



REGULAR MEETING OF THE SAN MARCOS PLANNING AND ZONING COMMISSION

Tuesday, October 9, 2012, 6:00 p.m.
City Council Chambers
630 E. Hopkins Street

Bill Taylor, Chair
Curtis Seebeck, Vice-Chair
Randy Bryan, Commissioner
Chris Wood, Commissioner
Travis Kelsey, Commissioner
Kenneth Ehlers, Commissioner
Carter Morris, Commissioner
Bucky Couch, Commissioner
Corey Carothers, Commissioner

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. **30 Minute Citizen Comment Period.**

CONSENT AGENDA:

6. **Consider the approval of the minutes from the Regular Meeting on September 25, 2012.**
7. **PC-12-25(03) (Blanco Vista Phase 3, Section 4)** Consider a request by CSF Civil Group, on behalf of Brookfield Residential, for approval of a Final Plat for approximately 1.99 acres more or less, out of the William Ward League Survey No. 3, Abstract No. 467, for 14 lots located at Jacob Lane and Trail Ridge Pass.

PUBLIC HEARINGS:

8. **CUP-12-36 (Eta Tau Chapter of Sigma Nu Fraternity)** Hold a public hearing and consider a request by the Eta Tau Chapter of Sigma Nu Fraternity for the renewal of a Conditional Use Permit. The proposed renewal would allow the continued use of a fraternity at 2108 N IH 35.
9. **PDD-12-02 (The Woodlands of San Marcos – Capes Camp)** Hold a public hearing and discuss a PDD overlay district, with a base zoning of Multifamily-12 (MF-12) for approximately 45 acres located on the east side of IH-35, south of River Road, west of Cape Road and north of the San Marcos River.

10. **ZC-12-05 (The Woodlands of San Marcos – Capes Camp)** Hold a public hearing and discuss a Zoning Change from Future Development (FD) to Multiple-Family Residential (MF-12) for approximately 22.51 acres out of the J.M. Veramendi Survey No. 2, Abstract No. 17, located along River Road.
11. **ZC-12-06 (The Woodlands of San Marcos –Capes Camp)** Hold a public hearing and discuss a Zoning Change from Community Commercial (CC) to Multiple-Family Residential (MF-12) for approximately 0.651 acres out of the J.M. Veramendi Survey No. 2, Abstract No. 17, located along the frontage road of IH-35.
12. **ZC-12-11 (The Woodlands of San Marcos – Capes Camp)** Hold a public hearing and discuss a Zoning Change from Future Development (FD) to Multiple-Family Residential (MF-12) for approximately 5.64 acres out of the J.M. Veramendi Survey No. 2, Abstract No. 17, located at the intersection of River Road and Cape Road.
13. **LUA-12-04 (The Woodlands of San Marcos – Capes Camp)** Hold a public hearing and discuss a Land Use Amendment from Commercial (C) to Medium Density Residential (MDR) for approximately 4.2 acres out of the J.M. Veramendi Survey No. 2, Abstract No. 17, located at River Road and the frontage road of IH-35.
14. **LUA-12-06 (The Woodland of San Marcos – Capes Camp)** Hold a public hearing and discuss a Land Use Amendment from Very Low Density Residential (VLDR) to Medium Density Residential (MDR) for approximately 5.64 acres out of the J.M. Veramendi Survey No. 2, Abstract No. 17, located at the intersection of River Road and Cape Road.

NON CONSENT:

15. Development Services Report

- a) Update from staff on the Comprehensive Plan

16. Question and Answer Session with Press and Public. *This is an opportunity for the Press and Public to ask questions related to items on this agenda.*

17. 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.

**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
September 25, 2012**

1. Present

Commissioners:

Bill Taylor, Chair
Curtis Seebeck, Vice Chair
Chris Wood
Corey Carothers
Randy Bryan
Carter Morris
Travis Kelsey
Kenneth Ehlers
Bucky Couch

City Staff:

Matthew Lewis, Development Services Director
Sam Aguirre, Assistant City Attorney
Francis Serna, Recording Secretary
Alison Brake, Planner
Emily Koller, Planning Tech

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 September 25, 2012, 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 audience and viewers.

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. 30 Minute Citizen Comment Period

Blake Hicks, 202 Trestle Tree, Blanco River Village Subdivision expressed his concerns regarding the developer replacing a street with a linear park. He explained that Golden Shadow Park is the only playground in their neighborhood. He felt that placing a linear park across the street will be ill advised. Mr. Hicks added that removing a street will remove parking spaces for residents and their guests. He said that people parking alongside the park will cause visibility issues for small children crossing the street. Mr. Hicks stated that with no curbs there is no curb appeal and felt it would be difficult for him to sell his home.

