

ZONING CHANGE, OVERLAY OR ESTABLISHMENT OF A HISTORIC DISTRICT/LANDMARK APPLICATION



Updated: September, 2020

CONTACT INFORMATION

Applicant's Name	John David Carson	Property Owner	LVLN, LLC
Company	LVLN, LLC	Company	LVLN, LLC
Applicant's Mailing Address	407 S Stagecoach Trail, Ste 203 San Marcos, Texas 78666	Owner's Mailing Address	407 S Stagecoach Trail, Ste 203 San Marcos, Texas 78666
Applicant's Phone #	(512) 392-3322	Owner's Phone #	(512) 392-3322
Applicant's Email	johndavid@carsonproperties.net	Owner's Email	johndavid@carsonproperties.net

PROPERTY INFORMATION

Subject Property Address(es): 1909 - 1911 Dutton Drive, San Marcos, TX 78666

Legal Description: Lot 5 Block 1 Subdivision San Marcos Business Park, Section 2

Total Acreage: 0.98 ac out of a 1.7 acre Lot **Tax ID #:** R 41406

Preferred Scenario Designation: Medium Intensity (South End) **Existing Zoning:** General Commercial (GC)

Existing Land Use(s): Vacant land

DESCRIPTION OF REQUEST

Proposed Zoning District(s): Character District 4

Proposed Land Uses / Reason for Change: Phase 2 of Lively Lane, a pocket neighborhood of condominium (i.e. for sale) townhome and live-work units. Phase 1 CD-4 zoning was approved in October 2019 via ordinance 2019-31

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee* \$1,057 plus \$100 per acre **Technology Fee** \$13 **MAXIMUM COST** \$3,013

**Existing Neighborhood Regulating Plan Included.*


Submission of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

PROPERTY OWNER AUTHORIZATION

I, John David Carson (owner name) on behalf of
LVLN, LLC (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
1909 - 1911 Dutton Drive, San Marcos, Texas (address).

I hereby authorize _____ (agent name) on behalf of
_____ (agent company) to file this application for
_____ (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: May 22, 2021

