

Alternative Compliance	Vantage San Marcos
AC-20-01	CD-4 Lot Width Maximum



Summary

Request:	An Alternative Compliance to the maximum lot width standards for Apartments in Section 4.4.3.4 of the San Marcos Development Code.		
Applicant:	Vantage at San Marcos 7334 Blanco Road Suite 200 San Antonio, TX 78666	Property Owner:	Mohnke Poor Farm LLC 540 Mission Valley Road New Braunfels, TX 78132
Alternative Compliance Expiration:	The Alternative Compliance shall not expire.		

Notification

Posted:	February 7, 2020	Personal:	February 7, 2020
Response:	None as of date of Staff Report		

Property Description

Legal Description:	Approximately 18.5 acres, more or less, out of the J.F. Geister Survey, No 6 and No 7, Hays County		
Location:	Near the intersection of Highway 123 and Old Bastrop Highway		
Acreage:	18.5 +/-	Central Business Area:	No
Existing Zoning:	“FD” Future Development (“CD-4” Character District – 4 is requested)	Preferred Scenario:	Low Intensity and Medium Intensity.
Existing Use:	Vacant / Agricultural	Proposed Use:	Multifamily
CONA Neighborhood:	N/A	Sector:	N/A
Utility Capacity:	Developer is responsible for extending utilities.		

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	ETJ / GC	Vacant / Single Family	Medium / Low Intensity
South of Property:	ETJ / SF-6	Vacant / Single Family / Commercial	Medium / Low Intensity
East of Property:	ETJ	Single Family Rural / Agricultural	Low Intensity
West of Property:	ETJ	Commercial / Industrial	Medium Intensity

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History

The applicant is requesting an Alternative Compliance to deviate from the Maximum Lot Width Standards that apply within the CD-4 zoning district. A request to annex and rezone the property is being considered concurrent with this Alternative Compliance application request. A preliminary site plan provided by the applicant indicates that the maximum lot width proposed is approximately 850 feet. However this site plan has not been approved.

Additional Analysis

Section 4.4.3.4 Character District – 4 (CD-4), outlines the maximum lot widths allowed for building types within the CD-4 zoning district. All building types, with the exception of Civic Buildings have a maximum lot width of 120 feet. This is intended to encourage a more fine grained development, and to promote diversity of products within the CD-4 zoning district.

The applicant is proposing to increase the lot width in order to allow the lot width to extend up to the block perimeter maximum. The applicant does not anticipate a lot width greater than 850 feet. The applicant will still be required to meet the Build to Zone requirement of 60% on all primary street frontages.

The CD-4 zoning district does not require a Conditional Use Permit (CUP) for Purpose Built Student Housing. The applicant has agreed to a condition of this Alternative Compliance that a CUP for Purpose Built Student Housing will be required if Purpose Built Student Housing is ever proposed to be developed on this site.

Comments from Other Departments

Police	No Concerns
Fire	No Concerns
Public Services	No Concerns
Engineering	No Concerns

Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	Denial
Staff recommends that the request be approved with the following conditions:		
General:		
<ol style="list-style-type: none"> 1. This Alternative Compliance applies to Apartment Building Types constructed on the subject property. All other Building Types shall follow the regulations outlined in the Development Code; 2. There shall be no trash dumpsters located within 100 feet of any property line adjoining property zoned Character District-3 or property that is outside City Limits. 3. A Conditional Use Permit for Purpose Built Student Housing will be required if any Purpose Built Student Housing is proposed to be constructed; 4. Alternative Compliance is contingent on CD-4 zoning change request; 5. This Alternative Compliance shall not expire. 		
Staff: Will Parrish AICP, CNU-A	Title : Planner	Date: January 30, 2020



valuation			Criteria for Approval (2.8.4.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The request is consistent with the policies embodied in the adopted Comprehensive Plan; <i>This property is partially within the East Village Medium Intensity zone, which the Comprehensive Plan envisions as a mixed use gateway into the City. The majority of the property is located within a Low Intensity zone, in which Character Districts are considered.</i></p>
<u>X</u>			<p>The request is consistent with the general purpose, intent and character of the development regulations applicable to the property; <i>See Criteria for Approval in Section 3.6.5.1 below.</i></p>
	<u>X</u>		<p>There are special circumstances or conditions arising from the physical surroundings, shape, topography or other features affecting the subject property; <i>None noted.</i></p>
<u>X</u>			<p>The request is detrimental to the public health, safety or welfare, or injurious to other property within the area; <i>If the request is approved, staff recommends that several conditions be added to address public health, safety, and welfare or injurious to other property. Staff recommends the lot width maximum be limited to the Apartment building type, and that a Conditional Use Permit be required if any Purpose Built Student Housing is requested to be constructed on this property.</i></p>
<u>X</u>			<p>The request either:</p> <ul style="list-style-type: none"> a. Does not have an adverse impact upon adjacent property or neighborhoods, including but not limited to, parking, traffic, noise, odors, visual nuisances, and drainage; or <i>With the staff recommended condition of a Conditional Use Permit requirement for any potential Purpose Built Student Oriented development, any adverse impacts will be limited.</i> b. Includes Improvements either on-site or within the public rights-of-way to mitigate any such adverse impacts.
<u>X</u>			<p>The request shall not have the effect of preventing the orderly use and enjoyment of other property within the area in accordance with the provisions of this Development Code, or adversely affect the rights of owners or residents of adjacent property or neighborhoods; <i>No adverse effects on surrounding properties or neighborhoods are noted. The applicant must still follow the block maximum and connectivity requirements.</i></p>



Evaluation			Criteria for Approval (2.8.4.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The request shall not result in any incompatibility of the development to which it relates with, or the character and integrity of, adjacent property or neighborhoods; and</p> <p><i>The conditions recommended by Staff should reduce incompatibilities with neighboring properties.</i></p>
<u>X</u>			<p>The request meets the standards for the applicable zoning district, or to the extent deviations from such standards have been requested, that such deviations are necessary to render the subject development or Improvement compatible with adjacent development or the neighborhood.</p> <p><i>The request does not alter the maximum block perimeter requirements or the building standards for the proposed zoning district. The request does make the development more compatible with the location adjacent to the highway.</i></p>

Evaluation			Maximum Lot Width Alternative Compliance Findings (Section 3.6.5.1)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The approved alternate meets the intent of Section 3.6.1.1</p> <p>A. The intent of the maximum block perimeter and connectivity regulations is to provide a well-connected street network. <i>The request does not modify the block perimeter or connectivity regulations. The applicant will still be required to provide well connected streets.</i></p> <p>B. Large blocks with limited connectivity discourages walking, contributes to street congestion and adds driving distance that can negatively impact emergency services. <i>The request does not have an effect on the maximum block length requirement.</i></p> <p>C. New streets should be designed to consider future development. <i>The applicant is required to build all streets shown on the Transportation Master Plan.</i></p> <p>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. <i>This request reduces the number of curb cuts that would otherwise be necessary to access multiple lots, which reduces traffic conflicts.</i></p>

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Evaluation			Maximum Lot Width Alternative Compliance Findings (Section 3.6.5.1)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The approved alternate conforms with the Comprehensive Plan and adopted City plans; <i>This property is located on Highway 123, and is primarily within a Low Intensity zone which borders the East Village Medium Intensity zone. The Comprehensive Plan calls for a mix of housing types to support the citizens of San Marcos. This project is in close proximity to San Marcos High School and the applicants have voluntarily agreed to a Condition which would require a Conditional Use Permit for any proposed Purpose Built Student Oriented Housing.</i></p>
<u>X</u>			<p>The approved alternate does not increase congestion or compromise safety; <i>The request has no impact on congestion on public streets. Any back up would be within the apartment complex.</i></p>
<u>X</u>			<p>The approved adjustment does not create any lots without direct street frontage; <i>All lots will have direct street frontage.</i></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 the vehicles are incompatible; e. Strict compliance would propose 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><i>The design adjustment does not have an impact on the adjacent roadways.</i></p>