



**SAN MARCOS
PLANNING AND ZONING
COMMISSION REGULAR
MEETING
CITY COUNCIL CHAMBERS,
630 E. HOPKINS
TUESDAY, NOVEMBER 12, 2013
6:00 P.M.**

1. Call To Order
2. Roll Call
3. **Chairperson's Opening Remarks**

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

4. 30 Minute Citizen Comment Period

CONSENT AGENDA

THE FOLLOWING ITEMS NUMBERED 5 - 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.

5. **Consider the approval of the minutes of the Regular Meeting on October 22, 2013.**
6. **PC-13-35_02 (Enclave at Windemere)** Consider a request by Vigil and Associates, for approval of a Preliminary Subdivision Plat of Enclave at Windemere for approximately 22.5 acres more or less, out of the Thomas J Chambers Survey, consisting of 14 residential and 2 open space / park lots located along Lime Kiln Road.

PUBLIC HEARINGS

7. **ZC-13-13 (510 West Hopkins Street)** Hold a public hearing and consider a request by Virgilio Altamirano for a Zoning Change from Single Family (SF-6) to Mixed Use (MU) for Lot 7, Block 3, Lindsey and Harvey Addition, located at 510 West Hopkins Street
8. **PC-13-34_06 (Katz's Addition)** Hold a public hearing and consider a request by Ash and Associates, on behalf of Katz Development LLC, for approval of a replat of a portion of Lots 5 and 6, Block 3, D.P. Hopkins Addition, establishing Lot 1, Katz's Addition, located at the intersection of West Hutchison Street and North Street.

9. **LDC-13-06 (Environmental Regulations)** Hold a public hearing, discuss and provide staff direction regarding proposed revisions to Chapters 1, 5, 7, and 8 of the Land Development Code to clarify language, remove inconsistencies, and modify environmental protection standards contained within these chapters.

NON-CONSENT AGENDA

10. **Development Services Report**
 - a. Comprehensive Master Plan Implementation update
11. Question and Answer Session with Press and Public. *This is an opportunity for the Press and Public to ask questions related to items on this agenda.*
12. 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: November 12, 2013

Department: Development Services

Funds Required:

Account Number:

Funds Available:

Account Name:

CITY COUNCIL GOAL:

BACKGROUND:

Agenda Information

AGENDA CAPTION:

Consider the approval of the minutes of the Regular Meeting on October 22, 2013.

Meeting date: November 12, 2013

Department: Development Services

Funds Required:

Account Number:

Funds Available:

Account Name:

CITY COUNCIL GOAL:

BACKGROUND:

ATTACHMENTS:

Oct. 22, 2013 PZ Minutes

**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
October 22, 2013**

1. Present

Commissioners:

Carter Morris, Vice Chair
Chris Wood
Corey Carothers
Kenneth Ehlers
Angie Ramirez
Randy Bryan

City Staff:

Matthew Lewis, Development Services Director
Sam Aguirre, Assistant City Attorney
Francis Serna, Recording Secretary
John Foreman, Planning Manager
Alison Brake, Planner
Tory Carpenter, Planning Tech

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 Vice Chair Morris at 6:00 p.m. on Tuesday October 22, 2013, in the Council Chambers, City Hall, City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

3. Chairperson's Opening Remarks.

Vice Chair Morris welcomed the audience and viewers.

4. 30 Minute Citizen Comment Period

Derrick Lee spoke about the Sessom Creek Erosion Control Study. He expressed his concerns on the many issues with the creek. Mr. Lee suggested that alternatives be used in the valley of the creek and that concrete should not be used. He added that other issues also need to be addressed and asked the Commission to keep an open mind with the study.

Consent Agenda

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

5. Consider the approval of the minutes of the Regular Meeting on September 24, 2013 and October 8, 2013.

6. PC-13-30_02 (Lowman Ranch Subdivision) Consider a request by Outlet West Investors, Ltd., for approval of a concept plat amendment for the Lowman Ranch Subdivision being approximately 88.2 acres more or less out of the Edward Burleson Survey No. 18 near the intersection of Centerpoint Road and Interstate Highway 35.

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

Public Hearings:

7. CUP-13-36 (Ruby Heels Wine Shoppe) Hold a public hearing and consider a request by RAK Hestand, LLC, on behalf of Hanson-Skiles Constance Marie Family Bypass Trust, for renewal of an existing Conditional Use Permit to allow the continued sale of beer and wine for on-premise consumption at 100 N. Edward Gary, Ste. C.

Tory Carpenter, Planning Tech gave an overview of the project.

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

MOTION: Upon a motion made by Commissioner Ehlers and a second by Commissioner Wood, the Commission voted all in favor to approve CUP-13-36 with the conditions that the permit shall be valid for three (3) years, provided standards are met, subject to the point system; and the permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried.

Non Consent Agenda:

8. Sessom Creek Erosion Control Study- Presentation from staff and discussion on erosion control study of Sessom Creek.

Matthew Lewis introduced Rey Garcia, Senior Engineer with the City of San Marcos CIP/Engineering Department. Mr. Garcia gave an over of the Erosion Control Study.

9. Presentation from Staff and discussion regarding management and process for renewal of approved Conditional Use Permits for sale of alcohol for on-premise consumption.

John Foreman gave an overview of current expired Conditional Use Permits.

10. Development Services Report:

- a. Comprehensive Master Plan Implementation update.
- b. Planning Month Activities.

Matthew Lewis gave an update on the Comprehensive Master Plan.

Alison Brake invited the Commission to the Board & Commission Mixer to be held on Thursday, October 24, 2013 at the Senior Price Center.

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

There were no questions from the press and public.

12. Adjourn.

Vice Chair Morris adjourned the Planning and Zoning Commission meeting at 6:39 p.m. on Tuesday, October 22, 2013.

Carter Morris, Vice Chair

Randy Bryan, Commissioner

Corey Carothers, Commissioner

Kenneth Ehlers, Commissioner

Chris Wood, Commissioner

Angie Ramirez, Commissioner

ATTEST:

Francis Serna, Recording Secretary

DRAFT

Agenda Information

AGENDA CAPTION:

PC-13-35_02 (Enclave at Windemere) Consider a request by Vigil and Associates, for approval of a Preliminary Subdivision Plat of Enclave at Windemere for approximately 22.5 acres more or less, out of the Thomas J Chambers Survey, consisting of 14 residential and 2 open space / park lots located along Lime Kiln Road.

Meeting date: November 12, 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

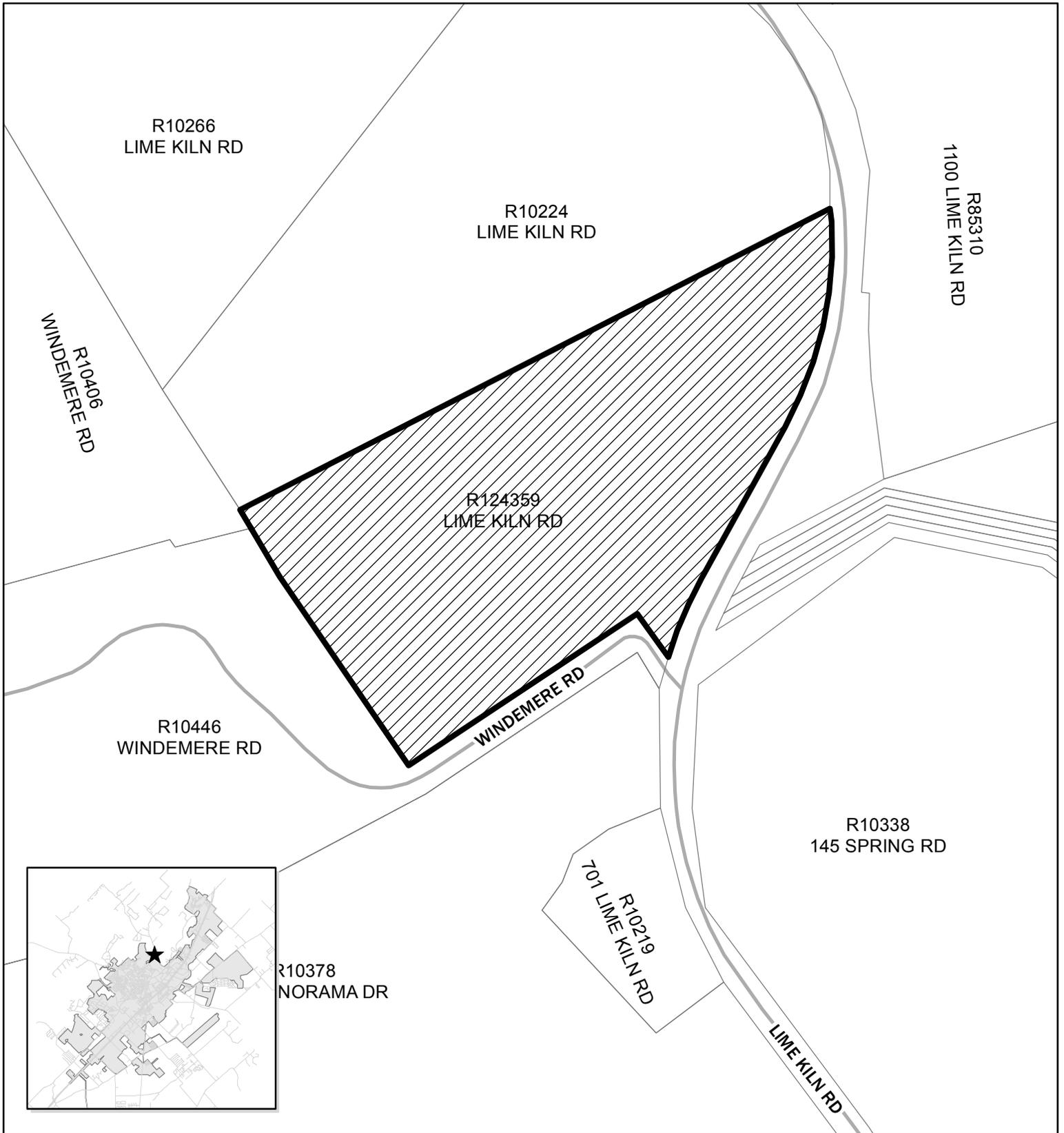
BACKGROUND:

Staff finds that this preliminary subdivision plat meets the requirements of the Land Development Code and the Technical Manual.

Staff recommends approval of this preliminary plat as submitted.

ATTACHMENTS:

Location Map
Staff Report
Backup Materials



PC-13-35_02
Enclave at Windemere
Preliminary Plat
Map Date: 10/29/2013



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

PC-13-35_02 Preliminary Plat, Enclave at Windemere



Applicant Information:

Agent: Joel Richardson
Vigil & Associates
4303 Russell Drive
Austin, Texas 78704

Property Owner: Vinson J. Wood & Robert L. Haug
2009 R.R. 620 North, Suite 130
Austin, TX 78734

Notification: Notification not required

**Type & Name of
Subdivision:** Preliminary Plat, Enclave at Windemere

Subject Property:

Summary: The subject property is approximately 22.5 acres, more or less, and is located along Lime Kiln Road, west of Post Road.

Zoning: SF-R

Traffic/ Transportation: The property is along Lime Kiln Road where 10 feet are to be dedicated. The plat proposes two new streets: Windemere Road and Windsor Drive.

Utility Capacity: Water and Wastewater lines will need to be extended from Post Road to service this property. The City may be interested in an oversize participation agreement at the time of construction.

Planning Department Analysis:

The purpose of a Preliminary Plat is to establish lot design for a subdivision, establish utility layouts, and street and intersection design. The Preliminary Plat stage ensures that the final plat design, if final platting is accomplished in phases, is consistent with the overall plan for the area. Preliminary Plats are not recorded and are not the legal document used for sale of lots, but rather are used to allow for comprehensive review of the proposed development.

The subject property consists of approximately 22.5 acres out of the T.J. Chambers Survey and has a base zoning of Rural Residential District (SF-R). This subdivision is not a part of the previously approved PDD for the Preserve at Windemere, however the location of Windemere Road is dictated by that PDD. Standard city code regulations apply to this subdivision.

Approximately 2 acres of this site is located in floodplain / floodway. The applicant is proposing to dedicate this area as parkland. Parkland dedication will need to be approved by the Parks Board at the time of the final plat.

Ten feet of right-of way will be dedicated for Lime Kiln Road with this subdivision. Access is restricted for lots which have frontage on Lime Kiln Road and only Lot 1, Block A and Lots 8 & 9, Block D are permitted to have access to Windemere Road. Access for all other lots will be on Windsor Drive.

The following criteria shall be used to determine whether the application for Preliminary Subdivision Plat shall be approved, approved with conditions, or denied, where no Subdivision Concept Plat has been approved for the land subject to the proposed plat:

- (1) The plat is consistent with all zoning requirements for the property, and any approved development agreement;
- (2) The plat conforms to the approved Watershed Protection Plan (Phase 1);
- (3) The proposed provision and configuration of roads, water, wastewater, drainage and park facilities conform to the master facilities plans for the facilities, including without limitation the water facilities, wastewater facilities, transportation, drainage and other master facilities plans;
- (4) The proposed provision and configuration of roads, water, wastewater, drainage and park facilities, and easements and rights-of-way are adequate to serve the subdivision and meet applicable standards of Chapters 6 and 7 of this Land Development Code; and
- (5) The plat meets any county standards to be applied under an interlocal agreement between the City and a county under Tex. Loc. Gov't Code ch. 242, where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and in the county.

Staff has reviewed the request and determined that all of the above criteria have been met and is recommending **approval** of this preliminary plat as submitted.

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

Prepared By:

Amanda Hernandez, AICP	Senior Planner	October 29, 2013
Name	Title	Date

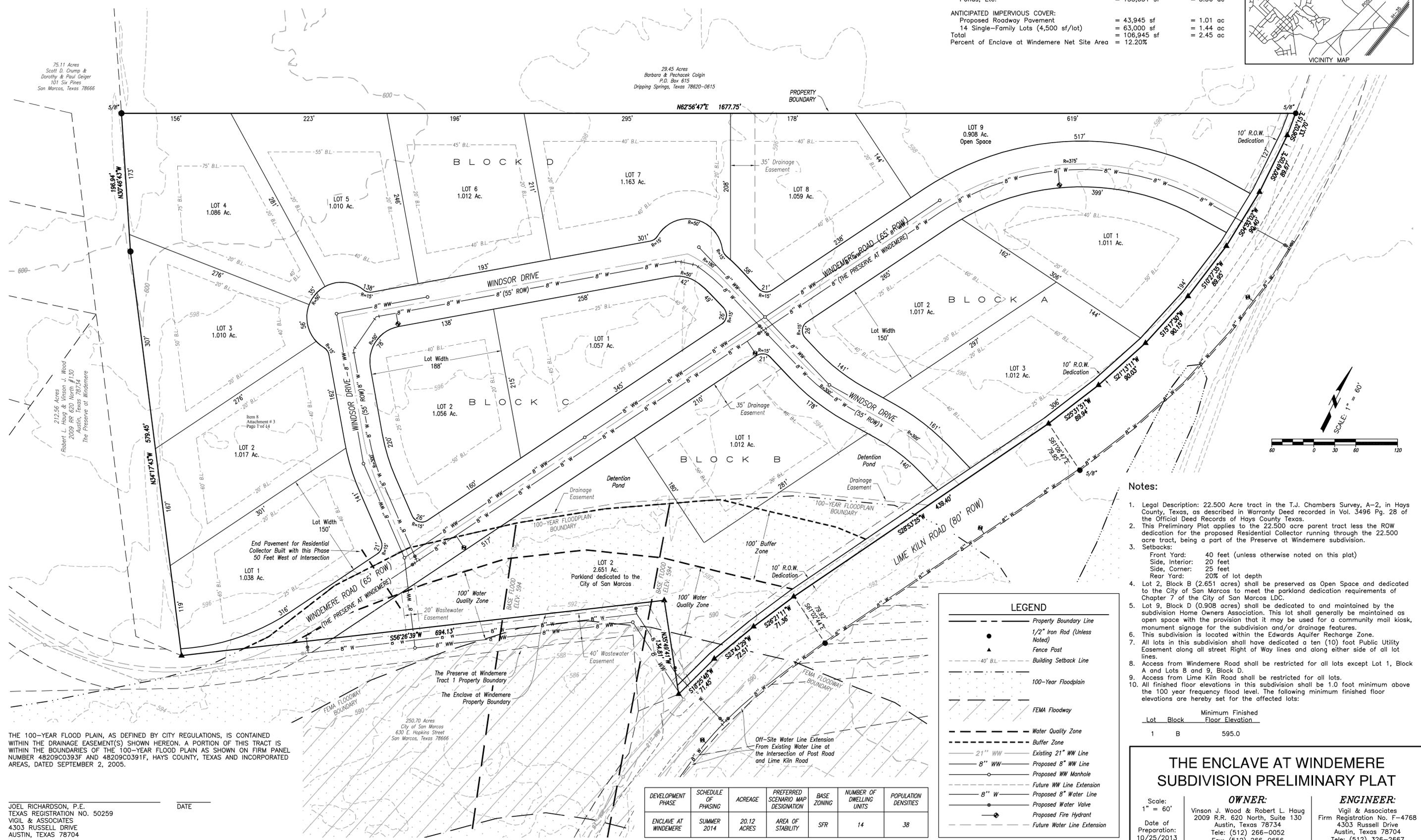
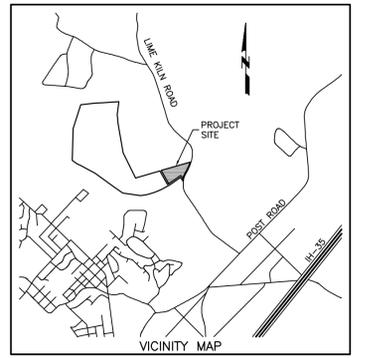
The Commission's Responsibility:

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

THE ENCLAVE AT WINDEMERE PRELIMINARY SUBDIVISION PLAT

LAND USE/DEVELOPMENT SUMMARY:

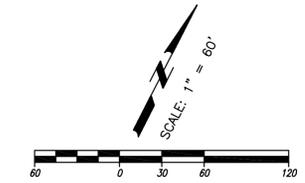
Parent Tract Total Site Area	= 980,135 sf	= 22.50 ac
Residential Collector R.O.W. Dedication Being Part of the Preserve at Windemere, Phase 1	= 103,800 sf	= 2.38 ac
The Enclave at Windemere Net Site Area	= 876,335 sf	= 20.12 ac
PROPOSED LAND USE:		
Lime Kiln Road R.O.W. Dedication	= 12,209 sf	= 0.28 ac
Residential Street R.O.W. Dedication	= 74,921 sf	= 1.72 ac
Single-Family Residential (14 Lots)	= 634,156 sf	= 14.56 ac
Open Space, Drainage Easements, Ponds, Etc.	= 155,051 sf	= 3.56 ac
ANTICIPATED IMPERVIOUS COVER:		
Proposed Roadway Pavement	= 43,945 sf	= 1.01 ac
14 Single-Family Lots (4,500 sf/lot)	= 63,000 sf	= 1.44 ac
Total	= 106,945 sf	= 2.45 ac
Percent of Enclave at Windemere Net Site Area	= 12.20%	



75.11 Acres
Scott D. Crump &
Dorothy & Paul Geiger
101 Six Pines
San Marcos, Texas 78666

29.45 Acres
Barbara & Pechacek Colgin
P.O. Box 615
Dripping Springs, Texas 78620-0615

212.56 Acres
Robert L. Haug & Vinson J. Wood
2009 R.R. 620 North, #130
Austin, Texas 78734
The Preserve at Windemere



- Notes:**
- Legal Description: 22,500 Acre tract in the T.J. Chambers Survey, A-2, in Hays County, Texas, as described in Warranty Deed recorded in Vol. 3496 Pg. 28 of the Official Deed Records of Hays County Texas.
 - This Preliminary Plat applies to the 22,500 acre parent tract less the R.O.W. dedication for the proposed Residential Collector running through the 22,500 acre tract, being a part of the Preserve at Windemere subdivision.
 - Setbacks:
Front Yard: 40 feet (unless otherwise noted on this plat)
Side, Interior: 20 feet
Side, Corner: 25 feet
Rear Yard: 20% of lot depth
 - Lot 2, Block B (2,651 acres) shall be preserved as Open Space and dedicated to the City of San Marcos to meet the parkland dedication requirements of Chapter 7 of the City of San Marcos LDC.
 - Lot 9, Block D (0.908 acres) shall be dedicated to and maintained by the subdivision Home Owners Association. This lot shall generally be maintained as open space with the provision that it may be used for a community mail kiosk, monument signage for the subdivision and/or drainage features.
 - This subdivision is located within the Edwards Aquifer Recharge Zone.
 - All lots in this subdivision shall have dedicated a ten (10) foot Public Utility Easement along all street Right of Way lines and along either side of all lot lines.
 - Access from Windemere Road shall be restricted for all lots except Lot 1, Block A and Lots 8 and 9, Block D.
 - Access from Lime Kiln Road shall be restricted for all lots.
 - All finished floor elevations in this subdivision shall be 1.0 foot minimum above the 100 year frequency flood level. The following minimum finished floor elevations are hereby set for the affected lots:
- | Lot | Block | Minimum Finished Floor Elevation |
|-----|-------|----------------------------------|
| 1 | B | 595.0 |

LEGEND

	Property Boundary Line
	1/2" Iron Rod (Unless Noted)
	Fence Post
	Building Setback Line
	100-Year Floodplain
	FEMA Floodway
	Water Quality Zone
	Buffer Zone
	Existing 21" WW Line
	Proposed 8" WW Line
	Proposed WW Manhole
	Future WW Line Extension
	Proposed 8" Water Valve
	Proposed Water Valve
	Proposed Fire Hydrant
	Future Water Line Extension

THE 100-YEAR FLOOD PLAIN, AS DEFINED BY CITY REGULATIONS, IS CONTAINED WITHIN THE DRAINAGE EASEMENT(S) SHOWN HEREON. A PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100-YEAR FLOOD PLAIN AS SHOWN ON FIRM PANEL NUMBER 48209C0393F AND 48209C0391F, HAYS COUNTY, TEXAS AND INCORPORATED AREAS, DATED SEPTEMBER 2, 2005.

JOEL RICHARDSON, P.E.
TEXAS REGISTRATION NO. 50259
VIGIL & ASSOCIATES
4303 RUSSELL DRIVE
AUSTIN, TEXAS 78704

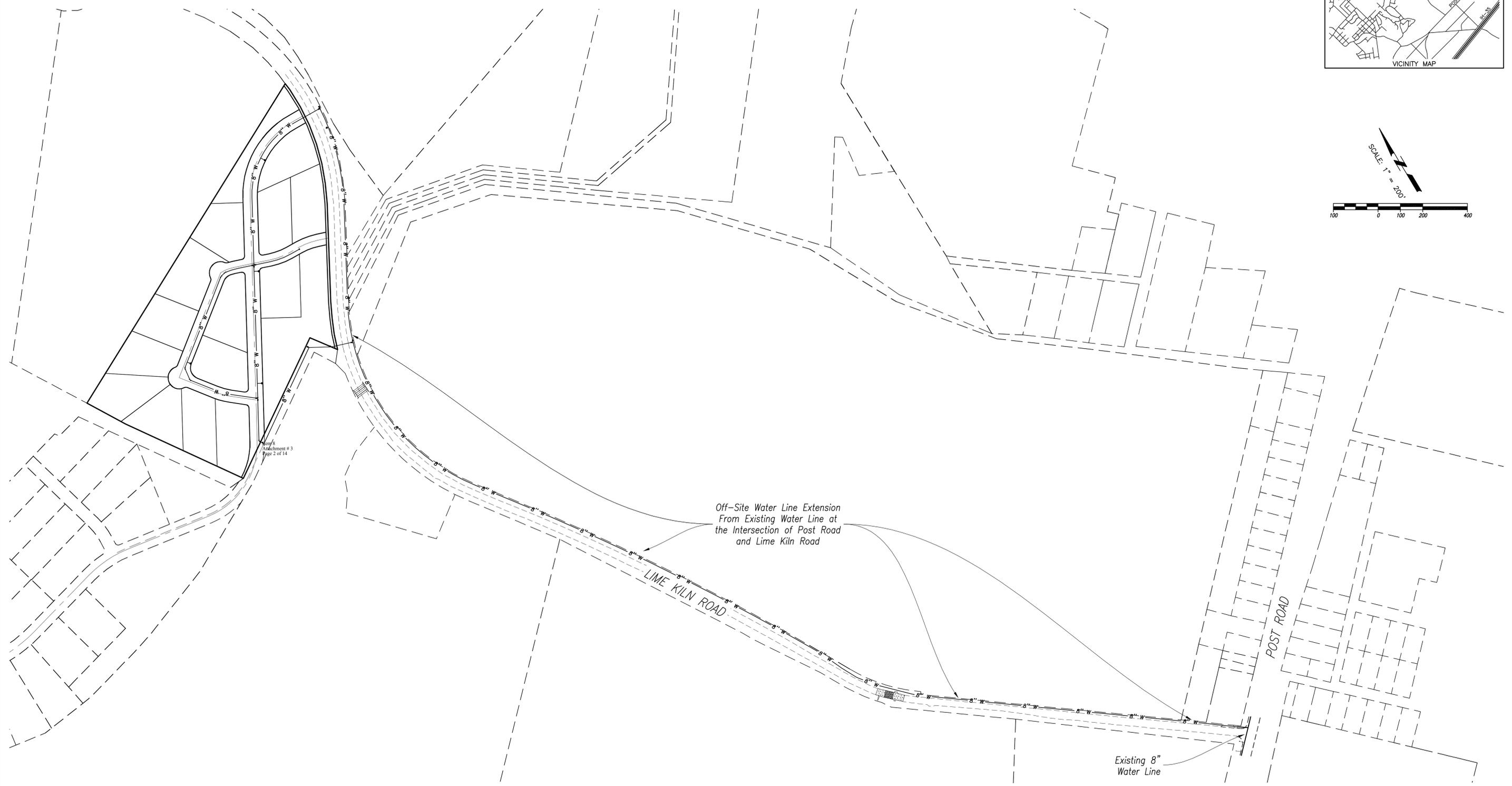
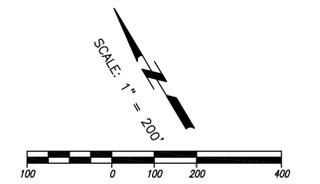
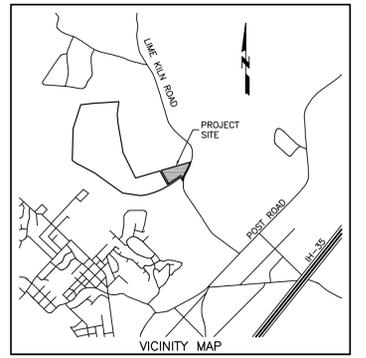
DATE _____

DEVELOPMENT PHASE	SCHEDULE OF PHASING	ACREAGE	PREFERRED SCENARIO MAP DESIGNATION	BASE ZONING	NUMBER OF DWELLING UNITS	POPULATION DENSITIES
ENCLAVE AT WINDEMERE	SUMMER 2014	20.12 ACRES	AREA OF STABILITY	SFR	14	38

**THE ENCLAVE AT WINDEMERE
SUBDIVISION PRELIMINARY PLAT**

Scale: 1" = 60'	OWNER: Vinson J. Wood & Robert L. Haug 2009 R.R. 620 North, Suite 130 Austin, Texas 78734 Tel: (512) 266-0052 Fax: (512) 266-0656	ENGINEER: Vigil & Associates Registration No. F-4768 4303 Russell Drive Austin, Texas 78704 Tel: (512) 326-2667
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THE ENCLAVE AT WINDEMERE OFF-SITE WATER LINE EXTENSION



Key 6
Attachment # 3
Page 2 of 14

Item 8

**THE ENCLAVE AT WINDEMERE
OFF-SITE WATER LINE EXTENSION**

Scale: 1" = 200'	OWNER: Vinson J. Wood & Robert L. Haug 2009 R.R. 620 North, Suite 130 Austin, Texas 78734 Tele: (512) 266-0052 Fax: (512) 266-0656	ENGINEER: Vigil & Associates Firm Registration No. F-4768 4303 Russell Drive Austin, Texas 78704 Tele: (512) 326-2667
Date of Preparation: 10/25/2013		

RECEIVED
SEP 24 2013

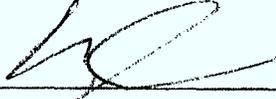
PC-13 - 35 - 02

City of San Marcos
SUBDIVISION PLAT APPLICATION

	<u>APPLICANT</u>	<u>PROPERTY OWNER</u>
Name	<u>Joel Richardson</u>	<u>Vinson J. Wood & Robert L. Haug</u>
Mailing Address	<u>Vigil & Associates</u> <u>4303 Russell Drive</u> <u>Austin, Texas 78704</u>	<u>2009 R.R. 620 North, Suite 130</u> <u>Austin, Texas 78734</u>
Daytime Phone	<u>Phone: (512) 326-2667</u> <u>Cell: (512) 567-6267</u>	<u>Phone: (512) 266-0052</u> <u>Fax: (512) 266-0656</u>
Email Address	<u>joel@vigilandassociates.com</u>	<u>vwood8@hotmail.com</u> <u>& robhaug@hotmail.com</u>

AGENT ACKNOWLEDGEMENT STATEMENT:

I Vinson J. Wood acknowledge that I am the rightful owner of the property proposed for subdivision and hereby authorize Vigil & Associates to serve as my agent to file this application and to work with the Responsible Official on my behalf during the subdivision platting process.

Signature of Property Owner: 

Printed Name: Vinson J. Wood Date: 9-18-13

Signature of Agent: 

Printed Name: Joel Richardson Date: 9/18/2013

Subdivision Plats

- Subdivision Concept Plat
- Preliminary Subdivision Plat
- Final Subdivision Plat

- Variance Section _____
- Plat Vacation Accompanying _____

Development Plats

- Preliminary Development Plat
- Final Development Plat

Minor Subdivision Plats (for Administrative Approval)

- Minor Subdivision Plat

Revisions to Recorded Plats (for Administrative Approval)

- Amending Plat
- Replat without Vacation

SUBJECT PROPERTY

Subdivision Name: The Enclave at Windemere

Address or General Location: 765 Lime Kiln Road, San Marcos, Tx 78666

Proposed Number of Lots: 16 Acres: 20.12

Appraisal District Tax ID: R124359

Located In City Limits ETJ* - Please circle county: *Caldwell Comal Guadalupe Hays*
 S.M. River Corridor Planned Development District

Proposed Use of Land 14 SFR Lot Subdivision (1 Open Space Lot, 1 Park Lot)

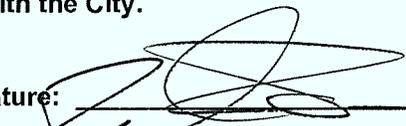
**Subdivision plat applications for land in the ETJ may be subject to additional requirements and review as defined by the Interlocal Agreement for the respective county.*

SUBDIVISION IMPROVEMENT AGREEMENT

Whenever public improvements to serve the development are deferred until after Final Subdivision Plat or Final Development Plat approval, the property owner shall enter into a Subdivision Improvement Agreement by which the owner covenants to complete all required public improvements no later than two years following the date upon which the Final Subdivision Plat or Final Development Plat is approved.

I will complete all required public improvements prior to the Final Subdivision Plat or Final Development Plat.

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

Signature: 

Printed Name: Joel Richardson Date: September 18, 2013

The ENCLAVE AT WINDEMERE SUBDIVISION

ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Electric Service Provider FEDERAL GAS ELECTRIC COOPERATIVE INC.

Applicable Utility Service Code(s) A, D

Comments/Conditions IF OVERHEAD ELECTRIC SERVICE 30' PUE ALONG ALL ROAD RIGHT OF WAY + 10' PUE ON EITHER SIDE OF SIDE LOT LINES. IF UNDERGROUND ELECTRIC SERVICE 10' PUE ALONG ALL ROAD RIGHT OF WAY + 10' PUE ON EITHER SIDE OF LOT LINES.

Signature of Electric Company Official [Signature]

Title RIGHT OF WAY AGENT Date 9-23-13

GAS UTILITY SERVICE ACKNOWLEDGEMENT:

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- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Gas Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Gas Company Official _____

Title _____ Date _____

ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT:

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- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of *Electric Service Provider* _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Electric Company Official _____

Title _____ Date _____

GAS UTILITY SERVICE ACKNOWLEDGEMENT:

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- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of *Gas Service Provider* CenterPoint Energy _____

Applicable Utility Service Code(s) C _____

Comments/Conditions Gas can be brought to property -

We have gas service in the area. Not currently

adjacent to property

Signature of Gas Company Official W. Lamb _____

Title Sr. Marketing Consultant Date 9/18/13

The Enclave @ Windemere

WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:

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- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Water Service Provider City of San Marcos

Applicable Utility Service Code(s) C

Comments/Conditions line extensions required

Signature of Water Utility Official: Terry Solari

Title: Water Dist Manager Date: Sept 23, 2013

Name of Wastewater Service Provider City of San Marcos

Applicable Utility Service Code(s) A

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

Comments/Conditions _____

Signature of City or County Wastewater Official: Lloyd Juarez

Title: Wastewater Coll. Mgr Date 9-23-13

TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Telephone Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Telephone Company Official _____

Title: _____ Date _____

SUBMITTAL REQUIREMENTS FOR ALL PLATS:

THE ENCLAVE AT WINDEMERE

WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:

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- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Water Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Water Utility Official: _____

Title: _____ Date: _____

Name of Wastewater Service Provider _____

Applicable Utility Service Code(s) _____

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

Comments/Conditions _____

Signature of City or County Wastewater Official: _____

Title: _____ Date _____

TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Telephone Service Provider CENTURYLINK OF SAN MARCOS, INC

Applicable Utility Service Code(s) A

Comments/Conditions _____

Signature of Telephone Company Official Kenny Z Ellis

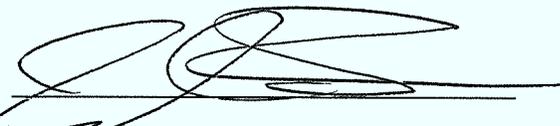
Title: PLANT FACILITIES SUPV. Date 9-18-13

SUBMITTAL REQUIREMENTS FOR ALL PLATS:

- Complete application
- Required fees \$ **1,766.00** (see next page for Fee Schedule)
- All legislative requirements complete
- Proof of record ownership (recorded deed corresponds to ownership indicated on tax certificate)
- Current tax certificate (must show prior year taxes paid by January 31st of current year)
- Names and addresses of property lien-holders
- One digital copy of submittal materials including CAD file
- Five 18"x24" hard copies of plat document*

I hereby affirm that if I am not the property owner of record, or if the applicant is an organization or business entity, I have been authorized to represent the owner, organization, or business in this application. I certify the preceding information is complete and accurate, and it is understood that I or another representative should be present at all meetings concerning this application.

Signature of Applicant: _____



Printed Name: Joel Richardson

Date: September 18, 2013

*Plats in the ETJ may require additional hard copies.

ADDITIONAL REQUIREMENTS:

Subdivision Concept Plats:

- Watershed Protection Plan (Phase 1)
- Residential compatibility site plan (where applicable)
- Cluster development plan (where applicable)

Preliminary Subdivision Plats or Preliminary Development Plats

- Approved Watershed Protection Plan Phase I (can be submitted concurrently)
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

Final Subdivision or Final Development Plats:

- Preliminary Plat (where applicable)
- Approved Watershed Protection Plan Phase II and approved Public Improvement Construction Plan by the Director of Engineering (can be submitted concurrently).
- Subdivision Improvement Agreement and surety if public facility construction was deferred.
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential) .
Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

Minor Subdivision Plats:

Minor subdivisions plats must meet the following qualifications:

- Proposed subdivision results in 4 or fewer lots
- All lots front onto an existing public street and construction or extension of a street or alley is not required or is considered a minor extension by Director of Engineering.
- Extension of municipal facilities is not required or the installation of utilities is considered a minor extension by the Director of Engineering.
- Approved WPP Phase II is required if land is located within the Edwards Aquifer Recharge Zone, within a designated stream or river corridor, or if the land contains floodplain, floodway or a waterway as defined by the LDC.

Amending Plats and Replats:

- Detailed description of the purposes and circumstances that warrant change of the recorded plat identifying all lots, easements or improvements affected by the proposed change.

Fee Schedule

For Plats Located Inside/Outside of the City Limits	
Subdivision Minor Plat / Amending Plat	\$400 plus \$100 per acre (max \$1000) + \$10.00 Technology Fee
Concept Plan	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Preliminary Plat	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Final Plat	\$1000 plus \$100 acre (max \$2500) + \$10.00 Technology Fee
Replat, not administrative	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Vacation of Previously Recorded Plat	\$150 + \$10.00 Technology Fee
Subdivision Variance Request	\$600 + \$10.00 Technology Fee
Cluster Development Plan	\$25 per acre (\$100 min / \$1500 max) + \$10.00 Technology Fee

STAFF USE ONLY:

Submittal Date: 9-24 5 Business Days from Submittal: 10-1

Completeness Review By: Tory C Date: 9-24

Contact Date for Supplemental Info: NA

Supplemental Info Received (required within 5 days of contact): ✓

Application Returned to Applicant: ✓

Application Accepted for Review: 9-24 Fee: \$1766

Comments Due to Applicant 10-16

Date for Plat Resubmittals 10-25

Date of Planning and Zoning Commission Meeting: 11-12

30-Day Deadline: 10-24

W VIGIL & ASSOCIATES
CONSULTING SERVICES

Firm Registration No. F-4768
4303 Russell Drive, Austin, TX 78704, Phone: (512) 326-2667

September 20, 2013

Mr. Mathew Lewis, Director
Planning & Development Services
City of San Marcos
630 E. Hopkins
San Marcos, Texas 78666

Re: Enclave at Windemere Preliminary Plat

Dear Mr. Lewis:

Enclosed with this letter please find application for the Enclave at Windemere preliminary subdivision plat. The proposed project is for a 14 lot residential subdivision on a 22.5 acre site located at 765 Lime Kiln Road in San Marcos, Texas.

2.38 acres of the 22.5 acre tract is occupied by a residential collector roadway that was included as part of the Preserve at Windemere Preliminary Plat. The net area of the proposed Enclave at Windemere subdivision is therefore 20.12 acres. The proposed project will consist of 14 SFR lots, a 1.08 acre lot to be dedicated to a HOA and preserved as open space (with the exception of a future location for a community mail kiosk, drainage facilities and monument signage), and a 2.759 acre lot to be dedicated to the City of San Marcos to meet the parkland dedication requirements of the City. According to the City's LDC Section 7.6.1.2 the 14 SFR lots associated with this development require dedication of 0.189 acres of parkland.

The development will include 1.73 acres of ROW dedication for residential streets (not including the residential collector). The residential streets are intended to meet the alternative cross-section without standard curb and gutter presented in the City's Thoroughfare Plan.

Water and wastewater service will be provided by the City of San Marcos. Wastewater lines are currently built to the site. Water service will need to be extended from the intersection of Lime Kiln Road and Post Road. Electrical service will be provided by PEC.

There is one lienholder on the property:

First State Bank of Central Texas
6500 N. Mopac, suite 1101
Austin, Texas 78731
Attn: Doug Marwitz, President, Mopac Branch

If you need any additional information please contact me at (512) 567-6267 or by email at joel@vigilandassociates.com.

Sincerely

A handwritten signature in black ink, appearing to read 'Joel Richardson', with a long horizontal flourish extending to the right.

Joel Richardson, P.E.
Vigil & Associates

BEING a 22.500 acre tract or parcel of land out of and being a part of the T.J. Chambers Survey, A-2, in Hays County, Texas, and being a part of that certain 58.57 acre tract described as Second Tract in a deed from J.E. McGuire and wife, Pearl D. McGuire to William M. Colgin and Paul C. Colgin recorded in Volume 111, Page 333, Hays County Deed Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a 8 inch cedar fence corner post with 60d nail and washer found in the southwest line of the said 58.59 acre tract of which this is a part, the most easterly corner of that certain 75.11 acre tract described in a deed from Emmett F. McCoy, et al, to Scott D. Crump, et al, dated August 11, 1999, recorded in Document No. 9919374, Hays County Deed Records, an interior corner of that certain 212.556 acre tract described in a deed from J.C. Storts, Jr., et al, to Robert Logan Haug, et al recorded in Volume 3002, Page 23, Hays County Deed Records, for the south or southwest corner of this tract.

THENCE with the west or southwest line of the 58.57 acre tract common with the east or northeast line of the Crump 75.11 acre tract, N 34 deg. 17 min. 43 sec. W, 579.45 feet to a capped 1/2 inch iron rod found; N 30 deg. 46 min. 43 sec. W, 196.94 feet to a 5/8 inch iron rod set for the west or northwest corner of this tract from which a fence angle post with 60d nail and washer found bears N 30 deg. 46 min. 43 sec. W, 383.16 feet.

THENCE crossing said 58.57 acre tract, N 62 deg. 56 min. 47 sec. E, 1677.75 feet to the east line of same, a 5/8 inch iron rod set in the west line of Lime Kiln Road, for the northeast corner of this tract.

THENCE with the west line of Lime Kiln Road and east line of the 58.57 acre tract, S 06 deg. 02 min. 15 sec. E, 33.70 feet to a 2 inch steel fence post in concrete; S 00 deg. 49 min. 05 sec. E, 89.67 feet to a 2 inch steel fence post; S 04 deg. 33 min. 02 sec. W, 90.40 feet to a 2 inch steel fence post in concrete; S 10 deg. 27 min. 35 sec. W, 89.95 feet to a 2 inch steel fence post in concrete; S 15 deg. 17 min. 30 sec. W, 90.15 feet to a 2 inch steel fence post in concrete S 21 deg. 13 min. 11 sec. W, 90.03 feet to a 2 inch steel fence post in concrete; S 25 deg. 31 sec. 51 sec. W, 89.94 feet to a 2 inch steel fence post in concrete; S 28 deg. 53 min. 25 sec. W, 439.40 feet to a 2 inch steel fence post in concrete; S 26 deg. 21 min. 11 sec. W, 71.36 feet to a 2 inch steel fence post in concrete; S 23 deg. 43 min. 29 sec. W, 72.51 feet to a 2 inch steel fence post in concrete; S 18 deg. 25 min. 48 sec. W, 71.45 feet to the southeast corner of the before mentioned Haug 212.556 acre tract, a fence corner post found for the most easterly southwest corner of this tract.

THENCE with the most easterly line of the 212.556 acre tract, N 35 deg. 49 min. 41 sec. W, 134.81 feet to a fence corner post found at an angle corner of the 212.556 acre tract for an interior corner of this tract.

THENCE with a lower north line of the 212.556 acre tract. S 56 deg. 26 min. 39 sec. W, 694.13 feet to the POINT OF BEGINNING, containing 22.500 acres of land.

The property described above only includes the surface estate, the underlying minerals and that portion of the ground water under the property that is the base irrigation ground water, as defined by the Edwards Aquifer Authority, and its associated water rights; however, Grantors specifically exclude from the conveyed property and this conveyance that portion of the ground water under the property that is the unrestricted irrigation ground water, as defined by the Edwards Aquifer Authority, and its associated water rights permitted for the withdrawal under Edwards Aquifer Authority Initial Regular Permit No. IRP (2001-HA-0022), recorded in Volume 1799, Page 422, of the Official Public Records of Hays County, Texas.

EXHIBIT A

W **VIGIL & ASSOCIATES**
A **CONSULTING SERVICES**

Firm Registration No. F-4768
4303 Russell Drive, Austin, TX 78704, Phone: (512) 326-2667

October 25, 2013

Ms. Amanda Hernandez, AICP
Senior Planner
City of San Marcos, Development Services
630 E. Hopkins
San Marcos, Texas 78666

Re: PC-13-35(02) Preliminary Plat
The Enclave at Windemere

Dear Ms. Hernandez:

The following names are proposed for the streets of the Enclave at Windemere subdivision:

- Windemere Road
- Serene Drive

Please contact me at (512) 567-6267 or by email at joel@vigilandassociates.com if you have any questions or require any additional information.

Sincerely



Joel Richardson, P.E.
Vigil & Associates

Agenda Information

AGENDA CAPTION:

ZC-13-13 (510 West Hopkins Street) Hold a public hearing and consider a request by Virgilio Altamirano for a Zoning Change from Single Family (SF-6) to Mixed Use (MU) for Lot 7, Block 3, Lindsey and Harvey Addition, located at 510 West Hopkins Street

Meeting date: November 12, 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 0.249 acre property is being presented for rezoning from SF-6 to MU. The recent history of the property is outlined in the staff report and includes work without a permit in a historical district. The Historic Preservation Commission will hear this item on November 7th.

The request is generally consistent with the Comprehensive Plan Elements and **Staff Recommends Approval of the request.**

ATTACHMENTS:

Location Map
staff report
backup

Zoning Change ZC-13-13 510 W. Hopkins St



Summary: The applicant is requesting a zoning change from Single Family (SF-6) to Mixed Use (MU) for Lot 7, Block 3, Lindsey and Harvey Addition located at 510 W. Hopkins St.

Applicant: Virgilio Altamirano
P.O. Box 160788
Austin, TX 78716

Property Owners: Same as above.

Notification: Personal notifications of the public hearing were mailed on Friday, November 1, 2013 to all property owners within 200 feet of the subject property

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

Property/Area Profile:

Legal Description: Lot 7, Block 3, Lindsey and Harvey Addition

Location: 510 W. Hopkins St.

Existing Use of Property: Vacant Single Family Structure

Proposed Use of Property: Multi-Family Structure

Preferred Scenario Map: Area of Stability

Land Use Intensity Matrix: Redevelopment / Infill

Existing Zoning: Single Family (SF-6)

Proposed Zoning: Mixed Use (MU)

Utility Capacity: Adequate

Sector: Sector 1

Area Zoning and Land Use Pattern:

	Zoning	Existing Land Use	Preferred Scenario
N of Property	CG	Commercial	Stability
S of Property	MU / MF-12	Residential	Stability
E of Property	SF-4.5	Residential	Stability
W of Property	MF-24	Residential	Stability

Case Summary

The subject property consists of 0.249 acres and is located on Hopkins Street, south of Moore Street. It is located within the Hopkins Street Historic District. There is currently a vacant residential structure on the property. It is surrounded by a mix of land uses including commercial and residential.

On August 13, 2013, the property owner, who recently bought the property, met with City Staff for a pre-development meeting. During this meeting, Staff made the property owner aware that the property was located within the Hopkins Street Historic District and that any changes to the exterior that were visible from the right-of-way would have to be approved by the Historic Preservation Commission (HPC). The applicant indicated that the structure would not change, but that the proposed use would be a five (5) bedroom multifamily house.

On August 23, 2013 an application for a zoning change from SF-6 to MU was received. The application indicates that the structure will be leased as a five (5) bedroom house or an office.

On August 30, 2013, staff received a call from a citizen stating that windows had been removed and replaced at this location. The Chief Building Official investigated the claim and issued a stop work order as no building permit, or certificate of appropriateness had been issued to the property. The Fire Marshal's office was also sent to the site and a citation for "Work without a Permit" was issued. This citation sent the case to Municipal Court, action by the Court is pending.

On September 25, 2013 an application for a Certificate of Appropriateness was submitted and the case will be heard by the Historic Preservation Commission on November 7th. The staff recommendation for the HPC is approval with conditions specific to the types of work that have been completed.

Planning Department Analysis

The zoning change request has been reviewed using *Vision San Marcos: A River Runs Through Us* as well as the guidance criteria in Section 1.5.1.5 of the Land Development Code.

The property is located in an area of stability on the Preferred Scenario Map.

The property is in a Mixed Residential Area based on the surrounding zoning (42% Single Family / 58% Other Residential) and is classified as Redevelopment / Infill on the Land Use Intensity Matrix.

A review worksheet is attached to this report which details the analysis of the zoning change using Comprehensive Plan Elements. Staff finds this request is generally consistent with the Comprehensive Plan Elements as summarized below:

- The property lies within an Area of Stability and is classified as a Mixed Residential Area – Mixed Use is an eligible zoning category; therefore, a Preferred Scenario Amendment is not required.
- It is located in the Purgatory Creek watershed, additional impervious cover for the site is not accounted for within the Plan's Water Quality Model however due to the location in the recharge zone, impervious cover will be limited.
- The property is "high-moderately" constrained according to the Land Use Suitability Map – this is due mainly to the location within the Purgatory Creek watershed
- It is located in a wastewater and water "hot spot." Utilities are available in the area and the hotspot designation can be attributed to the number of work orders in the area and the age of the infrastructure
- Parkland is not located within walking distance. There are sidewalks and public transportation, but no bike lanes are located along West Hopkins Street.
- The Travel Demand Model indicates a poor level of service under both current and future conditions.

In addition, the consistency of this proposed change to the LDC criteria is detailed below:

Evaluation		Neutral	Criteria (LDC 1.5.1.5)
Consistent	Inconsistent		
X			<p>Change implements the policies of the plan elements in the adopted Comprehensive Plan, including the land use classification on the Preferred Scenario Map</p> <p><i>The change is consistent with the Preferred Scenario Map and Comprehensive Plan Elements in Vision San Marcos. See the analysis above and the attached Comprehensive Plan Worksheet.</i></p>
		X	<p>Consistency with any development agreement in effect</p> <p><i>No development agreements are in effect for this property.</i></p>
X			<p>Whether the uses permitted by the proposed change and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified</p> <p><i>A multifamily or office use is appropriate in this Mixed Residential Area.</i></p>
X			<p>Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area</p> <p><i>The property is currently served with City water and wastewater. The Capital Improvement Plan indicates a project which would extend the Hopkins Street Improvements beyond this site.</i></p>
X			<p>Other factors which substantially affect the public health, safety, morals, or general welfare</p> <p><i>None noted.</i></p>

Additionally, the Commission should consider:

- (1) Is the property suitable for use as presently zoned?
Staff evaluation: Yes.
- (2) Has there been a substantial change of conditions in the neighborhood surrounding the subject property?
Staff evaluation: The surrounding area has been and remains a mix of residential and commercial uses.
- (3) Will the proposed rezoning address a substantial unmet public need?
Staff evaluation: This would not address a substantial unmet public need.
- (4) Will the proposed rezoning confer a special benefit on the landowner/developer and cause a substantial detriment to the surrounding lands?
Staff evaluation: No, there is no special benefit to the landowner and no substantial detriment to the surrounding lands.
- (5) Will the proposed rezoning serve a substantial public purpose?
Staff evaluation: The rezoning does not serve a substantial public purpose.

Staff recommends APPROVAL of the zoning change request as submitted

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

Prepared by:

Amanda Hernandez, AICP

Senior Planner

October 29, 2013

Name

Title

Date

The Commission's Responsibility:

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

ZC-13-13 Zoning Change Review

(By Comp Plan Element)

LAND USE – Preferred Scenario Map / Land Use Intensity Matrix

	YES	NO (map amendment required)
Does the request meet the intent of the Preferred Scenario Map and the Land Use Intensity Matrix?	X	

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

Not applicable to this Zoning Change Request

STRATEGY	SUMMARY	Supports	Contradicts	Neutral
Preparing the 21 st Century Workforce	Provides / Encourages educational opportunities			
Competitive Infrastructure & Entrepreneurial Regulation	Provides / Encourages land, utilities and infrastructure for business			
The Community of Choice	Provides / Encourages safe & stable neighborhoods, quality schools, fair wage jobs, community amenities, distinctive identity			

ENVIRONMENT & RESOURCE PROTECTION – Land Use Suitability & Development Constraints

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

ENVIRONMENT & RESOURCE PROTECTION –

Located in Subwatershed:	Purgatory Creek				
ANALYSIS FOR PSA ONLY					
	0-25%	25-50%	50-75%	75-100%	100%+
Modeled Impervious Cover Increase Anticipated for watershed		X			
Additional Impervious Cover Increase Anticipated					
Anticipated pollutants:					

NEIGHBORHOODS – Where is the property located

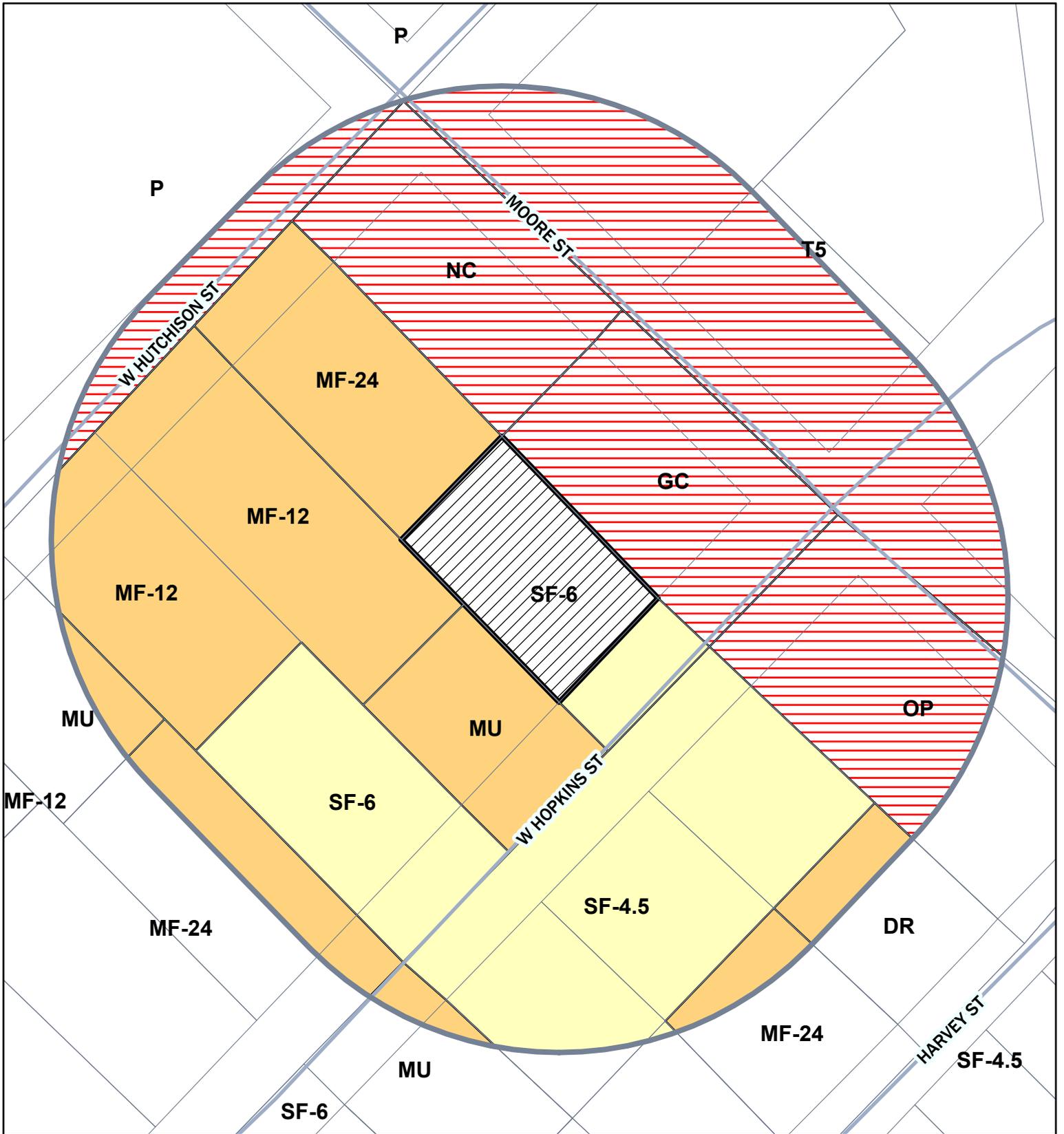
CONA Neighborhood(s):	Heritage
Neighborhood Commission Area(s):	Sector 1
Neighborhood Character Study Area(s):	Not applicable at this time.

PARKS, PUBLIC SPACES AND FACILITIES –Availability of parks and infrastructure

		YES	NO
Will Parks and / or Open Space be Provided?			X
Will Trails and / or Green Space Connections be Provided?			X
	Low (maintenance)	Medium	High (maintenance)
Wastewater Hotspot			X
Water Hotspot		X	
Public Facility Availability			
		YES	NO
Parks / Open Space within ¼ mile (walking distance)?			X
Wastewater service available?		X	
Water service available?		X	

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

		A	B	C	D	F
Existing Daily LOS	ROADWAY 1: W. Hopkins				X	
Existing Peak LOS	ROADWAY 1: W. Hopkins					X
Preferred Scenario Daily LOS	ROADWAY 1: W. Hopkins					X
Preferred Scenario Peak LOS	ROADWAY 1: W. Hopkins					X
		N/A	Good	Fair	Poor	
Sidewalk Availability			X	X	X	
		YES	NO			
Adjacent to existing bicycle lane?					X	
Adjacent to existing public transportation route?		X				
Notes:						



ZC-13-13
SF-6 to MU
510 W. Hopkins
10/22/2013



Site

Surrounding Zoning



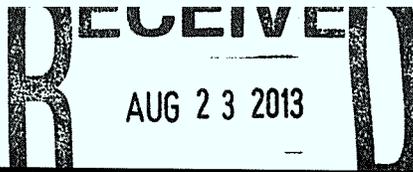
Other



Single Family



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.



09/12

ZC-13-17

City of San Marcos

ZONING CHANGE APPLICATION

	<u>APPLICANT</u>	<u>PROPERTY OWNER</u>
Name:	<u>VIRGILIO ALTAMIRANO</u>	<u>ARANTE INVESTMENTS LP</u>
Mailing Address:	<u>P.O. BOX 160788</u> <u>AUSTIN TX 78716</u>	<u>SANMC</u>
Telephone No.:	<u>512.413.3948</u>	
E-mail address:	<u>VALTAMIRANO@AUSTIN.RR.COM</u>	

PROPERTY DESCRIPTION:

Street Address: 510 W. HOPKINS, SAN MARCOS TX

Subdivision: LINDSEY & HARVEY ADDITION Block: 3 Lot(s): 7

Other Description (if unplatted) _____

* a metes and bounds description is required if property is a partial lot or is not platted

Appraisal District Tax ID No.: R 34687 Acres: 0.249

Lien Holder(s) - for notification purposes:

Name: N/A

Mailing Address: _____

(If more than one lien holder, please provide information on a separate page)

A certificate of no tax delinquency must be attached to this application

ZONING CHANGE INFORMATION:

Zoning Designation: Current: SF6 Requested: MU

Master Plan Designation: _____ Land Use Map Amendment Required? NO

Present Use of Property: VACANT, TO BE LEASED AS SBD. HOUSE OR OFFICE

Desired Use of Property/Reason for Change: SBD. 3 BA HOUSE OR OFFICE

I certify that the information in this application is complete and accurate.

I am the property owner of record; or

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

Signature: Virgilio Altamirano MEMBER Date: 8/21/13

Printed Name: VIRGILIO ALTAMIRANO MEMBER

APPLICATION FOR CITY OF SAN MARCOS ZONING CHANGE

FEE INFORMATION:

Fee Schedule:

Zoning Change to MF 12, 18, 14	\$3,000
Zoning Change to all other categories	\$750 plus \$50 acre (\$2,000 maximum)
Zoning variance/Special Exception	\$600
Renotification fee	\$75

APPLICATION PROCESS:

Please be advised that this is a 2-3 month process. The Planning and Zoning Commission will conduct a public hearing to consider your request. Prior to the hearing, the City will mail notices to all property owners within 200 feet of the subject tract, to the listed applicant and property owner, to any lien holders, and to the appropriate neighborhood representative. A sign advertising the change will also be placed on the property by the City.

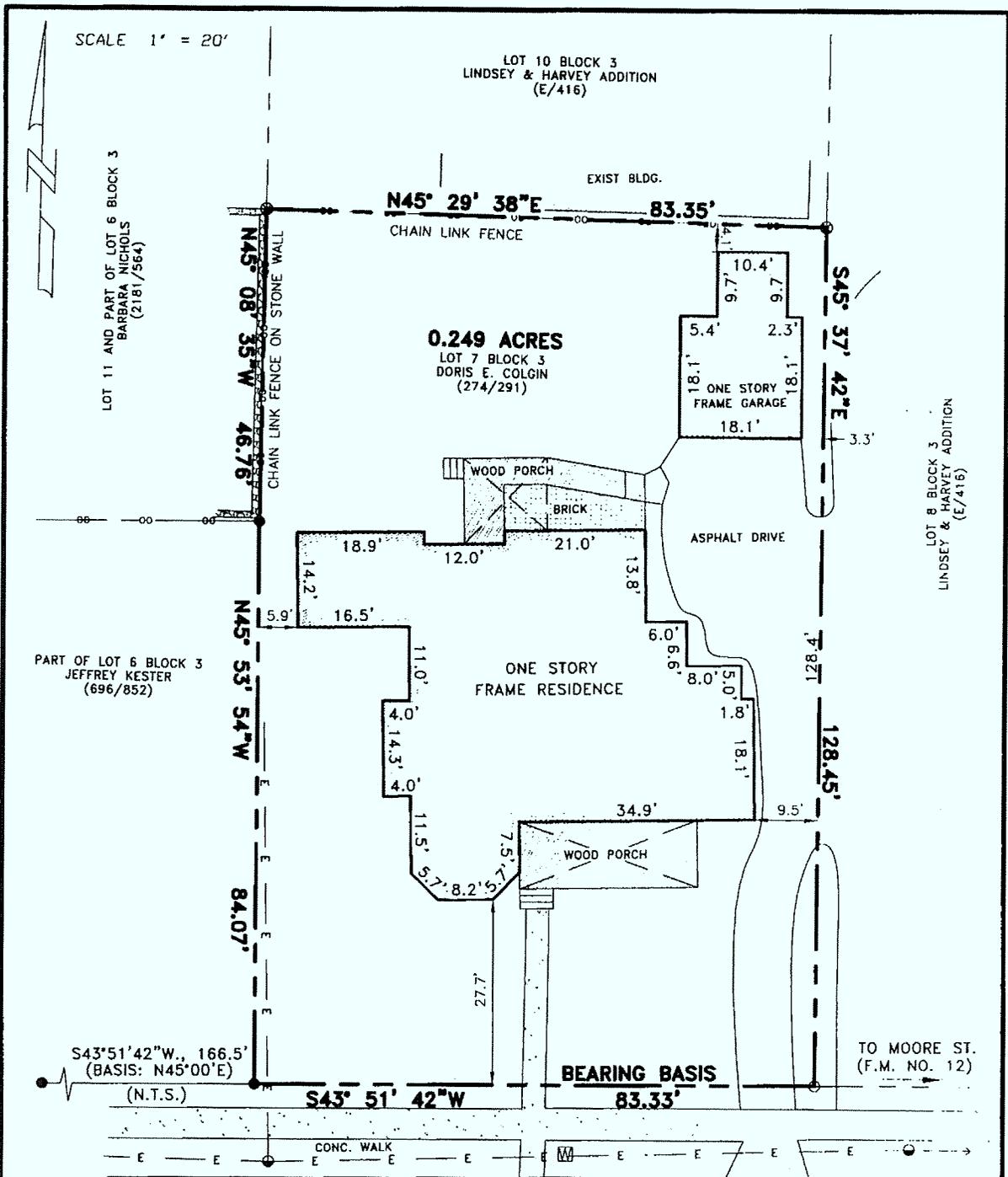
At the public hearing the applicant, or a representative for the applicant, should be present to answer any questions the Commission may have. Failure to appear could result in your request being tabled or denied. Those in support of the request and those in opposition will be given an opportunity to speak. Following the close of the public hearing, the Planning and Zoning Commission will make a recommendation to either approve or deny the request.

This recommendation is then forwarded to City Council for their action. A notice is published in the newspaper 15 days prior to their hearing. City Council will conduct a public hearing and either adopt an Ordinance to approve the change or deny the request. You will be notified by mail of the date of the City Council public hearing. If an ordinance is adopted, at least one further meeting is required to give Council an opportunity to reconsider the request. If there is no reconsideration, the process is complete. If there is reconsideration, a third reading of the ordinance would be required for approval.

To be completed by Staff:

Property is located in: Edwards Aquifer Recharge Zone Historic District River Corridor
 Concurrent Land Use Amendment is Required: Yes No

Meeting Date: 10-10 Deadline: 8-26 Accepted By: TORRY C Date: 8-23



**WEST HOPKINS STREET
(R.O.W. VARIES)**

LEGEND

- ⊙ IRON PIPE FOUND
- IRON ROD FOUND
- IRON ROD SET
- ⊗ CALCULATED POINT
- POWER POLE
- CHAIN LINK FENCE

NOTE:

ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48055C0075E, REVISED JUNE 19, 2012, THIS LOT IS LOCATED IN ZONE "X", WHICH IS AN AREA OUTSIDE THE 100-YEAR FLOODPLAIN.

NOTE:

BEARING BASIS DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED FROM TEXAS STATE PLANE COORDINATES (NAD83) TO SURFACE.

BOUNDARY AND IMPROVEMENTS SURVEY OF:

A 0.249 ACRE TRACT BEING LOT 7, BLOCK 3, LINDSEY AND HARVEY ADDITION TO THE CITY OF SAN MARCOS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN VOLUME E, PAGE 416, THE DEED RECORDS OF HAYS COUNTY, TEXAS.

TO:

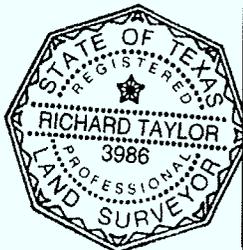
PURCHASER: APANTE INVESTMENTS, LP.

TITLE CO: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
GF NO: 13-00659-SM
ADDRESS: 510 WEST HOPKINS STREET

I, RICHARD H. TAYLOR, DO HEREBY CERTIFY THAT THIS PLAT OF THE PROPERTY SHOWN HEREON, WAS PREPARED FROM A SURVEY PERFORMED UNDER MY DIRECTION AND SUPERVISION DURING AUGUST 2013, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A PUBLIC RIGHT OF WAY.

RICHARD H. TAYLOR, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
NUMBER 3986 STATE OF TEXAS

08/06/13
DATE



ASH & ASSOCIATES
SURVEYING - ENGINEERING - ARCHITECTURE
142 JACKSON LANE
SAN MARCOS, TEXAS 78666
(512) 392-1719
FAX (512) 392-1928
ashandassociates.net
Surveying: 100847-00
Engineering: F-13483
Architecture: TX20240

"SERVING THE COMMUNITY OF TEXAS"

JOB NO. 13-4609 DRAWN BY: RGL FILE

Agenda Information

AGENDA CAPTION:

PC-13-34_06 (Katz's Addition) Hold a public hearing and consider a request by Ash and Associates, on behalf of Katz Development LLC, for approval of a replat of a portion of Lots 5 and 6, Block 3, D.P. Hopkins Addition, establishing Lot 1, Katz's Addition, located at the intersection of West Hutchison Street and North Street.

Meeting date: November 12, 2013

Department: Development Services - Planning

Funds Required: NA

Account Number: NA

Funds Available: NA

Account Name: NA

CITY COUNCIL GOAL:

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

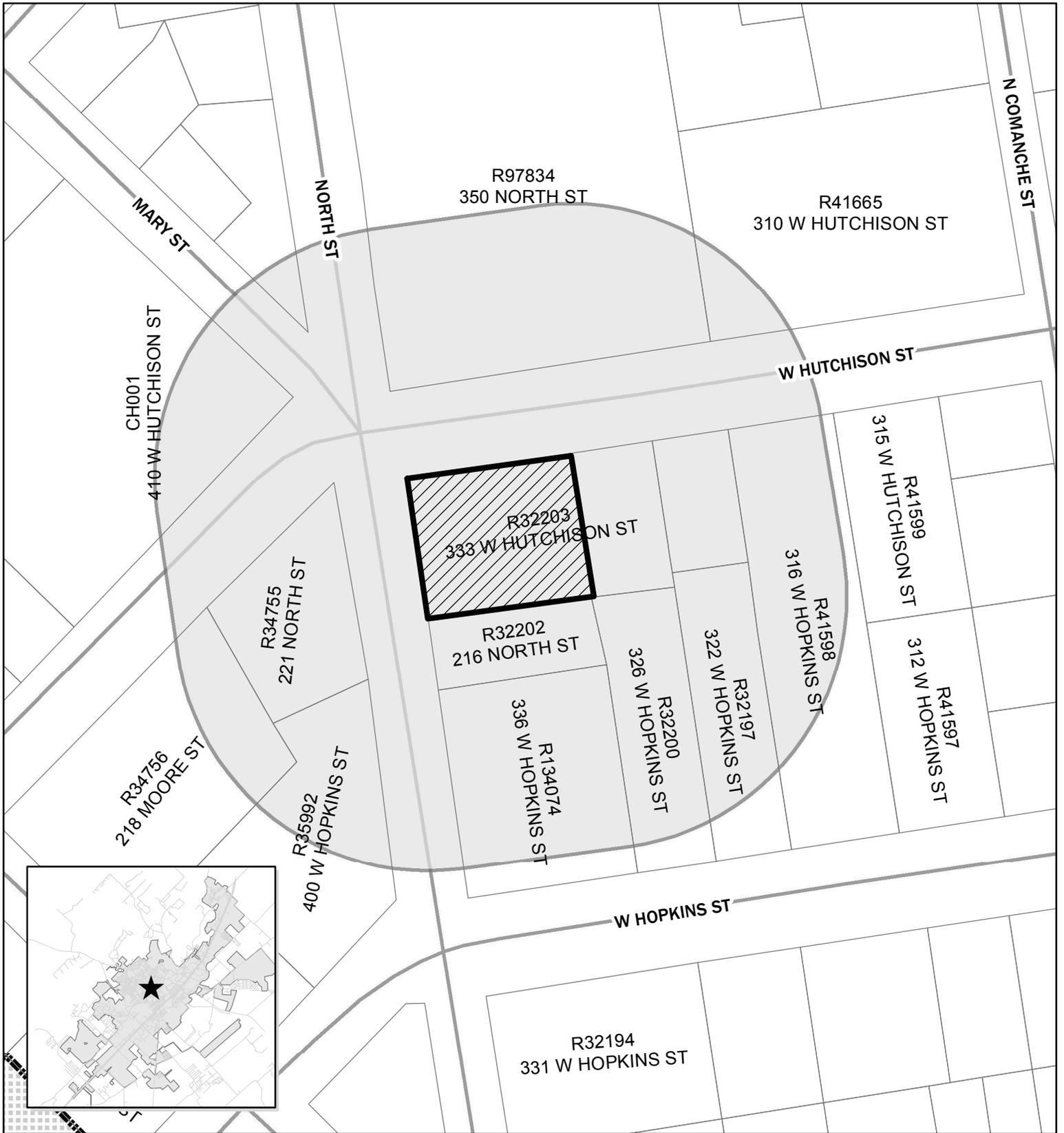
BACKGROUND:

The subject property is located at 333 W. Hutchison at the intersection of West Hutchison and North Streets and is zoned SmartCode T5 - Urban Center. The replat joins portions of lots 5 and 6 in Block 3 of the original D. P. Hopkins Addition into a single lot to be known as Katz's Addition. The property had been reconfigured over time into two tracts sold by metes and bounds. There are no public improvements associated with the plat and a sidewalk and public utility easement is being dedicated on Hutchison to accommodate pedestrian amenities required by the SmartCode at the time of site development.

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

ATTACHMENTS:

Case Map
Staff Report
Replat
Application



PC-13-34_06
Katz's Addition
Replat
Map Date: 10/30/2013

  Notification Buffer
 (200 feet)

0 50 100 200
 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.

**PC-13-34_06
Katz's Addition
Replat of a Portion of Lots 5 and 6, Block 3,
D.P. Hopkins Addition**



Applicant Information:

Agent: Ash and Associates
142 Jackson Lane
San Marcos, TX 78666

Property Owner: Katz Development, LLC
1205 Pin Oak Drive
Dickinson, TX 77539

Notification: Notice published on Sunday, October 27, 2013

Response: None as of date of report.

Type & Name of Subdivision: Replat of a Portion of Lots 5 and 6,
Block 3, D.P. Hopkins Addition
Establishing Katz's Addition

Subject Property:

Summary: The subject property is approximately .35 acres out of the previously recorded D.P. Hopkins Addition (1868) located near the intersection of Hutchison and North Streets at 333 W. Hutchison. It has been reconfigured over time into two tracts sold by metes and bounds.

Zoning: SmartCode T5 - Urban Center

Traffic/ Transportation: Hutchison is designated an A-Grid street, meaning lots and buildings along it are held to the highest standard for pedestrian activity. This is the principle frontage for the lot and a pedestrian and public utility easement is being dedicated along it as part of the replat.

Utility Capacity: All utilities are provided for onsite. There are no public improvements associated with this plat.

Planning Department Analysis:

There are no public improvements associated with this plat and parkland dedication is not required for this subdivision.

A replat of all or a portion of a recorded plat may be approved without vacation of the recorded plat if:

- 1) The replat is signed and acknowledged by only the property owners of the property being replatted; and,
- 2) The replat does not propose to amend or remove any covenants or restrictions previously incorporated into the recorded plat (LDC Section 1.6.8.2).

Additionally, the Texas Local Government Code requires:

- 1) The replat not remove, amend or violate any covenants or restrictions contained or referenced in a dedicating instrument recorded separately from the preceding plat; and,
- 2) The replat not attempt to amend, remove or violate or have the effect of amending, removing or violating any existing public utility easements without the consent of the affected utility companies (LGC Section 212.015).

The replat does not attempt to amend or remove any covenants, restrictions or easements previously incorporated into the recorded plat or dedicated by separate instrument. It does meet the approval criteria set forth in the Land Development Code (Section 1.6.5.5) and staff recommends approval of the plat as submitted.

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

The Commission's Responsibility:

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

Prepared By:

Emily Koller

Planner

November 7, 2013



VICINITY MAP

STATE OF TEXAS *
 COUNTY OF HAYS *
 KNOW ALL MEN BY THESE PRESENTS

THAT KATZ'S DEVELOPMENT, LLC, ACTING BY AND THROUGH CHASE KATZ, MANAGING PARTNER, BEING THE OWNERS OF 0.1729 ACRES OF LAND, A PORTION OF LOTS 5 AND 6, BLOCK 3, D. P. HOPKINS ADDITION, A SUBDIVISION OF RECORD IN VOLUME E, PAGE 416, HAYS COUNTY DEED RECORDS, AS CONVEYED TO KATZ DEVELOPMENT LLC BY DEED IN VOLUME 4253, PAGE 824, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY TEXAS AND THAT 0.1794 ACRES OF LAND, A PORTION OF LOTS 5 AND 6, D. P. HOPKINS ADDITION, A SUBDIVISION OF RECORD IN VOLUME E, PAGE 461, HAYS COUNTY DEED RECORDS, AS CONVEYED TO KATZ DEVELOPMENT LLC IN VOLUME 4325, PAGE 591, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY TEXAS, DO HEREBY REPLAT A PORTION OF SAID LOTS 5 AND 6, BLOCK 3, D. P. HOPKINS ADDITION IN ACCORDANCE WITH THIS PLAT TO BE KNOWN AS "KATZ'S ADDITION", AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREETS, ALLEYS, PARKS, AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND, THIS THE _____DAY OF _____, 2013, AD

CHASE KATZ, MANAGING PARTNER
 KATZ DEVELOPMENT LLC
 1205 PIN OAK DR.
 DICKINSON, TX 77539

STATE OF TEXAS *
 COUNTY OF HAYS *

BEFORE ME, the undersigned authority, on this day personally appeared CHASE KATZ, known to me to be the persons whose name are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, A.D., 2013.

NOTARY PUBLIC
 STATE OF TEXAS

CITY OF SAN MARCOS
 CERTIFICATE OF APPROVAL

APPROVED AND AUTHORIZED TO BE RECORDED ON THE _____ DAY OF _____, 2013 BY THE PLANNING & ZONING COMMISSION OF THE CITY OF SAN MARCOS.

BILL TAYLOR, CHAIRMAN
 PLANNING & ZONING COMMISSION

FRANCIS SERNA,
 RECORDING SECRETARY

APPROVED:

MATTHEW LEWIS, CNU-A
 DIRECTOR DEVELOPMENT SERVICES

DATE

LAURIE MOYER, P.E.
 DIRECTOR OF ENGINEERING AND
 CAPITAL IMPROVEMENTS

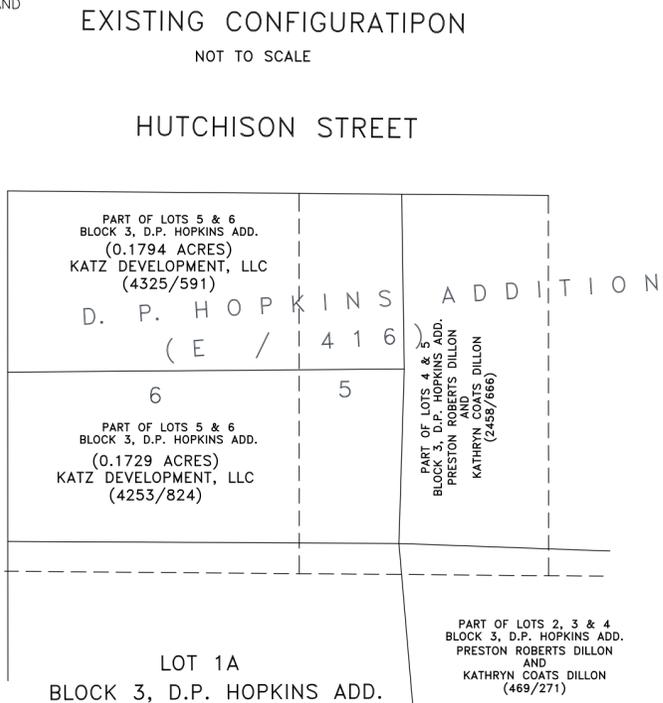
DATE

PLAT NOTES:

- 1) THIS SUBDIVISION IS LOCATED WITHIN THE CITY LIMITS OF SAN MARCOS, TEXAS.
- 2) THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF THE SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT.
- 3) CONSTRUCTION OF SIDEWALKS BY PROERTY OWNER REQUIRED ALONG HUTCHINSON AND NORTH STREET AT TIME OF DEVELOPMENT OF TRACT.
- 4) ALL LOTS WITHIN THIS SUBDIVISION SHALL COMPLY WITH THE DEVELOPMENT STANDARDS SET FORTH IN THE CITY OF SAN MARCOS LAND DEVELOPMENT CODE AND SAN MARCOS SMART CODE.
- 5) THIS SUBDIVISION IS NOT LOCATED IN THE EDWARDS AQUIFER RECHARGE ZONE.

BEARING BASIS NOTE:
 BEARING BASIS DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES & NAD83.

Item 10
 Attachment # 3
 Page 1 of 1



STATE OF TEXAS *
 COUNTY OF HAYS *

KNOW ALL MEN BY THESE PRESENTS:

THAT I, DAVID SCOTT RATCLIFF, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT AND ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48209C0389F, DATED SEPTEMBER 2, 2005, THIS LOT IS LOCATED IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 100 YEAR FLOODPLAIN.

DAVID SCOTT RATCLIFF, P.E.
 REGISTERED PROFESSIONAL
 ENGINEER NO. 97351

DATE

STATE OF TEXAS*
 COUNTY OF HAYS*

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

SHAWN T. ASH
 REGISTERED PROFESSIONAL LAND SURVEY
 STATE OF TEXAS NO. 5687

DATE

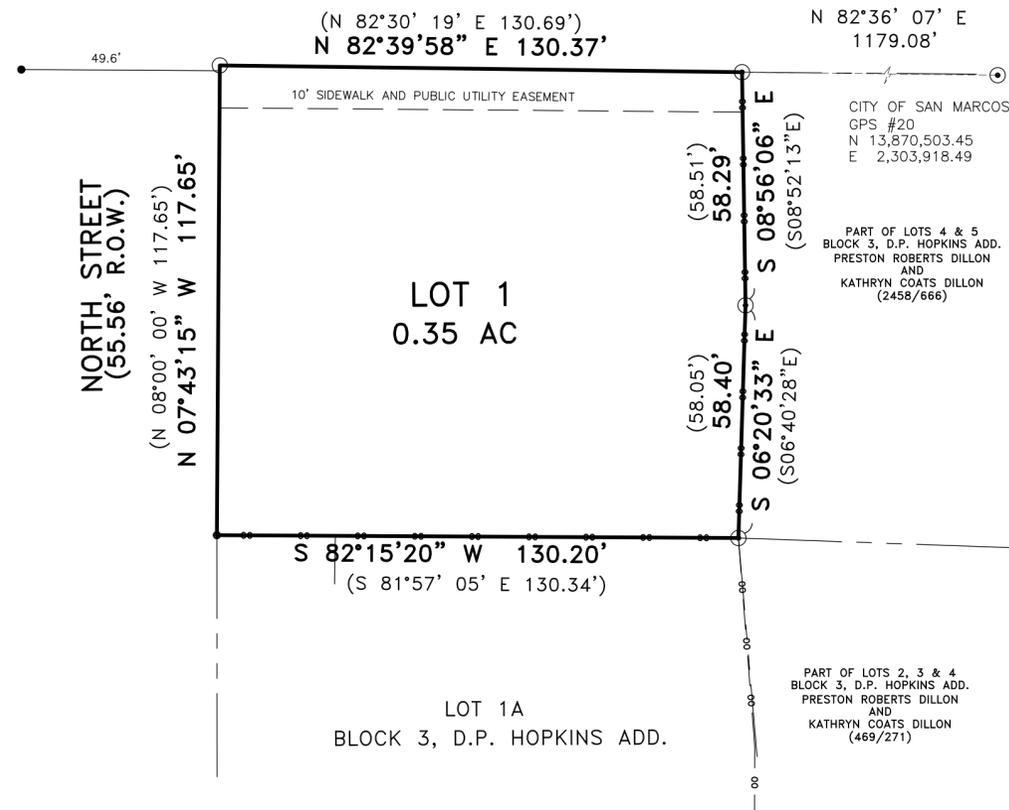
STATE OF TEXAS*
 COUNTY OF HAYS*

I, LIZ GONZALEZ, COUNTY CLERK OF HAYS COUNTY, TEXAS, CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____DAY OF _____, 2013 AT _____O'CLOCK __M., AND DULY RECORDED ON THE _____DAY OF _____, 2013 AT _____O'CLOCK __M. IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN BOOK _____, PAGE _____.

LIZ GONZALEZ
 COUNTY CLERK
 HAYS COUNTY, TEXAS

REPLAT
 HUTCHISON STREET
 (69.44' R.O.W.)

SCALE 1" = 30'



THE PURPOSE OF THIS REPLAT IS TO JOIN PORTIONS OF LOTS 5 AND 6, BLOCK 3, D. P. HOPKINS ADDITION SOLD BY METES AND BOUNDS INTO ONE LEGAL LOT TO BE KNOWN AS LOT 1 KATZ'S ADDITION.

LEGEND

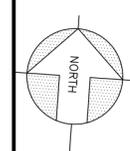
- 3 INCH METAL FENCE POST
- IRON ROD FOUND
- IRON ROD SET
- DEED LINE
- ORIGINAL D P HOKINS LOT BOUNDARY (1868)

(BRG.-DIST.) RECORD CALL

REPLAT OF A PORTION OF LOTS 5 AND 6, BLOCK 3, D. P. HOPKINS ADDITION, ESTABLISHING KATZ'S ADDITION CITY OF SAN MARCOS HAYS COUNTY, TEXAS



OWNER: KATZ DEVELOPMENT, LLC
 1205 PIN OAK DRIVE
 DICKINSON, TEXAS 77539



ASH & ASSOCIATES
 SURVEYING - ENGINEERING - ARCHITECTURE
 142 JACKSON LANE
 SAN MARCOS, TEXAS 78666
 (512) 392-1719
 FAX (512) 392-1928
 ashandassociates.net
 Surveying: 100847-00
 Engineering: F-13483
 Architecture: TX20240

DRAWN: RMM SCALE: PLOT 1"=30'
 REVIEWED: RHT DATE: 09/15/13
 ASH & ASSOCIATES, L.L.C.
 PROJECT No. 13-4665
 SHEET 1 OF 1

RECEIVED
SEP 23 2013

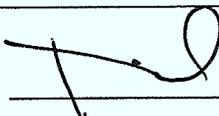
PC-13-34-06

City of San Marcos
SUBDIVISION PLAT APPLICATION

	<u>APPLICANT</u>	<u>PROPERTY OWNER</u>
Name	ASH & ASSOCIATES	KATZ DEVELOPMENT LLC
Mailing Address	142 JACKSON LN SAN MARCOS, TX 78666	1205 PIN OAK DR DICKINSON, TX 77539
Daytime Phone	512-392-1719	832-573-7285
Email Address	rick@ashandassociates.net	zelickssm@yahoo.com

AGENT ACKNOWLEDGEMENT STATEMENT:
 I CHASE KATZ acknowledge that I am the rightful owner of the property proposed for subdivision and hereby authorize ASH & ASSOCIATES to serve as my agent to file this application and to work with the Responsible Official on my behalf during the subdivision platting process.

Signature of Property Owner: 
 Printed Name: CHASE KATZ Date: 9.18.2013

Signature of Agent: 
 Printed Name: RICHARD McDANIEL Date: 9-23-13

TYPE OF APPLICATION

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

SUBJECT PROPERTY

Subdivision Name: KATZ ADDITION

Address or General Location: NORTH STREET & HUTCHISON STREET

Proposed Number of Lots: 1 Acres: 0.35

Appraisal District Tax ID: R 32201, R 32203

Located In City Limits ETJ* - Please circle county: Caldwell Comal Guadalupe Hays
 S.M. River Corridor Planned Development District

Proposed Use of Land COMMERCIAL

**Subdivision-plat applications for land in the ETJ may be subject to additional requirements and review as defined by the Interlocal Agreement for the respective county.*

SUBDIVISION IMPROVEMENT AGREEMENT

Whenever public improvements to serve the development are deferred until after Final Subdivision Plat or Final Development Plat approval, the property owner shall enter into a Subdivision Improvement Agreement by which the owner covenants to complete all required public improvements no later than two years following the date upon which the Final Subdivision Plat or Final Development Plat is approved.

I will complete all required public improvements prior to the Final Subdivision Plat or Final Development Plat.

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

Signature: _____

Printed Name: _____ Date: _____

512-392-1419

ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Electric Service Provider SAN MARCOS ELECTRIC UTILITY (SMEU)

Applicable Utility Service Code(s) A

Comments/Conditions _____

Signature of Electric Company Official M Wade Hudson

Title ELECTRIC ENGINEERING TECH. Date 9/19/13

GAS UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
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- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Gas Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Gas Company Official _____

Title _____ Date _____

WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Water Service Provider City of San Marcos

Applicable Utility Service Code(s) A

Comments/Conditions _____

Signature of Water Utility Official: Tony Selmer

Title: Water Dist. Manager Date: 9-24-2013

Name of Wastewater Service Provider City of San Marcos

Applicable Utility Service Code(s) A

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

Comments/Conditions _____

Signature of City or County Wastewater Official: Lloyd Juarez

Title: WW coll. mgr Date: 9-24-13

TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Telephone Service Provider CenturyLink

Applicable Utility Service Code(s) A

Comments/Conditions _____

Signature of Telephone Company Official Kenny B. [Signature]

Title: Plant Facilities Supv Date: 9-18-13

SUBMITTAL REQUIREMENTS FOR ALL PLATS:

WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Water Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Water Utility Official: _____

Title: _____ Date: _____

Name of Wastewater Service Provider _____

Applicable Utility Service Code(s) _____

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

Comments/Conditions _____

Signature of City or County Wastewater Official: _____

Title: _____ Date _____

TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

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- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Telephone Service Provider CenturyLink _____

Applicable Utility Service Code(s) A _____

Comments/Conditions _____

Signature of Telephone Company Official Kevin J. Edley _____

Title: Plant Facilities Supv Date 9-18-13

SUBMITTAL REQUIREMENTS FOR ALL PLATS:

ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
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- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Electric Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Electric Company Official _____

Title _____ Date _____

GAS UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Gas Service Provider CenterPoint Energy

Applicable Utility Service Code(s) A

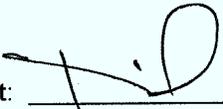
Comments/Conditions There are currently gas lines on this property.

Signature of Gas Company Official [Signature]

Title Scout Marketing Consultant Date 9/25/13

- Complete application
- Required fees \$ ⁴³⁵_____ (see next page for Fee Schedule)
- All legislative requirements complete
- Proof of record ownership (recorded deed corresponds to ownership indicated on tax certificate)
- Current tax certificate (must show prior year taxes paid by January 31st of current year)
- Names and addresses of property lien-holders
- One digital copy of submittal materials
- Five 18"x24" hard copies of plat document*

I hereby affirm that if I am not the property owner of record, or if the applicant is an organization or business entity, I have been authorized to represent the owner, organization, or business in this application. I certify the preceding information is complete and accurate, and it is understood that I or another representative should be present at all meetings concerning this application.

Signature of Applicant:  _____

Printed Name: Richard McDaniel

Date: 9-23-13

*Plats in the ETJ may require additional hard copies.

ADDITIONAL REQUIREMENTS:

Subdivision Concept Plats:

- Watershed Protection Plan (Phase 1)
- Residential compatibility site plan (where applicable)
- Cluster development plan (where applicable)

Preliminary Subdivision Plats or Preliminary Development Plats

- Approved Watershed Protection Plan Phase I (can be submitted concurrently)
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

Final Subdivision or Final Development Plats:

- Preliminary Plat (where applicable)
- Approved Watershed Protection Plan Phase II and approved Public Improvement Construction Plan by the Director of Engineering (can be submitted concurrently).
- Subdivision Improvement Agreement and surety if public facility construction was deferred.
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

Minor Subdivision Plats:

Minor subdivisions plats must meet the following qualifications:

- Proposed subdivision results in 4 or fewer lots
- All lots front onto an existing public street and construction or extension of a street or alley is not required or is considered a minor extension by Director of Engineering.
- Extension of municipal facilities is not required or the installation of utilities is considered a minor extension by the Director of Engineering.
- Approved WPP Phase II is required if land is located within the Edwards Aquifer Recharge Zone, within a designated stream or river corridor, or if the land contains floodplain, floodway or a waterway as defined by the LDC.

Amending Plats and Replats:

- Detailed description of the purposes and circumstances that warrant change of the recorded plat identifying all lots, easements or improvements affected by the proposed change.

FEE SCHEDULE

For Plats Located Inside/Outside of the City Limits	
Subdivision Minor Plat / Amending Plat	\$400 plus \$100 per acre (max \$1000)
Concept Plan	\$750 plus \$50 acre (max \$2000)
Preliminary Plat	\$750 plus \$50 acre (max \$2000)
Final Plat	\$1000 plus \$100 acre (max \$2500)
Replat, not administrative	\$750 plus \$50 acre (max \$2000)
Vacation of Previously Recorded Plat	\$150
Subdivision Variance Request	\$600
Cluster Development Plan	\$25 per acre (\$100 min / \$1500 max)

STAFF USE ONLY:

Submittal Date: 9-23 5 Business Days from Submittal: 9-30

Completeness Review By: Tory C. Date: 9-23

Contact Date for Supplemental Info: 9-24

Supplemental Info Received (required within 5 days of contact): 9-25

Application Returned to Applicant: /

Application Accepted for Review: 9-25 Fee: \$435.00

Comments Due to Applicant 10-11

Date for Plat Resubmittals 10-18

Date of Planning and Zoning Commission Meeting: NA

30-Day Deadline - 10-25

Agenda Information

AGENDA CAPTION:

LDC-13-06 (Environmental Regulations) Hold a public hearing, discuss and provide staff direction regarding proposed revisions to Chapters 1, 5, 7, and 8 of the Land Development Code to clarify language, remove inconsistencies, and modify environmental protection standards contained within these chapters.

Meeting date: November 12, 2013

Department: Engineering-CIP, Development Services

Funds Required:

Account Number:

Funds Available:

Account Name:

CITY COUNCIL GOAL:

Big Picture Infrastructure

BACKGROUND:

In 2011 the City requested RPS to review the San Marcos Land Development Code (LDC) and Technical Manual for clarification and to remove inconsistencies related to water quality and drainage. Various areas within Chapters 5 and 7 were identified then consolidated into one manual. This was a first step in the development of the City's own drainage criteria manual now titled the Stormwater Technical Manual (STM). In 2012 the project was put on hold in order to allow the San Marcos Comprehensive Plan to gain momentum and verify the importance of potential drainage and water quality initiatives being considered in the STM.

As the City continues to develop at a rapid pace there is the potential for increased impact to the natural and constructed drainage systems. Some of these impacts may negatively affect water quality and our floodplains, putting the public and community resources at risk. In addition, staff desires additional tools to help manage construction projects so they are completed on-time and with minimal risk to the City. At the same time, the recommended revisions to the LDC outlined below are consistent with the Comprehensive Plan objectives and will help align project activities with the Habitat Conservation Plan goals to protect the endangered and threatened species in the San Marcos River and springs.

ATTACHMENTS:

LDC Modifications



MEMO

TO: PLANNING AND ZONING COMMISSION
THROUGH: Laurie Moyer, P.E., Director of Engineering and Capital Improvements
FROM: Rey Garcia, P.E., Senior Engineer
DATE: NOVEMBER 12, 2013
RE: MODIFICATIONS TO LAND DEVELOPMENT CODE, CHAPTERS 1, 5 AND 7

Background

In 2011 the City requested RPS to review the San Marcos Land Development Code (LDC) and Technical Manual for clarification and to remove inconsistencies related to water quality and drainage. Various areas within Chapters 5 and 7 were identified then consolidated into one manual. This was a first step in the development of the City's own drainage criteria manual now titled the Stormwater Technical Manual (STM). In 2012 the project was put on hold in order to allow the San Marcos Comprehensive Plan to gain momentum and verify the importance of potential drainage and water quality initiatives being considered in the STM.

As the City continues to develop at a rapid pace there is the potential for increased impact to the natural and constructed drainage systems. Some of these impacts may negatively affect water quality and our floodplains, putting the public and community resources at risk. In addition, staff desires additional tools to help manage construction projects so they are completed on-time and with minimal risk to the City. At the same time, the recommended revisions to the LDC outlined below are consistent with the Comprehensive Plan objectives and will help align project activities with the Habitat Conservation Plan goals to protect the endangered and threatened species in the San Marcos River and springs.

Coordination with the San Marcos Watershed Initiative, Texas State University and the residents of San Marcos has also been vital in working towards a common goal. Changes to the LDC outlined below contribute this accomplishment.

Research

The work performed by RPS in the creation of the STM was the first step in achieving the City's first criteria manual related to drainage and water quality. During this time, problems were identified by City Staff with respect to LDC interpretations or process that needed conditioning. Some of these include permit expiration definition, cut and fill limitations, and proposed detention requirements. Clarification and technical criteria are also suggested to address the current City water quality requirements in the Edwards Recharge Zone. These are areas that are either not accurately defined in the LDC or could be added. Further research was made on detention requirements on the surrounding communities and the table below shows the storm events that are required for detention.

Detention Requirements

Community/ Storm Event	1	2	5	10	25	50	100
Austin		X		X	X		X
Buda		X		X	X		X
Cedar Park		X		X	X		X
Cibolo				X			X
College Station		X		X	X		X
Denton	X				X		X
Kyle		X			X		
New Braunfels				X			X
Round Rock		X		X	X		
San Antonio			X		X		X
San Marcos		X			X		
Seguin		X		X	X	X	X
Temple				X			X
Waco		X		X			X

San Marcos' current standing in the National Flood Insurance Program (NFIP) Community Rating System (CRS) is listed below. There may be an opportunity to apply for a higher CRS rating with FEMA if certain activities take place to reduce flood damage risk. The requirement of 100-year detention is one of these activities. Flood insurance cost benefits can be realized across the City to flood insurance holders if the CRS rating is improved. If these benefits are incurred, it's more likely that participation in the NFIP program will increase and allow FEMA to more accurately track damages over time. This will provide greater justification and incentive to obtain federal financial assistance for City projects that mitigate future flooding.

Community Number	Community Name	CRS Entry Date	Current Effective Date	Current Class	% Discount For SFHA	% Discount For Non-SFHA	Status
485505	San Marcos, City of	10/1/1992	10/1/2002	7	15	5	C

Solutions

Develop and adopt proposed revisions to the San Marcos City Code, Part II – City Code, Subpart B – Land Development Code, as described in the Draft Revised Code.

Chapter 1 – Development Procedures

ARTICLE 6: - PLATTING PROCEDURES

DIVISION 6: CONSTRUCTION MANAGEMENT

Section 1.6.6.1 Construction Plans

- (a) *Purpose.* The purpose of construction plans is to assure that public improvements required to be installed in order to serve a subdivision or a development are constructed in accordance with all standards of this Land Development Code.
- (b) *Contents.* An application for approval of construction plans shall be prepared in accordance with Chapter 1 of the Technical Manual.
- (c) *Responsible Official and Decision*
- (1) The Engineering Director shall be the responsible official for approval of construction plans.
 - (2) For construction plans submitted following approval of a Preliminary Subdivision Plat or Preliminary Development Plat, the Engineering Director shall approve, approve subject to modifications, or reject the construction plans within 30 working days after the plans have been submitted. Incomplete plans shall be returned to the applicant.
 - (3) For construction plans submitted where no application for Preliminary Subdivision Plat or Preliminary Development Plat has been submitted for approval, the Engineering Director shall approve, approve subject to modifications, or disapprove the construction plans, subject to appeal as provided in (g) below.
 - (4) If construction plans are approved, the plans shall be marked "approved" and one set shall be returned to the applicant, and at least two sets shall be retained in the City's files.
 - (5) Once the construction plans are approved, the property owner shall provide additional sets of the approved plans to the City, as specified by the Engineering Director, for use during construction. A full set of the City-approved and stamped construction plans must be available for inspection on the job site at all times.
 - (6) For public infrastructure construction plans, if construction as defined by the Local Government Code Chapter 245 has not commenced within two years, the permit expires.

Explanation: Define expiration date of two years for Public Infrastructure Improvement Plans to prevent outdated plans sets without current standards and conditions from being constructed.

ARTICLE 7: - WATERSHED PROTECTION PLANS

DIVISION 1: APPROVAL AND APPLICATION PROCESS; APPEALS

1.7.1.4 Processing of Application and Decision

1.7.1.4 (a) *Decision by Type of Watershed Protection Plan.* An application for approval of a Watershed Protection Plan, Phase 1 and Phase 2, initially shall be decided by the Engineering Director, except where the application is accompanied by any of the following requests, in which case the application shall be construed as an application for a Qualified Watershed Protection Plan, which shall be decided by the Planning and Zoning Commission following a recommendation by the City Engineer:

- (1) A petition for a variance from water quality and stormwater standards under Section 1.7.1.6.

Explanation: Add "stormwater" to water quality variance petitions. This will allow variances for stormwater standards to follow the current process allowed for Watershed Protections Plans.

ARTICLE 8: - SITE PREPARATION PERMITS

DIVISION 1: APPROVAL AND APPLICATION PROCESS; APPEALS

Section 1.8.1.1 Purpose, Applicability, Exceptions and Effect

Section 1.8.1.2 Sequence of Approvals

Section 1.8.1.3 Application Requirements

Section 1.8.1.4 Processing of Application and Decision

Section 1.8.1.5 Criteria for Approval

Section 1.8.1.6 Appeals and Relief Procedures

Section 1.8.1.7 Expiration and Extension

Section 1.8.1.8 Completion and Acceptance

(a) Prior to Occupancy. All Site related items must be complete or a Cash surety accepted prior to occupancy of the last building on a site.

(b) Prior to Final Acceptance. Engineers Letter of Concurrence is required for all stormwater detention and water quality management facilities.

Explanation: Add new section (1.8.1.8) that provides (a) timing for acceptance of surety before certificate of occupancy and (b) engineer's concurrence letter for stormwater detention and water quality facilities. This is a practice currently in place but not stated in the LDC. This allows the City and Contractors flexibility to occupy structures prior to project completion for non-public health and safety requirements (example, landscaping).

Chapter 5 – Environmental Regulations

ARTICLE 1: - GENERAL PROVISIONS

DIVISION 1: GENERAL

5.1.1.1 Applicability, Exceptions, Authority and Findings

- (a) *Applicability.*
- (b) *Exceptions.*
- (c) *Authority.* The requirements of this Article are authorized under Tex. Water Code Sections 16.316 and 26.177(b).
- (d) *Findings.* The City Council makes the following findings:
- (e) *Conflicts among standards.* Whenever there is a conflict between a City of Austin manual or standard and any other technical standard included or referenced in this Chapter, the other technical standard shall prevail.

(f) Variances. Variances from this Article 1 not identified as administrative shall follow the relief procedures identified in Section 1.7.1.6.

Explanation: This change defines procedure for variances that are not administrative related to the cut/fill limits as summarized below:

<u>Cut/Fill Limits</u>	<u>Notes</u>
0 - 4'	Allowable
≥4' - 8'	Allowable with Administrative Variance
> 8'	Requires Variance Request to P/Z Commission

This variance process follows the existing process for watershed protection plans. This establishes a process for a variance to administrative decisions.

Chapter 5 – Environmental Regulations

ARTICLE 1: - GENERAL PROVISIONS

DIVISION 1: GENERAL

5.1.1.2 Erosion Control Standards

5.1.1.2 (b) *Compliance with Criteria Manuals.* Erosion control and restoration measures shall comply with the San Marcos [Stormwater](#) Technical Manual, City of Austin Drainage Criteria Manual and the City of Austin Environmental Criteria Manual.

5.1.1.2 (c) *Erosion Prevention Techniques.* Erosion prevention techniques, as referenced in the City of San Marcos [Stormwater](#) Technical Manual, City of Austin Drainage Criteria Manual and the City of Austin Environmental Criteria Manual, will be utilized to attain drainage objectives for channelization and overland flow.

Explanation: In items (b) and (c) add “Stormwater” to the “San Marcos Technical Manual” to reflect the actual title of the document.

5.1.1.2(d) In order to help reduce storm water runoff, and resulting erosion, sedimentation and conveyance of nonpoint source pollutants, the layout of the street network, lots and building sites shall, to the greatest extent possible, be sited and aligned along natural contour lines, and shall minimize the amount of cut and fill on slopes in order to minimize the amount of land area that is disturbed during construction.

5.1.1.2(e) Cuts on a tract of land may not exceed four feet of depth, except:

- In the Downtown SmartCode District;
- In a roadway right-of-way;
- For construction of a building foundation;
- For utility construction or a wastewater drain field if the area is restored to natural grade;
- In a state permitted sanitary landfill or a sand or gravel excavation located in the extraterritorial jurisdiction, if:
 - o The cut is not in a water quality or buffer zone;
 - o The cut does not alter a 100-year floodplain;
 - o The landfill or excavation has an erosion and restoration plan approved by the City;
 - o and
 - o All other applicable City Code provisions are met.

5.1.1.2(f) A cut must be restored and stabilized.

5.1.1.2(g) Fill on a tract of land may not exceed four feet in depth, except:

- In the Downtown SmartCode District;
- In a roadway right-of-way;
- Under a foundation with sides perpendicular to the ground, or with pier and beam construction;

- For utility construction or a wastewater drain field

- In a state-permitted sanitary landfill located in the extraterritorial jurisdiction, if:

- The fill is derived from the landfill operation;
- The fill is not placed in a water quality zone, buffer zone, or a 100-year floodplain;
- The landfill operation has an erosion and restoration plan approved by the City, and
- All other applicable City Code provisions are met.

5.1.1.2(h) A fill area must be restored and stabilized.

5.1.1.2(i) Administrative Variances. The Engineering Director may grant a variance from a requirement of Section 5.1.1.2(e) (cut requirements) or Section 5.1.1.2(g) (fill requirements) for a water quality control or stormwater detention facility, or for a cut or fill of not more than eight feet if the project can demonstrate provision of enhanced measures to manage construction and post construction stormwater runoff quantity and quality per the Criteria Manuals.

Explanation: Add new section to guide development practices to minimize cut and fill and also establish cut and fill limits to four feet and define administrative variance process. The LDC currently requires cut/fill to be minimized in section 7.5.1.1 (g) and this addition will define the limitations and process for variance if exceeded.

<u>Cut/Fill Limits</u>	<u>Notes</u>
0 - 4'	Allowable
≥4' - 8'	Allowable with Administrative Variance
> 8'	Requires Variance to P/Z Commission

Chapter 5 – Environmental Regulations

ARTICLE 1: - GENERAL PROVISIONS

DIVISION 1: GENERAL

5.1.1.3 Runoff Attenuation

5.1.1.3 (b) *Detention Required.* Drainage facilities will be designed and constructed so that the rate of runoff at each existing discharge location from a site after construction shall be equal to or less than the runoff prior to construction for the 2-, 10-, 25-, and 100-year storm frequencies. Rate of runoff and facility design features shall be designed by using the City of Austin Drainage Criteria Manual. Computation of the rate of runoff shall be based on an assumption of a fully developed contributing drainage area or watershed.

Explanation: Adding the 2 and 10-year detention requirement will decrease runoff from developed sites that are currently not required to detain for these events. Over the years the City has received numerous complaints from downstream property owners about increased runoff. Managing the 2- and 10-yr storms will help protect downstream property owners from frequent storm events and help minimize creek erosion.

By not detaining the 100-yr event, the current 100-yr floodplain will increase in size with increased development. This addition can increase pond volume by about 20%. However, the increased costs can be offset by reduced flood insurance costs and decreased damage now occurring within the existing 100-yr floodplain.

5.1.1.3(d) Low Impact Development Practices as described in the Stormwater Technical Manual may be used to reduce the impact of runoff on the natural and built drainage system.

Explanation: Add low impact development practices with reference to the Stormwater Technical Manual. Add COSM LID Manual as appendix to the Stormwater Technical Manual. Many developers have found this to be a cost efficient and attractive way to address storm water runoff.

5.1.1.6 Street and Drainage Improvements

5.1.1.6 (b) (2) Drainage easements must be at least 25 feet ~~five inches~~ in width for open drainage systems, or 15 feet in width for enclosed drainage systems.

Explanation: Correct typographic error and remove five inches on drainage easement width.

Chapter 5 – Environmental Regulations

ARTICLE 2: - DEVELOPMENT RELATED TO THE EDWARDS AQUIFER

DIVISION 4: BEST MANAGEMENT PRACTICES (BMPS)

5.2.4.1 Requirements and Standards for BMPS

5.2.4.1 (b) *Installation of BMPS.* If impervious cover at the site of a development in the recharge zone equals or exceeds 15 percent on the approved Watershed Protection Plan (Phase 1, Phase 2, or Qualified) for the development, permanent BMPS must be installed in accordance with the approved Watershed Protection Plan (Phase 1, Phase 2, or Qualified) in order to mitigate the water quality impacts of the development. The permanent BMPS must limit the increase in the total suspended solids load in drainage from the site that results from the development to no more than 20 percent above that which would occur from natural drainage from the site. [See the Stormwater Technical Manual for design guidance in coordination with the TCEQ BMP Guidance Manual.](#)

Explanation: Add reference to the Stormwater Technical Manual for determining pollutant load management requirements in the Edwards Aquifer Zone. This design criteria will enforce the removal of pollutants (TSS) that exceed 20% of existing conditions. This is a requirement already in the LDC.

ARTICLE 3: - DEVELOPMENT RELATED TO THE SAN MARCOS RIVER CORRIDOR

DIVISION 2: DEVELOPMENT STANDARDS

5.3.2.2 Water Quality Standards

5.3.2.2 (a) *Water Quality Zone.* The water quality zone for the waterways within the SMRC shall be defined in accordance with [Division 1 of Article 3 Section 5.1.2.2](#) for a FEMA-mapped waterway, or as all land within a distance of 100 feet from a bank of the river, whichever is greater.

Explanation: Typographic error - Change reference from Div 1 of Article 3 (boundary of SM River Corridor area) to Section 5.1.2.2 (definition of water quality zone).

Chapter 5 – Environmental Regulations

ARTICLE 3: - DEVELOPMENT RELATED TO THE SAN MARCOS RIVER CORRIDOR

DIVISION 2: DEVELOPMENT STANDARDS

5.3.2.2 Water Quality Standards

5.3.2.2 (e) *Water Quality Basins*. All Stormwater runoff from the developed site shall be treated to a level equivalent to that provided by sedimentation-filtration BMPs ~~Water quality detention or sedimentation basins shall be situated and~~ constructed to capture and hold at least the first one-half inch of runoff from the contributing drainage area all impervious cover. All subsequent runoff in excess of the design capacity of the basins shall bypass the basins and remain segregated from the contained runoff waters in a peak shaving basin up to the capacity specified in 5.1.1.3 (b) the Austin Drainage Criteria Manual.

5.3.2.2 (f) *Design of Water Quality Basins*. The design of all water quality basins shall allow a minimum drawdown time average residence time of 24 hours for the first one-half inch of runoff from the contributing drainage area all impervious cover. The design of all water quality basins shall incorporate efficient removal of contaminants, including but not limited to lead, zinc, iron, total phosphorous, total nitrogen, total suspended solids, and fecal coliform bacteria generated as a consequence of the SMRC development for which a basin is designed as approved by the Engineering Director in accordance with the City of Austin Environmental Criteria Manual Contaminant Removal Guidelines of the City of San Marcos. These basins shall be maintained at all times in accordance with 5.1.1.7 so that efficient removal of the contaminants is continuous.

Explanation: Change in terminology stated in LDC from sedimentation pond to sedimentation/filtration pond. Clarification in water quality volume calculation to include runoff from all surfaces (contributing drainage area). Establish sedimentation-filtration as the water quality treatment standard so the designer and City staff can easily use the City of Austin Environmental Criteria Manual. Change “average residence time” to minimum drawdown time. This will create a minimum standard instead of an interpreted average. Remove reference to “Contaminant Removal Guidelines of the City of San Marcos” and replace with City of Austin Environmental Criteria Manual. The City does not have the referenced Contaminant Removal Guideline.

Chapter 7 – Public Facilities Standards

ARTICLE 5: - DRAINAGE

DIVISION 1: STORM WATER COLLECTION AND DRAINAGE CONVEYANCE SYSTEMS

7.5.1.2 Velocity Attenuation and Surface Drainage Channels

~~7.5.1.2 (b) Surface Drainage Channels. Surface drainage channels shall be designed to minimize potential erosion and to increase the bottom width to flow depth ratio as follows: Channel cross sections shall be trapezoidal in configuration.~~

Explanation: Delete six-month design storm for channels. Also, revise number system to reflect the deletion of this subsection.

Bullet Point LDC Changes

- 1) Chapter 1, Article 6, Division 6, Section 1.6.6.1

Add two year permit expiration date for Public Infrastructure Improvement Plans.

- 2) Chapter 1, Article 7, Division 1, Section 1.7.1.4

This change provides language clarification by adding “stormwater” to water quality variance petitions.

- 3) Chapter 1, Article 8, Division 1, Section 1.8.1.8

This section has been added that defines surety acceptance for outstanding construction items prior to releasing Certificate of Occupancy. This section also adds the requirement of a Letter of Concurrence for all stormwater detention and water quality facilities.

- 4) Chapter 5, Article 1, Division 1, Section 5.1.1.1

This change defines procedure for variances that are not administrative related to the cut/fill limits.

<u>Cut/Fill Limits</u>	<u>Notes</u>
0 - 4'	Allowable
≥4' - 8'	Allowable with Administrative Variance
> 8'	Requires Variance to P/Z Commission

- 5) Chapter 5, Article 1, Division 1, Section 5.1.1.2

In items (b) and (c) add “Stormwater” to “San Marcos Technical Manual”.

Added (e), (f), (g), (h), (i), and (j) that establish cut and fill limits to four feet and define administrative variance process up to eight feet. Cut and fill between four and eight feet will have to show measures that manage pre and post construction stormwater quantity and quality per the criteria in the San Marcos Stormwater Technical Manual. Anything greater than 8 feet of cut/fill will require a request for variance from the P/Z Commission.

- 6) Chapter 5, Article 1, Division 1, Section 5.1.1.3

Add detention requirements for the 2, 10, and 100-year storm frequencies.

Add Low Impact Development standards within the San Marcos Technical Manual that can be used as credit to reduce impact of runoff.

7) Chapter 5, Article 1, Division 1, Section 5.1.1.6

Correct typo on easement width description from 25 feet “five inches” to just 25 feet.

8) Chapter 5, Article 2, Division 4, Section 5.2.4.1

Add reference to San Marcos Stormwater Technical Manual for determination of pollutant load management requirements in the Edwards Aquifer Zone. This will add an equation to determine the pollutant load currently defined in Section 5.2.4.1 (b).

9) Chapter 5, Article 3, Division 2, Section 5.3.2.2

Correct reference to water quality zone by removing “Division 1 of this Article” to “Section 5.1.1.2”.

10) Chapter 5, Article 3, Division 2, Section 5.3.2.2

In the San Marcos River Corridor, increase water quality volume to include runoff from all surfaces (contributing drainage area) and establish sedimentation-filtration as the water quality treatment standard so the designer and City staff can easily use the City of Austin Environmental Criteria Manual.

11) Chapter 7, Article 5, Division 1, Section 7.5.1.2

Delete 6-month design for channels and revise number system to reflect the deletion of this section.

Agenda Information

AGENDA CAPTION:

Development Services Report

- a. Comprehensive Master Plan Implementation update

Meeting date: November 12, 2013

Department: Development Services

Funds Required:

Account Number:

Funds Available:

Account Name:

CITY COUNCIL GOAL:

BACKGROUND: