

Submitted 5/7/20 APP-Z-23274

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



Updated: October, 2019

CONTACT INFORMATION

Applicant's Name	David Richardson	Property Owner	Mark Tolley
Company	Rattler Road Land Partners, LLC	Company	Rattler Road Land Partners, LLC
Applicant's Mailing Address	454 Soledad, Ste. 200 San Antonio, TX 78205	Owner's Mailing Address	454 Soledad, Ste. 200 San Antonio, TX 78205
Applicant's Phone #	210-354-3705	Owner's Phone #	210-354-3705
Applicant's Email	David@missiondy.com	Owner's Email	Mark@missiondy.com

PROPERTY INFORMATION

Subject Property Address(es): See attached Metes and Bounds

Legal Description: Lot _____ Block _____ Subdivision _____

Total Acreage: 9.933 Tax ID #: R _____

Preferred Scenario Designation: CD-5 Existing Zoning: Agricultural

Existing Land Use(s): Agricultural

DESCRIPTION OF REQUEST

Proposed Zoning District(s): CD-5

Proposed Land Uses / Reason for Change: Build multifamily affordable housing apartments

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.

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

APPLY ONLINE - WWW.MYGOVERNMENTONLINE.ORG/

PROPERTY OWNER AUTHORIZATION

I, Mark Tolley (owner name) on behalf of Rattlers Road Land Partners, LLC (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at See attached Metes and Bounds (address).

I hereby authorize David Richardson (agent name) on behalf of Rattler Road Land Partners, LLC (agent company) to file this application for rezoning (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: [Signature] Date: 5/7/20

Printed Name, Title: Mark Tolley, Partner

Signature of Agent: [Signature] Date: 5/7/20

Printed Name, Title: David Richardson, Director of acquisitions

**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: 5/7/20

Print Name: Mark Folley

Special Warranty Deed with Vendor's Lien

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: February 20, 2020

Grantor: Linda Hurt a/k/a Linda Barnum Hurt a/k/a Linda Barnum Stamport, Laura Barnum a/k/a Laura Kay Barnum and Lisa Barnum a/k/a Lisa Kim Barnum

Grantor's Mailing Address: 5706 Everglade Road
Dallas, TX 75224

Grantee: Rattler Road Land Partners, LLC

Grantee's Mailing Address: 454 Soledad Street, Suite 200
San Antonio, TX 78205

Consideration: Cash and a note of even date executed by Grantee and payable to the order of Raza Development Fund, Inc. (hereinafter "Lender") in the principal amount of One Million One Hundred Thirty-Nine Thousand and No/100 DOLLARS (\$1,139,000.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed for the benefit of said Lender and the same are hereby transferred and assigned to said Lender and by a first-lien deed of trust of even date from Grantee to Gary S. Farmer, trustee.

Property (including any improvements):

Being 9.933 acres of land, more or less, out of the C. Wickson Roberts Survey, Abstract No. 474, Hays County, Texas, and consisting of a portion 6.0 acres described in Deed recorded in Volume 208, Page 116, Deed Records of Hays County, Texas and all of 4.0 acres described in a Deed recorded in Volume 216, Page 41, Deed Records of Hays County, Texas, said 9.933 acres being more particularly described by metes and bounds in Exhibit "A-1" attached.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, by, through or under Grantor, but not otherwise.

36-T-117247/MF

Recorded By Texas National Title

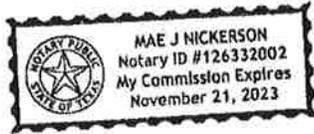
Laura Kay Barnum

Laura Barnum a/k/a Laura Kay Barnum

STATE OF TEXAS

COUNTY OF *Montgomery*

This Instrument was acknowledged before me on February 20, 2020, by Laura Barnum a/k/a Laura Kay Barnum.



Mae J. Nickerson
Notary Public, State of Texas

36-T-117247/MF

Recorded By Texas National Title

Exhibit "A-1"

METES AND BOUNDS

Being 9.933 acres of land, more or less, out of the C. Wickson Roberts Survey, Abstract No. 474, Hays County, Texas, and consisting of a portion 6.0 acres described in Deed recorded in Volume 208, Page 116, Deed Records of Hays County, Texas and all of 4.0 acres described in a Deed recorded in Volume 216, Page 41, Deed Records of Hays County, Texas, said 9.933 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod set for the South corner of this 9.933 acres, same being on the intersection of the northwest Right-of-Way of Old Bastrop Highway and the northeast Right-of-Way of Rattler Road and the **POINT OF BEGINNING**;

THENCE along the northeast Right-of-Way of said Rattler Road the following courses and distances:

North 46 degrees 04 minutes 57 seconds West (called North 46 degrees 05 minutes 31 seconds West), a distance of 171.75 feet to a point, and for the beginning of curve to the left;

Along said curve to the left with a radius of 1031.00 feet, an arc length of 40.17 feet (called 40.31 feet), a chord length of 40.17 feet, a chord bearing of North 47 degrees 05 minutes 19 seconds West, and a delta angle of 2 degrees 13 minutes 57 seconds to a point of tangency;

North 48 degrees 19 minutes 21 seconds West (called North 48 degrees 19 minutes 55 seconds West), a distance of 209.33 feet to a 1/2 inch iron rod set for the southwest corner of this 9.933 acres;

North 52 degrees 07 minutes 00 seconds East (called North 55 degrees 25 minutes 00 seconds East), at a distance of 19.92 feet pass a 1/2 inch iron rod found (monument of record dignity) in the for the South corner of Lot 2, Salinas Estates (Volume 17, Page 41), and in all a total distance of 620.93 feet to a 3/8 inch iron rod found for an angle corner of this 9.933 acres, same being the East corner of said Lot 2, and an angle corner of the Reed and Patricia Carr Revocable Trust 54.360 acre tract (Volume 2359, Page 218);

THENCE along the line common to this 9.933 acres and said Carr 54.360 acres, North 52 degrees 15 minutes 07 seconds East (called North 55 degrees 25 minutes 00 seconds East), a distance of 415.43 feet (called 415.50 feet) to a 1/2 inch iron rod found (monument of record dignity) for the North corner of this 9.933 acres, same being the West corner of the Housing Corporation of Eta Tau Chapter of Sigma Nu Fraternity 2.49 acre tract (Document No. 16015558);

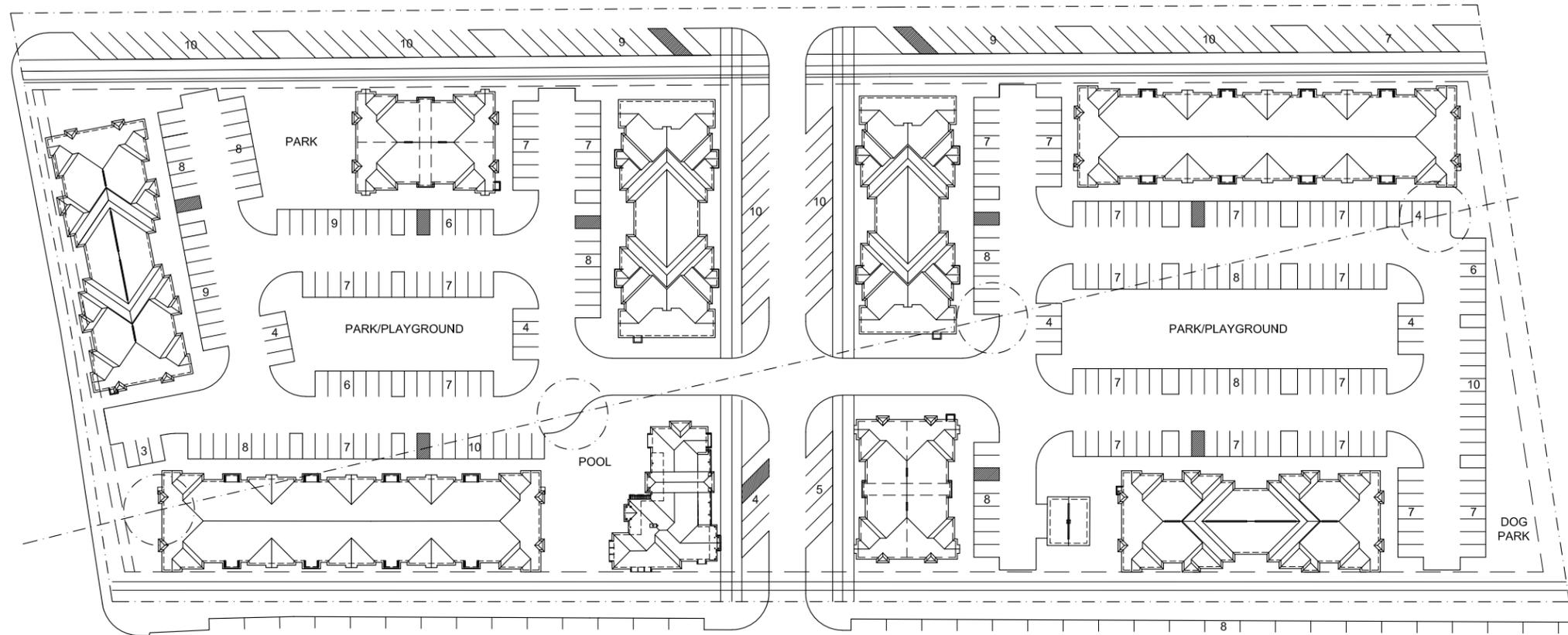
THENCE along the line common to this 9.933 acres and said Sigma Nu 2.49 acres, South 46 degrees 16 minutes 15 seconds East (called South 43 degrees 40 minutes 00 seconds East), a distance of 427.88 feet (called 426.70 feet) to a 1/2 inch iron rod found for the northeast corner of this 9.933 acres, same being the South corner of said Sigma Nu 2.49 acres and on the northwest Right-of-Way of said Old Bastrop Highway;

THENCE along northwest Right-of-Way of said Old Bastrop Highway, South 52 degrees 35 minutes 52 seconds West (called South 55 degrees 25 minutes 00 seconds West), at a distance of 1009.91 feet pass a 1/2 inch iron rod found, and in all a total distance of 1030.71 feet to the **POINT OF BEGINNING** and containing 9.933 acres of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof. Bearings shown herein are based on actual GPS observations, Texas State Plane Coordinate, South Central Zone, Grid.


Mark J. Ewald
Registered Professional Land Surveyor
Texas Registration No. 5095
May 3, 2019.





Rattler Road Apartments

San Marcos, Texas
 Scale: 1" = 100'-0"
 216 Units

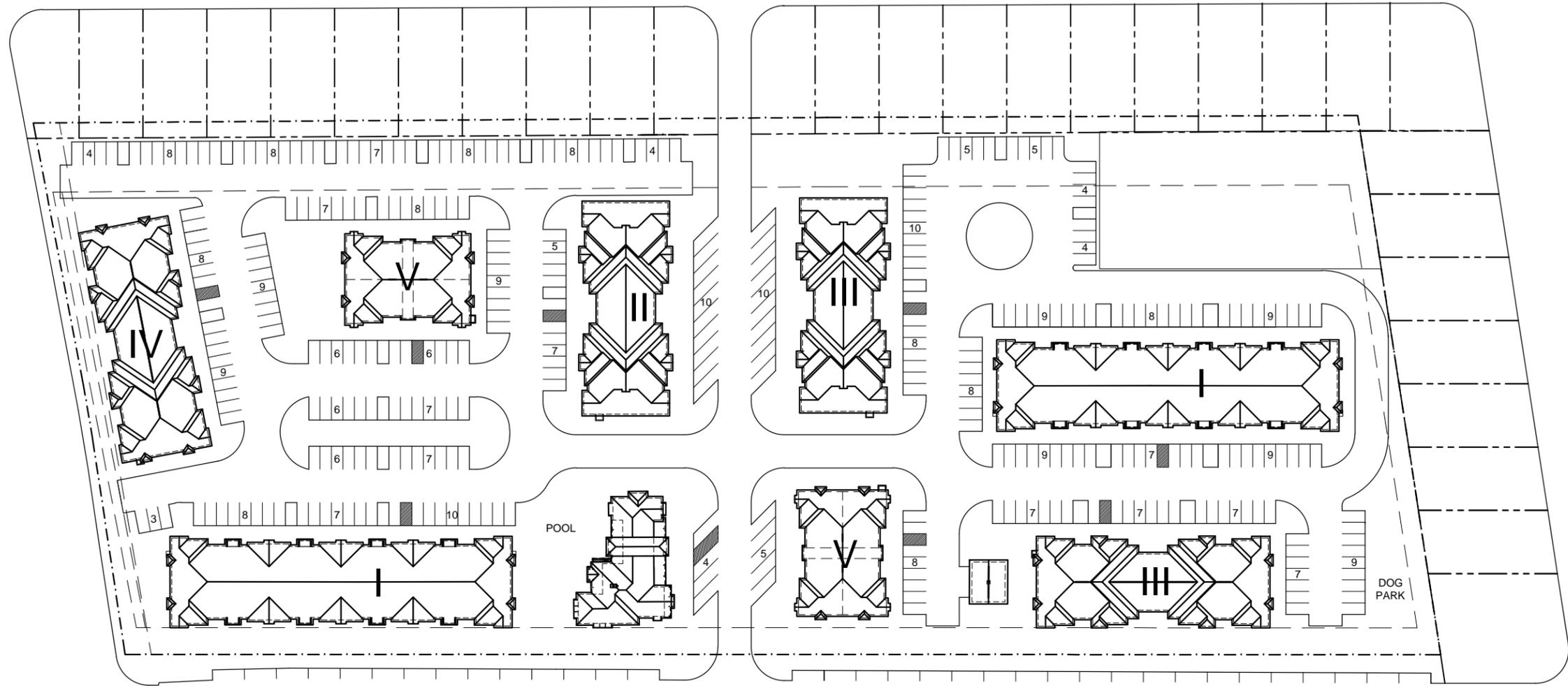


12.04.2019

72 A1 Units
24 A2 Units
36 B1 Units
12 B2 Units
72 C1 Units
<hr/>
216 Units

367 Parking Spaces

1.70 Parking Ratio



CONCEPTUAL

Rattler Road Apartments

San Marcos, Texas

Scale: 1" = 100'-0"

216 Units



3.03.2020

90 A Units

50 B Units

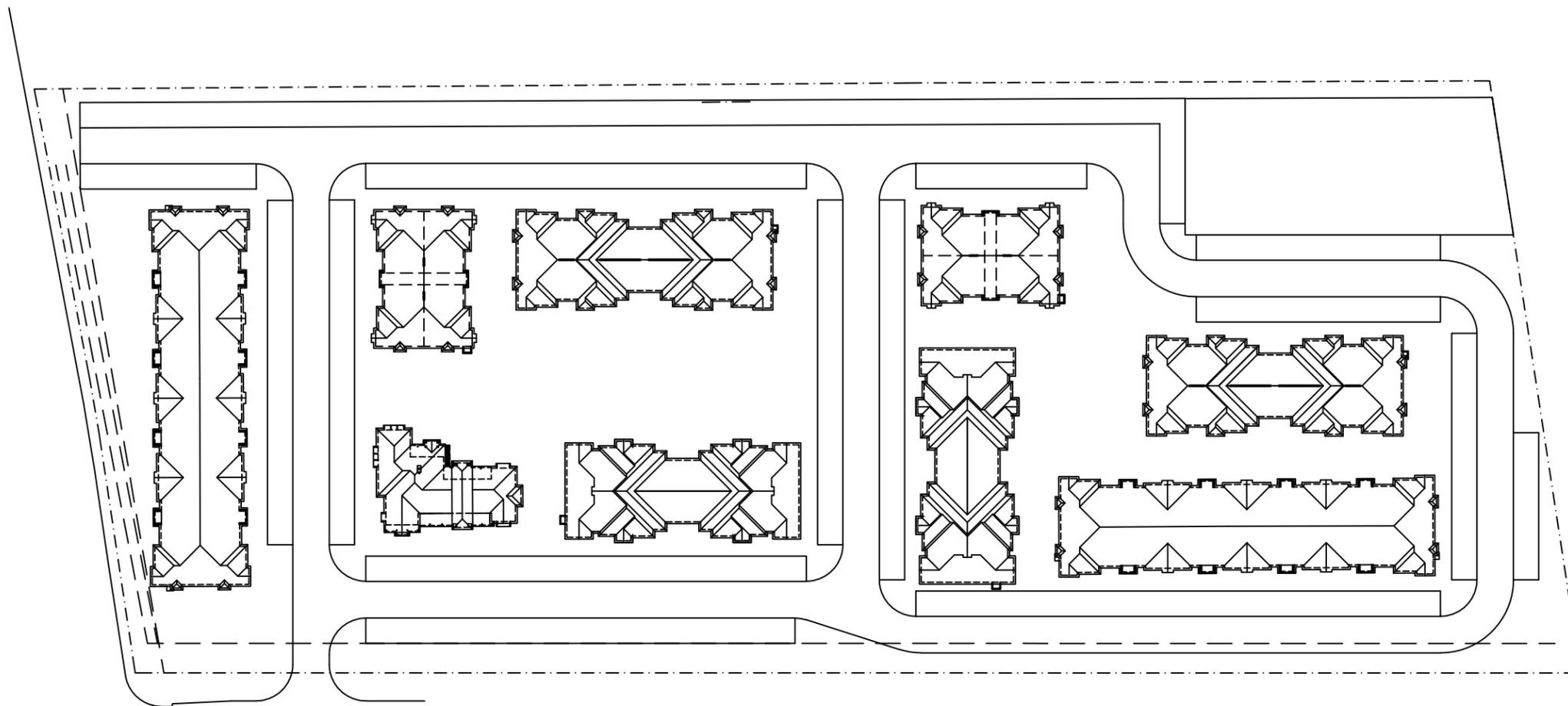
76 C Units

216 Units

344 Parking Spaces

(45 Potential Street Parking)

1.5 Parking Ratio



ALT
CONCEPTUAL

Rattler Road Apartments

San Marcos, Texas
Scale: 1" = 100'-0"
216 Units



3.30.2020

90 A Units
50 B Units
76 C Units

216 Units

406 Parking Spaces
(all on-site parking)
1.88 Parking Ratio