1 year;
- Renewal for 3 years;
- Final approval for the life of the State TABC license, provided standards are met.

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

1. **The CUP shall be valid for the life of the TABC permit, provided standards are met, subject to the point system; and**
2. **The CUP shall be posted in the same area and manner as the Certificate of Occupancy.**

Planning Department Recommendation:	
	Approve as submitted
X	Approve with conditions or revisions as noted
	Alternative
	Denial

Commission's Responsibility:

The Commission is required to hold a public hearing and receive comments regarding the proposed Conditional Use Permit. After considering public input, the Commission is charged with making a decision on the permit. Commission approval is discretionary. The applicant, or any other aggrieved person, may submit a written appeal of the decision to the Planning Department within 10 working days of notification of the Commission's action, and the appeal shall be heard by the City Council.

The Commission's decision is discretionary. Provided the request meets the minimum requirements of Section 4.3.4.2 of the LDC, the Commission shall also evaluate the impact of the proposed conditional use on surrounding properties under Section 1.5.7.5 of the LDC, by considering the extent to which the use:

- is consistent with the policies of the Comprehensive Plan and the general intent of the zoning district;
- is compatible with the character and integrity of adjacent developments and neighborhoods;
- includes improvements to mitigate development-related adverse impacts; and
- does not generate pedestrian or vehicular traffic which is hazardous or conflicts with existing traffic in the neighborhood.

Conditions may be attached to the CUP that the Commission deems necessary to mitigate adverse effects of the proposed use and to carry out the intent of the Code.

Attachments:

- Floor Plan
- Letter from Applicant
- Application

Prepared by:

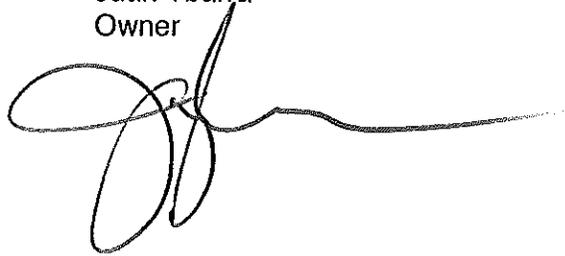
Will Parrish	Planning Technician	September 29, 2015
Name	Title	Date

August 31,2015

To CUP Staff,

This is a renewal application and I, Juan Ybarra am stating that there have been no changes to the items on the application.

Sincerely
Juan Ybarra
Owner

A handwritten signature in black ink, appearing to be 'Juan Ybarra', with a long horizontal flourish extending to the right.

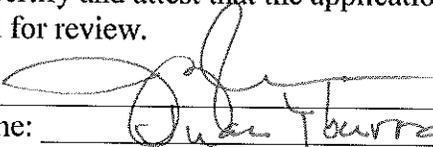


Conditional Use Permit Application Checklist To Allow On-Premise Consumption of Alcoholic Beverages Outside the Central Business Area

Provided by applicant as of date of submittal		By staff as of date of completeness review	
Completed	Required Item	Staff Verification	Staff Comments
<input type="checkbox"/>	A pre-application conference with staff is recommended	<input type="checkbox"/>	
<input type="checkbox"/>	A completed application for Conditional Use Permit and required fees. * (see note below)	<input type="checkbox"/>	
<input type="checkbox"/>	A site plan <i>drawn to scale</i> showing dimensions of property, locations and square footage of building(s), number of off-street paved parking spaces, and fences buffering residential uses. * (see note below)	<input type="checkbox"/>	
<input type="checkbox"/>	Interior layout showing all proposed seating; kitchen and bar areas; and restroom facilities	<input type="checkbox"/>	
<input type="checkbox"/>	All information and illustrations necessary to show the nature of the proposed use and its effect on surrounding properties	<input type="checkbox"/>	
<input type="checkbox"/>	Authorization to represent the property owner, if applicant is not the owner	<input type="checkbox"/>	
Any of the following pieces of information as requested by the Director of Development Services : *(see note below)			
<input type="checkbox"/>	Landscaping and/or fencing of yards and setback areas and proposed changes	<input type="checkbox"/>	
<input type="checkbox"/>	Design of ingress and egress	<input type="checkbox"/>	
<input type="checkbox"/>	Off-street loading facilities	<input type="checkbox"/>	
<input type="checkbox"/>	Height of all structures	<input type="checkbox"/>	
<input type="checkbox"/>	Proposed uses	<input type="checkbox"/>	
<input type="checkbox"/>	The location and types of all signs	<input type="checkbox"/>	
<input type="checkbox"/>	Copy of State TABC License application	<input type="checkbox"/>	
<input type="checkbox"/>	Impervious cover or drainage issues or impacts	<input type="checkbox"/>	
<input type="checkbox"/>	Menu	<input type="checkbox"/>	

* For renewals, staff may accept a written statement that no changes have been made to these items if copies are available on file.

I hereby certify and attest that the application is complete and all information above is complete and hereby submitted for review.

Signed:  Date: 8-31-15
 Print Name: Owen Tourra
 Engineer Surveyor Architect/Planner Owner Agent: _____

City of San Marcos

CONDITIONAL USE PERMIT APPLICATION
To Allow On-Premise Consumption of Alcoholic Beverages
Outside the Central Business Area

LICENSE INFORMATION

Trade Name of Business: GARCIA'S MEXICAN FOOD RESTAURANT

Application is filed by:

Individual Partnership Corporation Other:

Name of Individual or Entity: GARCIA-YBARRA INVESTMENTS Phone Number: 512 738 7013

Mailing Address: 766 HAVEN POINT LOOP NEW BRAUNFELS, TX 78132

Email Address: jybarra1985@gmail.com

Type of Permit Requested: Mixed Beverage Beer & Wine Other:

PROPERTY

Street Address: 1917 DUTTON DRIVE & 200 Current Zoning: _____

Legal Description: Lot _____ Block _____ Subdivision _____

Tax ID Number: R _____

Property Owner's Name: BEN & MAREY MCCOY Phone Number: _____

Address: _____

BUSINESS DETAILS

Primary Business Use: Restaurant Bar Other:

Hours of Operation: MONDAY - SATURDAY 8am to 10pm SUNDAY 8-9

Type of Entertainment Facilities: NONE

Indoor Fixed Seats Capacity: 94 Outdoor Fixed Seats: 20

Gross Floor Area Including Outdoor Above-ground Decks: 3300 Square Feet

Number of Off-Street Parking Spaces Provided: _____

Located more than 300 feet from church, public school, hospital, low density residential? Y N

APPLICATION FOR CITY OF SAN MARCOS CONDITIONAL USE PERMIT-TABC

CUP PERMIT HISTORY *Check all that apply*

- New request, no existing TABC CUP Permit at this location
- Change to existing TABC Permit. Nature of Change: _____
- Renewal**
- Change in name of license holder of existing business at same location
- Change in name of existing business at this location

SUBMITTAL REQUIREMENTS

- Beer and Wine Permit: **\$600 Application fee** (non-refundable)
- Mixed Beverage Permit: **\$600 Application fee** (non-refundable)
- Change to Existing Permit/Renewal: **\$300.00 fee** (non-refundable)
- **Site Plan** drawn to scale, preferably on paper no larger than 11" x 17", showing dimensions of property, locations and square footage of building(s), interior layout showing dimensions of tables, bar area, etc., number of off-street paved parking spaces, and fences buffering residential uses.
- **Copy of State TABC License Application**

I certify that this information is complete and accurate. I understand that I or a representative should be present at all meetings regarding this application.

- I am the property owner of record; or
- I have attached authorization to represent the owner, organization, or business in this application.



Applicant's Signature

Printed Name: Juan Ybarra

Date: 8-31-15

To be completed by Staff:

Meeting Date: _____ Application Deadline: _____

Accepted By: _____ Date: _____



Legislation Text

File #: PSA-15-02a, **Version:** 1

AGENDA CAPTION:

PSA-15-02 (Wonder World Drive and Hunter Road) Hold a public hearing and consider a request by Pape-Dawson Engineers for a Preferred Scenario Amendment to change an Area of Stability and Open Space to an Employment Center and Open Space for an approximately 16.8 acre tract, more or less, out of the J.M. Veramendi Survey, Abstract 17, located at the northwest corner of Wonder World Drive and Hunter Road. (A. Brake)

Meeting date: October 13, 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: Community Wellness / Strengthen the Middle Class

COMPREHENSIVE PLAN ELEMENT(s): Land Use, Goal 1

BACKGROUND:

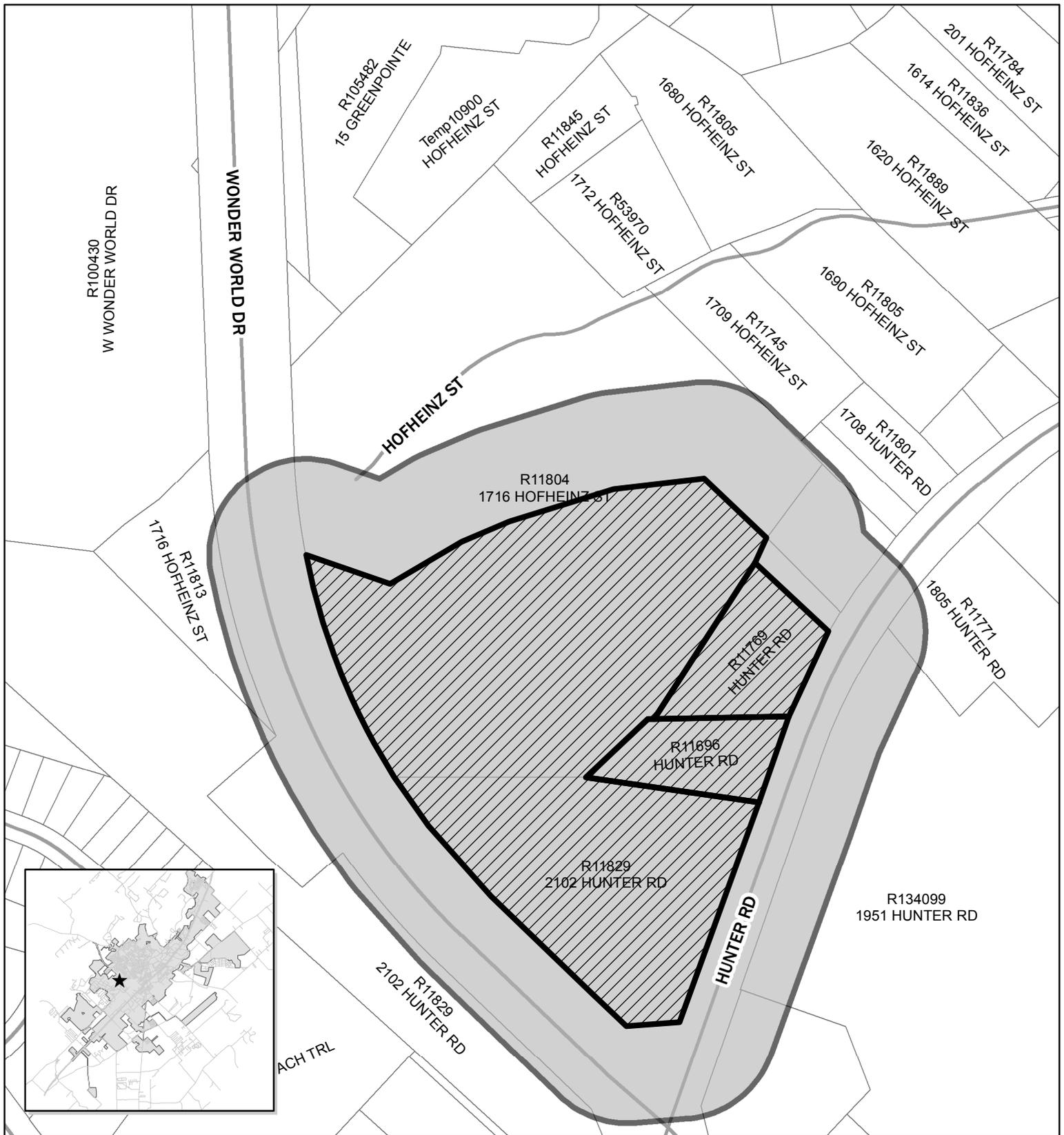
This request to change the Preferred Scenario Map has been reviewed against *Vision San Marcos: A River Runs Through Us*, the City's Comprehensive Plan and was found to not be completely consistent with the intent of the Plan as outlined in the staff report. All figures used to review this case are attached.

Staff has concerns with the results of the Land Use Suitability Map. The property's location in Purgatory Creek Watershed and the presence of the floodway through the middle of the site give the property a score of 5 - Most Constrained. Access to the site is another concern to staff as it may be limited to Hunter Road. Discussions with the applicant, Texas Department of Transportation and the City are underway.

At this time, the Commission is acting on a request to change the Preferred Scenario Map. Any future changes in the zoning of the property would be required to follow the standard process of notice and public hearing. Zoning requests are considered separately and require full staff analysis.

Staff recommends approval of the request to change from an Area of Stability and Open Space to an Employment Center and Open Space with the understanding that the portion of the property identified

as Open Space remains as shown on the Preferred Scenario until such time that the portion of the property identified as floodway is reclaimed through the approved City and FEMA process and that the applicant pursues a Planned Development District for the entire property.



PSA-15-02
Wonder World Dr. & Hunter Rd.
Pre-Notice
Map Date: 9/9/2015

-  Site Location
-  Notification Buffer

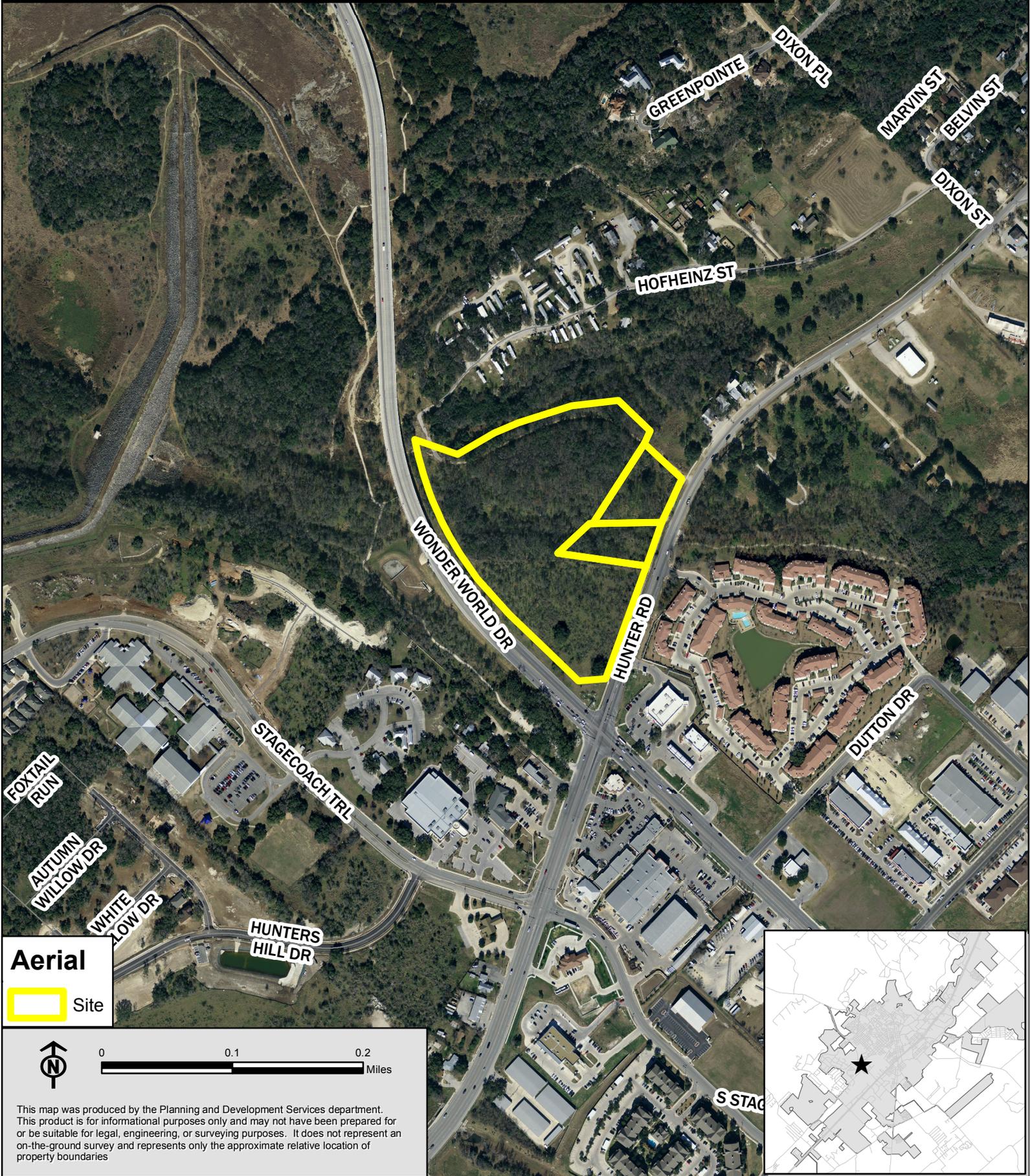


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PSA-15-02

Wonder World Drive & Hunter Road

Map Date: 9/9/2015



Aerial
Site



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

PSA-15-02

Preferred Scenario Amendment

Wonder World Drive and Hunter Road



Summary: The applicant is requesting a change from Area of Stability and Open Space to Employment Center and Open Space on the Preferred Scenario Map.

Applicant: Dennis R. Rion, P.E.
Pape-Dawson Engineers
2000 NW Loop 410
San Antonio, TX 78213

Property Owners: *Eric Myers:* P.O. Box 1084, San Marcos, TX 78667
Green Gerald Trustee et al: 1314 E. Sonterra Blvd., #5204, San Antonio, TX 78258
City of San Marcos: 630 E. Hopkins Street, San Marcos, TX 78666
Nick Lara: 1519 W. Hopkins Street, San Marcos, TX 78666

Notification: Courtesy notice sent on August 10, 2015 with updates at Planning and Zoning Commission August 25; City Council September 1; and Neighborhood Commission September 16.

Personal notice sent and signs posted on September 10, 2015 for the Public Hearing to be held on September 22.

Response: One (1) interested citizen attended the Planning and Zoning meeting on August 25, 2015. No citizens provided written comments at the City Council meeting on September 1; however, one person spoke during the Citizen Comment Period. The update to the Neighborhood Commission was scheduled on September 16.

All written questions and comments from these meetings can be found in the public input attachment. Concerns include the impact of the development on the nearby caves as well as impact on that corner as it is a gateway to the City.

Subject Property:

Location: Northwest corner of Wonder World Drive and Hunter Road

Legal Description: Approximately 16.8 acres, more or less, out of the J.M. Veramendi Survey

Sector: Sector One (1)

Current Zoning: Future Development (FD)

Current Preferred Scenario Designation:	Area of Stability and Open Space	Proposed Preferred Scenario Designation:	Employment Center and Open Space
--	----------------------------------	---	----------------------------------

Surrounding Area:	Zoning	Existing Land Use	Preferred Scenario
N of Property	FD & CC	Vacant & Residence	Stability
S of Property	FD	Entrance to Purgatory Creek Greenspace	Stability
E of Property	MF-18 & GC	Multifamily Residential & CVS	Medium
W of Property	FD	Residential	Stability

Preferred Scenario Amendments, Generally:

With the adoption of *Vision San Marcos*, the City's comprehensive plan, the Preferred Scenario Map replaced the City's previous Future Land Use Map, and the process for requesting changes to the Map was amended. In order for a property to develop, the appropriate zoning must be in place. If a zoning change is necessary, the underlying designation on the Preferred Scenario, (Area of Stability, Intensity Zone, or Employment Area) must support the proposed zoning. This determination is made by using the Preferred Scenario Map and Land Use Intensity Matrix from *Vision San Marcos*, as well as the Zoning Translation Table in the Land Development Code. If the proposed zoning is not permitted based on the Preferred Scenario and Intensity Matrix designation, an applicant may request an amendment to the Preferred Scenario.

The Comprehensive Plan recommends that amendments to the Preferred Scenario Map only be considered twice per year, and this language was adopted as part of the City's Land Development Code. Preferred Scenario Amendment requests should be carefully examined using the tools provided in *Vision San Marcos*.

The process adopted in the Land Development Code in response to *Vision San Marcos* also separates the zoning request from the Preferred Scenario Request. Only with an approval recommendation from the Planning and Zoning Commission and a motion for approval by the City Council can an applicant file for a zoning change request.

Standard procedures for reviewing and taking action on zoning change and planned development district requests have not changed as part of this process except as noted above.

Property Description & Current Conditions:

The subject site consists of approximately 16.8 acres, more or less, out of the J.M. Veramendi Survey. The property is located on the northwest corner of Wonder World Drive and Hunter Road, across from the CVS and the Elysian at Purgatory Creek Apartments. The entrance and parking area to the Purgatory Creek Greenspace is located to the south of the property.

This site is identified as an Area of Stability and Open Space on the Preferred Scenario Map. Given the surrounding zoning, the site is considered Neighborhood & Area Protection / Conservation on the Land Use Intensity Matrix. This matrix, attached, provides general uses that *Vision San Marcos* recommends in this type of area. Also attached is the Zoning Translation Table. This table is currently part of the Land Development Code and indicates what types of zoning can be requested for properties based on their Preferred Scenario Map classification. The site currently falls under the LS-PC (Low / Stability-Protection / Conservation) column.

Currently the site consists of vacant land and is zoned Future Development (FD). Surrounding land uses include mobile homes, rental homes, multifamily apartments and CVS.

If this request is not granted, the applicant is able to maintain and develop under the existing zoning category or apply for a change to single family residential zoning districts, up to SF-6. A Planning and Zoning Commission recommendation and City Council approval would be required for any proposed zoning changes. A summary of what is currently permitted at this location is attached.

Request: Change from Area of Stability and Open Space to Employment Center and Open Space on the Preferred Scenario Map

The applicant is proposing the development of a commercial corner with a grocery store that includes the sale of gas and a car wash at this location which would require the site to be designated as Employment Center on the Preferred Scenario map. The change to Employment Center essentially removes any residential use from being requested. The applicant is proposing to modify the proposed greenway from the middle of the site shown on the Preferred Scenario by splitting the Open Space so it wraps the site. This is indicated in the Open Space Exhibit submitted by the applicant (included in the background information). The applicant notes that it is shown as a 30-foot buffer around the site and will have breaks to allow for vehicular access to surrounding roadways.

If the request is granted, the site would be classified with an area of Open Space on the Land Use Intensity Matrix and Zoning Translation Table (OA). Examples of open space uses include hiking trails, community gardens, produce stands, and single family residential permitted in the Land Development Code. It would also be classified as an Employment Center on the Zoning Translation Table (EC). There is not a classification of Employment Center on the Land Use

Intensity Matrix but there is a 'General Note' that states uses in potential Employment Centers include industrial, office parks, and retail malls with standards. The list of general uses and applicable zoning categories can be found on these attachments. A change to Employment Center would not allow any residential zoning options, yet heavy commercial options as well as light and heavy industrial options would be available. Employment Centers, typically, are located on large sites with excellent road and rail access as well as access to water and sewer infrastructure.

Vision San Marcos Plan Elements:

Economic Development (ED)

The ED chapter of *Vision San Marcos* looks specifically at the strategies of the Core 4 Collaboration moving forward. The three collaborative actions identified by the Core 4 are 1) Preparing the 21st Century Workforce, 2) Competitive Infrastructure and Entrepreneurial Regulation and 3) Creating the Community of Choice. Staff analyzed this request based on the three action items to determine if the request supports, contradicts or is neutral toward the actions and provides the following table of the analysis:

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

STRATEGY	SUMMARY	Supports	Contradicts	Neutral
Preparing the 21 st Century Workforce	Provides / Encourages educational opportunities			Applicant has not indicated that educational facilities will be included
Competitive Infrastructure & Entrepreneurial Regulation	Provides / Encourages land, utilities and infrastructure for business	Applicant indicates that proposed project will provide opportunities for jobs and services.		
The Community of Choice	Provides / Encourages safe & stable neighborhoods, quality schools, fair wage jobs, community amenities, distinctive identity	Applicant indicates that proposed project will provide opportunities for jobs and services.		

Environment and Resource Protection (ERP)

The ERP chapter of *Vision San Marcos* provides useful analysis tools. The Land Use Suitability Map considers the constraints as listed in the table below in its creation to determine what areas are most suitable for development. The water quality model provides a watershed-level analysis of the impacts of adding impervious cover for developments.

The majority of the land use suitability for this site is a five (5), the most constrained. This is largely due to the location in the Purgatory Creek Watershed and the presence of the floodway through the middle of the site. Also several variables on the Land Use Suitability Map were given a weight of four (4), the second most constrained. The table below indicates the scores for this site for each of the variables used in creating the Land Use Suitability Map and the results of the water quality model. Please refer to the attached Land Use Suitability and Environmental Features maps for further clarification.

ENVIRONMENT and RESOURCE PROTECTION – Land Use Suitability & Development Constraints

	1 (least)	2	3 (moderate)	4	5 (most)
Level of Overall Constraint					X
Constraint by Class					
Cultural				X	
Edwards Aquifer		X		X	
Endangered Species					
Floodplains	X	X		X	X
Geological	X				
Slope	X		X		X
Soils	X			X	
Vegetation	X		X		
Watersheds				X	
Water Quality Zone	X			X	X

ENVIRONMENT & RESOURCE PROTECTION – Water Quality Model Results

Located in Subwatershed:	Purgatory Creek Watershed				
	0-25%	25-50%	50-75%	75-100%	100%+
Modeled Impervious Cover Increase Anticipated for watershed		X			
Notes: The change in impervious cover under the Preferred Scenario is attributed to portions of the Paso Robles development, the Government Center, and downtown development. Purgatory Creek is a direct tributary of the San Marcos River, home of several endangered species. The Plan emphasizes the need to identify potential pollution from redevelopment as construction runoff and debris can wash into the creek during storm events.					