Printed Name, Title: John David Carson, Manager

Signature of Agent: _____ Date: _____

Printed Name, Title: _____

AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***

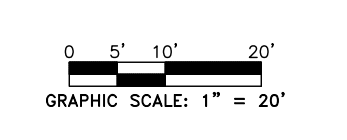
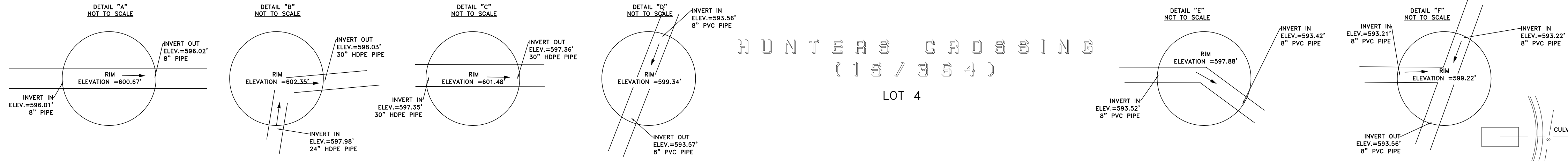
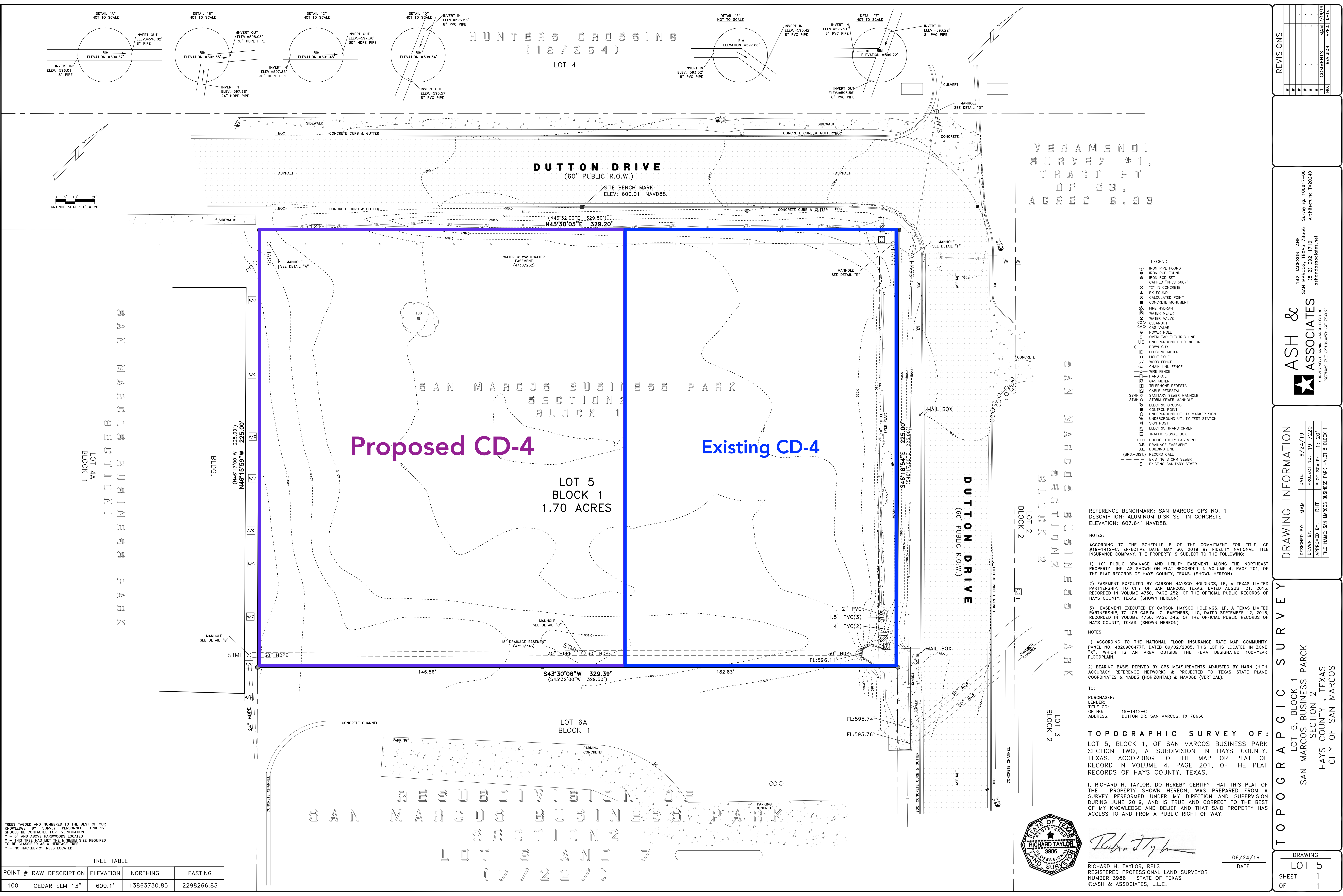
I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: 

Date: May 22, 2021

Print Name: John David Carson, Manager

Form Updated October, 2019



- LEGEND**
- IRON PIPE FOUND
 - IRON ROD FOUND
 - IRON ROD SET
 - CAPPED "RPLS 5687"
 - "X" IN CONCRETE
 - ▲ PK FOUND
 - CALCULATED POINT
 - CONCRETE MONUMENT
 - FIRE HYDRANT
 - WATER METER
 - GLENDON
 - GAS VALVE
 - POWER POLE
 - OVERHEAD ELECTRIC LINE
 - UNDERGROUND ELECTRIC LINE
 - DOWN CUFF
 - ELECTRIC METER
 - LIGHT POLE
 - WOOD FENCE
 - CHAIN LINK FENCE
 - WIRE FENCE
 - HANDBALL
 - GAS METER
 - TELEPHONE PEDESTAL
 - CABLE PEDESTAL
 - SANITARY SEWER MANHOLE
 - STORM SEWER MANHOLE
 - ELECTRIC GROUND
 - CONTROL POINT
 - UNDERGROUND UTILITY MARKER SIGN
 - UNDERGROUND UTILITY TEST STATION
 - SIGN POST
 - ELECTRIC TRANSFORMER
 - TRAFFIC SIGNAL BOX
 - P.U.E. PUBLIC UTILITY EASEMENT
 - D.E. DRAINAGE EASEMENT
 - B.L. BUILDING LINE
 - (BRC-DIST) RECORD CALL
 - EXISTING STORM SEWER
 - EXISTING SANITARY SEWER

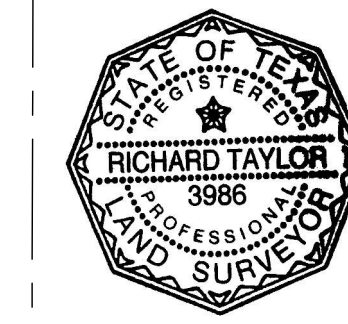
REFERENCE BENCHMARK: SAN MARCOS GPS NO. 1
 DESCRIPTION: ALUMINUM DISK SET IN CONCRETE
 ELEVATION: 607.64' NAVD88.

- NOTES:**
- ACCORDING TO THE SCHEDULE B OF THE COMMITMENT FOR TITLE, OF #19-1412-C, EFFECTIVE DATE MAY 30, 2019 BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, THE PROPERTY IS SUBJECT TO THE FOLLOWING:
 - 10' PUBLIC DRAINAGE AND UTILITY EASEMENT ALONG THE NORTHEAST PROPERTY LINE, AS SHOWN ON PLAT RECORDED IN VOLUME 4, PAGE 201, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. (SHOWN HEREON)
 - EASEMENT EXECUTED BY CARSON HAYSCO HOLDINGS, LP, A TEXAS LIMITED PARTNERSHIP, TO CITY OF SAN MARCOS, TEXAS, DATED AUGUST 21, 2013, RECORDED IN VOLUME 4730, PAGE 232, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (SHOWN HEREON)
 - EASEMENT EXECUTED BY CARSON HAYSCO HOLDINGS, LP, A TEXAS LIMITED PARTNERSHIP, TO LCG CAPITAL G. PARTNERS, LLC, DATED SEPTEMBER 12, 2013, RECORDED IN VOLUME 4730, PAGE 232, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (SHOWN HEREON)
 - BEARING BASIS DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES & NAD83 (HORIZONTAL) & NAVD88 (VERTICAL).

TO:
 PURCHASER:
 LENDER:
 TITLE CO:
 GF NO:
 ADDRESS: 19-1412-C
 DUTTON DR, SAN MARCOS, TX 78666

TOPOGRAPHIC SURVEY OF:
 LOT 5, BLOCK 1, OF SAN MARCOS BUSINESS PARK SECTION TWO, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 4, PAGE 201, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS.

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 JUNE 2019, 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
 RICHARD H. TAYLOR, RPLS
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NUMBER 3986 STATE OF TEXAS
 ©ASH & ASSOCIATES, L.L.C.

06/24/19
 DATE

REVISIONS

NO.	REVISION	DATE
1	COMMENTS	MAM 7/19/19
2	REVISION	APPD DATE

ASH & ASSOCIATES
 SURVEYING & ENGINEERING ARCHITECTURE
 142 JACKSON LANE
 SAN MARCOS, TEXAS 78666
 Surveying: 10047-00
 Architecture: TX20240
 (512) 392-1719
 ashandassociates.net

DRAWING INFORMATION

DESIGNED BY:	DATE:
MAM	6/24/19
DRAWN BY:	PROJECT NO.:
RHT	19-7220
APPROVED BY:	PLOT SCALE:
RHT	1" = 20'
FILE NAME:	PLAT BLOCK 1
SAN MARCOS BUSINESS PARK - LOT 5 BLOCK 1	

TOPOGRAPHIC SURVEY
 LOT 5, BLOCK 1
 SAN MARCOS BUSINESS PARK
 SECTION 2
 HAYS COUNTY, TEXAS
 CITY OF SAN MARCOS

DRAWING
 LOT 5
 SHEET: 1
 OF 1

TREES TAGGED AND NUMBERED TO THE BEST OF OUR KNOWLEDGE BY SURVEY PERSONNEL. ARBORIST SHOULD BE CONTACTED FOR VERIFICATION.
 ○ - 8" AND ABOVE HARDWOODS LOCATED
 ● - THIS TREE HAS MET THE MINIMUM SIZE REQUIRED TO BE CLASSIFIED AS A HERITAGE TREE.
 * - NO HACKBERRY TREES LOCATED

TREE TABLE

POINT #	RAW DESCRIPTION	ELEVATION	NORTHING	EASTING
100	CEDAR ELM 13"	600.1'	13863730.85	2298266.83



SURVEYING - PLANNING - ARCHITECTURE

"Serving the Community of Texas"

142 Jackson Lane
San Marcos, Texas 78666
Phone: 512-392-1719
ashandassociates.net

**STATE OF TEXAS
COUNTY OF HAYS**

**LOT 5 – BLK 1 – ZONING PARCEL EX GC
SAN MARCOS BUSINESS PARK SEC. 2**

BEING A 0.98 ACRE PORTION OF LOT 5 OF BLOCK 1, SAN MARCOS BUSINESS PARK SECTION 2, AN ADDITION TO THE CITY OF SAN MARCOS ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 4, PAGE 201 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found at the west corner of said Lot 5, Block 1, for the west corner of the herein described tract of land, same being the common north corner of Lot 4A of the Replat of Lot 4, San Marcos Business Park Section 1, an addition to the City of San Marcos according to the map thereof recorded in Volume 11, Page 139 of the Plat Records of Hays County, Texas, and being in the southeast line of Dutton Drive, a 60 foot public right-of-way, and from which a 1/2" iron rod found with cap marked "Byrn" at the north corner of said Lot 5, Block 1, same being at the intersection of the southeast line of Dutton Drive, with a southwest line of said Dutton Drive, 60' public right-of-way, as shown by plat of said San Marcos Business Park Section 2, bears North 43°30'03" East (N 43°32'00" E Record), a distance of 329.20 feet (329.50' Record);

THENCE with the northwest line of said Lot 5 and the common southeast line of said Dutton Drive, **North 43°30'03" East** (N 43°32'00" E Record), a distance of 189.20 feet to the north corner of the herein described tract of land;

THENCE through and severing said Lot 5, Block 1, **South 46°15'59" East**, a distance of **225.00 feet** to the southeast line of said Lot 5, Block 1 and the common northwest line of Lot 6A of the Replat of Lots 6 and 7 of Block 1, San Marcos Business Park Section 2, an addition to the City of San Marcos according to the map thereof recorded in Volume 7, Page 227, Hays County Plat Records, and from which a point chiseled in concrete at the east corner of said Lot 5, Block 1, and the common north corner of said Lot 6A bears North 43°30'06" East (N 43°32'00" E Record), a distance of 140.19 feet;

THENCE with the common line of said Lot 5 and said Lot 6A, **South 43°30'06" West** (S 43°32'00" W Record), a distance of **189.20 feet** to a 1/2" iron rod set with cap "ASH5687" at the south corner of said Lot 5, Block 1, for the south corner of the herein described tract of land, same being in the northeast line of aforesaid Lot 4A, Replat of Lot 4, San Marcos Business Park Section 1;

THENCE with the common line of said Lot 5, Block 1 and said Lot 4A, **North 46°15'59" West** (N 46°17'00" W Record), a distance of **225.00 feet** (Record) to the **POINT OF BEGINNING** and **CONTAINING 0.98 ACRES OF LAND.**

Bearing Basis – GPS coordinates (NAD83) adjusted by HARN (High Accuracy Reference Network) and projected to Texas State Plane Coordinates (Texas South Central Zone).

*This description severing Lot 5 for Zoning Purposes is not intended to subjugate the Development Rules of any State, County or City Ordinance, and all required permits should be obtained before occupying the premises.

I, Richard H. Taylor, do certify that this description and associated exhibit were prepared from a survey performed under my direction during June 2019, and is true and correct to the best of my knowledge and belief.

Richard H. Taylor
Registered Professional Land Surveyor
No. 3986 State of Texas

08/09/19
Date



Job: 19-7220

DUTTON DRIVE

DUTTON DRIVE

INDUSTRIOUS LIVE-WORKS

1905A

1905B

CLEVER TOWNHOMES

1903C

1903B

1903A

CLASSIC TOWNHOMES

1907A

1907B

1907C

COMPLETE TOWNHOMES

101C

101B

101A

COMMUNITY SHED + MAIL

BIKE STATION

PHASE I

PHASE II

LIVELY LANE

COMPLETE TOWNHOMES

1909A

1909B

1909C

CLASSIC TOWNHOMES

103C

103B

103A

CLEVER TOWNHOMES

102A

102B

102C

104A

104B

104C

1911A

1911B

1911C

COMMUNITY YARD

105C

105B

105A

INNOVATIVE LIVE-WORKS

COMPLETE TOWNHOMES

JUMP SHOT





PHASE I

PHASE II

LIVELY LANE

