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| Conditional Use Permit | 100 Block South Guadalupe |
| CUP-19-11 | Purpose Built Student Housing |



Summary

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|--------------------------|---|--------------------------------|---|
| Request: | A Conditional Use Permit to allow Purpose Built Student Housing | | |
| Applicant: | 75 Sylvan Street, LLC 3150 Brunswick Pike Lawrenceville, New Jersey | Property Owner: | Multiple, please see attached Owner's Authorizations |
| Type of CUP: | Purpose Built Student Housing | # of bedrooms Proposed: | 545 |
| Parking Required: | 572 (1.05/bedroom) | Parking Provided: | 409 residential (.75/bedroom) 43 retail / open use |

Notification

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|------------------|--|------------------|--------------|
| Posted: | May 10, 2019 | Personal: | May 10, 2019 |
| Response: | Staff has received 1 letter, included in your packet | | |

Property Description

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|---------------------------|---|-------------------------------|-------------------------------|
| Legal Description: | Original Town of San Marcos, Block 12, Lots 1-3, W Part of Lot 5, Lots 14-16. | | |
| Location: | North Guadalupe between West MLK Drive and West San Antonio Street | | |
| Acreage: | +/- 2.157 | Central Business Area: | Yes |
| Existing Zoning: | CD-5D | Preferred Scenario: | High Intensity |
| Existing Use: | Office / Retail / Commercial | Proposed Use: | Purpose Built Student Housing |
| CONA Neighborhood: | Downtown | Sector: | 8 |
| Utility Capacity: | To be provided by developer | | |

Surrounding Area

| | Zoning | Existing Land Use | Preferred Scenario |
|---------------------------|---------------|--------------------------|------------------------------|
| North of Property: | CD-5D | Commercial | Downtown High Intensity Zone |
| South of Property: | CD-5D | Commercial | Downtown High Intensity Zone |
| East of Property: | CD-5D | Commercial | Downtown High Intensity Zone |
| West of Property: | CD-5D | Commercial / Residential | Downtown High Intensity Zone |

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History

The properties included in this request are currently owned by multiple individuals and consists of retail, restaurant, office, and commercial uses. The applicant currently has these properties under contract.

Additional Analysis

This is one of the longest block faces within our downtown, measuring approximately 675 feet long, compared to the majority of blocks within the Downtown which tend to average around 350 feet per block face. Due to the length of the block face, the overall block perimeter is approximately 2,300 feet, which exceeds the maximum block perimeter of 2,000 feet permitted in CD-5D. The applicant is proposing a Pedestrian Passage on the ground level which would allow pedestrian access to Telephone Alley. The access meets the intent of the San Marcos Development Code if built at the code minimum width of 20 feet.

If this property is redeveloped, it will trigger streetscape improvements within the Right-Of-Way in front of the development, including large sidewalks, street trees, and the instillation of on street parking. Staff recommends a condition that the streetscape improvements be extended to the Guadalupe and San Antonio Street intersection due to large quantities of students that will be walking to campus.

In the CD-5D zoning district, "Purpose Built Student Housing" has a parking requirement of 1.05 spaces per bedroom, with an option to provide a fee in-lieu for up to 50% of the required parking. The applicant intends to provide a parking ratio of .75 parking spaces per bedroom. The remaining 30% would be subject to a fee in-lieu of approximately \$845,000. Money received through the fee in-lieu for parking is reserved for parking management, transit, or pedestrian and bicycle infrastructure improvements within the Downtown.

The property backs up to Telephone Alley, which separates it from primarily commercial uses, as well as a residential home. The area to the west of Telephone Alley is less densely developed and faces in the direction of several neighborhoods. In order to reduce the potential for negative impacts associated with noise from this development, Staff recommends that balconies be prohibited from facing Telephone Alley.

The size of the proposed building is a concern for the Fire Department, particularly in the course of searching and evacuating apartments structured in a "rent-by-the-bedroom" scheme. This is partially due to the fact that "rent-by-the-bedroom" units have many more locked doors within the unit than traditional apartment units, adding to the number of doors that must be opened with brute force during an emergency. If the Commission chooses to approve this request, the Fire Department has provided suggested conditions below that will assist the Fire Department if there is an emergency.

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Comments from Other Departments

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|------------------------|--|
| Police | No Concerns |
| Fire | <p>Fire has expressed several concerns with the proposed development, due to the nature of “Purpose Built Student Housing”:</p> <ul style="list-style-type: none"> • There shall be a minimum of one operable building entrance / exit every 100 feet (on average) along the street frontage; • If the project is not split into a minimum of two buildings, smoke barriers shall be provided to subdivide every story that contains R-2 occupancies, into no fewer than two smoke compartments. Such stories shall be divided into smoke compartments of not more than 22,500 square feet. • A means of egress shall be provided from each smoke compartment created by smoke barriers without having to return through the smoke compartment from which means of egress originated. • All plans shall be reviewed, at the expense of the permit applicant, by a third party, as approved by the COSM, for compliance with the fire codes as adopted by the COSM. Any expenses for the plans review shall be the responsibility of the permit applicant and paid directly to the third party. The cost of these expenses are in addition to any permit fees required by the COSM. Final approval of the submitted plans shall remain the authority of the COSM. • Full dedication and construction of the alley shall be required at the time of development |
| Public Services | <ul style="list-style-type: none"> • Public Services expressed concern that Telephone Alley may be too narrow to accommodate 2 way traffic unless the full 24 feet of the alley is dedicated and constructed; • A Traffic Impact Analysis worksheet is required; and • All surrounding streets must be fully repaired after construction is finished. |
| Engineering | <ul style="list-style-type: none"> • The full width of Telephone Alley should be dedicated and constructed; and • Pedestrian Passage should be more closely aligned with potential cross block access on the other side of Guadalupe through to South LBJ Street. |

Staff Recommendation

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| Approval as Submitted | <input checked="" type="checkbox"/> Approval with Conditions / Alternate | Denial |
|--|--|---------------------------|
| <ol style="list-style-type: none"> 1. Approval of this request for "Purpose Built Student Housing" does not waive any development code regulations, whether or not they are represented in the submitted back up material. 2. Any proposed building must meet the requirements of all City Codes and Ordinances. 3. Streetscape improvements shall be required to extend to the intersection of San Antonio and Guadalupe Street. 4. There shall be no balconies or patios permitted on the building facing Telephone Alley; 5. The Pedestrian Passage shall be a minimum of two stories in height, with pedestrian level entrances on both sides, sufficient internal lighting, and a minimum glazing requirement of 70% on the club house and lobby walls facing the Pedestrian Passage. 6. The applicant shall work with the City to mitigate noise and light nuisances associated with the parking garage. 7. There shall be a minimum of one operable building entrance / exit every 100 feet (on average) along the street frontage; 8. Smoke barriers shall be provided to subdivide every story that contains R-2 occupancies, into no fewer than two smoke compartments. Such stories shall be divided into smoke compartments of not more than 22,500 square feet. 9. A means of egress shall be provided from each smoke compartment created by smoke barriers without having to return through the smoke compartment from which means of egress originated. 10. All plans shall be reviewed, at the expense of the permit applicant, by a third party, as approved by the COSM, for compliance with the fire codes as adopted by the COSM. Any expenses for the plans review shall be the responsibility of the permit applicant and paid directly to the third party. The cost of these expenses are in addition to any permit fees required by the COSM. Final approval of the submitted plans shall remain the authority of the COSM. 11. Full dedication and construction of Telephone Alley adjacent to this project shall be required at the time of development; 12. All perimeter roadways shall be fully repaired after construction; 13. Double occupancy of bedrooms shall be prohibited; 14. The project will construct a minimum parking ratio of .75 spaces per bedroom, and pay the fee in-lieu for the remaining parking space per bedroom requirement in order to meet the full 1.05 parking spaces per bedroom requirement; 15. The project will provide an annual report of the number of students vs the number of non-student residents by ratio of bedrooms; and 16. The project shall meet the Green Building Standard Silver Program | | |
| Staff: Will Parrish | Title : Planner | Date: May 22, 2019 |

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| Evaluation | | | Criteria for C.U.P Approval (Sec. 2.8.3.4) |
|------------|--------------|------------|--|
| Consistent | Inconsistent | Neutral | |
| <u>X</u> | | | <p>The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.</p> <p><i>Vision San Marcos envisions a vibrant Downtown in which density is encouraged and supported.</i></p> |
| | | <u>N/A</u> | <p>The proposed use is consistent with any adopted neighborhood character study for the area.</p> <p><i>Studies were not complete at time of request.</i></p> |
| <u>X</u> | | | <p>The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.</p> <p><i>The intent of the CD-5D district is to provide mixed use, pedestrian oriented development in Downtown and to promote walkability and street level retail activity.</i></p> |
| | | <u>X</u> | <p>The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.</p> <p><i>If approved with the recommended conditions and constructed to meet Code requirements the impacts to the surrounding uses will be mitigated.</i></p> |
| | | <u>X</u> | <p>The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood.</p> <p><i>If approved with the recommended conditions related to streetscape and alley improvements, and the Fire Department's recommended conditions traffic impacts will be mitigated.</i></p> |
| | | <u>X</u> | <p>The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets.</p> <p><i>If approved with the recommended conditions related to streetscape and alley improvements traffic impacts will be mitigated.</i></p> |
| | | <u>X</u> | <p>The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.</p> <p><i>If approved with the condition that patios and balconies are prohibited along the Telephone Alley frontage it will minimize adverse impacts on the neighborhood.</i></p> |
| | | <u>X</u> | <p>The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood.</p> |

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| | | | <i>If approved with the recommended conditions and constructed to meet Code requirements the development will meet the CD-5D district standards.</i> |
|--|--|--|--|

| Evaluation | | | Criteria for Purpose Built Student Housing Approval (Sec. 5.1.4.9) |
|------------|--------------|----------|--|
| Consistent | Inconsistent | Neutral | |
| | <u>X</u> | | <p>The ability for the development to transition in the future to accommodating a more diverse population; <i>The applicant is proposing a standard rent by the bedroom project with multiple rooms per unit. This type of development does not allow for an easy transition for a more diverse population.</i></p> |
| <u>X</u> | | | <p>The durability, energy efficiency and longevity of the building <i>The applicant has committed to a building that will be certified under the National Green Building Standard Silver Program.</i></p> |
| <u>X</u> | | | <p>The location of the development in relation to alternative transportation networks to and from the University including sidewalks, bike lanes, and transit networks <i>Guadalupe Street is a bus route for both the University and CARTS, the development would be required to construct a streetscape with wide sidewalks and street trees, and a two way bike facility is planned to connect to the University along Guadalupe Street in the near future.</i></p> |
| | | <u>X</u> | <p>Mitigation of any adverse effects on adjacent property or neighborhoods <i>The conditions recommended by Staff regarding patios and balconies on the alley frontage, as well as street and alley improvements, will help to mitigate adverse impacts of noise and traffic on adjacent neighborhoods.</i></p> |
| <u>X</u> | | | <p>Compliance with the Comprehensive Plan, Downtown Master Plan, and any other adopted City plans or policies. <i>The applicant will be required to comply with all adopted Codes.</i></p> |