Land Use (LU)

The LU chapter of *Vision San Marcos* focuses on the Preferred Scenario Map. This site is located in an Area of Stability. A map is attached which shows a detailed view of the preferred scenario zones within and surrounding this property.

Neighborhoods and Housing (NH)

The NH chapter of *Vision San Marcos* focuses on the Neighborhood Character Studies which are currently being conducted alongside the Code SMTX project, the update to the Land Development Code. The site is located in the Westover neighborhood and is located in the Western Neighborhood Character Study Area. The Neighborhood Character Study process would allow citizens the opportunity to tell staff what they would like to see developed in this area. The Neighborhood Character Plans do not currently exist and will be drafted after the adoption of Code SMTX.

Parks, Public Spaces and Facilities (PPSF)

The PPSF chapter of *Vision San Marcos* discusses the City’s recreational facilities as well as the water, wastewater and other public infrastructure. The table below is an analysis of the facilities in the area. Wastewater and water service is available in the area and both are indicated as low maintenance areas. In addition, Purgatory Creek Greenspace is located within ¼ mile of the property.

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	
The current Preferred Scenario shows Open Space along with a proposed greenway at the rear of the property and Open Space with a proposed greenway through the middle of the site. Per the Land Development Code, Open Space designated on the Preferred Scenario cannot be zoned as General Commercial. The applicant is proposing to modify the proposed greenway from the middle of the site shown on the Preferred Scenario by splitting the Open Space so it wraps the site. This is indicated in the Open Space Exhibit submitted by the applicant (included in the background information). The applicant notes that it is shown as a 30-foot buffer around the site and will have breaks to allow for vehicular access to surrounding roadways. The trail connection will be required.		
Maintenance / Repair Density	Low (maintenance)	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

A Travel Demand Model (TDM) was created to analyze the traffic impacts of growth in San Marcos. The table below is a summary of the TDM results and other transportation modes surrounding the site. The TDM analyzes the overall transportation network of the existing network and the Preferred Scenario. It is not a measure of the impact of this particular change. The results of the TDM indicate that improvements may be required. However, the TDM was created before the completion of the recent Texas Department of Transportation (TxDOT) improvements to Hunter Road. A Traffic Impact Analysis (TIA) would describe any improvements needed in more detail.

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

		A	B	C	D	F
Existing Daily LOS	Hunter Road Wonder World Drive	X				X
Existing Peak LOS	Hunter Road Wonder World Drive		X			X
Preferred Scenario Daily LOS	Hunter Road Wonder World Drive			X X		
Preferred Scenario Peak LOS	Hunter Road Wonder World Drive					X X
The Preferred Scenario shows that Wonder World Drive deteriorates from a LOS A (Existing Daily) and B (Existing Peak) to a LOS C (Future Daily) and a LOS F (Future Peak). The site is close to a public transportation route. See						

below. The City purchased all access rights when Wonder World was extended as part of the reimbursement agreement with TxDOT.				
	N/A	Good	Fair	Poor
Sidewalk Availability (Required to build.)		X		
The sidewalks along Hunter Road are in good condition. Sidewalks will be required to be built along Wonder World Drive by the developer.				
	YES		NO	
Adjacent to existing bicycle lane?			X	
Adjacent to existing public transportation route?	X			
Notes: The property is situated along a CARTS route. Also, there is a five foot shoulder along Hunter Road adjacent to the site that people regularly use as a bicycle lane even though it is not demarcated as such.				

Staff Analysis:

Comments from Other Departments

The Engineering and CIP Department noted that the floodway and Water Quality Zone that runs through the middle of the site will need to be assessed. The applicant is aware that the water that currently flows through the floodway would need to be conveyed in some way if development occurs. This should be addressed at the site review stage of development. If the applicant requests for reclamation of land in the floodway or 100-year floodplain or land within a water quality zone or buffer zone, the applicant will have to submit a Qualified Watershed Protection Plan (QWPP). The QWPP would be reviewed by the Engineering Department and considered by the Planning and Zoning Commission; approval of the QWPP would be required prior to the final plat being approved. To reclaim the land, the applicant would have to request a map revision from the Federal Emergency Management Agency (FEMA). They also noted that access to the site may be limited as the access rights along Wonder World Drive were restricted when right-of-way was purchased by the City as part of the reimbursement agreement with TxDOT. This occurred when Wonder World Drive was extended.

Planning Department Analysis

Staff has concerns with the results of the Land Use Suitability map. The majority of the site is a five (5) largely due to the location in Purgatory Creek Watershed and the presence of the floodway through the middle of the site. Purgatory Creek is a direct tributary of the San Marcos River, home of several endangered species. The increase in impervious cover on this site is a concern as this area has been known to flood during rain events. As this property is located in the Purgatory Creek Watershed, the Plan emphasizes the need to identify potential pollution from redevelopment as construction runoff and debris can wash into the creek during storm events. Any development would be required to convey rain water. The Environment and Resource Protection section of the Comprehensive Plan clearly states that the Land Use Suitability Map was developed as a tool to identify areas within the planning area that are best suited to accommodate growth in an environmentally sensitive manner.

Access to the site is also a concern to staff as it may be limited to Hunter Road. When Wonder World Drive was extended, the City purchased the access rights along Wonder World Drive as part of the reimbursement agreement with TxDOT. If development occurs at this location, access to this site will have to be agreed upon by TxDOT as well as with the City. Discussions are currently underway with TxDOT regarding possible access or limited access to the site. A traffic impact analysis (TIA) worksheet will be required at platting which will determine whether a full TIA will be needed. This would determine what improvements to the transportation network may be needed. The Transportation Master Plan, currently being updated, may provide updated recommendations for this area as well.

Based on the site's location across the street from a Medium Intensity Zone and at the intersection of two arterials, Wonder World Drive and Hunter Road, the property is a logical location to consider for higher intensity development. However, following a review of *Vision San Marcos*, specifically the Land Use Suitability Map, and a review of the environmental constraints on the site, staff finds that the current request for a change in intensity at this location as submitted by the applicant is not consistent with the intent of the Comprehensive Plan. With that said, the site is currently zoned Future Development (FD). For any commercial development to occur at this location, the current Zoning Translation Table in the Land Development Code requires that the Preferred Scenario Map be amended. As part of the Transportation Master Plan and subsequent updates of the Preferred Scenario Map, Hunter Road and Wonder World Drive could be identified as corridors. Currently, the Land Use Suitability Matrix of the Comprehensive Plan identifies Hunter Road from San Antonio Street to Wonder World Drive as a corridor. With updates to the Preferred Scenario Map

and Code SMTX, new zoning categories could be available for corridors and potential development could occur at this location without first having to amend the Preferred Scenario Map. Code SMTX is scheduled for completion around March 2016. The requirements of a TIA and QWPP could address staff concerns at the time of subdivision. The use of a Planned Development District could be an opportunity to encourage a creative design of the site in order to address the environmental concerns and constraints as the project has the potential to promote economic development by providing the area needed new retail for services.

At this time the Commission is acting on the request which will change the City's Preferred Scenario Map. As many options for development may occur with or without the approval of this request, the Commission should consider all aspects of this staff report, the attached maps and figures as well as the existing Codes in their decision. A summary of what may be permitted at this location, if the map amendment is approved, is attached. Any changes in zoning following this request would be required to follow the standard process of notice and public hearing. Zoning requests are considered separately and would require a full staff analysis for consistency with the Comprehensive Plan as well as any other applicable standards.

Recommendations and Options for Action:

Based on the analysis provided in this report, staff recommends approval of the request to change from an Area of Stability and Open Space to an Employment Center and Open Space with the conditions that the portion of the property identified as Open Space remains as shown on the Preferred Scenario until such time that the portion of the property identified as floodway is reclaimed through the approved City and FEMA process and that the applicant pursues a Planned Development District for the entire property.

Options for the Commission include:

- Approval of the request as submitted
- Alternative recommendation
- Denial of the request

Planning Department Recommendation:	
<input type="checkbox"/>	Approve as submitted
<input checked="" type="checkbox"/>	Alternative
<input type="checkbox"/>	Denial

The Commission's Responsibility:

The Code requires the Commission to hold a public hearing and receive public comment regarding the proposed Preferred Scenario Amendment. The Commission's advisory recommendation to the Council is a discretionary decision. The City Council will ultimately decide whether to approve or deny this request, and will do so through the passage of an ordinance.

After considering the public input, your recommendation should consider whether the amendment is consistent with the following policies of the Comprehensive Plan as stated in section 1.4.1.5 of the Land Development Code:

- Is the request in an area suitable for development as shown on the Land Use Suitability Map and if not what development constraints exist;
- Is the request consistent with the Neighborhood Character Study for the area;
- Is the request near existing parks and public utilities; and,
- Based on the Travel Demand Model, is the request in an area with sufficient roadway capacity.

Prepared by:

Alison Brake, CNU-A

Planner

September 10, 2015

Name

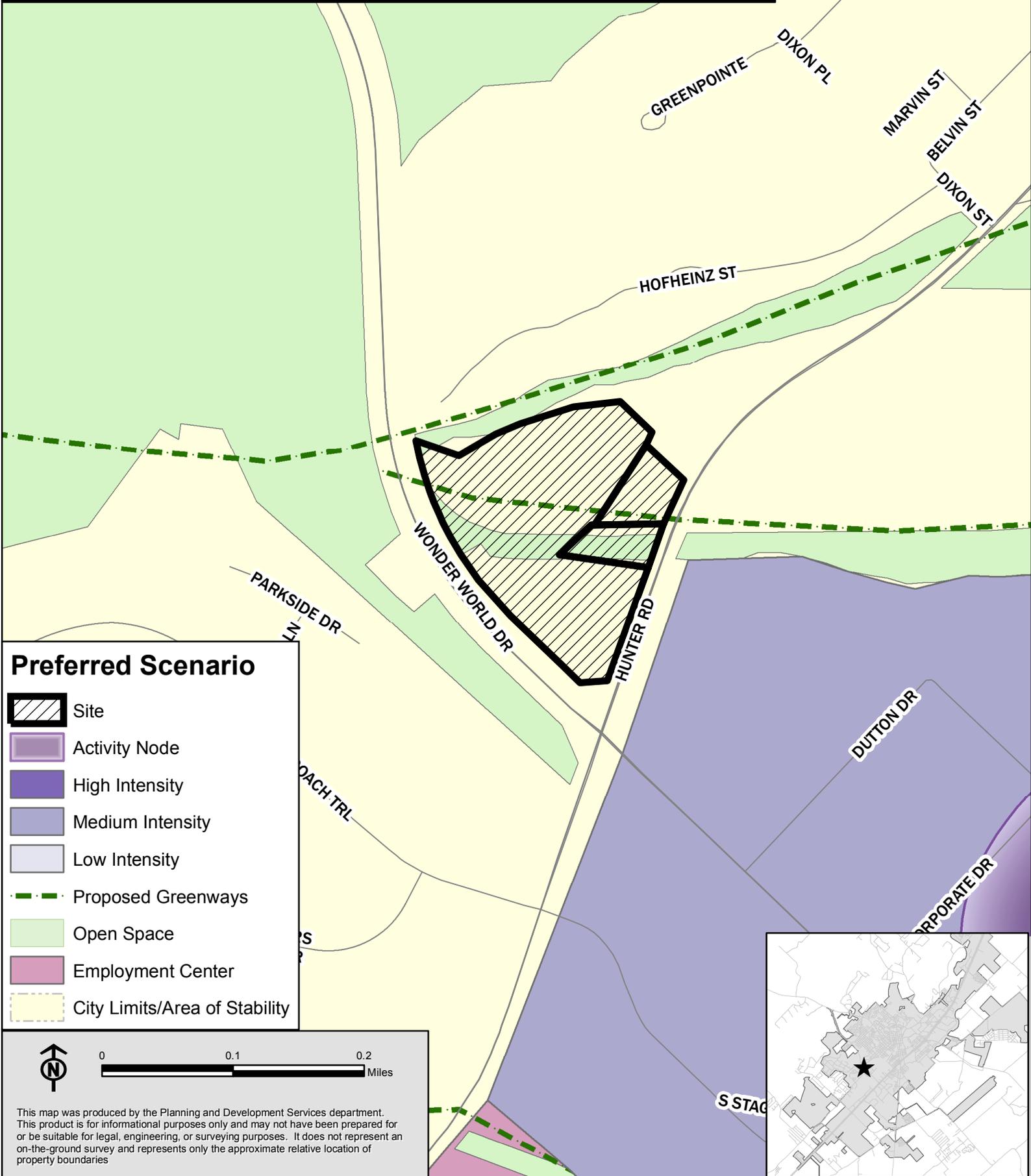
Title

Date

PSA-15-02

Wonder World Drive & Hunter Road

Map Date: 8/13/2015

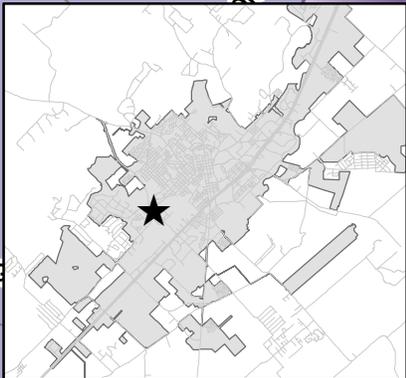


Preferred Scenario

-  Site
-  Activity Node
-  High Intensity
-  Medium Intensity
-  Low Intensity
-  Proposed Greenways
-  Open Space
-  Employment Center
-  City Limits/Area of Stability



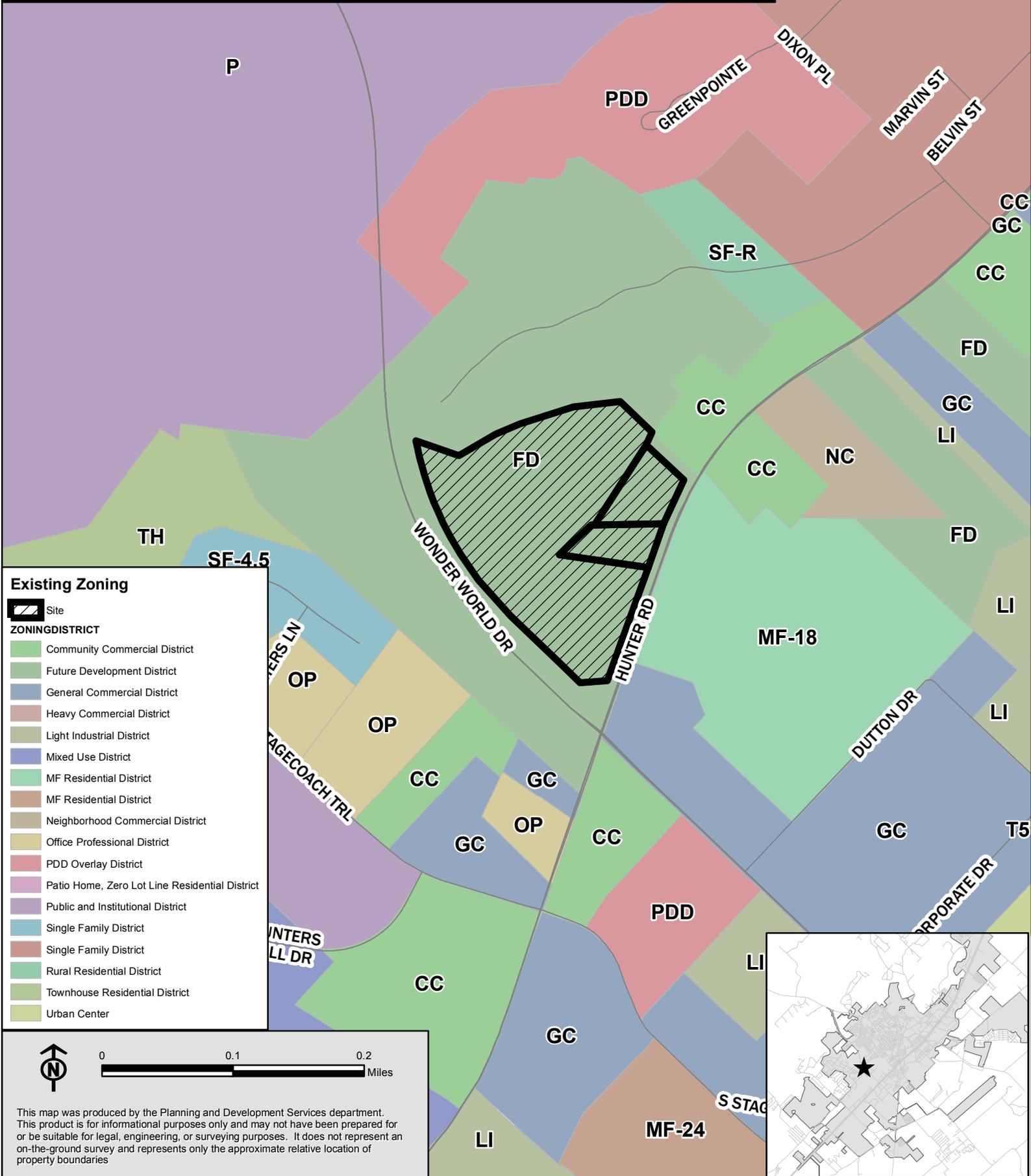
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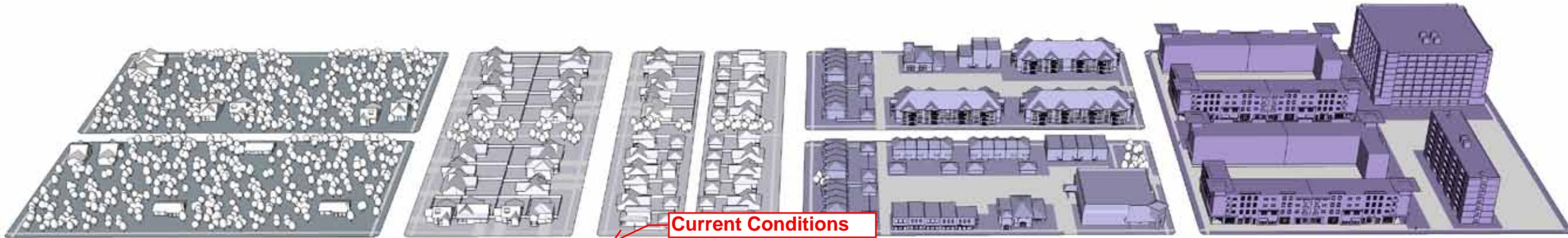


PSA-15-02

Wonder World Drive & Hunter Road

Map Date: 8/10/2015





Open Space / Agricultural

Low Intensity and Areas of Stability

Medium Intensity

High Intensity

- Preserve Areas**
Hiking Trails
Community Gardens
- Active Recreation Areas**
Recreation-related
Commercial
Camping
Hiking Trails
Community Gardens
- Agricultural / Ranching**
Single Family Residential
Bed & Breakfast
Home Office
Produce Stands
Hiking Trails
Community Gardens

Neighborhood & Area Protection / Conservation

General Use Categories: Single Family, Home Office, Corner Neighborhood Retail - no gas

Building Types: 1-2 Story, 3 with CUP

Examples: Existing Predominately Single-Family Neighborhoods, Default Classification for any area not classified, Utilize Land Use Suitability Map

General Use Categories: Single Family, Duplex, Multi-family at nodes, Bed & Breakfast, Home Office, Corner Neighborhood Retail - gas with CUP, Office, Convenience Retail, Restaurants - no drive through

Building Types: 1-3 Story, Mixed-use at nodes and corridors

Preferred Scenario Examples: Triangle - single family

General Use Categories: Single Family, Duplex, Multi-family, Bed & Breakfast, Home Office, Corner Store, Office / Flex Space, Retail, Restaurants, Lodging

Building Types: 1-4 Story, Mixed-use at nodes and corridors

NOTES: Commercial at major nodes and along corridors (with uses that are predominately non-single-family residential); One lot depth for commercial along corridors and at nodes; Corridors include but are not limited to: Old RR 12: Holland to Wonderland, LBJ east of Holland, Arterials in the Edwards Recharge Zone

Redevelopment Infill

General Use Categories: Single Family with accessory building, Bed & Breakfast (5 rooms), Home Office, Corner Neighborhood Retail - no gas, Restaurants - no drive through

Building Types: 1-3 Story, Mixed-use at nodes and corridors

Examples: Existing Mixed Residential Areas

General Use Categories: Single Family, Duplex, Multi-family at nodes, Lodging, Home Office, Office / Flex Space at nodes, Corner Store, Convenience Retail with gas, Restaurants

Building Types: 1-3 Story, Mixed-use at nodes and corridors

Preferred Scenario Examples: South End

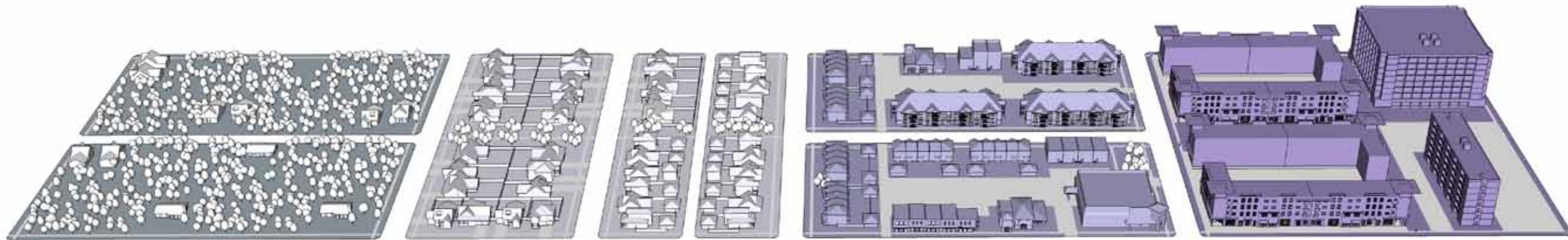
General Use Categories: Single Family, Duplex, Multi-family, Bed & Breakfast, Home Office, Corner Store, Office / Flex Space, Retail, Restaurants, Lodging

Building Types: 1-5 Story, Mixed-use at nodes and corridors

Preferred Scenario Examples: Downtown, Midtown

NOTES: Recreation-related commercial uses in active recreation areas will require special standards

NOTES: Commercial and Multi-family at major nodes and along corridors; One lot depth for commercial in Protection / Conservation; Two lot depth in all other areas; Corridors include but are not limited to: Hopkins east of Moore, University: Sessom to Hopkins, RR12: Lindsay to Hopkins, Hunter: San Antonio to Wonderland



Low Intensity and Areas of Stability

Medium Intensity

High Intensity

New Development

General Use Categories: Single Family with accessory building, Bed & Breakfast (5 rooms), Home Office, Corner Neighborhood Retail - no gas, Restaurants - no drive through

Building Types: 1-3 Story, Mixed-use at nodes and corridors

Preferred Scenario Examples: Blanco Vista, Paso Robles
Default classification for sites with 20 acres or more

General Use Categories: Single Family, Duplex, Multi-family, Lodging, Home Office, Office / Flex Space at nodes, Corner Store, Convenience Retail with gas, Restaurants, Light Industrial with CUP

Building Types: 1-5 Story, Mixed-use at nodes and corridors

Preferred Scenario Examples: Blanco Vista, Paso Robles, East Village, Medical District, South End, Star Park, Triangle

General Use Categories: Single Family, Duplex, Multi-family, Bed & Breakfast, Home Office, Corner Store, Office / Flex Space, Retail, Restaurants, Lodging, Light Industrial with CUP

Building Types: 1-5 Story, Mixed-use at nodes and corridors

NOTES: Commercial and Multi-family at major nodes and along corridors; One lot depth for commercial in Protection / Conservation; Unlimited lot depth in all other areas; Corridors include but are not limited to: LBJ south of Sessom, Aquarena Springs: Sessom to IH 35, Guadalupe: University to IH 35

GENERAL NOTES:

Uses in potential Employment Centers include: Industrial, Office Parks and Retail Malls with standards

Uses and intensity must conform with the City's Edwards Aquifer regulations

Corridor intensity varies with intensity zone

Development intensity decreases with distance from a node or corridor

Home Office - no signage, no sales, one employee

All on-premise consumption of alcohol requires a CUP

The Urban Land Institute defines Convenience Retail as: minimart, restaurant, beauty parlor, dry cleaner, fast food service, medical and dental office

Civic uses are permitted in all development types / intensity zones

All commercial uses in Protection / Conservation and Redevelopment / Infill should follow compatibility standards including architectural standards

