



**SAN MARCOS
PLANNING AND ZONING
COMMISSION REGULAR
MEETING
CITY COUNCIL CHAMBERS,
630 E. HOPKINS
TUESDAY, MARCH 26, 2013
6:00 P.M.**

1. Call To Order
2. Roll Call
3. **Election of Officers:**
 - a. Chair
 - b. Vice Chair

***NOTE:** The Planning and 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.*

4. 30 Minute Citizen Comment Period

CONSENT AGENDA

THE FOLLOWING ITEMS NUMBERED 5 - 5 MAY BE ACTED UPON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THE ITEMS IS NECESSARY UNLESS DESIRED BY A COMMISSIONER OR A CITIZEN, IN WHICH EVENT THE ITEM SHALL BE CONSIDERED IN ITS NORMAL SEQUENCE AFTER THE ITEMS NOT REQUIRING SEPARATE DISCUSSION HAVE BEEN ACTED UPON BY A SINGLE MOTION.

5. **Consider the approval of the minutes of the Regular Meeting on March 12, 2013.**

PUBLIC HEARINGS

6. **LUA-13-02 (San Marcos Unitarian Universalist Fellowship)** Hold a public hearing and consider a request by Dan Gibson, on behalf of San Marcos Unitarian Universalist Fellowship, for a Land Use Amendment from Low Density Residential (LDR) to Public (P) for a 2.01 acre tract described as Lot 1 of the Craddock Avenue Subdivision, located in the 1100 block of Craddock Avenue.
7. **ZC-13-04 (San Marcos Unitarian Universalist Fellowship)** Hold a public hearing and consider a request by Dan Gibson, on behalf of San Marcos Unitarian Universalist Fellowship, for a Zoning Change from Single-Family Residential (SF-6) to Public and Institutional (P) for a 2.01 acre tract described as Lot 1 of the Craddock Avenue Subdivision, located in the 1100 block of Craddock Avenue.

8. **ZC-11-29(Gas Lamp District)** Hold a Public Hearing and consider a request by Bury + Partners, on behalf of Walton Texas LP for a Zoning Change from Future Development (FD) to Smart Code (SC) for a 495 +/- acre site out of John H. Yearby Survey, located at the Northwest corner of Old Bastrop Highway and Centerpoint Road.

9. **WARRANT REQUEST (Gas Lamp District)** Hold a public hearing and consider a request for Bury + Partners, on behalf of Walton Texas LP. for 13 warrants that allow deviation from SmartCode (SC) Zoning for a 495 +/- acre site out of the John H. Yearby Survey located at the Northwest corner of Old Bastrop Highway and Centerpoint Road, as follows: **1.** Section 5.12 – allow the second layer of the lot to be 12 feet vs. 20 feet required for up to 49% of the total number of single family lots in the project; **2.** Section 5.9.4 – allow driveways to be 12 feet wide in the right-of-way vs. 12 feet wide in the first layer for up to 49% of the total number of single family lots in the project; **3.** Table 3.6 – allow pipe, post, column and double column light poles in any T-Zone; **4.** Table 1.3 – allow an atypical cross section for Arterial A; **5.** Table 3.3– allow head-in parking for street section CS-80-54 vs. reverse angle required; **6.** Table 3.3 – allow cross sections ST-50-26 & ST-50-28 in all T-Zones; **7.** Table 1.3 – reduction of setbacks in T3 zone from 24 feet front and 12 feet all other to 10 feet front and 5 feet all other; **8.** Table 1.3 – allow a reduction in the building height from 2 stories to 1 story for age restricted or nursing facilities; **9.** Section 3.8.2 – allow a minimum of 30% commercial (office/retail) in T5 Zone vs. 15% retail and 15% office required; **10.** Section 3.5.4 – permit the reservation of a childcare / elementary school lot for 2 years after the sale of the last single family or multi-family lot vs. up to five years after the sale of the last lot; **11.** Section 3.5.4 – Allow one 8 acre lot to be reserved for an elementary school vs. one 3 acre site in each of the 2 pedestrian sheds as required; **12.** Table 1.3 – allow a 25 acre apartment site to have an increased block perimeter of 2,400 feet vs. 2,000 feet required and allow this to be measured at private streets and pedestrian passages in addition to public streets as stated in code; **13.** Table 1.3 – allow the multifamily sites to have lot widths based on the block perimeters from Warrant #12 vs. 196 feet maximum width required.

10. **PC-12-29_03 (Weatherford Subdivision)** Public Hearing and Consider a request by HMT Engineering, on behalf of Robert Theriot, Vikash Patel and Kishor Patel, for approval of a replat of Lot 13A, Weatherford Subdivision, establishing Lots 13A-1 and 13A-2, located near the intersection of South IH 35 and Wonder World Drive.

11. **PDD-07-02(a) (McCarty Commons)** Hold a public hearing and discuss a request by SLF II - McCarty, L.P. for amendments to the existing Planned Development District for McCarty Commons, consisting of 259.52 acres more or less out of Cyrus Wickson Survey, Abstract 474, and the Nathaniel Hubbard Survey, Abstract 250, as originally approved by Ordinance 2008-41.

12. **Comprehensive (Master) Plan.** Hold a Public Hearing and consider a recommendation to the City Council for adoption of the Final Draft of the Comprehensive (Master) Plan - Vision San Marcos: A River Runs Through Us - to guide the growth and development of the City of San Marcos.

NON-CONSENT AGENDA

13. Presentation from staff and discussion regarding Capital Improvement Plan (CIP).

14. **Development Services Report**

15. 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.*
16. Adjournment.

ADDENDUM

Addendum: Item #3 not posted on original agenda posted March 21, 2013 at 1:10 p.m. Item #3 Election of Officers added.

ADDENDUM POSTED THURSDAY, MARCH 21, 2013 AT _____.

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 services for meetings must be made 48 hours in advance of the meeting. Call the City Clerk's Office at 512-393-8090

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

_____ Title: _____

Agenda Information

AGENDA CAPTION:

Election of Officers:

- a. Chair
- b. Vice Chair

Meeting date: March 26, 2013

Department: Development Services

Funds Required: na

Account Number: na

Funds Available: na

Account Name: na

CITY COUNCIL GOAL:

BACKGROUND:

Agenda Information

AGENDA CAPTION:

Consider the approval of the minutes of the Regular Meeting on March 12, 2013.

Meeting date: March 26, 2013

Department: Development Services

Funds Required: n/a

Account Number: n/a

Funds Available: n/a

Account Name: n/a

CITY COUNCIL GOAL:

BACKGROUND:

ATTACHMENTS:

March 12, 2013 PZ Minutes

**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
March 12, 2013**

1. Present

Commissioners:

Bill Taylor, Chair
Curtis Seebeck, Vice Chair
Chris Wood
Kenneth Ehlers
Bucky Couch
Angie Ramirez

City Staff:

Matthew Lewis, Development Services Director
Kristy Stark, Development Services Assistant Director
Roxanne Nemcik, Assistant City Attorney
Francis Serna, Recording Secretary
John Foreman, Planning Manager
Amanda Hernandez, Senior Planner
Alix Scarborough, Planning Intern

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 March 12, 2013, in the Council Chambers, City Hall, City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

Chairperson's Opening Remarks.

Chair Taylor welcomed the audience and viewers.

3. Election of Officers

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.*

4. 30 Minute Citizen Comment Period

There were no citizen comments.

Consent Agenda:

5. Consider the approval of the minutes from the Regular Meeting on February 12 and February 26, 2013.

6. PC-12-19_03 (Final Plat, Joe Dobie Subdivision) Consider a request by Byrn & Associates, Inc on behalf of Joe K. Dobie, Jr. Trustee of Joe K. & Daisy G. Dobie Family Trust, for approval of a Final Plat for approximately 14.48 acres more or less out of the J.M. Veramendi Survey No. 2, located at the intersection of Aquarena Springs Drive and River Road.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Ehlers the Commission voted all in favor to approve the consent agenda.

Public Hearings:

7. CUP-13-06 (Wake the Dead Coffee House) Hold a public hearing and consider a request by Wake the Dead Coffee House, for renewal of a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 1432 Old Ranch Road 12.

Alix Scarborough, Planning Intern gave an overview of the project.

Chair Taylor opened the public hearing. Paul Murray spoke in support of the request. He stated that the business is an asset to the community. Jim Garber also spoke in support of the request. Julie Balkman, owner of Wake the Dead provided the Commission with signatures of support. She added that she requires that all employees have a TABC license. There were no additional 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-13-06 with the conditions that the CUP is valid for the life of the TABC license, provided standards are met, subject to the point system.

8. Comprehensive (Master) Plan. Hold a Public Hearing and hear a staff update regarding the Final Draft of the Comprehensive (Master) Plan - Vision San Marcos: A River Runs Through Us - to guide the growth and development of the City of San Marcos.

Matthew Lewis provided a brief update of the Master Plan. He explained that the committees have met and made recommendations. He advised the Commission that the Comp Plan is provided on the City's website. Mr. Lewis provided the Commission with the Comp Plan Calendar.

Chair Taylor opened the public hearing. Jim Garber said he was confused at the last meeting regarding the procedure of the Master Plan. He explained that he researched the City Charter for information regarding the charge of the Planning & Zoning Commission. Mr. Garber pointed out Section 7.02 and noted that he did not find anything stating that the Planning & Zoning has the power to approve or disapprove what recommendation is made from the Citizens Advisory Committee or the Steering Committee. He added that the P&Z does have power to make recommendations.

Paul Murray, 102 Barkley pointed out that controversy has been because neighborhoods are not involved and always the last to know. Mr. Murray explained that neighbors have only 15 days to respond when notification is issued. He felt that staff has months to work on projects. He hopes that neighborhoods can be included earlier in the process to avoid conflict. Mr. Murray added that the Comprehensive Plan does address the issue and stated that CONA representatives will be notified earlier in the process. He asked the Commission to leave the requirement in the Comprehensive Plan.

Jaimy Breihan welcomed Ms. Ramirez to the Commission. He said he was excited about the Comp Plan and hoped that things will start looking up for the community. He expressed concerns with multifamily zoning being pressed in with single family neighborhoods. Mr. Breihan pointed out that things were tough last year. He added that the Casey development will be brought before the Commission again and hopes that the Commission will refer to the legality of allowing zoning changes and what constitutes spot zoning. He asked the Commission as the Master Plan is implemented that we follow the rules, laws and regulations for the State of Texas regarding zoning changes.

Diane Wassenich said for the Commissioners and public not present at the Committee meeting there was a lively discussion regarding the Commission's suggestions. She mentioned that a key factor that they did

consider and add to the Comp Plan was information about poverty and the University. Ms. Wassenich stated that there were many items that were suggested by Commission members and others that were not regarding the two topics suggested by the Commission. The charge that was given were worked on and many items that were suggested that were not regarding the topics. She added that there were several items found to be duplicated within the document. Ms. Wassenich stated she wanted to let the Commission know that the Committees did what the Commission wanted them to do.

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

Non-Consent

9. MUD 13-01 (LaSalle Municipal Utility Districts 2, 3, 4 and 5) Request of Michael Schroeder on behalf of LaSalle Holdings, Ltd. for consent to create LaSalle Municipal Utility Districts 2, 3, 4 and 5 on an approximately 1,437 acre site out of the William Hemphill Survey, generally located between IH 35 and SH 21 north of Yarrington Road.

MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Ehlers the Commission voted all in favor to approve MUD-13-01 with the conditions that all requirements in the Consent Agreement and Section 70.052 Conditions and Criteria for Consent to Creation of a District are met including but not limited to the preparation of a Market Study, Development Agreement and Strategic Partnership Agreement.

10. Development Services Report

There was no report.

11. 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.*

Jim Garber spoke again about the Commission's roll concerning the Master Plan. He referred and read Section 7.02 Powers and Duties of the Commission. He pointed out that the Code does not empower the Commission to review and proposed Master Plan. Mr. Garber explained that the Commission's power is to review the existing Master Plan. He asked Legal if next week's review of the draft Comp Plan is beyond the Commission's charge in the Charter.

There were no additional questions from the press and public.

12. Adjourn.

Chair Taylor adjourned the Planning and Zoning Commission at 6:34 p.m. on Tuesday, February 26, 2013.

Bill Taylor, Chair

Curtis Seebeck, Vice Chair

Chris Wood, Commissioner

Kenneth Ehlers, Commissioner

Randy Bryan, Commissioner

Angie Ramirez, Commissioner

ATTEST:

Francis Serna, Recording Secretary

Agenda Information

AGENDA CAPTION:

LUA-13-02 (San Marcos Unitarian Universalist Fellowship) Hold a public hearing and consider a request by Dan Gibson, on behalf of San Marcos Unitarian Universalist Fellowship, for a Land Use Amendment from Low Density Residential (LDR) to Public (P) for a 2.01 acre tract described as Lot 1 of the Craddock Avenue Subdivision, located in the 1100 block of Craddock Avenue.

Meeting date: March 26, 2013

Department: Development Services

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

CITY COUNCIL GOAL:

Strengthen the Middle Class, Encourage Strong Neighborhoods, Education and Workforce

BACKGROUND:

The subject property is located along Craddock Avenue and is currently vacant. The surrounding properties are primarily single family or vacant. The San Marcos Unitarian Universalist Fellowship Church (SMUUF) owns the property and is proposing to construct a church building along with a parking lot to accommodate the church on this lot. Currently, the church rents space in the UCM Wesley building on Woods Street adjacent to Texas State University and holds services in what was St. Mark's Episcopal Church. SMUUF has abandoned a 300 foot portion of Dale Drive that ran between Allen Street to the south and Furman Avenue to the north and have also replatted the property in order to create a suitable site for the development of the new church building. This request is proceeding concurrently with a zoning change from Single-Family Residential (SF-6) to Public and Institutional (P).

Public and Institutional land uses are characterized by public and semi-public uses of land, which include churches. The property is located in Sector Two which is primarily a residential area characterized by single-family homes. The future land use designations of Sector Two reflect its existing family-oriented character. The Sector Two plan states that 5.71% of the land use within it is Public and Institutional which include the San Marcos Cemetery, Crockett Elementary School, the Scheib Opportunity Center, Westover Baptist Church, and the Seventh Day Adventist Church along with a couple of neighborhood parks. The Sector Two plan states that development should be "neighborhood friendly".

While churches are a permitted use within SF-6, the dimensional standards for the property will change with the request. This is the reason the church is seeking the change. The rear setback becomes a five foot setback rather than a twenty foot setback and the impervious cover limitations are allowed up to 80% instead of 50%, the impervious cover limitation in SF-6 zoning. A list of permitted uses, both by right and with a Conditional Use Permit, within the "P" zoning district are included in the packet. In 2008, a determination was made by the Texas Commission on Environmental Quality that this property is not located within the Edwards Aquifer Recharge Zone.

The applicant states that the impervious cover limit of 50% is too low for development of a church building along with the required parking on a lot of this size. The parking requirement for a church is 1 space per 4 seats of capacity in the main auditorium, sanctuary or other area containing fixed seating. The intensity of the use will be limited to times of Church services and related ancillary uses by the church and the community.

The property is located along northbound Craddock Avenue which is designated as a major arterial on the Thoroughfare Plan. The church will be able to take access off the major arterial rather than the residential streets that surround it. The request is compatible with the residential uses nearby and has the potential to serve the large residential population in the immediate area.

Staff finds the request is generally consistent with the policies in the Horizons Master Plan and Sector Two Plan and **recommends approval.**

ATTACHMENTS:

Notification Map

Staff Report

Uses permitted within "P"

Aerial Map

Future Land Use Map

Recorded Plat

Response in Opposition

LUA-13-02 Land Use Map Amendment 1100 block Craddock Avenue



Summary:

The applicant is requesting a Land Use Map Amendment from Low Density Residential (LDR) to Public (P)

Applicant:

Dan Gibson
815 Hillyer Street
San Marcos, TX 78666

Property Owners:

San Marcos Unitarian Universalist Fellowship
P.O. Box 1053
San Marcos, TX 78667

Notification:

Personal notice sent and signs posted on March 14, 2013

Response:

One written response in opposition was received by email on Friday, March 15, 2013. It is included in the packet.

Subject Property:

Location:

1100 block Craddock Avenue (East side)

Legal Description:

Lot 1, Craddock Avenue Subdivision, 2.01 acres

Sector:

Sector Two

Current Zoning:

Single Family (SF-6)

Proposed Zoning:

Public and Institutional (P)

Current Future Land Use Map Designation:

Low Density Residential (LDR)

Proposed Future Land Use Map Designation:

Public (P)

Surrounding Area:

	Zoning	Existing Land Use	Future Land Use
N of Property	SF-6	Single family residential	Low Density Residential
S of Property	SF-6	Single family residential	Low Density Residential
E of Property	SF-6	Single family residential	Low Density Residential
W of Property	NC	Vacant	Mixed Use

Case Summary: Proposed Land Use Map Amendment from Low Density Residential to Public

The subject site consists of 2.01 acres (Lot 1, Craddock Avenue Subdivision), located off Craddock Avenue. Currently the property is vacant and the surrounding properties are primarily single family or vacant. The San Marcos Unitarian Universalist Fellowship Church (SMUUF) owns the property and is proposing to construct a church building along with a parking lot to accommodate the church on this lot. Currently, the church rents space in the UCM Wesley building on Woods Street adjacent to Texas State University and holds services in what was St. Mark's Episcopal Church. As rent has increased over the years, SMUUF has aspired owning their own building. SMUUF has abandoned a 300 foot portion of Dale Drive that ran between Allen Street to the south and Furman Avenue to the north and has also replatted the property in order to create a suitable site for the development of the new church building. The replat was administratively approved and recorded in December 2012.

This request is proceeding concurrently with a zoning change from Single-Family Residential (SF-6) to Public and Institutional (P).

Planning Department Analysis:

Public and Institutional land uses are characterized by public and semi-public uses of land, which includes land uses such as schools, universities, governmental buildings, airports, cemeteries, churches, etc. The property is located in Sector Two which is primarily a residential area characterized by single-family homes. The northwestern portion and southwestern portion of this sector are in the recharge zone while the rest of the sector is located in either the contributing zone within the transition zone or the transition zone. The future land use designations of Sector Two reflect its existing family-oriented character. The Sector Two plan states that 5.71% of the land use within it is Public and Institutional. These uses include the San Marcos Cemetery, Crockett Elementary School, the Scheib Opportunity Center, Westover Baptist Church, and the Seventh Day Adventist Church along with a couple of neighborhood parks. The Sector Two plan states that development should be "neighborhood friendly".

A Church provides a vital public service and supports the growth of the neighborhood creating opportunity to attend worship services in the neighborhood. While churches are a permitted use within SF-6, the main reason the church is seeking the change is that the dimensional standards for the property will change with the new zoning designation. The rear setback becomes a five foot setback rather than a twenty foot setback and the impervious cover limitations are allowed up to 80% instead of 50%, the impervious cover limitation in SF-6 zoning. These dimensional standards are required for any of the uses allowed under the "P" zoning designation. A list of permitted uses, both by right and with a Conditional Use Permit, within the "P" zoning district has been included in the packet. The applicant states that the impervious cover limit of 50% is too low for development of a church building along with the required parking on a lot of this size. The parking requirement for a church is 1 space per 4 seats of capacity in the main auditorium, sanctuary or other area containing fixed seating. While there are church activities on one or two weekday nights, the main activity of the church is the Sunday morning worship service. The applicant has expressed that, in order to make more efficient use of the building, the church may accommodate another function, such as educational services or adult day care, during weekdays. The intensity of the use will be limited to times of Church services and related ancillary uses by the church and the community.

In 2008, a determination was made by the Texas Commission on Environmental Quality that this property is not located within the Edwards Aquifer Recharge Zone. Per Section 5.2.3.1 of the Land Development Code (LDC), the property would be limited to 40% impervious cover if it was located within the Recharge Zone.

Staff has evaluated the request for consistency with the Horizons Master Plan and the Sector Two Plan.

Consistent	Neutral	Inconsistent	Horizons Master Plan Policy Statement
X			<p>Policy LU-3.8: Locate heavy traffic generators along arterials in corridors of intensified development</p> <p><i>Comment: The property is located along northbound Craddock Avenue which is designated as a major arterial on the Thoroughfare Plan. The intensity of the use will be limited to times of Church services and related ancillary uses by the church and the community. The church will be able to take access off the major arterial rather than the residential streets that surround it.</i></p>
X			<p>Policy LU-3.13: Encourage compatible uses supportive of neighborhoods on the periphery</p> <p><i>Comment: The property is compatible with the residential uses nearby and is located on the edge of a neighborhood.</i></p>
X			<p>Policy LU-6.6: Discourage speculative zoning solely to inflate value, to the detriment of adjacent owners</p> <p><i>Comment: The request is not speculative zoning as the Church has acquired the property and is proceeding through the development process.</i></p>
X			<p>Policy LU-6.9: Promote commercial services compatible and convenient to the neighborhood</p> <p><i>Comment: Property is compatible with the residential uses nearby and has potential to serve the large residential population in the immediate area.</i></p>

The Sector Two Plan contains goals such as walkable neighborhoods that are pedestrian-friendly for children and adults. The request is consistent with this. With the development of the Church sidewalks will be constructed along the frontage of Craddock Avenue, Furman Avenue and Allen Streets. The Sector Two Plan states that development within the sector should be “neighborhood-friendly” and a church promotes the orderly and efficient growth and development of the community and furthers the public health, safety and general welfare of the City while providing a neighborhood service to the community.

Staff finds that the request is generally consistent with policies in the Horizons Master Plan and the Sector Two 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
<input type="checkbox"/>	Denial

Prepared by:

Alison Brake

Planner

March 7, 2013

Name

Title

Date

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.

Uses Allowed within "P" Zoning District

Permitted by Right	
Farmer's Market	Museum (Indoor Only)
Accessory Building/Structure (larger than 625 s.f. in size and 12' in height)	Park and/or Playground
Accessory Building/Structure (larger than 625 s.f. in size or 12' in height)	Rodeo Grounds
Accessory Dwelling (One per lot)	Lighted Tennis Court
Caretaker's /Guard's Residence	Live Drama Theater (Non-Motion Picture)
Community Home	Adult Day Care (No Overnight Stay)
Residential Hall or Boarding House	Cemetery and/or Mausoleum
Duplex/Two-Family/Duplex Condominiums	Place of Religious Assembly/ Church
Fraternity or Sorority Building	Clinic (Medical)
Armed Services Recruiting Center	Government Building or Use
Ambulance Service (Private)	Heliport
Automobile Driving School (including Defensive Driving)	Helistop (Non-Emergency)
ATM	Household Care Facility
Barber/Beauty College	Post Office (Private)
Dance/Drama/Music Schools (Performing Arts)	Post Office (Governmental)
Martial Arts School	Rectory/Parsonage with Place of Worship
Studio for Radio or Television (without tower)	School, K through 12 (Private)
Plant Nursery (Retail Sales/Outdoor Storage)	School, K through 12 (Public)
Recycling Kiosk	School, Vocational
Broadcast Station (with tower)	Aircraft Support and Related Services
Civic/Conference Center	Airport
Fair Ground	
Conditional Permit Needed	
Electric Generating Plant	
Electrical Substation	
Bed and Breakfast Inn	
Loft Apartments	
Multifamily (Apartments)	
Single Family Detached House	
Single Family Industrialized House	
Offices (Professional)	
Restaurant/ Prepared Food Sales	
Public Garage/Parking Structure	
Amusement Services or Venues (Outdoors)	
Hospital	

Aerial Map



CASTLE GATE CIR

SB CRADDOCK AVE
NB CRADDOCK AVE

DALE DR

GIRARD AVE

FRANKLIN DR

FURMAN AVE

ALLEN ST

N BISHOP ST

Legend
Subject Property



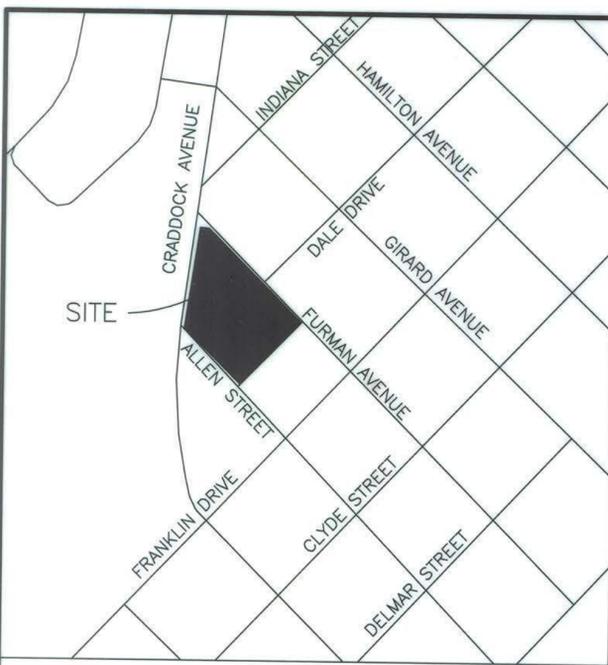
Future Land Use Map



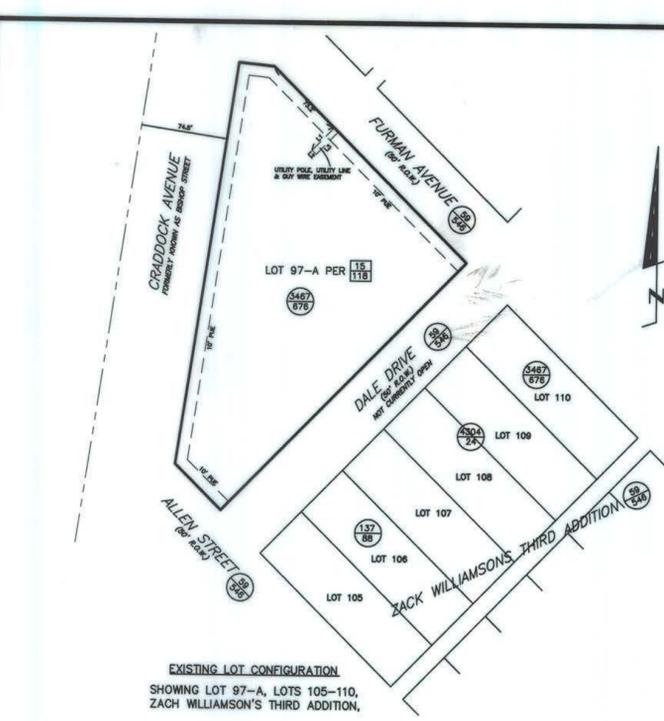
Legend

-  Low Density Residential
-  Mixed Use
-  Subject Property

Vol 17 PG 5



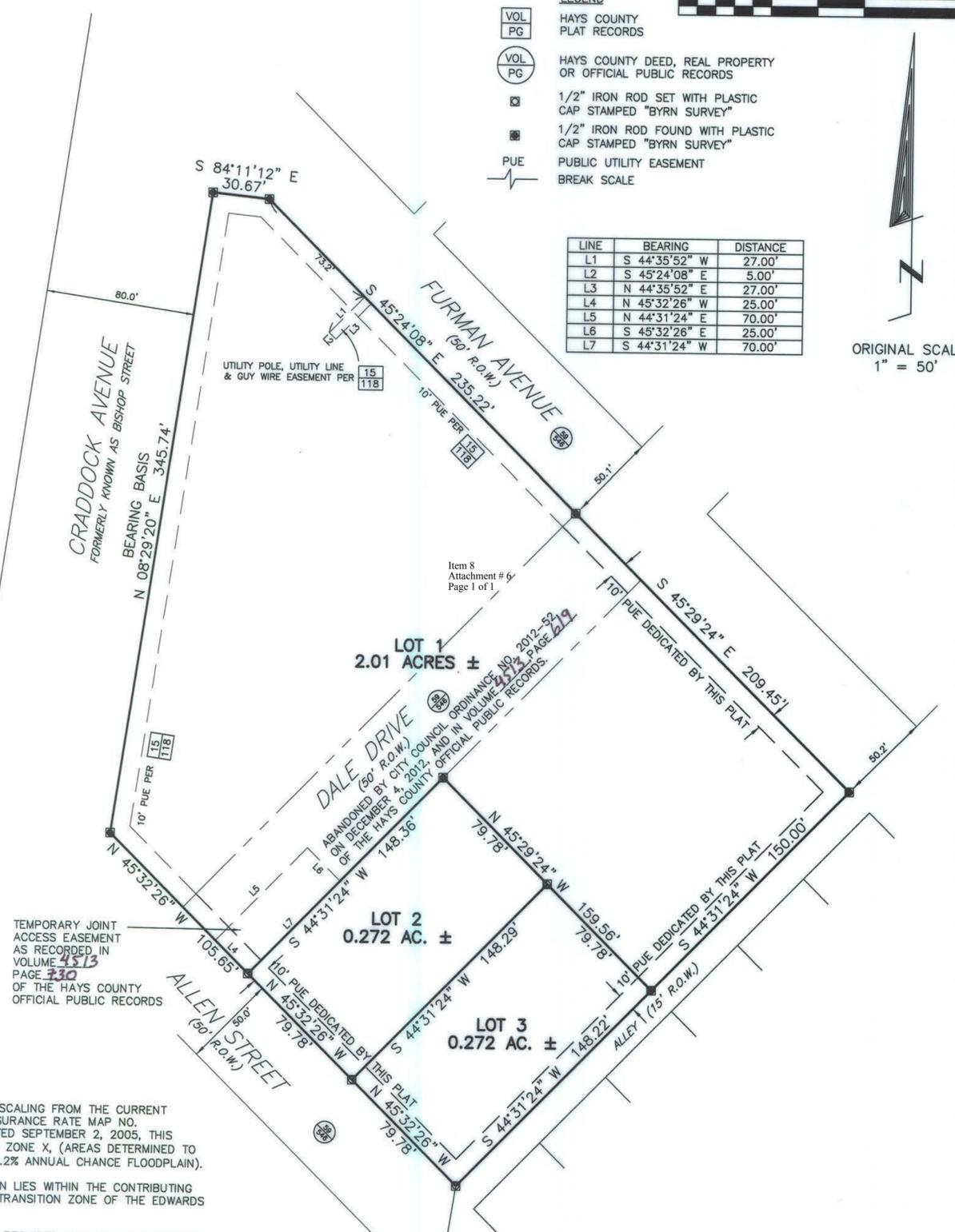
VICINITY MAP - NOT TO SCALE



EXISTING LOT CONFIGURATION
SHOWING LOT 97-A, LOTS 105-110,
ZACH WILLIAMSON'S THIRD ADDITION.

SURVEYORS NOTES

1. BEARINGS, DISTANCES AND AREAS IN PARENTHESES ARE FROM RECORD INFORMATION.



LEGEND

- VOL HAYS COUNTY PLAT RECORDS
- PG HAYS COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS
- VOL HAYS COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS
- PG HAYS COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS
- 1/2" 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "BYRN SURVEY"
- 1/2" 1/2" IRON ROD FOUND WITH PLASTIC CAP STAMPED "BYRN SURVEY"
- PUE PUBLIC UTILITY EASEMENT
- BREAK BREAK SCALE



ORIGINAL SCALE
1" = 50'

STATE OF TEXAS*
COUNTY OF HAYS*

THAT WE, SAN MARCOS UNITARIAN UNIVERSALIST FELLOWSHIP, A TEXAS NON-PROFIT CORPORATION, ACTING THROUGH LISA CRADIT, PRESIDENT, AS THE OWNER OF LOTS 97-A OF THE ZACH WILLIAMSON'S THIRD ADDITION RECORDED IN VOLUME 15, PAGE 118 OF THE OFFICIAL PLAT RECORDS OF HAYS COUNTY, TEXAS AND LOTS 108-110 OF THE ORIGINAL ZACH WILLIAMSON THIRD ADDITION AS RECORDED IN VOLUME 59, PAGE 546 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, CONVEYED TO US IN VOLUME 3467, PAGE 676, VOLUME 4304, PAGE 24 AND VOLUME 4326, PAGE 687, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND THE ABANDONED RIGHT OF WAY OF DALE DRIVE AS DEEDED BY THE CITY OF SAN MARCOS TO SAN MARCOS UNITARIAN UNIVERSALIST FELLOWSHIP AND RECORDED IN VOLUME 4513 PAGE 619 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY TEXAS, AND CAROLINE G. SCHWITZ, ACTING BY AND THROUGH JOHN SCHWITZ, ATTORNEY IN FACT, OWNER OF LOTS 105-107 OF ZACH WILLIAMSON'S THIRD ADDITION, AS CONVEYED TO ME IN VOLUME 137, PAGE 88, OF THE DEED RECORDS OF HAYS COUNTY, TEXAS DO HEREBY SUBDIVIDE THIS PROPERTY AND DEDICATE TO THE PUBLIC FOREVER USE OF THE STREETS, ALLEYS, EASEMENTS AND ALL OTHER LANDS INTENDED FOR PUBLIC DEDICATION AS SHOWN HEREON TO BE KNOWN AS CRADDOCK AVENUE SUBDIVISION A REPLAT OF LOT 97-A, LOTS 105-110, AND THE ADJACENT ABANDONED DALE DRIVE RIGHT-OF-WAY, IN ZACH WILLIAMSON'S THIRD ADDITION.

Lisa Cradit
LISA CRADIT, PRESIDENT FOR
SAN MARCOS UNITARIAN UNIVERSALIST FELLOWSHIP
P.O. BOX 1053
SAN MARCOS, TEXAS 78667

John Schwitz
JOHN SCHWITZ, ATTORNEY IN FACT FOR CAROLINE G. SCHWITZ
1508 ALLEN STREET
SAN MARCOS, TEXAS 78666

STATE OF TEXAS*
COUNTY OF HAYS*

THIS SUBDIVISION PLAT WAS ACKNOWLEDGED BEFORE ME ON
December 31, 2012 BY Francis Lisa Cradit

Francis Serna
NOTARY PUBLIC IN AND FOR HAYS COUNTY, TEXAS

MY COMMISSION EXPIRES:

STATE OF TEXAS*
COUNTY OF HAYS*

THIS SUBDIVISION PLAT WAS ACKNOWLEDGED BEFORE ME ON
December 31, 2012 BY John Schwitz

Francis Serna
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MY COMMISSION EXPIRES:

APPROVED BY THE CITY OF SAN MARCOS DIRECTOR OF DEVELOPMENT SERVICES ON 19th OF December, 2012.

Matthew Lewis 12-18-12
MATTHEW LEWIS DATE
DIRECTOR OF DEVELOPMENT SERVICES

Francis Serna 12-18-12
FRANCIS SERNA DATE
RECORDING SECRETARY

Linda Grubbs Huff 12/18/12
LINDA GRUBBS HUFF, P.E., DATE
DIRECTOR OF CIP AND ENGINEERING

STATE OF TEXAS *
COUNTY OF HAYS *

I, LIZ Q. GONZALEZ, COUNTY CLERK OF HAYS COUNTY, TEXAS, CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE 31st DAY OF December, 2012 AT 2:15 O'CLOCK P. M., AND RECORDED ON THE 31st DAY OF December, 2012 AT 8:15 O'CLOCK P. M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN BOOK 177, AT PAGE 5.

Liz Q. Gonzalez
LIZ Q. GONZALEZ
COUNTY CLERK
HAYS COUNTY, TEXAS

KNOW ALL MEN BY THESE PRESENTS:

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

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

CRADDOCK AVENUE SUBDIVISION
A REPLAT OF LOT 97-A, LOTS 105-110, AND THE ADJACENT ABANDONED DALE DRIVE RIGHT-OF-WAY, IN ZACH WILLIAMSON'S THIRD ADDITION

DATE: OCTOBER 18, 2012
SCALE: 1" = 50'

BYRN & ASSOCIATES, INC.
ENGINEERS SURVEYORS
P.O. BOX 1433 SAN MARCOS, TEXAS 78667
PHONE 512-396-2270 FAX 512-392-2945

CLIENT: SAN MARCOS UNITARIAN UNIVERSALIST FELLOWSHIP
DATE: SEPTEMBER 10, 2012
OFFICE: BRYANT
CREW: C. SMITH, HADEN
FB/PG: 716/23
PLAT NO. 26253-12-6-c

Robert & Kelly Eby
1007 Dale Drive
San Marcos, Texas 78666
March 14, 2013

Developments Services –Planning
City of San Marcos
630 East Hopkins
San Marcos, Texas 78666

Dear Planning and Zoning Commission:

I am writing to ask you to reject the requested zoning change by the San Marcos Unitarian Universalist Fellowship from single-family residential (SF-6) to a Public and Institutional (P) for 1100 Block of Craddock Avenue (Lot 1, Craddock Avenue Subdivision, 2.01 acres).

We feel that the zoning change would negatively impact the community by increasing the number of cars passing through the street, altering parking conditions, increase light pollution, increasing traffic noise, unsightly views, and alter drainage conditions previously calculated for Craddock. Not only would this change the dynamic of our peaceful community, but it would also go against the City's Master Plan, of which we oppose all changes.

I think that this is an important decision. It will negatively impact the community at large by disrupting the residential nature of our street.

Thank you for your support.

Sincerely,

Robert & Kelly Eby

Agenda Information

AGENDA CAPTION:

ZC-13-04 (San Marcos Unitarian Universalist Fellowship) Hold a public hearing and consider a request by Dan Gibson, on behalf of San Marcos Unitarian Universalist Fellowship, for a Zoning Change from Single-Family Residential (SF-6) to Public and Institutional (P) for a 2.01 acre tract described as Lot 1 of the Craddock Avenue Subdivision, located in the 1100 block of Craddock Avenue.

Meeting date: March 26, 2013

Department: Development Services

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

CITY COUNCIL GOAL:

Strengthen the Middle Class, Encourage Strong Neighborhoods, Education and Workforce

BACKGROUND:

The subject property is located along Craddock Avenue and is currently vacant. The surrounding properties are primarily single family or vacant. The San Marcos Unitarian Universalist Fellowship Church (SMUUF) owns the property and is proposing to construct a church building along with a parking lot to accommodate the church on this lot. Currently, the church rents space in the UCM Wesley building on Woods Street adjacent to Texas State University and holds services in what was St. Mark's Episcopal Church. SMUUF has abandoned a 300 foot portion of Dale Drive that ran between Allen Street to the south and Furman Avenue to the north and have replatted the property in order to create a suitable site for the development of the new church building. The replat was recorded in December 2012. This request is proceeding concurrently with a land use amendment from Low Density Residential (LDR) to Public (P).

The property is located in Sector Two which is primarily a residential area characterized by single-family homes. The zoning designations within this sector reflect this character. While the Executive Summary within the Sector Two Plan does not specifically call out areas of the sector to have a zoning designation of Public and Institutional, it does state that development should be "neighborhood-friendly" and be more accommodating of pedestrian, bicyclists, and transit users. A Church provides a vital public service and supports the growth of the neighborhood creating opportunity to attend worship services in the neighborhood. While churches are a permitted use within SF-6, the dimensional standards for the property will change with the rezoning. This is the reason the church is seeking the

change. The rear setback becomes a five foot setback rather than a twenty foot setback and the impervious cover limitations are allowed up to 80% instead of 50%, the impervious cover limitation in SF-6 zoning. These dimensional standards are required for any of the uses allowed under the “P” zoning designation. A list of permitted uses, both by right and with a Conditional Use Permit, within the “P” zoning district has been included .

The request is consistent with the criteria of Section 1.5.1.5 of the Land Development Code and does not meet the criteria to be considered spot zoning. The property could be developed as single-family residential as currently zoned but development of a church is made more difficult with the impervious cover limitation of 50%. While a benefit of increased impervious cover is conferred to the landowner, it will not cause a substantial detriment to the surrounding property owners. The increase in impervious cover will be offset in part by creating a very neighborhood friendly service easily accessible and minimize the need to commute to a more distant location for worship services. The increased impervious cover limit will also allow the site to develop adequately and keep from parking in the residential neighborhood surrounding it.

Staff considers the request is in conformance with policy decisions for similarly located properties and **recommends approval.**

ATTACHMENTS:

Notification Map

Staff Report

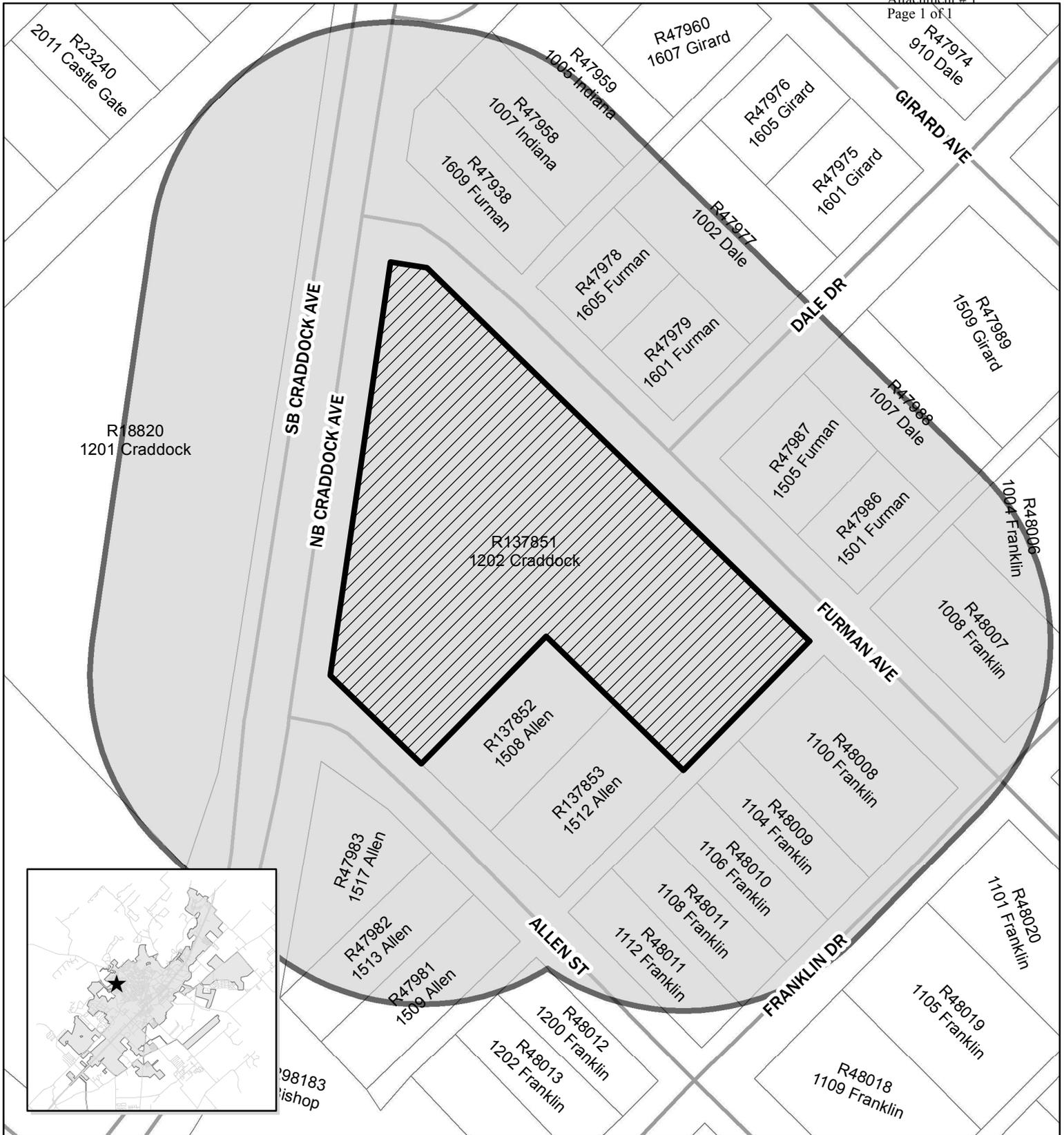
Uses allowed within "P" zoning district

Aerial Map

Zoning Map

Recorded Plat

Response in Opposition



ZC-13-04
1202 Craddock Ave
Map Date: 3/1/2013

-  Site Location
-  Notification Area (200 feet)



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

Zoning Change ZC-13-04 1100 Block of Craddock Avenue



Summary: The applicant is requesting a zoning change from Single Family Residential – 6 (SF-6) to Public and Institutional (P) for one lot located at the 1100 block of Craddock Avenue.

Applicant: Dan Gibson
815 Hillyer Street
San Marcos, TX 78666

Property Owners: San Marcos Unitarian Universalist
Fellowship
P.O. Box 1053
San Marcos, TX 78667

Notification: Personal notice sent and signs posted on March 14, 2013

Response: One written response in opposition was received by email on Friday, March 15, 2013. It is included in the packet.

Property/Area Profile:

Legal Description: Lot 1, Craddock Avenue Subdivision, 2.01 acres

Location: 1100 block Craddock Avenue (East side)

Existing Use of Property: Vacant

Proposed Use of Property: Church

Future Land Use Map: Low Density Residential

Existing Zoning: SF-6 (Single Family Residential)

Proposed Zoning: P (Public and Institutional)

Utility Capacity: Adequate

Sector: Sector Two

**Area Zoning and Land Use
Pattern:**

	Zoning	Existing Land Use	Future Land Use
N of Property	SF-6	Single family residential	Low Density Residential
S of Property	SF-6	Single family residential	Low Density Residential
E of Property	SF-6	Single family residential	Low Density Residential
W of Property	NC	Vacant	Mixed Use

Case Summary

The subject site consists of 2.01 acres (Lot 1, Craddock Avenue Subdivision) located along Craddock Avenue. Currently the property is vacant and the surrounding properties are primarily single family or vacant. The San Marcos Unitarian Universalist Fellowship Church (SMUUF) owns the property and is proposing to construct a church building along with a parking lot to accommodate the church on this lot. Currently, the church rents space in the UCM Wesley building on Woods Street adjacent to Texas State University and holds services in what was St. Mark's Episcopal Church. As rent has increased over the years, SMUUF has aspired owning their own building. SMUUF has abandoned a 300 foot portion of Dale Drive that ran between Allen Street to the south and Furman Avenue to the north and has also replatted the property in order to create a suitable site for the development of the new church building. The replat was recorded in December 2012.

This request is proceeding concurrently with a land use amendment from Low Density Residential (LDR) to Public (P).

Planning Department Analysis

The applicant is requesting a zoning change from Single Family Residential – 6 (SF-6) to Public and Institutional (P) for a 2.01 acre tract of land that has frontage along northbound Craddock Avenue, Furman Avenue and Allen Street. The property is located in Sector Two which is primarily a residential area characterized by single-family homes. The zoning designations within this sector reflect this character. The northwestern portion and southwestern portion of this sector are in the recharge zone while the rest of the sector is located in either the contributing zone within the transition zone or the transition zone. While the Executive Summary within the Sector Two Plan does not specifically call out areas of the sector to have a zoning designation of Public and Institutional, it does state that development should be “neighborhood-friendly” and be more accommodating of pedestrian, bicyclists, and transit users.

A Church provides a vital public service and supports the growth of the neighborhood creating opportunity to attend worship services in the neighborhood. While churches are a permitted use within SF-6, the main reason the church is seeking the change is that the dimensional standards for the property will change with the new zoning designation. The rear setback becomes a five foot setback rather than a twenty foot setback and the impervious cover limitations are allowed up to 80% instead of 50%, the impervious cover limitation in SF-6 zoning. These dimensional standards are required for any of the uses allowed under the “P” zoning designation. A list of permitted uses, both by right and with a Conditional Use Permit, within the “P” zoning district has been included in the packet. The applicant states that the impervious cover limit of 50% is too low for development of a church building along with the required parking on a lot of this size. The parking requirement for a church is 1 space per 4 seats of capacity in the main auditorium, sanctuary or other area containing fixed seating. While there are church activities on one or two weekday nights, the main activity of the church is the Sunday morning worship service. The applicant has expressed that, in order to make more efficient use of the building, the church may accommodate another function, such as educational services or adult day care, during weekdays. The intensity of the use will be limited to times of Church services and related ancillary uses by the church and the community.

In 2008, a determination was made by the Texas Commission on Environmental Quality that this property is not located within the Edwards Aquifer Recharge Zone. Per Section 5.2.3.1 of the Land Development Code (LDC), the property would be limited to 40% impervious cover if it was located within the Recharge Zone.

Section 1.5.1.5 of the LDC 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 below:

Evaluation		Neutral	Criteria (LDC 1.5.1.5)
Consistent	Inconsistent		
X			<p>Change implements the policies of the adopted Master Plan, including the land use classification on the Future Land Use Map and any incorporated sector plan maps</p> <p><i>A future land use map amendment is pending for this property. The Future Land Use Amendment staff report indicates changing to a Public future land use designation is consistent with a number of policy statements found in the Horizons Master Plan.</i></p>
		X	<p>Consistency with any development agreement in effect</p> <p><i>No development agreements are in effect for this property.</i></p>
X			<p>Whether the uses permitted by the proposed change and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified</p> <p><i>Churches are a permitted use in mostly all zoning categories and provide a neighborhood service.</i></p>
X			<p>Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area</p> <p><i>The property is currently served with City water and wastewater. There are no Capital Improvement Plan projects anticipated in the immediate area.</i></p>
X			<p>Other factors which substantially affect the public health, safety, morals, or general welfare</p> <p><i>The request promotes the orderly and efficient growth and development of the community and furthers the public health, safety and general welfare of the City. It also provides a neighborhood service to the community.</i></p>

Additionally, the Commission should consider:

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

Staff evaluation: Yes. The property could be redeveloped as single-family homes under the SF-6 zoning classification. However, as presently zoned, development is made more difficult for a church to develop with a 50% impervious cover limit.

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

Staff evaluation: No, the surrounding neighborhood remains primarily residential characterized by single-family residences. The area south of the property, at the intersection of Craddock Avenue and Bishop Street, is starting to see development of mixed use and multifamily.

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

Staff evaluation: No. This would not address a substantial unmet need because churches are a permitted use within most all zoning districts.

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

Staff evaluation: While a benefit of increased impervious cover is conferred to the landowner, it will not cause a substantial detriment to the surrounding property owners. The developer will have to submit and receive approval of a site preparation permit. The developmental and public facilities standards of the Land Development Code apply to site preparation permits.

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

Staff evaluation: No. This would not address a substantial unmet need because churches are a permitted use within most all zoning districts.

While the impervious cover may increase on the tract of land it will be offset in part by creating a very neighborhood friendly service easily accessible and minimize the need to commute to a more distant location for worship services. The increased impervious cover limit will also allow the site to develop adequately and keep patrons from parking in the residential neighborhood surrounding it.

Staff considers the request to apply a Public (P) zoning classification is in conformance with policy decisions for similarly located properties, and recommends approval of the request.

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

Prepared by:

Alison Brake	Planner	March 7, 2013
Name	Title	Date

Uses Allowed within "P" Zoning District

Permitted by Right	
Farmer's Market	Museum (Indoor Only)
Accessory Building/Structure (larger than 625 s.f. in size and 12' in height)	Park and/or Playground
Accessory Building/Structure (larger than 625 s.f. in size or 12' in height)	Rodeo Grounds
Accessory Dwelling (One per lot)	Lighted Tennis Court
Caretaker's /Guard's Residence	Live Drama Theater (Non-Motion Picture)
Community Home	Adult Day Care (No Overnight Stay)
Residential Hall or Boarding House	Cemetery and/or Mausoleum
Duplex/Two-Family/Duplex Condominiums	Place of Religious Assembly/ Church
Fraternity or Sorority Building	Clinic (Medical)
Armed Services Recruiting Center	Government Building or Use
Ambulance Service (Private)	Heliport
Automobile Driving School (including Defensive Driving)	Helistop (Non-Emergency)
ATM	Household Care Facility
Barber/Beauty College	Post Office (Private)
Dance/Drama/Music Schools (Performing Arts)	Post Office (Governmental)
Martial Arts School	Rectory/Parsonage with Place of Worship
Studio for Radio or Television (without tower)	School, K through 12 (Private)
Plant Nursery (Retail Sales/Outdoor Storage)	School, K through 12 (Public)
Recycling Kiosk	School, Vocational
Broadcast Station (with tower)	Aircraft Support and Related Services
Civic/Conference Center	Airport
Fair Ground	
Conditional Permit Needed	
Electric Generating Plant	
Electrical Substation	
Bed and Breakfast Inn	
Loft Apartments	
Multifamily (Apartments)	
Single Family Detached House	
Single Family Industrialized House	
Offices (Professional)	
Restaurant/ Prepared Food Sales	
Public Garage/Parking Structure	
Amusement Services or Venues (Outdoors)	
Hospital	

Aerial Map



CASTLE GATE CIR

SB CRADDOCK AVE
NB CRADDOCK AVE

DALE DR

GIRARD AVE

FRANKLIN DR

FURMAN AVE

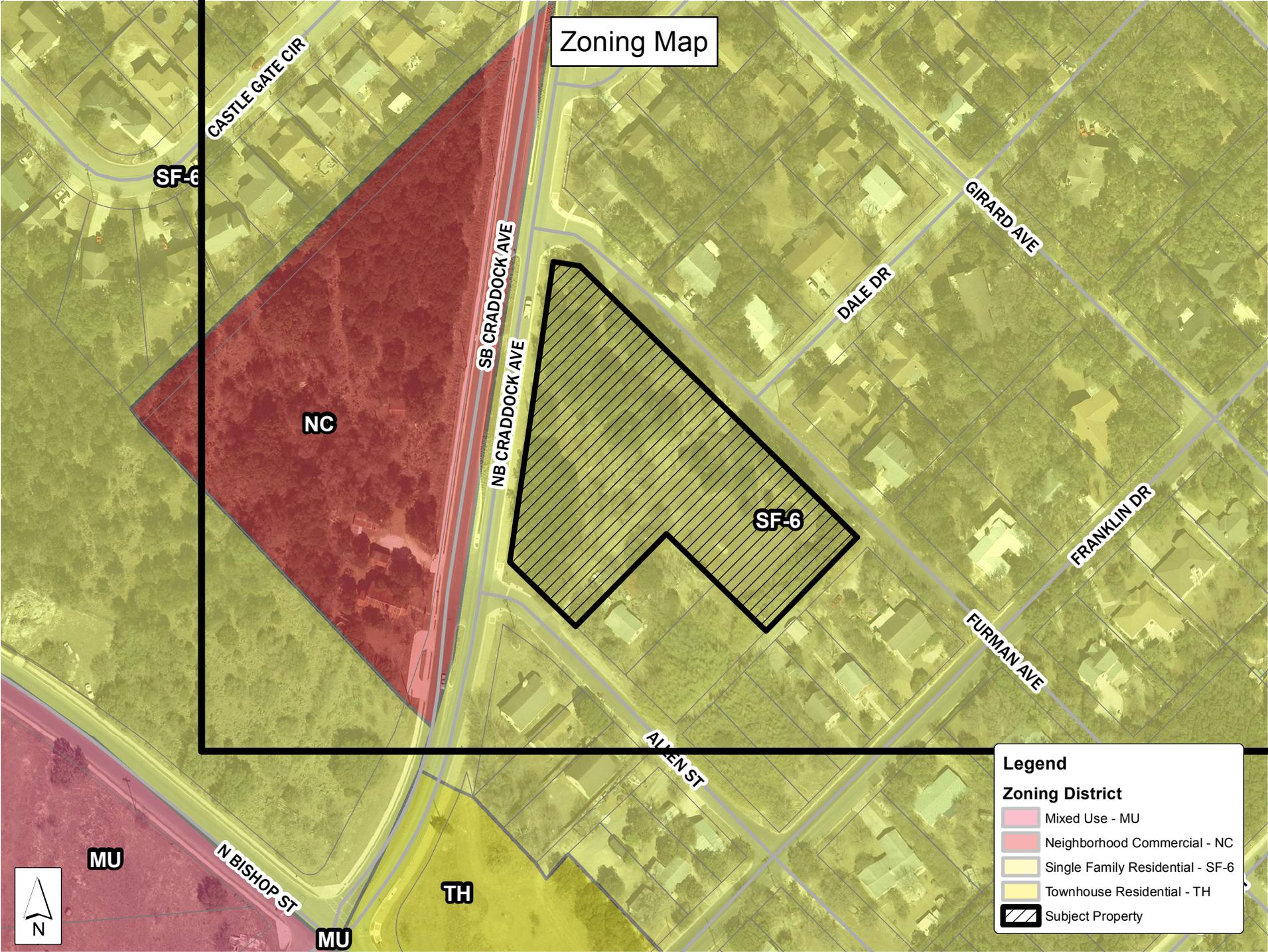
ALLEN ST

N BISHOP ST

Legend
 Subject Property



Zoning Map

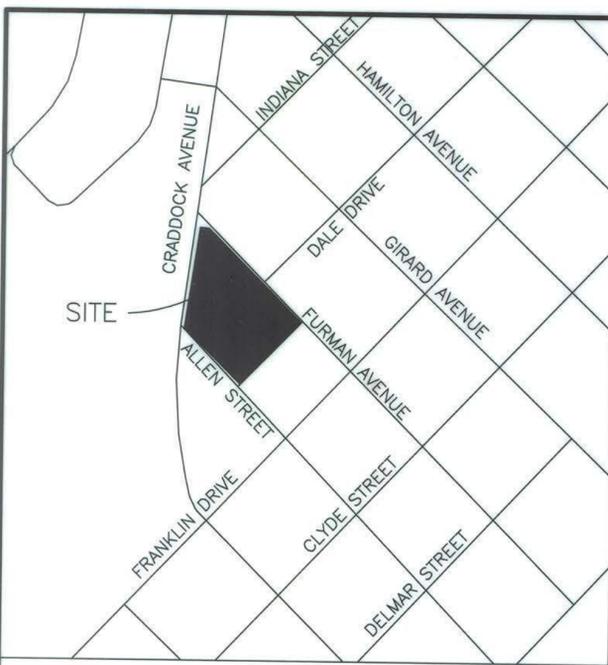


Legend

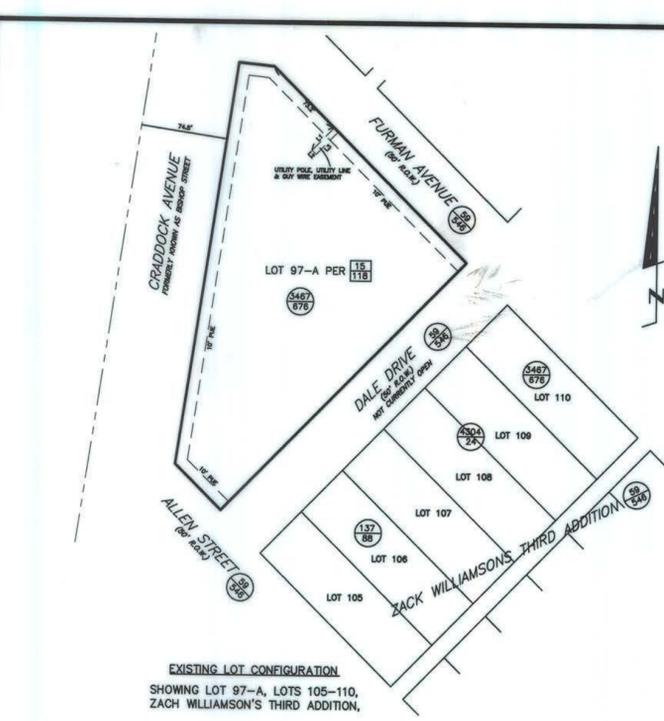
Zoning District

- Mixed Use - MU
- Neighborhood Commercial - NC
- Single Family Residential - SF-6
- Townhouse Residential - TH
- Subject Property

Vol 17 PG 5



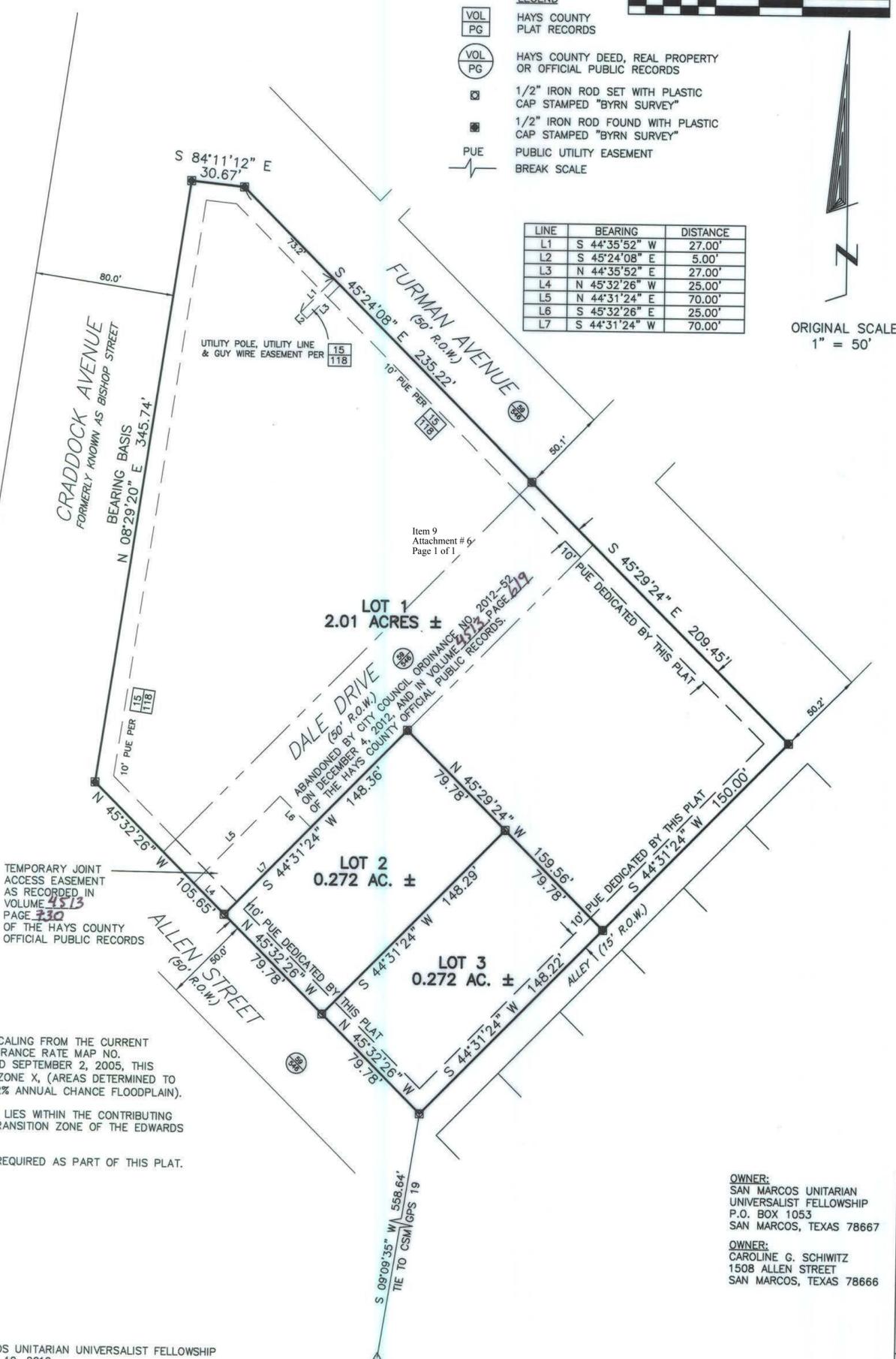
VICINITY MAP - NOT TO SCALE



EXISTING LOT CONFIGURATION
SHOWING LOT 97-A, LOTS 105-110,
ZACK WILLIAMSON'S THIRD ADDITION.

SURVEYORS NOTES

1. BEARINGS, DISTANCES AND AREAS IN PARENTHESES ARE FROM RECORD INFORMATION.



LEGEND

- VOL PG HAYS COUNTY PLAT RECORDS
- VOL PG HAYS COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS
- 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "BYRN SURVEY"
- 1/2" IRON ROD FOUND WITH PLASTIC CAP STAMPED "BYRN SURVEY"
- PUE PUBLIC UTILITY EASEMENT
- BREAK SCALE

LINE	BEARING	DISTANCE
L1	S 44°35'52" W	27.00'
L2	S 45°24'08" E	5.00'
L3	N 44°35'52" E	27.00'
L4	N 45°32'26" W	25.00'
L5	N 44°31'24" E	70.00'
L6	S 45°32'26" E	25.00'
L7	S 44°31'24" W	70.00'



ORIGINAL SCALE
1" = 50'

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COUNTY OF HAYS*

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Francis Serna
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APPROVED BY THE CITY OF SAN MARCOS DIRECTOR OF DEVELOPMENT SERVICES ON 19th OF December, 2012.

Matthew Lewis 12-18-12
MATTHEW LEWIS DATE
DIRECTOR OF DEVELOPMENT SERVICES

Francis Serna 12-18-12
FRANCIS SERNA DATE
RECORDING SECRETARY

Linda Grubbs Huff 12/18/12
LINDA GRUBBS HUFF, P.E., DATE
DIRECTOR OF CIP AND ENGINEERING

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COUNTY OF HAYS *

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Liz Q. Gonzalez
LIZ Q. GONZALEZ
COUNTY CLERK
HAYS COUNTY, TEXAS

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



- PLAT NOTES**
1. ACCORDING TO SCALING FROM THE CURRENT F.E.M.A. FLOOD INSURANCE RATE MAP NO. 48209C0389F, DATED SEPTEMBER 2, 2005, THIS TRACT LIES WITHIN ZONE X, (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).
 2. THIS SUBDIVISION LIES WITHIN THE CONTRIBUTING ZONE WITHIN THE TRANSITION ZONE OF THE EDWARDS AQUIFER.
 3. SIDEWALKS ARE REQUIRED AS PART OF THIS PLAT.

CLIENT: SAN MARCOS UNITARIAN UNIVERSALIST FELLOWSHIP
DATE: SEPTEMBER 10, 2012
OFFICE: BRYANT
CREW: C. SMITH, HADEN
FB/PG: 716/23
PLAT NO. 26253-12-6-c

OWNER:
SAN MARCOS UNITARIAN
UNIVERSALIST FELLOWSHIP
P.O. BOX 1053
SAN MARCOS, TEXAS 78667

OWNER:
CAROLINE G. SCHWITZ
1508 ALLEN STREET
SAN MARCOS, TEXAS 78666

CRADDOCK AVENUE SUBDIVISION
A REPLAT OF LOT 97-A, LOTS 105-110, AND THE ADJACENT ABANDONED DALE DRIVE RIGHT-OF-WAY, IN ZACH WILLIAMSON'S THIRD ADDITION

DATE: OCTOBER 18, 2012
SCALE: 1" = 50'

BYRN & ASSOCIATES, INC.
ENGINEERS SURVEYORS
P.O. BOX 1433 SAN MARCOS, TEXAS 78667
PHONE 512-396-2270 FAX 512-392-2945

Robert & Kelly Eby
1007 Dale Drive
San Marcos, Texas 78666
March 14, 2013

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City of San Marcos
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I think that this is an important decision. It will negatively impact the community at large by disrupting the residential nature of our street.

Thank you for your support.

Sincerely,

Robert & Kelly Eby

Agenda Information

AGENDA CAPTION:

ZC-11-29 (Gas Lamp District) Hold a Public Hearing and consider a request by Bury + Partners, on behalf of Walton Texas LP for a Zoning Change from Future Development (FD) to Smart Code (SC) for a 495 +/- acre site out of John H. Yearby Survey, located at the Northwest corner of Old Bastrop Highway and Centerpoint Road.

Meeting date: March 26, 2013

Department: Development Services

Funds Required: n/a

Account Number: n/a

Funds Available: n/a

Account Name: n/a

CITY COUNCIL GOAL:

Strengthen the Middle Class, Encourage Strong Neighborhoods, Education and Workforce

BACKGROUND:

The subject property consists of +/- 495 unplatted acres of vacant land out of the John H. Yearby Survey. The property is currently vacant with electrical power lines crossing near the western boundary. The applicant is proposing to develop the site with a variety of uses that are compatible with the SmartCode zoning such as residential, commercial, office, industrial, civic, parks and open space.

A request for warrants to vary from certain Smart Code requirements has been reviewed and will be presented following an approval of this zoning change.

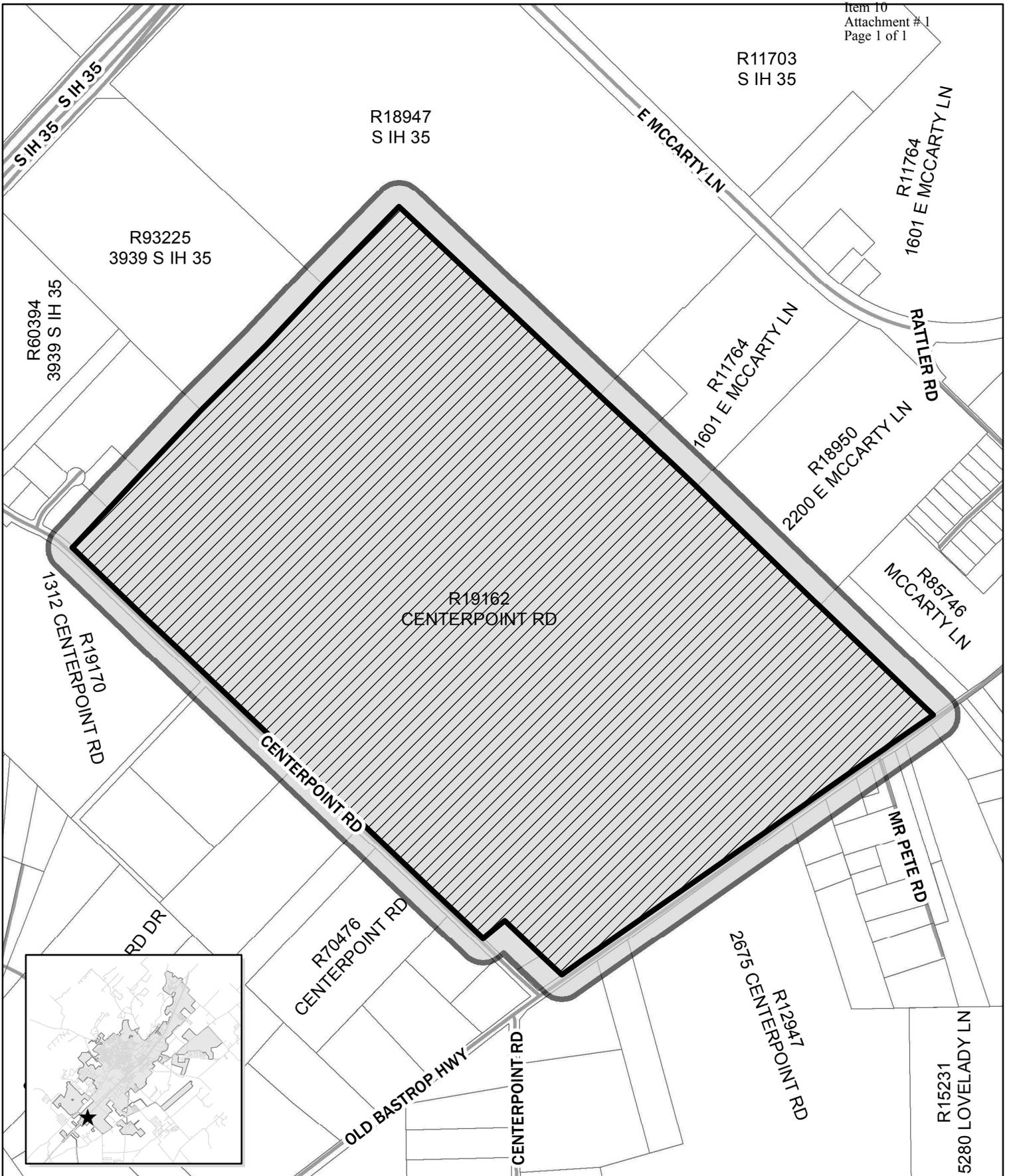
A request for the establishment of a Public Improvement District is also being reviewed. A Council Subcommittee has been formed to discuss the details of this request.

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Staff recommends **approval** of the zoning change request.

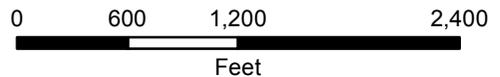
ATTACHMENTS:

Notice Map
Staff Report



ZC-11-29
Gas Lamp District
Centerpoint Road
Date: 11/30/2012

-  Site Location
-  200 ft Buffer



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

Zoning Change ZC-11-29 Northwest Corner of Old Bastrop Highway & Centerpoint Road



Summary: The applicant is requesting a zoning change from Future Development (FD) to SmartCode (SC) for a +/- 495 acre site out of the John H. Yearby Survey, located at the Northwest corner of Old Bastrop Highway and Centerpoint Road

Applicant: Bury+Partners, Inc.
 221 West 6th Street, Suite 600
 Austin, TX 78701

Owner: Walton Texas LP
 4800 N Scottsdale Rd #40000
 Scottsdale, AZ 85251

Notification: Personal notifications of the public hearing were mailed on Friday, March 8, 2013 to all property owners within 200 feet of the subject property. Notification signs were also placed on site.

Response: No written response was received as of March 19, 2013

Property/Area Profile:

Legal Description: A0508 John H. Yearby Survey, Acres 495.23 (1.00 @ MKT)
Location: Northwest corner of Old Bastrop Highway and Centerpoint Road
Existing Use of Property: Vacant
Proposed Use of Property: Residential, Commercial, Office, Industrial, Civic, Parks & Open Space
Future Land Use Map: Very Low, Medium & High Density Residential, Commercial, Industrial, Open Space
Existing Zoning: Future Development (FD)
Proposed Zoning: SmartCode (SC)
Sector: 5

Area Zoning and Land Use Pattern:

	Zoning	Existing Land Use	Future Land Use
N of Property	CC/ETJ	Power Plant / Ag / Vacant	Low Density Residential & Commercial
S of Property	P/ETJ	Residential / Ag / Vacant	Low Density Residential & Commercial
E of Property	ETJ	Residential / Ag / Vacant	Low Density Residential & Commercial
W of Property	GC/CC	Outlet Malls / Vacant	Commercial

Comments from other Departments:

None received.

Case Summary

The subject property consists of +/- 495 unplatted acres of vacant land out of the John H. Yearby Survey. The property is currently vacant with electrical power transmission lines crossing near the western boundary. The applicant is proposing to develop the site with a variety of uses that are compatible with the SmartCode zoning such as residential, commercial, office, industrial, civic, parks and open space.

A request for warrants to vary from certain Smart Code requirements has been reviewed and will be presented following an approval of this zoning change.

A request for the establishment of a Public Improvement District is also being reviewed. A Council Subcommittee has been formed to discuss the details of this request.

Planning Department Analysis

The applicant is requesting a zoning change from Future Development (FD) to SmartCode (SC) for this property which is located on the Northwest corner of Old Bastrop Highway and Centerpoint Road. The property is located in Sector 5 which consists of the south half of the City on the East side of I-35. While uses in this sector vary from residential to industrial, the area immediately surrounding this property is mostly vacant with a few residential uses and the Outlet Malls.

The requested zoning change is consistent with the City's Future Land Use Map which indicates a mix of residential, commercial, industrial, and open space uses. The property is bordered on three sides by the City's Extraterritorial Jurisdiction (ETJ) with similar future land uses.

This is the first SmartCode (SC) zoning change request for a property of this size.

Evaluation			Criteria (LDC 1.5.1.5)
Consistent	Inconsistent	Neutral	
X			Change implements the policies of the adopted Master Plan, including the land use classification on the Future Land Use Map and any incorporated sector plan maps <i>The change is consistent with the Future Land Use Map which identifies residential, commercial, industrial and open space uses on the property and in surrounding areas.</i>
		X	Consistency with any development agreement in effect <i>No development agreements exist on this tract</i>
X			Whether the uses permitted by the proposed change and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.

Evaluation		Neutral	Criteria (LDC 1.5.1.5)
Consistent	Inconsistent		
			<i>SmartCode Zoning permits a variety of uses with standards. This is new development and as such, staff feels SmartCode standards will help this area grow in a way that is consistent with future visions for the area.</i>
X			<p>Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.</p> <p><i>The property has access to public services and utilities. Streets and Uses will be consistent with City Codes and Ordinances as well as the Thoroughfare Plan.</i></p>
		X	<p>Other factors which substantially affect the public health, safety, morals, or general welfare.</p> <p><i>Staff feels that SmartCode standards reduce any potential effects to the public health, safety, moral or general welfare.</i></p>

Additionally, the Commission should consider:

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

Staff evaluation: Yes, Future Development Zoning does allow large lot subdivisions.

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

Staff evaluation: No, there have been no recent changes in the condition of the surrounding area. The property is less than ½ of a mile from the existing Outlet Malls and is adjacent to the proposed McCarty Commons Development.

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

Staff evaluation: Yes, this property is located in a future development zone based on the proposed Comprehensive Master Plan Preferred Scenario. The development of a SmartCode neighborhood allows for benefits such as mixed use neighborhoods that are walkable and this could be the first large scale SmartCode development.

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

Staff evaluation: No, the land is currently zoned Future Development (FD) and would require a rezoning for development to occur. This zoning request is consistent with the proposed Comprehensive Master plan and with existing and proposed surrounding developments.

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

Staff evaluation:., The proposed rezoning would allow for SmartCode standards to be utilized on a green field site which could otherwise end up as a large lot residential subdivision with no commercial and little public space provided for the public benefit.

Agenda Information

AGENDA CAPTION:

WARRANT REQUEST (Gas Lamp District) Hold a public hearing and consider a request for Bury + Partners, on behalf of Walton Texas LP. for 13 warrants that allow deviation from SmartCode (SC) Zoning for a 495 +/- acre site out of the John H. Yearby Survey located at the Northwest corner of Old Bastrop Highway and Centerpoint Road, as follows: **1.** Section 5.12 – allow the second layer of the lot to be 12 feet vs. 20 feet required for up to 49% of the total number of single family lots in the project; **2.** Section 5.9.4 – allow driveways to be 12 feet wide in the right-of-way vs. 12 feet wide in the first layer for up to 49% of the total number of single family lots in the project; **3.** Table 3.6 – allow pipe, post, column and double column light poles in any T-Zone; **4.** Table 1.3 – allow an atypical cross section for Arterial A; **5.** Table 3.3– allow head-in parking for street section CS-80-54 vs. reverse angle required; **6.** Table 3.3 – allow cross sections ST-50-26 & ST-50-28 in all T-Zones; **7.** Table 1.3 – reduction of setbacks in T3 zone from 24 feet front and 12 feet all other to 10 feet front and 5 feet all other; **8.** Table 1.3 – allow a reduction in the building height from 2 stories to 1 story for age restricted or nursing facilities; **9.** Section 3.8.2 – allow a minimum of 30% commercial (office/retail) in T5 Zone vs. 15% retail and 15% office required; **10.** Section 3.5.4 – permit the reservation of a childcare / elementary school lot for 2 years after the sale of the last single family or multi-family lot vs. up to five years after the sale of the last lot; **11.** Section 3.5.4 – Allow one 8 acre lot to be reserved for an elementary school vs. one 3 acre site in each of the 2 pedestrian sheds as required; **12.** Table 1.3 – allow a 25 acre apartment site to have an increased block perimeter of 2,400 feet vs. 2,000 feet required and allow this to be measured at private streets and pedestrian passages in addition to public streets as stated in code; **13.** Table 1.3 – allow the multifamily sites to have lot widths based on the block perimeters from Warrant #12 vs. 196 feet maximum width required.

Meeting date: March 26, 2013

Department: Development Services

Funds Required: n/a

Account Number: n/a

Funds Available: n/a

Account Name: n/a

CITY COUNCIL GOAL:

Big Picture Infrastructure

BACKGROUND:

The subject property consists of +/- 495 unplatted acres of vacant land out of the John H. Yearby Survey. The property is currently vacant with electrical power

lines crossing near the western boundary. The applicant is proposing to develop the site with a variety of uses that are compatible with the SmartCode zoning such as residential, commercial, office, industrial, civic, parks and open space.

This is a request for warrants to vary from certain Smart Code requirements that can be considered following an approval of the zoning change.

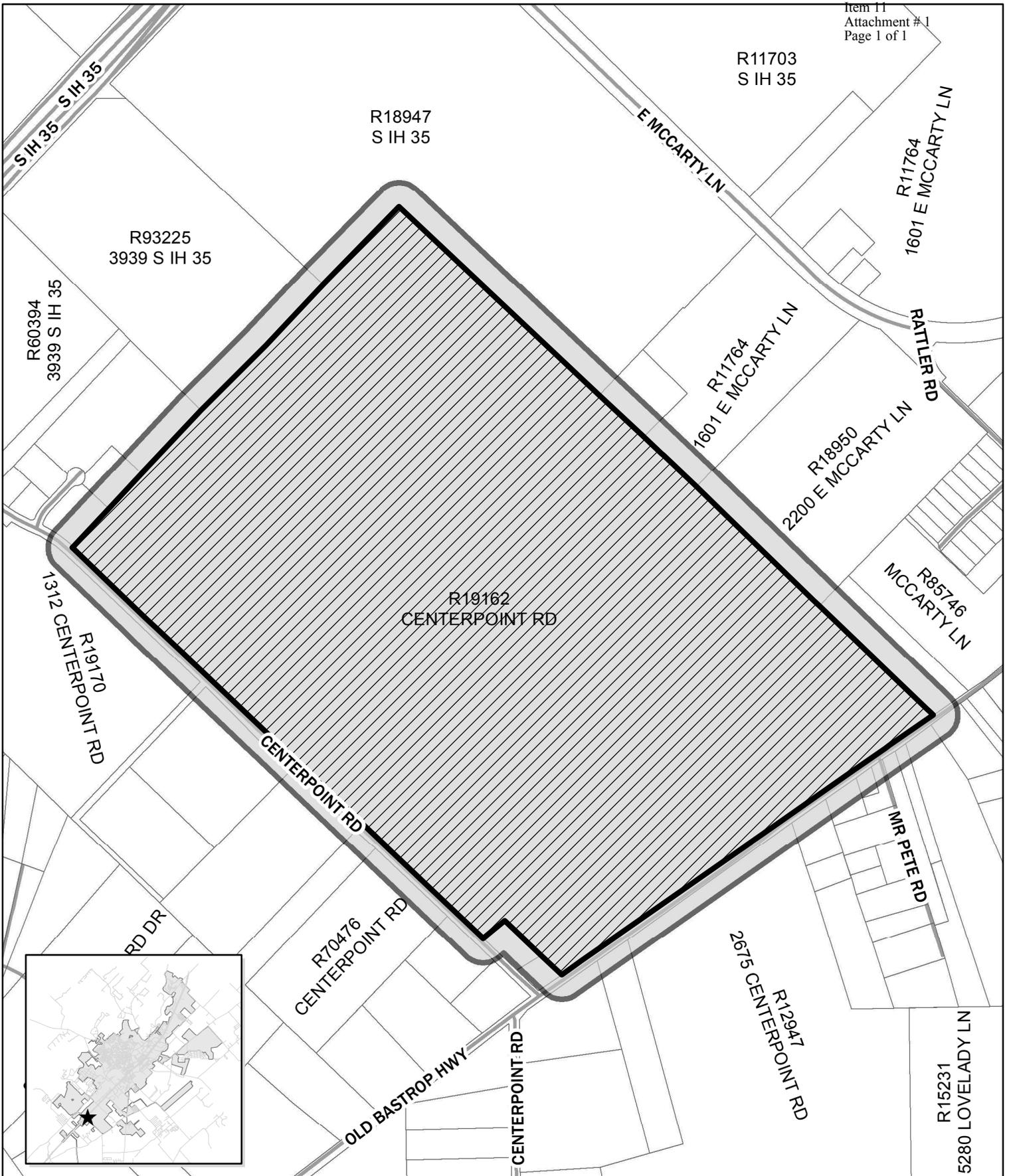
A request for the establishment of a Public Improvement District is also being reviewed. A Council Subcommittee has been formed to discuss the details of this request.

ATTACHMENTS:

Notice Map

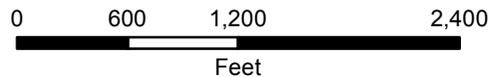
Staff Report

Warrant Justification



ZC-11-29
Gas Lamp District
Centerpoint Road
Date: 11/30/2012

-  Site Location
-  200 ft Buffer



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ZC-11-29 SmartCode Warrants Gas Lamp District Northwest Corner of Old Bastrop Highway and Centerpoint Road



Summary:

- Applicant: Bury+Partners, Inc.
221 West 6th Street, Suite 600
Austin, TX 78701
- Property Owner: Walton Texas LP
4800 N Scottsdale Rd #40000
Scottsdale, AZ 85251
- Applicant request: 13 warrants to allow deviation from SmartCode Zoning as follows:
1. Section 5.12 – allow the second layer of the lot to be 12 feet vs. 20 feet required for up to 49% of the total number of single family lots in the project
 2. Section 5.9.4 – allow driveways to be 12 feet wide in the right-of-way vs. 12 feet wide in the first layer for up to 49% of the total number of single family lots in the project
 3. Table 3.6 – allow pipe, post, column and double column light poles in any T-Zone
 4. Table 1.3 – allow an atypical cross section for Arterial A
 5. Table 3.3– allow head-in parking for street section CS-80-54 vs. reverse angle required
 6. Table 3.3 – allow cross sections ST-50-26 & ST-50-28 in all T-Zones
 7. Table 1.3 – reduction of setbacks in T3 zone from 24 feet front and 12 feet all other to 10 feet front and 5 feet all other
 8. Table 1.3 – allow a reduction in the building height from 2 stories to 1 story for age-restricted or nursing facilities
 9. Section 3.8.2 – allow a minimum of 30% commercial (office/retail) in T5 Zone vs. 15% retail and 15% office required
 10. Section 3.5.4 – permit the reservation of a childcare / elementary school lot for 2 years after the sale of the last single family or multi-family lot vs. up to five years after the sale of the last lot
 11. Section 3.5.4 – Allow one 8 acre lot to be reserved for an elementary school vs. one 3 acre site in each of the 2 pedestrian sheds as required
 12. Table 1.3 – allow a 25 acre apartment site to have an increased block perimeter of 2,400 feet vs. 2,000 feet required and allow this to be measured at private streets and pedestrian passages in addition to public streets as stated in code
 13. Table 1.3 – allow the multifamily sites to have lot widths based on the block perimeters from Warrant #12 vs. 196 feet maximum width required
- Notification: Personal notifications of the public hearing were mailed on Friday, March 8, 2013 to all property owners within 200 feet of the subject property.
- Response: None as of agenda posting.

Property Area/Profile:

Legal Description: 495 +/- acres out of the John H. Yearby Survey
Location: Northwest Corner of Old Bastrop Highway and Centerpoint Road
Existing Use of Property: Vacant
Proposed Use of Property: Residential, Commercial, Office, Industrial, Civic, Parks & Open Space
Future Land Use Map: Very Low, Medium & High Density Residential, Commercial, Industrial, Open Space
Existing Zoning: Future Development (FD)
Proposed Zoning SmartCode (SC)
Sector: 5

Zoning and Land Use Pattern:

	Zoning	Existing Land Use
N of Property	CC/ETJ	Power Plant / Ag / Vacant
S of Property	P/ETJ	Residential / Ag / Vacant
E of Property	ETJ	Residential / Ag / Vacant
W of Property	GC/CC	Outlet Malls / Vacant

Warrant Process:

Within the SmartCode district, the Warrant process is similar to the Conditional Use Permit process. A Warrant is a ruling that would permit a practice that is not consistent with a specific provision of the SmartCode, but is justified by the provisions of Section 1.3 Intent.

Comments from Other Departments:

None

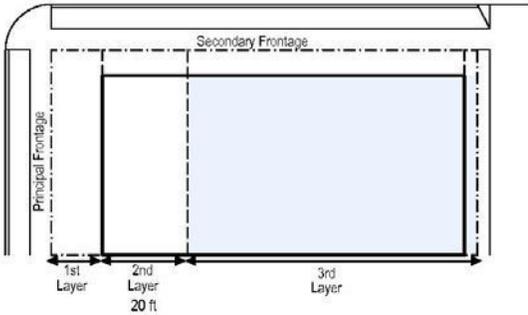
Background:

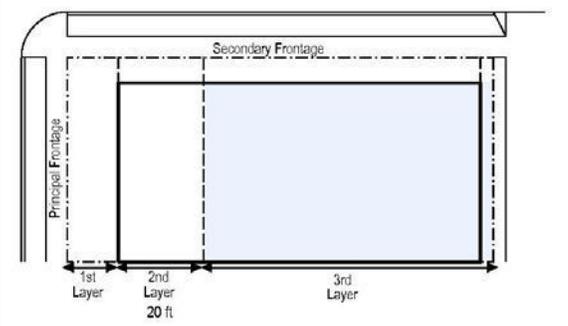
The subject property consists of +/- 495 unplatted acres of vacant land out of the John H. Yearby Survey. The property is currently vacant with electrical power lines crossing near the western boundary. The applicant is proposing to develop the site with a variety of uses that are compatible with the SmartCode zoning such as residential, commercial, office, industrial, civic, parks and open space. This development is located within a medium intensity zone on the preferred scenario map that is part of the Comprehensive Plan currently in process.

This request is for 13 warrants to vary from certain Smart Code requirements outlined below

A request for the establishment of a Public Improvement District is also being reviewed. A Council Subcommittee has been formed to discuss the details of this request.

Planning Department Analysis:

WARRANT #1	
Code Requirement	<p>Table 5.12. Form-Based Code Graphics: New Development – T4 PARKING PLACEMENT 2. Covered Parking Shall be provided within the third Layer as shown in the diagram</p>  <p>The diagram illustrates a building footprint with a 'Principal Frontage' on the left and a 'Secondary Frontage' on the top. The frontage is divided into three horizontal layers: '1st Layer', '2nd Layer', and '3rd Layer'. A dimension line below the 2nd Layer indicates a depth of '20 ft'. A shaded rectangular area is shown within the 3rd Layer, representing the required covered parking placement.</p>
Warrant Request	<p>Reduce the depth of the 2nd layer to 12 feet for: <i>Lots 50 feet wide or greater – up to 35% of the total number of single-family lots in the project</i> <i>Lots 40 feet – 49 feet – up to 15% of the total number of single-family lots in the project with the additional requirement to only have a 1-car garage</i></p>
Justification Summary	<p>The applicant stated that they wish to have a variety of housing types within this development. The reduction of the 2nd layer reduces the length of the driveway and impervious cover associated with it.</p>
Applicants Statement of Intent of SmartCode	<p>Continues to provide the required front porch, street tree planning and minimizes the impact of the garage on the architecture by being set back 12 feet from the front of the porch / architecture. Block structure remains consistent with SmartCode.</p>
Recommendation / Discussion	<p>While the applicant has provided an “up to” cap on the number of lots that may utilize this warrant and is attempting to meet the intent of the SmartCode, the Council Subcommittee discussing the PID provided direction that they wished to see a true SmartCode development. Having a garage door along the front façade does not meet this intent.</p> <p>NEUTRAL</p>

WARRANT #2	
Code Requirement	<p>Section 5.9.4 Specific to Zones T3, T4 Driveways at Frontages shall be no wider than 12 feet in the first layer</p> 
Warrant Request	<p><i>Driveway width shall be no wider than 12 feet at the street right-of-way: For T3 & T4 zones to a maximum of 34% of single family lots referenced in Warrant #1</i></p>
Justification Summary	<p>The applicant stated that this warrant will allow the driveway width to transition to the width of the garage door opening within the first layer. This warrant only applies to the 2-car garage front-load homes and minimizes the chances of an owner modification to the driveway transition.</p>
Applicants Statement of Intent of SmartCode	<p>This small variation preserves the characteristics of a pedestrian oriented community. The width of the driveway at the sidewalk is unaltered and allows for street tree placement.</p>
Recommendation / Discussion	<p>This warrant applies to up-to, 34% of the total single-family lots within the development as referenced in Warrant #1. Maintaining a smaller driveway width in the right-of way reduces the impact on pedestrian mobility where driveways cut sidewalks. The Council Subcommittee discussing the PID provided direction that they wished to see a true SmartCode development. Wider driveways do not meet the intent, however this request would be necessary for 2-car garage design.</p>
NEUTRAL	

WARRANT #3	
Code Requirement	<p>Table 3.6 Public Lighting Lighting varies in brightness and also in the character of the fixture according to the Transect</p>
Warrant Request	<p><i>Allow any type of light fixture, except cobra head, anywhere in the development</i></p>
Justification Summary	<p>The applicant stated that this warrant will provide uniformity along roadways which are bordered by different T-zones.</p>
Applicants Statement of Intent of SmartCode	<p>Lighting choices are consistent with those presented and this request retains the decorative options outlined in the SmartCode.</p>
Recommendation / Discussion	<p>By utilizing any light fixture in any zone, the character of this development can be established without breaks based on “invisible” T-zone boundaries. The applicant did not include the cobra head light fixture in this request and will utilizing the more decorative lighting options.</p>
APPROVAL	

WARRANT #4	
Code Requirement	Table 1.3 Summary Table – New Development The types of thoroughfares permitted are outlined in this table
Warrant Request	<i>Allow an atypical cross section for Arterial A:</i> <i>The major north / south roadway that is / will align with future SH 21</i>
Justification Summary	The applicant stated that this cross section is proposed to accommodate existing electrical transmission lines which current run through the property.
Applicants Statement of Intent of SmartCode	Although this section is not a typical Smart Code section, it does provide Smart Code elements such as street trees, trails and a landscaped median.
Recommendation / Discussion	The location of the transmission lines provides this property with a special circumstance. This roadway is consistent with the City's Thoroughfare plan as the location for future SH 21 – a major arterial
APPROVAL	

WARRANT #5	
Code Requirement	Table 3.3 Thoroughfare Assemblies CS-80-54 is a commercial street in the T5 zone which requires reverse angle parking
Warrant Request	<i>Standard head-in angled parking for street section CS-80-54:</i> <i>Proposed as the 2nd access point along Centerpoint Road</i>
Justification Summary	The applicant stated that this roadway will be the main entrance to the project and the developer would like to have the option to provide head-in parking to address traffic concerns.
Applicants Statement of Intent of SmartCode	Angled parking is still being provided and the roadway cross section has not been altered.
Recommendation / Discussion	All other aspects of this cross section will be required to be met.
APPROVAL	

WARRANT #6	
Code Requirement	Table 3.3 Thoroughfare Assemblies ST-50-26 and ST-50-28 are permitted in T4, T5, T6
Warrant Request	<i>Allow ST-50-26 & ST-50-28 in T3</i>
Justification Summary	The applicant stated that this warrant will provide uniformity along roadways which pass through different T-zones.
Applicants Statement of Intent of SmartCode	No statement of intent provided.
Recommendation / Discussion	All other aspects of these cross sections will be required to be met.
APPROVAL	

WARRANT #7	
Code Requirement	Table 1.3 Summary Table – New Development 24 ft front and 12 rear / side setbacks for T3 zone
Warrant Request	<i>Allow 10 ft front and 5 ft rear / side setbacks in T3 zone</i>
Justification Summary	The applicant stated that this is a mixed-use master planned community and the setbacks should be consistent throughout.
Applicants Statement of Intent of SmartCode	Provides a mix of products, varied font setbacks and favors a walkable community.
Recommendation / Discussion	The request allows T-3 zones to have setbacks similar to those permitted in T4 & T5 zones.
APPROVAL	

WARRANT #8	
Code Requirement	Table 1.3 Summary Table – New Development T5 principal buildings are to be 2 stories minimum and 5 maximum
Warrant Request	<i>Allow a 1 story building for an age restricted of nursing facility</i>
Justification Summary	The applicant stated that due to accessibility, safety and marketing issues, the developer needs the option to have a nursing or retirement facility on a single floor.
Applicants Statement of Intent of SmartCode	The area this applies to is limited and considering the size of the project, maintains the integrity of the SmartCode.
Recommendation / Discussion	The request is consistent with developments for similar uses.
APPROVAL	

WARRANT #9	
Code Requirement	Section 3.8.2 Density Calculations To ensure Mixed Use, the T5 Zone should be required to provide a minimum 15% Retail and 15% Office
Warrant Request	<i>Allow a minimum of 30% commercial (retail or office) in T5 Zone</i>
Justification Summary	The applicant stated that regulating this split would be difficult due to the change / relocation of commercial uses over time.
Applicants Statement of Intent of SmartCode	A minimum of 30% commercial uses does not change the intent of the code.
Recommendation / Discussion	This property is located near a large commercial development, the outlet malls. Allowing this flexibility may help this development lower their commercial vacancy rates.
APPROVAL	

WARRANT #10	
Code Requirement	Section 3.5.4 (b) & (c) Civic building lot shall be reserved for an elementary school (childcare building) for up to five years after the sale of the last lot
Warrant Request	<i>Allow the timing for reserving an elementary school (child care) lot to be satisfied upon the second anniversary of the sale of the last single-family or multifamily lot</i>
Justification Summary	The applicant stated that the five year requirement is an excessive amount of time to impose on the project and developer.
Applicants Statement of Intent of SmartCode	When the last residential lot is sold, the need for an elementary school or childcare will be known and this warrant provides two additional years to reserve the site.
Recommendation / Discussion	Code specifies up to five years. The request is such that all residential lots, whether single-family or multi-family, will be sold and the need for this type of facility will be known.
APPROVAL	

WARRANT #11	
Code Requirement	Section 3.5.4 (b) The area reserved for an elementary school shall be a minimum of three acres for each pedestrian shed
Warrant Request	<i>Allow a single 8 acre site to be reserved for the two pedestrian sheds at any location</i>
Justification Summary	The applicant stated that two three acre school sites would be less than one mile from each other and that most school sites are larger than 3 acres
Applicants Statement of Intent of SmartCode	Two three acre sites would be required for this development, totaling 6 acres. Eight acres is being proposed.
Recommendation / Discussion	Code specifies up to five years. The request is such that all residential lots, whether single-family or multi-family, will be sold and the need for this type of facility will be known.
APPROVAL	

WARRANT #12	
Code Requirement	Table 1.3 Summary Table – New Development Block perimeter in a T5 Zone is 2,000 feet maximum
Warrant Request	<i>Allow a 25 acre apartment site a block perimeter of 2,400 ft: Calculated at public and private streets and at pedestrian passages</i>
Justification Summary	The applicant stated that this warrant allows an apartment building to be built at a more efficient scale with a financially feasible design. The apartment site is located adjacent to a green space and is bounded by two major roadways.
Applicants Statement of Intent of SmartCode	Architecture addressing the street, hidden parking, enhanced pedestrian circulation along with reasonable block lengths help maintain the full intent of the code.
Recommendation / Discussion	Block perimeter in a T5 zone may be up to 2,000 feet except for buildings with parking structures which may be 2,500 feet. The Council Subcommittee discussing the PID provided direction that they wished to see a true SmartCode development. Varying block structure and allowing pedestrian passages to delineate a block, designed appropriately, could meet the intent.
APPROVAL WITH CONDITIONS	Conditions of approval: General concepts from the exhibit proposed in the warrant justification document must be followed. Including but not limited to: 1) All private streets and pedestrian passages must maintain a public appearance, built to city standards and with no gates; 2) buildings must front the streets and pedestrian passages; 3) parking must be in the rear of the buildings and not visible from the streets and pedestrian passages; 4) all other Smart Code requirements shall be met

WARRANT #13	
Code Requirement	Table 1.3 Summary Table – New Development Lot width in a T5 zone shall be 18 ft min – 196 ft max
Warrant Request	<i>Allow the lot width of multi-family (apartments / senior living) and approximately 24 acres of office use west of arterial A to be dictated by the size of a block</i>
Justification Summary	The applicant stated that the developer may need the blocks to be single lots. Multiple lots cause complications with design, code, tax assessments, etc.
Applicants Statement of Intent of SmartCode	The block size is basically maintained allowing a cohesive walkable community.
Recommendation / Discussion	This warrant would allow some larger buildings to exist on their own lot avoiding the need for firewalls and separation requirements. The Council Subcommittee discussing the PID provided direction that they wished to see a true SmartCode development. Lot widths could meet the code and as such, the intent.
NEUTRAL	

The development generally meets the intent of the SmartCode as described in Section 1.3.

1.3.2 Region

- d. That development non-contiguous to urban areas should be organized into the pattern of Clustered Land Development (CLD) or Traditional Neighborhood Design (TND).
- f. That transportation Corridors should be planned and reserved in coordination with land use.

1.3.3. The Community

- c. That neighborhoods and Regional Centers should be the preferred pattern of development and that Districts specializing in a single use should be the exception.
- e. That within neighborhoods, a range of housing types and price levels should be provided to accommodate diverse ages and incomes.
- i. That a range of Open Space including Parks, Squares, and playgrounds should be distributed within neighborhoods and downtown.

1.3.4. The Block and The Building

- b. That development should adequately accommodate automobiles while respecting the pedestrian and the spatial form of public areas.

1.3.5. The Transect

- a. That Communities should provide meaningful choices in living arrangements as manifested by distinct physical environments.
- b. The Transect Zone descriptions in Table 1.1 (below) constitute the intent of the Code with regard to general character of each of those environments. The development will consist of all T-zones:

Overall, staff feels the warrants are appropriate in this location and the development will meet the intent of the SmartCode.

Staff recommends approval of the Warrants, as noted above, subject to the conditions outlined above and compliance with all other sections of the SmartCode and all other applicable codes.

Planning Department Recommendation:	
X	Approve only certain warrants with conditions as noted
	Approve all warrants with conditions as noted
	Defer the warrants to a later date, for further consideration
	Denial

The Commission's Responsibility:

The Commission is required by law to hold a public hearing and receive public comment on this request. After considering the public input, the Commission is charged with making a decision to approve or deny the Warrants.

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

- enables, encourages and qualifies the implementation of the SmartCode policies on Intent;
- is consistent with policies of the Comprehensive Plan and Downtown Master Plan;
- is compatible with the character and integrity of adjacent developments and the general intent of the Transect.

The following standards are not available for Warrants:

- a. the maximum dimensions for traffic lanes;
- b. the required provision of Rear Alleys; and
- c. the Base Residential Densities.

Amanda Hernandez, AICP	Senior Planner	March 19, 2013
Name	Title	Date

**SMART CODE
WARRANTS**

FOR

GAS LAMP DISTRICT

SAN MARCOS, TEXAS

Prepared for:

Walton
Investing on Solid Ground®

Walton Development & Management (USA), Inc.
515 North Congress, Suite 2050
Austin, Texas 78701

Prepared by:

BURY+PARTNERS, INC.
221 West Sixth Street, Suite 600
Austin, Texas 78701

MARCH 2013

**SMART CODE
WARRANTS**

FOR

GAS LAMP DISTRICT

SAN MARCOS, TEXAS



Prepared for:
Walton Development & Management (USA), Inc.
515 North Congress, Suite 2050
Austin, Texas 78701

Prepared by:
BURY+PARTNERS, INC.
221 West Sixth Street, Suite 600
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TBPE Registration No. F-1048

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MARCH 2013

TABLE OF CONTENTS

	<u>Page</u>
Warrant 1	1
Warrant 2.....	3
Warrant 3	4
Warrant 4	6
Warrant 5	7
Warrant 6	9
Warrant 7	10
Warrant 8	12
Warrant 9	13
Warrant 10.....	14
Warrant 11.....	15
Warrant 12.....	16
Warrant 13.....	18

WARRANT 1

WARRANT 1

Smart Code:

Table 5.12. Form-Based Code Graphics: New Development – T4

PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 6.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 6.1d).
3. Trash containers shall be stored within the third Layer.

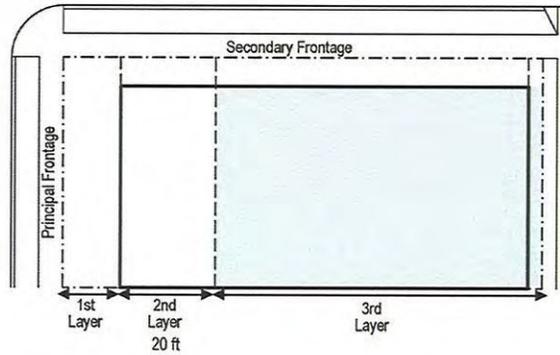
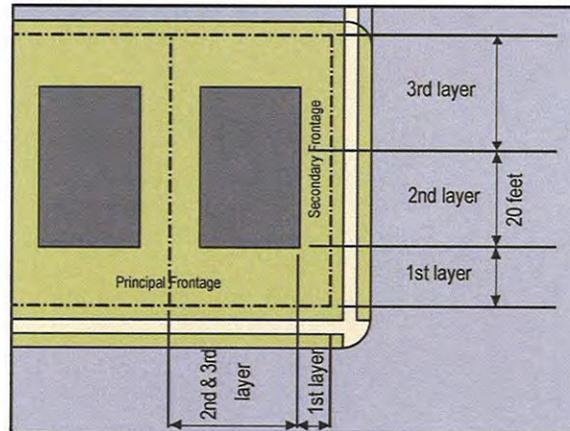


TABLE 6.1. DEFINITIONS ILLUSTRATED

d. Lot Layers



Requested Warrant:

The depth of the 2nd layer will be reduced to 12 feet, for:

- Lots 50' wide or greater; up to 34% of the total number of single-family lots in the project.
- Lots 40' to 49' wide; up to 15% of the total number of single-family lots in the project, with the additional requirement to only have a 1-car wide garage.

Justification:

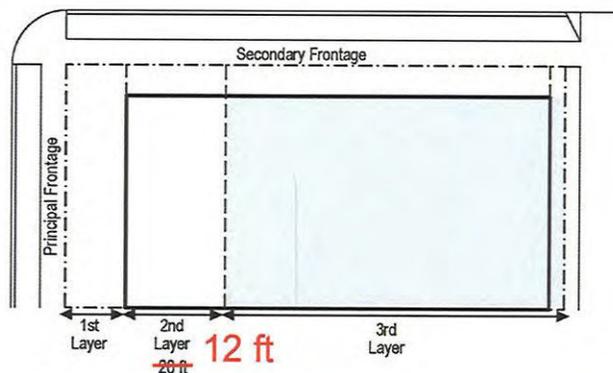
The success of this project relies on a variety of product types. This warrant provides a small variation from the Code, to allow for a small percentage of homes to be front loaded and to appeal to a wider variety of home buys.

Buyers requesting front-load product typically are looking for private outdoor space in the form of a fenced back yard. These homes are typically purchased by families often with multiple children. We are reserving these for larger lots to accommodate personal outdoor play equipment, pools and gardens.

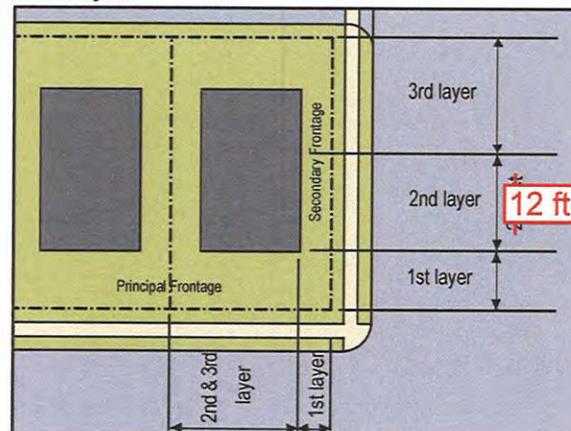
Additionally, a more diverse community is a more stable community. With multiple product offerings, you appeal to more people and product absorption occurs more quickly, helping to assure a successful project.

Allowing the garage to encroach into the 2nd layer, 8 feet, helps to keep the length of a driveway shorter while providing a setback from the front of the architecture. This minimizes the effect of the garage on the front elevation and reduces the amount of impervious cover placed unnecessarily within the lot.

This layout is meeting the intent of the Smart Code by continuing to provide the required front porch, continues to provide street tree planting required by Smart Code and minimizes the impact of the garage on the architecture with it being set back 12' from the front porch/architecture. Smart Code block structure is also consistent within all product types.

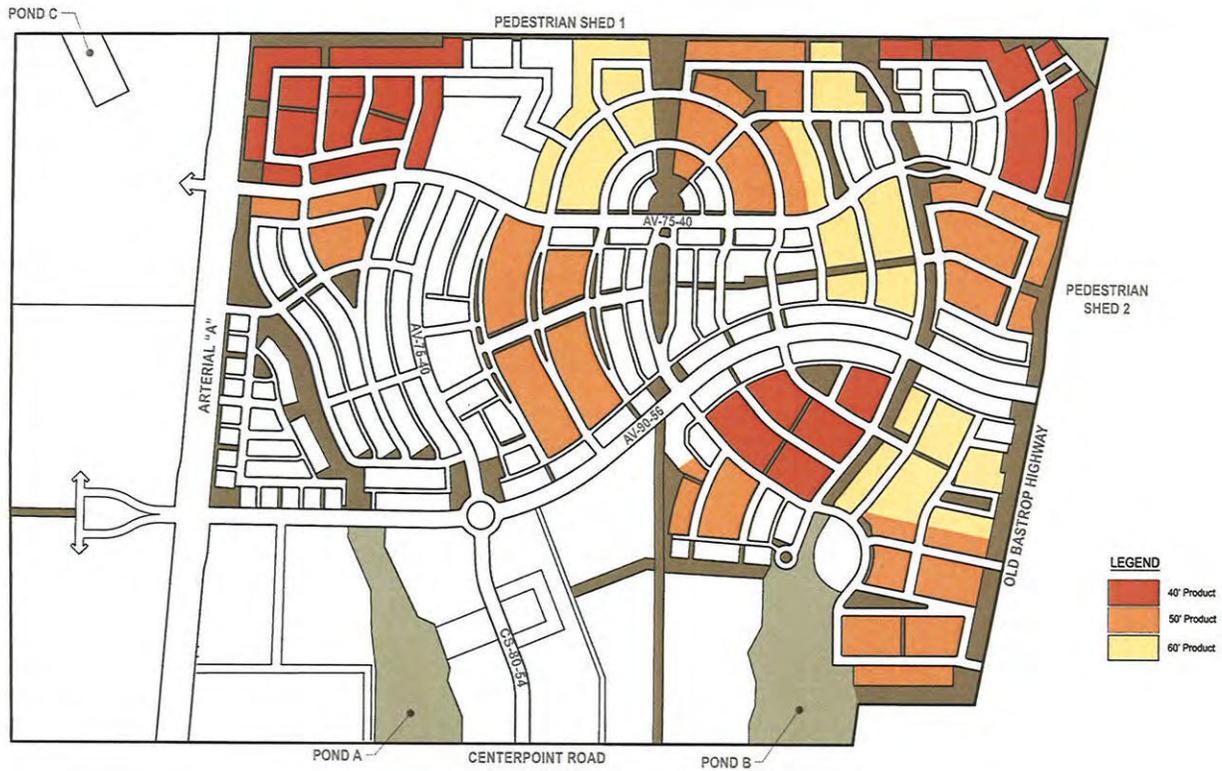


d. Lot Layers



- This warrant is restricted to a maximum of 15% of the total single family product with a 1-car wide garage on lots 40-49' wide;
- This warrant is restricted to a maximum of 34% of the total single family product with a 2-car wide garage on lots 50' wide and larger.

This warrant will currently apply for the lots for the lots shown in the picture below:



WARRANT 2

WARRANT 2

Smart Code:

5.9.4. SPECIFIC TO ZONES T3, T4

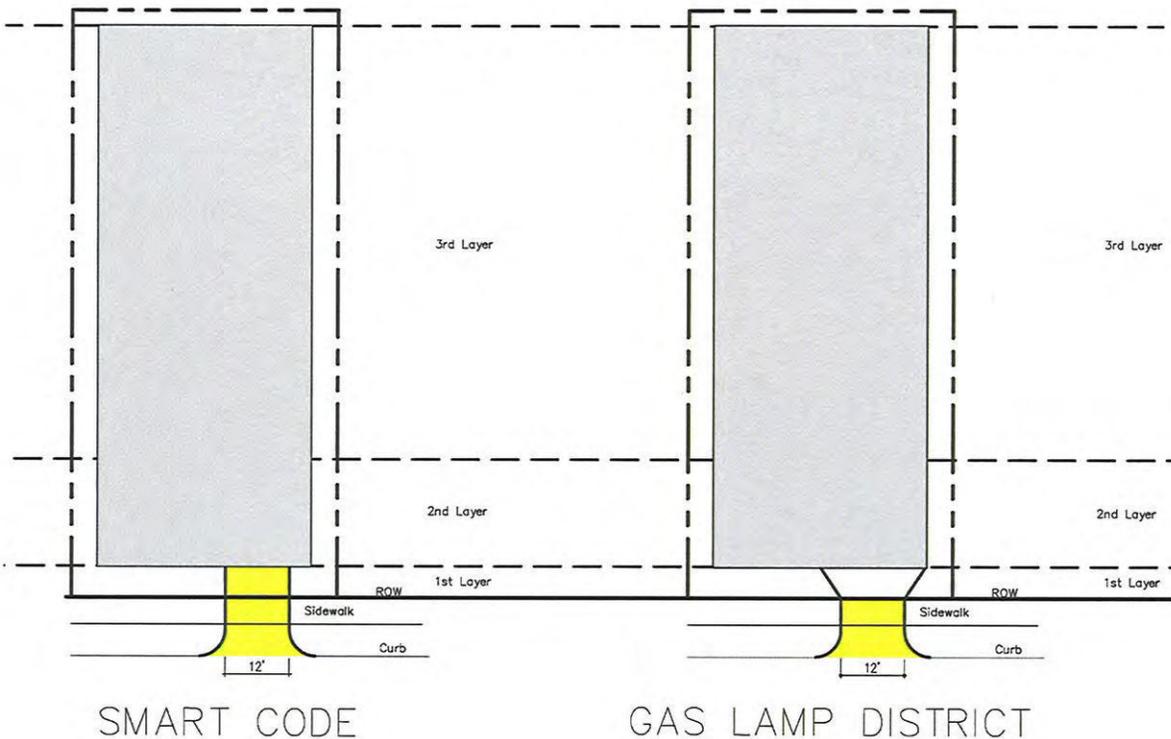
- a. Driveways at Frontages shall be no wider than 12 feet in the first Layer.

Requested Warrant:

Driveway width shall be no wider than 12 feet at the street ROW for T3 and T4 zones to a maximum of 34% of the total number of single-family lots, as described on Warrant 1.

Justification:

This warrant is related to the previous warrant request for covered parking location. It allows the driveway width to transition to the width of the garage door opening at the ROW line. This is a small variation from the Smart Code and does not alter the intent of the Smart Code while preserving the characteristics of a pedestrian oriented community. The width of the driveway at the sidewalk is unaltered and allows for street tree placement, consistent with the Smart Code. This warrant also minimizes the chances of an owner modification to the driveway transition. This warrant only applies to the few 2-car garage front-load homes allowed within the project.



WARRANT 3

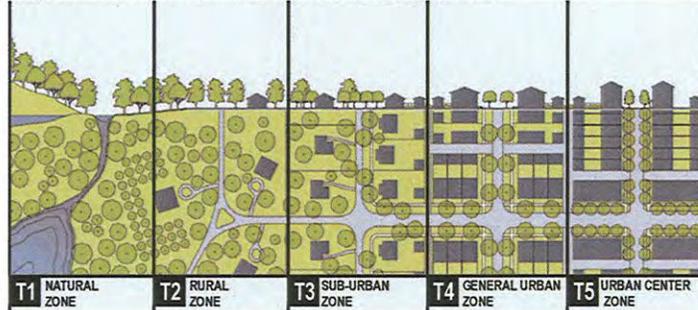
WARRANT 4

WARRANT 4

Smart Code:

San Marcos, Texas

TABLE 1.3. SUMMARY TABLE - NEW DEVELOPMENT



d. THOROUGHFARES (see Table 3.3)	T1 NATURAL ZONE	T2 RURAL ZONE	T3 SUB-URBAN ZONE	T4 GENERAL URBAN ZONE	T5 URBAN CENTER ZONE
HW	permitted	permitted	permitted	not permitted	not permitted
BV	not permitted	not permitted	permitted	permitted	permitted
AV	not permitted	not permitted	permitted	permitted	permitted
CS	not permitted	not permitted	not permitted	not permitted	permitted
DR	not permitted	not permitted	permitted	permitted	permitted
ST	not permitted	not permitted	permitted	permitted	permitted
RD	permitted	permitted	permitted	not permitted	not permitted
Rear Lane	not permitted	not permitted	permitted	permitted	not permitted
Rear Alley	not permitted	not permitted	not permitted	permitted	required
Path	permitted	permitted	permitted	not permitted *	not permitted
Passage	not permitted	not permitted	not permitted	permitted	permitted
Bicycle Trail	permitted	permitted	permitted	not permitted *	not permitted
Bicycle Lane	permitted	permitted	permitted	not permitted	not permitted
Bicycle Route	permitted	permitted	permitted	permitted	permitted

* 2500 with parking structures

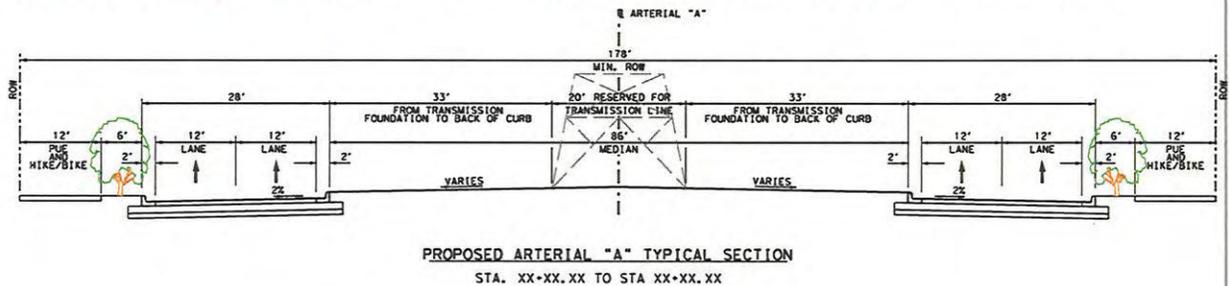
Requested Warrant:

“Exhibit G – Arterial ‘A’ Design” shall be permitted as shown in the Project.

Justification:

This roadway is part of the City of San Marcos Transportation Master Plan and its proposed alignment follows the existing Lower Colorado River Authority (LCRA) overhead electric transmission line and easement. Several meetings were held between the City, the Developer and LCRA and the road section below was agreed to as a typical section. Although this section is not a typical Smart Code section, it does provide the elements of the Smart Code. (Street tree planting, hike/bike trails and a landscaped median)

Although the proposed typical section for this roadway is not a Smart Code standard, it has been designed to reinforce the intent of the Code while accommodating the physical constraints.



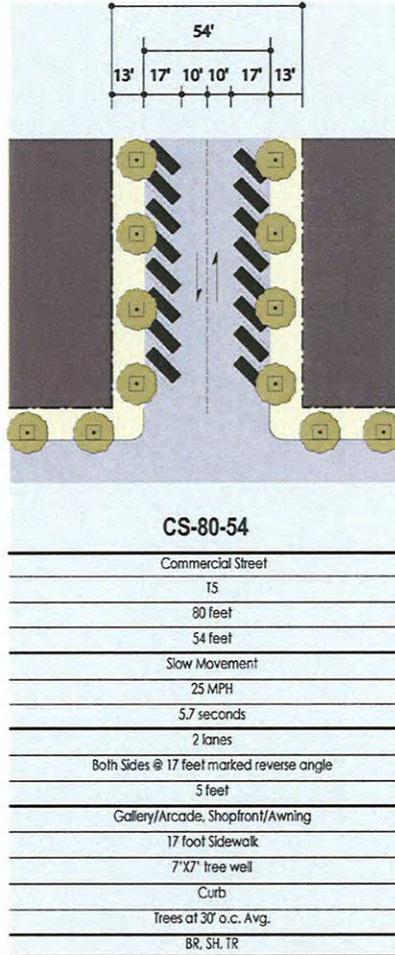
WARRANT 5

WARRANT 5

Smart Code:

TABLE 3.3. THOROUGHFARE ASSEMBLIES

These Thoroughfares are assembled from the elements that appear in Tables 3.2 and incorporate the Public Frontages of Table 3.2. The key gives the Thoroughfare type followed by the right-of-way width, the pavement width, and in some instances by specialized transportation capability.



Requested Warrant:

Standard head-in angled parking may be allowed in street section CS-80-54.

Justification:

Reverse angle parking is the only option allowed in the Smart Code for this roadway section, see Table 3.3. This warrant allows the option for head-in parking. This warrant will provide the option for head-in angle parking, as shown on the Figure below.

The land plan for the project has this road section as the main entrance into the project. Developer would like to have the option for head-in angled parking to address the concerns of traffic congestion caused by drivers backing into a space rather than pulling straight in.

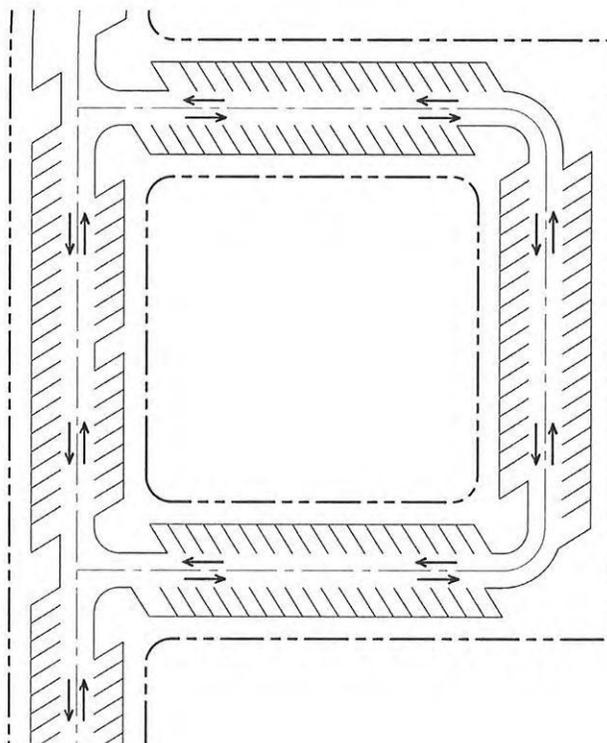
When you back into a parking space, it takes longer, meaning that the aisles are blocked for a longer period of time. This can lead to circulation issues.

When you pull forward into a parking space, it is much quicker, and backing out again is easier (therefore safer) than backing in because you have more room in the aisle than you do in a parking space.

Another complication of backing into a parking space is that you cannot see the lines very clearly (if at all) in your mirrors, which means that sloppy parking is more likely, and that will further compound the accident risk and convenience.

A driver is always in moving car and when pulling out of a parking space you always have a person in the direction of oncoming traffic.

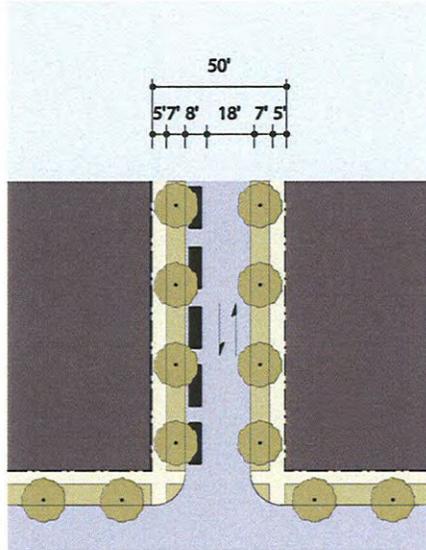
In summary, angled parking along this street type is still provided and the roadway section has not been altered allowing the intent of the Smart Code to be preserved.



WARRANT 6

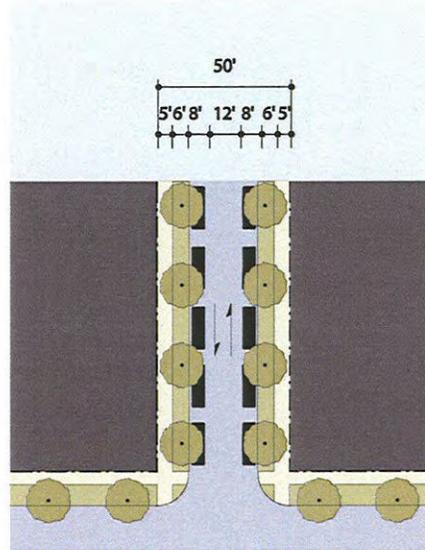
WARRANT 6

Smart Code:



ST-50-26

Street
T4, T5, T6
50 feet
26 feet
Free Movement
20 MPH
7.4 seconds
2 lanes
One Side @ 8 feet marked
10 feet
ST, FC, DY/LC, PF
5 foot Sidewalk
7 foot Continuous planter
Curb
Trees at 30' o.c. Avg.
BR, SH



ST-50-28

Street
T4, T5, T6
50 feet
28 feet
Yield Movement
20 MPH
7.6 seconds
2 lanes
Both Sides @ 8 feet unmarked
10 feet
ST, FC, DY/LC, PF
5 foot Sidewalk
6 foot Continuous planter
Curb
Trees at 30' o.c. Avg.
BR, SH

Requested Warrant:

ST-50-26 and ST-50-28 shall be allowed in T3.

Justification:

The Smart Code only allows these roadway typical sections to be used in T4, T5, and T6. If these roadway types are allowed in the denser transects (T4 and T5), this roadway could also be used in a T3 transect. Considering most of this project is in a T4 or T5 zone, this warrant will also provide consistency of roadway types as you traverse through transects.

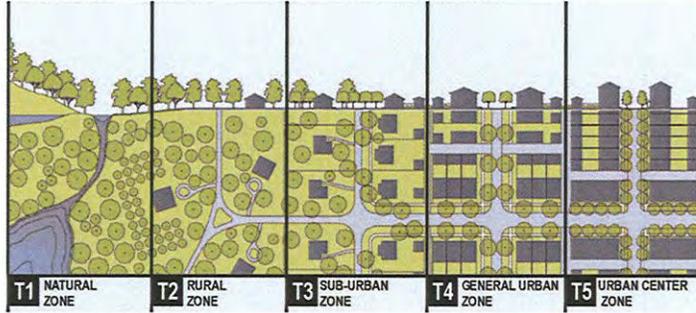
WARRANT 7

WARRANT 7

Smart Code:

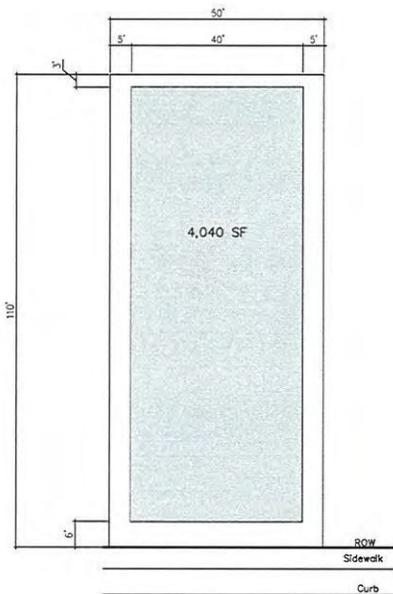
San Marcos, Texas

TABLE 1.3. SUMMARY TABLE - NEW DEVELOPMENT

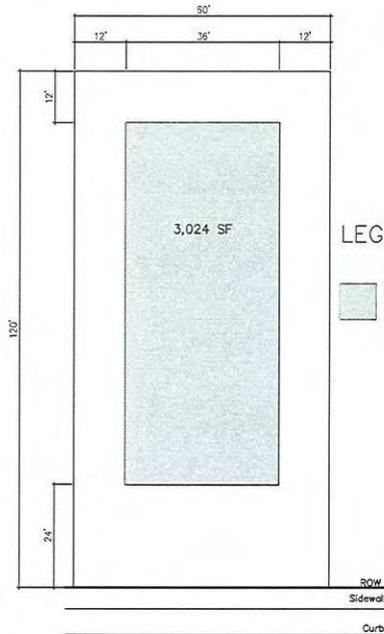


g. SETBACKS - PRINCIPAL BUILDING (see Tables 5.11 - 5.13)

	T1 NATURAL ZONE	T2 RURAL ZONE	T3 SUB-URBAN ZONE	T4 GENERAL URBAN ZONE	T5 URBAN CENTER ZONE
(g.1) Front Setback (Principal)	not applicable	48 ft. min	24 ft. min	6 ft. min 18 ft. max	0 ft. min 12 ft. max
(g.2) Front Setback (Secondary)	not applicable	48 ft. min	12 ft. min	6 ft. min 18 ft. max	0 ft. min 12 ft. max
(g.3) Side Setback	not applicable	96 ft. min	12 ft. min	0 ft. min or 6 ft. min. total	0 ft. min 24 ft. max
(g.4) Rear Setback	not applicable	96 ft. min	12 ft. min	3 ft. min *	3 ft. min *
Frontage Buildout	not applicable	not applicable	40% min	60% min	80% min



50'x110' - T4
SMART CODE



60'x120' - T3
SMART CODE

LEGEND:

BUILDABLE AREA

Requested Warrant:

Principal Building front setbacks shall be 10', side setbacks shall be 5' and rear setback shall be 5' for a T3 transect.

Justification:

The setbacks for a T3 transect in the Smart Code are:

- Front Setback (principal) – 24 ft
- Front Setback (secondary) – 12 ft
- Side Setback – 12 ft
- Rear Setback – 12 ft

The intent of the code is to provide a suburban feeling for the T3 transect zone and a more urban feeling for T4 and T5 transects. Therefore, lots in the T3 transect are larger in size than the lots in a T4 transect. As this is a mixed-use master-planned community, the setbacks need to be consistent throughout to provide a cohesive neighborhood.

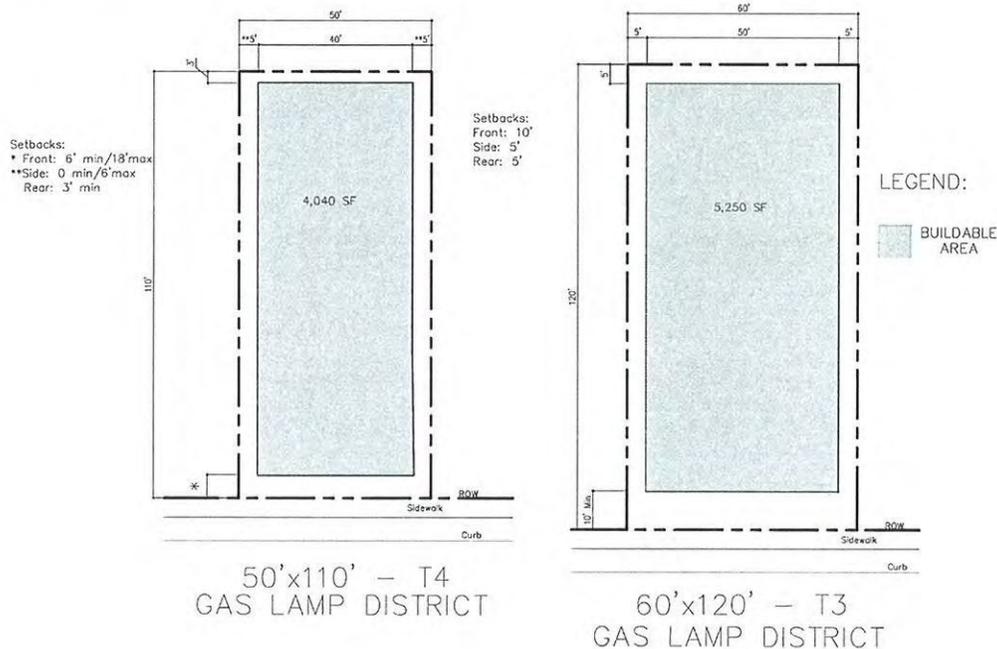
This warrant is necessary because the setbacks allowed by the Smart Code would make the community inconsistent and cause the buildable areas of a 60' lot to be smaller than a 50' lot. For example:

- a 50'x110' lot is considered a T4 transect and the buildable area for this lot is 4,040 sf;
- a 60'x120' lot is considered a T3 transect and the buildable area for this lot is 3,024 sf.

If this warrant is approved, the buildable area will be proportional to the lot size area:

- a 50'x110' lot is considered a T4 transect and the buildable area for this lot is 4,040 sf;
- a 60'x120' lot is considered a T3 transect and the buildable area for this lot is 5,250 sf.

In summary, this warrant request is justified to prevent the Code from penalizing the buyer of a larger lot, by imposing stricter rules, than a buyer of a smaller lot. It still meets the intent of the code by providing a lot distribution with a larger width, a mix of products, a varied front setback and favors a walkable community.



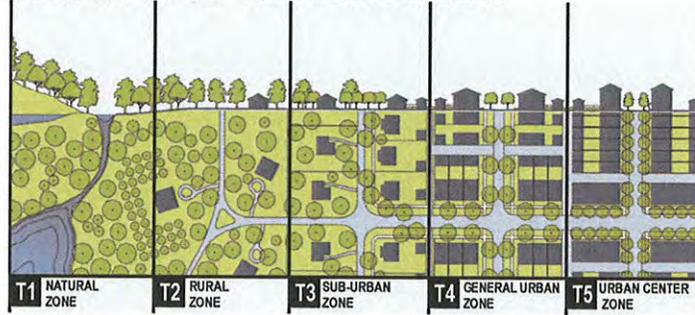
WARRANT 8

WARRANT 8

Smart Code:

San Marcos, Texas

TABLE 1.3. SUMMARY TABLE - NEW DEVELOPMENT

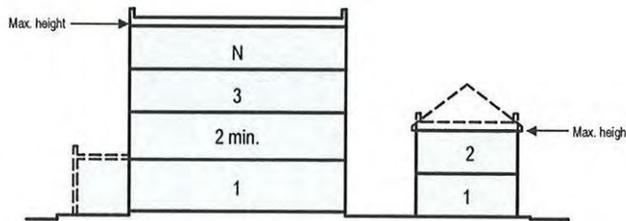


k. BUILDING CONFIGURATION (see Table 5.2)

Principal Building	not applicable	2 Stories max	2 Stories max	3 Stories max	5 Stories max*, 2 min
Outbuilding	not applicable	2 Stories max	2 Stories max	2 Stories max	2 Stories max

BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.
4. Expression Lines shall be as shown on Table 5.2.



Requested Warrant:

For age restricted or nursing facility uses in T5, a one story building is permitted.

Justification:

The Smart Code requires buildings in a T5 transect to have a minimum of 2 stories. Due to accessibility, safety and marketing issues, the developer needs the opportunity to develop a nursing home or retirement home on a single floor. The Smart Code portion addressed by this Warrant is limited and, considering the size of this project, it maintains the integrity of the Smart Code.

WARRANT 9

WARRANT 9

Smart Code:

- 3.8.2. Density shall be expressed in terms of dwelling units per acre as specified for the area of each Transect Zone by Table 1.3b. For purposes of Density calculation, the Transect Zones include the Thoroughfares but not land assigned to Civic Zones. To ensure Mixed Use, the T5 Zone should be required to provide a minimum 15% Retail and 15% Office.

Requested Warrant:

A minimum of 30% of the T5 land area in the Project shall be used for commercial (office/retail) uses.

Justification:

According to item 3.8.2. of the Smart Code, the T5 zone should be comprised of a minimum of 15% retail and 15% office.

The intent of this warrant is to allow this requirement to be also satisfied by 30% of commercial uses regardless of the use being office or retail in a T5 zone. This warrant request is justified because it does not change the intent or the character of the Code. Often, commercial uses change/move from time to time. With both retail and office being a commercial use it could cause confusion trying to regulate an exact split between the 2 types of uses. Allowing the market to dictate the type of commercial use will help the project keep absorption rates high. We don't want to see empty space waiting for a specific use and as an adjacent use to the very large retail centers (outlets), the developer needs to ensure the flexibility to deliver compatible uses.

WARRANT 10

WARRANT 10

Smart Code:

According to Smart Code item 3.5.4 (b):

- b. Civic Building Lot shall be reserved for an elementary school for up to five years after the sale of the last lot. Its area shall be a minimum of three (3) acres. The school site may be within any Transect Zone. Any playing fields should be outside the Pedestrian Shed.

According to Smart Code item 3.5.4 (c):

- c. One Civic Building Lot suitable for a childcare building shall be reserved within each Pedestrian Shed for up to five years after the sale of the last lot. The owner or a homeowners' association or other community council may organize, fund and construct an appropriate building as the need arises.

Requested Warrant:

Upon the second anniversary of the sale of the last single-family or multifamily Lot in the Project or in a Pedestrian Shed (as applicable), the timing requirements for reserving elementary school and childcare building sites as described in Section 3.5.4 (b, c) of the Smart Code shall be satisfied.

Justification:

This warrant is justified because the 5 years after the last lot is sold is an excessive amount of time to impose upon the project and the developer. Although, when the last residential is sold the need for an elementary school or childcare shall be known, this warrant proposes an extension of 2 years after the sale of the last residential lot to reserve a site for an elementary school and childcare sites. An additional 3 years (total of 5) on such a large project is an excessive burden on the developer.

WARRANT 11

WARRANT 11

Smart Code:

According to the Smart Code item 3.5.4. (b), one 3-acre site in each pedestrian Shed shall be reserved for a school site.

- b. Civic Building Lot shall be reserved for an elementary school for up to five years after the sale of the last lot. Its area shall be a minimum of three (3) acres. The school site may be within any Transect Zone. Any playing fields should be outside the Pedestrian Shed.

Requested Warrant:

Owner may reserve a single 8 acre site within the Project or a 3 acre site in each Pedestrian Shed in order to satisfy the requirement of reserving a Civic Building Lot for an elementary school.

Justification:

According to the Smart Code, 6 acres shall be reserved for a school site, because this project has 2 Pedestrian Sheds. Of the 6 acres required for a school site 3 acres would be located in one pedestrian shed and the remaining 3 acres in a second pedestrian shed. Considering this project has 495 acres, if these rules are applied these 2 school sites would be located in less than a mile from each other. Additionally, most schools sites are larger than 3 acres.

Because of the small acreage requirement and the close proximity of these 2 sites, this warrant allows the developer to provide one site of a combined area of 8 acres anywhere within the project.

WARRANT 12

WARRANT 12

Smart Code:

Table 1.3 – Summary Table – New Development

Block perimeter for a T5 zone = 2,000 ft max (2,500 ft with parking structures)

San Marcos, Texas

TABLE 1.3. SUMMARY TABLE - NEW DEVELOPMENT



c. BLOCK SIZE	T1	T2	T3	T4	T5
Block Perimeter	no maximum	no maximum	2400 ft. max	2000 ft. max	2000 ft. max.*
d. THOROUGHFARES (see Table 3.3)					* 2500 with parking structures

TABLE 5.7. SPECIFIC FUNCTION & USE

This table expands the categories of Table 5.4 to delegate specific Functions and uses within Transect Zones.

a. RESIDENTIAL	T1	T2	T3	T4	T5	SD
Mixed Use Block						■
Flex Building				■	■	
Apartment Building				■	■	
Live/Work Unit			■	■	■	□
Rowhouse				■	■	
Duplex			■	■	■	
Courtyard House				■	■	
Sideyard House			■	■	■	
Cottage			■	■		
House		■	■	■		
Villa		■				
Accessory Unit		■	■	■	■	

f. OTHER: AGRICULTURE	T1	T2	T3	T4	T5	SD
Grain Storage	■	■				□
Livestock Pen	□	□				□
Greenhouse	■	■	□			□
Stable	■	■	□			□
Kennel	■	■			□	□

f. OTHER: AUTOMOTIVE	T1	T2	T3	T4	T5	SD
Gasoline		□			□	■
Automobile Service					□	■
Truck Maintenance						■
Drive-Through Facility					□	■
Rest Stop	■	■				□

Requested Warrant:

A 25-acre of apartment development within this project shall not exceed 2,400ft of block perimeter in a T5 transect. Block perimeter shall be calculated at public and private streets and at pedestrian passages.

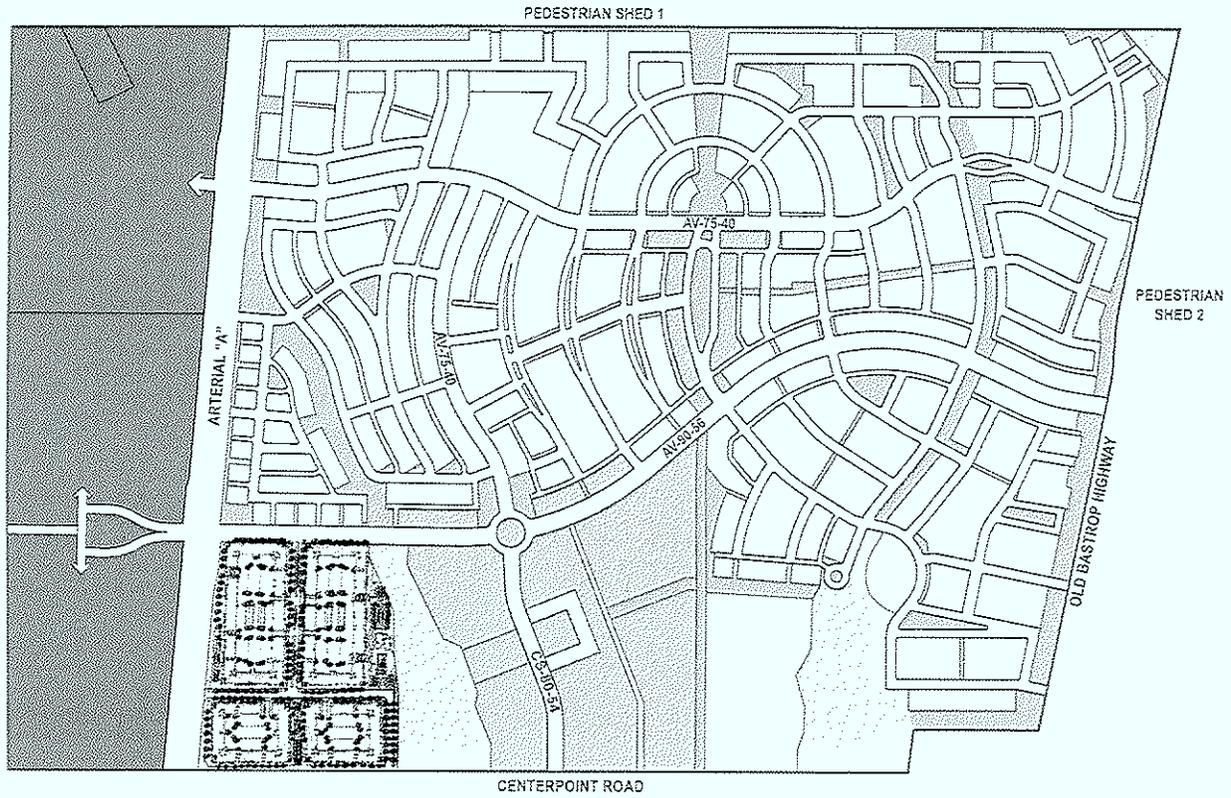
Justification:

The 2,400 foot block perimeter allows for an apartment building to be built at a more efficient scale and financially feasible design. The 2,400 foot block is within the block dimension allowed with a parking garage and the Developer wishes to extend this to layouts that park cars behind the units like the exhibit below. Architecture addressing the streets with efficient hidden parking, enhanced pedestrian circulation through sidewalks and pedestrian corridors, along with reasonable block lengths help to maintain the full intent of the code.

This apartment site is currently proposed to be located adjacent to the drainage pond/green space and bounded by two proposed major intersections: Centerpoint Rd. and Arterial A; and Arterial A and Collector A.

If this warrant is approved, the apartment site layout could be similar to:





WARRANT 13

WARRANT 13

Smart Code:

Table 1.3 – Summary Table – New Development
Lot Width for a T5 zone = 18ft min, 196 ft max

San Marcos, Texas

TABLE 1.3. SUMMARY TABLE - NEW DEVELOPMENT

f. LOT OCCUPATION	T1 NATURAL ZONE	T2 RURAL ZONE	T3 SUB-URBAN ZONE	T4 GENERAL URBAN ZONE	T5 URBAN CENTER ZONE
Lot Width	not applicable	by Warrant	60 ft. min 120 ft. max	18 ft. min 120 ft. max	18 ft. min 196 ft. max
Lot Coverage	not applicable	by Warrant	60% max	80% max	100% max

TABLE 5.7. SPECIFIC FUNCTION & USE

This table expands the categories of Table 5.4 to delegate specific Functions and uses within Transect Zones.

a. RESIDENTIAL	T1	T2	T3	T4	T5	SD
Mixed Use Block						■
Flex Building				■	■	
Apartment Building				■	■	
Live/Work Unit		■	■	■	■	□
Rowhouse				■	■	
Duplex		■	■	■	■	
Courtyard House				■	■	
Sideyard House			■	■	■	
Cottage			■	■	■	
House	■	■	■	■	■	
Villa	■					
Accessory Unit		■	■	■	■	
c. OFFICE	T1	T2	T3	T4	T5	SD
Office Building				■	■	□
Live-Work Unit			■	■	■	□

f. OTHER: AGRICULTURE	T1	T2	T3	T4	T5	SD
Grain Storage	■	■				□
Livestock Pen	□	□				□
Greenhouse	■	■	□			□
Stable	■	■	□			□
Kennel	■	■			□	□
f. OTHER: AUTOMOTIVE	T1	T2	T3	T4	T5	SD
Gasoline		□			□	■
Automobile Service					□	■
Truck Maintenance						■
Drive-Through Facility					□	■
Rest Stop	■	■				□

Requested Warrant:

Lot width for multifamily (apartments and senior living) and approximately 24 acres of office use west of Arterial A in a T5 zone may be up to the block size.

Justification:

A commercial/multifamily developer or builder may need the block to be a single lot. Multiple lots cause complications with design, code, tax assessments and a multitude of other issues. A single lot allows for a cohesive design and use without unnecessary cost and complications.

Because the Smart Code block size is basically maintained, the design intent of the code is preserved and it allows for a cohesive walkable community.

Agenda Information

AGENDA CAPTION:

PC-12-29_03 (Weatherford Subdivision) Public Hearing and Consider a request by HMT Engineering, on behalf of Robert Theriot, Vikash Patel and Kishor Patel, for approval of a replat of Lot 13A, Weatherford Subdivision, establishing Lots 13A-1 and 13A-2, located near the intersection of South IH 35 and Wonder World Drive.

Meeting date: March 26, 2013

Department: Development Services - Planning

Funds Required: NA

Account Number: NA

Funds Available: NA

Account Name: NA

CITY COUNCIL GOAL:

Strengthen the Middle Class, Encourage Strong Neighborhoods, Education and Workforce

BACKGROUND:

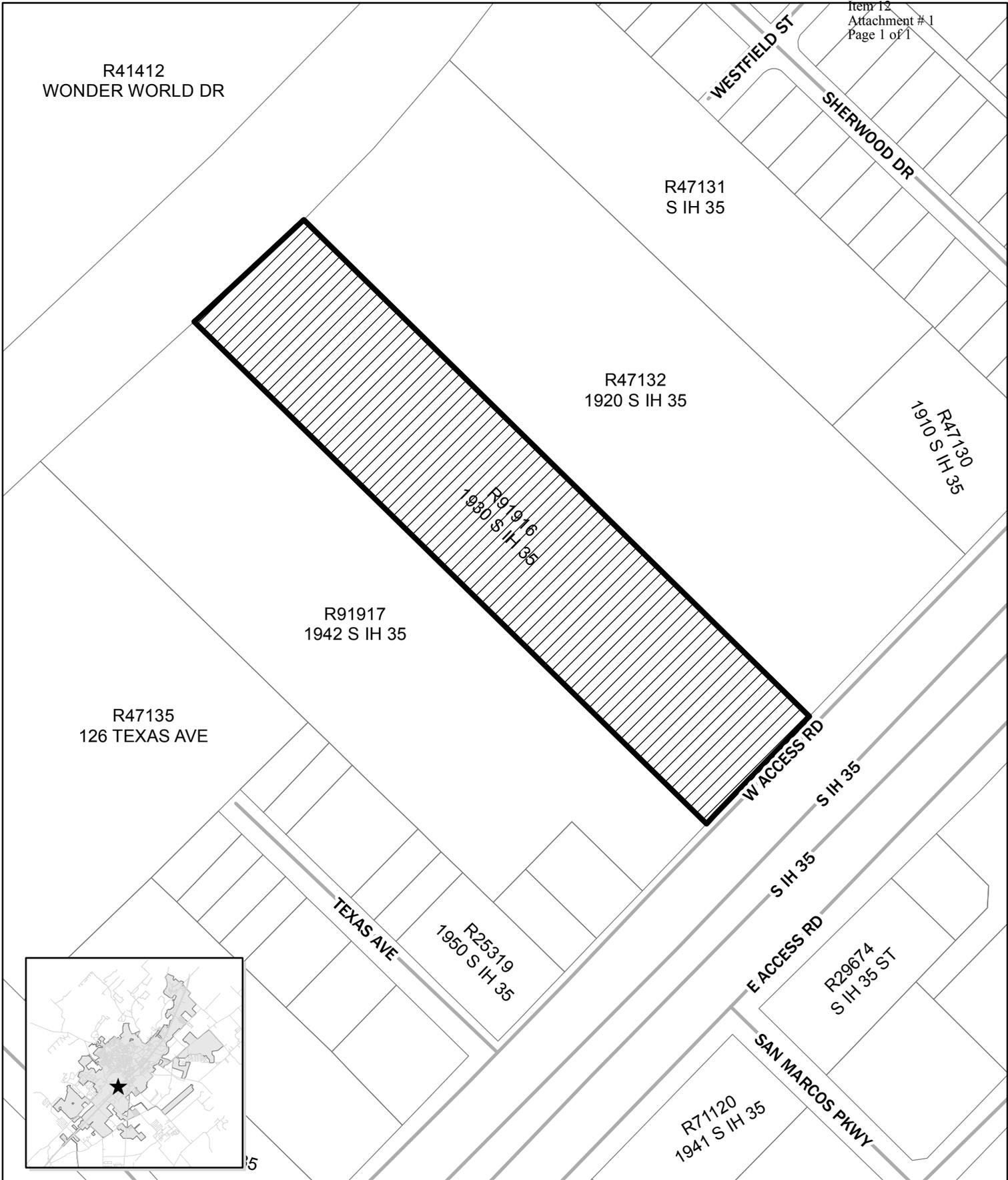
This is a replat of Lot 13A Weatherford Subdivision establishing Lots 13A-1 and 13A-2. The proposed use is for a hotel. The applicant has agreed to build a road and provide for possible future extension to the lots to the north.

The PICP and Watershed Protection Plan have been approved and the estimate of probable cost has been accepted. The applicant plans to construct the improvements prior to recordation. The applicant has also reached an agreement with SMEU to pay for the relocation of existing electrical lines.

The replat meets the criteria as outlined in the Land Development Code and staff recommends approval as submitted.

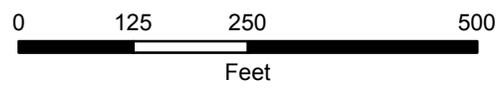
ATTACHMENTS:

Case Map
Staff Report
Plat



PC-12-29(03)
Weatherford Subdivision
1930 S IH 35
Map Date: 12/19/2012

●  Site Location ●



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

PC-12-29(03) Final Plat Resubdivision of Lot 13A Weatherford Subdivision



Applicant Information:

Agent: HMT Engineering and Surveying
410 N. Seguin Avenue
New Braunfels, TX 78130

Property Owner: Robert H. Theriot Vikash and Kishor Patel
6535 Comanche Trail 1560 S IH 35
Austin, TX 78732 San Marcos, TX 78666

Notification: Notice published on Sunday, March 10, 2013

Type & Name of Subdivision: Replat establishing the Resubdivision of Lot 13A,
Weatherford Subdivision

Subject Property:

Summary: The subject property is approximately 6.39 acres out of the previously recorded Weatherford Subdivision Lot 13A and 14B located near the intersection of South IH 35 and Wonder World Drive at 1930 S. IH 35.

Zoning: General Commercial

Traffic/ Transportation: The property is located along the IH35 frontage road. TXDOT approved access to the two new lots in the subdivision from the proposed Bintu Drive. The new drive will be constructed with a 52' cross section. Sidewalks will be installed as part of the public improvements. A partial cul de sac at the termination of the drive will provide for future connection to Westfield Street to the north.

Utility Capacity: All utilities are provided for onsite. Existing electrical lines are being relocated along Bintu Drive at the expense of applicant. This has been approved by SMEU and design is underway with a SMEU technician.

Planning Department Analysis:

The subject property has a base zoning of General Commercial and is surrounded by commercial and industrial uses. The resubdivision creates two lots with frontage along the new public road, Bintu Drive. The proposed use is for a hotel.

A small portion of the site is located in the 100-year floodplain. A public drainage easement has been provided on the plat and a private shared maintenance agreement has been executed to be recorded by separate instrument. The Watershed Protection Plan Phase 2 and Public Improvement Construction Plan have been approved by the Director of Engineering. The applicant plans to construct the public improvements prior to recordation.

Parkland dedication is not required for this development.

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

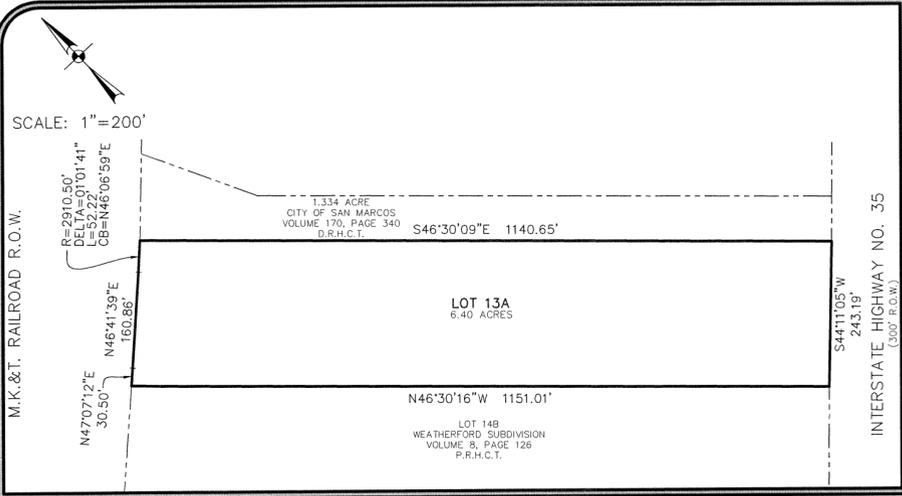
The Commission's Responsibility:

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.

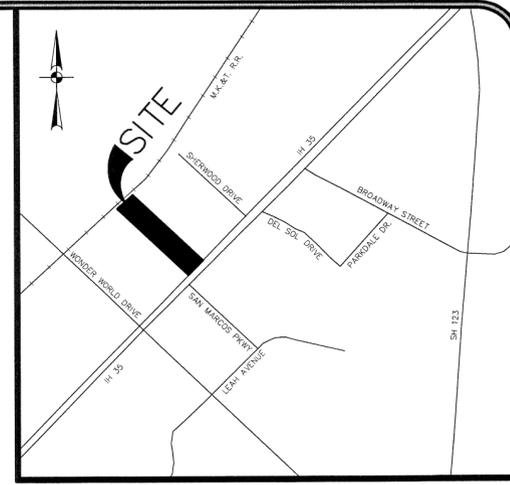
Prepared By:

Emily Koller	Planner	March 11, 2013
Name	Title	Date

Drawing Name: N:_Projects\027- Vikash Patel\027.001 - Holiday Inn & Conference Center\027.001.103 - Plat and Water & Sewer Line Extension\Survey\027.001.103.dwg
 User: richardg
 Mar 07, 2013 - 5:23pm



- GENERAL NOTES:**
- ALL LOTS WITHIN THE SUBDIVISION WILL BE SERVED BY A PUBLIC WATER SUPPLY, SANITARY SEWER AND ELECTRICITY OWNED BY THE CITY OF SAN MARCOS. TELEPHONE SERVICE FOR SUBDIVISION WILL BE PROVIDED BY CENTURY LINK AND/OR TIME WARNER. GAS SERVICE WILL BE PROVIDED BY CENTERPOINT ENERGY.
 - BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM 1983.
 - PROPERTY CORNERS WILL BE SET WITH 1/2" IRON PIN WITH PLASTIC CAP LABELED "HMT" WHERE PRACTICAL. OTHERWISE, A MONUMENT THAT IS PERMANENT AND STABLE WILL BE USED, UNLESS OTHERWISE NOTED.
 - A PORTION OF THIS SUBDIVISION IS LOCATED WITHIN THE FLOOD HAZARD ZONE A, (100-YEAR FLOOD PLAIN), AS DEFINED BY THE FEMA FIRM MAP FOR HAYS COUNTY, TEXAS PANEL NUMBER 48209C0477F, REVISED SEPTEMBER 2, 2005 AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
 - THIS PROPERTY LIES IN THE SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT.
 - THIS PROPERTY LIES IN THE CITY OF SAN MARCOS.
 - THE DETENTION AND DRAINAGE EASEMENT ON LOT 13A-1 AND LOT 13A-2 IS DEDICATED TO THE CITY OF SAN MARCOS AND SHALL BE MAINTAINED JOINTLY AND SEVERALLY BY THE OWNERS OF LOT 13A-1 AND LOT 13A-2 IN ACCORDANCE WITH THE CITY OF SAN MARCOS LAND DEVELOPMENT CODE. A PRIVATE MAINTENANCE AGREEMENT HAS BEEN ENTERED INTO BY BOTH LOT OWNERS AND FILED IN THE PUBLIC RECORDS OF HAYS COUNTY.
 - SIDEWALKS SHALL BE CONSTRUCTED ON BOTH SIDES OF ALL STREETS WITHIN AND BOUNDING THE SUBDIVISION.
 - DRAINAGE EASEMENTS SHALL REMAIN FREE OF ALL OBSTRUCTIONS.
 - FOR THIS SUBDIVISION, THERE SHALL BE NO ACCESS DRIVEWAYS ALONG INTERSTATE HIGHWAY NO. 35. ACCESS TO EACH LOT SHALL BE FROM BINTU DRIVE.



LOCATION MAP
SCALE: NTS

EXISTING PLAT
 LOT 13A, WEATHERFORD SUBDIVISION, RECORDED IN VOLUME 8, PAGE 126, PLAT RECORDS, HAYS COUNTY, TEXAS.

STATE OF TEXAS
 COUNTY OF HAYS

I, ROBERT THERIOT, THE OWNER OF THAT CERTAIN 3.64 ACRE TRACT OUT OF LAND KNOWN AS LOT 13A, OF THE PLAT OF LOTS 13A AND 14B, WEATHERFORD SUBDIVISION, RECORDED IN VOLUME 8, PAGE 126, PLAT RECORDS, HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THERE ARE NO LIEN HOLDERS AND RESUBDIVIDE THIS PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC SPACES AS SHOWN HEREON TO BE KNOWN AS THE RESUBDIVISION OF LOT 13A, WEATHERFORD SUBDIVISION.

ROBERT THERIOT
 6535 COMANCHE TRAIL
 AUSTIN, TEXAS 78732

STATE OF TEXAS
 COUNTY OF _____

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF ____ 20____ BY _____ (NAME OF AUTHORIZED OFFICER), AS _____ (TITLE OF OFFICER) OF _____ (NAME OF CORPORATE ENTITY),

A _____ (TYPE OF CORPORATE ENTITY), ON BEHALF OF SAID _____ (NAME OF CORPORATE ENTITY).

NOTARY PUBLIC, STATE OF TEXAS
 PRINTED NAME: _____
 MY COMMISSION EXPIRES: _____

STATE OF TEXAS
 COUNTY OF HAYS

WE, VIKASH PATEL AND KISHOR PATEL, THE OWNERS OF THAT CERTAIN 2.75 ACRE TRACT OF LAND OUT OF LOT 13A, OF THE PLAT OF LOTS 13A AND 14B, WEATHERFORD SUBDIVISION, RECORDED IN VOLUME 8, PAGE 126, PLAT RECORDS, HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THERE ARE NO LIEN HOLDERS AND RESUBDIVIDE THIS PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC SPACES AS SHOWN HEREON TO BE KNOWN AS THE RESUBDIVISION OF LOT 13A, WEATHERFORD SUBDIVISION.

VIKASH PATEL
 1560 IH 35 SOUTH
 SAN MARCOS, TEXAS 78666

KISHOR PATEL

STATE OF TEXAS
 COUNTY OF _____

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF ____ 20____ BY _____ (NAME OF AUTHORIZED OFFICER), AS _____ (TITLE OF OFFICER) OF _____ (NAME OF CORPORATE ENTITY),

A _____ (TYPE OF CORPORATE ENTITY), ON BEHALF OF SAID _____ (NAME OF CORPORATE ENTITY).

NOTARY PUBLIC, STATE OF TEXAS
 PRINTED NAME: _____
 MY COMMISSION EXPIRES: _____

KNOW ALL MEN BY THESE PRESENTS:

THAT I, ARNOLD MARTINEZ, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS HEREBY AFFIRM THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT AND ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48209C0477F, DATED SEPTEMBER 2, 2005, A PORTION OF THIS PROPERTY IS LOCATED WITHIN A FLOOD HAZARD AREA.

ARNOLD MARTINEZ, P.E.
 REGISTERED PROFESSIONAL ENGINEER NO. 91894
 410 N. SEGUIN NEW BRAUNFELS, TEXAS 78130

KNOW ALL MEN BY THESE PRESENTS:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY ON THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

THOR THORNHILL
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6177
 410 N. SEGUIN NEW BRAUNFELS, TEXAS 78130

CITY OF SAN MARCOS
 CERTIFICATE OF APPROVAL

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

CHAIRMAN _____ RECORDING SECRETARY _____

APPROVED: _____

DATE _____ DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

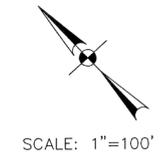
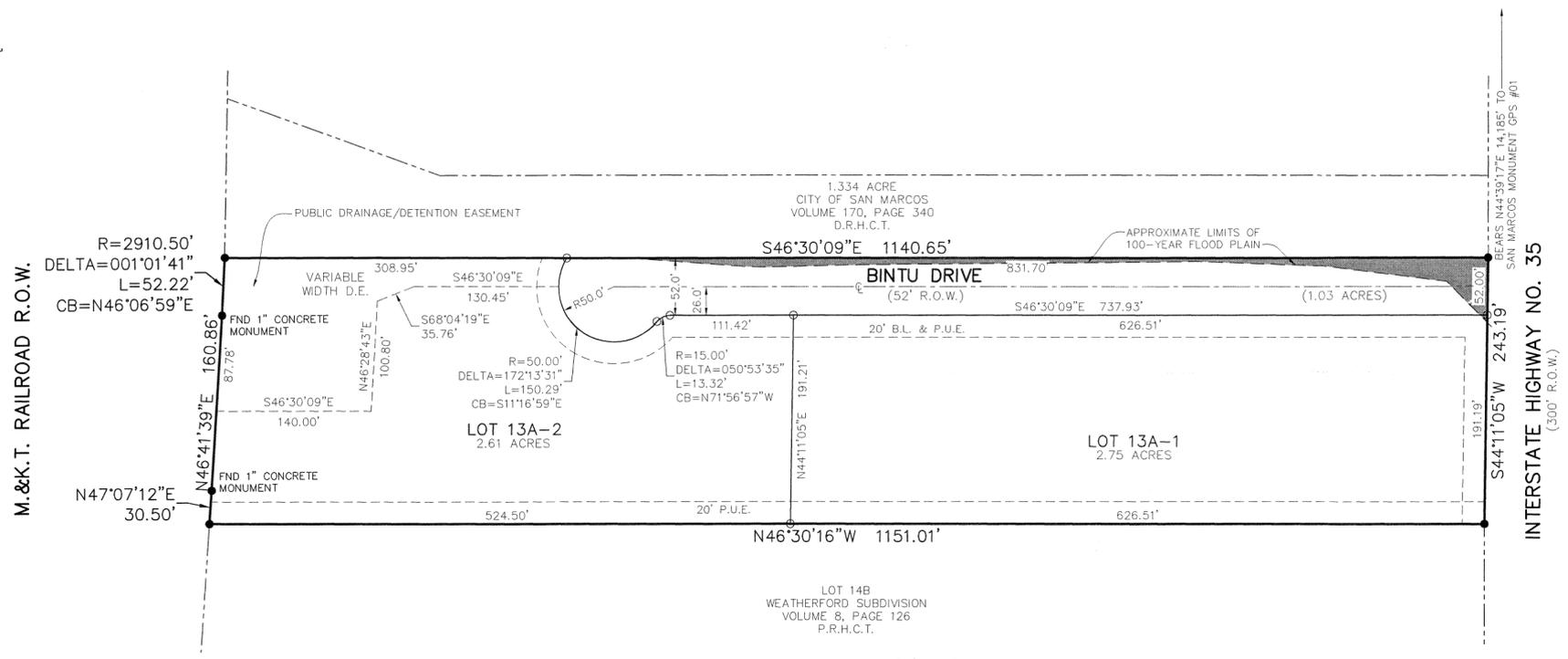
DATE _____ DIRECTOR OF CIP AND ENGINEERING

STATE OF TEXAS
 COUNTY OF HAYS

I, _____, COUNTY CLERK OF HAYS COUNTY, TEXAS, CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF ____ 20____, AT ____ O'CLOCK ____ M., AND RECORDED ON THE ____ DAY OF ____ 20____, AT ____ O'CLOCK ____ M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS VOLUME ____ PAGES ____.

WITNESS MY HAND OFFICIAL SEAL, THIS THE ____ DAY OF ____ 20____.

COUNTY CLERK
 HAYS COUNTY, TEXAS



SCALE: 1"=100'

- LEGEND:**
- = SET 1/2" IRON PIN W/ A PLASTIC CAP STAMPED "HMT"
 - = FND 1/2" IRON PIN UNLESS OTHERWISE NOTED
 - B.L. = BUILDING SETBACK LINE
 - P.U.E. = PUBLIC UTILITY EASEMENT
 - R.O.W. = RIGHT-OF-WAY
 - P.R.H.C.T. = PLAT RECORDS, HAYS COUNTY, TEXAS
 - D.R.H.C.T. = DEED RECORDS, HAYS COUNTY, TEXAS



410 N. SEGUIN AVE.
 NEW BRAUNFELS, TEXAS, 78130
 WWW.HMTNB.COM
 PH: (830)625-8555

**RESUBDIVISION OF
 LOT 13A, WEATHERFORD SUBDIVISION**

Agenda Information

AGENDA CAPTION:

PDD-07-02(a) (McCarty Commons) Hold a public hearing and discuss a request by SLF II - McCarty, L.P. for amendments to the existing Planned Development District for McCarty Commons, consisting of 259.52 acres more or less out of Cyrus Wickson Survey, Abstract 474, and the Nathaniel Hubbard Survey, Abstract 250, as originally approved by Ordinance 2008-41.

Meeting date: March 26, 2013

Department: Development Services - Planning

Funds Required: NA

Account Number: NA

Funds Available: NA

Account Name: NA

CITY COUNCIL GOAL:

Strengthen the Middle Class, Encourage Strong Neighborhoods, Education and Workforce

BACKGROUND:

The McCarty Commons Planned Development District was approved by City Council in September 2008. It encompasses 252 acres on the east side of I35 between the Outlet Malls and the Embassy Suites/Convention Center. The base zoning is General Commercial, Community Commercial, and Public with the PDD allowing for a mix of uses including retail, restaurant, lodging, office and residential. The district is divided by Cottonwood Creek with the commercial uses lining I35 on one side of the creek and office and residential located on the other side. Nearly 60 acres of open space is provided through a recreation easement along Cottonwood Creek and a trail system runs throughout the development.

HEB has been working with the owner, Stratford Land, to purchase approximately 17 acres in the northwest corner of the district. Several requirements of the approved PDD require modification in order to allow HEB to build their typical store. Staff has worked with the land owner to draft these changes to the PDD while preserving the original vision and standards.

The amendments allow for a separate sub-area for the HEB tract with minimal development standards. Any improvements associated with the open space are delayed to the development of the subsequent sub-areas in order to expedite the site development for HEB. The master trail plan has been revised to connect the Embassy Suites/Convention Center with the Outlet Malls via a route along Cottonwood Creek. A comprehensive sign package is part of the amendments and the proposed signage exceeds the standards of the Land Development Code while

allowing flexibility for HEB.

A requirement for a private drive constructed as a commercial collector from I35 to McCarty has generated much discussion between staff and the applicant. The drive was included in the original PDD to meet the block-length requirement of the LDC as well as to provide pedestrian and emergency access. The applicant believes the drive interferes with the parking plan for HEB and it has been reduced in size to a 34' cross-section in the amended PDD.

Staff feels an east-west road across the site connecting I35 to future SH 21 (within the proposed Gas Lamp District) provides a long-term solution to concerns about access and traffic circulation in the area while eliminating the need for the private drive. There has been significant public investment in and around this tract to encourage development east of I35, and not linking I35 and SH 21 through two large developments would be short-sighted. This road could be located at the southern portion of the property.

The amendments in the document do not include language for the proposed east-west road from I35 to SH 21. However, the developer has agreed to pursue conversations with the City concerning the location and options for completion of this roadway.

The item is posted for public hearing and discussion by the Commission. Action will be taken after a second public hearing at a future meeting.

ATTACHMENTS:

Case Map

Staff Report

Amended PDD

Aerial_Combined Master Plans

PDD-07-02(a) Planned Development District (PDD) Amendment McCarty Commons



Summary:

Applicant/ Property Owner: SLF II – McCarty, L.P.
5949 Sherry Lane, Suite 1750
Dallas, TX 75225

Consultant: LJA Engineering
5316 Highway 290 West
Suite 150
Austin, TX 78735

Subject Property:

Legal Description: 252 acres out of the Cyrus Wickson Survey, Abstract 474, and Nathaniel Hubbard Survey, Abstract 250

Location: East of IH 35 and South of E. McCarty Lane

Existing Use of Property: Undeveloped Land

Existing Zoning: PDD overlay with General Commercial, Community Commercial and Public Base Zoning

Proposed Use of Property: Retail, Commercial, Office and Residential

Proposed Zoning: Same as existing zoning

Sector: 4

Frontage On: IH 35 and McCarty

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	General Commercial	Hotel and Convention Center
S of Property	General Commercial, Future Development	Outlet Mall, Vacant
E of Property	Future Development	Vacant
W of Property	Public	Single Family Residential

Comments from Other Departments

Comments from other departments have been incorporated into the amended document.

Comments from the Public

None

Background

The McCarty Commons Planned Development District was approved by City Council in September 2008. It encompasses 252 acres on the east side of IH 35 between the Outlet Malls and the Embassy Suites/Convention Center. The base zoning is General Commercial, Community Commercial, and Public with the PDD allowing for a mix of uses including retail, restaurant, lodging, office and residential. The district is divided by Cottonwood Creek with the commercial uses lining I35 on one side of the creek and office and residential located on the other side. Nearly 60 acres of open space is provided through a recreation easement along Cottonwood Creek and a trail system runs throughout the development.

HEB has been working with the owner, Stratford Land, to purchase approximately 17 acres in the

northwest corner of the district. Several requirements of the approved PDD require modification in order to allow HEB to build their typical store. Staff has worked with the land owner to draft these changes to the PDD while preserving the original vision and standards.

The major amendments include:

- Creation of a sub-area "A-1" on the Concept Plan for the HEB property;
- Separate development standards for sub-area "A-1";
- Architectural guidelines are required for each sub-area but may now be submitted at the time of site development, not preliminary plat;
- Carwash facilities are now a permitted use;
- Public amenities required in the original approved PDD for the open space area will not be required by HEB when Sub-area "A-1" develops;
- A POA (Property Owner Association) is responsible for maintenance of the Open Space and the creation of the POA may now be deferred until the residential or office develops;
- The trail system was revised to start at the corner of I-35 and McCarty, run along the HEB site to the creek and then south to a point of future connection to the Outlet Mall. Trails are required to be constructed as part of the public improvements for each sub-area including the HEB tract;
- Detention ponds may now be wet or dry; and
- The private drive language has been revised to allow for a cross-section that is more consistent with the proposed shopping center.
- Comprehensive sign package allowing for HEB's LED fuel signs

Development and Public Improvements Timeline: I35 and McCarty Area

2000	Center Point Transmission Line Improvements (16" W line - \$275,000)
2002:	Cottonwood Creek Sanitary Sewer Improvements (36" WW line – \$900,000)
July 2007:	TX State sells land to SLF II McCarty LP
October 2007:	PDD, ZC and FLUM applications submitted for 252 acres
July 2008:	14.2 acres dedicated by SLF II McCarty for McCarty Lane Road Improvements
October 2008:	PDD, Zoning and FLU approved by City Council
December 2008:	Embassy Suites/Conference Center Grand Opening
2010:	McCarty Lane/Loop 110 Road Improvements and 16' W line - \$7 million
June 2012:	Gas Lamp District PID Petition submitted
September 2012:	McCarty Commons PDD Amendment Application submitted

Planning Department Analysis:

The original concept of the McCarty Commons Planned Development District was to promote a multi-use development with a high quality approach to site access, building placement, massing, materials, architectural theming and pedestrian amenities. Staff has worked to maintain as much of this concept as possible while providing the necessary flexibility for HEB as detailed above.

A requirement for a private drive constructed as a commercial collector from I35 to McCarty has generated much discussion between staff and the applicant. The drive was included in the original PDD to meet the block-length requirement of the LDC as well as to provide pedestrian and emergency access. The applicant believes the drive interferes with the parking plan for HEB and has worked with staff to reduce the drive to a 34' cross-section in the amended PDD.

Staff feels an east-west road across the site connecting I35 to future SH 21 (within the proposed Gas Lamp District) provides a long-term solution to concerns about access and traffic circulation in the area

while eliminating the need for the private drive. There has been significant public investment in and around this tract to encourage development east of I35, and not linking I35 and SH 21 through two large developments would be short-sighted. This road could be located at the southern portion of the property.

The amendments in the document do not include language for the proposed east-west road from I35 to SH 21. However, the developer has agreed to pursue conversations with the City concerning the location and options for completion of this roadway.

The item is posted for public hearing and discussion by the Commission. Action will be taken after a second public hearing at a future meeting.

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

Prepared by:

Emily Koller

Planner

March 15, 2013

Name

Title

Date

McCARTY COMMONS
INTERSTATE HIGHWAY 35/McCARTY LANE SEC
PLANNED DEVELOPMENT (PD) DISTRICT
DEVELOPMENT STANDARDS

SAN MARCOS, TEXAS

~~SEPTEMBER 9, 2008~~

Amended and Restated March 7, 2013

Prepared For:

SLF II - McCarty, L.P.
5949 Sherry Lane, Suite 1750
Dallas, Texas 75225

Prepared By:

Baker-Aicklen & Associates, Inc.
100 N. Edward Gary Street
Suite 101
San Marcos, Texas 78666

Good Fulton & Farrell
2808 Fairmount Street
Suite 300
Dallas, Texas 75201

**McCARTY COMMONS
PLANNED DEVELOPMENT DISTRICT**

DEVELOPMENT INFORMATION

Property Owner: SLF II - McCarty, L.P.
Attn: ~~David R. Denison, Kevin Watson~~ Ocie Vest, Steve Sanders
5949 Sherry Lane, Suite 1750
Dallas, Texas 75225
Phone# (214) 368-9191
Fax# (214) 368-9192

Property: The 259.52 acre, more or less, tract of land as described in the attached Exhibit "A".

1. Purpose and Intent

- 1.1 This PD Overlay District is intended for adoption by the City Council of San Marcos to allow for the establishment of these zoning and development standards (the "Development Standards") for the McCarty Commons development (the "Development") in accordance with Sections 1.5.2.2 and 4.2.6.1 of the City of San Marcos Land Development Code ("LDC"). The LDC allows a mixture of uses, including compatible commercial and residential uses, within the Development. The Development cannot be implemented under the standard LDC zoning categories methodology and requires greater design flexibility for a successful development. The Property Owner, heirs, successors or assigns (the "Owner") intends for the application of this PD Overlay District to result in development superior to that which would occur using the zoning and subdivision regulations of the Development that would otherwise apply, and to allow for flexible planning and development of multiple uses throughout the Development which promote compatible and different levels of commercial and residential uses.
- 1.2 The purpose of this document is to provide direction and guidance regarding the Owner's interest in promoting a high quality multi-use development, enhancing quality of life values, protecting and improving investments, and encouraging economic opportunities. It is intended to promote an integrated, coordinated, high quality approach to site access, building placement and massing, materials, architectural theming, and pedestrian amenities.
- 1.3 The proposed land uses depicted on the Concept Plan graphic attached hereto as Exhibit "B" ([the Concept Plan](#)). This plan provides the foundation for development of the site.
- 1.4 The Development includes specific development standards as described herein for each Sub-Area and the overall Development. The Development shall adhere to all of the provisions of

these Development Standards. As to any standards not specifically addressed in these Development Standards, the Development shall adhere to the LDC standards in force at the time of submission of further development applications. All uses in the Development shall conform to the area, building and height standards in the applicable base zoning district unless specifically excepted in these Development Standards. These standards shall be utilized to establish the quality and character of anticipated development in the site. The Owner may appeal a denial of a development application based on the City Planning Director's interpretation of these Development Standards to the City Planning and Zoning Commission to determine whether the Planning Director's interpretation is reasonable.

1.5 The development guidelines, as stated in this document, are intended to provide a framework for future development. Prior to the approval of the first building permit or preliminary plat or site development plan for a specific piece of property within one of the designated sub-areas, the Owner shall submit a set of detailed site development and architectural guidelines that further clarifies the design criteria for that particular sub-area as generally described in Section 7 and 9 of this document. These guidelines shall include the following items:

- 1.5.1 The development's compatibility with the overall design guidelines in the Planned Development District.
- 1.5.2 One architectural elevation in color of each building type on the plan, depicting materials used and color palette selected.
- 1.5.3 Drawings depicting a specific landscape design concept and, specific landscape features. Also, as may be designated in each sub-area, community identification features and gateway elements that require integration with the overall design of the Development.
- 1.5.4 Drawings and design criteria depicting specific lighting features that require integration with the overall design of the Development of each sub-area.
- 1.5.5 Drawings and design criteria depicting specific signage elements that require integration with the overall design of the Development of each sub-area.

2. Vision

- 2.1 The vision for the Development is an architectural design approach that is inspired by the Texas Hill Country vernacular, and interpreted in a crisp, contemporary manner. This design shall incorporate a strong respect for the past, yet represent the region's future economic opportunities. Colors include a rich, deep color palette using tan, ochre, beige and terra cotta—weathered by time. Facade materials shall incorporate richly colored natural stone, brick, stucco and wood, and shall be used in combination to represent an honesty of materials, expressing a rough-and-tumble, yet refined style. Canopies, trellises and awnings shall be used to provide both visual interest and protection from the harsh Central Texas climate. Open spaces in the project shall be integral to the overall design, with public areas expressly used for the pedestrian referencing back to the Hill Country's wide-open spaces intended for the public domain. Finally, strategically placed landscaping through its use of both native flora and those that have adapted to the hot Texas sun and variable soil types shall serve to unify the various individual buildings into a seamlessly integrated development.
- 2.2 These Guidelines establish standards that are consistent with the special character and quality intended for the Development, and shall meet or exceed the standards set forth in the City of San Marcos LDC, or as set forth in Sections 7 and 9 below. The standards are

intended to assist design professionals, developers, and builders in the planning, design and implementation of site elements and improvements as well as establish and maintain a community image that supports the natural and man-made environment of the Development.

3. Development Standards Applicable to Sub-Areas

3.1 Requirements for Sub-Areas "A-1" "A-2" and "B"

- 3.1.1 Base zoning. The base zoning district is (GC): General Commercial.
- 3.1.2 Purpose. The (GC) General Commercial zoning district is intended to provide locations for limited (light) commercial and service-related establishments, such as wholesale product sales automotive supply stores, veterinary services, and other similar limited commercial uses.
- 3.1.3 Authorized Uses. Except as indicated below, all permitted and conditional uses by right permitted within this zoning district per LDC Table 4.3.1.2 are allowed. The following uses are specifically prohibited as either a Permitted or Conditional Use: (1) Check Cashing Service, (2) Call Service Center, (3) Cabinet Shop (Manufacturing), (4) washateria /laundry (self serve), (5) Studio Tattoo or Body Piercing, (6) ~~Carwash (self-service, full-service or automated)~~, (7) Auto Glass Repair/Tinting, (87) Tire sales (outdoors/storage), (98) Bingo Facility, (109) RV/Travel Trailer Sales, (1110) Maintenance/Janitorial Service, (1211) Pawn Shop, (1312) Portable Building Sales, and (1413) Temporary Outdoor Retail Sales/Commercial Promotion, (1514) Tool Rental (with Outdoor Storage), (1615) Gravestone/Tombstone Sales, (1716) Gun Smith, (1817) Auto Paint Shop, (1918) Truck Terminal, (2019) Metal Fabrication Shop, (2120) Moving Storage Company, (2221) Warehouse (Office and Storage), (2322) Outside Storage (as a primary use), (2423) Used Car Dealership/Sales, and (2524) Sexually oriented businesses and (2625) gaming facilities (eight liners, bingo halls and similar businesses). Any commercial or hotel use with on-site consumption of alcoholic beverages will be subject to the conditional use permit requirements in accordance with LDC Section 4.3.4.2.
- 3.1.4 Ancillary Outdoor Storage and Sales. The following outdoor storage and sales uses that are intended as ancillary uses for large ~~discount-super market~~ retailers and home improvement retailers larger than ~~80,000- 75,000~~ square feet shall not be prohibited as either a Permitted or Conditional Use: (1) Tire sales, (2) Outdoor Retail Sales/Commercial Promotion, (3) Tool Rental, (4) Warehouse and (5) Outside Storage (as a primary use).
- 3.1.5 Parking Regulations. All properties in Sub-areas A-2, B and C that have parking directly adjacent to open space in Sub-Area "E" ~~with parking areas will~~ shall provide signage stating that parking is allowed for use of the Parkland and should be located as close as possible to any trail head locations. Such Parkland parking areas will not be counted against the parking requirement for any land use and the number of Parkland parking spaces in any location shall be determined at the time of either site plan application or preliminary plat application, whichever occurs first.
- 3.1.6 Public Restrooms and Drinking Fountains. Each subarea adjacent to the open space in Subarea "E" shall provide directional signage where public restrooms and drinking fountains are available for users of the Parkland and shall be located as close to any trail head areas as possible.

3.2 Requirements for Sub-Areas "C" and "D"

- 3.2.1 Base Zoning. The base zoning district is (CC): Community Commercial
 - 3.2.2 Purpose. The (CC) Community Commercial zoning district is established to provide areas for quality larger general retail establishments and service facilities for the retail sale of goods and services. This district should generally consist of retail nodes located along or at the intersection of major collectors or thoroughfares to accommodate high traffic volumes generated by general retail uses.
 - 3.2.3 Authorized Uses. Except as indicated below, all permitted and conditional uses by right permitted within this zoning district per LDC Table 4.3.1.2 are allowed, including Multi-Family (Apartments), Single Family Detached House, Single Family Townhouse (Attached), and Single Family Zero Lot Line/Patio Homes. The following uses are specifically prohibited as either a Permitted or Conditional Use: (1) Check Cashing Service, (2) Call Service Center, (3) washateria /laundry (self serve), (4) Studio Tattoo or Body Piercing, (5) Carwash (self service, full service or automated), (6) Tire sales (outdoors/storage), (7) Bingo Facility, (8) Pawn Shop, and (9) Temporary Outdoor Retail Sales/Commercial Promotion, and (10) Auto Dealer, Used Auto Sales. Any commercial or hotel use with on-site consumption of alcoholic beverages will be subject to the conditional use permit requirements in accordance with LDC Section 4.3.4.2.
 - 3.2.4 Parking Regulations. All properties directly adjacent to open space in Sub-Area "E" with parking areas will provide signage stating that parking is allowed for use of the Parkland and should be located as close as possible to any trail head locations. Such Parkland parking areas will not be counted against the parking requirement for any land use and the number of Parkland parking spaces in any location shall be determined at the time of either site plan application or preliminary plat application, whichever occurs first.
 - 3.2.5 Public Restrooms and Drinking Fountains. Each subarea adjacent to the open space in Subarea "E" shall provide directional signage where public restrooms and drinking fountains are available for users of the Parkland and shall be located as close to any trail head areas as possible.
- 3.3 Requirements for Sub-Area "E"
- 3.3.1 Base Zoning. The base zoning district is (P): Public and Institutional District
 - 3.3.2 The (P) Public and Institutional District is intended to accommodate uses of a governmental, civic, public service, or public institutional nature, including major public facilities, state colleges and universities. The review of the location for public facilities is intended to facilitate the coordination of community services while minimizing the potential disruption of the uses of nearby properties. This district is intended for properties used, reserved, or intended to be used for a civic or public institutional purpose or for major public facilities.
 - 3.3.3 Authorized Uses. No Permitted and Conditional uses within this zoning district per LDC Table 4.3.1.2 are allowed except the following: (1) Park and/or Playground (Private), (2) Park and/or Playground (Public) and (3) baseball fields and soccer fields for practice only (not lighted).
 - 3.3.4 Open Space Regulations. The Owner will designate as open space approximately 57.5 acres of property as depicted as Sub-Area "E" on the Concept Plan attached hereto as Exhibit "B". A recreation easement shall be dedicated for the Open Space area by either a final plat or separate instrument approved by the City Attorney concurrent with or prior to the first final plat for either Sub-area "C" or "D". The Open Space will be maintained by a property owners association (the "POA") created

by the Owner for the administration of all of the Development. The documents forming the POA will be subject to approval by the City Attorney, and the Owner will submit the final approved version to be filed in the public records at the same time as the first final subdivision plat for ~~the Development~~ Sub-area "C" or "D", whichever develops first, is filed. The Open Space may include improvements such as trails, ponds with fountains, lighting, park benches, landscaping, irrigation, public art and accessory building structures such as gazebos. Property Owners Association (the "POA") and the recreation easement to be approved by the San Marcos City Attorney, Parks and Recreation Commission and the P&Z prior to final platting.

- 3.4 Detention and Landscape Regulations. Exceptions to the City Development Standards are as follows:
- 3.4.1 Detention ponds designed as water features shall not be required to have a security fence around its perimeter.
 - 3.4.2 Detention ponds shall not be allowed within a floodway or water quality zone, but may be allowed within a floodplain or buffer zone as long as the ponds do not increase the base flood elevation of the floodplain or floodway.
 - 3.4.3 Large shade trees are not required for parking lots when the parking areas are located in utility easements under overhead electric lines. Small ornamental trees may be substituted.

4. Park Land and Open Space.

- 4.1 The 57.5 acres, more or less, of Open Space (Shown as Sub-Area "E" on Exhibit "B") will be owned and maintained by the POA and open to the general public including the following:
- 4.1.1 A minimum of ~~two~~ one pedestrian access points from Sub-Areas "A-2" and "B" to the Open Space shall be open to the general public and ~~two~~ one pedestrian access points from Sub-Area "C" shall be open to the general public.
 - 4.1.2 Approximately 7.5 acres of drainage swale and easements.
 - 4.1.3 Approximately 10 acres of detention ponds yielding about 40 acres of net useable park land and open space suitable for use in active programmed park activities and passive park areas.
 - 4.1.4 The developer will construct an on-site trail system consisting of an eight foot (8') wide ~~asphalt concrete~~ (or similar material to be approved by the City) trail. The trail may be constructed in phases ~~and should generally be constructed~~ along with the respective areas of development. The trail system shall be considered part of the public improvements for the site and installation will be required at the time of final plat for each sub-area. A master plan of the trail system is shown on the Concept Plan. ~~will be submitted prior to or concurrent with the first preliminary plat or site plan for any Sub-Area.~~
 - 4.1.5 Concurrent with the first development of Sub-Areas "A-1" "A-2" and ~~for~~ "B", The developer of each respective Sub-Area will coordinate with the City to construct portions of a trail to connect the intersection of McCarty Lane and I-35 with the Outlet Mall (subject to the Outlet Mall approval) running generally east-west along the south side of McCarty Lane, the south along the west side of Cottonwood Creek to the Outlet Mall, as generally shown on the Concept Plan. ~~along the east side of the future pad sites fronting I-35.~~ Each Sub-Area "A-2" and "B" will also provide a

minimum of one trail connection to Sub-Area "E". ~~In the event that the development of Sub-Areas "A" and "B" are phased, the developer may construct a temporary trail using asphalt paving through the undeveloped areas.~~

- 4.1.6 Concurrent with the first development of Sub-Areas "C" and/or "D", the developer will construct a trail that will make a loop of about one mile in length. The trail loop will be on the east side of Cottonwood Creek along Sub-Area "C" and extend into development tracts within Sub-Areas "C" and "D". This phase of the trail construction will also include the pedestrian crossings of Cottonwood Creek to connect to the trail stub-outs from Sub-Areas "A" and "B".
- 4.1.7 The developer of Sub-Areas "A-2" and "B" will construct the water feature/detention pond on the west side of Cottonwood Creek concurrent with and designed to accommodate their respective development. Further, the developer of Sub-Area "C" will construct the water feature/detention pond(s) on the east side of Cottonwood Creek concurrent with and designed to accommodate their respective development. The water feature/detention pond for Sub-Area "C" shall be sized so as to also accommodate the detention needs for Sub-Area "D". In the event that Sub-Area "D" develops before Sub-Area "C", then a drainage easement will be provided across Sub-Area "C" to allow the storm water to be detained in the water feature/detention pond on the east side of Cottonwood Creek. Detention ponds may be dry or wet.
- 4.1.8 The water features, which may also serve as detention ponds, ~~will have a decorative fountain and~~ may include a source of make-up water to keep the water features at a consistent water level.
- 4.1.9 The combined baseball/soccer field will be constructed concurrent with the first residential development in Sub-Area "C" and is intended primarily for use by the residents of McCarty Commons for practice only and not used for games or other programmed events. The fields will not be lighted. The City Parks and Recreation Department will coordinate any programmed events such as use of the practice fields and passive open space with the POA.
- 4.1.10 The Park and Open Space area will be owned and maintained by the POA established for the McCarty Commons project.
- 4.1.11 Concurrent with or prior to the first final plat for either Sub-Area "C" or "D", The developer will provide a Park and Open Space easement, either by final plat or by separate instrument, to the City along with corresponding deed restrictions to ensure that the Park Land and Open Space area (Sub-Area "E") will be restricted to only those uses in perpetuity.
- 4.1.12 The Park Land and Open Space land and improvements contained within Sub-Area "E" will satisfy all the park land and open space requirements for McCarty Commons.
- 4.1.13 The trails and unimproved open space areas within Sub-Area "E" will be open to the public.
- 4.1.14 The developer will work with the owners of the Prime-Premium Outlet Mall to attempt a coordinated effort to connect the trail system to the mall site to the south.

5. Revisions of the PD District and Exhibit "B".

- 5.1 Minor Revisions. The respective property Owner of each Sub-area may submit a request for administrative approval of minor revisions to these Development Standards or Exhibit "B". The City Planning Director may approve a minor revision subject to limitations in the LDC, if the Director determines that the revisions do not substantially impact the nature or purposes

of the approved PD, whether individually or cumulatively, including (i) areas that are part of a final plat and (ii) the overall intent of the Development Standards or Exhibit "B". The Planning Director's approval of any minor revision shall be in writing. The following shall be considered a minor revision, subject to limitations in the LDC:

5.1.1 A minor change in the size or configuration of a lot, if the Director determines that the basic layout of the Development remains the same and Exhibit "B" functions as well as before the revision. A licensed architect, landscape architect, and/or engineer shall design all improvements.

5.1.2 Other minor adjustments to Exhibit "B" that the Director deems a minor revision.

5.2 Major Revisions. Any revision or change to these Development Standards or Exhibit "B" which is not categorized as a "minor revision" above or otherwise deemed a "revision" by the Director shall be a "major revision" and shall be subject to approval following the City's procedure. Adding land area to the District is considered a major revision.

6. Residential Types

6.1 All Single Family Detached lots within the Development shall comply with all standards set forth by the City of San Marcos zoning regulations designated as SF-6 (Single-Family District), SF-4.5 (Single-Family District) and PH-ZL (Patio Home, Zero-Lot-Line Residential District) except as modified by additional development standards for McCarty Commons attached hereto as Exhibit "C".

6.2 All Single Family Attached (as platted lots) within the Development shall comply with all standards set forth by the City of San Marcos zoning regulations designated as TH (Townhouse Residential District).

6.3 All Multi-Family within the Development shall comply with all standards set forth by the City of San Marcos zoning regulations MF-24 (Multiple Family Residential District).

7. Architectural Guidelines for Sub-Areas "A-2" "B" "C" "D" and "E"

7.1 Theme and Character

7.1.1 Architecture and the built environment make many important contributions to San Marcos's visual context. Due to the importance of these elements, all architectural styles should produce a cohesive visual framework while maintaining architectural variety. All architecture should reflect high quality and craftsmanship, both in design and construction. The use of unusual shapes, colors, and other characteristics that cause disharmony should be avoided.

7.2 Building Massing and Building Envelope

7.2.1 The massing of architectural form is the one gesture that articulates a building's integrity from all but very close views. It is the sculpture of the building and it should stand on its own, while remaining related to the scale of the landscape and other buildings in the development. Each building in the Development should complement its site. This is achieved through thoughtful attention to the massing and integration of each building's architectural components with the site and surroundings.

7.2.2 Buildings should be designed with a logical hierarchy of masses in order to highlight important building volumes and features, such as entries. This simple, yet varied massing of a development should promote a human-scaled, commercial character, with all primary retail entries being clearly delineated. The design and location of building entrances should take into account the quality of pedestrian circulation, landscaping and protection from the elements. Building entrances should be clearly visible from the street and be marked by canopies, awnings, raised parapet or roof treatment.

7.3 Architectural Variety

7.3.1 A Texas Hill Country style should be reflected through the use of natural materials and textures.

7.3.2 Buildings with multiple uses or tenants should be designed to appear as attached or clustered buildings while paying careful attention to the interconnecting quality of landscaping, open space and pedestrian areas. Development should not be designed exclusively as a collection of detached, separate pad buildings as this is the least desirable arrangement for providing well-integrated built environments. Separate, freestanding sites developed within a retail center should be integrated into the site design in terms of parking lot layout, on-site vehicular and pedestrian circulation routes, landscaping, and building design. The building design of pads should be complimentary to the surrounding center in terms of scale, proportion, materials, colors and design details; hence, franchise tenants are encouraged to incorporate their individual architectural style with the overall look of the Development.

7.4 Building Height

7.4.1 Building height and profile should be in scale with the surrounding structures and topography.

7.5 Exterior Surface Materials and Colors

7.5.1 All buildings within the Development should be designed with a high level of detail, with careful attention to the combination of and interface between materials. Materials chosen shall be appropriate for the theme and scale of the building, compatible with its location within the development, and expressive of the community's desired character and image. The Owner will review all exterior materials as to type, color, texture and durability, as well as the extent of use of any single material or combination of materials.

7.5.2 Reflecting the vision of the Development, the development guidelines call for exterior materials that express the natural environment and range of natural materials found in Central Texas. In order to achieve this design intent, a limited palette and range of exterior materials, colors, textures and finishes have been selected for all construction within the Development based on three native limestone colors: Leuders, Cordova Cream, and Shell Stone, or a similar matching manufactured stone. Comparable materials in color, finish, durability, and quality may be substituted with the approval of the Owner.

7.5.3 Achieving a high quality of architectural design for all buildings within the Development is considered a principal goal of the design guidelines. Architectural façades that clearly define a base, middle and cap are strongly encouraged. These materials should be responsive to climate, adjacent context, site orientation and

building usage. A variety of textures and natural materials should be used to provide visual interest and richness, particularly at the pedestrian eye-level.

7.5.4 For building façades of structures in the Development that are constructed primarily of stone masonry, this would include clay-fired brick, natural stone and cast stone. E.I.F.S. is not permitted as a building façade material. If such a finish is desired, stucco on masonry backup or a mechanically fastened system is suggested. Durable materials such as terra cotta and metal fascia are encouraged for architectural detailing and accents where appropriate. A more articulated use of details and accent materials are encouraged at building entries.

7.5.5 Brick masonry should not include liberal use of historical details such as quoins, soldier and coursing, patterned lay-ups or, articulated window headers and sills. Masonry veneers shall be consistent on all elevations and not be used as the predominant material. Mortars are to be cream or natural unless specifically approved by the Owner. Brick size shall be limited to modular.

7.5.6 Stone masonry joints shall be raked clean where appropriate, and held to a maximum of 1" in width. A 4'x4' sample lay-up of all stone masonry is required on-site, to be reviewed prior to installation of the stone. Tilt slab concrete wall construction is permitted, but all exposed panels must have an architectural finish. Tilt slab concrete walls shall have a smooth painted finish, sandblasted finish or a light-colored, exposed aggregate finish with aggregate not to exceed 1 inch in size. Concrete foundation walls shall not be exposed in excess of 12" and shall be faced or finished to blend with the general architectural design of the building.

7.5.7 The following are prohibited except with the expressed written consent of the Owner:

- Metal structures such as sheds
- Standard Concrete Masonry Units
- Reflected Glass
- Clay Tile Roofs
- Wood Shingles

Metal used as a building material other than for a roof requires a Conditional Use Permit (CUP) under the Land Development Code (LDC). The developer must have consent of the Owner, and the CUP must be approved by the P&Z if required by the LDC.

7.5.8 The use of color shall generally be restricted to earth tones or natural colors found in the immediate surroundings, and shall apply equally to additions and/or alterations to existing structures as well as to new detached structures. Garish or unusual colors and color combinations, and/or unusual designs are discouraged. No bright, unfinished or mirrored surfaces will be allowed.

7.6 Roofs

7.6.1 Sloped roofs for commercial structures within the Development should generally exceed a 6:12 pitch. In order to establish harmony within the community, mansard, gambrel, and A-frame roof styles will not be allowed.

7.6.2 All metal, roofing, flashing, or miscellaneous sheet metal, shall be factory finished or have an Owner approved field finish. All exterior metals should be galvanized, or Galvalume or have a 20 year guaranteed and warranted paint system, with at least a 70% Kynar resin and mix in the paint. All roofing systems must have hidden mechanical fasteners if possible. Any exposed fasteners must use neoprene insulators. The minimum thickness for metal roofing and flashing should be 24 gauge.

7.6.3 Roofing surfaces may include a built-up membrane. No wood shingles are permitted. Built up roofs and rooftops, which include equipment, piping, flashing, and other items behind the parapet walls shall be periodically painted and maintained for continuity of the roof appearance.

7.6.4 The Owner's approval is required for rooftop equipment and accessories, unless specifically accepted in this section. All rooftop mechanical equipment shall be screened from neighboring development and public open space. Exposed flashing, gutters and downspouts shall be painted to match the fascia and siding material of the building. Any solar equipment and skylights shall be architecturally compatible with the building.

7.7 Canopies and Awnings

7.7.1 The use of canopies and awnings is strongly encouraged by the Owner. The materials and colors shall be the same or generally recognized as being complementary to the exterior of the building. Awning material may be cloth (such as sunbrella), standing seam metal or glass and steel. Translucent backlit awnings (with or without graphics) are not permitted in Development. Awnings and canopies must be a minimum height of eight feet (8') above the adjacent sidewalk surface. Each multi-tenant building shall have windows or storefronts in sections that include a canopy, trellis, arcade or awning of a minimum overhang of three feet (3') beyond the face of the glass. A pitched roof that extends beyond the wall over the windows can be used to meet this requirement.

8. Architectural Guidelines for Sub Area A-1

8.1 All commercial construction and buildings within the Sub Areas A-1 shall comply with the Exterior Materials Building standards set forth by the City of San Marcos Land Development Code, Section 4.4.2.1, including the use of split-face masonry unit as a permitted wall material.

8.2 All commercial construction and buildings within the Sub Areas A-1 shall comply with the Exterior Design of Buildings standards set forth by the City of San Marcos Land Development Code, Section 4.4.2.2, and City Technical Manual except as listed below:

A.—8.2.1 Horizontal and Vertical Offsets in exterior building design as shall not be required for facades more than 100 ft from McCarty Lane or 300 ft from Cottonwood Creek.

7.8.9. Sign Design Standards

7.8.19.1 Freestanding signs cannot exceed the heights and sizes as shown on the Project Master Signage Plan attached as Exhibit F and the requirements of the LDC in height size or operation characteristics including Changeable Electronic Variable Message signs (CEVMs) or other restrictions of the LDC.

7.9-10. Lighting Standards

7.910.1-Lighting standards shall be in conformance with the City of San Marcos LDC lighting standards.

8.11. -Pedestrian Connectivity and Access

- 8.1** 11.1 Pedestrian and cyclist movement both within and traversing the site should be taken into consideration. It is desirable that access points for pedestrians be separated from vehicular access points, be clearly recognizable, and provide a safe and direct route to the development. Bicycle access to the site will usually be via the surrounding road network and the vehicle access points. Both the roads and the access points need to be provided adequately for both vehicles and bicycles.
- 8.2** 11.2 All lots shall meet the City of San Marcos LDC standards for sidewalks and bike paths.
- 8.3** 11.3 As shown on the Concept Plan graphic Exhibit "B", a private drive constructed as a commercial collector and access easement is being provided to connect the Interstate 35 frontage road to McCarty Lane at the existing median break. This private drive and access easement will provide the necessary City emergency access and will satisfy the block length requirement in this area. The private drive shall be designed in cross section per Exhibit "E" and striped with a center turn lane. Driveway spacing along the private drive shall be limited to 100', except along the east side of that portion of the drive that crosses Sub-Area "A-1". A sidewalk shall be constructed along the west side of the private drive. The sidewalk and private drive shall be located within an Access Easement dedicated to the City.

9.12. Landscape Architecture

- ~~9.1—12.1 Landscape standards shall be in conformance with the City of San Marcos LDC standards.~~
- ~~Along with the architectural look of the project, the landscaping used has the best opportunity to tie the project together. Consideration should be made as to the image the project is trying to achieve. A common issue in many developed landscapes is a lack of attention to the overall effect created. Species should be carefully controlled so that a harmonious and pleasant landscape can be created. Tree and shrub requirements shall meet or exceed all requirements within the City of San Marcos' Landscape Ordinance. All development shall comply with the City of San Marcos LDC water conservation and drought regulations, standards and practices.~~
- ~~9.2—In keeping with the landscape theme of Development, it is important that all commercial landscapes blend with the surrounding environment. Careful integration of site grading, architecture and landscaping will accomplish this, while also maximizing each site's potential. Thoughtful attention to landscape design will ensure that as each commercial site is completed, it will become an integrated element in the overall character of the Development. To further this goal, it is important to preserve and incorporate native plant material and existing trees into each proposed landscape design.~~
- ~~9.3—Landscape design interest should be created through the use of plant materials, enhanced pavement materials, and publicly accessible accent features such as sculptures and fountains. Such plants should emphasize the design elements of form and texture as well as the seasonal nature of environmental changes.~~

~~10. Plant Materials~~

~~10.112.2~~ Plant materials for the Development shall comply with all requirements with the City of San Marcos LDC. Refer to Section 1.5 of this document for design standards for future site development.

~~11~~ **13. Water Features**

~~11.113.1~~ Water features, if installed, may incorporate ~~should adhere to~~ the following guidelines to achieve and maintain high water quality:

~~11.1.1~~ 13.1.1 All water elements should have a pump and filter system providing automatic water re-circulation and cleaning.

~~11.1.2~~ 13.1.2 Large bodies of water should have an appropriate edge to prevent shoreline erosion.

~~11.1.3~~ 13.1.3 Bottom slopes and depth of water should be designed both for public safety and to prevent algae growth.

~~11.1.4~~ 13.1.4 Water features should have suitable liners to minimize water loss through percolation.

~~11.1.5~~ 13.1.5 Water banks and shorelines should be landscaped with plant species that require little or no fertilization or pesticides and that do not drop large quantities of leaves and twigs.

~~11.1.6~~ 13.1.6 A mosquito abatement program should be developed and implemented in conformance to local governmental requirements.

~~11.1.7~~ 13.1.7 Large bodies of water and other water features should not be used for swimming, wading or other human activities other than as may be required for maintenance.

~~11.1.8~~ ~~The developer of Sub-Areas "A" and B" will construct water features and detention area(s) on the west side of Cottonwood Creek concurrent with their respective development. The developer of Sub-Area "C" will construct water features and detention areas on the east side of Cottonwood Creek concurrent with their respective development. The development's POA is responsible for maintenance of all water features and detention ponds.~~

EXHIBIT "A"

THE PROPERTY

EXHIBIT "C"

Development Standards

Subarea	Proposed Zoning	Max. Density (DU/AC)	Max. Imp. Cover (%)	Max. Building Height (FT)	Min. Landscape Area (%)
A	General Commercial	na	80	na	20
B	General Commercial	na	80	na	20
C	Community Commercial	na	80	na	20
	SF-6	5.5	60	42	na
	SF-4.5	7.5	60	42	na
	PH/ZL	7	75	42	na
	TH	12	70	42	25
	MF-24 Office	24 na	75 80	45 na	25 20
D	Community Commercial	na	80	na	20
	SF-6	5.5	60	42	na
	SF-4.5	7.5	60	42	na
	PH/ZL	7	75	42	na
	TH	12	70	42	25
	MF-24 Office	24 na	75 80	45 na	25 20
E	Public District	na	20	na	na

Color Legend:

-  Increased city minimum standard
-  Increased city maximum standard
-  Decreased city maximum standard
-  Same as city standard

EXHIBIT "D"

Trails Master Plan

Exhibit ~~"E"~~ "D"

Signage Master Plan

McCarty Commons / H-E-B / Pylon and Fuel Signage / San Marcos, Texas

10 SITE PLAN
SCALE: NTS

McCarty Commons is a 250-acre, mixed-use parcel located on Interstate 35 in the southern portion of San Marcos, Texas. The property is located at the southeast corner of the intersection of Interstate 35 and McCarty Lane. The Traylor Outlet Mall and San Marcos Premium Outlets are located along Interstate 35 immediately to the south of the property. Immediately to the north of the property is the San Marcos Convention Center and the 2015 event Embassy Suites Hotel.

McCarty Commons is located at the southeast corner of the intersection of Interstate 35 and McCarty Lane in San Marcos, Texas. Whiting's Outlet Mall and San Marcos Premium Outlets are located along I-35 immediately to the south of the property. Immediately to the north of the property is the San Marcos Convention Center and an attached 200-room Embassy Suites Hotel. San Marcos High School is located off McCarty Lane approximately one-half mile to the east of the project.

- SIGNAGE TYPES**
- ST 1.0 PRIMARY PYLON
 - ST 1.1 ANCHOR SUB-FRAMED PYLON
 - ST 2.0
 - ST 2.0 42'x42'x6.5' PYLON
 - ST 3.0 25'x42'x6.5' PYLON
 - ST 3.1 12'x20'x6.5' PYLON
 - ST 4.0 16'x16'x6.5' PIERCE



McCARTY COMMONS
1.33 @ McCARTY LANE
SAN MARCOS, TEXAS

Site: DDC/12/1/2013
Last Revision: 08/25/2015
Drawing # 02/09/2014 (Signing)

Design/
SAs: BEN JACILIN
BOB STROCK

Revision Hist.
1)
2)
3)



McCarty Commons / H.E.B. and Development Pylons / San Marcos, Texas



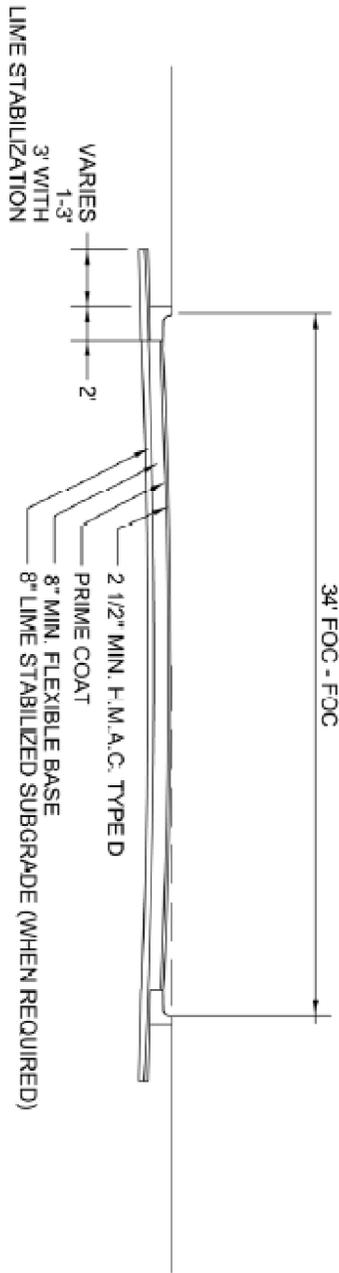
11 McCarty Commons / Signage Lineup
SCALE: 1/8" = 1'-0"



<p>RF Facility Solutions Group</p> <p>10017 EASTRIDGE TOWER, AUSTIN, TEXAS 78754 800.221.1111 512.224.2000 www.rfgroup.com</p>	<p>McCARTY COMMONS 1550 McCARTY BLVD SAN MARCOS, TEXAS</p>	<p>Start Date: 12/2013 Job#: 0212072 Drawing #: 021487/55/031_1.mxd</p>	<p>Design: BOB GILIN 5/86/7 BOB STODOLCK</p>	<p>Revision: 1 2 3</p>	<p>Corten Steel Finish</p>		<p>RED WALLS BLACK FAS BLACK FAS 200' x 100' x 10' (10' x 10' x 10')</p>	<p>NIBER CONSTRUCTION LISTED</p>
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EXHIBIT ~~"F"~~ "E"

Private Drive Cross Section



McCARTY COMMONS

CROSS-SECTION OF PRIVATE DRIVE CONNECTING IH-35 TO McCARTY LANE

NOTES:

1. BASE COURSE TO EXTEND BEYOND CURB 0.3 m (1') FOR SOILS WITH PI OF 20 OR LESS, 0.9 m (3') FOR ALL OTHER SOILS.
2. 100 mm (4") MINIMUM THICKNESS OF BASE UNDER CURB.
3. PAVEMENT THICKNESS IS A MINIMUM, ACTUAL THICKNESS TO BE DETERMINED BASED ON COMPUTERIZED PAVEMENT DESIGN.

LJA Engineering, Inc.

5316 Highway 290 West
 Suite 150
 Austin, Texas 78736



Phone 512.439.4700
 Fax 512.439.4716
 FRN - F-1396

McCARTY COMMONS

**CROSS SECTION OF PRIVATE DRIVE
 CONNECTING TO I-35 TO McCARTY LANE**

McCarty Commons/Gaslamp Concept Plans



Agenda Information

AGENDA CAPTION:

Comprehensive (Master) Plan. Hold a Public Hearing and consider a recommendation to the City Council for adoption of the Final Draft of the Comprehensive (Master) Plan - Vision San Marcos: A River Runs Through Us - to guide the growth and development of the City of San Marcos.

Meeting date: March 26, 2013

Department: Development Services

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

CITY COUNCIL GOAL:

Strengthen the Middle Class, Encourage Strong Neighborhoods, Education and Workforce

BACKGROUND:

A COPY OF THE MOST CURRENT DRAFT OF THE PLAN, THAT WILL BE DISCUSSED, WAS DISTRIBUTED TO ALL MEMBERS OF P&Z WHO WERE PRESENT AT THE MEETING OF MARCH 12, 2013. ADDITIONAL COPIES WILL NOT BE PRODUCED FOR THE MEETING OF MARCH 26, 2013.

This item includes a public hearing and a provide a staff update of the Comprehensive Master Plan schedule moving forward. After over a year of meetings and public events, the Steering Committee with recommendation from the Citizen's Advisory Committee has created a Final Draft of the Comprehensive Plan - Vision San Marcos: A River Runs Through Us. This document will replace the Horizons Master Plan and is a visionary planning tool for the community.

ATTACHMENTS:

P&Z Memo

Cover Memo

Sherwood Bishop's Email

Card with Website and QR Code



MEMO

TO: PLANNING & ZONING COMMISSION
FROM: MATTHEW LEWIS, CNUA, DEVELOPMENT SERVICES DIRECTOR
DATE: March 20, 2013
RE: Recommendations for Vision San Marcos: A River Runs Through Us

At the charge of the Planning and Zoning Commission at their February 26, 2013 meeting, the Citizen's Advisory Committee and Steering Committee met on March 6th to discuss adding language to the Plan on two topics: 1) The University and 2) Workforce Development & Poverty.

Many items were approved by the Committees and are incorporated in the draft document dated March 12, 2013. A list of these updates can be found at the end of this memo.

Some items which were presented on March 6th were not discussed, were denied and / or were not incorporated into the draft document.

Immediately following the Citizen's Advisory Committee meeting on March 6th, the Steering Committee voted to have those items that were denied presented to the Planning and Zoning Commission for consideration.

The Comprehensive Plan Committee Handbook includes an Organizational Chart which states *"In a case where the CAC makes a recommendation that the Steering Committee does not approve, the chairs and vice-chairs of the two committees will work to reconcile the issue. The item may be returned to the CAC if no resolution is possible"*

In accordance with that process the Chairs and Vice-Chairs met on March 18th to discuss the items which were denied. At the time of that meeting, the authors of the recommended changes, the business community, reduced their request to five items. The Chairs and Vice-Chairs determined that they would meet with the business community in order to gather more information on the requested changes.

On March 19th, the Chairs and Vice-Chairs met with the business community representatives and held a dialogue in reference to the items that were still pending. At that meeting, a compromise was reached. Three changes to the document are being proposed at this time as a result of this meeting.

The items which the chairs and vice-chairs compromised on are as follows:

Pg 44	
Vision Statement	We envision San Marcos to have a strong, more comprehensive foundation of safe stable neighborhoods while preserving and protecting the historical, cultural and natural identities of those neighborhoods.

Pg 51	
Goal 2, Objective 2	Develop a multimodal transportation system that integrate with existing and proposed University and regional systems

Pg 109	
Last sentence	In addition , it is recommended that notice be sent to all relevant community stakeholders including the neighborhood representative(s) from the Council of Neighborhood Associations (CONA) on record with the city.

In addition, staff received the following community comments. The first item was discussed and a compromise was reached, at the chair and vice-chair meeting, to incorporate the following language:

Pg 47		
Sherwood Bishop	after:	<i>Goal 3: A vibrant central arts district and robust and-accessible</i>
	add:	arts and cultural educational opportunities for residents everyone (see attachment)

Pg 47		
Sherwood Bishop	change:	<i>Goal 3, Objective 2</i>
	to:	Establish an Arts District Development Task Force to identify the location for, and implement the creation of, the Central Arts District
	or:	Establish an Arts District Development Task Force (see attachment)

The following items are those that were approved by the Citizens Advisory and Steering Committees at their meeting on March 6th and are incorporated in the most recent version of the document, found online.

Pg 11	
	Re-write of entire Preface to incorporate language on the University and economic success / stability

Pg 36	
Goal 5, Objective 3	Develop a standard process for reviewing and scoring prospects for incentives with weight only going to projects that create ...

Pg 54	
add to end of first paragraph	Texas State is the largest employer and an economic engine for San Marcos and the entire region. Partnering with Texas State University utilizing the city's resources will create an economic stimulus.

Pg 54	
last paragraph	In 1965, The 1,350 acre San Marcos Municipal Airport was deeded to the City by the Air Force Federal Government, and today the airport has become a distinct economic development asset

Pg 55	
first paragraph remove:	" ; an amount that represents approximately 2,700 employees. "

Pg 55	
top of last column	Businesses that provide long-term sustainable employment opportunities should be encouraged in the employment centers

Pg 57	
Last column	Workforce readiness, poverty and education are all directly related. While the Core 4 noted the growing need for a technically skilled workforce, it is important to continue to stress the need for obtaining the highest relevant education. San Marcos will increase its per capita income by developing a stronger workforce and promoting educational attainment.

Pg 77	
Current	Remove Pioneer Bank

Pg 114	
Addendum	Added Employers section



PLANNING &
DEVELOPMENT SERVICES

MEMO

TO: CITY COUNCIL / PLANNING & ZONING COMMISSION
THRU: JIM NUSE, CITY MANAGER
FROM: MATTHEW LEWIS, DIRECTOR OF PLANNING & DEVELOPMENT SERVICES
DATE: February 13, 2013
RE: Vision San Marcos: A River Runs Through Us
A COMPREHENSIVE (MASTER) PLAN FOR THE CITY OF SAN MARCOS

Following a year-long public process, the Comprehensive Plan Steering Committee and Citizen's Advisory Committee along with consultants and city staff have created a visionary planning document for the City of San Marcos. The purpose of this plan is to guide the growth and development in appropriate areas of the city and identify land for preservation.

The process for creation of this document revolved around the public. The visioning process involved web-based crowd sourcing and workshops. Goal setting was the task of the Citizen's Advisory Committee. The preferred scenario that drives this plan was derived from public input during workshops and the week-long design rodeo. Consultants were utilized for technical analysis; however their direction also came from the input from workshops and the design rodeo.

Vision San Marcos: A River Runs Through Us is intended to be a user friendly plan for city staff as well as the general public. Recommendations for implementation of the plan are found in the Vision, Goals and Objectives section. The community derived objectives provide direction for achieving the goals and ultimately the preferred scenario.

The plan is divided into six focus areas which are linked to the Vision Statements for Economic Development; Environment and Resource Protection; Land Use; Neighborhoods and Housing; Parks, Public Spaces and Facilities and Transportation. A Citizens Advisory Subcommittee was assigned for each topic throughout the process.

Changes presented in this plan will ultimately result in a necessary revision to the Land Development Code (LDC) in order to ensure development aligns with the intent of the plan. A preferred scenario map was created during the design rodeo that illustrates locations where residents of San Marcos wish to see growth and development. The Land Use Intensity Matrix outlines general uses for the various development areas and should be utilized as a guide in updating the LDC.

Finally, the plan recommends changes to current policy and city operations. It is recommended that Land Use Amendments only be considered twice a year and that the plan be utilized for ranking and scoring Capital Improvement Plan (CIP) projects. The CIP projects will further align the community vision and the implementation of the plan. An annual review schedule is also provided to ensure that evaluation of the plan continues.

This plan was developed with passion and clear intentions by the community the next steps of adoption and implementation are critical to create the future of San Marcos.

March 12, 2013

Dear Commissioners,

During the process of changing the format of the Vision San Marcos Comprehensive Plan, two parts of Goal 3 under Parks, Public Spaces and Facilities was changed, I believe inadvertently, in ways that seriously undermine its meaning.

The wording of Goal 3 in the “Final Draft” is:

"A VIBRANT CENTRAL ARTS DISTRICT AND ROBUST AND ACCESSIBLE EDUCATIONAL OPPORTUNITIES FOR RESIDENTS"

I believe that goal should read: "A VIBRANT CENTRAL ARTS DISTRICT AND ROBUST AND ACCESSIBLE **ARTS AND CULTURAL** EDUCATIONAL OPPORTUNITIES FOR RESIDENTS"

The wording, without “Arts and Cultural” was chosen for an earlier draft of the Master Plan in which Goal 3 temporarily included expanding the San Marcos Library. The Library expansion has now been moved to a different goal.

Various aspects of general education are discussed in several other parts of the Vision San Marcos document. Goal #3 under Parks, Public Spaces & Facilities was written specifically as the (only) arts and cultural one, so I believe adding “arts and cultural” back into this goal is essential to specifying its aim.

There are three Objective listed under this goal.

Create funding mechanism(s) for the area designated as the Central Arts District

Establish an Arts District Development Task Force to identify a minimum of five areas within preferred scenario for public art

Develop Art in Public Places Program, identify areas of the city that could be used for murals/ public art displays

The second objective is to “Establish an Arts District Development Task Force” which would oversee the development of the Central Arts District specified in the Goal statement. Unfortunately, somehow, the phrase “to identify a minimum of five areas within preferred scenario for public art” was inadvertently added to this objective. However, the Central Arts District has, from the beginning, been envisioned as a center with art galleries, studio space, museums, performance space(s), etc., not as a place for exhibiting public art (although public art, such as sculptures, may be there too).

I suggest that the wording of this objective be changed to “**Establish** an Arts District Development Task Force to identify the location for, and implement the creation of, the Central Arts District” or perhaps, just, “**Establish** an Arts District Development Task Force” as it was in previous versions of the Master Plan.

I have attached pages from earlier versions of the Master Plan so you can see the original intent and wording of this Goal and Objective.

My address and contact information are at the bottom of this email.

Thank you for your consideration,
Sherwood Bishop

ARTS GOAL & OBJECTIVES, DECEMBER, 2012.

<p>PPF-G2 Promote the creation of a central arts district</p> <p>PPF-G2-01 Identify a set of the City where a arts and other public spaces could be used for murals, public art displays</p>	<p>Identify site or that allow for the creation of public art displays in IDE regulated or also for outdoor art</p>	<p>Adopt a percent for art ordinance requiring public art to be installed as part of new urban development projects and public projects</p>	<p>Identify areas along the River Corridor for public art in scale of art development</p>		
<p>PPF-G2-02 A art or identify companies and organizations for public/private partnerships to achieve art district goals.</p> <p>PPF-G2-03 Establish an Arts District Development Task Force – members should include business owners, artists, economic development staff, and planning department staff, members of Downtown Association, University staff, and Arts Commission</p> <p>PPF-G2-04 Create grants and development incentives to promote private investments in the arts district and create sustainable funding sources for the arts</p> <p>PPF-G2-05 Encourage and assist in the development of local, non-profit organizations to serve as an advocate for the district and to serve as a management/marketing group for the arts district.</p> <p>005-63 Provide staffing to assist in district activities</p>	<p>Identify a list of the central arts district based upon existing cultural assets, viability for scale, gallery, and performance venues, and/or business that will support the economic district, all.</p> <p>Consider Task Force in Redwinton Zone for the designated area.</p>	<p>Consider Task Force in Redwinton Zone for the designated area. Identify spaces for public art.</p> <p>Consider Task Force in Redwinton Zone for the designated area. Identify spaces for public art.</p>	<p>Identify areas along the River Corridor for public art in scale of art development</p>	<p>Implement Percent for Public Art Policy</p>	<p>Create funding for an arts council program.</p>

Parks, Public Spaces and Facilities

We envision San Marcos with safe and attractive public spaces and facilities, which provide a wide range of amenities and experiences. We envision a connected system of parks and natural areas that focus on our unique cultural and environmental heritage.

GOALS

1. ~~Create and Well-maintained parks and public facilities that meet the needs of our community~~
 - ~~Locate and build a new City Hall/Municipal Complex within the next 3-10 years, prioritizing Downtown in site selection.~~ See EDG4
 - Coordinate with SMCISD to direct future site decisions to align with this Comprehensive Plan
 - Expand the scope of the local radio station (KZOS) and local TV station.
 - ~~Create a Sidewalk Master Plan.~~ [Move to Transportation. Sidewalks need to be thought of as core transportation infrastructure.] Both is fine
 - Establish Gateway Corridors as identified in the Downtown Master Plan and the Preferred Growth Scenario (i.e.g. Guadalupe, Hopkins, Aquarena, and Wonder World).
 - Review and implement program to fulfill the need to expand City cemetery.
 - Substantially increase the City's broadband infrastructure with the development of world class fiber optic capacity TASK

2. A differentiated collection of connected and easily navigated parks and public spaces No Comments
 - Develop a targeted parks and public space strategy with identified use and locations for the various typologies Would be addressed in Parks Master Plan
 - Prioritize site selection in acceptance of park and public space dedications
 - Develop a full comprehensive wayfinding system for City, including all transportation options (trails to roads).
 - ~~Review and revise development codes to~~ Create and implement a policy that ensures adequate resources are identified to development and maintenance of parks and public spaces in conjunction with parkland space prior to acceptance of dedication. Changes Intent
 - Establish a framework for public/private partnerships to best achieve park and public space development goals.
 - Connect Downtown to the San Marcos River using pedestrian corridors.
 - Review Update existing and develop new (where necessary) infrastructure Utility Master Plans and to be consistent with the Preferred Growth Scenario and Comprehensive Plan Vision and Goals.

3. ~~Promote the creation of~~ A vibrant central arts district and robust and accessible educational opportunities for residents OK Change
 - Develop an Art in Public Places Program and identify areas of the City that where alleys and other public spaces could be used for murals/public art displays
 - Establish a framework for public/private partnerships to best achieve art district goals.
 - ~~Establish an Arts District Development Task Force.~~ Leave In
 - Create Work with GS/NP to create economic development incentives to promote private investments in the arts district and create sustainable funding sources for the arts. Leave As It Was
 - Assist in the development of a local non-profit organization to serve as an advocate for the district and to serve as a management/marketing group for the arts district.
 - Update/Create Library Master Plan

GOAL 1 WELL-MAINTAINED PUBLIC FACILITIES THAT MEET THE NEEDS OF OUR COMMUNITY	Review and approve infrastructure plans every five years to be consistent with the preferred scenario and comprehensive plan vision and goals.	GOAL 2 A DIFFERENTIATED COLLECTION OF CONNECTED AND EASILY NAVIGATED PARKS AND PUBLIC SPACES	GOAL 3 A VIBRANT CENTRAL ARTS DISTRICT AND ROBUST AND ACCESSIBLE EDUCATIONAL OPPORTUNITIES FOR RESIDENTS
<p>Objectives:</p> <ul style="list-style-type: none"> Develop a full comprehensive plan for locating a new City Hall/Municipal Complex, prioritizing Downtown in site selection Coordinate with SMOGSD to direct future site decisions to align with this Comprehensive Plan Expand the scope of the local radio station (KZOS) and local TV station Create a Sidewalk Master Plan 	<ul style="list-style-type: none"> Expand the current library <u>Construct regional branch libraries,</u> based on nationally recognized standards and Preferred Scenario Review and implement a program to fulfill the need to expand City cemetery 	<p>Objectives:</p> <ul style="list-style-type: none"> Develop a full comprehensive wayfinding system for City, including all transportation options Create and implement a policy that ensures adequate resources are identified to develop and maintain parks and public space Create a Greenways Master Plan Develop a beautiful on schedule for gateways. 	<p>Objectives:</p> <ul style="list-style-type: none"> Create funding mechanism(s) for the area designated as the Central Arts District <u>Establish an Arts District Development Task Force</u> to identify a minimum of five areas within preferred scenario for public art Develop Art in Public Places Program, identify areas of the city that could be used for murals/ public art displays

Suggestions:
Change GOAL 3 to:
A VIBRANT CENTRAL ARTS DISTRICT AND ROBUST AND ACCESSIBLE ARTISTIC AND CULTURAL EDUCATIONAL OPPORTUNITIES FOR RESIDENTS

Change Objective 2 to either:
Establish an Arts District Development Task Force to identify the location for, and implement the creation of, the Central Arts District
or
Establish an Arts District Development Task Force

Vision San Marcos:

A River Runs Through Us



(512) 393-8230

www.SanMarcosTX.gov/vision

Agenda Information

AGENDA CAPTION:

Presentation from staff and discussion regarding Capital Improvement Plan (CIP).

Meeting date: March 26, 2013

Department: Development Services/Engineering

Funds Required: na

Account Number: na

Funds Available: na

Account Name: na

CITY COUNCIL GOAL:

Big Picture Infrastructure

BACKGROUND:

The City's Charter charges the Planning and Zoning Commission with submitting a list of recommended capital improvements found necessary or desirable to the City Council each year. The attached memo gives information about the CIP in general, the Commission's role in the process, and two items of significance for this year- the limitation to \$4 million, and the timing of Vision San Marcos.

ATTACHMENTS:

Memo



DEVELOPMENT
SERVICES-PLANNING

MEMO

TO: PLANNING AND ZONING COMMISSION
FROM: JOHN FOREMAN, AICP, CNU-A, PLANNING MANAGER
DATE: MARCH 12, 2013
RE: CAPITAL IMPROVEMENTS PROGRAM (CIP) FOR FISCAL YEAR 2014

General CIP Information:

The Capital Improvements Program (CIP) is a multi-year planning tool used to prioritize major new capital investments made by the City. The CIP is updated annually and covers a ten-year time horizon. The CIP provides a planning schedule and identifies a variety of possible funding sources, ranging from operating budgets, state and federal grants, to future voter-approved bond programs. The CIP also schedules the particular year in which projects might be authorized. Only the first year of each CIP cycle is adopted, as part of the fiscal year's budget process; the nine subsequent years are planning years. The CIP focuses primarily on infrastructure and facility needs. On-going maintenance activities and smaller, routine capital expenditures for vehicles and technology expenditures are generally not included as a part of the CIP process, nor are projects that cost less than \$50,000. The CIP is a long-range plan which should be reviewed in a comprehensive and strategic manner.

Some guidelines as to how CIP funds operate include:

- CIP funds cannot be spent until appropriated by City Council. Annually, Council appropriates an operating and CIP budget.
- CIP Project budgets are multi-year budgets and their appropriations may carry across fiscal years.
- The existing unused CIP funds can generate interest income. This income is shown as revenue to the fund and increases the overall fund balance.
- Interest earned must be appropriated by Council for expenditure.
- As a CIP project is completed, unused funds may be transferred to other projects if it is allowed by the bond covenant.
- Very large projects that currently do not fit within the funding source limits may be considered for a bond election for direct approval by the public. Council has given direction not to consider any projects for a bond election currently but to begin preliminary evaluations in October for a potential future bond election.

The CIP includes projects within the following funds:

- General Funds (Airport, Community Services (Parks/Facilities), Public Safety, Transportation, Streets)
- Drainage Funds
- Electric Funds
- Water Funds
- Wastewater Funds

Water, wastewater, drainage and electric utility projects are generally funded through revenues specifically generated by those utility systems. Some projects, especially airport projects, are typically accomplished

through outside grants or joint participation agreements with other governmental agencies with limited participation from City funds. Most CIP projects, due to their sizable cost, require the issuance of bonds – revenue bonds (backed by the revenues of the utility system), general obligation bonds or certificates of obligation (both are backed by the property taxes received by the city).

Planning and Zoning Commission’s Role in the Process

Staff will provide the Commission with a list of projects that describe the project type, location, cost, funding source, and other information. This list is based upon the policy direction provided by City Council, condition of existing infrastructure, needs as determined by City departments, and items identified in various Master Plans.

The City’s Charter charges the Planning and Zoning Commission with submitting a list of recommended capital improvements found necessary or desirable to the City Council each year. The Commission may recommend the list as is or recommend changes, additions, or subtractions. Tools the Commission may use to determine necessary or desirable projects include the City’s Master Plan, land development issues that they are aware of through Commission action, and public comment. The Commission conducts public hearings on the proposed CIP to provide citizen input to the plan prior to it being adopted and forwarded to City Council, who makes the final decisions in establishing the Capital Improvements Program as part of the overall budget.

The FY 2014 CIP will proceed at the following P&Z meetings:

- **March 26th** – Brief update from staff on purpose and process
- **April 9th** – Public hearing, presentation, and discussion on proposed project list
- **April 23rd** – Public hearing and action on a recommendation to City Council.

The presentation on April 9th will focus on projects scheduled for the upcoming 2014 fiscal year. All departments will have representatives available to answer questions regarding suggested CIP projects.

FY 2014 CIP Key Points

Last year, because of the City Council’s goal of Sound Finances, the first five years in the General Fund portion of the CIP were extremely limited (FY 2013-2017). A General Fund limit of \$4 million per year for five years was established to meet the following milestones:

- Improve the City’s debt issuance to Operations & Maintenance ratio.
- Transfer the Engineering/Capital Improvements Department back into the General Fund over a 6 year period.

In order to accomplish these goals, the future CIP could only include projects *required* to be completed in the next five years. FY 2014 is the second year of this period, and consequently the project list is relatively short.

In addition, the FY 2014 CIP comes at a unique time. *Vision San Marcos*, the draft comprehensive plan, is proceeding through the adoption process. In future years, *Vision San Marcos* will be the overarching policy document that Council and staff will use to generate and determine priority of various CIP projects. Because the plan is not yet formally adopted, Council and staff were unable to perform a full and complete analysis for this year’s CIP. Fortunately many of the objectives and action items in the plan are consistent with projects already in the CIP. In addition, staff has conducted a preliminary review and proposed several new projects that will facilitate plan implementation in the future.

We appreciate your help in this process.

Agenda Information

AGENDA CAPTION:

Development Services Report

Meeting date: March 26, 2013

Department: Development Services

Funds Required: n/a

Account Number: n/a

Funds Available: n/a

Account Name: n/a

CITY COUNCIL GOAL:

BACKGROUND:

Agenda Information

AGENDA CAPTION:

Addendum: Item #3 not posted on original agenda posted March 21, 2013 at 1:10 p.m. Item #3 Election of Officers added.

ADDENDUM POSTED THURSDAY, MARCH 21, 2013 AT _____.

Meeting date: March 26, 2013

Department: Development Services

Funds Required: na

Account Number: na

Funds Available: na

Account Name: na

CITY COUNCIL GOAL:

BACKGROUND: