



REGULAR MEETING OF THE SAN MARCOS PLANNING AND ZONING COMMISSION

Tuesday, November 22, 2011, 6:00 p.m.
City Council Chambers
630 E. Hopkins Street

Bill Taylor, Chair
Bucky Couch, Vice-Chair
Sherwood Bishop, Commissioner
Randy Bryan, Commissioner
Curtis O. Seebeck, Commissioner
Chris Wood, Commissioner
Travis Kelsey, Commissioner
Kenneth Ehlers, Commissioner
Carter Morris, Commissioner
Brooks Andrews, Texas State University Student Liaison

AGENDA

1. Call to Order.
2. Roll Call.
3. Chairperson's Opening Remarks.
4. ***NOTE:*** *The Planning & Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session;*
5. Citizen Comment Period.

Consent Agenda

6. Consider the approval of the minutes from the Regular Meeting on November 8, 2011.
7. **LUA-11-23 (1410 N. LBJ – Hillside Ranch Phase 2).** Consider a request to postpone a request by ETR Development Consulting, on behalf of Jared Shenk and Dan Anderson, for a land use map amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) for 10.925 acres located 1410 N. LBJ Drive.
8. **ZC-11-37 (1410 N. LBJ- Hillside Ranch Phase 2).** Consider a request to postpone a request by ETR Development Consulting, on behalf of Jared Shenk and Dan Anderson, for a zoning change from Single Family Residential (SF-6) to Multi-Family-12 (MF-12) for 10.925 acres located at 1410 N. LBJ Drive.
9. **PDD-11-11 (1410 N. LBJ- Hillside Ranch Phase 2).** Consider a request to postpone a request by ETR Development Consulting, on behalf of Jared Shenk and Dan Anderson, for a Planned Development District Overlay (PDD), with a base zoning of MF-12 for 10.925 acres located at 1410 N. LBJ Drive.

Public Hearing

- 10. LUA-11-20 (1620 Old Ranch Road 12).** Hold a public hearing and consider a request by ETR Development Consulting, LLC, on behalf of RF Sowell Jr., for a land use map amendment from Low Density Residential (LDR) to Commercial (C) for approximately 2.119 acres located at 1620 Ranch Road 12.
- 11. ZC-11-31 (1620 Old Ranch Road 12).** Hold a public hearing and consider a request by ETR Development Consulting, LLC, on behalf of RF Sowell Jr., for a zoning change from Single Family Residential-6 (SF-6) to Neighborhood Commercial (NC) for approximately 2.119 acres located at 1620 Ranch Road 12.
- 12. LUA-11-25 (Blanco River Village- Living Court Units)** – Hold a public hearing and discuss a request by the City of San Marcos for a Land Use Map Amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) for the existing Living Court Units described as approximately 10.347 acres of land in Blocks E, F, H, and I of the amending plat of the Blanco River Village Subdivision and located east of Shadow Point along Rush Haven and north of Trestle Tree.
- 13. PDD-11-13 (Blanco River Village PDD)** – Hold a public hearing and discuss a request by the City of San Marcos for an amendment to the existing PDD and Concept Plan Overlay District for a 103.788 acre, more or less, tract of property located in the 1400 – 1900 blocks of State Highway 21 in the Blanco River Village Subdivision.
- 14. LUA-11-24 (North Campus Housing)** – Hold a public hearing and discuss a request by ETR Development, on behalf of Darren Casey Interests, Flow Wilks, Harriett Rainey, Christian and Diana Espiritu, Everette and Donna Swinney and Buck Schieb for a Land Use Amendment from Low Density Residential (LDR) to Mixed Use for approximately 13.51 acres located at Sessom Drive at Loquat Street.
- 15. ZC-11-38 (North Campus Housing)** – Hold a public hearing and discuss a request by ETR Development, on behalf of Darren Casey Interests, Flow Wilks, Harriett Rainey, Christian and Diana Espiritu, Everette and Donna Swinney and Buck Schieb for a Zoning Change from Single Family Residential- 6 (SF-6) to Mixed Use (MU) for approximately 13.51 acres located at Sessom Drive at Loquat Street.
- 16. PDD-11-12 (North Campus Housing)** – Hold a public hearing and discuss a request by ETR Development, on behalf of Darren Casey Interests, Flow Wilks, Harriett Rainey, Christian and Diana Espiritu, Everette and Donna Swinney and Buck Schieb for a PDD overlay district, with a base zoning designation of Mixed Use (MU), for approximately 13.51 acres located at Sessom Drive at Loquat Street.

17. Discussion Items.

Commission members and staff may discuss and report on items related to the Commission's general duties and responsibilities. The Commission may not take any vote or other action on any item other than to obtain a consensus regarding items that will be placed on future agendas for formal action.

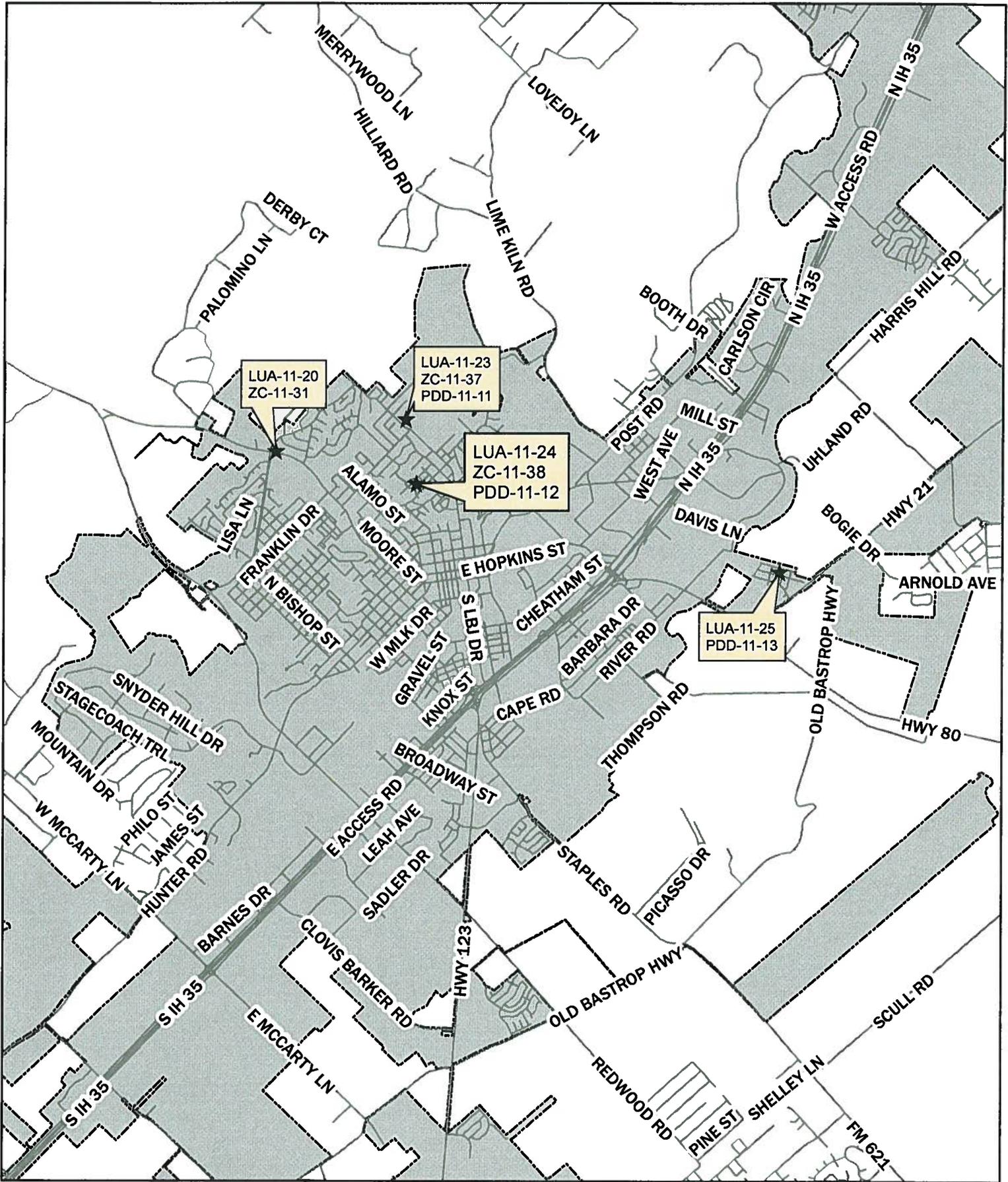
Development Services Report

Commissioners' Report.

18. Questions from the Press and Public.

19. Adjourn.

Notice of Assistance at the Public Meetings: The San Marcos City Hall is wheelchair accessible. The entry ramp is located in the front of the building. Accessible parking spaces are also available in that area. Sign interpretative for meetings must be made 48 hours in advance of the meeting. Call the City Clerk's Office at 512-393-8090.



**Planning and Zoning
Commission Meeting
November 22, 2011
Location Map**

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**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
November 8, 2011**

1. Present

Commissioners:

Bill Taylor, Chair
Sherwood Bishop
Kenneth Ehlers
Carter Morris
Chris Wood
Curtis Seebeck
Randy Bryan
Travis Kelsey

City Staff:

Matthew Lewis, Development Services Director
Francis Serna, Recording Secretary
Sofia Nelson, Chief Planner
John Foreman, Planner
Christine Barton-Holmes, Chief Planner
Alison Brake, Planner
Abigail Gillfillan, Planner

2. Call to Order and a Quorum is Present.

With a quorum present, the Regular Meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Taylor at 6:00 p.m. on Tuesday November 8, 2011 in the Council Chambers, City Hall, City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

3. Chairperson's Opening Remarks.

Chair Taylor welcomed the audience.

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

5. Citizen Comment Period

Diane Wassenich provided a handout regarding some record Floods in Central Texas. Ms. Wassenich gave a brief overview of the handout. She pointed out that the Blanco River can cause the San Marcos River to backup and she asked the Commission not to overlook the areas that can flood in San Marcos.

Jeff Lowe stated that he has lived across the street from Hillside Ranch for twenty years and that he is opposed to the zoning change request. He provided an email requesting the item be denied. Mr. Lowe felt that the request should be postponed for three weeks which would give him enough time to get a petition submitted.

Consent Agenda

6. **LUA-11-20 (1620 Old Ranch Road 12).** Consider postponement until November 22, 2011 of a request by ETR Development Consulting, LLC., on behalf of RF Sowell Jr., for a land use map amendment from Low Density Residential (LDR) to Commercial (C) for approximately 2.119 acres located at 1620 Ranch Road 12.

7. **ZC-11-31 (1620 Old Ranch Road 12).** Consider postponement until November 22, 2011 of a request by ETR Development Consulting, LLC., on behalf of RF Sowell Jr., for a zoning change from Single Family Residential-6 (SF-6) to Community Commercial (CC) for approximately 2.119 acres located at 1620 Ranch Road 12.

8. **PVC-11-05 (830 MLK Drive- lot depth to width plat variance).** Consider a request for postponement by Carlos Hernandez, on behalf of Virgilio Altamirano, for a subdivision plat variance to section 6.7.2.1(j) of the Land Development Code which requires that lot depth shall not exceed three times the lot width for lots platted after March 10, 1975 for a property located at 830 Martin Luther King Drive.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Bishop, the Commission approved on consent to postpone LUA-11-20, ZC-11-31, and PVC-11-05.

Consideration

9. **LUA-11-19 (1311 N. IH-35 Luxury Apartments).** Hold a public hearing and consider a request by ETR Development Consulting, LLC., on behalf of Darren Casey Interests, Inc., for a land use map amendment from Commercial (C) to High Density Residential (HDR) for approximately 2.547 acres located at 1311 N. IH-35.

10. **ZC-11-30 (1311 N. IH-35 Luxury Apartment).** Hold a public hearing and consider a request by ETR Development Consulting, LLC., on behalf of Darren Casey Interests, Inc., for a zoning change from General Commercial (GC) to Multi-Family-24 (MF-24) for approximately 2.547 acres located at 1311 N. IH-35.

11. **PDD-11-09 (1311 N. IH-35 Luxury Apartment).** Hold a public hearing and consider a request by ETR Development Consulting, LLC., on behalf of Darren Casey Interests, Inc., for a Planned Development District (PDD) with a base zoning designation of MF-24 for approximately 10.735 acres located at 1311 N. IH-35.

Chair Taylor opened the public hearing for LUA-11-19, ZC-11-30 and PDD-11-09. Diane Wassenich, 11 Tanglewood, expressed concerns regarding water irrigation.

MOTION: Upon a motion made by Commissioner Bishop and a second by Commissioner Seebeck, the Commission voted five (5) for and three (3) opposed to approve LUA-11-19, ZC-11-30, and PDD-11-09, with the following conditions on PDD-11-09: 1) In order to help facilitate the improved streetscape the two storm water detention facilities shall be natural in shape and be designed as bioretention facilities per the City of Austin design criteria; and 2) Both street tree wells and parking lot tree wells shall be designed for collection of stormwater, The motion carried. Commissioners Ehlers, Kelsey and Wood voted no.

12. **PDD-11-10 (Lime Kiln Rd- The Preserve at Windemere).** Hold a public hearing and consider a request by Vigil and Associates, on behalf of Robert L. Haug and Vinson J. Wood, for a Planned Development District (PDD) with a base zoning district of Single Family Rural Residential (SF-R) for approximately 149.14 acres located off of Lime Kiln Road.

Chair Taylor opened the public hearing. Diane Wassenich, 11 Tanglewood, addressed the petition that was submitted prior to the meeting and she also addressed her concern that flooding will occur on the single entrance to the property. Ms. Wassenich pointed out concerns regarding the safety of endangered species in the area.

Bill Guajardo, addressed concerns regarding caves on the property. He stated he has recently moved to the area and asked what is being done to preserve and protect the water area. Joel Richardson, Project Engineer, responded to Mr. Guajardo and explained that there is one cave and that the issue has been

addressed with TCEQ. Mr. Richardson also pointed out that the proper reports have been submitted to staff and approved. There were no additional comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Bishop and a second by Commissioner Seebeck, the Commission voted three (3) for and five (5) opposed to deny PDD-11-10. The motion failed. Commissioners Bryan, Seebeck, Morris, Taylor and Wood voted no.

MOTION: Upon a motion made by Commissioner Carter and a second by Commissioner Bryan, the Commission voted five (5) for and three (3) opposed to approve PDD-11-10. The motion carried. Commissioners Bishop, Ehlers, and Kelsey voted no.

Public Hearing

13. CUP-11-17 (Garcia's- Dutton). Hold a public hearing and consider a request by Juan Ybarra, on behalf of Garcia's Mexican Restaurant, for a Conditional Use Permit to allow the sale and consumption of Beer and Wine at 1917 Dutton Drive Suite 200.

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

MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Seebeck the Commission voted all in favor to approve CUP-11-17. The motion carried unanimously.

14. LUA-11-22 (2002 Pecan Street). Hold a public hearing and consider a request by Russell Grifo for a land use map amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) for approximately 3.5 acres at 2002 Pecan Street.

15. ZC-11-36 (2002 Pecan Street). Hold a public consider a request by Russell Grifo for a zoning change from Single Family Residential-6 (SF-6) to Duplex Restricted (DR) for approximately 3.5 acres at 2002 Pecan Street.

Chair Taylor opened the public hearing for LUA-11-22 and ZC-11-36. Diane Wassenich, 11 Tanglewood, stated that if she were in the Commissioners shoes that she would ask for the research done on special modeling of the Blanco River which shows exactly what the flooding situation is in this particular area. She commended staff saying that she was happy to hear them talk of the reality of flooding in the area.

Shelton Ubanks, 1904 Pecan Street, stated that Mr. Grifo has owned property which has been used as a fraternity house. He expressed concerns regarding trash as well as issues with parties. Mr. Ubanks spoke in opposition to the request and pointed out that duplexes would increase problems.

Julie Escamilla, 1903 Pecan Street, concurred with Mr. Ubanks. She stated that she was opposed to the request and read a letter she wrote to the Commission.

Russell Grifo, the applicant, stated that he understood that the property is in the floodplain but felt that the flooding issue could be addressed. Mr. Grifo explained that the same issues would arise if the changes were not approved. He stated that he was available to answer questions.

MOTION: Upon a motion made by Commissioner Ehlers and a second by Commissioner Wood the Commission voted all in favor to deny LUA-11-22 and ZC-11-36. The motion carried unanimously. Commissioner Morris recused himself prior to the public hearing.

16. LUA-11-23 (1410 N. LBJ – Hillside Ranch Phase 2). Hold a public hearing and discuss a request by ETR Development Consulting, on behalf of Jared Shenk and Dan Anderson, for a land use map amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) for 10.925 acres located 1410 N. LBJ Drive.

17. ZC-11-37 (1410 N. LBJ- Hillside Ranch Phase 2). Hold a public hearing and discuss a request by ETR Development Consulting, on behalf of Jared Shenk and Dan Anderson, for a zoning change from Single Family Residential (SF-6) to Multi-Family-12 (MF-12) for 10.925 acres located at 1410 N. LBJ Drive.

18. PDD-11-11 (1410 N. LBJ- Hillside Ranch Phase 2). Hold a public hearing and discuss a request by ETR Development Consulting, on behalf of Jared Shenk and Dan Anderson, for a Planned Development District Overlay (PDD), with a base zoning of MF-12 for 10.925 acres located at 1410 N. LBJ Drive.

Chair Taylor opened the public hearing. Diane Wassenich, 11 Tangelwood, stated this she lived in this neighborhood which is one of the nicest in town. She said the project is lovely if placed somewhere else and felt the apartments should end on Holland. Ms. Wassenich added that adding apartments will depreciate property values while urging the Commission to stand up for San Marcos and hold out for what San Marcos should be. She said this project is not for a single family residential area.

Francis Horne, 204 Oakridge, stated that he developed Elm Hill Court and asked the Commission to keep in mind growth. He said Ms. Wassenich is correct about the encroachment on single family homes. Mr. Horne pointed out that he has suggested to the developer that they concentrate on building in the back away from single family while leaving the front area open.

Cynthia Gonzales, 1113 Elm Hill Court, thanked the applicant for their presentation but stated that the residents have only been involved with the process for two weeks. She was concerned with the increase in traffic this project could bring and she stated that she would like a study on the trails. She also suggested that alternate egress locations were looked into.

Paul Henrich, 79 Elm Hill Court, said this was the first he has heard about the request. He felt that the project would decrease property values. He stated that he does not think putting apartments next to residential is a good idea.

Cynthia Alba-Love, 106 Elm Hill Court, said that she had been a resident since 1995 and that when she purchased the home there was a vacant lot behind hers; she felt that she would like to raise her family here. She stated that she did not know that there would ever be apartments behind her property. She was concerned with the increase in waste water and traffic adding that every weekend there are increased issues. She proposed that the greenspace be used to build single family homes.

Jane Hughson, 1600 N. LBJ Drive, she said when citizens purchased homes on Elm Court they did not expect apartments to be developed and stated that if it has to be multifamily then the applicant needs to justify the change.

Jason Moyer, 15 Tangelwood, stated that he has seen change in the neighborhood and is fighting to keep the integrity of the neighborhood. He also stated that this is the first time he has been notified. Mr. Moyer spoke in opposition to the request and expressed his concerns that there has been an increase in the police force as a response to the parties in the area. He felt that the apartments would not help the issues currently in the area and expressed concerns about the buffer zone.

Patricia Alva, 107 Norcrest, stated after reviewing past P&Z minutes there are more zoning changes to accommodate apartments in the city. She gave a brief estimate of costs per unit and said apartments are not quality homes. She said the area is great to build single family homes for young professional and suggested incentives be given so that professional people will purchase homes in the area. She also was concerned with increased vehicles and traffic and asked the Commission to consider keeping the area single family residential.

Greg Vineyard, Elm Court, compared the left and right side of the property and asked what will families do sitting on their desk and with the view of the apartments.

RC White said that he had lived on Elm Hill Court for 21 years and explained that the people in the neighborhood like having extra lots with trees and the space between lots. He expressed concerns with traffic and the number of students currently in the neighborhood. Mr. White said that he does not object to the request but expressed concerns with no sidewalks with thousands of students walking through the area.

Bill Guajardo 113 Elm Hill Court, said there are several issues he would like the Commission to consider (i.e. construction, noise, dust, majority of residents will be students, etc.). He said he hears a lot of noise

from Hillside Ranch apartments and feels that a buffer is not going to be sufficient. He stated that the developer should build for the sake of neighborhood and not the tax base. Mr. Guajardo expressed his concerns with no sidewalks and low lighting in the area.

Jared Schenk, said that he has been the Hillside Ranch owner since 2005. He explained they want to be good citizens, are members of ACT with Lisa Dvorak, and that they have had a dialogue with staff for 18 months. Mr. Schenk said he understands the sentiment of the neighbors. Mr. Schenk added that they have done a Traffic Impact Analysis study. He concluded stating that they want a development that the city will be proud of.

Pat Courley, 104 Elm Hill Court, said she is not in support of student housing and said that she felt that the quality of life in San Marcos was being lost.

There was discussion only; action to be taken on November 22, 2011. Commissioners discussed the proximity of the project to single family residential and to the Texas State University campus. Commissioner Bishop recused himself prior to the public hearing.

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

There was a 10 minute intermission. Commissioner Bryan left the meeting at 7:45 p.m.

19. A-11-02 (Advance St). Hold a public hearing and consider a request by Frances Minerva Moreno to abandon a 171.35 foot by 50 foot portion of Advance Street located adjacent to 804 and 800 Bishop Avenue.

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

MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Morris the Commission voted all in favor to approve A-11-02. The motion carried unanimously.

20. Land Development Code (LDC Revisions). Discuss a revision to Section 7.4.2.3 of the Land Development Code- General Requirements for Sidewalks.

Commissioner Wood expressed a need to not mandate sidewalks or fee if owner decides not to develop sidewalks.

21. Discussion Items.

Commission members and staff may discuss and report on items related to the Commission's general duties and responsibilities. The Commission may not take any vote or other action on any item other than to obtain a consensus regarding items that will be placed on future agendas for formal action.

Development Services Report

- Mr. Lewis informed the Commission about the Joint Planning and Zoning Commission and City Council Meeting on November 16th at 6:15 p.m. in the Activity Center. Commissioner Morris asked that the new P&Z appointees be invited to attend the Joint Meeting.
- Mr. Lewis announced that Sofia Nelson was leaving the City to take the position as Director of Planning in Kyle. He also announced that John Foreman was promoted to Chief Planner and introduced Alison Brake as the new Planner on staff.

Commissioners' Report.

There were no reports.

22. Questions from the Press and Public.

There were no questions from the public.

23. Adjourn.

Chair Taylor adjourned the Planning and Zoning Commission at 9:14 p.m. on Tuesday, November 8, 2011.

Bill Taylor, Chair

Bucky Couch, Vice Chair

Sherwood Bishop, Commissioner

Chris Wood, Commissioner

Kenneth Ehlers, Commissioner

Carter Morris, Commissioner

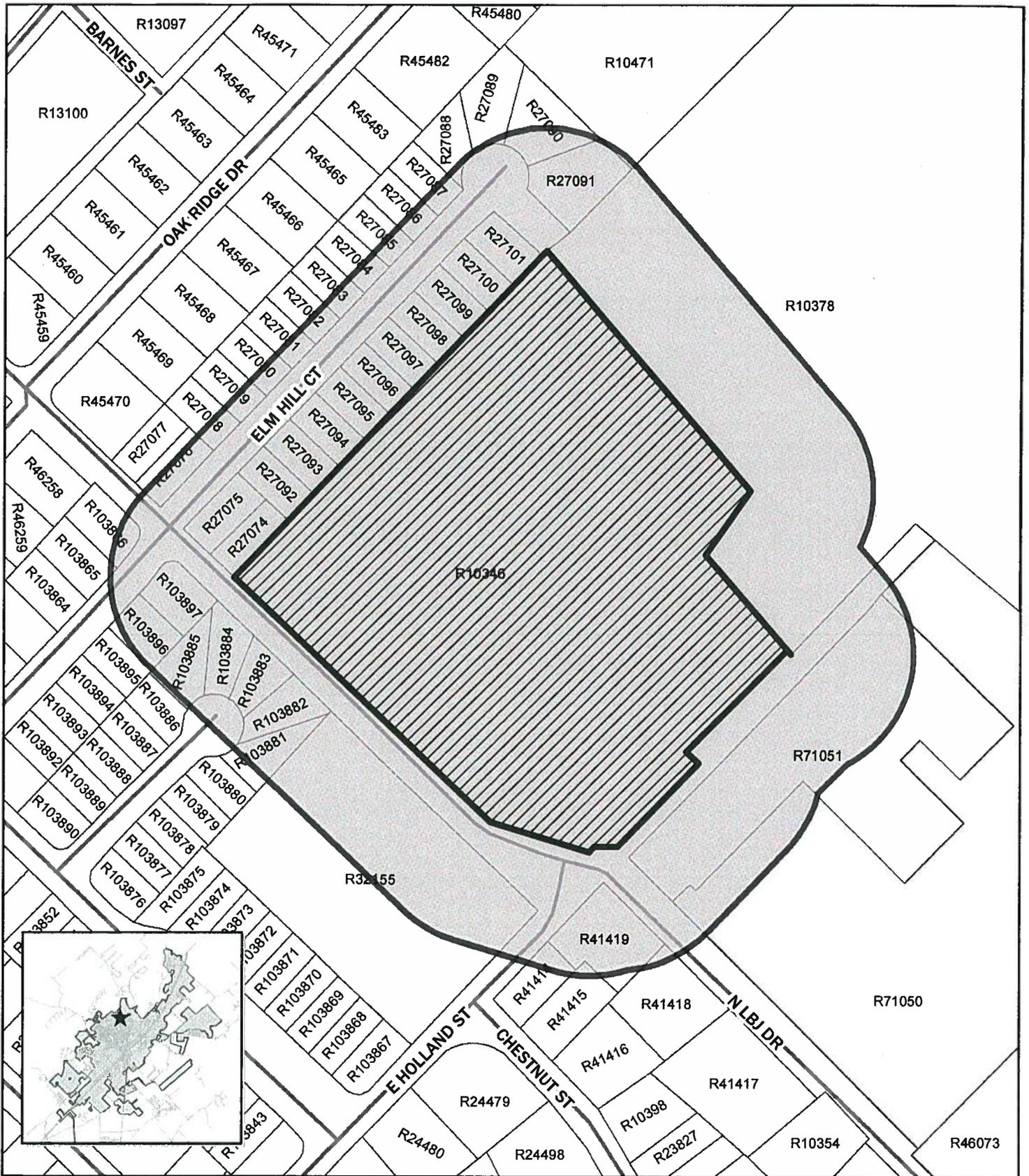
Curtis Seebeck, Commissioner

Travis Kelsey, Commissioner

Randy Bryan, Commissioner

ATTEST:

Francis Serna, Recording Secretary



LUA-11-23
ZC-11-37
PDD-11-11
Hillside Ranch
Phase 2
Map Date: 10/27/11

-  Notification Buffer (200 feet)
-  Site Location
-  Historic District

This map was created by Development Services for reference purposes only. No warranty is made concerning the map's accuracy or completeness.



PDD-11-11/ ZC-11-37/LUA-11-23 Planned Development District Hillside Ranch Phase 2



Summary:

Applicant/ Property Owner: Dan Anderson
1410 N. LBJ Drive
San Marcos, Texas

Consultant: ETR Development
401 Dryden Lane
Buda, Texas 78610

Jared Schenk, GEM Hillside
1350 N. LBJ Drive
San Marcos, Texas

Subject Property:

Legal Description: 10.735 acre tract situated in the JM Veramendi League Number 2 Survey.

Location: 1410 N. LBJ Drive

Existing Use of Property: Single Family residence

Existing Zoning: SF-6

Proposed Use of Property: Multi-family

Proposed Zoning: PDD overlay with a MF-12 base zoning

Sector: 3

Frontage On: N. LBJ Drive

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	SF-6	Single Family Residences
S of Property	MF-24	Multi-family
E of Property	P	Spring Lake Preserve
W of Property	N. LBJ Drive	

Following the public hearing at the November 8th meeting, the applicant continues to work with the neighborhood and staff on the design of the project. The applicant requests postponement so that this process can continue. Since it is not clear when the design will be finalized, staff recommends against postponing to a date certain. When a new meeting date is identified, personal notice will be resent, and a new public hearing will be held.

Prepared by:

John Foreman

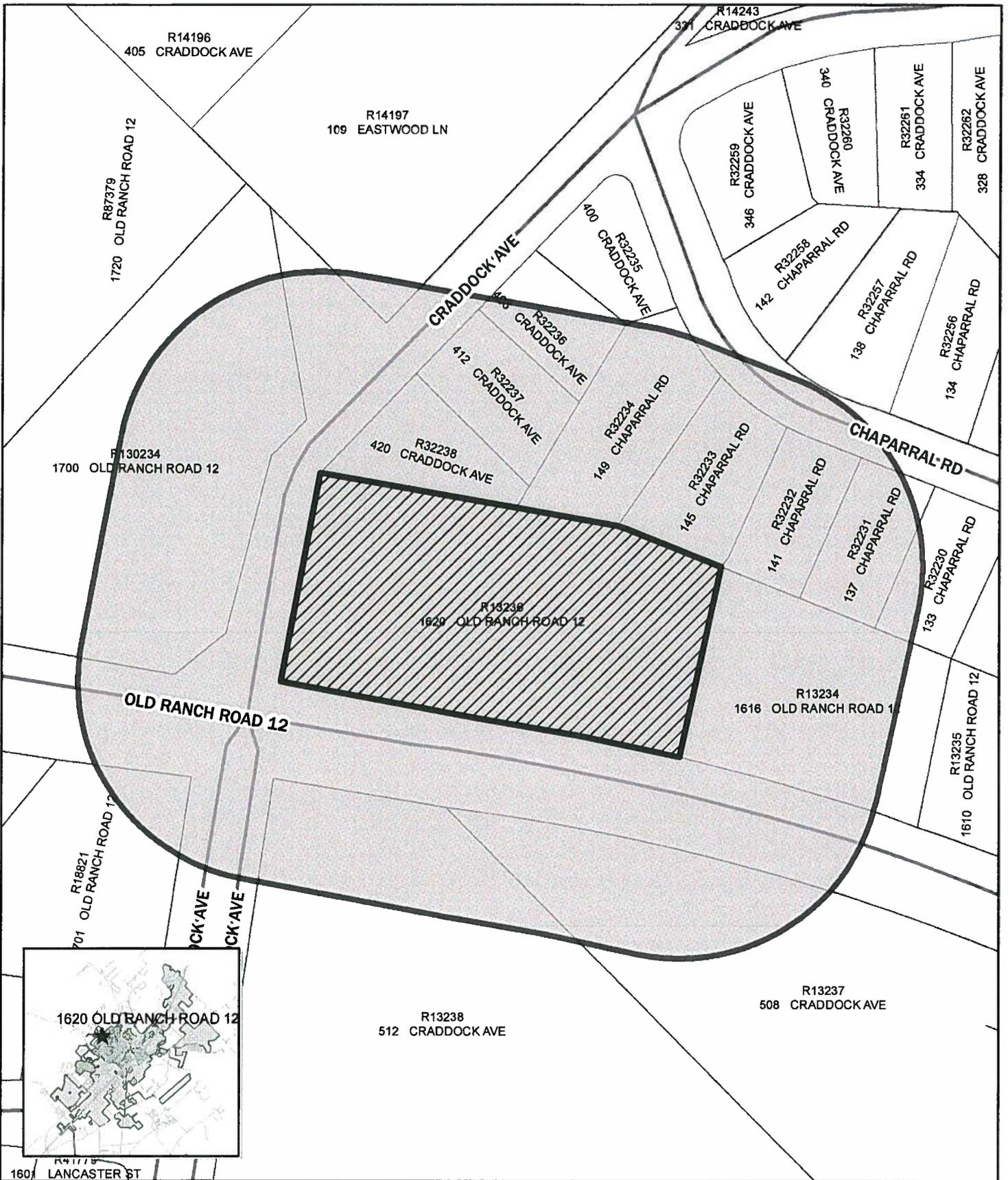
Chief Planner

November 17, 2011

Name

Title

Date



LUA-11-20
1620 Old RR 12
Map Date: 9/12/11

-  Notification Buffer (200 feet)
-  Site Location
-  Historic District

This map was created by Development Services for reference purposes only. No warranty is made concerning the map's accuracy or completeness.

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Land Use Map Amendment LUA-11-20 1620 Ranch Road 12



Summary: The property owner is proposing a land use map amendment from Low Density Residential (LDR) to Commercial (C).

Applicant: ETR Development Consulting
401 Dryden Lane
Buda, Texas 78610

Property Owner: Dr. Rugel F. Sowell Jr.
1620 Ranch Road 12
San Marcos, Texas 78666

Notification: Public hearing notification was mailed November 10, 2011.

Subject Property:

Legal Description: ABS 83 TR 19-20 117-89 E CLARK SURVEY

Location: 1620 Ranch Road 12

Existing Use of Property: Single-Family residence

Proposed Use of Property: No specific development plans

Proposed Land Use: C- Commercial

Sector: Sector 3

Frontage On: Ranch Road 12 and Craddock Avenue

Utilities: Adequate

Area Land Use Pattern:

	Existing Land Use	Future Land Use
N of Property	Duplexes and Single Family Homes	Medium-Density Residential/ Low Density Residential
S of Property	Single-Family Home and Undeveloped property	Open Space/ Commercial
E of Property	Single-Family Home	Low-Density Residential
W of Property	Walgreens	Commercial

Case Summary: Proposed Land Use Map Amendment from Low Density Residential (LDR) to Commercial (C)

The subject property is a 2.119 acre tract located at the northeast corner of Craddock Avenue and Old Ranch Road 12. The applicant is requesting a land use map amendment from Low Density Residential (LDR) to Commercial (C). This request is proceeding concurrently with a zoning change from Single Family (SF-6) to Neighborhood Commercial (NC). These changes would make the future land use and zoning consistent for the entire site.

A change to Commercial future land use along with a zoning change to Community Commercial (CC) was requested in 2009 but was withdrawn. This same request was brought before the Planning and Zoning

Commission again at the October 27th, 2011, meeting but was postponed because although there was general consensus that Commercial on the site was appropriate long-term, there was no consensus regarding the requested CC zoning. Because of this, the applicant revised the requested zoning from CC to NC. The Future Land Use Map Amendment request remains the same because Commercial is the appropriate category for either CC or NC.

The property is currently developed as a single-family residence. While the property owners do not have specific development plans for the site, they are requesting approval of this land use amendment in order to allow the property to be developed.

Planning Department Analysis:

Staff has reviewed the request for consistency with the *Horizons Master Plan* and the *Sector 3 Plan*.

Consistent	Neutral	Inconsistent	Horizons Master Plan Policy Statement
X			<p>Policy LU-6.3: The City shall promote commercial development in designated corridors and at intersections as the most desirable locations, and to influence the direction of development as part of the Future Land Use Plan.</p> <p><i>Comment: The subject property is located at the intersection of a major and minor arterial roadway. This stretch of Old Ranch Road 12 over the last several decades has transitioned from servicing single family homes as a farm to market road to a major thoroughfare tasked with servicing the needs of a variety of residential and commercial uses.</i></p>
X			<p>Policy LU-6.9: The City shall designate sufficient space in residential areas for commercial services that are compatible with, and cater to, the convenience needs of the neighborhood. These neighborhood convenience areas will be encouraged to locate within walking distance of all residences, preferably at the intersection of collectors.</p> <p><i>Comment: The subject property is located within walking distance of single family, medium density, multi-family, and commercial developments.</i></p>
X			<p>Policy LU-6.15: The City shall encourage the location of neighborhood shopping centers generally at the intersections of major or minor arterials.</p> <p><i>Comment: The subject property is located at the intersection of a minor and major arterial roadway.</i></p>
X			<p>Policy LU-6.5: The City shall designate enough commercially zoned land to meet the existing and future shopping and employment needs of the citizens and should direct the location of commercial development so that all land uses, whether mixed or segregated, are compatible with each other.</p> <p><i>Comment: This proposal will allow the property to be developed into commercial uses that support the needs of the surrounding neighborhoods in a way that neither segregates uses nor adds additional traffic to the residential neighborhoods adjacent to the site.</i></p>

Consistent	Neutral	Inconsistent	Horizons Master Plan Policy Statement
X			<p>LU-6.6: Discourage speculative zoning solely to inflate value, to the detriment of adjacent owners</p> <p><i>Comment: While value will likely increase, changing to a commercial land use designation is more appropriate for the property given its location on a major arterial roadway, and the compatibility requirements discussed below will protect the adjacent owners.</i></p>
X			<p>LU-1.21: Develop in areas already served.</p> <p><i>Comment: Utilities necessary for the redevelopment of this site are in place.</i></p>
X			<p>LU-6.10: Criteria to rezone to more intensive commercial purposes: on thoroughfare, close to market served, sufficient size for quality site design, discourages traffic on residential streets, adequate transportation system, adequate public facilities, sufficient space for increased drainage from impervious cover</p> <p><i>Comment: The property meets each of the criteria stated.</i></p>

Because of the changes to Old RR 12, the lots are now inconsistent with several statements in the Master Plan related to single-family development:

Policy LU-3.18: The City shall prohibit residential development that, because of design or location, will expose residents to through traffic or heavy traffic from other types of land uses.

Policy LU-3.19: The City shall encourage residential lots located along major thoroughfares to be designed in one of the following ways:

- a. Lots should be designed such that the houses back up to the major thoroughfare, the lot have extra depth, and the house is screened from the traffic by a fence or wall as part of the site development. When high noise levels from traffic are anticipated on the property, a masonry wall or other suitable noise dampening device or design standard should be used on the site to provide adequate outdoor living space that is not impacted by excessive noise levels.
- b. If houses are to face a major thoroughfare, they should be given access via a frontage road or service street.
- c. Whenever possible, the developer should construct short cul-de-sacs or loop streets, extending from the arterial into the subdivision so that the lots front on that local residential street and houses do not directly face or take access from the arterial.
- d. Houses may face a major thoroughfare without the provision of access from a service road if they are sufficiently set back,, and are given access from rear alleys or drives such that direct access to the highway is limited or prohibited. If access to the arterial must be provided, then circular drives should be required so that vehicles will not back into the arterial.

Staff makes the following findings related to the *Horizons* plan:

- The site is located on the corner at the intersection of two arterial roadways
- The lot across Old RR 12 from the site was rezoned to Commercial in 2011 as part of the Retreat at San Marcos development
- Commercial is the highest and best use of the site
- The lot size will minimize the impact on existing residential properties

The Sector 3 Plan lists three goals significant to the Commission's consideration to alter the future land use designation from LDR to C.

Walkable, pedestrian-friendly neighborhoods.

With the redevelopment of this site, sidewalks will be constructed along Craddock and Ranch Road 12, adjacent to the subject property, therefore helping to support the completion of the sidewalk network along these heavily used roadways. Providing for commercial areas within close proximity to residential uses creates the opportunity for residents to access commercial services without relying on the use of an automobile.

'Neighborhood friendly' development mitigating negative impacts of higher intensity uses.

There are a variety of residential uses within a ¼ to a ½ of a mile of the subject property, including some single-family detached homes adjacent to the north of the property. The Land Development Code includes buffering requirements to address compatibility of adjacent uses. Converting the land use designation from low-density residential to commercial is consistent with the development pattern seen in this area. Any redevelopment of the site would require full compliance with buffering, lighting and screening and all other requirements outlined in the Land Development Code.

Preserved and enhanced visual character through a variety of design requirements. The Land Development Code includes articulation standards, landscaping requirements, restricts building materials, and signage requirements designated to address this goal.

Staff considers the request to change the land use classification to Commercial to be supportive of the Horizons Master Plan and the Sector 3 plan and recommends approval.

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

The Commission's Responsibility:

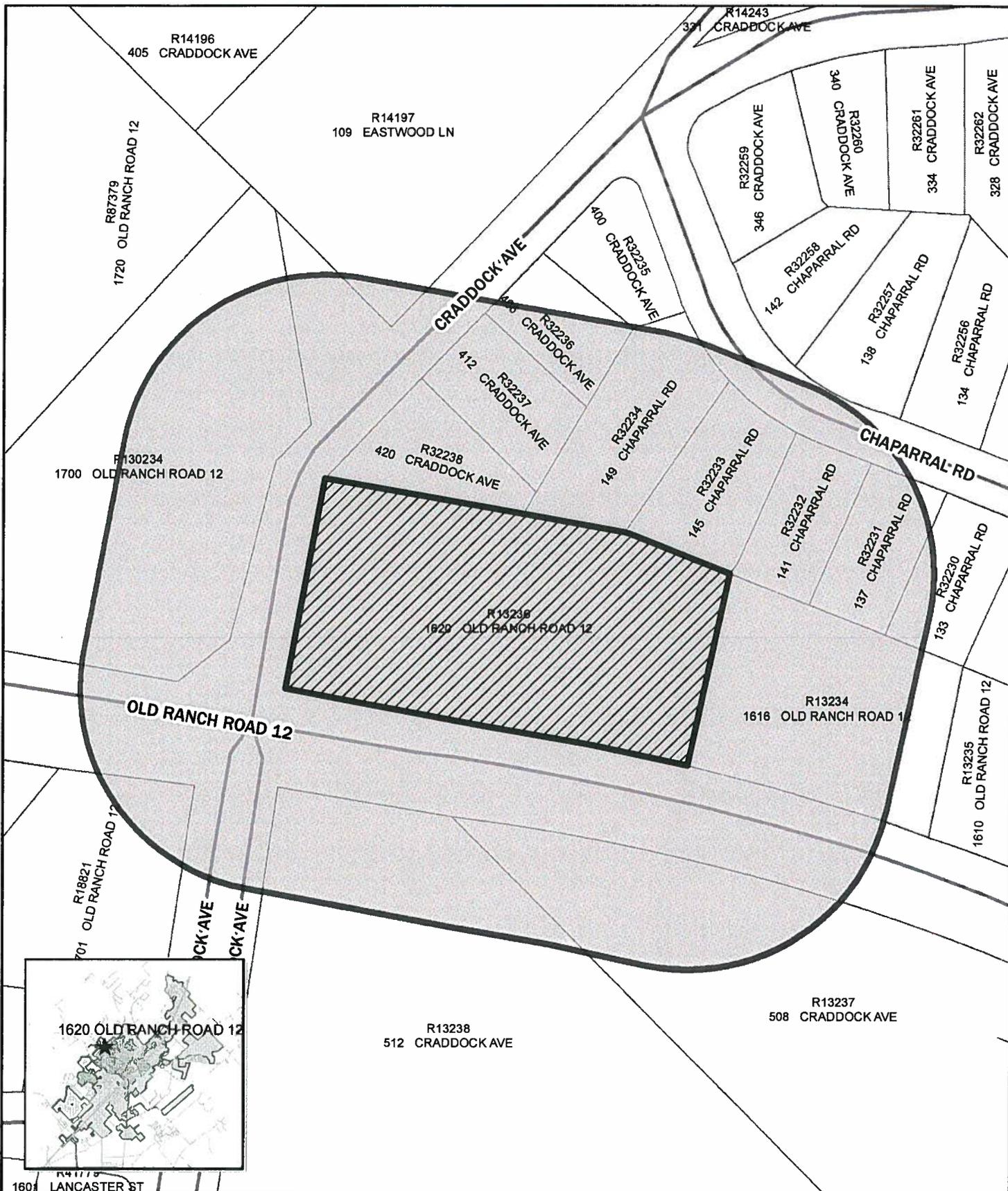
The Code requires the Commission to hold a public hearing and receive public comment regarding the proposed Land Use Map Amendment. The Commission's advisory recommendation to the Council is a discretionary decision. The City Council will ultimately decide whether to approve or deny this request, and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

After considering the public input, your recommendation should be based on the "fit" of this proposal for a land use amendment with the general character, land use pattern and adopted policy for the area. Section 1.4.1.4 charges the Commission to consider the following criteria for amendments to the Master Plan's Future Land Use Map:

- Whether the amendment is consistent with the policies of the Master Plan that apply to the map being amended;
- The nature of any proposed land use associated with the map amendment; and,
- Whether the amendment promotes the orderly and efficient growth and development of the community and furthers the public health, safety and general welfare of the City.

Prepared by:

John Foreman	Planner	November 17, 2011
Name	Title	Date



ZC-11-31
1620 Old RR 12
Map Date: 9/12/11

-  Notification Buffer (200 feet)
-  Site Location
-  Historic District

This map was created by Development Services for reference purposes only. No warranty is made concerning the map's accuracy or completeness.

0 100 200 400
 Feet

 N

Zoning Change ZC-11-31 1620 Ranch Road 12



Administrative Summary:

Applicant: ETR Development Cons.
Property Owner: RF Sowell, Jr.
1679 Ana Lee
New Braunfels, Tx.

Property/Area Profile:

Legal Description: 2.119 +/- acres, ABS 83, TR 19-20 117-89 E. Clark Survey
Location: 1620 Ranch Road 12
Existing Use of Property: Single-family residence
Proposed Use of Property: No proposed development plans for the property.
Future Land Use Map: C – Commercial
Existing Zoning: SF-6 Single-Family Residential
Proposed Zoning: NC Neighborhood Commercial
Frontage On: Ranch Road 12 and Craddock Avenue
Utility Capacity: Adequate
Sector: Sector 3
Neighborhood: Hughson Heights Neighborhood

Area Zoning and Land Use Pattern:

Orientation	Zoning	Existing Land Use	Future Land Use
N of Property	D, SF-6	Duplexes and Single Family Homes	Low/Med Density Residential
S of Property	SF-6, GC	Single-Family Homes, Undev Convenience Store	Open Space & Commercial
E of Property	SF-6	Single-family Homes	Low-density Residential
W of Property	CC	Walgreens	Commercial

Planning Department Analysis:

The applicant is requesting a zoning change for 2.119 +/- acres, from SF-6 (Single-Family Residential) to NC (Neighborhood Commercial). This request is being processed concurrently with a request to amend the Land Use Map from Low Density Residential to Commercial; these changes would make the future land use and zoning consistent for the subject site. The property is currently developed as a single-family residence. The owner does not have any immediate specific plans to develop this property commercially; his request would allow this property to be developed to its highest and best use in the future.

The subject property is located on the northeast corner of Ranch Road 12 and Craddock Avenue. Ranch Road 12 is designated as a major arterial and has been identified as a Gateway for the City of San Marcos. Craddock Avenue is designated as a minor arterial and serves as a transportation conduit for a large multi-family area to the north and a large single-family area to the south. The proximity of the subject property to a major and minor traffic arterial is not conducive, nor desirable for single-family development.

The purpose of the Neighborhood Commercial District is to provide low intensity office, retail and service facilities for the local neighborhood area. These uses should be compatible with residential uses in the neighborhood. Hours of business operation should be limited during the week, and businesses should generally close by 10:00 p.m. on the weekends. Businesses shall use landscaping and other buffering techniques to minimize their impact on the adjacent community. Equipment such as dumpsters and storage units shall be located away from residential uses and be screened. Neighborhood Commercial District areas should generally be located on collector streets at the intersection of collector or arterial roadways and act as buffer areas for residential uses from the arterial traffic (LDC 4.2.2.3 (a)).

Section 1.5.1.5 of the Land Development Code establishes guidance criteria for use by the Planning and Zoning Commission to evaluate zoning changes. The consistency of this proposed change to the criteria is summarized on the following page:

PDD-11-13 LUA-11-25 Blanco River Village Subdivision



Summary:

Applicant: City of San Marcos
630 East Hopkins
San Marcos, Texas 78666

Property Owners: See Attached

Master Developer: Etheridge Development San Marcos, L.P
c/o Terry Mitchell
P.O. Box 5654
Austin, TX 78763

Builder/ Developer: Bigelow Homes
c/o Jamie Bigelow
421 Shadowpoint
San Marcos, TX 78666

Subject Property:

Legal Description: **Case # PDD-11-13:**
Approximately 103.788 acres of land out of the Juan Martin DeVeramendi Survey No. 2, Abs. No. 17 and the Thomas McGehee Survey Abs. No. 11

Existing Use of Property: **Case # LUA-11-25:**
Approximately 10.347 acres of land in Blocks E, F, H, and I of the amending plat of the Blanco River Village Subdivision
Single Family residential neighborhood, Parkland

Existing Zoning: PDD

Proposed Use of Property: Predominately a single family residential neighborhood with a Mixed Use and a Parkland Area

Proposed Zoning: Amended PDD Overlay district

Project overview:

Blanco River Village is currently within the City Limits of San Marcos and has an active PDD that was enacted September 20, 2004. A portion of this PDD was then amended in 2008 to include a provision for Medium Density Residential. This area has been developed and is referred to as the Living Court Units located along RushHaven and north of TrestleTree. At the time of this 2008 amendment the Future Land Use Map was not amended to comply with the change in density. The Land Use amendment is being

initiated by the City of San Marcos to clean up the designation on the City's Official Future Land Use Map so that it is in compliance with the existing and allowable density on-site.

In addition to the Land Use Case, the City is also initiating a text amendment to the PDD that will incorporate the changes made in 2008 into the original and completed document. This amendment will also serve to clarify any inconsistencies between the two documents and to bring the standards that are included in the PDD up to date with current development standards. The amendment does not add any additional units that were not already entitled through the original PDD. The City has chosen to be the applicant on this case in order to facilitate the creation of a uniform and enforceable code throughout the development.

Along with the text amendments the Concept Plan is being modified to remove some of the detail reflected on the initial Concept Plan. The initial approved Concept Plan showed more detail than required including minor streets, alleys, and lot lines. Due to a change in the economic and physical conditions of this site and the surrounding area over the past eight years since the Concept Plan was first adopted the developers would like some flexibility in the creation of the street network and lot layout that is reflected on the adopted concept plan. The proposed changes to the concept plan would adjust the alignment of the second entrance road into the development from HWY 21 and remove all the minor roads and lot lines reflected in the adopted concept plan in order to allow the desired flexibility needed in platting the final lots.

Planning Department Analysis:

The purpose and intent of the Blanco River Village Subdivision is the "creation of a single contiguous project that is under unified control. The development will result in the creation of a mixed-use community that is compact and pedestrian scaled and is supportive of the older established neighborhoods in the City of San Marcos." The PDD supports a variety of uses with the predominant amount of area being reserved for low density residential development(66.3 acres). In addition the development supports some Medium Density Residential(10.3 acres), Mixed Use Development (14.1 acres) and Parkland (13.0 acres).

A discussion of the changes that are being initiated by the City that follow the intent of creating a unified development code for the entire development as well as a technical update to the code include:

Document	Original	Proposed
PDD Text	Section 2.3.9 5D Surface Parking lots are permitted within the Mixed-Use Area, provided that they are not located adjacent to boundary streets to the Mixed Residential Area.	Section 2.3.9 5D Parking for the mixed use section shall meet the code requirements applicable to such use. Surface parking lots are permitted within the Mixed-Use Area, provided they are not located next to the low density residential area.
	<i>The change in this section brings the parking standards up to current code requirements and clarifies the intent of the PDD to encourage on street parking and to have the development of the mixed use area respect the street edge.</i>	
Concept Plan Amendments	Lot lines and minor streets and alleys are depicted on the original plan but removed on the updated plan	
	<i>The inclusion of lot lines and minor roadways are not a requirement for the concept plan and they limit the flexibility of the development to react to physical and environmental constraints during platting</i>	
	The Living Court Units still reflected the Low Density Residential land use on the Concept Plan; this has been updated	
	<i>This correctly reflects the density throughout the development</i>	
	Re-alignment of the entrance road to reflect TxDOT developments	

	<i>The re-alignment reflects the modification of HWY 21 and aligns the entrance with an established driveway across HWY 21</i>
	Re-assignment of ROW widths and cross-sections and elimination of several larger cross-sections. <i>The re-assignment of ROW Widths and cross sections more closely matches current standards for the creation of a pedestrian friendly environment.</i>

In addition to the above technical updates the developer would also like to include the following modifications in order to facilitate the development of the project. These changes will be initiated by the developer and heard at the next meeting scheduled for December 13.

Document	Original	Proposed
PDD Text	Section 2.3.14 The first phase of development will be a section of the low density residential area and parkland. Three phases of development follow within the Low Density Residential Area, concluding with development of the Mixed-Use Area.	Section 2.3.15 The first phase of development will be a section of the low density residential area. Multiple phases of development occur within the Low Density Residential Area, High Density Residential Area of the Mixed Use Area and Parkland. Any phase may be developed in any order, provided utilities and appropriate access (as determined by the City) has been provided
	Section 2.2 The table indicates that the average people per unit in the Mixed Use Area is 2.5	Section 2.2 The table indicates that the average people per unit in the Mixed Use Area is 3.25
	Section 2.3.9 5A The Mixed-Use Area may contain retail, commercial, civic and residential uses to meet the needs of community residents.	Section 2.3.9 5A The Mixed-Use Area may (but is not required to) contain retail, commercial, civic and residential uses to meet the needs of community residents.
Concept Plan Amendments	On the original Concept Plan the street ROW adjacent to the mixed use section continues and stubs out into the adjacent tract in order to create a connection that could give the development direct access to HWY 80 the plan has been amended to include a Cul-de-sac with the reservation of ROW for future development to tie into. <i>There is a gas line present in the PUE and significant cost will be incurred to construct the ROW over this Easment.</i>	

Planning Department Recommendation	
<input type="checkbox"/>	Approve as submitted
<input type="checkbox"/>	Approve with conditions or revisions as noted
<input checked="" type="checkbox"/>	Public Hearing only
<input type="checkbox"/>	Denial

Prepared by:
Abigail Gillfillan

Planner
Title

November 17, 2011
Date

Tax I.D.	Property Addresses	Owner Name	Owner's Addresses	CITY	STATE	ZIP
R117526	402 HEART RIDGE	LAWS CHARLES	402 HEARTRIDGE	SAN MARCOS	TX	78666-8890
R117558	514 SHADOWPOINT	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R118518	240 NEWBERRY TRL	PORTER JAMES L & ALEJANDRO ERICA L	240 NEWBERRY TRL	SAN MARCOS	TX	78666
R117530	418 HEART RIDGE	CORTEZ ERIC & SARAI	418 HEART RIDGE	SAN MARCOS	TX	78666
R117586	221 TRESTLE TREE	BREED BARRIE	708 MOUNTAIN VIEW DR	SAN MARCOS	TX	78666-4908
R117492	241 NEWBERRY TRL	GONZALES ANA L & DIAZ RONALD D	241 NEWBERRY TRL	SAN MARCOS	TX	78666
R117582	237 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131604	309 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131611	318 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117601	238 RUSH HAVEN	HERNANDEZ CRYSTAL M & VELA PAUL	238 RUSH HAVEN	SAN MARCOS	TX	78666
R117602	242 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131607	302 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R132345	133 RUSH HAVEN	ROLAND, ANDREW	133 RUSH HAVEN	SAN MARCOS	TX	78666
R117536	417 SHADOWPOINT	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117533	429 SHADOWPOINT	DANE SCOTT & GARCIA MICHELLE	429 SHADOWPOINT	SAN MARCOS	TX	78666-8878
R117662	313 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117664	305 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117677	420 MORNING SHADOW	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R132378	102 RUSH HAVEN	BATCHELLER, JOYCE	10600 SKYFLOWER DR	AUSTIN	TX	78759
R132361	142 RUSH HAVEN	WELLS BILLY & JESSICA N	142 RUSH HVN	SAN MARCOS	TX	78666-3912
R132370	118 RUSH HAVEN	TORRES, JOSE, JR	2201 HUBER RD	SEGUN	TX	78155
R132377	110 RUSH HAVEN	RODRIGUEZ ELSA N & VICENTE & VICTOR	110 RUSH HAVEN	SAN MARCOS	TX	78666
R133852	234 TRESTLE TREE	DUPONT, GEORGE, JR	234 TRESTLE TREE	SAN MARCOS	TX	78666
R117673	330 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504

Tax I.D.	Property Addresses	Owner Name	Owner's Addresses	CITY	STATE	ZIP
R117484	209 NEWBERRY TRL	TRAVER RICHARD J & LITA C	209 NEWBERRY TRL	SAN MARCOS	TX	78666-8877
R117496	257 NEWBERRY TRL	CAMPBELL JONATHON & KATHRYN	257 NEWBERRY TRL	SAN MARCOS	TX	78666
R91450	HWY 21	ETHEREDGE DEVELOPMENT-SAN MARCOS LP	3212 BRIDLE PATH	AUSTIN	TX	78703-2750
R131583	101 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117685	309 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117580	245 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117689	341 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117587	217 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117528	410 HEART RIDGE	NIEDERHOFER CHET & CELESTE	410 HEARTRIDGE	SAN MARCOS	TX	78666-8890
R117596	218 RUSH HAVEN	RUALES CARMEN	218 RUSH HAVEN	SAN MARCOS	TX	78666
R117597	222 RUSH HAVEN	PATTERSON MARIA REBECCA	222 RUSH HAVEN	SAN MARCOS	TX	78666
R117584	229 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117688	345 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117493	245 NEWBERRY TRL	LEDLOW CYNTHIA D & LINDSEY C	1085 CROSSWIND DR	BLANCO	TX	78606
R117583	233 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131605	305 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131601	321 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131599	329 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131614	330 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R133353	117 RUSH HAVEN	SPIRE JOHN M & SHELBY L	117 RUSH HAVEN	SAN MARCOS	TX	78666-3902
R91455	HWY 21	ETHEREDGE DEVELOPMENT SAN MARCOS LP	3212 BRIDLE PATH	AUSTIN	TX	78703-2750

Tax I.D.	Property Addresses	Owner Name	Owner's Addresses	CITY	STATE	ZIP
R117531	422 HEART RIDGE	PEDERSON CLEMENTINA C & LEROY	422 HEART RIDGE	SAN MARCOS	TX	78666
R117591	201 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117488	225 NEWBERRY TRL	PARROTT FRANK & NORMA	225 NEWBERRY TRL	SAN MARCOS	TX	78666
R117590	205 TRESTLE TREE	RODGERS, DELANA M	205 TRESTLE TREE	SAN MARCOS	TX	78666-4270
R117511	247 RUSH HAVEN	ROE, LINDA J	P O BOX 2610	SAN MARCOS	TX	78667-2610
R117559	510 SHADOWPOINT	CASTILLO JIMMY	510 SHADOWPOINT	SAN MARCOS	TX	78666-8889
R117517	236 NEWBERRY TRL	GASTELUM, JASON A	9408 DUNSMUIR DR	PASCO	WA	99301-6847
R117683	317 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117670	318 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131609	310 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R132341	414 SHADOWPOINT	MODEL HOMES LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117497	110 DASHWOOD	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117665	301 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117666	302 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117589	209 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117608	262 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117538	409 SHADOWPOINT	DESANTIS JANA R	11755 D-K RANCH RD	AUSTIN	TX	78759
R133868	202 TRESTLE TREE	HICKS, BLAKE	202 TRESTLE TREE	SAN MARCOS	TX	78666
R117486	217 NEWBERRY TRL	GONZALEZ JOSE ALBERTO & EDNA MELISA	217 NEWBERRY TRL	SAN MARCOS	TX	78666
R117508	259 RUSH HAVEN	BURGER GREGG & THERESA	300 COUNTY RD 290	LEANDER	TX	78641
R117509	255 RUSH HAVEN	RAVIS, TERRI A	255 RUSH HAVEN	SAN MARCOS	TX	78666
R117671	322 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117672	326 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504

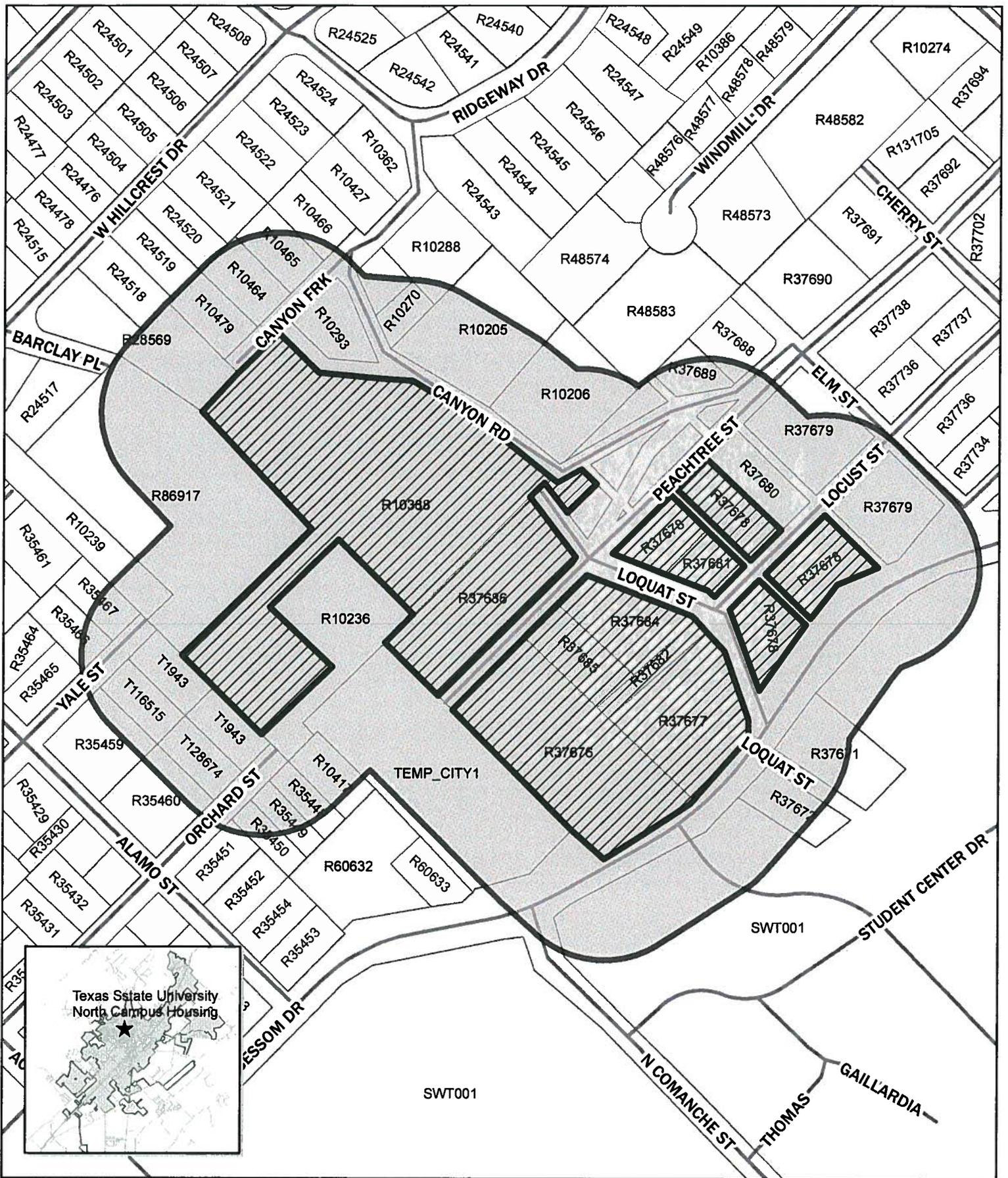
Tax I.D.	Property Addresses	Owner Name	Owner's Addresses	CITY	STATE	ZIP
R117561	502 SHADOWPOINT	JACKSON DANIEL	502 SHADOWPOINT	SAN MARCOS	TX	78666-8889
R117687	301 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117668	310 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117585	225 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117679	333 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131612	322 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117656	337 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117603	246 RUSH HAVEN	GAMEZ, MADELINE Y	246 RUSH HAVEN	SAN MARCOS	TX	78666
R117678	337 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117539	405 SHADOWPOINT	JACOBSEN, JAKE	405 SHADOWPOINT	SAN MARCOS	TX	78666-8878
R131593	226 TRESTLE TREE	CANTU, MARK	226 TRESTLE TREE	SAN MARCOS	TX	78666
R133851	242 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117575	126 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117490	233 NEWBERRY TRL	BARNETT CLINT DANE	233 NEWBERRY TRL	SAN MARCOS	TX	78666-8877
R117514	235 RUSH HAVEN	HARRIS, KELLY W	235 RUSH HVN	SAN MARCOS	TX	78666-8879
R132386	110 TRESTLE TREE	STIFFLER, ALBION	110 TRESTLE TREE APT 101	SAN MARCOS	TX	78666-4267
R117495	253 NEWBERRY TRL	YBARRA BONNIE	<i>3819 River Run</i>	<i>Baytown</i>	<i>TX</i>	<i>77520</i>
R117494	249 NEWBERRY TRL	JULIAN ELEANOR M & EDMOND G	249 NEWBERRY TRL	SAN MARCOS	TX	78666
R117553	105 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117606	258 RUSH HAVEN	PRIVANTHA WEERASINGHE	258 RUSH HVN	SAN MARCOS	TX	78666-8879
R117660	321 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504

Tax I.D.	Property Addresses	Owner Name	Owner's Addresses	CITY	STATE	ZIP
R117557	518 SHADOWPOINT	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117491	237 NEWBERRY TRL	VOLDEN LINDA Y	237 NEWBERRY TRL	SAN MARCOS	TX	78666-8877
R117669	314 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117599	230 RUSH HAVEN	LARRISON STEPHANIE A & WILLIAM R	230 RUSH HAVEN	SAN MARCOS	TX	78666
R117681	325 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131613	326 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117581	241 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117594	210 RUSH HAVEN	PIECUCH, RICHARD	210 RUSH HVN	SAN MARCOS	TX	78666-8879
R132362	134 RUSH HAVEN	SAENZ, MARISSA	134 RUSH HVN	SAN MARCOS	TX	78666-3908
R132385	118 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117593	206 RUSH HAVEN	EYMAN PATRICIA A & TERRY D	206 RUSH HAVEN	SAN MARCOS	TX	78666-8879
R117525	420 GOLDEN SHADOW	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117578	253 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117682	321 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117607	502 GOLDEN SHADOW	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117579	249 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117657	333 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117598	226 RUSH HAVEN	DIAMOND HEATHER	226 RUSH HAVEN	SAN MARCOS	TX	78666
R91455	HWY 21	ETHEREDGE DEVELOPMENT SAN MARCOS LP	3212 BRIDLE PATH	AUSTIN	TX	78703-2750
R117680	329 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504

Tax I.D.	Property Addresses	Owner Name	Owner's Addresses	CITY	STATE	ZIP
R117675	338 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117655	341 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131603	313 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131600	325 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131615	334 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117658	329 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R132346	125 RUSH HAVEN	BALZHISER, DEBORAH A	125 RUSH HVN	SAN MARCOS	TX	78666-3906
R117674	334 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117534	425 SHADOWPOINT	BROWNING LESLIE N	425 SHADOWPOINT	SAN MARCOS	TX	78666-8878
R117532	426 HEART RIDGE	BAIRD JOSEPH & LAURA STROUP	426 HEART RIDGE	SAN MARCOS	TX	78666
R117595	214 RUSH HAVEN	CANIO CHRISTOPHER R & REYNALDO & DOROTHY	1725 FIRTH CT	FREMONT	CA	94539
R117527	406 HEART RIDGE	OPPEL WALLACE & LINDA	3112 SAINT LO DR	IRVING	TX	75060
R117512	243 RUSH HAVEN	CISNEROS DARLA A & RUDOLPHO JR	12034 IRIS CANYON DR	TOMBALL	TX	77377-7867
R117489	229 NEWBERRY TRL	PICARDO GUSTAVO	229 NEWBERRY TL	SAN MARCOS	TX	78666
R117474	105 DASHWOOD	SEIFERT VERNON D & NANCY LEE	105 DASHWOOD	SAN MARCOS	TX	78666
R117506	267 RUSH HAVEN	VASQUEZ FRANCISCO & SALAS ANDREANNA	267 RUSH HAVEN	SAN MARCOS	TX	78666
R117510	251 RUSH HAVEN	JIMENEZ TRENT & TIFANY	251 RUSH HAVEN	SAN MARCOS	TX	78666
R117477	HWY 21	SAN MARCOS CITY OF	630 E HOPKINS ST	SAN MARCOS	TX	78666
R117516	232 NEWBERRY TRL	WEAVER, MARY G	120 W HOPKINS ST STE 100	SAN MARCOS	TX	78666
R117519	244 NEWBERRY TRL	COLEMAN, CHASE L	244 NEWBERRY TRL	SAN MARCOS	TX	78666
R117520	248 NEWBERRY TRL	LASZEWSKI LEE E & LEAH H	248 NEWBERRY TRL	SAN MARCOS	TX	78666
R117529	414 HEART RIDGE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117600	234 RUSH HAVEN	OPIELA, BRENT	234 RUSH HAVEN	SAN MARCOS	TX	78666
R131602	317 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504