Don Eyssen, 200 Orchard reminded the Commission that last October there was a development that took a lot of time from citizens and staff time that he felt should not have been approved. He added that there is a drainage problem. Mr. Eyssen felt that the Commission should research proposed projects prior to approving the requests. Mr. Eyssen explained that he attended a Parks Board meeting and there were some discrepancies between the City and the Parks Board. He mentioned that he saw a city contract for a downtown overlay and he had been told for a year that the city was not going to have an overlay. He

expressed concerns regarding waterlines being overlooked prior to plat approval. He told the Commission that he appreciates their hard work.

Frank Parrott, 225 Newberry Trail, Blanco River Village Subdivision said he has been a homeowner for approximately 4 1/2 years. He also owns a home at 213 Newberry that is leased by his in laws. Mr. Parrott added that his parents also live next door to him. He pointed out that he and his wife have a vested interest in the neighborhood. Mr. Parrott explained that he is an original homeowner of Pulte Homes and feels fortunate that Bigelow Homes took over the subdivision. He felt people in opposition do not fully understand the request. He added the Jaime Bigelow has spoken to the neighborhood. Mr. Parrott mentioned that Mr. Bigelow lives in the subdivision and has a vested interest in the neighborhood. Mr. Parrott stated that he is in favor of the request.

Norma Parrott, 225 Newberry Street spoke in support of the linear park and felt that there is a visual appeal to the area. She does not see a downside for the homeowners. Ms. Parrott felt that people who enjoy the park may also contribute to the maintenance of the park. She mentioned that she linear park will benefit the homeowners.

Nany Lee Seifert, 105 Dashwood Drive, said she has previously been in support of the project. She added that she understands Frank and Norma Parrott's comments. Ms. Seifert pointed out that her concern is that they want to keep peace in their neighborhood. She explained that she lives in the last house that Pulte built and she loves it. She added that her husband is handicapped and walks up and down the alley because it is safe and there is no traffic. Ms. Seifert said she also understands Mr. Hick's concerns. Ms. Seifert asked Jaime Bigelow to work it out with the neighbors because they love where they are. She thanked the Commission for listening to their comments and concerns.

Beverly Silas, 1843 Coronado Hills Drive, Austin stated she was present on behalf of the IH-35 Corridor Development Program. She explained that back in 2010 citizens of Austin voted to include a mobility bond a study of IH 35 between 290E on the north and William Cannon on the south. She explained with the success of the program the State Legislature gave an additional 1.2 million dollars to the project and asked for the limits to 45 on the north to 45 on the south. Ms. Silas extended an invitation to the Open House Workshop scheduled for Thursday, Sept. 27th from 3 p.m. – 7 p.m. at the Buda United Methodist Fellowship Hall, Buda Texas located at 302 Elm Street. She explained the idea is to get input from citizens on what they think the appropriate ways to address IH-35 short term 3-5 years or long term 6-10 years with the intent of putting together various projects to make IH-35 use friendly.

John David Carson, 800 W. 3rd St., Austin said he has reviewed the revisions to the Architectural Standards and feels they are ready to be moved on to Council for their approval. Mr. Carson thanked staff for doing a wonderful job for bringing the document forward and being receptive to suggestions. He said his comments apply to all but the lighting standards. He expressed his concerns regarding cost of the lights. Mr. Carson suggested keeping existing language in the SmartCode which encourages LED but does not mandate it. He also suggested that the city have incentives for LED lighting.

Samantha Armbruster, 424 Settlers Road spoke regarding Capes Camp property, The Woodlands PDD, stating that she grew up on Barbara Drive and has a special connection with the area. She pointed out that she is not against growth. She understands that San Marcos is growing and will need additional housing. Ms. Armbruster felt that the Woodlands development is a little short sided and that the potential for the land is so big. She added that with enough planning and vision Cape's Camp could become the central park of Central Texas. Ms. Armbruster said that the property should be maintained as parkland because of the people that love it. Ms. Armbruster felt that the property can meet the needs of citizens and residents. She felt that if the development is approved the city will lose the potential the property has for the future. She asked the Commission to delay the vote of The Woodlands PDD until the voice of the citizens can be heard in November.

Amy Hall, 122 Smith Lane, read a statement on behalf of Blanco Gardens Neighborhood regarding Capes Camp. Ms. Hall expressed their concerns regarding the development of Cape's Camp and the effects it will have on the surrounding neighborhoods.

Katy Scruton, 124 Trestle Tree in Blanco River Village stated she is in support of the request. She said she understands citizen concerns regarding parking but she does not feel that parking is going to be an issue.

Consent Agenda:

6. Consider the approval of the minutes from the Regular Meeting on September 11, 2012.

MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Morris, the Commission voted on consent to approve the minutes from the Regular Meeting on September 11, 2012. The motion carried unanimously.

Public Hearings:

7. CUP-12-30 (Embassy Suites Hotel) Hold a public hearing and consider a request by San Marcos ES Catering, on behalf of Embassy Suites Hotel, for the renewal of the existing Conditional Use Permit to allow the continued sale of mixed beverages for on-premise consumption at 1001 E. McCarty Lane.

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 Ehlers, the Commission voted all in favor to approve CUP-12-30 with the conditions that the permit shall be valid for the lifetime of the State TABC license, provided standards are met, subject to the point system. The motion carried unanimously.

8. CUP-12-31 (Embassy Suites Conference Center) Hold a public hearing and consider a request by San Marcos ES Catering, on behalf of Embassy Suites and City of San Marcos Conference Center, for the renewal of the existing Conditional Use Permit to allow the continued sale of mixed beverages for on-premise consumption at 1001 E. McCarty Lane.

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

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Bryan, the Commission voted all in favor to approve CUP-12-31 with the condition that the permit shall be valid for the lifetime of the State TABC license, provided standards are met, subject to the point system. The motion carried unanimously.

9. CUP-12-32 (Cedars Mediterranean Café) Hold a public hearing and consider a request by Cedars Mediterranean Cafe for renewal of an existing SmartCode Warrant. The proposed renewal would allow the continued use of a smoking lounge at 220 N. Edward Gary.

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

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Kelsey, the Commission voted all in favor to approve CUP-12-32 with the conditions that the warrant shall be valid for three (3) years, signage requirements of the Clean Air Ordinance are to be met with a clearly visible sign posted at the entrance stating, "Smoking is permitted throughout the entire area." The motion carried unanimously.

10. CUP-12-33 (Wok and Roll) Hold a public hearing and consider a request by Mei Wan Lai, on behalf of Wok & Roll Restaurant, for renewal of an existing Conditional Use Permit to allow the continued sale of beer and wine for on-premise consumption at 812 S. Guadalupe Street.

Chair Taylor opened the public hearing. Johnny Lai, owner of Wok and Roll thanked the Commission and citizens of San Marcos for them having a good business. There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Bryan and a second by Commissioner Seebeck, the Commission voted all in favor to approve CUP-12-33 with the condition that the permit shall be valid for three (3) years, provided standards are met, subject to the point system. The motion carried unanimously.

11. CUP-12-34 (Stratosphere Lounge) Hold a public hearing and consider a request by the Stratosphere Lounge for the renewal of an existing SmartCode Warrant. The proposed renewal would allow the continued use of a smoking lounge at 235-B N. LBJ Drive.

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

MAIN MOTION: Upon a motion made by Commissioner Morris and a second by Commissioner Carothers, the Commission voted all in favor to approve CUP-12-34 with the conditions that the warrant shall be valid for five (5) years, signage requirements of the Clean Air Ordinance are to be met with a clearly visible sign posted at the entrance stating, "Smoking is permitted throughout the entire facility" and hours of alcohol consumption must coincide with regular alcohol sales hours in San Marcos. The motion carried unanimously.

AMENDED MOTION: Upon an amended motion made by Commissioner Morris and a second by Commissioner Wood, the Commission voted six (6) for and three (3) against to approve removing the condition that the Business owner grant full inspection authority to San Marcos Police and Code Enforcement Officers. The motion carried.

12. CUP-12-35 (Tantra Coffeehouse) Hold a public hearing and consider a request by Nathan Todd, on behalf of Tantra Coffeehouse, for renewal of an existing Conditional Use Permit to allow the continued sale of beer and wine for on-premise consumption at 217 W. Hopkins Street.

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

MOTION: Upon a motion made by Commissioner Morris and a second by Commissioner Kelsey, the Commission voted all in favor to approve CUP-12-35 with the conditions that the permit shall be valid for three (3) years, provided standards are met, subject to the point system. The motion carried unanimously.

13. A- 2-03 (100 E MLK) Hold a public hearing and consider a request by James Garza on behalf of Hays County for the abandonment of an approximately 108 foot by 22 foot segment of alley in the 100 block of E. MLK Drive.

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-12-03 as submitted. The motion carried unanimously.

Non Consent Agenda:

14. PDD-11-13(a) (Amendment to Blanco River Village PDD) Consider a request by Scott Bauer, on behalf of Bigelow San Marcos Development, L.L.C., to amend the text of the existing Development Standards for the Blanco River Village Planned Development District ("PDD"), consisting of 103.788 acres of land, more or less, located in the 1400 through 1900 blocks of State Highway 21, as originally approved by Ordinances 2004-61 and 2008-49, and amended by Ordinance 2012-02, for the purpose of allowing a smaller street section to allow a courtyard housing type.

MAIN MOTION: Upon a motion made by Commissioner Morris and a second by Commissioner Carothers, the Commission voted eight (8) for and one (1) against to approve PDD-11-13(a) with the conditions that the developer paints a pedestrian crosswalk across Golden Shadow to correlate with the Rush Haven Greenway, the developer erects pedestrian crossing signs facing both ways of traffic on Golden Shadow at the crosswalk, and that the developer works with Staff to locate "No Parking" signs along Golden Shadow to achieve good visibility for the crosswalk. Commissioner Bryan dissented. The motion carried.

AMENDED MOTION: Upon a motion made by Commissioner Morris and a second by Commissioner Kelsey, the Commission voted all in favor to include that the developer “works with staff,” to locate “No Parking” signs along Golden Shadow to achieve good visibility for the crosswalk. The motion carried unanimously.

15. LDC-12-13 (Downtown Architectural Standards) Consider various revisions to Subpart C of the City Code (the SmartCode) including modifying the signage and lighting standards and adding architectural requirements.

MOTION: Upon a motion made by Commissioner Morris and a second by Commissioner Kelsey, the Commission voted eight (8) for and one (1) opposed to approve LDC-12-13 (Downtown Architectural Standards). Commissioner Seebeck dissented. The motion carried.

16. Development Services Report

- a. Update from staff on Comprehensive Plan

Matthew Lewis invited and encouraged the Commission and public to the next Comp Plan meeting to be held on Wednesday, September 26^m at the Activity Center beginning at 5:30 p.m.

17. Question and Answer Session with Press and Public. *This is an opportunity for the Press and Public to ask questions related to items on this agenda.*

There were no questions from the press and public.

18. Adjourn.

Chair Taylor adjourned the Planning and Zoning Commission at 8:20 p.m. on Tuesday, September 25, 2012.

Bill Taylor, Chair

Curtis Seebeck, Commissioner

Corey Carothers, Commissioner

Randy Bryan, Commissioner

Carter Morris, Commissioner

Chris Wood, Commissioner

Travis Kelsey, Commissioner

Bucky Couch, Commissioner

Kenneth Ehlers, Commissioner

ATTEST:

Francis Serna, Recording Secretary

PC-12-25(03) Final Plat, Blanco Vista, Phase 3, Section 4



Applicant Information:

Agent: CSF Civil Group
3636 Executive Center Drive
Suite 209
Austin, Texas 78731

Property Owner: Brookfield Residential
9737 Great Hills Trail
Suite 260
Austin, Texas 78759

Notification: Notification not required

Type & Name of Subdivision: Final Plat, Blanco Vista Phase 3, Section 4

Subject Property:

Summary: The subject property is approximately 1.99 acres more or less, and is located at the intersection of Jacob Lane and Trail Ridge Pass.

Zoning: Mixed Use/PDD/Single-Family

Traffic/ Transportation: The property is at the intersection of Jacob Lane and Trail Ridge Pass. Sidewalks will be installed as part of the development of this plat.

Utility Capacity: All utilities are provided for onsite.

Planning Department Analysis:

The subject property is part of the Blanco Vista Planned Development District, and has a base zoning of Mixed Use. This section is within the single-family portion of the development and provides for the development of 14 lots. The proposed plat would be consistent with developments in the area and meets all the requirements of the Land Development Code and the PDD.

The site is not located in floodplain or floodway. A Watershed Protection Plan Phase 2 was submitted and approved for Blanco Vista Phase 3, Sections 1, 2 and 3. The Public Improvement Construction Plans (PICPs) have also been submitted in Permit Number 2012-10695. Jacob Lane, starting at Lot 1 and continuing to Lot 8 was constructed at the time the church was platted. The remainder of Jacob Lane starting at Lot 9 and continuing to Lot 14, as shown on the proposed plat, is under construction.

Required parkland dedication was completed with the initial phase of this project, and is not required for this individual plat.

The plat does meet the criteria set forth in the LDC and staff recommends approval of the plat as submitted.

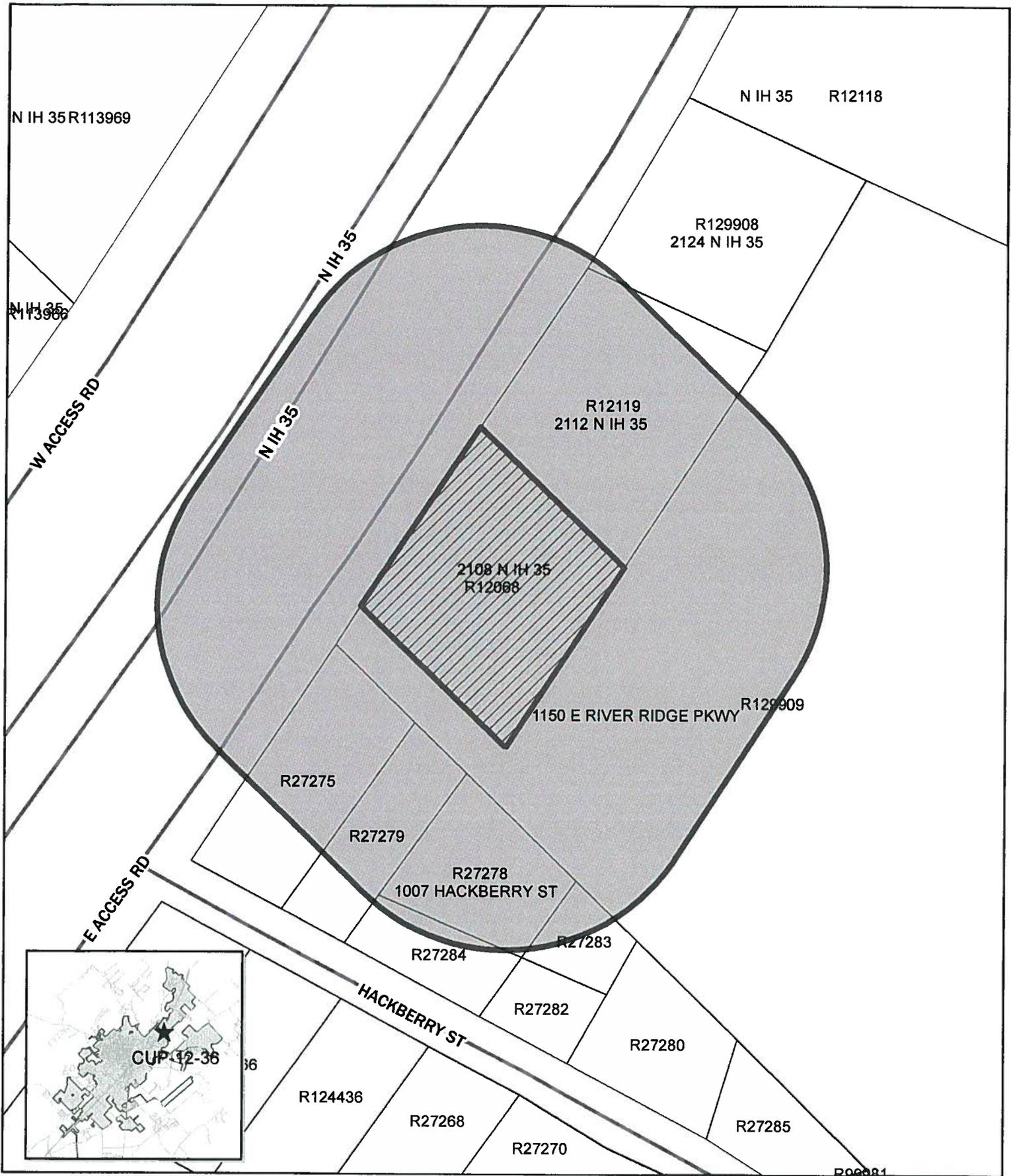
Planning Department Recommendation	
X	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Statutory Denial

The Commission's Responsibility:

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

Prepared By:

Alison E. Brake	Planner	October 4, 2012
Name	Title	Date



CUP-12-36
Sigma Nu Fraternity -
Eta Tau Chapter
2108 N IH 35
Map Date: 09/28/12

-  Notification Buffer (200 feet)
-  Site Location

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

0 85 170 340
 Feet



**CUP-12-36
 Conditional Use Permit Renewal
 Sigma Nu Fraternity
 2108 N IH 35**



Summary:

Applicant: Eta Tau Chapter of Sigma Nu Fraternity
 Brandon Griffiths, President
 2108 N IH 35
 San Marcos, TX 78666

Property Owner: Housing Corporation of Eta Tau Chapter of Sigma Nu Fraternity
 c/o Bill Siddons, III
 PO Box 1567
 Hillsboro, TX 76645

Applicant Request: Renewal of Conditional Use Permit to operate a fraternity house at 2108 N IH 35 in Mixed Use zoning.

