

Alternative Compliance	1799 HWY 123
AC-24-02	San Marcos Courtyard Villas Block Perimeter



Summary

Request:	Alternative compliance to vary from the maximum block perimeter standards in Table 3.1, Section 3.6.2.1 of the Land Development Code		
Applicant:	Viewpoint Engineering 2121 E 6 th Street, Suite 203 Austin, Texas 78702	Property Owner:	John Haberer 21120 Forest Waters Circle Garden Ridge, Texas 78266

Notification

Posted:	N/A	Personal:	3/8/24
Response:	None as of the date of this report		

Property Description

Legal Description:	Tract 13, Abstract 281 of the Barnett O Kane Survey		
Location:	Northeast corner of Redwood Road and HWY 123		
Acreage:	18.356 acres	PDD/DA/Other:	N/A
Existing Zoning:	CD-5	Proposed Zoning:	Same
Existing Use:	Vacant	Proposed Use:	Multi-family
Preferred Scenario:	Medium Intensity Zone	Proposed Designation:	Same
CONA Neighborhood:	N/A	Sector:	N/A
Utility Capacity:	By Developer if not available	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey:	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	ETJ	Vacant	Medium Intensity Zone
South of Property:	GC	Gas Station (Sunoco)	Medium Intensity Zone
East of Property:	ETJ	Multi-family (Retirement Community)	Medium Intensity Zone
West of Property:	MF-24	Multi-family (Riverstone)	Medium Intensity Zone

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Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	Denial
<ol style="list-style-type: none"> 1. A minimum 6’ shared use path/sidewalk shall be provided to connect the proposed public accessible nature trail to the proposed greenway along HWY 123; and 2. A minimum 6’ shared use path/sidewalk shall be provided along the North property line to connect the proposed public accessible nature trail to the proposed Right of Way adjacent the West property line; and 3. All sidewalks within the development and along all dedicated right-of-way in relation to this development must be a minimum of 6’ in width; and 4. A minimum 10’ wide concrete path shall be constructed along the East property line; and 5. The proposed center public street “B” shall be extended to the property line on the East. 		
Staff: Kaitlyn Buck	Title: Planner	Date: 3/20/24

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History

On December 5, 2023, City Council approved the annexation and zoning to CD-5 for the subject property. This property currently has a Plat in review (PC-23-60), as well as a PICP, WPP2, and a Site Permit.

On February 28, 2024, Amanda Hernandez, Director of Planning & Development Services, granted this development a waiver to allow the North, East, and Southern property lines to be considered the edge of the block perimeter. The sides of the property mentioned above qualify as meeting [Section 3.6.2.1.C.6](#) of the City’s Land Development Ordinance stating the responsible official may waive the block perimeter requirements when a preexisting development would make the provision of a complete block infeasible due to there already being platted or developed property.

Additional Analysis

The applicant is requesting an Alternative Compliance to deviate from the maximum block perimeter standards that apply within Character District-5. The maximum block perimeter in this District is 2,000 feet, which can be extended by up to 50 % with a pedestrian passage connecting two opposing sides of the block face (3,000 ft total).

Staff believes the applicant is trying to meet the intent to provide a pedestrian passage to connect a greenway like park (located along the East property line) with the proposed TMP greenway along Redwood Rd and HWY 123 by providing a sidewalk connection. The applicant is also providing a sidewalk along the Northern property line to connect the proposed right-of-way (located along the West property line) with the before mentioned greenway like park. Even with these sidewalk connections, code requires the dedication of a 20-foot public access easement with a 10-foot constructed path. The applicant is unable to provide the full 20-foot easement and 10-foot path due to other site plan related constraints. Please see the attached Block Perimeter Exhibit.

Comments from Other Departments

Police	Police have seen an increase in number of traffic crashes on HWY 123, specifically near apartment complexes. No other issues with the site.
Fire	Ensure that future roads and access points meet the requirements of Appendix D of the Fire Code, as adopted/amended. This includes, but is not limited to, the minimum number of access points, minimum separation, and minimum width.
Public Services	No Comment
Engineering	No Comment

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Evaluation			Criteria for Approval (Sec. 3.6.5.1)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The approved design adjustment meets the intent of this Article.</p> <ul style="list-style-type: none"> A. The intent of the maximum block perimeter and connectivity regulations is to provide a well-connected street network. B. Large blocks with limited connectivity discourages walking, contributes to street congestion and adds driving distance that can negatively impact emergency services. C. New streets should be designed to consider future development. D. The access regulations are intended to provide safe and convenient vehicular and pedestrian access within developments and between adjacent developments to lessen traffic congestion. Pedestrian, bike, and vehicular access should be safe, direct and convenient. <p>Staff has included two conditions of approval to ensure pedestrian connectivity around the site.</p>
<u>X</u>			<p>The approved design adjustment conforms with the Comprehensive Plan and adopted City Plans.</p> <p>The applicant is proposing a greenway along HWY 123 and Redwood Road in compliance with the Transportation Master Plan.</p>
<u>X</u>			<p>The approved design adjustment does not increase congestion or compromise safety.</p>
<u>X</u>			<p>The approved adjustment does not create any lots without direct street frontage.</p> <p>Approval of this Alternative Compliance will not create any lots without direct street frontage.</p>
<u>X</u>			<p>The design adjustment is deemed reasonable due to one or more of the following:</p> <ul style="list-style-type: none"> a. Topographic changes are too steep; b. The presence of existing buildings, stream and other natural features; c. Site layout of developed properties; d. Adjoining uses or their vehicles are incompatible; e. Strict compliance would pose a safety hazard; or f. The design adjustment does not conflict with an approved or built roadway construction project adjacent to or in the vicinity of the site. <p>There are existing constraints on the site including an existing platted and constructed senior living community to the North and East, as well as a gas pipeline easement which runs along the East property line.</p> <p>At this time, there are no other roadway construction projects adjacent to or in the vicinity of the site.</p>