Tax I.D.	Property Addresses	Owner Name	Owner's Addresses	CITY	STATE	ZIP
R131610	314 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R131608	306 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117588	213 TRESTLE TREE	FITZGERALD KEITH M	213 TRESTLE TREE	SAN MARCOS	TX	78666-4270
R117667	306 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117540	401 SHADOWPOINT	TOBIAS MARIO & SANDRA	401 SHADOWPOINT	SAN MARCOS	TX	78666
R132354	109 RUSH HAVEN	BAKER, HERIKA	109 RUSH HAVEN # 101	SAN MARCOS	TX	78666
R132369	126 RUSH HAVEN	SPEARS TRACE N & JIMMY L	126 RUSH HAVEN	SAN MARCOS	TX	78666
R133867	210 TRESTLE TREE	VELTKAMP LAWRENCE	210 TRESTLE TREE	SAN MARCOS	TX	78666
R117513	239 RUSH HAVEN	GINDY, MICHAEL ANIS	4915 LAUREL HILL CT	SUGAR LAND	TX	77478
R117483	205 NEWBERRY TRL	HURTADO FRANCISCO J & ROSA M	205 NEWBERRY TRL	SAN MARCOS	TX	78666
R117592	202 RUSH HAVEN	STELL, JACK N	202 RUSH HAVEN	SAN MARCOS	TX	78666
R117507	263 RUSH HAVEN	GREER RICHARD & GREER BARBARA &	2404 AIRLINE DR	FRIENDSWOOD	TX	77546
R117661	317 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117577	257 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117605	254 RUSH HAVEN	JALBERT NICHOLAS E & KATHLEEN M	219 EDGEWATER DR	WEST FARGO	ND	58078-4246
R117560	506 SHADOWPOINT	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117521	252 NEWBERRY TRL	ASHLEY JENNIFER L & CHRISTOPHER A	252 NEWBERRY TRL	SAN MARCOS	TX	78666
R117522	256 NEWBERRY TRL	PETERS JOHNNIE A & KRISTINA	256 NEWBERRY TRL	SAN MARCOS	TX	78666
R117523	260 NEWBERRY TRL	COURTNEY, JOHN P, Jr	260 NEWBERRY TRL	SAN MARCOS	TX	78666
R117684	313 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117686	305 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117524	264 NEWBERRY TRL	NORTON, RICHARD C	264 NEWBERRY TRL	SAN MARCOS	TX	78666
R131606	301 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117659	325 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117604	250 RUSH HAVEN	KIMBER, KIFF A	250 RUSH HAVEN	SAN MARCOS	TX	78666

Tax I.D.	Property Addresses	Owner Name	Owner's Addresses	CITY	STATE	ZIP
R131571	420 SHADOWPOINT	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117535	421 SHADOWPOINT	MODEL HOMES LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117663	309 RUSH HAVEN	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117476	109 DASHWOOD	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117676	342 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117541	220 NEWBERRY TRL	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117537	413 SHADOWPOINT	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R133860	218 TRESTLE TREE	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504
R117487	221 NEWBERRY TRL	PARROTT MILTON H & MELBA J	221 NEWBERRY TRL	SAN MARCOS	TX	78666-8877
R117515	231 RUSH HAVEN	GOLIMOWSKI, JANET	231 RUSH HAVEN	SAN MARCOS	TX	78666
R117485	213 NEWBERRY TRL	PARROTT FRANK H & NORMA R	213 NEWBERRY TRL	SAN MARCOS	TX	78666
R117482	201 NEWBERRY TRL	MEYER CECIL E & FRANCES O	111 MAGNUM TRL	BASTROP	TX	78602
R117475	101 DASHWOOD	BIGELOW SAN MARCOS DEVELOPMENT LLC	860 SERENDIPITY DR	AURORA	IL	60504



LUA-11-24
Texas State University
North Campus Housing
Map Date 10/25/11



Notification Buffer
(200 feet)

Site Location

Historic District

This map was created by Development Services for reference purposes only. No warranty is made concerning the map's accuracy or completeness.



Land Use Map Amendment LUA-11-24 Texas State University North Campus Housing



Administrative Summary:

Applicant: ETR Development Consulting
401 Dryden Lane
Buda TX 78610

Property Owner: Darren Casey Interest, Inc
814 Arion Parkway, Ste. 200
San Antonio, Texas 78216

Notification: Public hearing notification mailed on November 10, 2011 and signs posted on November 12, 2011.

Response: Mailed comments - included

Property/Area Profile:

Legal Description: 9.10 acres out of the Park Addition, including Lots 36, 37, 38, 54, 57, 58, 53, 55, 56, 59, 60, 61, 62, part of 63, 41, 50, 51, part of Lots 42, 43 and 44, 52, and part of Lots 39 & 40 as well as 4.40 acres out of the Thomas J. Chambers Survey, Abstract 2, Tract 232, comprising **13. 51** acres total.

Location: Sessom Drive at Loquat Street

Existing Use of Property: Single-Family Residential

Proposed Use of Property: Mixed Use & Multi-family residential

Existing Future Land Use Map: Low Density Residential (LDR)

Proposed Future Land Use Map: Mixed Use (MU)

Existing Zoning: Single-Family Residential (SF-6)

Proposed Zoning: Mixed Use (MU) Base Zoning with a PDD Overlay

Utility Capacity: Adequate

Sector: Three

Area Zoning and Land Use Pattern:

	Zoning	Existing Land Use	Future Land Use
N of Property	SF-6/Single-Family Residential	Single-Family Residential	Low Density Residential
S of Property	P/Public	Texas State University	Public & Institutional
E of Property	SF-6/Duplex/TH/Townhouse	Single and multifamily residential	Low density residential
W of Property	SF-6/Single-Family Residential	Single-Family Residential	Low Density Residential

Planning Department Analysis

The applicant is requesting a Land Use Map Amendment change for 13.51 acres, more or less, from Low Density Residential (LDR) to Mixed Use (MU).

The subject property is 13.51 acres, with frontage on Loquat and Sessom Streets, Peachtree Street, Canyon Road, and Canyon Fork. It is comprised of a total of nine parcels, and is located immediately north of Texas State University. This current request is being processed together with a Zoning Change request, to change the zoning designation from Single Family Residential (SF-6) to Mixed Use (MU), and a Planned Development District Overlay (PDD).

Adjacent uses include Texas State University to the south, and a mix of housing, predominantly single-family, to the north, east and west. Similar uses to the proposed are in development less than a quarter of a mile away, along Chestnut Street and North LBJ.

Staff has evaluated the request for consistency with the Horizons Master Plan:

Consistent	Neutral	Inconsistent	Horizons Master Plan Policy Statement
X			<p>Policy LU-1.21: The City shall encourage new development to locate in areas already served by utilities and other community facilities.</p> <p><i>Comment: Existing city utilities are in place to serve this property.</i></p>
X			<p>Policy LU-3.1: The City shall develop the residential areas of San Marcos according to the Future Land Use Plan so that future growth can be accommodated, a mixture of housing types and densities can be provided, and adverse impacts from traffic, environmental hazards and incompatible land uses can be avoided.</p> <p><i>Comment: This section of the City is becoming more dense, to serve the student population closer to Texas State University. Increased density and proximity to uses and services can foster increased walkability, thereby relieving traffic pressures on area roads.</i></p>

Consistent	Neutral	Inconsistent	Horizons Master Plan Policy Statement
X			<p>Policy LU-3.2: The City shall provide safe and adequate housing opportunities to meet the different housing needs of all income groups of the City's present and future populations.</p> <p><i>Comment: The proposed change will provide the opportunity for additional housing opportunities.</i></p>
X			<p>Policy LU-3.14: The City shall discourage any type of multifamily or single family residential development in such concentrations and expanses that, by accepted planning standards, there are not sufficient amenities to support such development and the quality of life in the area would be diminished.</p>
X			<p>Policy LU-4.1: The City shall determine the need for multi-family dwelling units and shall ensure that the location of these units is compatible with adjacent land uses and is property buffered and adequately served by roads and public utilities.</p> <p><i>Comment: The surrounding area is characterized by a mix of multifamily, single-family, and commercial uses. The proposed project will be compatible with all surrounding land uses.</i></p>
X			<p>Policy LU-4.2: The City shall encourage residential areas, especially higher density uses, have access to shopping, recreation, and work places that are convenient not only for automobile traffic but also for foot and bicycle traffic in order to minimize energy consumption, air pollution, and traffic congestion.</p> <p><i>Comment: This area is highly walkable, and there are several services and commercial uses within walking and biking distance, as well as the retail uses proposed within the project.</i></p>
X			<p>Policy LU-4.3: The City shall encourage medium and high density residential developments to have direct access to at least collector width streets to accommodate traffic volumes and turning patterns generated by high concentrations of people. They should also be located near major arterials. Low density residential development should not be impacted by heavy traffic generated by medium and high density areas.</p>
X			<p>Policy LU-4.4: The City shall require medium and high density residential developments to be located on larger sites to allow the property buffering, adequate parking and landscaping, and enough flexibility in design and layout to insure adequate development.</p>

Consistent	Neutral	Inconsistent	Sector 3 Plan Sector Goals
X			Context-sensitive street design giving equal value to vehicular movement, community aesthetics, pedestrian and cyclist safety, and streets should not sacrifice safety of neighborhood residents for additional traffic and higher speeds.
X			"Neighborhood friendly" development mitigating negative impacts of higher intensity uses
X			Preserve & enhance visual character through variety of design requirements
X			Preserved & enhanced visual character through variety of design requirements
X			Improved open space and recreational opportunities

In order to allow for a thorough understanding and discussion of the request this request is scheduled for a public hearing and discussion only. Action on this case is scheduled for December 13, 2011.

The Commission's Responsibility:

The Code requires the Commission to hold a public hearing and receive public comment regarding the proposed Land Use Map 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 be based on the "fit" of this proposal for a land use amendment with the general character, land use pattern and adopted policy for the area. Section 1.4.1.4 charges the Commission to consider the following criteria for amendments to the Master Plan's Future Land Use Map:

- Whether the amendment is consistent with the policies of the Master Plan that apply to the map being amended;
- The nature of any proposed land use associated with the map amendment; and,
- Whether the amendment promotes the orderly and efficient growth and development of the community and furthers the public health, safety and general welfare of the City.

Planning Department Recommendation	
<input type="checkbox"/>	Approve as submitted
<input type="checkbox"/>	Approve with conditions or revisions as noted
<input checked="" type="checkbox"/>	Public Hearing only
<input type="checkbox"/>	Denial

Prepared by:

Christine Barton-Holmes, LEED AP

Chief Planner

November 17, 2011

Name

Title

Date

PDD-11-12/ZC-11-38 Planned Development District/Zoning Change North Campus Housing



Administrative Summary:

Applicant: ETR Development Consulting
401 Dryden Lane
Buda TX 78610

Property Owner: Darren Casey Interest, Inc
814 Arion Parkway, Ste. 200
San Antonio, Texas 78216

Notification: Public hearing notification mailed on November 10, 2011 and signs posted on November 12, 2011.

Response: Mailed comments - included

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Location: Sessom Drive at Loquat Street

Existing Use of Property: Single-Family Residential

Proposed Use of Property: Mixed Use & Multi-family residential

Existing Future Land Use Map: Low Density Residential (LDR)

Proposed Future Land Use Map: Mixed Use (MU)

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Proposed Zoning: Mixed Use (MU) Base Zoning with a PDD Overlay

Utility Capacity: Adequate

Sector: Three

Area Zoning and Land Use Pattern:

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S of Property	P/Public	Texas State University	Public & Institutional
E of Property	SF-6/Duplex/TH/Townhouse	Single and multifamily residential	Low density residential
W of Property	SF-6/Single-Family Residential	Single-Family Residential	Low Density Residential

Project overview

North Campus Housing is proposed to be developed as a 419-unit mixed use development that incorporates underground and surface parking, ground floor retail, and up to five stories of loft apartments above. The project site is located across Sessom Drive from Texas State University, on a site that is heavily wooded, and characterized by steep slopes and single-family residential structures. There are commercial and service uses located to the northwest at the intersection of Old RR 12 and Holland Drive, and south at the intersection of Sessom Drive and North LBJ. The project is proposing to add approximately 20,000 square feet of retail space, which would serve the proposed residential area as well as surrounding residences both on campus and off.

The project is proposing the partial abandonment of Loquat Street and interior platted but undeveloped rights-of-way. Currently, although the City’s GIS does not indicate it, Loquat Street provides a connection between Sessom Drive and Holland Drive. Street abandonment requires the filing of an Alley/Street Abandonment Application and public hearings before the Planning & Zoning Commission and the City Council. The total acreage of rights-of-way proposed to be vacated is 2.275 acres. The overall site will be replatted prior to development.

Density

- The applicant is requesting a density of 29 units an acre (70 bedrooms an acre) rather than the 5.5 units per acre allowed as part of the Mixed Use zoning district. This is comparable or less than similar projects nearby, such as the Chestnut Street Lofts.

Site Improvements

- The applicant is requesting a maximum impervious cover of 60% as allowed in the Mixed Use zoning district.

Environmental and Water Quality

- The development will provide 85% TSS removal. This is a standard that is not currently required by the Land Development Code.

Parking

- The applicant is providing parking at the rate of one space per bedroom, plus one space per 400 square feet of retail, for a total of 1120 spaces provided. This is slightly below the 1.05 spaces per bedroom required by the LDC, which would provide for 1051 spaces just for the residential component. Retail parking is provided at the rate required by the LDC.
- The development will provide bike parking equivalent to 10% of required bicycle parking.

Tree Preservation

- The development will mitigate protected trees at a rate of 1 caliper inch replaced for every 1 caliper inch removed, and specimen trees at a rate of 2 caliper inches replaced for every one caliper inch removed. Because the site is heavily wooded, extensive tree removal around the building site is anticipated. The applicant has indicated in the PDD document that tree mitigation may occur off-site once the site is fully mitigated.

Street Abandonment

- As part of the overall development, the applicant is proposing to abandon several rights-of-ways and alleys within the project parameters. Loquat Street, Locust Street, Peachtree Street and two alleys, totaling 2.275 acres, are included. This would prevent access from Holland Street through Loquat Street onto Sessom Drive, which would mitigate the impact of a multifamily residential project on adjoining residences. The only access to the project would be from two entrances on Sessom Drive. One entrance would utilize the existing curb cut of Loquat Street, and the other would be new. The abandonment process will be initiated shortly, and once the rights-of-way have gone through the review and assessment process, they will take on the same zoning as the surrounding parcels by right. No additional zoning will be necessary for the rights-of-way.

Parks Advisory Board Recommendation

The proposed development will consist of 419 units with approximately 20,000 square feet of retail uses and clubhouse area serving residents. The developer is proposing to dedicate approximately 4.51 acres of land for parkland dedication purposes. The proposed parkland is located northwest of the project and would be bounded by Canyon Fork, Canyon Road. The proposed parkland dedication would add to the Sessom Creek Greenbelt and create a higher degree of connectivity between parks. The proposed parkland is approximately 1.41 acres short of the required 5.92 acres required by the Land Development Code. The additional parkland may be fulfilled through additional land dedication, improvements, fee in lieu for the remaining portion, or a combination of all of the above.

On October 25, 2011 the Parks Advisory Board recommended the approval of the fee-in-lieu as well as the parkland dedication.

ZC-11-38/LUA-11-24

The subject property is 14.328 acres, with frontage on Loquat and Sessom Streets, Peachtree Street, Canyon Road, and Canyon Fork. It is comprised of a total of nine parcels, and is located immediately north of Texas State University. The rezone request is to change the zoning designation from Single Family Residential (SF-6) to Mixed Use (MU), with a Planned Development District Overlay (PDD), and is being processed together with a Land Use Amendment request to change the Land Use designation from Low-Density Residential to Medium-Density Residential.

Adjacent uses include Texas State University to the south, and a mix of housing, predominantly single-family, to the north, east and west. Similar uses to the proposed are in development less than a quarter of a mile away, along Chestnut Street and North LBJ.

Planning Department Analysis:

The subject property is located on Sessom Drive, in an area that is predominantly residential to the west, and directly across Sessom Drive from Texas State University to the east. There are commercial services to the northwest, and internal to campus, but not within this immediate area. The proposed project would bring concentrated residential density as well as commercial amenities to the area. Sessom Drive is not pedestrian-friendly in this location; the proposed development would include sidewalks which will enhance walkability and pedestrian safety.

While the project would bring greater residential and commercial density into an area that is currently predominantly single-family residential, it would be similar in scale to the student housing currently under construction, across Sessom Drive on the Texas State University Campus. It would also bring amenities within walking distance, to an area that currently has few amenities residents can walk to. This in turn has the potential to reduce the number of vehicles on Sessom Drive.

As is evident in the number of rezoning requests that the Planning and Zoning Commission has seen in this sector of the City more and more developers are seeking to redevelop or develop for the first time sites within walking distance to campus. This sector of the City is currently experiencing a transition from what was once a mixture of residential uses to multi-family development. While staff believes that this request sets a good example for redevelopment within this area it is important for the Planning and Zoning Commission to discuss the long range benefits and challenges associated with increased density in this area.

Conformance with Sector and Master Plan Goals

The request for a PDD supports the following Sector 3 Goals:

- "Walkable" pedestrian-friendly neighborhoods
- Traffic calming to reduce "cut-through" traffic
- Context-sensitive street design giving equal value to vehicular movement, community aesthetics, pedestrian and cyclist safety.
- "Neighborhood friendly" development mitigating negative impacts on higher intensity uses.

The request supports the following Master Plan Goals:

- **Policy LU 4.2-** The City shall encourage residential areas, especially higher density uses, have access to shopping, recreation, and work places that are convenient not only for automobile traffic but also for foot and bicycle traffic in order to minimize energy consumption, air pollution, and traffic congestion.
- **Policy LU-4.3:** The City shall encourage medium and high density residential developments to have direct access to at least collector width streets to accommodate the traffic volumes and turning patterns generated by high concentrations of people. They should also be located near major arterials. Low density residential development should not be impacted by heavy traffic generated by medium and high density areas.
- **Policy LU- 6.8:** The City shall recognize that commercial and residential uses are not generally compatible and will discourage residential usage of land in commercial districts except where residential uses are planned as part of a mixed use concept.
- **Policy LU-1.21:** The City shall encourage new development to locate in areas already served by utilities and other community facilities.

In order to allow for a thorough understanding and discussion of the request this request is scheduled for a public hearing and discussion only. Action on this case is scheduled for December 13, 2011.

The Commission's Responsibility:

The Code requires the Commission to hold a public hearing and receive public comment regarding the proposed Land Use Map 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 be based on the "fit" of this proposal for a land use amendment with the general character, land use pattern and adopted policy for the area. Section 1.4.1.4 charges the Commission to consider the following criteria for amendments to the Master Plan's Future Land Use Map:

- Whether the amendment is consistent with the policies of the Master Plan that apply to the map being amended;
- The nature of any proposed land use associated with the map amendment; and,
- Whether the amendment promotes the orderly and efficient growth and development of the community and furthers the public health, safety and general welfare of the City.

Planning Department Recommendation	
<input type="checkbox"/>	Approve as submitted
<input type="checkbox"/>	Approve with conditions or revisions as noted
<input checked="" type="checkbox"/>	Public Hearing only
<input type="checkbox"/>	Denial

Prepared by:

Christine Barton-Holmes, LEED AP

Chief Planner

November 15, 2011

Name

Title

Date

Texas State University **North Campus Housing**

Darren Casey Interests, Inc.

Planned Development District Standards

**Approved under City of San Marcos
Land Development Code Chapter 4, Article 2, Division 6**

Submitted:

October 11, 2011

Revised:

October 24, 2011
November 15, 2011
November 18, 2011

Approved:

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Section 1: Introduction, Project Location and Description

Planned Development Districts (PDD's) provide one of the best structures for producing a unified and physically cohesive community. PDD Districts are intended to encourage flexible and creative planning, to ensure the compatibility of land uses, to allow for adjustment to the changing demands to meet the current needs of the community and to result in a higher quality development for the community than would result from the use of conventional zoning districts.

The Texas State University North Campus Housing project will be developed as a 419 unit mixed use development incorporating a mixture of ground floor retail uses with multiple stories of loft apartments along the frontage of Sessom Drive and multifamily apartments above the ground floor retail and structured parking. Parking will be provided through a combination of structured parking and limited surface parking.

The Project Site contains approximately 14.328 acres of land consisting of existing platted lots, unplatted property and various undeveloped platted ROW that is proposed for abandonment.

The Project Site currently has a Future Land Use Map designation of Low Density Residential (LDR) and an existing zoning of Single Family Residential (SF-6). The Project Site will be developed with approximately 20,000 square feet of retail uses and a clubhouse area serving the residential apartments. The PDD proposes a base zoning designation of Mixed Use (MU) with a corresponding future land use map designation of Mixed Use for the entire project site.

The development of this property will follow a modern, urban design with enhanced streetscape including wide sidewalks, trees within the sidewalks, a combination of planter boxes, seating areas and building lines close to the street to encourage pedestrian activity, upper stories off-set from the ground floor retail to provide visual distinction between uses and architecture that follows a modern, urban design combining masonry, metal and glass exterior elements for visual interest.

The Project will incorporate various "Smart Growth" principles which are being promoted by The City of San Marcos for new developments. By virtue of its proximity to the University and creating an urban streetscape with wide sidewalks and outdoor gathering areas, residents will be encouraged to walk or bike to classes, thus reducing traffic congestion and burden on parking. The building also employs a vertical density, compact design with structured parking, to reduce its footprint.

Section 2: Existing Property Conditions

The Project Site is being developed on the north side of Sessom Drive, east and west of Loquat Street and general northeast of the intersection of Sessom Drive and Comanche Drive. The Project Site has historically been single family residential homesteads. The location of this property and proximity to Texas State University lends it to being an excellent location for a mixed use retail/residential development geared towards housing students in close proximity to campus. In addition, the University's new residential hall at the corner of Sessom Drive and Comanche Drive will house approximately 600 students that will benefit from retail uses within walking distance of their residence.

The Future Land Use Map (FLUM) currently designates this property as Low Density Residential (LDR). The zoning map currently indicates the Project Site as Single Family Residential (SF-6).

Section 3: Land Use Designation

3.01 Base Zoning: The project will be developed on approximately 14.328 acres of land and will feature a multiple story building containing approximately 20,000 square feet of ground floor retail uses and multiple stories of residential apartments above retail uses. The project site will contain 419 units for a gross density of 29.24 units per acre and a net density of 45.82 units per acre. To accomplish this combination of uses successfully, the PDD shall have a base zoning of Mixed Use (MU).

The MU District is intended to provide for a mixture of retail, office, and residential uses in close proximity to enable people to live, work, and purchase necessities in a single location. Within the MU District, the mixing of residential uses in conjunction with retail development is envisioned through the permitting of variety of residential uses including loft apartments and traditional multi-family apartments. Loft apartments are defined as residential living space that is located on the second floor (or above) of a structure that has a nonresidential use, such as an office or retail shop, operating on the first floor.

Specific site development standards are identified in the following sections.

Section 4: Dimensional and Development Standards

Dimensional/Development Standards	
Lot Area, Min. Sq. Ft.	6,000
Units per Acre, Max/Gross Acre	30
Lot Frontage, Min. Feet	50
Lot Width, Min. Feet	50
Lot Depth, Min. Feet	100
Front Yard Setback, Min. Feet	0
Side Setback, Interior, Min. Feet	5
Side Setback, Corner, Min. Feet	15
Rear Setback, Min. Feet	5
Building Height, Max. Stories	7**
Impervious Cover, Max. %	60%
* Stories may not exceed 14 feet in height from finished floor to finished ceiling. The maximum number of stories varies based on topography and base ground elevation. Maximum height includes garage parking. Refer to below image for elevation layout.	
** Maximum height includes parking garage.	
Balconies may be permitted to overhang into the applicable setback provided, however, that no balconies may extend beyond the property boundary.	

Section 5: Permitted, Conditional and Prohibited Uses

Structures, land or premises shall be used only in accordance with the use(s) permitted in the following use schedule and subject to compliance with the dimensional and development standards for the applicable tract and all other applicable requirements of this PDD.

The uses permitted on this property shall be only those uses identified in this section. In the event that a proposed use is not specifically identified within this section, a determination regarding the classification of new and unlisted uses shall be in accordance with Section 4.3.1.1 of the Land Development Code.

Legend	
P	Use is Permitted in District Indicated
C	Use is Permitted in District Indicated Upon Approval of Conditional Use Permit
	Use is Prohibited in District Indicated

TYPES OF LAND USES	MU
Residential Uses	
Loft Apartments	P
Multi-Family (Apartments)	P
Office Service Type Uses	
Armed Services Recruiting Center	P
Bank, Credit Union or Savings and Loan (w/o Drive-thru)	P
Check Cashing Service	P
Offices (Health Services)	P
Offices (Medical Office)	P
Offices (Professional)	P
Personal and Business Service Uses	
Appliance Repair	P
Artist or Artisans Studio	P
Automatic Teller Machines (ATM's)	P
Automobile Driving School (including Defensive Driving)	P
Barber/Beauty Shop, Haircutting (non-college)	P
Dance/Drama/Music School (Performing Arts)	P
Laundry/Dry Cleaning (Drop Off/Pick Up Only)	P
Martial Arts School	P
Photocopying/Duplicating/Copy Shop	P
Washateria/Laundry (Self-Serve)	P

Retail and Service Type Uses	
Bicycle Sales and/or Repair	P
Convenience Store without gas sales	P
Department Store	P
Food or Grocery Store without Gasoline Sales	P
Pharmacy	P
Recycling Kiosk	P
Restaurant/Prepared Food Sales	P
Restaurant/Prepared Food Sales with beer and wine sold for both on and off-premises consumption	C
Retail Store (under 10,000 sf or more Bldg.) no outside sales	P
Transportation and Automotive Uses	
Public Garage/Parking Structure	P
Amusement and Recreational Uses	
Bar	C
Civic/Conference Center	P
Health Club (Physical Fitness; Indoors Only)	P
Motion Picture Theater (Indoors)	P
Museum (Indoors Only)	P
On-Premise Consumption of Alcohol	C
Park and/or Playground	P
Smoking Lounge	C
Theater (Non-Motion Picture; Live Drama)	P
Institutional / Governmental Uses	
Child Day Care (Business)	P
Clinic (Medical)	P
Emergency Care Clinic	P
Fraternal Organization/Civic Club	C
Government Building or Use (Municipal, State or Federal)	P
Post Office (Private)	

Section 6: Development Standards

6.01 Landscape Standards

The Project Site shall meet or exceed the minimum requirements of the City of San Marcos LDC for landscaping. All landscaping shall meet the requirements of Chapter 6, Article 1, Division 1 of the City of San Marcos LDC.

The site design will employ green/sustainable solutions in one form or another including, but not limited to, indigenous plantings within landscaped areas, tree islands within the

streetscape frontage to reduce the heat island effect, strategic tree placement for wind and solar break, rooftop gardens, permeable paving materials such as pervious concrete in parking or drive areas, crushed granite for walking paths, or a combination thereof, bicycle racks within the parking garage for tenants, the use of recycled landscape materials such as mulch and compost, and utilizing the natural flow of the site to reduce curb and gutters.

For the purpose of this PDD, landscape areas shall be considered those pervious areas contained within the site containing living plant material including, but not limited to, trees, shrubs, flowers, grass or other living ground cover or native vegetation. Additionally, landscaping may be achieved by providing streetscape planting and/or landscape planters.

6.02 Parking Standards

Parking for the project site shall be provided as follows:

Use	Required	Provided
Multi-family (Apartments)	1.05 spaces per bedroom	1.00 spaces per bedroom
Retail	1 space / 250 SF	1 space / 400 SF
Office	1 space / 300 SF	
Restaurant	1 space / 100 SF or 1 space / 4 seats, whichever is less	

Additionally, bicycle rack areas will be incorporated into the project site. A combination of secure bike lockers for use by residents and open public bike racks will be provided in safe and secure locations. Bicycle parking shall be provided at a minimum of 10% of required vehicle parking.

6.03 Exterior Construction Standards

The Project Site is intended to be developed in a modern, urban architectural design encouraging architectural variety and visual diversity. Achieving a high quality of architectural design for the Project Site is considered a principal goal of these design standards. Reflecting the vision of the Development, the development standards call for exterior materials and design standards that express a modern, urban architectural design.

1. Buildings constructed on the project site shall incorporate the use of vertical and/or horizontal reveals, off-sets, and three dimensional detail between surface planes to create shadow lines, break up flat surface areas, and provide visual architectural variety.

2. Appropriate exterior façade materials shall be consistent with native building materials and shall include brick, stone, stucco, split face concrete masonry units (CMU), faux stone or brick (stone/brick veneer), finished concrete, cementitious fiberboard, metal panel (individual or systems), glass curtain wall systems or a combination thereof.
3. Appropriate building materials for limited accents shall be metal (galvanized, painted or ornamental), wood, tile, or other durable natural materials.
4. The following materials shall be considered inappropriate as an exterior material for buildings constructed on the Project Site: EIFS, vinyl or aluminum siding, mirrored or tinted glass on the first floor. If an EIFS type finish is desired, stucco on masonry backup or a mechanically fastened system is required.
5. Heavier materials (brick, stone, split face CMU, finished concrete) shall be utilized below lighter materials (stucco, stone/brick veneer, cementitious fiberboard, metal panel, glass curtain).
6. A minimum of 100% of each facade, excluding doors, windows, fascia, trim, handrails, guardrails, decks, columns, etc., shall be constructed of the appropriate exterior façade materials listed in Section 6.03.2 above. Fascia, trim, columns, soffits, handrails, guardrails, decks, and other similar architectural details may be constructed of the appropriate limited accent materials listed in Section 6.03.3 above.
7. The exterior construction standards identified within this section shall be applicable to all exterior facades on each building within the proposed development. The use of four (4) sided design will be utilized to provide an enhanced visual appeal to the surrounding properties.
8. All accessory structures shall be constructed in such a manner so as to be compatible in look, style and materials as the primary structures on the project site. Alternative designs for accessory structures may utilize different styles and materials than the primary structure upon review and approval by the Director of Development Services, appealable to the Planning and Zoning Commission.
9. The following standards shall be specifically applicable to the retail area on the Sessom Drive façade:
 - a. The street level, first floor, façade shall be designed with a minimum of 70% glazing in clear glass to encourage pedestrian activity by providing stimulating storefronts that maintain and enhance the attractiveness of the street scene, display merchandise, seating areas, or activity inside the building.
 - b. There shall be a clear visual definition between the street level (first floor) and the upper levels created through the use of different exterior materials. The upper levels shall be setback from the street level to provide façade articulation and additional visual definition that clearly defines the mix of uses.
 - c. Out-swinging doors should be recessed so that the swing of the door does not interfere with the movement of pedestrians. Doors should be constructed so as to be no more than 75 percent and no less than 25 percent clear glass. The use of wood as a construction material and multiple panes of glass are encouraged.
 - d. Doorways shall be active and inviting to pedestrians. The placement of inactive doors, service doors, or doors used for emergency egress is discouraged in these areas.
10. The Building design will incorporate Sustainable Design Standards utilizing high efficiency lighting fixtures, a variety of energy-star rated appliances, double-paned low-E windows, occupancy sensors, day-lighting, low-flow plumbing fixtures in residential units and automatic shut-off fixtures in the non-residential facilities to

reduce energy demand, and non-toxic materials and low VOC paints that promote healthy indoor air quality.

6.04 Parkland Dedication

The Project Site proposes the dedication of parkland meeting the requirements of the City of San Marcos.

In accordance with the City of San Marcos LDC, parkland dedication is required as follows:

5 acres (multiplied by) 419 units (multiplied by) 2.1 residents per unit (divided by) 1,000 which equals 4.40 acres parkland dedication required. The Project Site proposes parkland dedication which will meet or exceed the required City parkland dedication amount.

6.05 Environmental & Water Quality Standards

On-site water quality and detention measures to control stormwater runoff will be required with the development of this site in accordance with the City of San Marcos LDC. This project will adhere to a minimum of 85% TSS removal, and no construction shall begin until all required City Plans are approved and a SWPPP is prepared. The 85% TSS removal will be accomplished utilizing a combination of traditional BMP's and approved low-impact development practices in accordance with TCEQ, EPA, Edwards Aquifer Authority, or City of San Marcos methods. All BMP's shall be designed and maintained by the property owner to achieve the performance standard of 85% TSS removal. Approved vegetative buffers and filters shall not include invasive species.

Low Impact Development (LID) techniques allow for greater development potential with less environmental impacts through the use of smarter designs and advanced technologies that achieve a better balance between conservation, growth, ecosystem protection, public health, and quality of life. Where feasible and practical to achieve maximum water quality standards, the Project Site shall incorporate various LID techniques, in one form or another, that will work in conjunction with traditional BMP's to achieve the 85% TSS removal indicated.

During the construction process, stabilization and protection measures shall be utilized to limit site disturbance to the construction perimeter (the limits of construction). The type and adequacy of the erosion and sedimentation controls shall be subject to approval of the Director of Development Services prior to installation. All erosion and sedimentation controls shall be monitored and maintained at all times during the construction process.

Prior to beginning any construction activities on the Project Site, permanent erosion and sedimentation controls shall be installed. The type and adequacy of the erosion and sedimentation controls shall be subject to approval of the Permit Center Manager prior to installation. All erosion and sedimentation controls shall be monitored and maintained at all times during the construction process.

6.06 Impervious Cover Limitations on Steep Slopes

The City’s LDC indicates the following impervious cover limitations on steep slopes:

Slope Gradient	Impervious Cover Limitation
15% - 25%	35%
Over 25%	20%

Based on the City’s standards, the Project Site would exceed the impervious cover limitations on steep slopes; however, this project proposes the use of structured parking that will be partially below the street level which will result in a need for cut and fill operations to create level building areas. Therefore, in the buildable areas of the project site, the project will be creating level slopes that would not exceed the impervious cover limitations on steep slopes.

6.07 Tree Preservation & Mitigation Requirements

The Project Site is subject to the Tree and Habitat Protection requirements of the City’s LDC. Any trees that are removed or damaged during development of the Project Site shall be mitigated on the Project Site as follows:

Tree Classification	Mitigation Ratio
Exempt Trees (per Section 5.5.2.1(b))	N/A
Trees less than 9” caliper	N/A
Trees within Building Footprint, within 10 feet of the Building Footprint or within Site Access Areas	In accordance with requirements of Section 5.5.2.2(g)
Protected Trees	1:1 caliper inch
Specimen Trees	2:1 caliper inch

In the event that mitigation is not feasible on the Project Site, e.g., planting capacity has been reached on the site, trees meeting the mitigation requirements of this section may be planted at a City park or on other City-owned property, subject to approval by the Director of Parks and Recreation Department, or provide payment to the Parks and Recreation Department of a fee-in-lieu of tree mitigation at a rate of \$100 per caliper inch required mitigation for use for the planting and maintenance of trees, installation of irrigation, repair or removal of damaged or destroyed trees, preserve and protect existing Protected and Specimen trees or other activities associated with trees in a City park or on other City-owned property.

6.08 Lighting Requirements

This project will provide lighting levels in conformance with LDC requirements and that are compatible with safety and industry standards.

1. Light levels: by illuminating landscape and vertical surfaces the project will achieve lighting comfort that requires lower lighting levels and yet offers full visibility and security.
2. Color of light: The project will only use lamps that provide warm color light with a range greater than 5,000 Kelvins. This is the color spectrum of incandescent

light. It can be achieved by different means and it is generally less glaring and makes public spaces friendlier and more hospitable.

3. No glare: All light will be carefully down shielded utilizing Dark Sky technologies as to provide no glare to neighboring buildings, as well as pedestrians and motorist circulating around the building.

6.09 Dumpsters

The dumpster(s) for this project shall be located within an enclosed area not visible from the street. The enclosed area shall be consistent in its design and materials with the rest of the project. Maneuvering area shall be provided within the project for a truck to conveniently pick up and service the dumpsters. The Project Site shall provide separate dumpsters adequate for collection of solid waste materials and recyclables.

6.10 Signage

Signage shall be provided in accordance with Chapter 6, Article 3, *Signs*, of the City of San Marcos Land Development Code. The only freestanding signs allowed on site shall be monument and sandwich signs. Blade signs with no more than 6 square feet in area and a minimum clearance of 8 feet shall be permitted. Specific design criteria will be developed to establish a consistent project style.

6.11 Streetscape

Streetscape improvements are intended to be public spaces for public interaction and to provide visual context, textural variety and separation of vehicular and pedestrian traffic. A minimum ten foot (10') sidewalk shall be required. The project site shall include the installation and/or construction of street trees, outdoor benches and seating areas, landscape features such as planter boxes and outdoor furniture associated with cafes and restaurants or a combination thereof. These street trees and public spaces will create public gathering places. A cluttered look will be avoided and spacing of streetscape elements will vary with building design and intent. The combination of streetscape elements will provide a balance of space that results in comfortable, convenient, safe and aesthetically pleasing pedestrian environment.

Street tree species should be selected for tolerance to polluted and drought conditions, disease and pest resistance, biodiversity and requirements for retail signage and storefront visibility. At maturity, street trees should be limbed up over the first floor to encourage storefront visibility. Street trees shall be planted in a minimum six foot by six foot (6' X 6') tree grate with adequate tree wells to ensure tree survivability. Any street trees provided shall be maintained by the property owner and must be replaced if dead or diseased.

6.12 Abandonment of Street ROW

The Project Site proposes to utilize numerous existing platted rights-of-way (ROW's) as part of development. These ROW's are platted as part of the Park Addition, Third Division; however, these ROW's will need to be abandoned to accommodate this development.

This PDD and the associated development propose the abandonment of the existing ROW's. The applicant and/or property owner shall submit an application for abandonment of the ROW's to be considered concurrently with the consideration of this PDD.

Section 7: Miscellaneous

7.01 The Property Owner understands and acknowledges that the Project Site will be bound by the provisions of these development standards as though they were conditions, restrictions and limitations on the use of the Project Site under the City's LDC.

7.02 The Property Owner understands and acknowledges that any person, firm, corporation or other entity violating any provisions of these development standards shall be subject to all penalties that apply to violation of the City's LDC, as amended. The Property Owner further understands and acknowledges that any person, firm, corporation or other entity violating any provisions of these development standards shall be subject to a suit by the City for an injunction to enjoin the violation of these development standards as though they were conditions, restrictions and limitations on use of the Project Site under the City's LDC.

7.03 All obligations of the Property Owner created under these development standards are performable in Hays County, Texas and venue for any action arising under these development standards shall be in Hays County, Texas. These development standards will be construed in accordance with the laws of the State of Texas.

7.04 Nothing in these development standards, express or implied, is intended to confer any rights, benefits or remedies under or by reason of these development standards upon any person or entity other than the City of San Marcos and the Property Owner.

7.05 These development standards may be revised and amended only in accordance with the procedures described in the City's Land Development Code, as same may be amended from time to time.

7.06 These development standards shall control the development of the Project Site and, to the extent such development standards modify, amend or supplement specific provisions of the City's Land Development Code, said development standards shall control. To the extent the City's Land Development Code is not specifically amended, modified or supplemented by these development standards, the City's Land Development Code or, as same may exist at the time of approval of these development standards, shall be applicable to and control the development of the Project Site.

7.07 Minor changes to the details contained within the Conceptual Plan incorporated herein which do not substantially and adversely change the Plan and which do not alter the basic physical relationship of the project site to adjacent properties, including, but not limited to, permitted uses, layout of buildings, number and size of buildings, design of parking areas, etc., may be approved administratively by the Director of Development Services. Any changes not deemed to be minor changes by the Director of Development Services shall be deemed major changes and shall be resubmitted following the same procedure required by the original PDD application. In no case shall any proposed change be less than the requirements of these

development standards without being resubmitted following the same procedure required by the original PDD application.

7.08 The Exhibits identified herein are incorporated by reference and are adopted as part of this PDD. Any modifications, amendments or supplements to these Exhibits shall require an amendment to this PDD ordinance unless allowed by City Ordinance or State Law.

7.09 In case one or more provisions of these development standards are deemed invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and in such event, these development standards shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Section 8: Table of Code Modifications

Standard	Required Standards (per City LDC)	Proposed Standards (per PDD Ordinance)	Modification Justification
Density	5.5 units per acre (UPA) max	30 units per acre gross 46 units per acre net	Proposed PDD incorporates vertical density to minimize building footprint
Building Height, Max.	4 stories	7 stories (includes parking garage)	Building height increased to accommodate structured parking and development of vertical density in modern, new urban infill type development
Permitted Uses	Uses permitted per Section 4.3.1.2	Permit Loft Apartments and Multi-family residential by-right Restrict nonresidential uses to uses compatible with and complimentary to residential use	Permitting Loft Apartments and Multi-family residential by right varies from code requirements
Parking Standards	1.05 / bedroom for multifamily 1 / 250 sf for retail	1.0 / bedroom for multifamily 1 / 400 SF for retail Provide bicycle parking equivalent to 10% of vehicle parking	Project site is close to the University and lends itself to pedestrian oriented traffic Bicycle parking not required by LDC
Exterior Construction Standards	Minimal exterior construction standards required Utilize 3 of 5 recommended design elements Minimum 1 window on façade facing street	Proposing specific design criteria for modern / urban architectural style Providing enhanced design standards for street façade Providing for four-sided design standards	Exceeding Code through use of 4 sided design, enhanced design and articulation standards

<p>Environment & Water Quality Standards Environment & Water Quality Standards</p>	<p>Water quality achieved through on-site detention. No specific water quality standard required.</p>	<p>Providing 85% TSS removal Water quality and detention required</p>	<p>Exceeds City's minimum water quality standards</p>
<p>Tree Preservation and Mitigation Requirements</p>	<p>Mitigation for protected trees 1 – 2.5" caliper tree per tree removed Mitigation for specimen trees – 1:1 caliper ratio</p>	<p>Mitigation for protected trees – 1:1 caliper ratio Mitigation for specimen trees – 2:1 caliper ratio Establish off-site mitigation or payment for fee-in-lieu of mitigation when required mitigation plantings cannot be placed on-site</p>	<p>Exceeds City's tree preservation requirements</p>

Exhibit A: Concept Plan