Notification: Public hearing notification mailed on September 28, 2012.

Response: No responses to the public hearing notice received.

Subject Property:

Legal Description: Abstract 17-2, Tract 94, JM Veramendi Survey

Location: 2108 N IH 35.

Existing Use of Property: Fraternity House

Existing Zoning: MU – Mixed Use

Proposed Use of Property: Fraternity House

Sector: 6

Neighborhood: None

Frontage On: N IH 35 Frontage

Utilities: Adequate

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	MU	Residential
S of Property	MU	Residential
E of Property	MF-18	MF Residential
W of Property	GC	Commercial

Comments from Other Departments:

The police and other City departments have not indicated any outstanding issues regarding the property.

Planning Department Analysis:

The property contains a large house (2,700 sf) with 6 bedrooms and 3.5 bathrooms. The lot is one acre, and is buffered from adjacent property by vegetation and an 8-foot privacy fence. Applicants state the house is currently occupied by two fraternity members, but can accommodate up to six. The fraternity has approximately 50 members.

On October 10, 2006, the Planning and Zoning Commission approved a CUP with the following conditions:

1. Initial approval for two (2) years subject to the point system.
2. Provision of six (6) paved parking spaces.
3. Submittal of a parking plan showing adequate maneuvering to determine maximum occupancy on the property.

The Fraternity complied with the provisions of the CUP by providing two additional paved parking spaces to bring the total number of paved spaces to six. Also, the applicant provided a parking plan. After meeting those conditions, the Commission approved the Conditional Use Permit for five years on October 9, 2007, with the following conditions:

1. The CUP be valid for a five (5) year time period subject to the point system.
2. The Fire Marshall's Office be permitted to inspect the premises as needed.

The Fraternity has met all conditions of the Conditional Use Permit. Staff provides this request to the Commission for your consideration and recommends approval of the Conditional Use Permit with the following conditions:

3. **The CUP be valid for a five (5) year time period subject to the point system.**

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

The Commission's Responsibility:

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

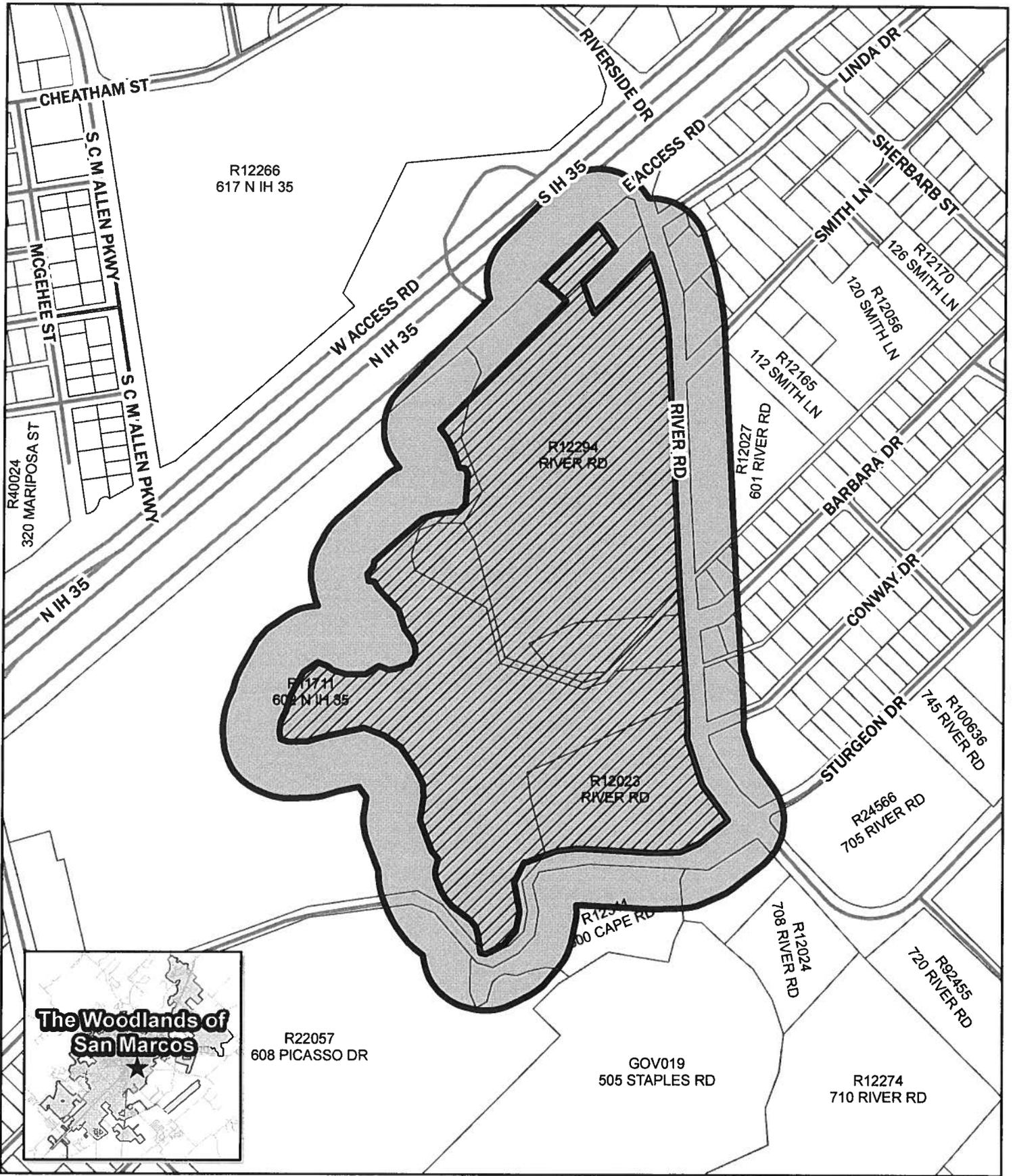
The Commission's decision is discretionary. In evaluating the impact of the proposed conditional use on surrounding properties, the Commission should consider the extent to which the use:

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

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

Prepared by:

Emily Koller	Planning Technician	October 3, 2012
Name	Title	Date



- PDD-12-02
- ZC-12-05
- ZC-12-06
- ZC-12-11
- LUA-12-04
- LUA-12-06

The Woodlands of San Marcos
Map Date 09/27/12

 Notification Buffer (200 feet)
 Site Location

0 337.5 675 1,350
 Feet

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



**PDD-12-02/ZC-12-05/ZC-12-06/ZC-12-11/LUA-12-04/LUA-12-06
 Planned Development District (PDD)
 Zoning Change
 Land Use Amendment
 The Woodlands of San Marcos**



Summary:

Applicant/Property Owner: Dovetail Development, LLC
 1150 Timothy Road, Suite 201
 Athens, GA 30606

Consultant: ETR Development Consulting, L.L.C.
 401 Dryden Lane
 Buda, TX 78610

Subject Property:

Legal Description: Approximately 45 acres of land out of the J.M. Veramendi Survey No. 2, Abstract No. 17.

Location: River Road and Cape Road

Existing Use of Property: Commercial along frontage of IH-35 and vacant along River Road and Cape Road

Existing Zoning: "CC" Community Commercial and "FD" Future Development

Proposed Use of Property: Multi-family residential (student housing)

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

Sector: 6

Frontage On: IH-35 Frontage Road and River Road

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	SF-6/MF-24/CC/GC/P	Single family residences and multi-family residences (Blanco Gardens), Commercial, and City lift station location
S of Property	FD	Vacant
E of Property	FD	Stokes Park, some residential
W of Property	GC & P	Commercial and City Parkland

Background

The Woodlands of San Marcos is approximately 45 acres of land, historically known as Cape's Camp and Thompson's Island, located on the east side of IH 35, south of River Road, west of Cape Road and north of the San Marcos River. The project is proposed to be developed as a 306-unit, 984-bedroom (each unit no more than three-stories in height) student housing multifamily community that will front along IH-35. The primary entrance to the development is proposed to be provided through a connection to the Interstate frontage road. The project is proposed to be restricted to a maximum density of 12 units per acre over the entire project site with the occupancy of the multifamily units being restricted to one person per lease per bedroom.

ZC-12-05/ZC-12-06/ZC-12-11/LUA-12-05/LUA-12-06

Currently, the majority of the subject property has a zoning designation of Future Development (FD) with a portion, along the frontage road of Interstate 35, having a zoning designation of Community Commercial (CC). The Future Land Use Map shows the property to have multiple designations that include Commercial (C), Medium Density Residential (MDR), Very Low Density Residential (VLDR) and Open Space (OS).

The rezone requests to change the zoning designations are as follows:

- Future Development (FD) to Multifamily Residential (MF-12)
- Community Commercial (CC) to Multifamily Residential (MF-12)
- A Planned Development District Overlay (PDD)

The requests for Land Use Amendments are as follows:

- Commercial (C) to Medium Density Residential (MDR)
- Very Low Density Residential (VLDR) to Medium Density Residential (MDR).

Adjacent uses include the State Fish Hatchery to the southeast, as well as a mix of housing, predominantly single-family, to the north. Blanco Gardens Neighborhood is located across from the subject property on River Road. There are some commercial service-type businesses that are located across from the subject property along the IH-35 frontage road.

Proposed Site Development

- Project site is approximately 45 acres total.
- Multifamily Residential for student housing of 306 units/984 bedrooms; maximum 3-story units
- 12 units per acre maximum
- All parking requirements will be met plus bicycle parking is provided.
- The project commits to a water quality performance rate of 85% removal of all Total Suspended Solids.
- Parkland dedication of 20 acres of land, including Thompson's Island, in addition to the area located within the floodway and land located within the Water Quality Zone. The project was presented to the Parks and Recreation Advisory Board for their recommendation on the dedication on September 25, 2012. The Board did not make a recommendation at that meeting.

Planning Department Analysis:

There are many good items that have coalesced out of the negotiation of the PDD. A few of these items worth noting are:

- The dedication of 20 acres of parkland, including Thompson's Island, along with the area located within the floodway and within the Water Quality Zone;
- Agreement that developer will construct a crushed granite trail with limestone border along the edge of the Buffer Zone, out of the Water Quality Zone;
- Providing a pedestrian easement through the property to connect the crushed granite trail to the City's pedestrian trail along I-35;
- Agreement that developer will build a portion of the parking for the dedicated parkland has been proposed to be located across Cape Road on State park property, which the Parks Department has indicated that the City has a lease agreement with the State to make improvements on this property;
- Dedication of 35-feet of right-of-way along Cape Road at time of platting to allow for on-street parking, the remainder needed for the park;
- An emergency management gate at the east end of the crushed granite trail along Cape Road allowing for Fire and EMS access to both the parkland and the residential development; and
- Agreement by the developer to utilizing four-sided design by adding the following language to "Section 6.03 Exterior Construction Standards": **"All facades or sides of buildings shall be**

designed with architectural style and building materials consistent with the front façade. Lesser quality materials or details for side or rear walls are prohibited."

The following items are still being negotiated at this point in time with this particular PDD:

- A license agreement needs to be executed for the buffer area along River Road to help screen the development from the road which will include items such as a six foot (6') sidewalk with waste disposal areas, benches, lighting, etc.;
- Staff is in the process of finding out if there will be a Texas State bus stop and if so, where it will be located;
- Doucet & Associates, the engineering firm the developer is utilizing, was to contact the City's Engineering Department to discuss infrastructure needs and adequacy of current City utilities; and
- As the developer is offering donation of 20 acres of parkland in the PDD Some discussion on whether the City will agree to waive/credit future parkland dedication requirements on the 31.25 acre parcel south of the river, if the city opts not to purchase, and the 6 acres retained by the Thornton family.

The following items are the major concerns to staff at this point in the negotiation process:

- As the subject property is very important to the citizens of San Marcos, especially so to the Blanco Gardens Neighborhood located across the street, there is a need for a clear understanding of the project layout and aesthetic character, which includes proposed elevations and materials planned for use, wrapping parking with buildings, and more specific information on the landscaping for the buffer/berms along River Road and the entire property;
- The Concept Plan is inadequate under the definition in Chapter 1, Article 5, Division 3 of the Land Development Code which calls for it to illustrate the proposed location and arrangement of uses, the relationship of such uses to base zoning districts, development phasing, planned public improvements, open space, proposed amenities, and the overall design of the development; and
- The location of the property, adjacent to the San Marcos River, requires great care taken in regards to stormwater best management practices (BMPs). The PDD does outline standards to achieve the proposed removal of a minimum of 85% Total Suspended Solids (TSS) which include LID practices and the staff has requested specific BMPs to be included.

Due to these concerns, as well as the continuing negotiations as stated earlier, staff has brought the case forward to allow for a thorough understanding and discussion of the request and scheduled it for public hearing and discussion only. Action on this case is scheduled for October 23, 2012.

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

Prepared by:

Alison Brake

Planner

October 4, 2012

Name

Title

Date

From: pat fahrenheit [pfahrenheit@sbcglobal.net]
Sent: Friday, October 05, 2012 6:48 AM
To: Planning Information
Subject: Cape's Camp

Dear Commissioners – Please postpone any further discussion and decisions about the Cape's Camp property until AFTER the November election. I will be voting for Prop 1 on the ballot and urge the Planning Commission to wait with their discussions until other citizens have cast their ballots.

Thank you,
Pat Fahrenheit
617 Columbia St.
San Marcos TX 78666