



**SAN MARCOS  
PLANNING AND ZONING  
COMMISSION REGULAR  
MEETING  
CITY COUNCIL CHAMBERS,  
630 E. HOPKINS  
TUESDAY, AUGUST 27, 2013  
6:00 P.M.**

1. Call To Order
2. Roll Call
3. **Chairperson's Opening Remarks**
4. Consider the request of Chair Taylor and Vice-Chair Morris to rescind the recommendation made by the Planning and Zoning Commission at the June 25th meeting on Case No. LDC-13-04 regarding an amendment to Chapter 8, Article 1, General Definitions of the Land Development Code modifying the definition of Dwelling Unit.

***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.*

5. 30 Minute Citizen Comment Period

**CONSENT AGENDA**

**THE FOLLOWING ITEMS NUMBERED 6 - 6 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.**

6. **Consider the approval of the minutes of the Regular Meeting on August 13, 2013.**

**PUBLIC HEARINGS**

7. **CUP-13-25 (Headwaters Draft House)** Hold a public hearing and consider a request by HDH LLC for a new Conditional Use Permit to allow the sale of mixed beverages for on-premise consumption at 205 W. Hopkins Street.
8. **CUP-13-26 (San Marcos Stadium)** Hold a public hearing and consider a request by Huckabee Engineering, on behalf of San Marcos CISD, for a Conditional Use Permit to allow metal siding on two new buildings located at 2601 Rattler Road.

9. **CUP-13-27 (Phoenix Learning Center)** Hold a public hearing and consider a request by Huckabee Engineering, on behalf of San Marcos CISD, for a Conditional Use Permit to allow metal siding on a new building located at 1301 Highway 123.
10. **LDC-13-04 (Multi-family Unit Definition)** Hold a public hearing and consider revisions to Chapter 8, Article 1, General Definitions of the Land Development Code to modify the definition of Dwelling Unit and make associated changes.

**NON-CONSENT AGENDA**

11. Discussion and possible direction to staff regarding the process and parameters for conducting the Neighborhood Character Studies under the City's Comprehensive Plan and rewriting the Land Development Code.
12. **Development Services Report:**
  - a. Update from staff on the Implementation of the Comprehensive Master Plan.
  - b. American Planning Association Conference
13. 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.*
14. Adjournment.

**Notice of Assistance at the Public Meetings**

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

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

\_\_\_\_\_

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

## **Agenda Information**

### **AGENDA CAPTION:**

#### **Chairperson's Opening Remarks**

**Meeting date:** August 27, 2013

**Department:** Planning and Development Services

**Funds Required:**

**Account Number:**

**Funds Available:**

**Account Name:**

### **CITY COUNCIL GOAL:**

### **BACKGROUND:**

## **Agenda Information**

### **AGENDA CAPTION:**

Consider the request of Chair Taylor and Vice-Chair Morris to rescind the recommendation made by the Planning and Zoning Commission at the June 25th meeting on Case No. LDC-13-04 regarding an amendment to Chapter 8, Article 1, General Definitions of the Land Development Code modifying the definition of Dwelling Unit.

**Meeting date:** August 27, 2013

**Department:** Development Services

**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:**

At the Commission's June 25, 2013 meeting, staff presented a request under Case No. LDC-13-04 to modify the definition of dwelling unit under Chapter 8 of the Land Development Code. The original amendment considered on June 25 would change the way units are calculated as outlined below.

Three-bedroom unit = one unit;

Four-bedroom unit = one and one-half units;

Five-bedroom unit = two units;

Every second bedroom above the fifth bedroom = one additional unit

The Planning and Zoning Commission recommended **approval** of the proposed change (8-0) at the June 25th meeting. Following the Commission's recommendation, the City Council voted to **approve** an ordinance on first reading approving the proposed change (7-0) at the Council's July 16th meeting. The ordinance is currently scheduled for the second reading at the September 3rd City Council meeting.

## **Agenda Information**

### **AGENDA CAPTION:**

**Consider the approval of the minutes of the Regular Meeting on August 13, 2013.**

**Meeting date:** August 27, 2013

**Department:** Planning & Development Services

**Funds Required:**

**Account Number:**

**Funds Available:**

**Account Name:**

### **CITY COUNCIL GOAL:**

### **BACKGROUND:**

### **ATTACHMENTS:**

August 13, 2012 PZ minutes

**MINUTES OF THE REGULAR MEETING OF THE  
SAN MARCOS PLANNING AND ZONING COMMISSION  
COUNCIL CHAMBERS, CITY HALL  
August 13, 2013**

**1. Present**

**Commissioners:**

Bill Taylor, Chair  
Carter Morris, Vice Chair  
Chris Wood  
Corey Carothers  
Kenneth Ehlers  
Travis Kelsey  
Angie Ramirez  
Curtis Seebeck

**City Staff:**

Matthew Lewis, Planning & Development Services Director  
Kristy Stark, Planning & Development Services Assistant Director  
Sam Aguirre, Assistant City Attorney  
Francis Serna, Recording Secretary  
John Foreman, Planning Manager  
Amanda Hernandez, Senior Planner  
Alison Brake, Planner

**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 August 13, 2013, in the Council Chambers, City Hall, City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

**3. Chairperson's Opening Remarks.**

Chair Taylor welcomed the audience and viewers.

***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**

**Consent Agenda:**

**5. Consider the approval of the minutes of the Regular Meeting on July 23, 2013.**

**6. PC-13-08\_03 (Blanco Vista Tract D)** Consider a request by CSF Civil Group, on behalf of Carma Blanco Vista, L.L.C. (Brookfield Residential), for approval of a Final Subdivision Plat of Blanco Vista Tract D for approximately 11.561 acres, more or less, out of the William Ward League Survey No. 3, Abstract No. 467, for 50 residential lots located at Blanco Vista Boulevard and Trail Ridge Pass.

**MOTION:** Upon a motion made by Commissioner Wood and a second by Commissioner Seebeck, the Commission voted on consent to approve the minutes of the Regular Meeting on July 23, 2013 and PC-13-08\_03 (Blanco Vista Tract D).

**Public Hearings:**

**7. CUP-13-23 (The Rooftop on the Square)** Hold a public hearing and consider a request by Brandon Cash, on behalf of The Rooftop on the Square, for renewal of an existing Restricted Conditional Use Permit to allow the continued sale of mixed beverages for on-premise consumption at 126 South Guadalupe.

Amanda Hernandez, Senior Planner gave an overview of the project.

Chair Taylor opened the public hearing. Scott Withers, co-owner of The Rooftop stated that they are working on a new menu that should be out in two weeks. There were no additional citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Ehlers and a second by Commissioner Seebeck, the Commission voted all in favor to approve CUP-13-23 with the condition that the permit shall be valid for 6 months in order to continue monitoring the establishment, subject to the point system, and all requirements of Section 4.3.4.2; no live music and no speakers in the outdoor patio area highlighted in Exhibit A, and all exterior doors must be maintained in an automatically assisted closed position. The motion carried unanimously.

**8. CUP-13-24 (Toyota Dealership)** Hold a public hearing and consider a request by J.A. Sullivan for a Conditional Use Permit to allow metal siding on the building located at 5101 South IH 35.

Amanda Hernandez, Senior Planner gave an overview of the project.

Chair Taylor opened the public hearing. Jay Sullivan, agent for the applicant stated he was available to answer questions. 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 Ehlers, the Commission voted all in favor to approve CUP-13-24. The motion carried unanimously.

**9. TMA-13-01 (101 Umland Road)** Hold a public hearing and consider a request by Ash & Associates, on behalf of Old Mill Associates, for an amendment to the City's Thoroughfare Map amending the portion of Umland Road between Mill Street and Post Road from a Major Arterial to a Commercial/Multifamily Collector Street.

Alison Brake, Staff Planner gave an overview of the project.

Chair Taylor opened the public hearing. Richard McDaniel, Ash & Associates advised he was available to answer questions. There were no additional citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Morris and a second by Commissioner Ehlers, the Commission voted all in favor to approve TMA-13-01. The motion carried unanimously.

**10. PDD-11-13(b) -(Blanco River Village PDD Amendment)** Hold a public hearing and consider a City Initiated amendment to remove the average people per unit limits from Section 2.2 of the Development Standards and the Concept Plan for the Blanco River Village Subdivision Planned Development District consisting of 103.788 acres of land, more or less, located in the 1400 through 1900 blocks of State Highway 21, as originally approved by Ordinances 2004-61 and 2008-49, and amended by Ordinance 2012-02, and 2012-47.

Matthew Lewis, Director gave an overview of the project.

Chair Taylor opened the public hearing. Rich Norton, 264 Newberry Trail, Blanco River Village asked the Commission to carefully consider not removing the "anticipated maximum density" from Section 2.2 of the

Development Standards. He felt that removing the item would cause problems for the neighborhood. Mr. Norton stated that he did not have an issue with removing “the “average people per unit” from Section 2.2 of the Development Standards.

Terry Mitchell, partnership of Blanco River Village stated that they do not have applications on file and would like to address the issue. He explained that it is complicated to include 2.8 people in the homes. Mr. Mitchell added that removing the “average people per unit” would not affect single family homes.

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

**MOTION:** Upon a motion made by Commissioner Morris and a second by Commissioner Ehlers, the Commission voted all in favor to approve TMA-13-01. The motion carried unanimously

- 11. Development Services Report
  - a. Update from staff on the Comprehensive Master Plan.
  - b. Update from staff on the Neighborhood Character Studies.

Staff gave a brief update.

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

There were no questions and answers from the press and public.

13. Adjourn.

Chair Taylor adjourned the Planning and Zoning Commission meeting at 6:45 p.m. on Tuesday, August 13, 2013.

\_\_\_\_\_  
Bill Taylor, Chair

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Carter Morris, Vice Chair

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Travis Kelsey, Commissioner

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Kenneth Ehlers, Commissioner

\_\_\_\_\_  
Chris Wood, Commissioner

\_\_\_\_\_  
Angie Ramirez, Commissioner

\_\_\_\_\_  
Curtis Seebeck, Commissioner

\_\_\_\_\_  
Corey Carothers, Commissioner

ATTEST:

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

## **Agenda Information**

### **AGENDA CAPTION:**

**CUP-13-25 (Headwaters Draft House)** Hold a public hearing and consider a request by HDH LLC for a new Conditional Use Permit to allow the sale of mixed beverages for on-premise consumption at 205 W. Hopkins Street.

**Meeting date:** August 27, 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

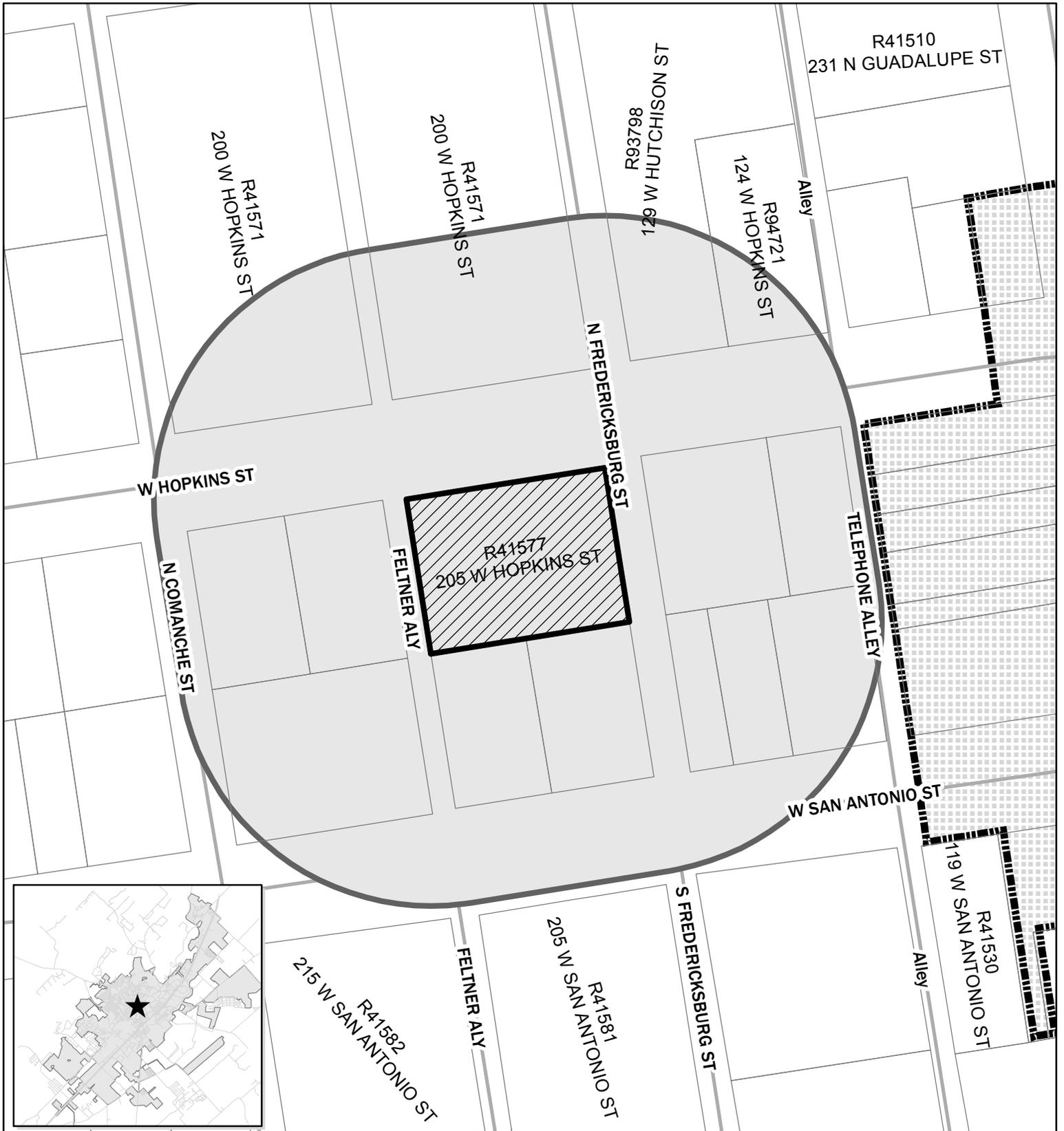
### **BACKGROUND:**

HDH LLC plans to open Headwaters Draft House in the former Texaco Station at 205 W. Hopkins. The bar/restaurant will offer casual American food with 60+ beers on tap. The request is for a Conditional Use Permit to allow the sale and on-premise consumption of mixed beverages. The subject property is currently zoned T5-Urban Center and is located outside of the CBA.

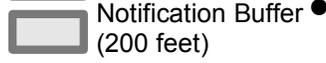
The Conditional Use Permit request has been reviewed for compliance with the Land Development Code. Staff finds the request is consistent with policies described in Section 4.3.4.2. and recommends approval with conditions as stated in the Staff Report.

### **ATTACHMENTS:**

Case Map  
Staff Report  
Site Plan  
Nearby Residential Uses  
Application  
Backup Material  
Menu



**CUP-13-25**  
**Headwaters Draft House**  
**205 W. Hopkins Street**  
**Map Date: 8/9/2013**

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



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

# CUP-13-25

## Conditional Use Permit

### Headwaters Draft House

### 250 W. Hopkins



**Applicant Information:**

**Applicant:** Craig Steele  
 HDH, LLC  
 PO Box 781  
 San Marcos, TX 78667

**Property Owner:** West Hopkins Street, LLC  
 205 W. Hopkins Street  
 San Marcos, TX 78666

**Applicant Request:** Conditional Use Permit (CUP) to allow the sale and on-premise consumption of mixed beverages in a T-5 Urban Center zoning district.

**Public Hearing Notice:** Public hearing notification was mailed on August 15, 2013

**Response:** None.

**Subject Property:**

**Location:** 150 S. LBJ Dr.

**Legal Description:** Original Town of San Marcos, Block 15, Lot 7-8

**Frontage On:** W. Hopkins

**Neighborhood:** Downtown

**Existing Zoning:** SmartCode T5 – Urban Center

**Utilities:** Sufficient

**Existing Use of Property:** Vacant (Previously Texaco Station)

**Zoning and Land Use Pattern:**

	<b>Current Zoning</b>	<b>Existing Land Use</b>
<b>N of property</b>	T5 – Urban Center	Retail - HEB
<b>S of property</b>	T5 – Urban Center	Commercial – Nopalitos, Karate Academy
<b>E of property</b>	T5- Urban Center	Commercial – Ozona National Bank
<b>W of property</b>	T5 – Urban Center	Commercial – Tantra Coffee House

**Code Requirements:**

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

A business applying for on-premise consumption of alcohol must not be within 300 feet of a church, school, hospital, or a residence located within a zoning district that limits density to six units per acre or less. This location **does** meet the distance requirements.

CUPs issued for on-premise consumption of alcohol make the business subject to the code standards and the penalty point system for violations (Section 4.3.4.2). This location is located just beyond the boundary of the Central Business Area; therefore, the property **is not subject** to the additional restrictions with the CBA.

**Case Summary:**

The subject property consists of .453 acres west of the Central Business Area within the boundary of the SmartCode. It has frontage along W. Hopkins and S. Fredericksburg with alley access. It is surrounded by T5 (Urban Center) with a variety of uses including HEB, Ozona National Bank, Tantra Coffee House and other professional services. There is no residentially used property within the 200' notification buffer. The tract contains the former Texaco Station which is proposed to be renovated into restaurant and bar with a large outdoor patio space.

The business will require a Mixed Beverage Permit, Mixed Beverage Late Hours Permit and Beverage Cartage Permit from the Texas Alcoholic Beverage Commission (TABC).

The gross floor area will be approximately 5,700 square feet with around 2,100 square feet as outdoor patio space. The application states 75 indoor seats and 100 outdoor seats. The applicant's plans illustrate 23 parking spaces accessed from the alley (17 are required). The curb cut on Hutchison will be closed.

The hours of operation are proposed as Monday-Sunday 10:00 a.m. to 2:00 a.m.

Proposed entertainment includes the bar, a game area, and a small live music stage on the front patio.

**Comments from Other Departments:**

None.

**Planning Department Analysis:**

Staff has reviewed the request for compliance with the Land Development Code and it appears that the request is consistent with the general intent of the T5-Urban Center zoning district and with the policies described in Section 4.3.4.2 - *Conditional Use Permits for On-Site Alcoholic Beverage Consumption*.

The applicant has worked with staff to ensure the building design will meet SmartCode standards. The curb cut will be removed on Hopkins as a requirement for any property with rear alley access. The development will extend to the frontage line and should help create a more inviting streetscape and pedestrian experience along this part of Hopkins.

An increase in noise is expected due to the large outdoor patio and proposed stage. This is not unlike other recent projects developed within the SmartCode including Zelicks, Rooftop on the Square and Louie's. Rooftop on the Square has reached an acceptable level for noise as reported by its neighbors and the San Marcos Police.

Current conditions on the Rooftop CUP include:

- All requirements of Section 4.3.4.2;
- No live music and no speakers in the outdoor patio areas highlighted in Exhibit A;
- And all exterior doors must be maintained in an automatically assisted closed position.

As the Commission is aware, the noise ordinance and its relationship to the Conditional Use Permit process is currently under review by a Council Subcommittee. Staff recommends approval of the Headwaters Draft House permit with the option for the applicant to amend or complete an alternative permit process if developed by the Subcommittee to allow live outdoor music at this establishment in the future.

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

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

**Staff recommends approval with the following conditions:**

- 1. The permit shall be effective upon issuance of the Certificate of Occupancy;**
- 2. The permit shall be valid for one (1) year, provided standards are met, subject to the point system.**
- 3. No live outdoor music shall be allowed without amending the CUP or obtaining an alternative permit for live music.**

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

**Commission's Responsibility:**

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

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

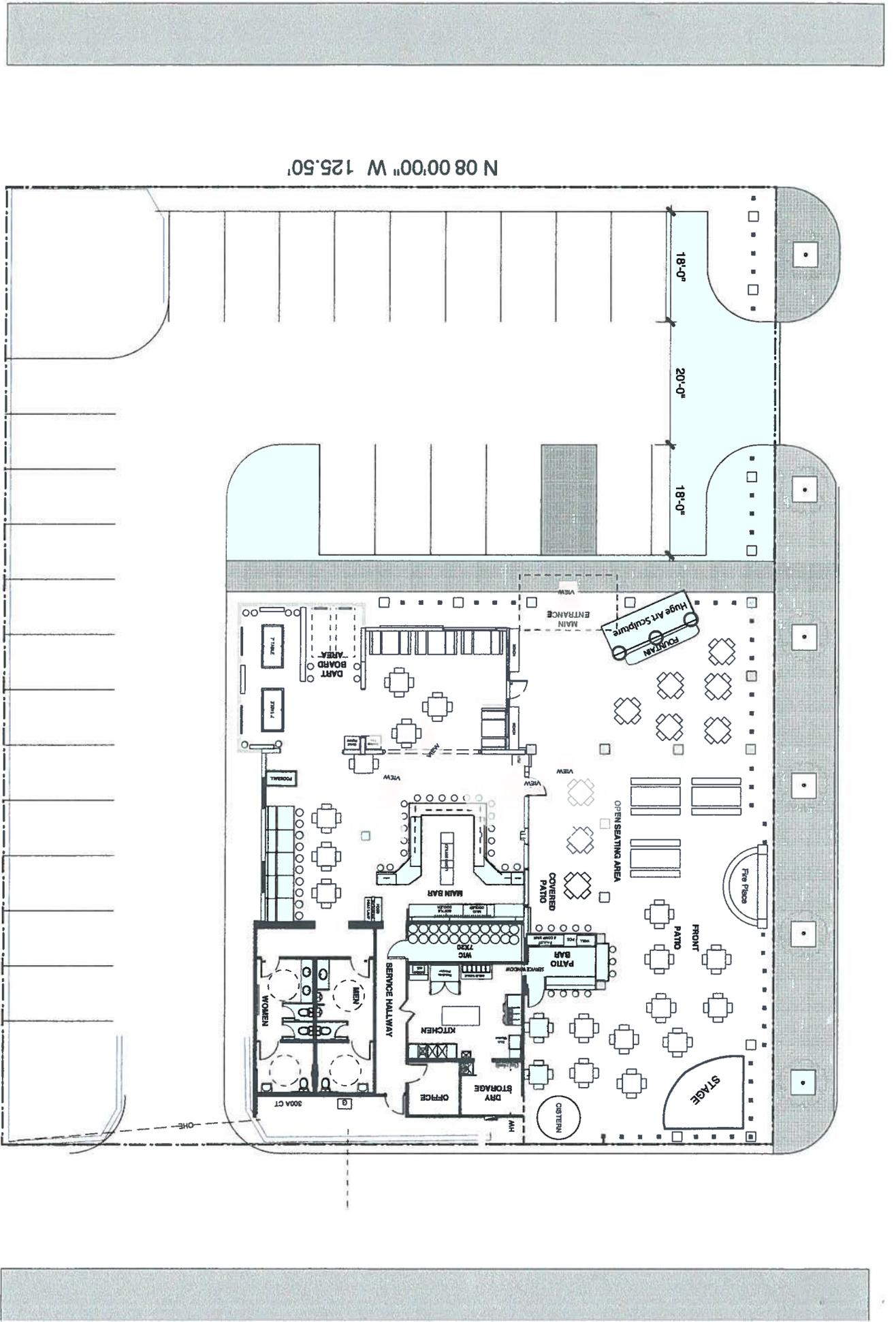
- is consistent with the policies of the Master Plan and the general intent of the zoning district;
- is compatible with the character and integrity of adjacent developments and neighborhoods;
- includes improvements to mitigate development-related adverse impacts; and
- does not generate pedestrian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

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

**Prepared by:**

Emily Koller	Planner	August 20, 2013
<b>Name</b>	<b>Title</b>	<b>Date</b>

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N 08 00'00" W 125.50'

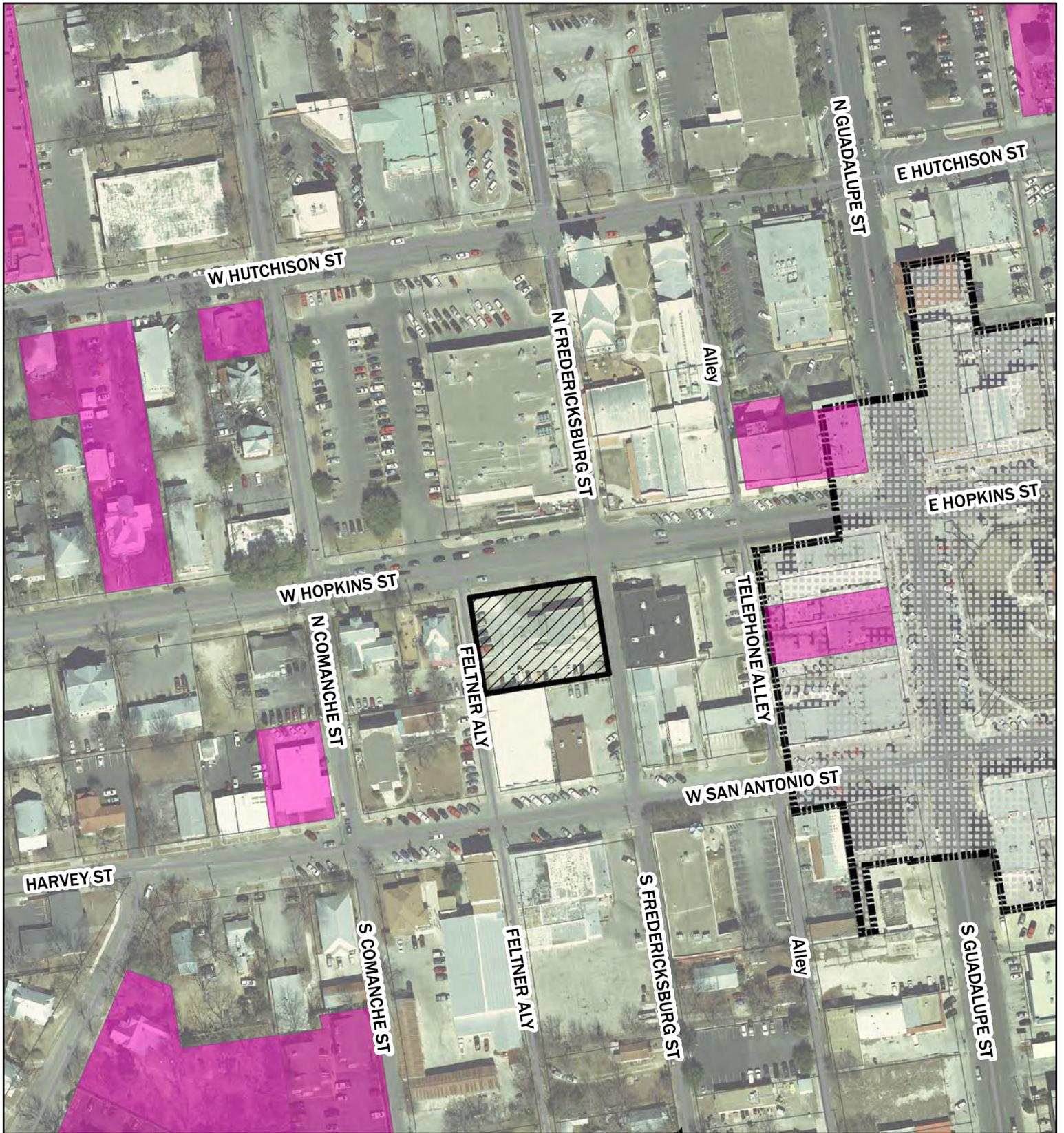
18'-0"

20'-0"

18'-0"

N 81 59'48" E 156.09'

1 PROPOSED SITE PLAN OPTION DD2  
SCALE: 1"=20'-0"



**CUP-13-25**  
**Headwaters Draft House**  
**205 W. Hopkins Street**  
**Map Date: 8/9/2013**

-  Site Location
-  Residential Use
-  Historic District



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09/12



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

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

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

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

Signed: William C. Dufour

Date: 7-12-2013

Print Name: William C. Dufour

Engineer  
  Surveyor  
  Architect/Planner  
  Owner  
  Agent: Albina

09/12

RECEIVED  
JUL 12 2013

UP-13-25

City of San Marcos

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

**LICENSE INFORMATION**

Trade Name of Business: Headwaters Draft House

Application is filed by:

Individual  Partnership  Corporation  Other: LLC

Name of Individual or Entity: HDH, LLC Phone Number: 512-413-8736

Mailing Address: P.O. Box 781 San Marcos, TX 78667

Email Address: dufourlaw@yahoo.com

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

**PROPERTY**

Street Address: 205 West Hopkins Current Zoning: T-5

Legal Description: Lot 7-8 Block 15 Subdivision n/a original town of San Marcos

Tax ID Number: R 41577

Property Owner's Name: West Hopkins Street 205 LLC Phone Number: 214-460-8724

Address: 205 West Hopkins, San Marcos, TX 78666

**BUSINESS DETAILS**

Primary Business Use:  Restaurant  Bar  Other: \_\_\_\_\_

Hours of Operation: 10:00 am - 2:00 am

Type of Entertainment Facilities: Restaurant + Bar

Indoor Fixed Seats Capacity: 75 Outdoor Fixed Seats: 100

Gross Floor Area Including Outdoor Above-ground Decks: 5700 Square Feet

Number of Off-Street Parking Spaces Provided: 27

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

**APPLICATION FOR CITY OF SAN MARCOS CONDITIONAL USE PERMIT-TABC**

**CUP PERMIT HISTORY** *Check all that apply*

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

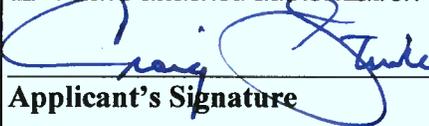
**SUBMITTAL REQUIREMENTS**

- Beer and Wine Permit: **\$600 Application fee** (non-refundable) + \$10
- Mixed Beverage Permit: **\$600 Application fee** (non-refundable)
- Change to Existing Permit/Renewal: **\$300.00 fee** (non-refundable)
- **Site Plan drawn to scale**, preferably on paper no larger than 11" x 17", showing dimensions of property, locations and square footage of building(s), interior layout showing dimensions of tables, bar area, etc., number of off-street paved parking spaces, and fences buffering residential uses.
- **Copy of State TABC License Application**

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

*I am the property owner of record; or*

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

  
Applicant's Signature

Printed Name: Craig Steede

Date: 7/11/2013

*To be completed by Staff:*

Meeting Date: 8-27

Application Deadline: 7-15

Accepted By: Tory C.

Date: 7-12

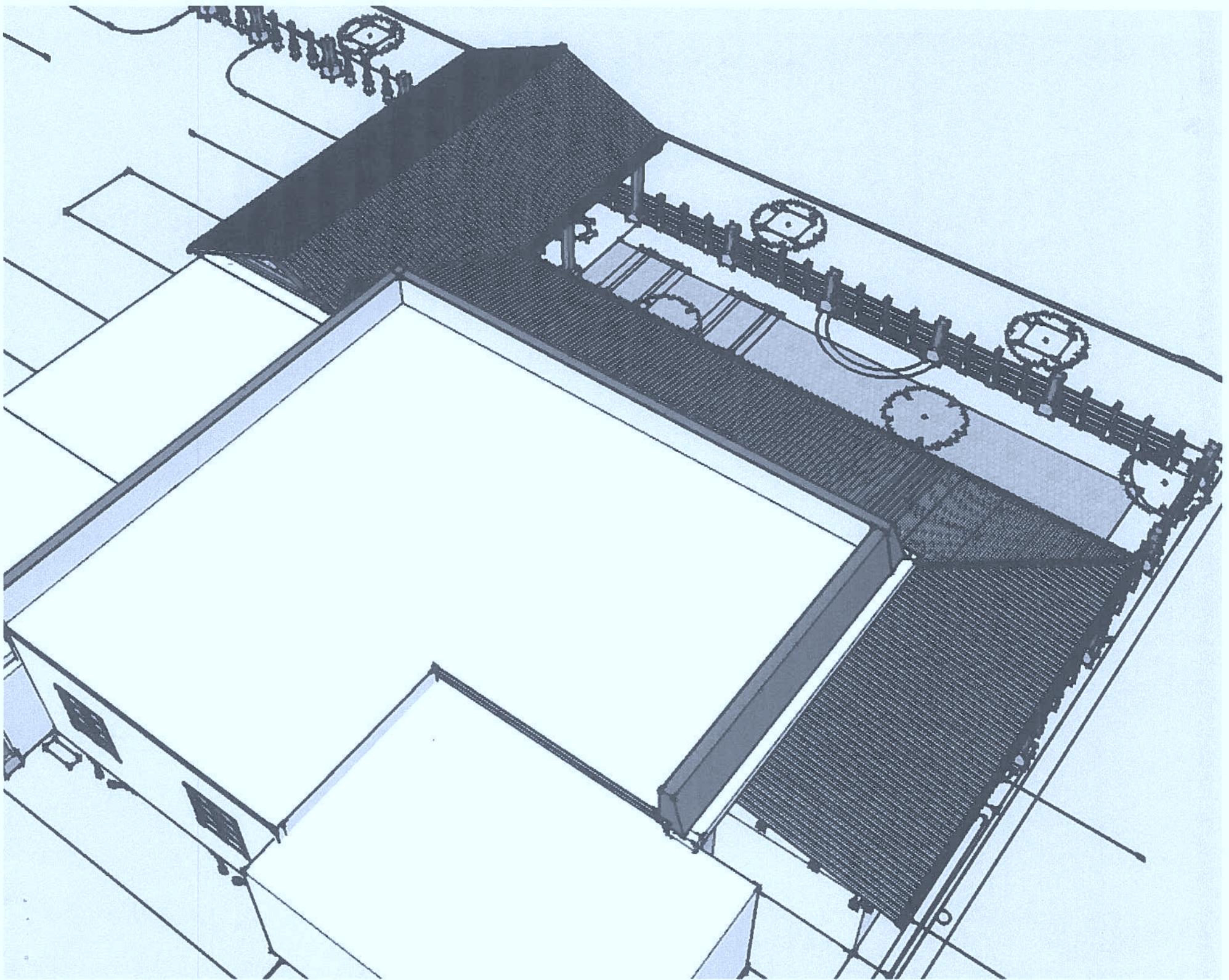
HEADWATERS











# HEADWATERS DRAFTHOUSE

Welcome To.....

San Marcos, TX

Hot Sub Sandwiches	
French Dip...	\$6.50
LBJ...	\$6.50
Chicken Bacon Ranch...	\$6.50
Veggie Sub...	\$5.50
All sandwiches come with potato chips and a pickle	

OVER 60 beers on Draft...

With a large variety of  
Bottled and can beer as well

Assorted Wines to choose from

Burgers and Baskets		
Hamburger...	\$5.00	\$7.50
Cheese Burger...	\$5.50	\$8.00
Chorizo Burger...	\$6.00	\$8.50
Veggie Burger...	\$5.00	\$7.50
Toppings to choose from...		
Lettuce, tomato, red onion, caramelized onion, Sliced jalapeño, Slices avocado, guacamole, homemade chili, (Cheeses include...American, Swiss, Mozzarella, Cheddar)		
Choice of Tater Tots, Fries, or chips.		

TEXAS  
CRAFT  
BEER

Additional Food and...			
	<u>Cheese</u>	<u>Chicken</u>	<u>Beef</u>
Quesadilla	\$5.50	\$6.50	\$6.50
Served with chips and salsa			
Soft Tacos		\$6.00	\$6.00
Two tacos with chips and salsa			
Nachos	\$5.50	\$6.50	\$6.50
Served with tomato, bell peppers, onion, and jalapeño.			
Chips and Salsa...			\$3.00
Survival Kit...			\$6.00
Sausage link, bread, mustard, chips, pickle and a Domestic Beer			

FULL  
LIQUOR  
BAR

205 West Hopkins San Marcos TX 78666.....512-577-5881.....WWW.Headwatersdraft.com

## **Agenda Information**

### **AGENDA CAPTION:**

**CUP-13-26 (San Marcos Stadium)** Hold a public hearing and consider a request by Huckabee Engineering, on behalf of San Marcos CISD, for a Conditional Use Permit to allow metal siding on two new buildings located at 2601 Rattler Road.

**Meeting date:** August 27, 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

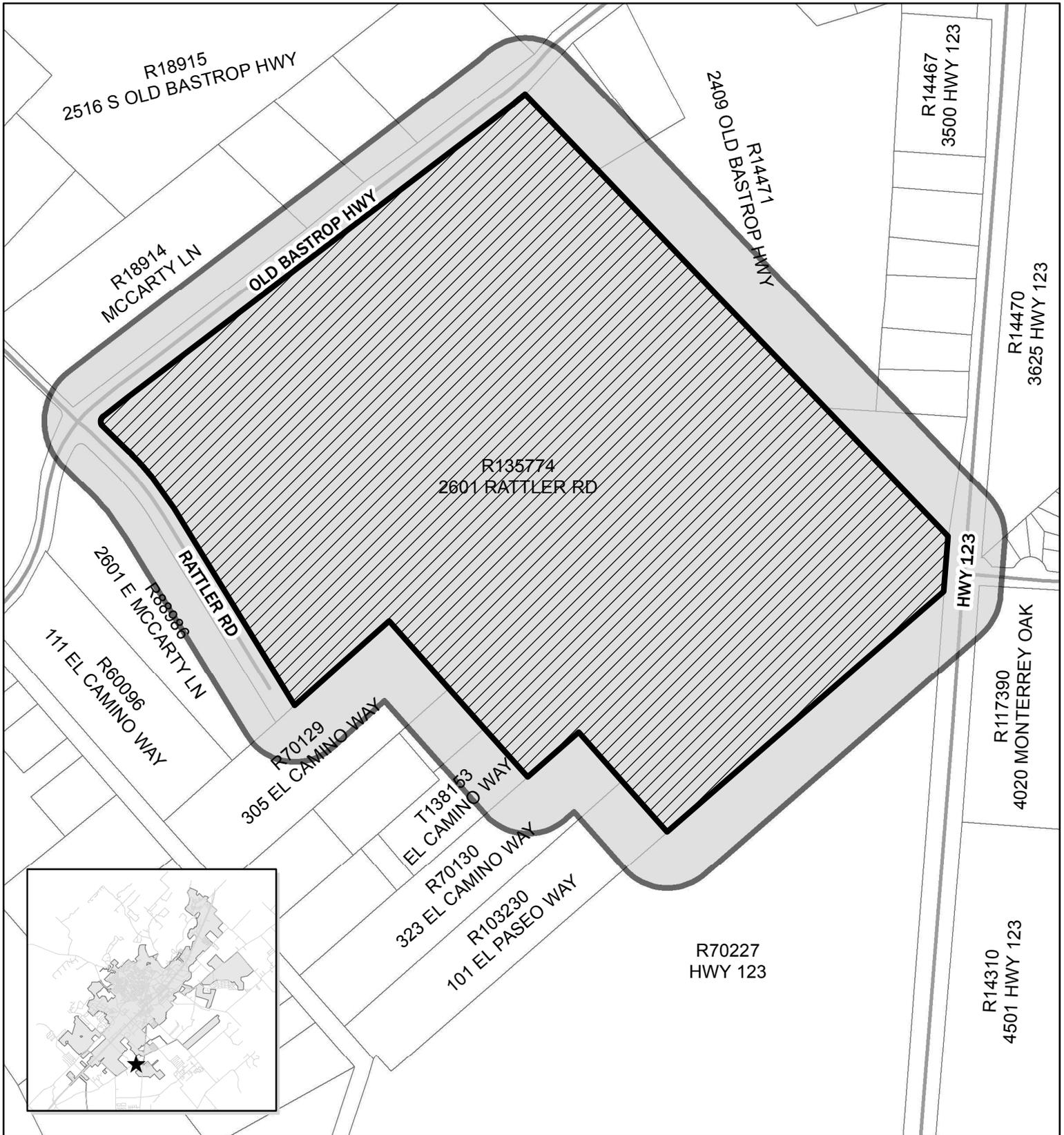
### **BACKGROUND:**

San Marcos CISD is proposing a new student activity center and athletic stadium be built on the site . The activity center would be located on the southern interior of the lot and the stadium would be located near the proposed entrance to Hwy 123.

The design of the buildings are consistent with that of San Marcos High School. Staff finds that the use of metal siding at this location will not have a detrimental effect on neighboring properties and is recommending approval.

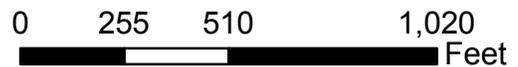
### **ATTACHMENTS:**

Case Map  
CUP-13-26 Staff Report  
Application  
Rendering  
Rendering  
Elevations



**CUP-13-26**  
**San Marcos Stadium**  
**2601 Rattler Rd**  
**Map Date: 8/9/2013**

-  Site Location
-  Notification Buffer (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.

**CUP-13-26  
 Conditional Use Permit  
 2601 Rattler Road  
 Metal Façade Material**



**Applicant Information:**

Applicant: Huckabee Engineering  
 Crystal Vasquez  
 4521 S Hulen, Ste 220  
 Fort Worth, TX 76109

Property Owner: San Marcos CISD  
 501 S LBJ Drive  
 San Marcos, TX 78666

Applicant Request: A Conditional Use Permit (CUP) to allow the use of metal as a façade material.

Notification: Public hearing notification mailed on Friday, August 16, 2013.

Response: No responses as of the date of this report.

**Subject Property:**

Location: 2601 Rattler Road

Legal Description: San Marcos High School, Lot 1

Frontage On: Old Bastrop Hwy, Rattler Road, and Hwy 123

Neighborhood: N/A

Existing Zoning: Public and Institutional (P)

Preferred Scenario: Medium Intensity

Utilities: Existing

Existing Use of Property: San Marcos High School

Proposed Use of Property: San Marcos High School

Zoning and Land Use Pattern:

	<b>Current Zoning</b>	<b>Existing Land Use</b>
<b>N of Property</b>	ETJ	Large lot homes
<b>S of Property</b>	ETJ / CC	Large lot homes / Vacant
<b>E of Property</b>	MF-18	Vacant
<b>W of Property</b>	ETJ	Vacant

## **Case Summary**

The subject property is the current site of San Marcos High School which is located on the east corner of Rattler Road and Old Bastrop Hwy. The lot also has frontage on Highway 123. San Marcos CISD is proposing a new student activity center and athletic stadium be built on the site. The activity center would be located on the southern interior of the lot and the stadium would be located near the proposed entrance to Highway 123. The buildings would use metal rib panels and flat composite panels for portions of the exterior of these buildings.

The applicant is also applying for two additional conditional use permits to allow metal siding - one for a new Phoenix Learning Center to be heard at this same meeting (CUP-13-26) and another for a pre-kindergarten center to be heard on September 24<sup>th</sup> (CUP-13-31).

## **Code Requirements:**

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

Section 4.4.2.1 of the Land Development Code (LDC) discusses exterior material requirements for buildings. It states that materials will be listed as permitted by right or by CUP in the Technical Manual. The Technical Manual states metal sheet siding (in any amount) is required to have a CUP.

## **Comments from Other Departments:**

None.

## **Planning Department Analysis:**

The intent of section 4.4.2.1 of the LDC is to ensure aesthetic value and visual appeal. In the past, P&Z has approved metal as an exterior building material for four car dealerships, a self-storage facility, the Aquarena Plaza shopping center, and the new Hays County Government Center. In each case, the metal was used as an architectural design feature.

The overall design of the stadium is consistent with the design of San Marcos High School. The stadium would have a combination of rib metal panels and decorative aluminum composite panels. Bricks would also be used as an external material. All rib panels would be set back from the front building line which would minimize the negative impacts of this type of metal siding.

The activity center would use a combination of insulated rib metal panels and decorative aluminum composite panels. Bricks would be used as the exterior material for the first floor and the metal panels would be used on the second floor. Since this building would be located in the middle of the lot it would be difficult to see from nearby rights-of-way and neighboring properties.

Staff finds that the use of metal siding at this location will not have a detrimental effect on neighboring properties.

- **Staff recommends Approval of the Conditional Use Permit to allow metal panels as a façade material on the athletic stadium and student activity center**

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:**

Tory Carpenter

Planning Technician

August 16, 2013

---

**Name**

**Title**

**Date**

### **The Commission's Responsibility:**

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

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

- The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan;
- The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
- The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods;
- The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;
- The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;
- The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and
- The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

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



## Conditional Use Permit Application Checklist: GENERAL

Provided by applicant as of date of submittal		By staff as of date of completeness review	
Completed	Required Item	Staff Verification	Staff Comments
<input type="checkbox"/>	A pre-application conference with staff is recommended	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	A completed application for Conditional Use Permit and required fees	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	A site plan illustrating the location of all structures on the subject property and on adjoining properties	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Authorization to represent the property owner, if applicant is not the owner	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Application Fee \$600 to be mailed	<input type="checkbox"/>	
<input type="checkbox"/>	Renewal Fee \$300	<input type="checkbox"/>	
<b>Any of the following pieces of information as requested by the Planning Director:</b>			
<input type="checkbox"/>	Landscaping and/or fencing of yards and setback areas and proposed changes	<input type="checkbox"/>	
<input type="checkbox"/>	Design of ingress and egress	<input type="checkbox"/>	
<input type="checkbox"/>	Off-street parking and loading facilities	<input type="checkbox"/>	
<input type="checkbox"/>	Height of all structures	<input type="checkbox"/>	
<input type="checkbox"/>	Proposed uses	<input type="checkbox"/>	
<input type="checkbox"/>	The location and types of all signs	<input type="checkbox"/>	
<input type="checkbox"/>	Hours of operation	<input type="checkbox"/>	
<input type="checkbox"/>	Impervious cover or drainage issues or impacts	<input type="checkbox"/>	
<input type="checkbox"/>	All information and illustrations necessary to show the nature and effect of the proposed variations to the standards of the zoning district	<input type="checkbox"/>	

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

Signed: *Crystal Vasquez* Date: 07/15/13  
 Printed Name: Crystal Vasquez w/Huckabee

Engineer  Surveyor  Architect/Planner  Owner  Agent: \_\_\_\_\_



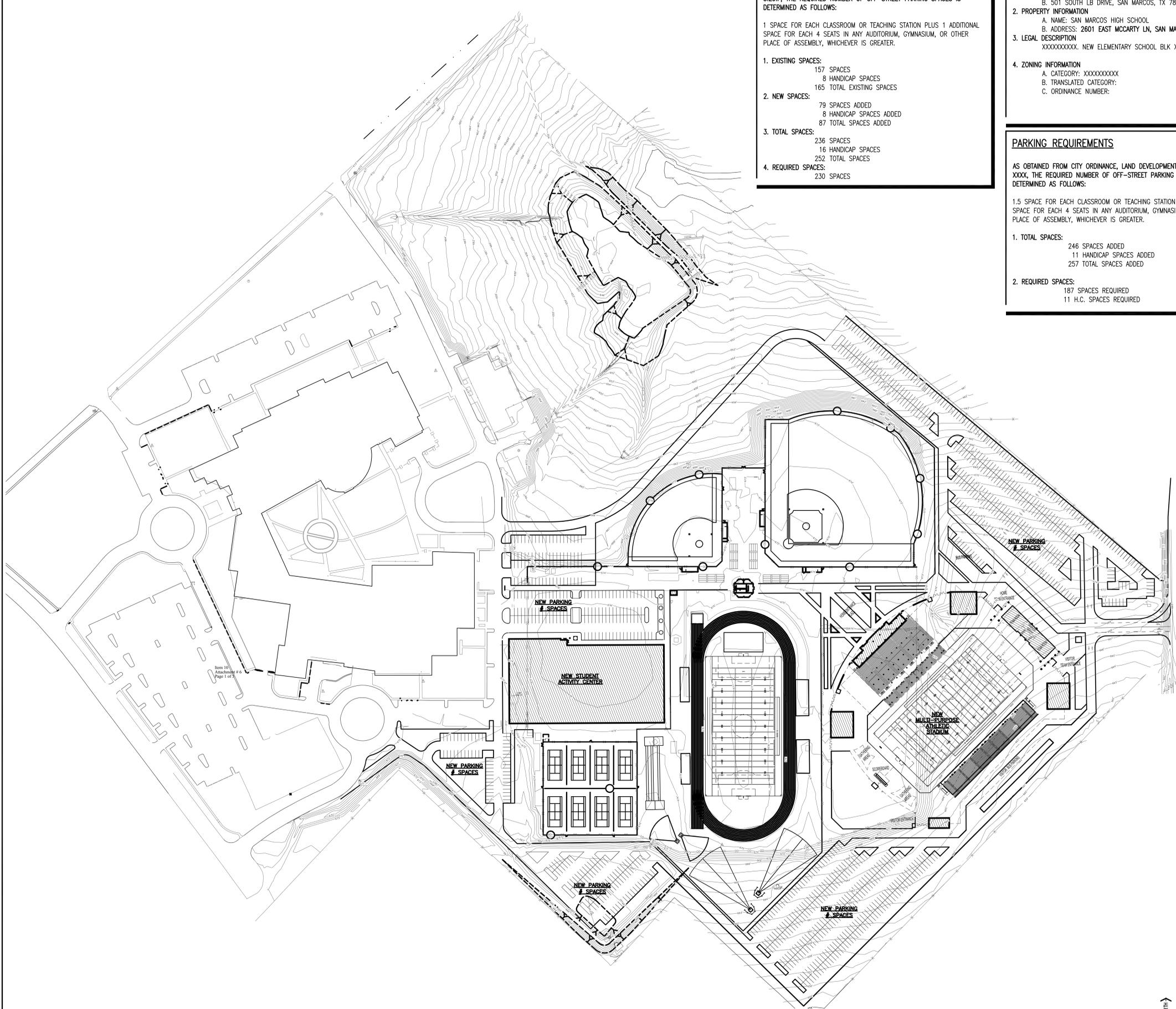


PRESS BOX

SCHOOL STORE



SAN MARCOS HIGH SCHOOL  
STUDENT ACTIVITIES CENTER



**PARKING REQUIREMENTS**

AS OBTAINED FROM CITY ORDINANCE, LAND DEVELOPMENT CODE, SECTION 3.29.F, THE REQUIRED NUMBER OF OFF-STREET PARKING SPACES IS DETERMINED AS FOLLOWS:

1 SPACE FOR EACH CLASSROOM OR TEACHING STATION PLUS 1 ADDITIONAL SPACE FOR EACH 4 SEATS IN ANY AUDITORIUM, GYMNASIUM, OR OTHER PLACE OF ASSEMBLY, WHICHEVER IS GREATER.

1. EXISTING SPACES:  
 157 SPACES  
 8 HANDICAP SPACES  
 165 TOTAL EXISTING SPACES

2. NEW SPACES:  
 79 SPACES ADDED  
 8 HANDICAP SPACES ADDED  
 87 TOTAL SPACES ADDED

3. TOTAL SPACES:  
 236 SPACES  
 16 HANDICAP SPACES  
 252 TOTAL SPACES

4. REQUIRED SPACES:  
 230 SPACES

**PROPERTY DESCRIPTION**

1. OWNER INFORMATION  
 A. NAME: SAN MARCOS, C.I.S.D.  
 B. 501 SOUTH LB DRIVE, SAN MARCOS, TX 78666

2. PROPERTY INFORMATION  
 A. NAME: SAN MARCOS HIGH SCHOOL  
 B. ADDRESS: 2601 EAST MCCARTY LN, SAN MARCOS, TX 78666

3. LEGAL DESCRIPTION  
 XXXXXXXXXXX. NEW ELEMENTARY SCHOOL BLK X, LOT X

4. ZONING INFORMATION  
 A. CATEGORY: XXXXXXXXXXXX  
 B. TRANSLATED CATEGORY:  
 C. ORDINANCE NUMBER:

**PARKING REQUIREMENTS**

AS OBTAINED FROM CITY ORDINANCE, LAND DEVELOPMENT CODE, SECTION XXXX, THE REQUIRED NUMBER OF OFF-STREET PARKING SPACES IS DETERMINED AS FOLLOWS:

1.5 SPACE FOR EACH CLASSROOM OR TEACHING STATION PLUS 1 ADDITIONAL SPACE FOR EACH 4 SEATS IN ANY AUDITORIUM, GYMNASIUM, OR OTHER PLACE OF ASSEMBLY, WHICHEVER IS GREATER.

1. TOTAL SPACES:  
 246 SPACES ADDED  
 11 HANDICAP SPACES ADDED  
 257 TOTAL SPACES ADDED

2. REQUIRED SPACES:  
 187 SPACES REQUIRED  
 11 H.C. SPACES REQUIRED

01. ALL SITE INFORMATION INCLUDING, BUT NOT LIMITED TO, PROPERTY LINES, METES & BOUNDS, CONTOURS, EXISTING BUILDINGS, EASEMENTS, TREES, WALKS, DRIVES, FENCES, ETC., TAKEN FROM SURVEY BY:

02. HUCKABEE AND ASSOCIATES, INC. ALONG WITH THEIR CONSULTANTS HAVE LOCATED, SHOWN AND NOTED EXISTING SITE FEATURES INCLUDING BUT NOT LIMITED TO PROPERTY LINES, METES AND BOUNDS, GRADE CONTOURS, EXISTING STRUCTURES, EASEMENTS, TREES, FENCES, ROADWAYS, OVERHEAD AND UNDERGROUND UTILITIES, AND OTHER EXISTING FEATURES TO THE BEST OF OUR ABILITY BASED UPON OWNER PROVIDED SURVEYS, EXISTING CONSTRUCTION DOCUMENTS AND OTHER EXISTING DATA COLLECTED IN REGARDS TO THIS SPECIFIC SITE. HUCKABEE AND ASSOCIATES, INC. NOR THEIR CONSULTANTS SHALL ASSUME ANY RESPONSIBILITY OR LIABILITIES IN REGARD TO THE ACCURACY OF THE ABOVE MENTIONED OWNER PROVIDED DATA.

03. IF THE CONTRACTOR FINDS ANY DISCREPANCY BETWEEN EXISTING CONDITIONS AND THOSE WHICH ARE SHOWN ON THE PLANS, HE SHALL IMMEDIATELY CONTACT THE ARCHITECT.

04. THE CONTRACTOR SHALL MAKE ARRANGEMENTS WITH ALL UTILITY ENTITIES TO LOCATE AND MARK ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.

05. THE CONTRACTOR SHALL VISIT THE SITE AND BECOME FAMILIAR WITH ALL EXISTING CONDITIONS.

06. REFER TO SHEET AS2.1 FOR DETAILS AND OTHER SITE IMPROVEMENT DETAILS.

07. FINISH GRADE @ PERIMETER OF THE BUILDING SHALL BE AS SHOWN ON SITE GRADING PLAN. REFER TO CIVIL DRAWINGS. SITE GRADES SHALL SLOPE UNIFORMLY AWAY FROM THE BUILDING & INTERSECT W/ ELEVATIONS SHOWN.

08. REFERENCE CIVIL DRAWINGS FOR ALL SITE DIMENSIONS.

09. MAKE ALL SLOPES OF WALKS & DRIVES COMPLY WITH FINISH ELEVATION SHOWN ON CIVIL DRAWINGS. THE LINE OF SLOPE SHALL FORM STRAIGHT LINES BETWEEN FINISH ELEVATION WHEN POSSIBLE & GRADING CONTOURS WHEN STRAIGHT LINES ARE NOT POSSIBLE. VERIFY ALL ELEVATIONS & DIMENSIONS WITH ARCHITECT ON JOB. REFER TO CIVIL.

10. ALL WALK AND DRIVE SHALL BE 4' WIDE AND SHALL COMPLY WITH THE TEXAS ACCESSIBILITY STANDARDS (TAS) AND WITH THE REQUIREMENTS OF THE CURRENT, ADOPTED INTERNATIONAL BUILDING CODE.

11. PROVIDE 1/2" EXPANSION JOINT ALONG BUILDING FOUNDATION OR BRICK WHERE CONCRETE WALK IS PRESENT. REFERENCE CIVIL DRAWINGS FOR TYPICAL DETAIL.

12. PROVIDE 1/2" EXPANSION JOINT ALONG BACK OF CONCRETE CURB WHERE WALK IS PRESENT. REFERENCE CIVIL DRAWINGS FOR CURB DETAILS.

13. CONTRACTOR SHALL REMOVE ALL EXISTING OBSTRUCTIONS TO NEW CONSTRUCTION, PAVING, WALKS, AND OTHER SITE IMPROVEMENTS INCLUDING BUT NOT LIMITED TO EXISTING TREES, FENCES, CONCRETE, ROCKS, DEBRIS, POST, VEGETATION, UTILITIES (AS NOTED) AND OTHER ITEMS AS NOTED FOR CONSTRUCTION.

14. REFER TO ELECTRICAL DRAWINGS FOR OUTDOOR LIGHTING REQUIREMENTS.

15. REFER TO CIVIL DRAWINGS FOR SITE GRADING PLAN, SITE UTILITY PLAN (INCLUDING FIRE HYDRANT LOCATIONS), EROSION CONTROL PLANS, AND CURB AND PAVING REQUIREMENTS AND DETAILS.

16. REFER TO CIVIL SHEETS FOR SITE GRADING CONTOURS. CONTRACTOR SHALL MAKE ALL CUT AND FILLS REQUIRED TO ACCOMPLISH ALL WORK SHOWN. GRADE SITE TO TOLERANCES AS SPECIFIED.

17. REFER CIVIL DRAWINGS FOR THICKNESSES AND LOCATIONS OF ALL TYPES OF PAVING.

18. FIRE LANE STRIPING SHALL COMPLY WITH CITY OF KILGORE REQUIREMENTS AND NFPA.

19. REFER TO SPECIFICATIONS/PROJECT MANUAL FOR ADDITIONAL INFORMATION AND REQUIREMENTS.

**GENERAL SITE NOTES**

ANY REVISION TO THIS PLAN WILL REQUIRE TOWN APPROVAL AND WILL REQUIRE REVISIONS TO ANY CORRESPONDING PLANS TO AVOID CONFLICTS BETWEEN PLANS

- DUMPSTERS AND TRASH COMPACTORS SHALL BE SCREENED IN ACCORDANCE WITH THE COMPREHENSIVE ZONING ORDINANCE.
- OPEN STORAGE, WHERE PERMITTED, SHALL BE SCREENED IN ACCORDANCE WITH THE COMPREHENSIVE ZONING ORDINANCE.
- OUTDOOR LIGHTING SHALL COMPLY WITH THE LIGHTING AND GLARE STANDARDS CONTAINED WITHIN THE COMPREHENSIVE ZONING ORDINANCE.
- LANDSCAPING SHALL CONFORM TO THE LANDSCAPE PLANS APPROVED BY THE TOWN.
- ALL ELEVATIONS SHALL COMPLY WITH THE CITY'S CORRIDOR DISTRICT REQUIREMENTS.
- FIRE LANES SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARDS OR AS DIRECTED BY THE FIRE DEPARTMENT.
- TWO POINTS OF ACCESS SHALL BE MAINTAINED FOR THE PROPERTY AT ALL TIMES.
- SPEED BUMPS / HUMPS ARE NOT PERMITTED WITHIN A FIRE LANE.
- HANDICAPPED PARKING AREAS AND BUILDING ACCESSIBILITY SHALL CONFORM TO THE TEXAS ACCESSIBILITY STANDARDS (TAS) AND WITH THE REQUIREMENTS OF THE CURRENT, ADOPTED INTERNATIONAL BUILDING CODE.
- ALL SIGNAGE IS SUBJECT TO MUNICIPAL APPROVAL.
- ALL FENCES AND RETAINING WALLS SHALL BE SHOWN ON THE SITE PLAN AND ARE SUBJECT TO MUNICIPAL APPROVAL.
- ALL EXTERIOR BUILDING MATERIALS ARE SUBJECT TO BUILDING OFFICIAL APPROVAL.
- SIDEWALKS OF NOT LESS THAN FOUR (4') FEET IN WIDTH AND BARRIER FREE RAMPS AT ALL CURB CROSSINGS SHALL BE PROVIDED PER CITY STANDARDS.
- APPROVAL OF THE SITE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED.
- SITE PLAN APPROVAL IS REQUIRED PRIOR TO GRADING RELEASE.

**CITY OF MANSFIELD SITE PLAN NOTES**

01. ALL SITE INFORMATION INCLUDING, BUT NOT LIMITED TO, PROPERTY LINES, METES & BOUNDS, CONTOURS, EXISTING BUILDINGS, EASEMENTS, TREES, WALKS, DRIVES, FENCES, ETC., TAKEN FROM SURVEY BY:

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18. FIRE LANE STRIPING SHALL COMPLY WITH CITY OF KILGORE REQUIREMENTS AND NFPA.

19. REFER TO SPECIFICATIONS/PROJECT MANUAL FOR ADDITIONAL INFORMATION AND REQUIREMENTS.

Revision / Date

Project:

**HIGH SCHOOL ADDITIONS FOR  
 SAN MARCOS, C.I.S.D.  
 VOLUME "2"  
 A NEW MULTI-PURPOSE ATHLETIC STADIUM  
 SAN MARCOS, TEXAS**

DRAFT COPY ONLY

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

Christopher M. Huckabee  
 TX 0136

**Huckabee**

ARCHITECTURE  
 ENGINEERING  
 MANAGEMENT

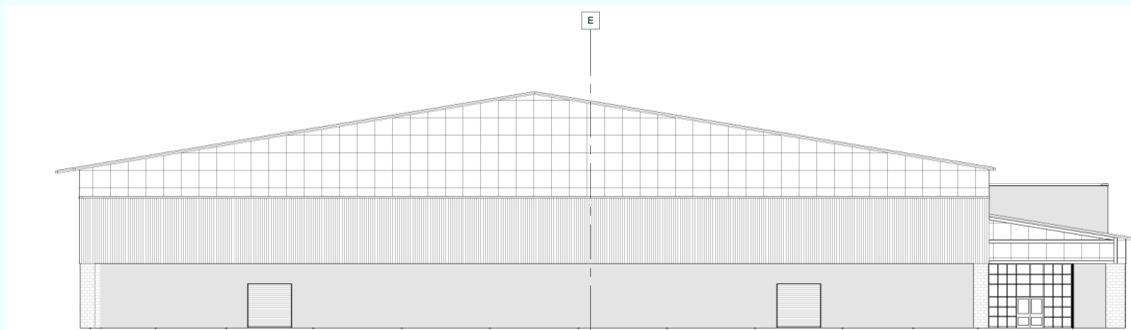
Austin  
 Dallas  
 Fort Worth

4521 South Hulen, Suite 220  
 Fort Worth, Texas 76109  
 ph 817.377.2969  
 fx 817.377.2303  
 www.huckabee-inc.com

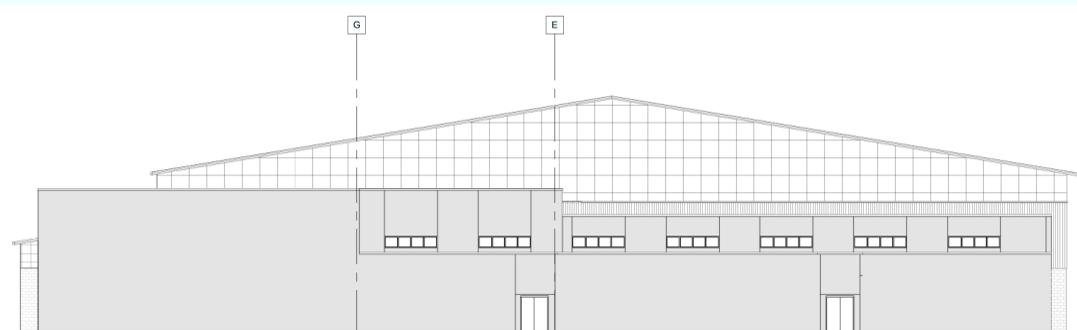
**SITE PLAN**

Job. No. 1668-04B Sheet No.  
 Drawn By: EE  
 Date: Mo Day, 20XX AS1.1  
 Sheet of

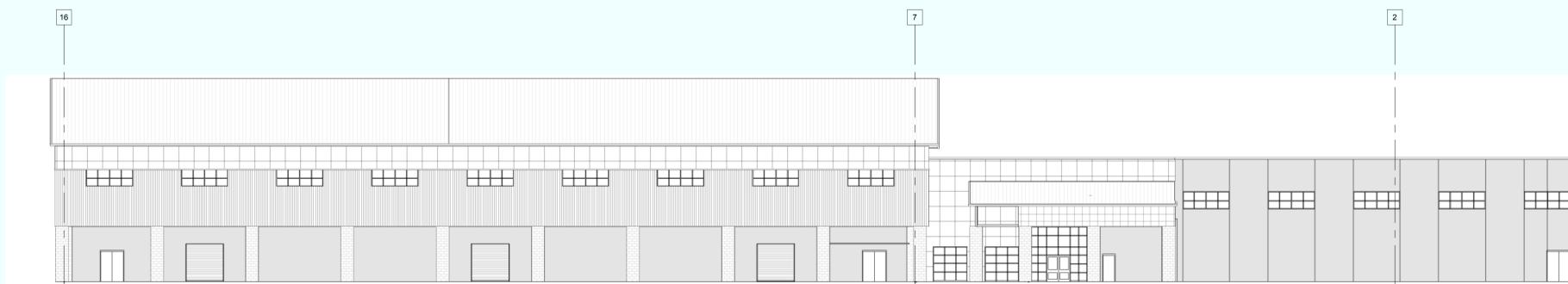




EAST ELEVATION - A4.1-1  
1/16" = 1'-0"



WEST ELEVATION - A4.1-3  
1/16" = 1'-0"



NORTH ELEVATION - A4.1-2  
1/16" = 1'-0"

Item 10  
Attachment # 6  
Page 2 of 2



SOUTH ELEVATION - A4.1-4  
1/16" = 1'-0"

Revision / Date

Project:  
HIGH SCHOOL ADDITIONS FOR  
SAN MARCOS C.I.S.D.  
VOLUME "1"  
A NEW STUDENT ACTIVITY CENTER  
SAN MARCOS, TEXAS

DRAFT COPY  
ONLY

NOT FOR REGULATORY  
APPROVAL, PERMITTING,  
OR CONSTRUCTION.

Christopher M. Huckabee  
10.15.10

**Huckabee**

ARCHITECTURE  
ENGINEERING  
MANAGEMENT

Austin  
Dallas  
Fort Worth

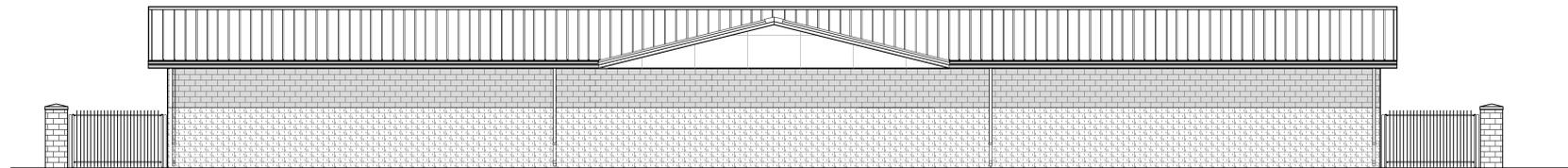
4521 South Hulen, Suite 220  
Fort Worth, Texas 76109  
ph 817.377.2969  
fx 817.377.2303

www.huckabee-inc.com

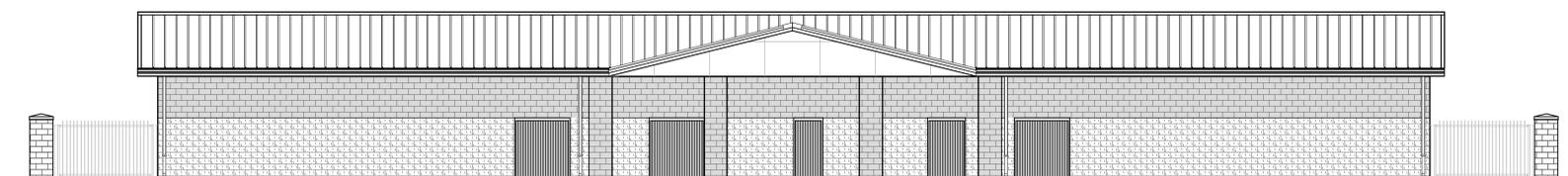
EXTERIOR ELEVATIONS

Job No. 1668-04	Sheet No. Project Status
Drawn By: Author	A4.1
Date: 03/18/12	

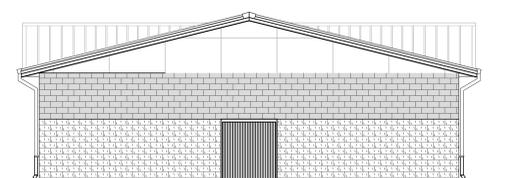
Sheet of



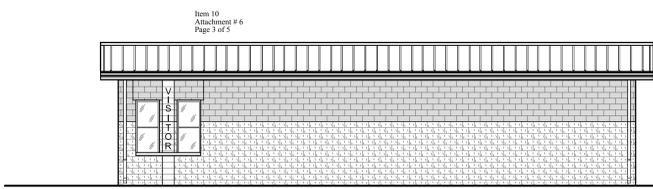
ELEVATION 7 - BUILDING C  
1/8" = 1'-0"



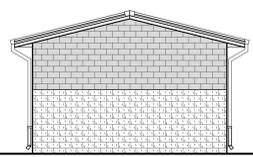
ELEVATION 5 - BUILDING C  
1/8" = 1'-0"



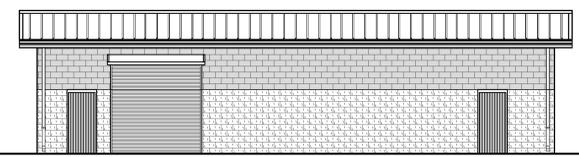
ELEVATION 6, 8 O.H. - BUILDING C  
1/8" = 1'-0"



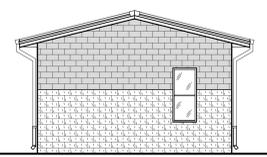
ELEVATION 1 - BUILDING D  
1/8" = 1'-0"



ELEVATION 2 - BUILDING D  
1/8" = 1'-0"



ELEVATION 3 - BUILDING D  
1/8" = 1'-0"



ELEVATION 4 - BUILDING D  
1/8" = 1'-0"

Item 10  
Attachment # 6  
Page 3 of 5

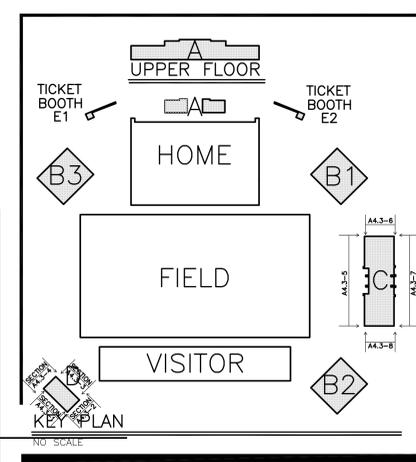
Revision / Date

Project:  
HIGH SCHOOL ADDITIONS FOR  
SAN MARCOS, C.I.S.D.  
VOLUME "2"  
A NEW MULTI-PURPOSE ATHLETIC STADIUM  
SAN MARCOS, TEXAS

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TX 01/10

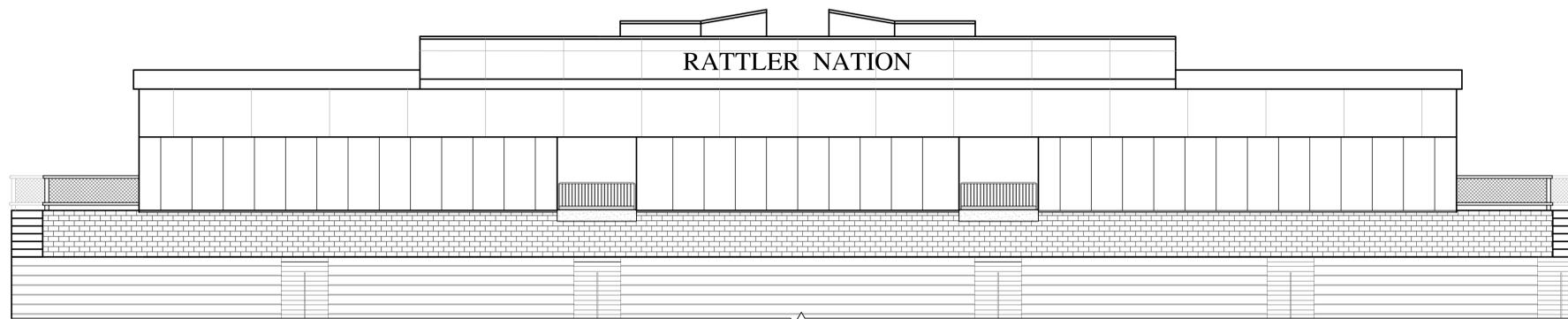
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EXTERIOR ELEVATIONS  
Job. No. 1668-04B  
Drawn By: EE  
Date: Mo Day, 20XX  
Sheet No. A4.3  
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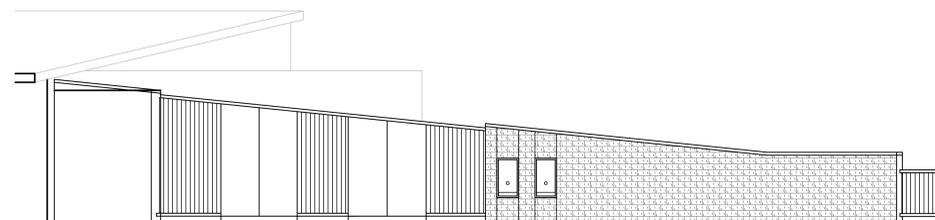


KEY ELEVATION  
1/16" = 1'-0"

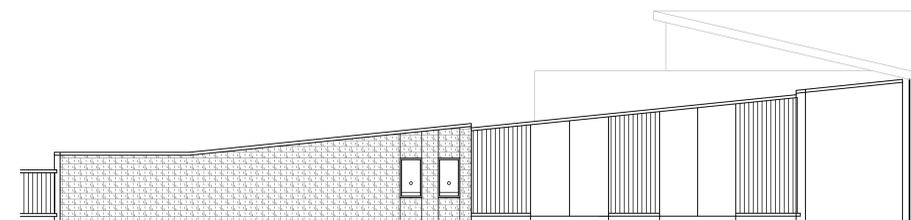
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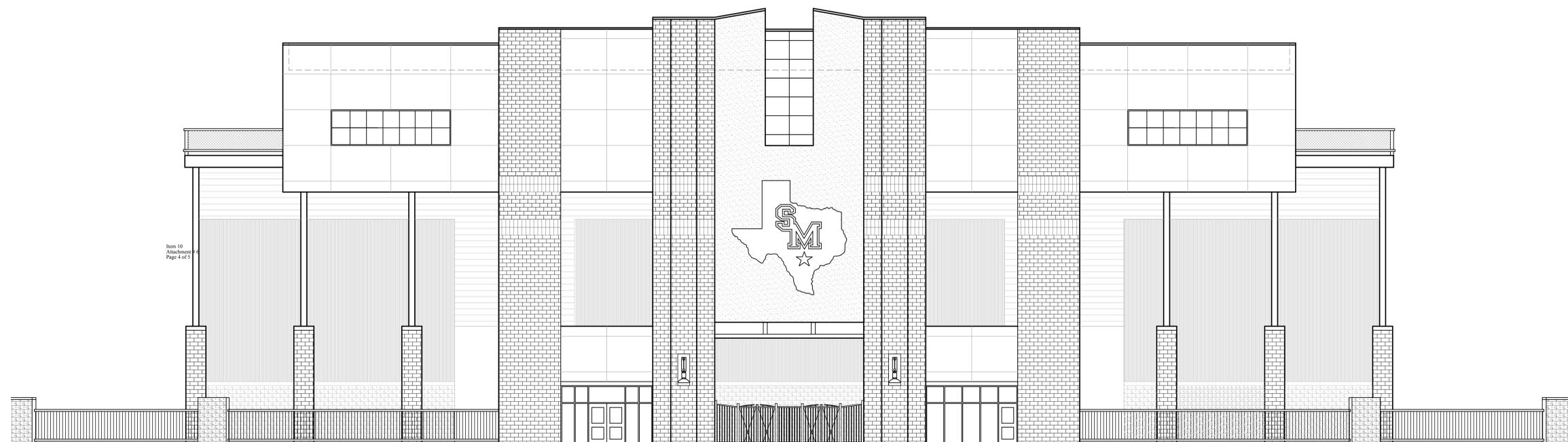
ELEVATION 4 - BUILDING A  
1/8" = 1'-0"



ELEVATION 2 - TICKET BOOTH A  
1/8" = 1'-0"



ELEVATION 3 - TICKET BOOTH A  
1/8" = 1'-0"



ELEVATION 1 - BUILDING A  
1/8" = 1'-0"

Item 10  
Attachments  
Page 4 of 5

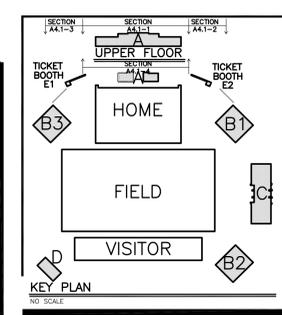
Revision / Date

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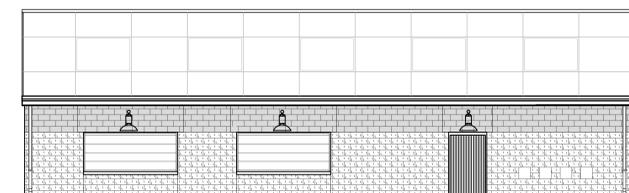
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Job No. 1668-04B Sheet No.  
Drawn By: EE  
Date: Mo Day, 20XX  
A4.1  
Sheet of

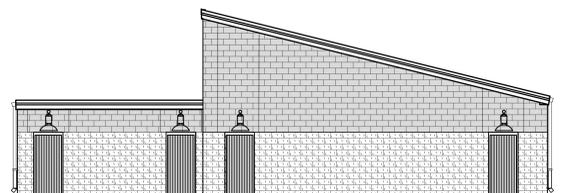


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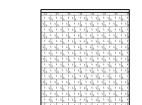
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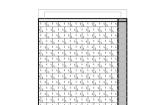
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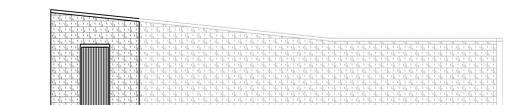
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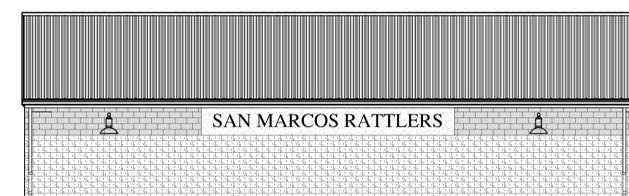
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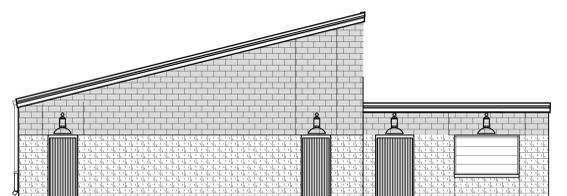
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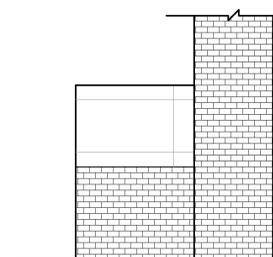
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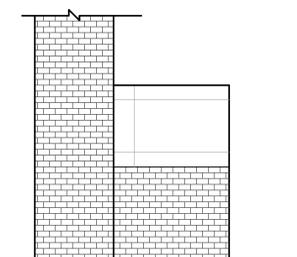
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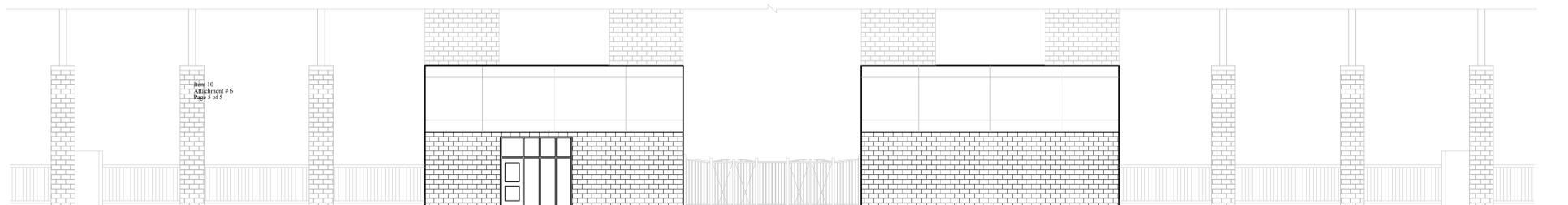
ELEVATION 3 - BUILDING B (TYPICAL OF 3)  
1/8" = 1'-0"



ELEVATION 4, 6 O.H. - BUILDING A  
1/8" = 1'-0"



ELEVATION 5, 7 O.H. - BUILDING A  
1/8" = 1'-0"



ELEVATION 1 - BUILDING A  
1/8" = 1'-0"

Item 10  
Attachment # 6  
Page 2 of 2

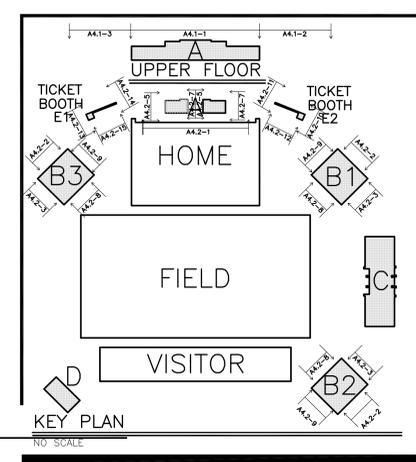
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EXTERIOR ELEVATIONS  
Job. No. 1668-04B  
Drawn By: EE  
Date: Mo Day, 20XX  
Sheet No. A4.2  
Sheet of



KEY ELEVATION  
1/16" = 1'-0"

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## **Agenda Information**

### **AGENDA CAPTION:**

**CUP-13-27 (Phoenix Learning Center)** Hold a public hearing and consider a request by Huckabee Engineering, on behalf of San Marcos CISD, for a Conditional Use Permit to allow metal siding on a new building located at 1301 Highway 123.

**Meeting date:** August 27, 2013

**Department:** Developmetnt Services

**Funds Required:** n/a

**Account Number:**

**Funds Available:** n/a

**Account Name:**

### **CITY COUNCIL GOAL:**

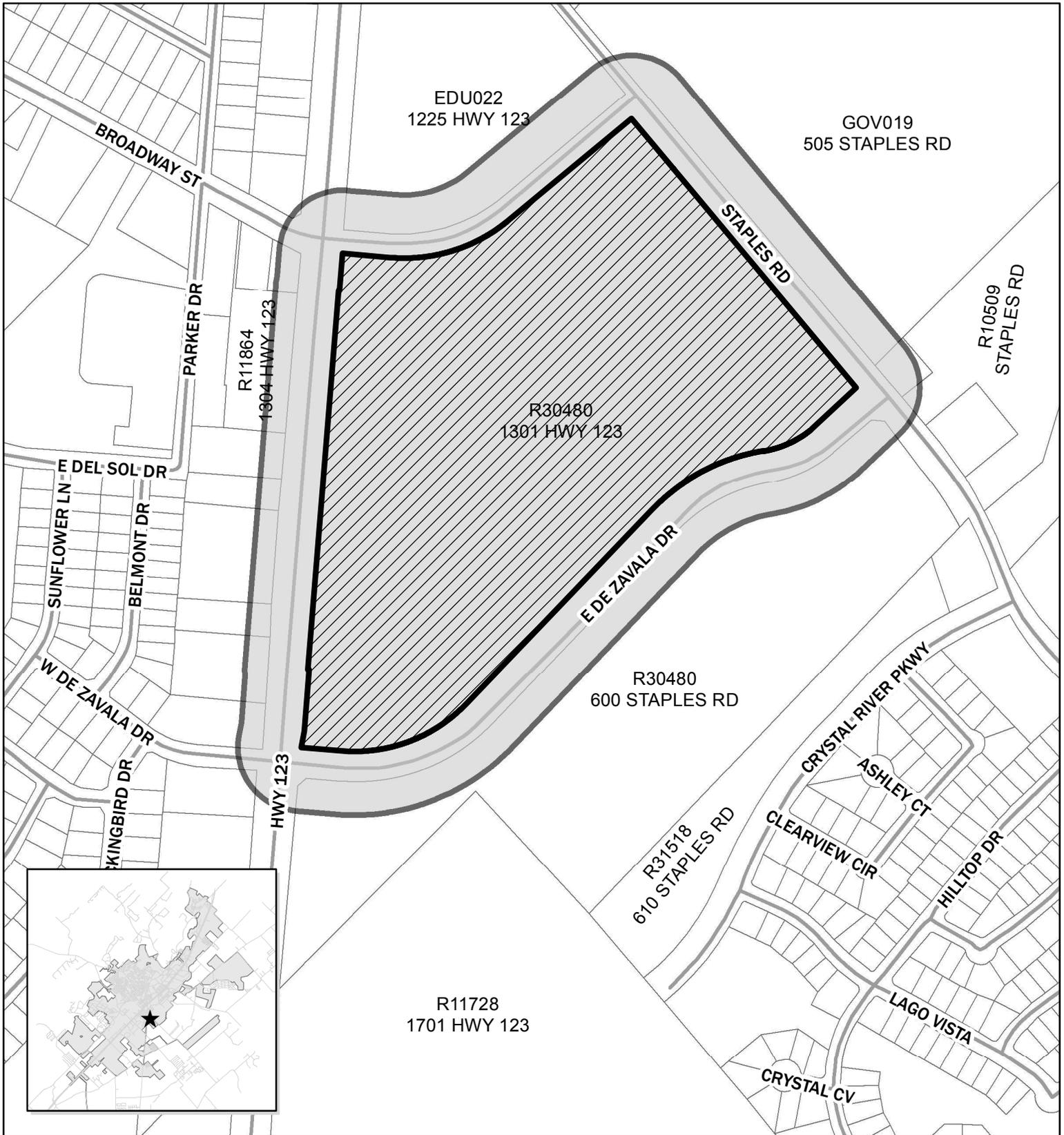
### **BACKGROUND:**

San Marcos CISD is proposing a new Phoenix Learning Center be built on the site directly across De Zavala Dr from De Zavala Elementary School. The building would use metal rib panels for portions of the exterior.

The use of bricks and windows in the design helps to limit the negative aesthetic impacts of the building. Although the building would be visible from Hwy 123 and Staples Rd it would not be visible from nearby residences. Staff finds that the use of metal siding at this location will have little detrimental effect on neighboring properties and recommends approval.

### **ATTACHMENTS:**

Case Map  
Staff Report  
Rendering  
Plans



**CUP-13-27**  
**Phoenix Learning Center.**  
**1301 Hwy 123**  
**Map Date: 8/9/2013**

 Site Location  
 Notification Buffer (200 feet)

0 255 510 1,020 Feet



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

**CUP-13-27**  
**Conditional Use Permit**  
**1301 Hwy 123**  
**Metal Façade Material**



**Applicant Information:**

Applicant: Huckabee Engineering  
 Crystal Vasquez  
 4521 S Hulen, Ste 220  
 Fort Worth, TX 76109

Property Owner: San Marcos CISD  
 501 S LBJ Drive  
 San Marcos, TX 78666

Applicant Request: A Conditional Use Permit (CUP) to allow the use of metal as a façade material.

Notification: Public hearing notification mailed on Friday, August 16, 2013.

Response: No responses as of the date of this report.

**Subject Property:**

Location: 1225 Hwy 123

Legal Description: N/A

Frontage On: Hwy 123, Stables Rd, and Broadway St, De Zavala Dr.

Neighborhood: N/A

Existing Zoning: Public and Institutional (P)

Preferred Scenario: Medium Intensity / Area of Stability

Utilities: Existing

Existing Use of Property: School

Proposed Use of Property: School

Zoning and Land Use Pattern:

	<b>Current Zoning</b>	<b>Existing Land Use</b>
<b>N of Property</b>	GC	Strip Center
<b>S of Property</b>	P	De Zavala Elementary
<b>E of Property</b>	FD	Water Treatment Plant
<b>W of Property</b>	CC	Retail

**Case Summary**

The subject property is located on East De Zavala Drive between Highway 123 and Staples Road. San Marcos CISD is proposing a new Phoenix Learning Center be built on the site directly across De Zavala Drive from De Zavala Elementary School. The building would use metal rib panels for portions of the exterior of the building. Other portions of the building would be covered with brick.

The applicant is also applying for two additional conditional use permits to allow metal siding - one for a sports stadium to be heard at this same meeting (CUP-13-26) and another for a pre-kindergarten center to be heard on September 24<sup>th</sup> (CUP-13-31).

**Code Requirements:**

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

Section 4.4.2.1 of the Land Development Code (LDC) discusses exterior material requirements for buildings. It states that materials will be listed as permitted by right or by CUP in the Technical Manual. The Technical Manual states metal sheet siding (in any amount) is required to have a CUP.

**Comments from Other Departments:**

None.

**Planning Department Analysis:**

The intent of section 4.4.2.1 of the LDC is to ensure aesthetic value and visual appeal. In the past, P&Z has approved metal as an exterior building material for four car dealerships, a self-storage facility, the Aquarena Plaza shopping center, and the new Hays County Government Center. In each case, the metal was used as an architectural design feature. In this case the metal panels are being used as insulated siding and not as an architectural design feature. The use of bricks and windows in the design helps to limit the negative aesthetic impacts of the use of metal. Although the building would be visible from Highway 123 and Staples Road, it would not be visible from nearby residences.

Staff finds that the use of metal siding at this location will have little detrimental effect on neighboring properties.

- **Staff recommends Approval of the Conditional Use Permit to allow metal panels as a façade material on the Phoenix Learning Center**

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

**Prepared by:**

Tory Carpenter

Planning Technician

August 16, 2013

**Name**

**Title**

**Date**

### **The Commission's Responsibility:**

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

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

- The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan;
- The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
- The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods;
- The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;
- The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;
- The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and
- The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

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



SAN MARCOS PHOENIX SCHOOL



SITE PLAN  
SCALE: 1" = 100'-0"

Fastenal  
Company

123

1012

Guadalupe St

DeZavala

A  
DeZavala  
Elementary  
School

TRANSMISSION LINE  
(OVERHEAD)

APPROX. 320'

EXIST.  
BLDG.

EXIST.  
BLDG.

MECH. UNITS

MECH. UNITS

50' UTILITY EASEMENT  
(FROM RIGHT-OF-WAY)

25' RIGHT-OF-WAY (FROM  
CENTER OF DeZAVALA DRIVE)

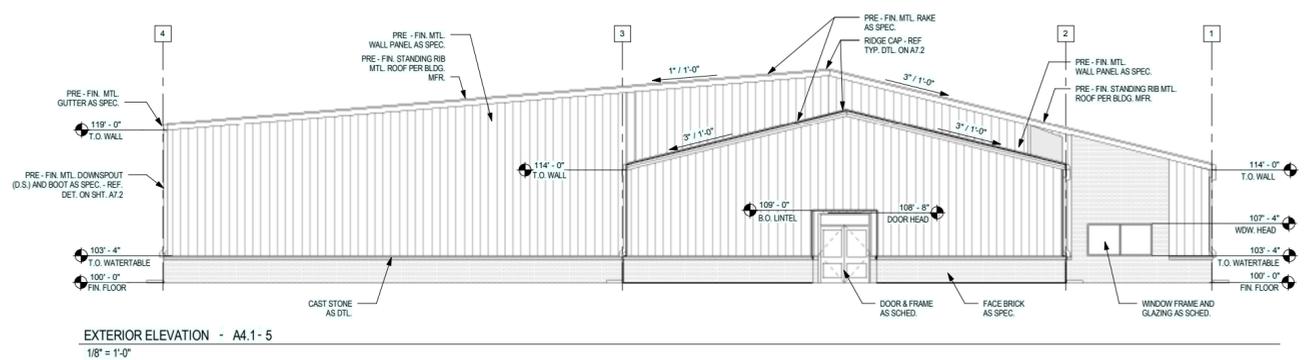
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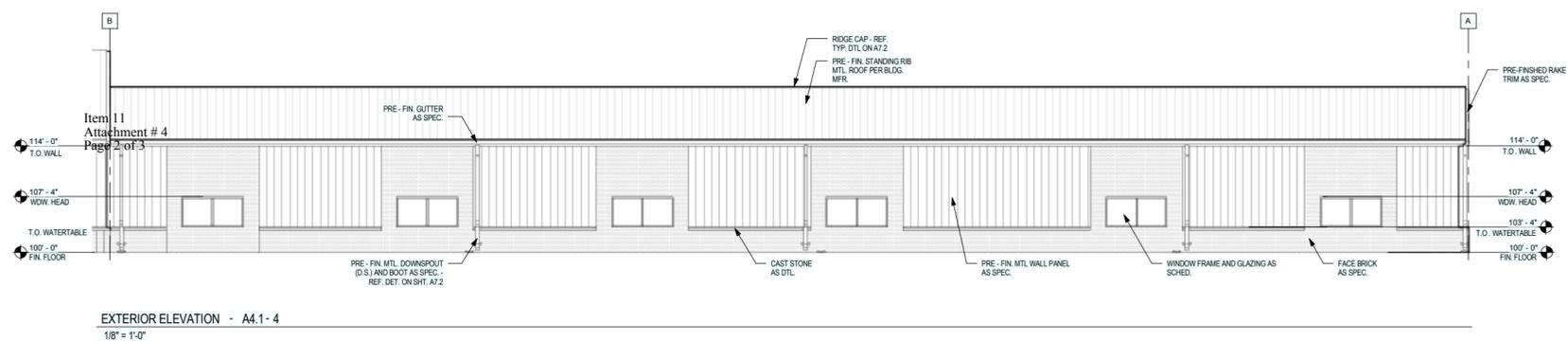
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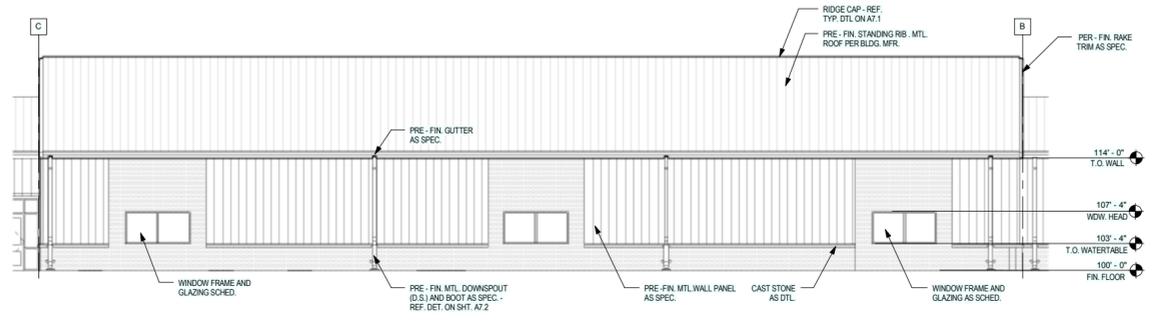
10'



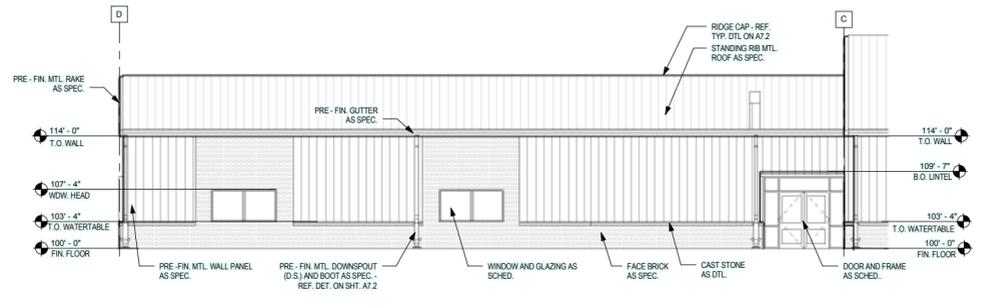
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1/8" = 1'-0"



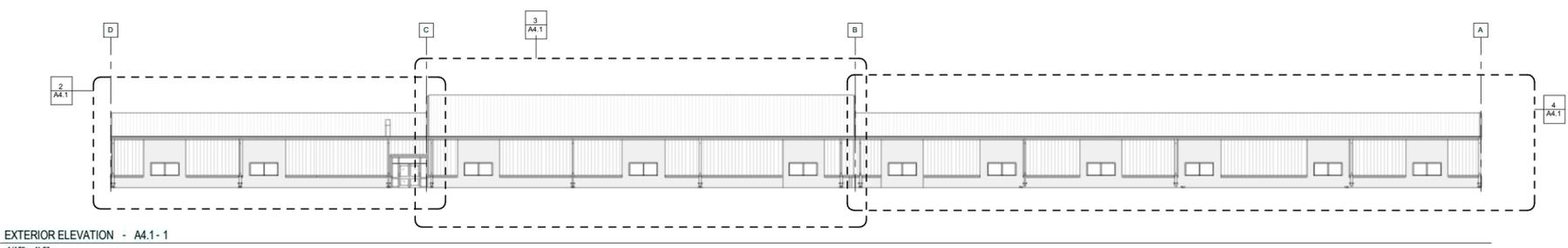
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EXTERIOR ELEVATION - A4.1-3  
1/8" = 1'-0"



EXTERIOR ELEVATION - A4.1-2  
1/8" = 1'-0"



EXTERIOR ELEVATION - A4.1-1  
1/16" = 1'-0"

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Christopher M. Huckabee  
Principal

**Huckabee**

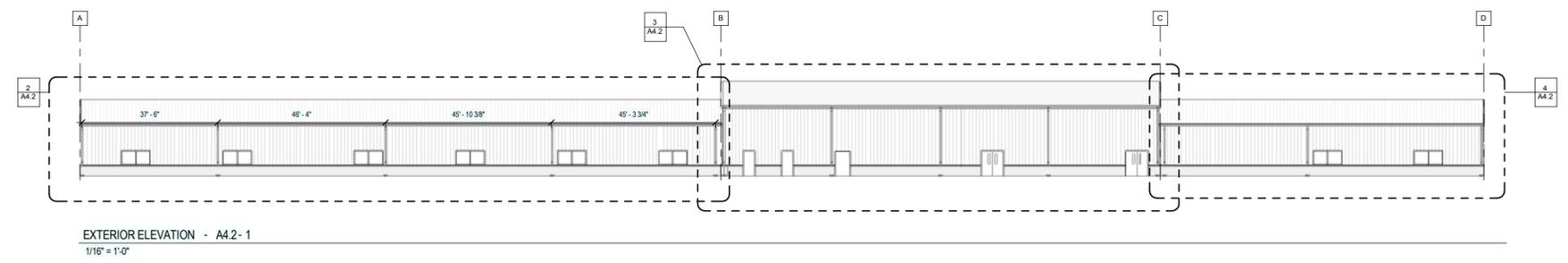
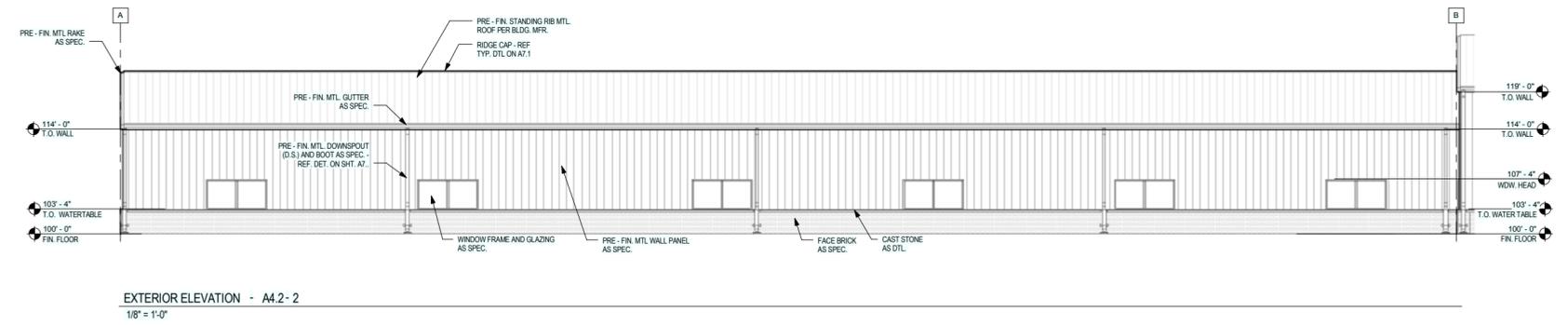
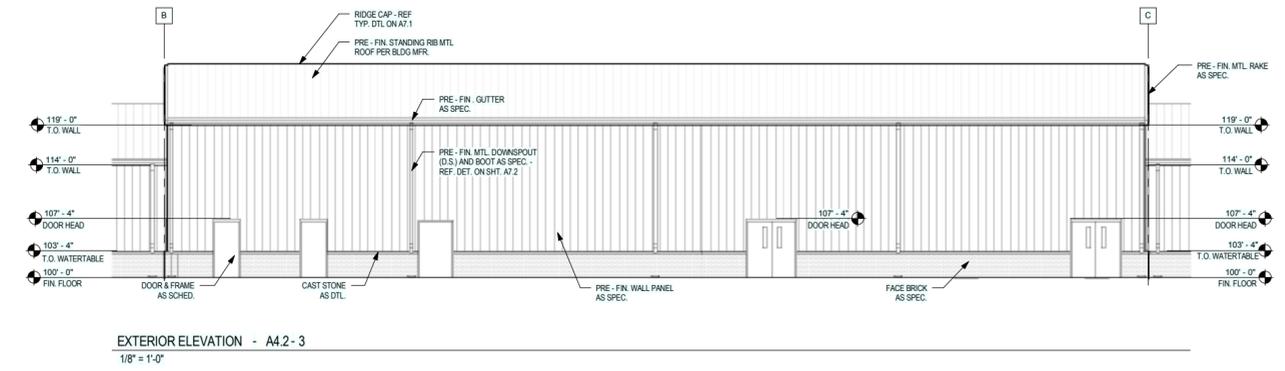
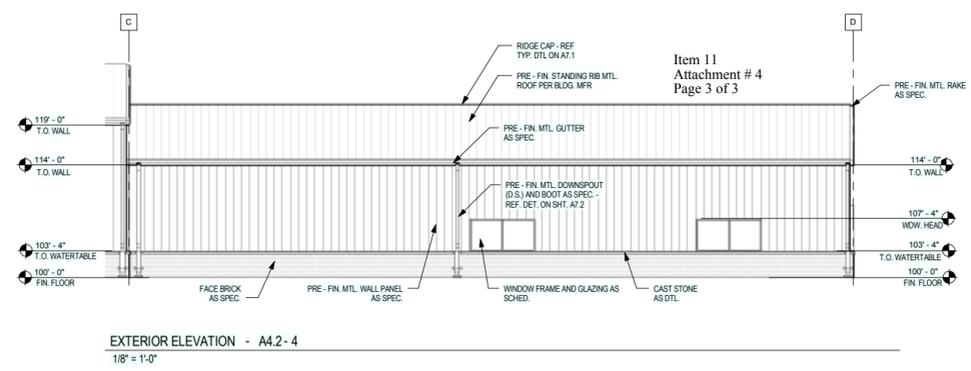
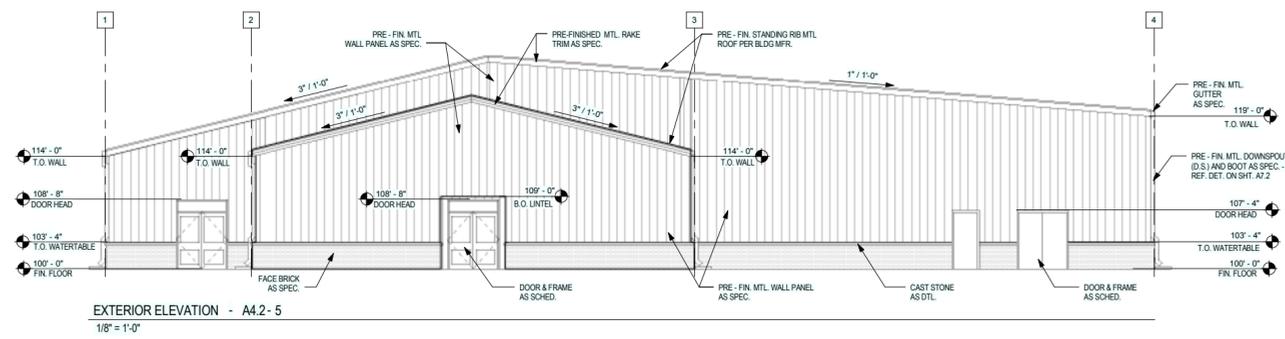
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Drawn By: PH	
Date: 07/07/13	
Sheet	of

## **Agenda Information**

### **AGENDA CAPTION:**

**LDC-13-04 (Multi-family Unit Definition)** Hold a public hearing and consider revisions to Chapter 8, Article 1, General Definitions of the Land Development Code to modify the definition of Dwelling Unit and make associated changes.

**Meeting date:** August 27, 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 City has seen a trend in apartment developments with rent by the bedroom units consisting of four, five, or more bedrooms per unit.

This has led to a number of challenges including:

- Several development regulations assume fewer people per unit. The population and ultimate impact of these developments are greater than anticipated.
  - Traffic Impact Analysis
  - Zoning – density, compatibility
  - Parkland dedication
- Impacts on surrounding properties are greater
- Parking (particularly for visitors) – although parking is calculated per bedroom, the final amount of parking required is much more than originally anticipated for the zoning district.
- The ability of these developments to adapt over time and maintain viability is questionable. This type of development is a relatively recent trend.

After evaluating the challenges and various other cities' regulations, Staff recommends short-term and long-term solutions. In the short term, the revised Land Development Code language attached would address some of the concerns regarding development regulations by changing the way units are calculated as outlined below.

Three-bedroom unit = one unit;

Four-bedroom unit = one and one-half units;

Five-bedroom unit = two units;

Every second bedroom above the fifth bedroom = one additional unit

For the broader challenges associated with these developments, Staff recommends a holistic review of multifamily design, development, and locational criteria in the upcoming Land Development Code revisions.

The Planning and Zoning Commission recommended **approval** of the proposed change (8-0) at the June 25th meeting. The City Council recommended **approval** of the proposed change (7-0) at the July 16th meeting. It is currently scheduled for the second reading at the September 3rd City Council meeting.

**ATTACHMENTS:**

Ordinance

Memo with revised code language

Summary of Other Cities' Information

ORDINANCE NO. 2013-\_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 8, ARTICLE 1, GENERAL DEFINITIONS OF THE LAND DEVELOPMENT CODE BY AMENDING THE DEFINITION OF DWELLING UNIT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

**SECTION 1.** The Land Development Code is amended as set forth below. Added text is indicated by underlining.

**SECTION 2.** Chapter 8, Definitions, Article 1, General Definitions, Definition No. 93 is amended by revising subsection (d) and adding a new subsection (e) to read as follows:

93. *Dwelling unit* means a room or suite or set of rooms occupied and suitable for occupancy as a family residence and having kitchen, bath and sanitary facilities, together with appropriate appurtenances to that occupancy.

(d) *Multiple-family dwelling unit* means a dwelling unit within a building designed for and/or occupied exclusively by two or more dwelling units. Also known as multifamily dwelling unit.

(e) *Dwelling unit equivalent (DUE)* means a density value for multiple-family dwelling units based upon the number of bedrooms in the unit. This value shall be applied to the units per acre measurement in order to meet the dwelling unit requirement.

(i) Three-bedroom unit = one unit;

(ii) Four-bedroom unit = one and one-half units;

(iii) Five-bedroom unit = two units;

(iv) Six-bedroom unit = two units

(v) Every second bedroom above the fifth bedroom = one additional unit

**SECTION 3.** In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos Land Development Code.

**SECTION 4.** If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

**SECTION 5.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

**SECTION 6.** This ordinance will take effect after its passage, approval and adoption on second reading.

**PASSED AND APPROVED** on first reading on July 16, 2013.

**PASSED, APPROVED AND ADOPTED** on second reading on August 6, 2013.

Daniel Guerrero  
Mayor

Attest:

Approved:

Jamie Lee Pettijohn  
City Clerk

Michael J. Cosentino  
City Attorney



# MEMO

**TO:** PLANNING AND ZONING COMMISSION  
**FROM:** JOHN FOREMAN, AICP, CNU-A, PLANNING MANAGER  
**DATE:** JUNE 13, 2013  
**RE:** MULTIFAMILY “UNIT” DEFINITION

---

## Background

The City has seen a trend in apartment developments with rent by the bedroom units consisting of four, five, or more bedrooms per unit. Traditionally the number of people per unit has been much less. For instance, according to the 2010 Census, the average number of persons per households in renter-occupied units in San Marcos was 2.16. This has led to a number of challenges including:

- Several development regulations assume fewer people per unit. The population and ultimate impact of these developments are greater than anticipated.
  - Traffic Impact Analysis
  - Zoning – density, compatibility
  - Parkland dedication
- Impacts on surrounding properties are greater because of this.
- Parking (particularly for visitors) – although parking is calculated per bedroom, the final amount of parking required is much greater than originally anticipated for the zoning district.
- The ability of these developments to adapt over time and maintain viability is questionable. This type of development is a relatively recent trend.

## Research

Staff contacted various other towns with large universities to see how they defined terms such as “unit” and “multifamily,” as well as to learn about how they regulate the impacts of these developments on their towns. The most common tool used was to limit occupancy to four or five unrelated adults in multi-family developments. Other regulations include calculating units by the number of bedrooms, rental property registration, and others. See attached documentation.

## Solutions

After evaluating the challenges and various other cities’ regulations, Staff recommends short-term and long-term solutions. In the short term, the revised Land Development Code language below would address some of the concerns regarding development regulations by changing the way units are calculated. This is applicable to new development and would avoid the enforcement challenges of a new occupancy restriction.

For the broader challenges associated with these developments, Staff recommends a holistic review of multifamily design, development, and locational criteria in the upcoming Land Development Code revisions resulting from the implementation of *Vision San Marcos*. Developing a code that supports well-designed dense housing in appropriate locations can help drive economic development in the City and to shift the conversation from “How do we stop it?” to “How do we harness it as an opportunity for sustainable economic growth?”

**Draft Revised Code**

**Chapter 8 - DEFINITIONS**

**ARTICLE 1: - GENERAL DEFINITIONS**

*Dwelling unit* means a room or suite or set of rooms occupied and suitable for occupancy as a family residence and having kitchen, bath and sanitary facilities, together with appropriate appurtenances to that occupancy.

(d) *Multiple-family dwelling unit* means a dwelling unit within a building designed for and/or occupied exclusively by two or more dwelling units. Also known as multifamily dwelling unit.

(e) *Dwelling unit equivalent (DUE)* means a density value for multiple-family dwelling units based upon the number of bedrooms in the unit. This value shall be applied to the units per acre measurement in order to meet the dwelling unit requirement.

Three-bedroom unit = one unit;

Four-bedroom unit = one and one-half units;

Five-bedroom unit = two units;

Every second bedroom above the fifth bedroom = one additional unit

Coding Student Housing:  
Responses from Other Growing College Towns

<b>Amherst, MA</b>	
Number of related persons allowed in one unit	There is no limit (beyond basic health and building code requirements) in zoning on the number of related people (with relation defined inclusively) who can reside in a dwelling unit.
Number of unrelated persons allowed in one unit	No more than four unrelated people can occupy a dwelling unit. That does not limit occupancy on the basis of who the people are (i.e. students), but on whether all occupants have a familial relation and obligation to one another. The courts have recognized this distinction as legitimate in zoning.
<b>Summary</b>	<b>In MA, identifying "student housing" as a land use category is discriminatory and illegal. Instead, there are limits on unrelated residents/unit. In addition, some communities have non-zoning regulations for rental properties, such as requiring registration with the municipality.</b>

<b>Bloomington, IN</b>	
Dwelling Unit	One or more rooms containing cooking, living, sanitary and sleeping facilities, occupied by not more than one family (see definition of "family"). The dwelling unit shall be characterized by but not limited to: 1. A single house number with a single mailbox for the receipt of materials sent through the US Mail; 2. A single kitchen adequate for the preparation of meals; 3. A tenancy based upon a legal relationship of a unitary nature, i.e., single lease, mortgage, or contractual sales agreement for the entire premises.
Family definition for single-family districts	Unrelated adult limit of 3 people
Family definition for multi-family districts	Maximum unrelated adult limit of 5 people per unit
Counting dwelling units based on number of bedrooms	If someone wants to construct a 5 bedroom dwelling unit, we actually count this as 2 dwelling units. For a 4 bedroom unit, we count this as 1.5 units. The goal is to penalize developers who want to construct student housing projects by counting 4-5 bedroom units differently than lower bedroom count units. We have one Council member who has talked about banning all 5 bedroom units, but no ordinance proposal has been brought forward.
<b>Summary</b>	<b>5 unrelated persons per unit. For developments, number of bedrooms is factored into the unit count. Discussion of student housing moratorium or specific student housing plan (like Fort Collins, CO).</b>
<i>Notes</i>	<i>Currently working on comprehensive plan update</i>

<b>Boulder, CO</b>	
Dwelling Unit	One room or rooms with internal connections for residential occupancy and including bathroom and kitchen facilities. Multiple dwelling units exist if there is more than one meter for any utility, address to the property, or kitchen; or if there are separate entrances to rooms which could be used as separate dwelling units; or if there is a lockable, physical separation between rooms in the dwelling unit such that a room or rooms on each side of the separation could be used as a dwelling unit, or rooms with no internal connections.
Boarding House	An establishment where, for direct or indirect compensation, lodging, with or without meals, is offered for one month or more. A boarding house does not include a fraternity or sorority.
Kitchen	Any part of a room or dwelling unit that can be used for the preparation of food that includes one or more of the following: a refrigerator, cooking device, food storage cabinet, kitchen sink, or dishwasher.

Coding Student Housing:  
Responses from Other Growing College Towns

Kitchen Sink	A kitchen sink shall be no smaller than twenty inches by sixteen inches, with a minimum uniform depth of six inches and a maximum uniform depth of twenty inches. Laundry tubs, lavatory basins or bathtubs are not acceptable substitutes for required kitchen sinks.
Group Quarters	Boarding houses, fraternities and sororities; allowed at a 3 room to 1 dwelling unit density allowance
Rental licensing program	Requires all non-owner occupied rental units (single or multi-family) to be licensed with the city. This does help to clarify the number and type of units authorized.
<b>Summary</b>	<b>Enforcement of units relies heavily on kitchen and kitchen sink definitions; rental licensing program helps keep track of units</b>

<b>Champaign, IL</b>	
Family	"shall mean a person living alone, or two (2) or more persons living together as a single housekeeping unit in a dwelling unit, as distinguished from a group occupying a rooming house, motel, hotel, fraternity, or sorority house, provided, however, that for the purposes of definition, "family" shall not include more than four (4) persons unrelated to each other by blood, marriage, or legal adoption. "Family" shall include members of the service dependent population living in community living facilities and recovery homes as herein defined."
Single Family Dwelling	Dwelling, single-family shall mean one detached dwelling unit on an individual lot.
Multifamily Dwelling	Dwelling, multifamily shall mean a structure or portion of a building containing three (3) or more dwelling units.
<b>Summary</b>	<b>A multifamily unit is limited to 4 people, related or not</b>
<i>Notes</i>	<i>Interested in results; also has phenomenon of "rent by the room"</i>

<b>Chapel Hill, NC</b>	
Dwelling	Any building or structure (except a mobile home) that is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.
Dwelling units, single-family	A detached dwelling consisting of a single dwelling unit only. A single-family dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership.
Dwelling units, two-family	A dwelling or combination of dwellings on a single lot consisting of two (2) dwelling units. Any dwelling unit that is part of a two-family dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership.
Dwelling units, single-family—with accessory apartment	A dwelling or combination of dwellings on a single zoning lot consisting of two (2) dwelling units, provided the floor area of one of the dwelling units does not exceed fifty (50) per cent of the floor area of the other dwelling unit, nor is greater than seven hundred fifty (750) square feet and further provided the dwelling's exterior design and entry locations give the dwelling the appearance of a single-family dwelling. Any dwelling unit that is part of a two-family dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership.
Dwelling units, two-family—duplex	A single dwelling consisting of two (2) dwelling units (other than a "two-family dwelling - including accessory apartment"), provided the two dwelling units are connected by or share a common floor-to-ceiling wall, or, if the two units are arranged vertically, that they share a common floor/ceiling and not simply by an unenclosed passageway (e.g., covered walkway) and provided that each dwelling contains no more than six (6) bedrooms per structure. Any dwelling unit that is part of a two-family dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership.

Coding Student Housing:  
Responses from Other Growing College Towns

Dwelling units, multifamily	A dwelling or combination of dwellings on a single lot consisting of three (3) or more dwelling units.
Dwelling unit	A room or group of rooms within a dwelling forming a single independent habitable unit used or intended to be used for living, sleeping, sanitation, cooking, and eating purposes by one family only; for owner occupancy or for rental, lease, or other occupancy on a weekly or longer basis; and containing independent kitchen, sanitary, and sleeping facilities; and provided such dwelling unit complies with Chapel Hill's Minimum Housing Code.
<b>Summary</b>	<b>Multifamily and Student Housing are not separate land uses. Units are limited to 4 persons, related or not.</b>
<i>Notes</i>	<i>Interested in results</i>

<b>Clemson, SC</b>	
Multi-family densities	RM 3: density of 18 bedrooms per acre; RM 4: density of 56 bedrooms per acre
Single-family occupancy	Maximum number of unrelated is 2 occupants (one family unit = 1 occupant)
Multi-family occupancy	In RM – 3 district the maximum number of unrelated is 3 and in RM 4 and commercial districts the maximum occupancy is 4.
Parking calculation	Based on number of bedrooms
<b>Summary</b>	<b>Units for density calculations are determined by bedrooms; different occupancy restrictions for SF and MF of different densities</b>

<b>College Station, TX</b>	
Unit	Based on the shared/common living space (such as a kitchen)
<b>Summary</b>	<b>Typical unit definition</b>
<i>Notes</i>	<i>Interested in results, as College Station has the same issue</i>

<b>Corvallis, OR</b>	
Dwelling Unit	One or more rooms, with bathroom and kitchen facilities (limited to one kitchen only), designed for occupancy by one family.
Family	An individual or two or more persons related by blood, adoption, or marriage, or a group of not more than five unrelated adults.
Parking requirement increase	Increased on-site parking requirements has reduced the trend of 4- and 5-bedroom projects as land costs become prohibitive
University partnership	The City is engaged in a multi-year collaboration effort with Oregon State University to address growth issues in the areas of Parking and Traffic, Neighborhood Planning, and Neighborhood Livability (focused on behavioral issues).
<b>Summary</b>	<b>Family can be up to 5 unrelated adults. Unit defined by kitchen/bathroom.</b>
<i>Notes</i>	<i>Interested in results; Corvallis is experiencing similar growing pains with student enrollment</i>

Coding Student Housing:  
Responses from Other Growing College Towns

<b>Denton, TX</b>	
Dwelling/Dwelling Unit	A structure or portion thereof that provides living, sleeping, eating, cooking, and sanitation accommodations.
Boarding or rooming house	A dwelling in which meals and lodging or just lodging are furnished for compensation to more than four (4) but fewer than twenty (20) persons. Provision for meals may be made, provided cooking is done in a central kitchen and not in individual rooms or suites.
<b>Summary</b>	<b>Student housing is not a land use. City is working to redefine families, as well as add boarding house as a land use. Details in attachment.</b>
<i>Notes</i>	<i>Interested in results</i>

<b>Gainesville, FL</b>	
Dwelling Unit	Dwelling unit means a room or rooms, in a dwelling other than a rooming house or dormitory, comprising the essential elements of a single housekeeping unit. Facilities for the preparation, storage and keeping of food for consumption within the premises shall cause a unit to be construed as a single dwelling unit. Each area with separate facilities for the preparation, storage and keeping of food for consumption within the premises shall be considered as a separate dwelling unit.
Parking requirement for high density multi-family zoning districts	1 space per bedroom (instead of 1 space per unit)
<b>Summary</b>	<b>Unit defined by kitchen; parking is biggest concern</b>

<b>Harrisonburg, VA</b>	
Dwelling, unit	One (1) or more rooms located within a building and forming a singular unit with facilities which are used or intended to be used for living, sleeping and dining purposes. A dwelling unit shall have customary kitchen facilities. An efficiency apartment unit is defined as a dwelling unit. Dwelling units which will be occupied for predetermined periods of time of more than one (1) month in succession shall be termed nontransient dwelling units.
Dwelling, single-family	A building occupied by or designed for occupancy by one (1) family or occupancy as described by the specific zoning district.
Dwelling, multi-family	A building comprised of at least three (3) dwellings, not separated by a property line, where each unit is designed for one (1) family or occupancy as described by the specific zoning district.
<b>Summary</b>	<b>Typical unit definition</b>
<i>Notes</i>	<i>Definitions of duplex, quadraplex, townhouse, and units in the CBD are included in the full email as well</i>

<b>Kalamazoo, MI</b>	
<a href="#">RM-15C (Residential, Multi-Family, Campus Area)</a>	This zoning classification has specific requirements for parking and design which don't apply to a more general multi family zoning classification. Here is a link to our zoning code, if you are interested in looking at the specifics: <a href="http://ecode360.com/documents/KA2666/KA2666_App%20A%20Zoning%20Ord.pdf">http://ecode360.com/documents/KA2666/KA2666_App%20A%20Zoning%20Ord.pdf</a>
<b>Summary</b>	<b>Traditional unit definition (with kitchen). Additional zoning classification for multi-family near campus.</b>

Coding Student Housing:  
Responses from Other Growing College Towns

<b>Lawrence, KS</b>	
Dwelling Unit	"One room, or a suite of two or more rooms, designed for living and sleeping purposes and having only one kitchen or kitchenette"
Congregate Living	A Dwelling Unit that contains sleeping units where 5 or more unrelated residents share a kitchen and communal living areas and/or bathing rooms and where lodging is provided for compensation for persons who are not transient guests. Congregate Living is commonly referred to as lodging house, boarding house, rooming house, or cooperative but is not considered a dormitory, fraternity or sorority house, assisted living, extended care facility, group home or similar group living use.
MF Parking Calculation	1 parking space per bedroom plus 1 space per 10 units
Congregate Living Parking Calculation	1 space per bedroom
<b>Summary</b>	<b>No "student housing" land use; typical unit definition; additional "congregate living" land use</b>

<b>Murfreesboro, TN</b>	
Dwelling Unit	Any building or portion thereof providing complete independent permanent facilities for living, sleeping, cooking, eating, and sanitation designed for or used exclusively as living quarters by one family but not including a tent, seasonal quarters, travel trailer, a room in a hotel, motel, or boarding house.
Dwelling, Multi-Family	A dwelling designed for or occupied by more than two families.
Family	In addition to customary domestic servants, either (a) an individual or two or more persons related by blood, marriage or adoption, maintaining a common household in a
Parking standard for Multi-Family	1.1 spaces per bedroom
<b>Summary</b>	<b>Family definition is limited to 4 unrelated persons</b>
<i>Notes</i>	<i>My experience with student oriented housing is that it is very important that there be a strong management program or else there will be problems.</i>

<b>Stillwater, OK</b>	
Dwelling Unit	Dwelling unit means one or more rooms in a residential building or residential portion of a building forming a single habitable unit with provisions for cooking, sleeping and sanitary facilities for the exclusive use of a single family maintaining a household.
High-Rises	New to Stillwater are (what we consider) high-rises that are allowed up to 150 units per acre and 100 feet tall. These are only allowed in certain areas of the campus periphery and so far, we have 1 built, 1 under construction and 1 proposed that has the zoning in place.
<a href="#">Corridor Redevelopment Plan</a>	The Corridor Redevelopment Plan for the City of Stillwater is developed to identify and encourage innovation thinking when evaluating development proposals and/or opportunities in the area immediately south and east of the Oklahoma State University campus. Adopted one year ago. <a href="http://stillwater.org/document/stillwater_corridor_redevelopment_plan_2012.php">http://stillwater.org/document/stillwater_corridor_redevelopment_plan_2012.php</a>
<b>Summary</b>	<b>Zoning and plans adjacent to campus are designed to cope with student housing needs.</b>
<i>Notes</i>	<a href="#">Recently adopted "C3" plan: Comprehensive, Continuous, Cooperative</a>

## **Agenda Information**

### **AGENDA CAPTION:**

Discussion and possible direction to staff regarding the process and parameters for conducting the Neighborhood Character Studies under the City's Comprehensive Plan and rewriting the Land Development Code.

**Meeting date:** August 27, 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:**

Vision San Marcos: A River Runs Through Us calls for Neighborhood Character Studies to be conducted to analyze the existing character in a specific study area. The analysis will then be used to create standards to guide and govern development and redevelopment patterns. These Studies will be adopted as amendments to Vision San Marcos.

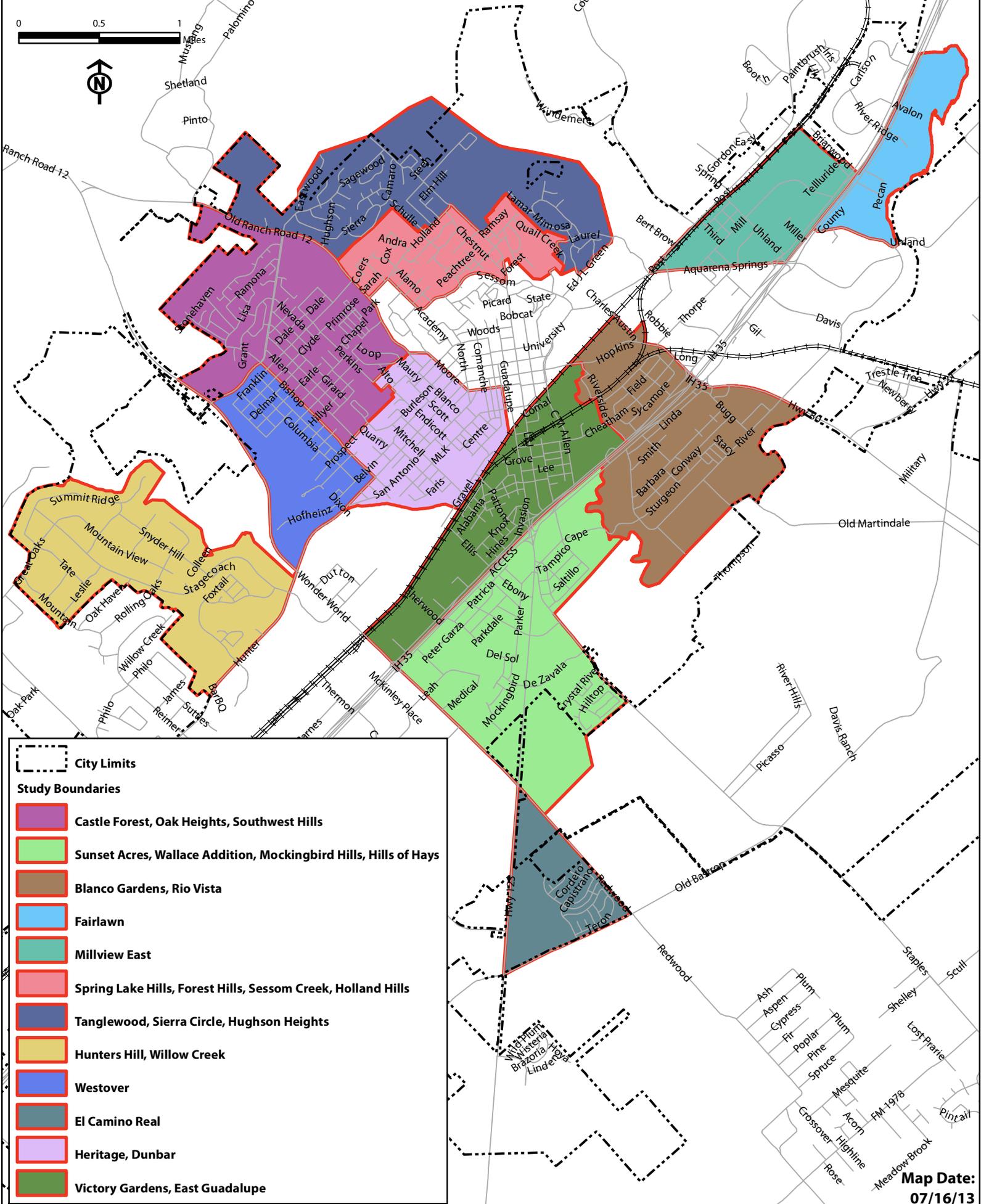
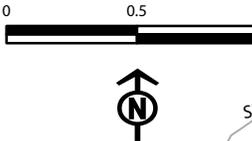
Staff is seeking guidance from the Planning and Zoning Commission on the study area boundaries and the order in which the studies should be conducted. Items the Commission may wish to consider are the number of Zoning Change requests in the area, location along a major thoroughfare or location near an Intensity Zone.

Staff will bring forward additional information on how these studies will be incorporated with the Land Development Code Update at a later date.

### **ATTACHMENTS:**

Updated Map

# Neighborhood Character Study Boundaries



- City Limits
- Study Boundaries**
- Castle Forest, Oak Heights, Southwest Hills
- Sunset Acres, Wallace Addition, Mockingbird Hills, Hills of Hays
- Blanco Gardens, Rio Vista
- Fairlawn
- Millview East
- Spring Lake Hills, Forest Hills, Sessom Creek, Holland Hills
- Tanglewood, Sierra Circle, Hughson Heights
- Hunters Hill, Willow Creek
- Westover
- El Camino Real
- Heritage, Dunbar
- Victory Gardens, East Guadalupe

**Map Date:**  
07/16/13

## **Agenda Information**

### **AGENDA CAPTION:**

#### **Development Services Report:**

- a. Update from staff on the Implementation of the Comprehensive Master Plan.
- b. American Planning Association Conference

**Meeting date:** August 27, 2013

**Department:** Planning & Development Services

**Funds Required:**

**Account Number:**

**Funds Available:**

**Account Name:**

### **CITY COUNCIL GOAL:**

### **BACKGROUND:**