Lot depth for corridors is typically 120 feet

TRANSLATION TABLE

Requested Change

Wonder World Dr. & Hunter Rd.
Current Condition

Zoning Abbreviation	Intensity Zone / Development Pairs										
	LS-PC	LS-RI	LS-ND	M-PC	M-RI	M-ND	H-PC	H-RI	H-ND	EC	OA*
FD	✓	✓	✓								✓
AR	✓		✓								✓
SF-R	✓	✓	✓								
SF-11	✓	✓	✓								
SF-6	✓	✓	✓	✓	✓	✓					
SF-4.5		✓	✓	✓	✓	✓	✓	✓	✓		
D		✓	✓	✓	✓	✓					
DR		✓	✓	✓	✓	✓	✓	✓	✓		
TH		✓	✓	✓	✓	✓	✓	✓	✓		
PH-ZL		✓	✓	✓	✓	✓	✓	✓	✓		
MF-12		✓	✓	✓	✓	✓	✓	✓	✓		
MF-18				✓	✓	✓	✓	✓	✓		
MF-24				✓	✓	✓	✓	✓	✓		
MR	✓	✓	✓								
MH		✓	✓	✓	✓	✓					
MU		✓	✓	✓	✓	✓	✓	✓	✓	✓	
VMU				✓	✓	✓	✓	✓	✓	✓	
P	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
OP				✓	✓	✓	✓	✓	✓	✓	
NC		✓	✓	✓	✓	✓	✓	✓	✓		
CC					✓	✓	✓	✓	✓		
GC					✓	✓	✓	✓	✓	✓	
HC					✓	✓	✓	✓	✓	✓	
CBA							✓	✓	✓		
SC			✓	✓	✓	✓	✓	✓	✓	✓	
LI									✓	✓	
HI										✓	
PDD	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

*OA is generally intended where shown on the Preferred Scenario Map

LS - Low Intensity and Areas of Stability
M - Medium Intensity
H - High Intensity

PC - Neighborhood Area Protection /Conservation
RI - Redevelopment / Infill
ND - New Development

EC - Employment Center
OA - Open Space / Agricultural

Existing Zoning Category

Future Development (FD)

- The site contains approximately 16.8 acres of FD
- The property is vacant
- Without a zoning change request this land could be used for farming, farm equipment storage, grain sales, plant nursery, stables, single family homes on two acre lots with accessory buildings or dwellings, home child care, art studios, tennis courts, religious assembly, government buildings, public schools
- Bed and breakfasts, outdoor amusement venues, country clubs, day camps, fairgrounds, cemeteries, electrical substation, post offices, private schools, veterinarians, and livestock sales are **conditional**

Existing Intensity: Permitted Zoning Categories & Uses in Area of Stability / Low Intensity

Single-Family Districts (SF-R, SF-11, SF-6, SF 4.5, MR)

- These districts allow single family residences on lots ranging from 1 acre to 4,500 square feet
- Uses include single family residences, manufactured homes, accessory buildings, home child care, art studio, park or playground, religious assembly, and some conditional uses for governmental and recreational purposes

Other Zoning Districts (FD, AR, P, PDD)

- FD is a place holder for newly annexed properties
- AR is the agricultural district for nurseries, farms and ranches
- P is public zoning meant for institutional uses such as schools and government and some office
- PDD is an overlay district which allows for variations from an established base zoning and is intended to encourage flexible and creative planning and development

Permitted Zoning Categories and Uses in Employment Center

Zoning Districts

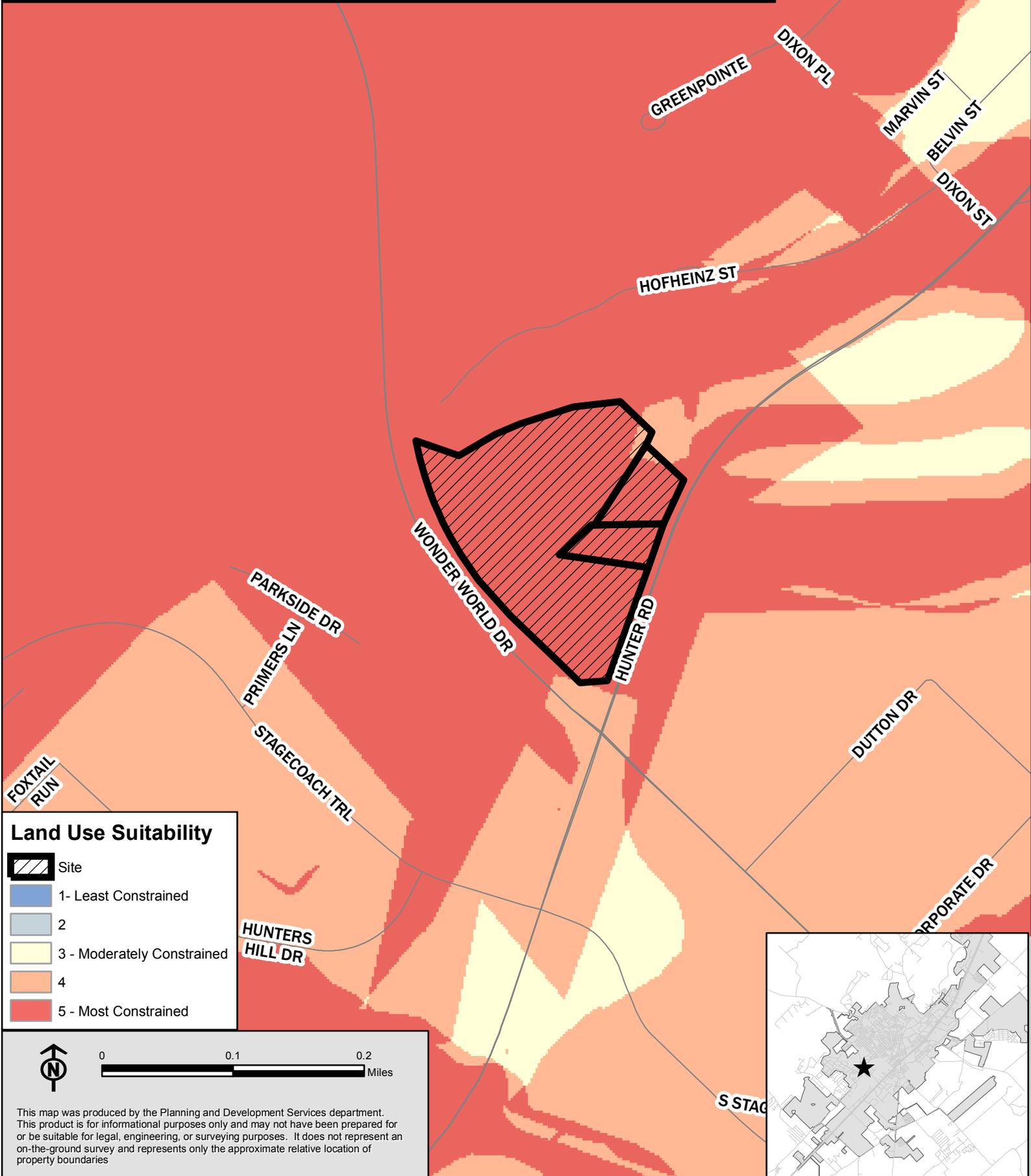
(FD, AR, MU, VMU, P, OP, GC, HC, SC, LI, HI, PDD)

- MU allows 5.5 units per acre and the following uses: bed and breakfast, home child care, loft apartments, single family residences, office, art studio, beauty shop, dry cleaning, dance and martial arts school, grocery without gas, pharmacy, restaurant, small retail, park or playground, government and recreational uses and religious assembly, many uses are conditional, including multifamily apartments
- VMU allows 40 units per acre and the uses are similar to MU
- P is public zoning meant for institutional uses such as schools and governmental and some office and residential uses
- OP is limited to office, religious assembly and governmental uses
- GC allows bed and breakfast, offices, art studio, dance and martial arts school, barber shop, woodworking shop, indoor health club, museum, park or playground, religious assembly, schools and governmental
- HC allows bed and breakfast, offices, self-storage units, tire sales (outdoors/storage),
- SC would follow the SmartCode regulations
- LI allows cabinet shop (manufacturing), offices, food processing
- HI allows auto body repair offices, food processing, machine shop, petroleum bulk storage
- PDD is an overlay district which allows for variations from an established base zoning and is intended to encourage flexible and creative planning and development

PSA-15-02

Wonder World Drive & Hunter Road

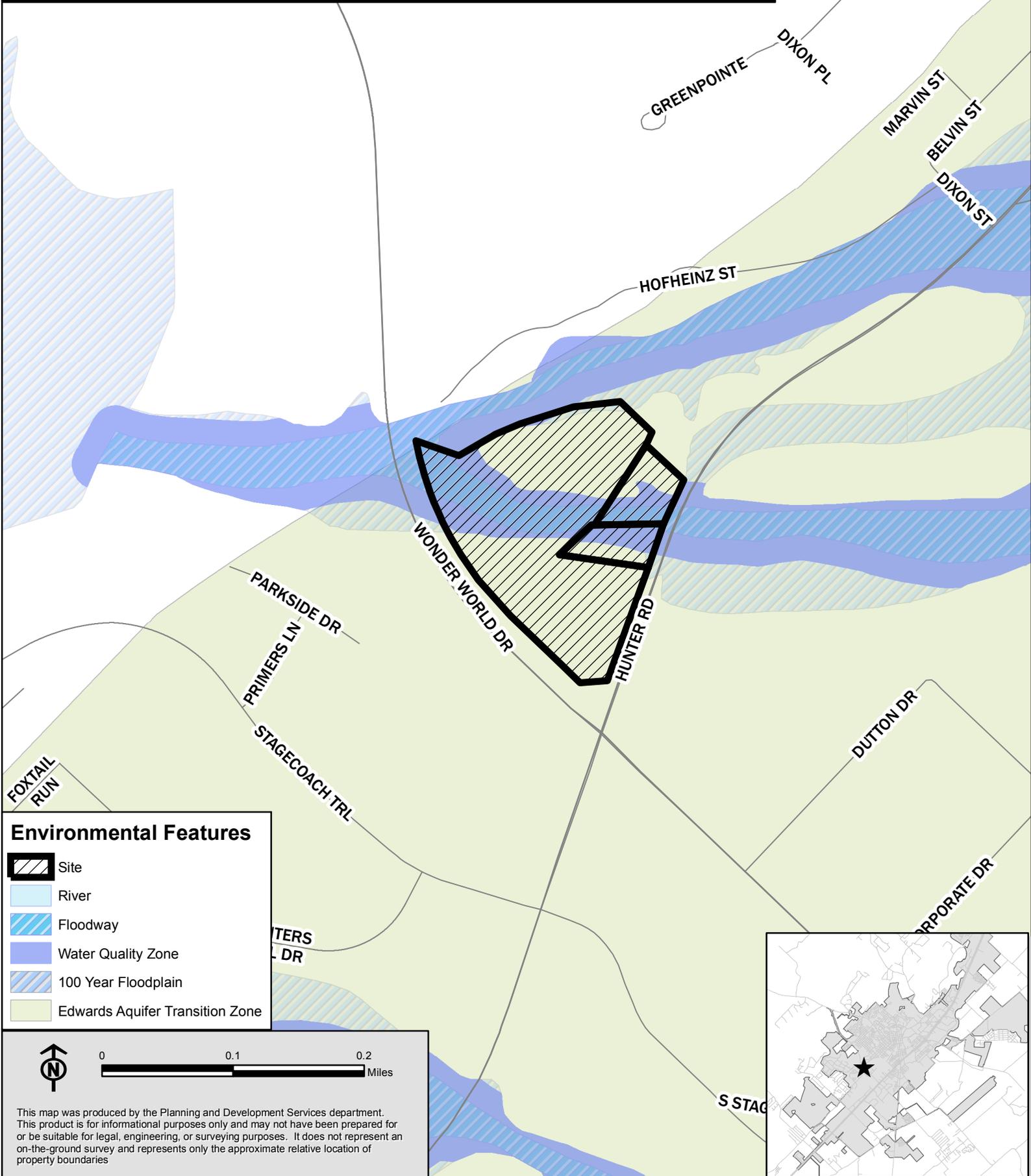
Map Date: 8/10/2015



PSA-15-02

Wonder World Drive & Hunter Road

Map Date: 8/10/2015



Environmental Features

- Site
- River
- Floodway
- Water Quality Zone
- 100 Year Floodplain
- Edwards Aquifer Transition Zone

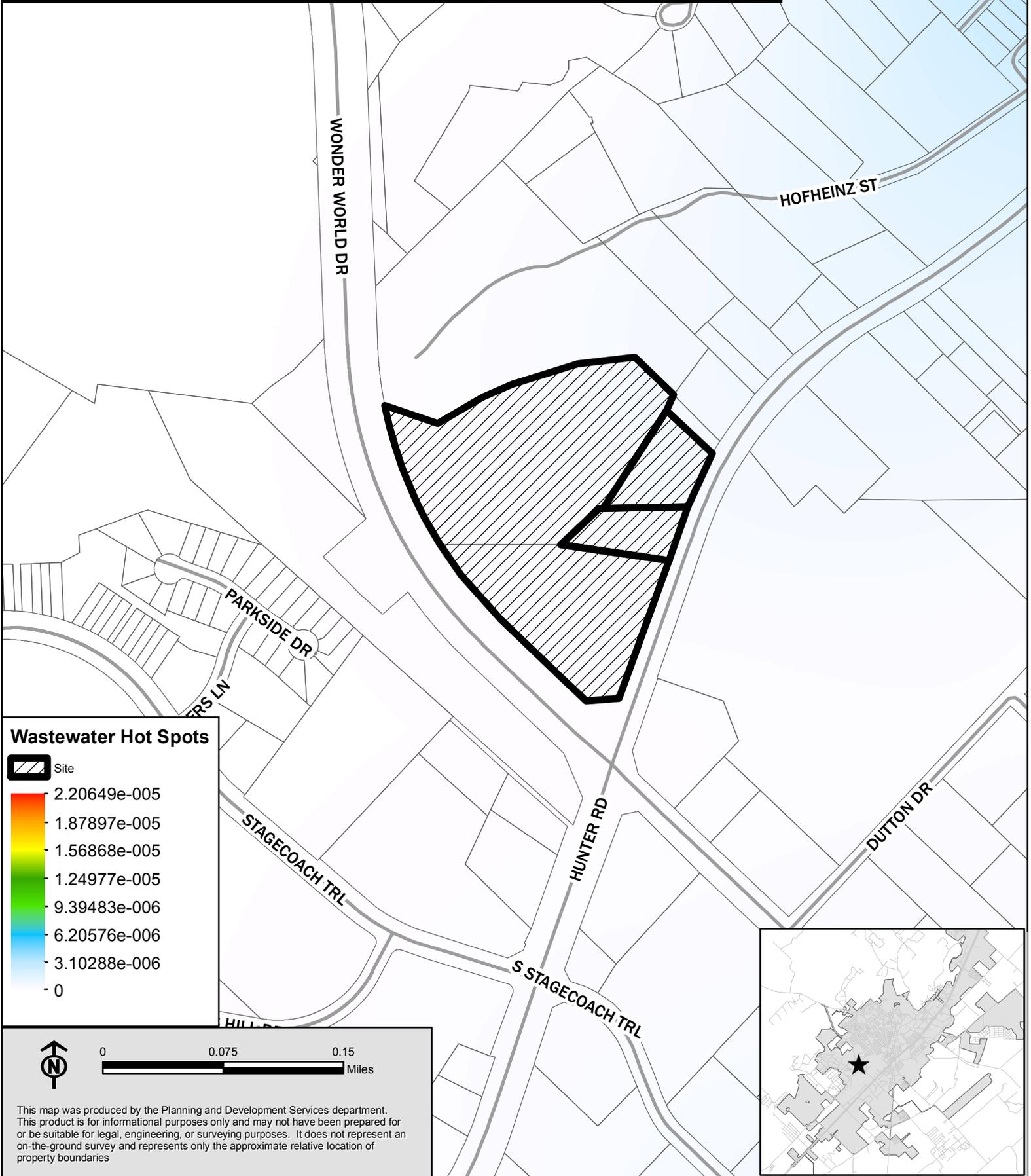
0 0.1 0.2 Miles

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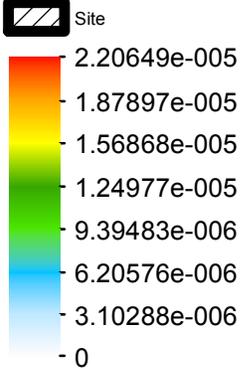
PSA-15-02

Wonder World Drive & Hunter Road

Map Date: 8/12/2015



Wastewater Hot Spots

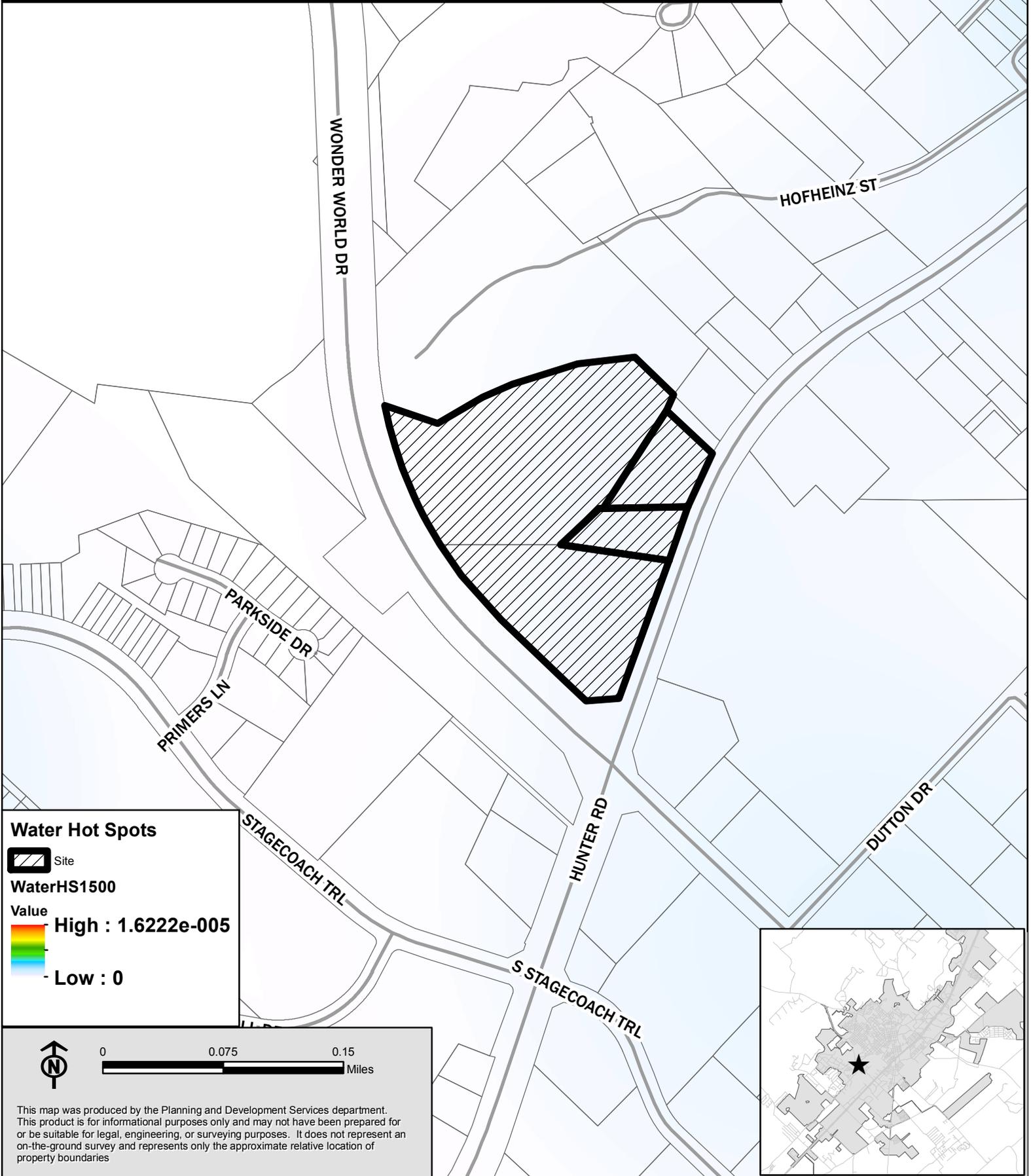


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PSA-15-02

Wonder World Drive & Hunter Road

Map Date: 8/12/2015



Water Hot Spots

 Site

WaterHS1500

Value

 **High : 1.6222e-005**

Low : 0

 0 0.075 0.15 Miles

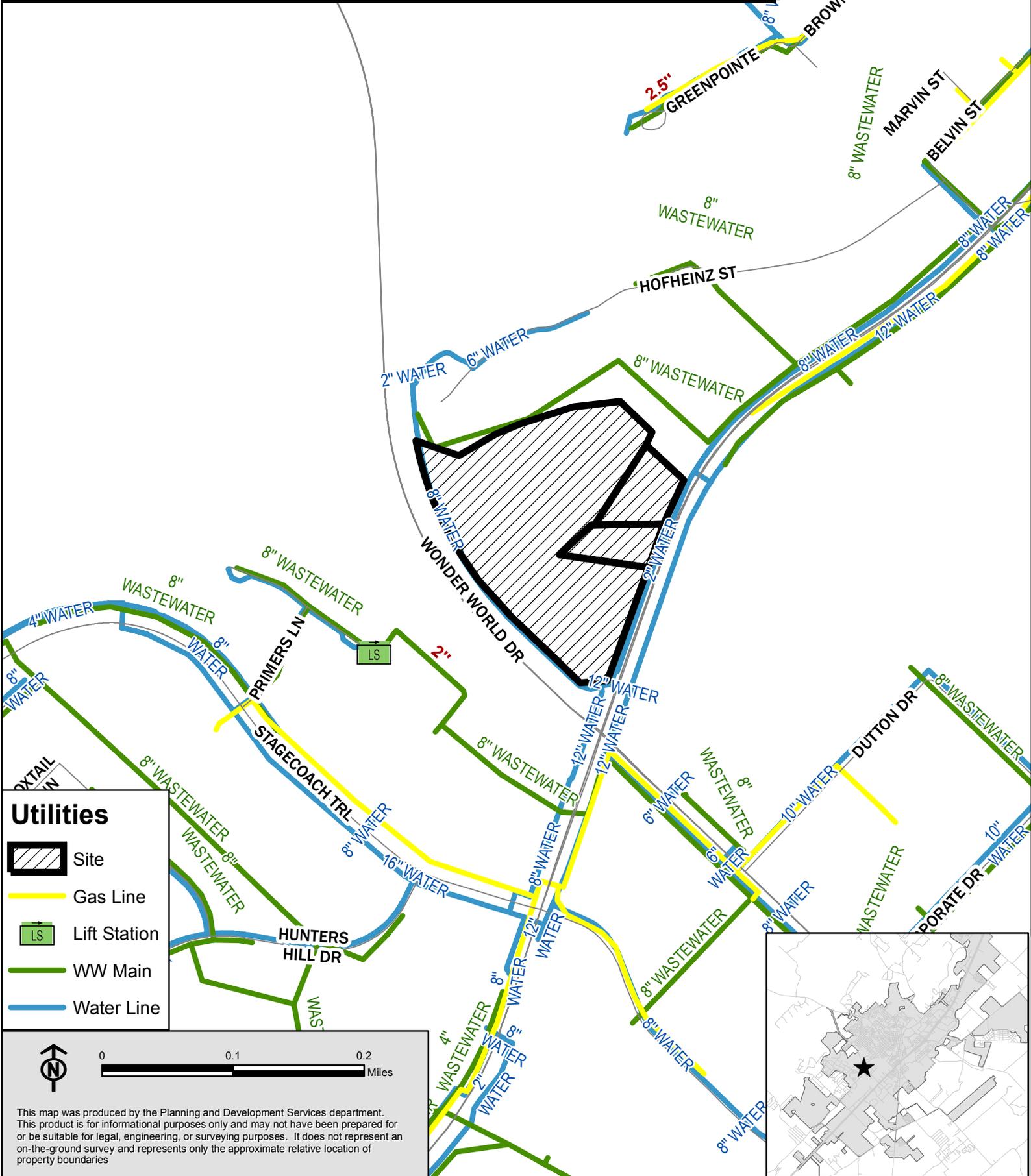
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PSA-15-02

Wonder World Drive & Hunter Road

Map Date: 8/10/2015



Utilities

-  Site
-  Gas Line
-  Lift Station
-  WW Main
-  Water Line

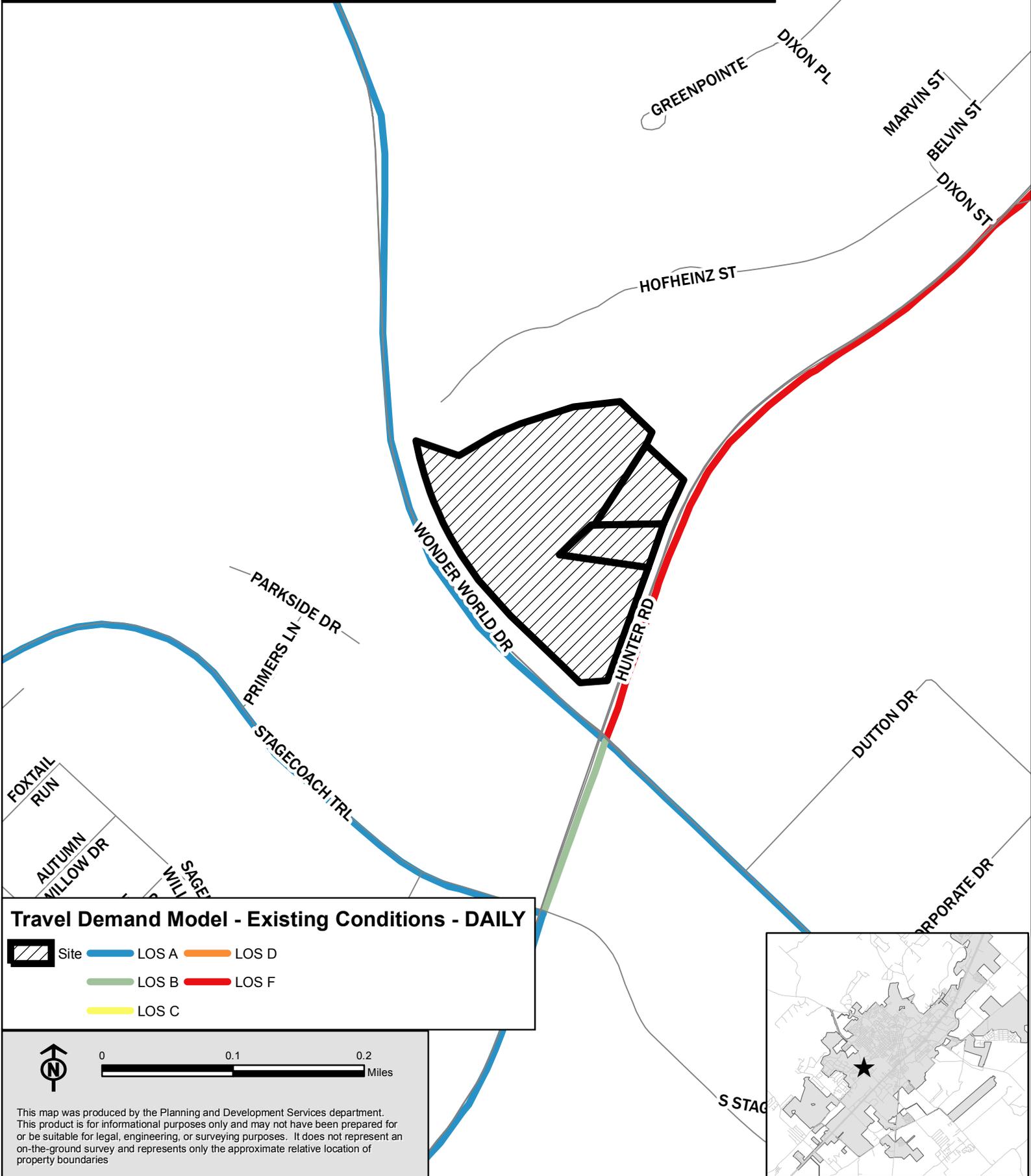


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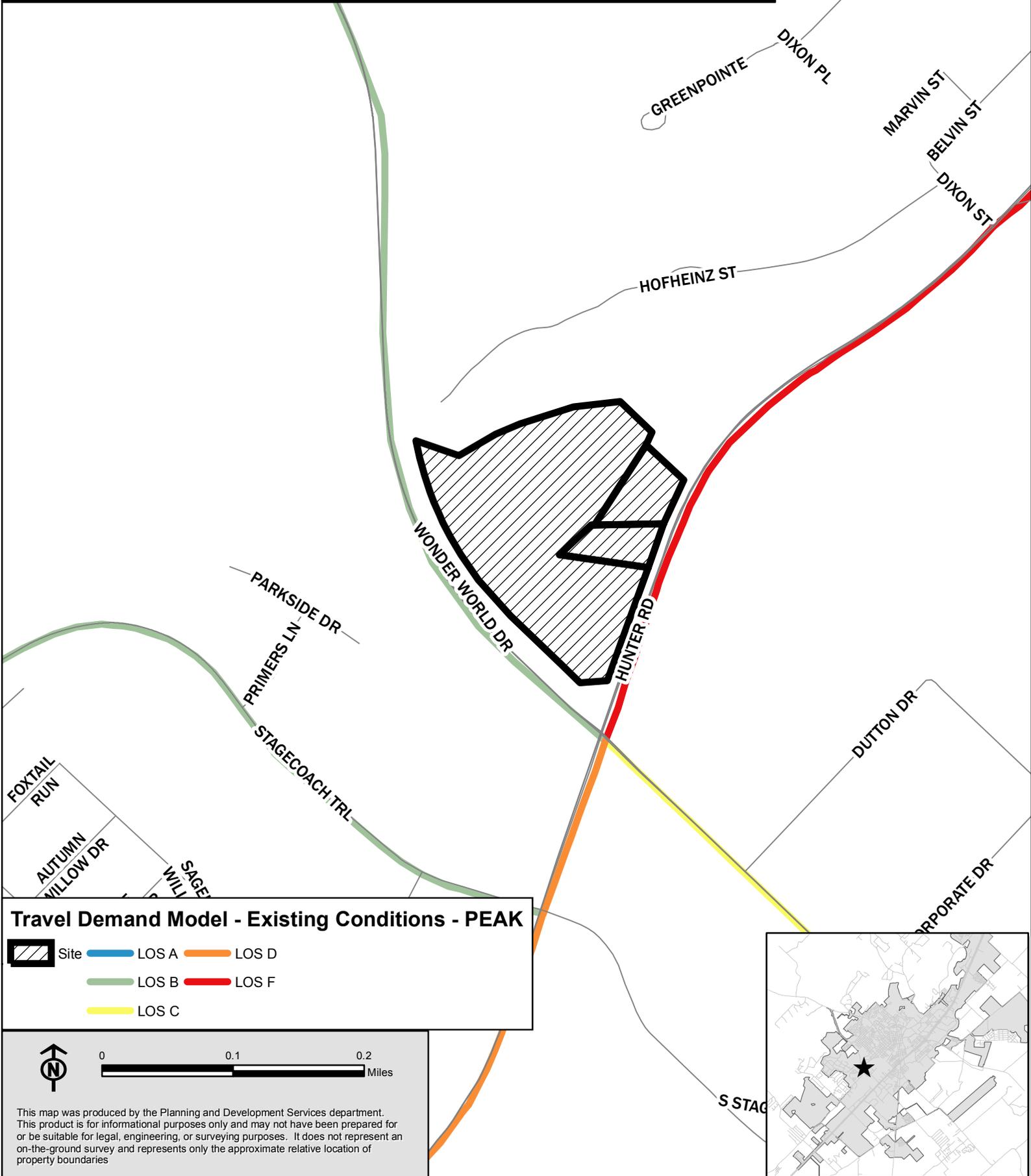
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PSA-15-02

Wonder World Drive & Hunter Road

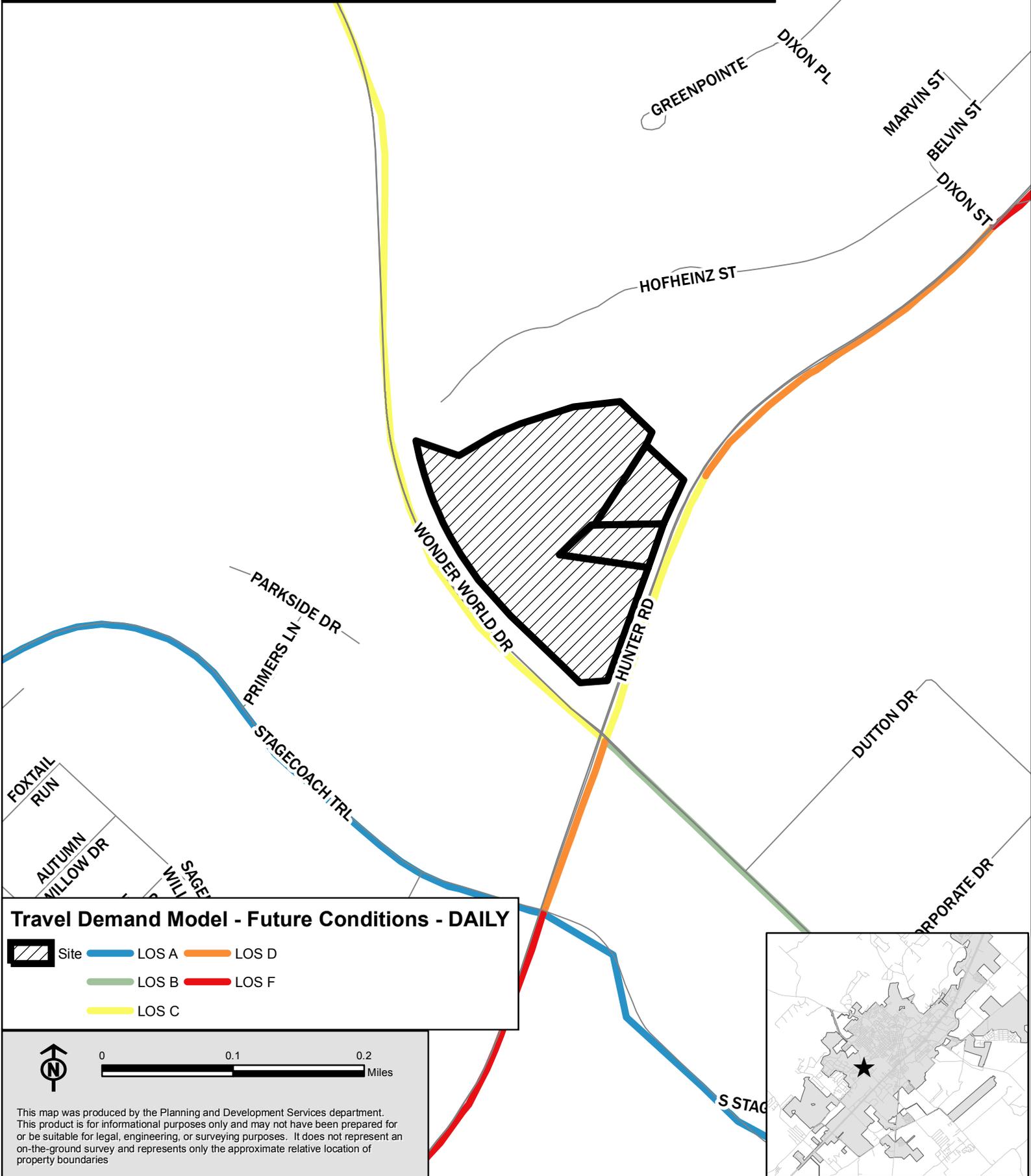
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PSA-15-02

Wonder World Drive & Hunter Road

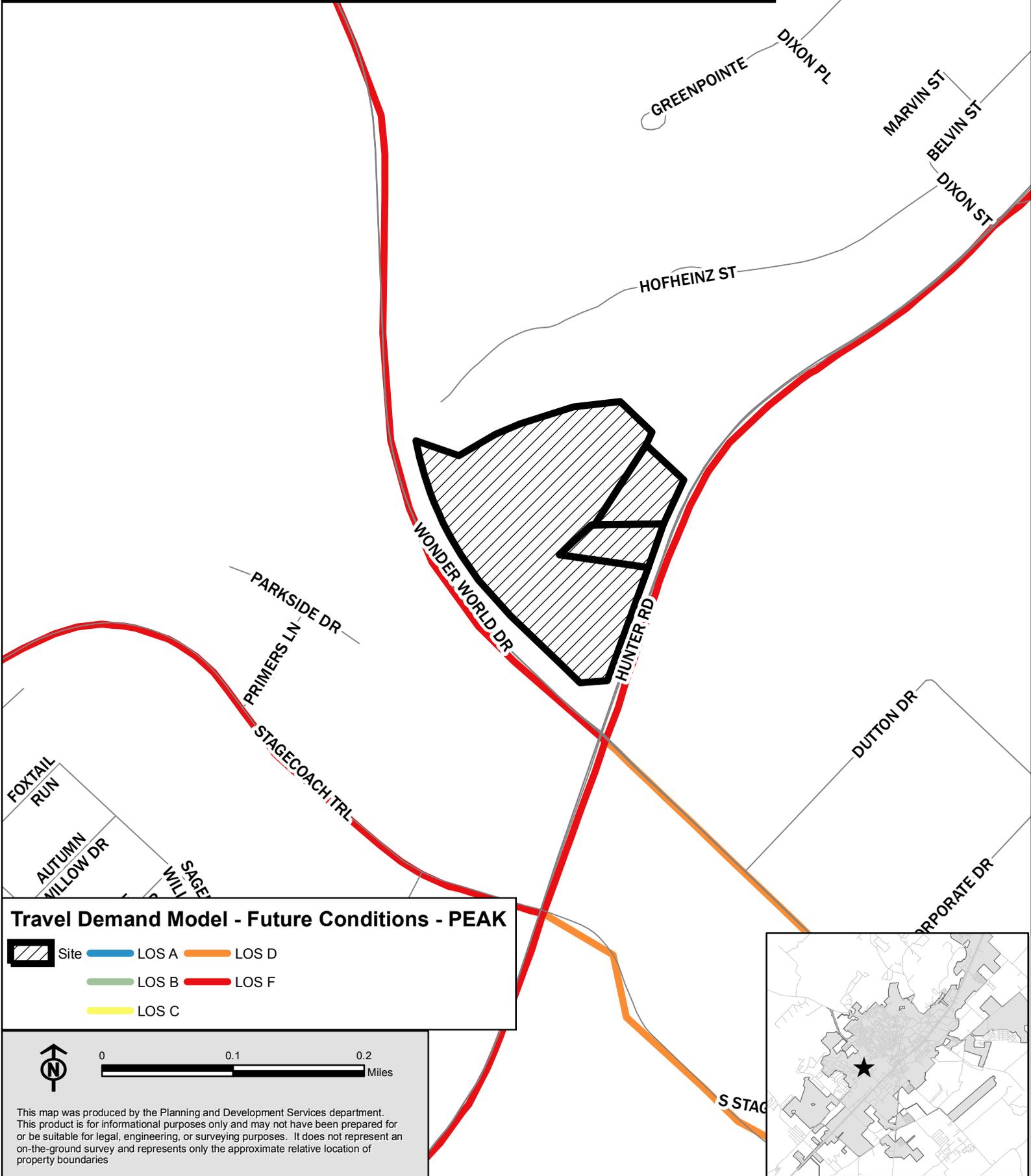
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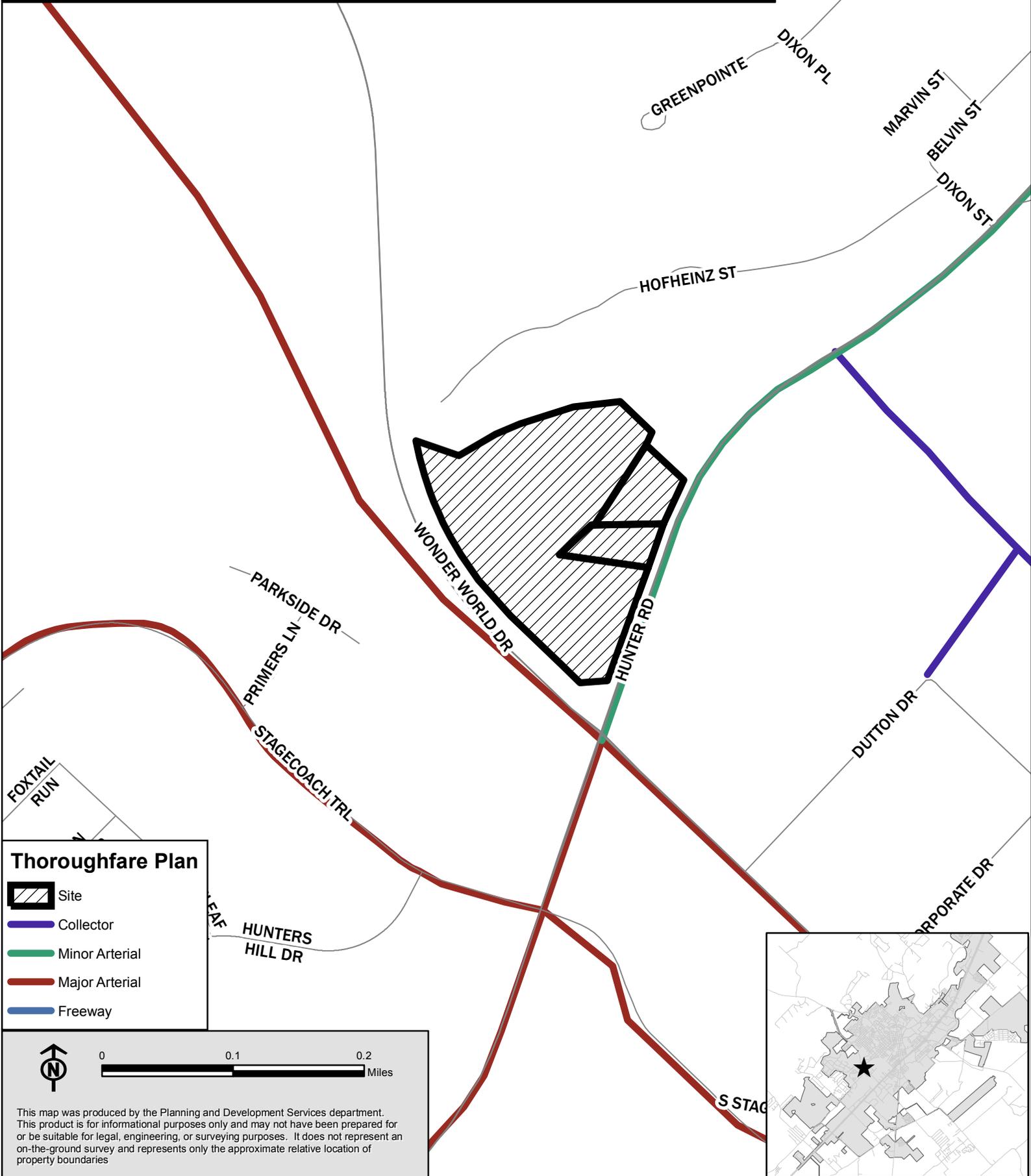


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PSA-15-02

Wonder World Drive & Hunter Road

Map Date: 8/10/2015



Thoroughfare Plan

- Site
- Collector
- Minor Arterial
- Major Arterial
- Freeway

North Arrow

0 0.1 0.2 Miles

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Preferred Scenario Map Amendment Application Checklist

- Pre-application conference with staff recommended
- A completed application for a Preferred Scenario Amendment and required fees
- Reasons for the change
- Visual representations of the change
- Other information as requested by the City
- Certificate of no tax delinquency

I do hereby certify and attest that the application is complete and all information identified above is complete and hereby submitted for review.

Signed: _____

Date: 8/7/15

Print Name: Dennis R. Rion, P.E.

Engineer Surveyor Architect/Planner Owner Agent: _____

STAFF COMMENTS: _____

City of San Marcos

PREFERRED SCENARIO MAP AMENDMENT APPLICATION

	<u>APPLICANT</u>	<u>PROPERTY OWNER</u>
Name	Dennis R. Rion, P.E. _____	Owner 1: Eric Myers P.O. Box 1084 San Marcos, TX 78667 _____
Mailing Address	2000 NW Loop 410 _____ San Antonio, TX 78213 _____	Owner 2: Green Gerald Trustee Etal 1314 E Sonterra Boulevard #5204 San Antonio, TX 78258 _____ Owner 3: City of San Marcos 630 E Hopkins Street San Marcos, TX 78666 _____
Daytime Phone	(210) 375-9000 _____	Owner 4: Nick Lara 1519 W Hopkins Street San Marcos, TX 78666 _____
E-mail	DRion@Pape-Dawson.com _____	_____

PROPERTY DESCRIPTION:

Address Hunter Road at wonder World, San Marcos, TX 78666

Legal Description (if platted) Not Platted

Appraisal District Tax I.D. R 11829, 11804, 11696, and 11769 **Acres** 16.8

Current Intensity Zone Area of Stability and Open Space **Proposed Intensity Zone** Employment Center and Open Space

Zoning Classification FD **Proposed New Zoning, if any** GC

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

Existing use of land and building(s)

Existing Land is Undeveloped

APPLICATION FOR CITY OF SAN MARCOS PREFERRED SCENARIO AMENDMENT

REQUESTED AMENDMENT:

Proposed new use of property Development of grocery store, fuel station, car wash.

Reasons which support this request

Proposed site will provide a needed service for nearby apartments and residential housing. Development will attract more attention to the area and provide business for the surrounding commercial sites.

SUBMITTAL REQUIREMENTS:

\$750 plus \$50 per acre (\$2000 max) payable to the City of San Marcos

Name(s) and Address(es) of Property Lien-Holder(s), if any

Metes and Bounds legal description or a map/survey to scale (if not platted), submitted on paper no larger than 11" x 17" showing the location and boundaries of the property (if the amendment involves changing more than one existing designation, show the boundaries of such designations within the property).

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:** _____

Printed Name: See attached emails

To be completed by Staff:

Meeting Date: _____ Application Deadline: _____

Accepted By: _____ Date: _____



PLANNING & DEVELOPMENT SERVICES

8/10/2015

PSA-15-02

Courtesy Notice
Fall 2015 Preferred Scenario Amendment
Approximately 16.8 acres, more or less, out of the J.M. Veramendi Survey, Abstract 17

PSA-15-02: Pape-Dawson Engineers has requested a **Preferred Scenario Amendment** to allow an **Employment Center** for an approximately 16.8 acres, more or less, tract out of the J.M. Veramendi Survey, Abstract 17. The property is located north of the intersection of Wonder World Drive and Hunter Road.

The City of San Marcos Planning Staff is inviting the applicant, developer, engineer, etc. and all interested parties to the **Neighborhood Commission Meeting** to hear an update on this and all other Preferred Scenario requests. The Neighborhood Commission will meet on **September 16, 2015** in the **City Hall Conference Room (630 East Hopkins)** at **6:00 pm**. Please take advantage of this opportunity to gather more information on the future plans for this property.

If you cannot attend but wish to inquire on this request you may contact Planning & Development Services Staff:
(please reference case number PSA-15-02)

planning_info@sanmarcostx.gov
512-393-8230

The San Marcos Planning and Zoning Commission will be advised of this and all other Preferred Scenario requests at their regular meeting on **August 25th** and is scheduled to take action on **September 22nd** following a public hearing. The City Council will be advised of this request at their regular meeting on **September 1st** and is scheduled to take action on **October 20th** following a public hearing.

Please be advised that this is not a notification of public hearing. Property owners located within 200 feet of the subject property will receive further notification of the public hearing(s). This courtesy notice has been prepared to alert stakeholders of changes being requested at this location and to allow a dialogue regarding the project to occur outside of the setting of a public hearing. Planning staff hopes to answer any questions and hear and address comments and concerns prior to making its recommendation. A summary of the dialogue during this outreach process, if applicable, will be presented by staff at the public hearings

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

PLANNING & DEVELOPMENT SERVICES
Enclosure: Map (See Reverse)

200 Foot Buffer Notice

OWNER NAME	ADDRESS1	ADDRESS2	CITY	STATE	ZIP
H B MOTT LIMITED PARTNERSHIP	115 W HILLCREST DR		SAN MARCOS	TX	78666-3415
MYERS, ERIC	P O BOX 1084		SAN MARCOS	TX	78667-1084
BARCELONA REAL ESTATE LLC	PMB # 222	102 WONDERWORLD DR # 304	SAN MARCOS	TX	78666
KEENE FAMILY LIVING TRUST	3606 ENFIELD RD		AUSTIN	TX	78703-3613
ELYSIAN AT PURGATORY CREEK LP	7887 SAN FELIPE ST	STE 200	HOUSTON	TX	77063-1600
LARA, NICK	1519 W HOPKINS ST		SAN MARCOS	TX	78666
GREEN GERALD TRUSTEE ETAL	% STEVEN HUFFMAN	1162 E SONTERRA BLVD STE 210	SAN ANTONIO	TX	78258
2427 TX PROPERTY 1 LLC	Attn: STR STCG 5776-01	1 CVS DR	WOONSOCKET	RI	02895-6111

PREFERRED SCENARIO AMENDMENT UPDATE DISCUSSION SIGN IN SHEET
PLEASE PRINT CLEARLY

Full Name	Which Item are you interested in?	Are you:	Do you have a specific question for the Staff, Developer, Applicant, etc.?	Briefly state your question
<i>Diane Masnick</i>	PSA-15-01 - Blanco Riverwalk PSA-15-02 - Wonder World Drive & Hunter Road	FOR / AGAINST NEITHER <input checked="" type="radio"/> AGAINST	Do you have a specific question for the Staff, Developer, Applicant, etc.? <input checked="" type="radio"/> yes / <input type="radio"/> no	<i>The there is very important if is a gateway. There are very sensitive areas near there, populations should not be allowed there - like big gun beyond if floods nearby.</i>
11	PSA-15-01 - Blanco Riverwalk PSA-15-02 - Wonder World Drive & Hunter Road	FOR / AGAINST NEITHER <input checked="" type="radio"/> AGAINST	<input checked="" type="radio"/> yes / <input type="radio"/> no	
	PSA-15-01 - Blanco Riverwalk PSA-15-02 - Wonder World Drive & Hunter Road	FOR / AGAINST NEITHER <input type="radio"/> AGAINST	<input type="radio"/> yes / <input type="radio"/> no	
	PSA-15-01 - Blanco Riverwalk PSA-15-02 - Wonder World Drive & Hunter Road	FOR / AGAINST NEITHER <input type="radio"/> AGAINST	<input type="radio"/> yes / <input type="radio"/> no	
	PSA-15-01 - Blanco Riverwalk PSA-15-02 - Wonder World Drive & Hunter Road	FOR / AGAINST NEITHER <input type="radio"/> AGAINST	<input type="radio"/> yes / <input type="radio"/> no	
	PSA-15-01 - Blanco Riverwalk PSA-15-02 - Wonder World Drive & Hunter Road	FOR / AGAINST NEITHER <input type="radio"/> AGAINST	<input type="radio"/> yes / <input type="radio"/> no	



City of San

630 East Hopkins San
Marcos, TX 78666

Legislation

File #: ID#15-630, **Version:** 1

AGENDA CAPTION:

Development Services Report:

1. Texas APA Current Planning Award: Sidewalk Cafes, Parklets & Similar Uses of Public Right-of-Way, presented October 9 at Texas APA Conference

Meeting date: October 13, 2015

Department: Development Services

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

CITY COUNCIL GOAL: N/A

COMPREHENSIVE PLAN ELEMENT(s):

BACKGROUND: