

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



Updated: March, 2023

CONTACT INFORMATION

Applicant's Name	David Joyner	Property Owner	David Joyner, Jim Glasgow
Company	Trinity Group	Company	Palace Way Partner
Applicant's Mailing Address	838 Meyer Rd. Kingsbury, Tx 78638	Owner's Mailing Address	P.O. Box 818 Waxahachie, TX 75168
Applicant's Phone #	[REDACTED]	Owner's Phone #	[REDACTED]
Applicant's Email	[REDACTED]	Owner's Email	[REDACTED]

PROPERTY INFORMATION

Subject Property Address(es): 4087 St. Hwy.21 San Marcos TX 78666

Legal Description: Lot _____ Block _____ Subdivision _____

Total Acreage: 14.789 Tax ID #: R 195091

Preferred Scenario Designation: MHP Existing Zoning: Industrial

Existing Land Use(s): Undeveloped

DESCRIPTION OF REQUEST

Proposed Zoning District(s): Manufactured Home District

Proposed Land Uses / Reason for Change: In order to match zoning across public right of away.

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* \$1,000 plus \$150 per acre Technology Fee \$15 MAXIMUM COST \$5,015

*Existing Neighborhood Regulating Plan Included.

Est 8221⁰⁰

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

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

PROPERTY OWNER AUTHORIZATION

I, David Joyner (owner name) on behalf of Palace Way Partner (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at 4087 St. Hwy.21 San Marcos TX 78666 (address).

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

Signature of Owner: David Joyner Date: Dec 10, 2024
Printed Name, Title: David Joyner

Signature of Agent: David Joyner Date: Dec. 10, 2024
Printed Name, Title: Lead Development Partner

Form Updated October, 2019

**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 \$150 plus a \$15 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 \$150 plus a \$15 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: David Joyner

Date: Dec. 31, 2024

Print Name: David Joyner

Form Updated March, 2023

Clerk's Note: At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon of photocopy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed.

23012777 DEED Total Pages: 4
Filed and Recorded: 04/14/2023 02:03:42 PM

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.

SPECIAL WARRANTY DEED

For and in consideration of the sum of \$10.00 and other valuable consideration paid to the undersigned Grantor by Palace Way Partners, LLC, a Texas limited liability company ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Palace Way Partners, LLC ("Grantor"), does hereby GRANT, BARGAIN, SELL, CONVEY, ASSIGN and DELIVER to Grantee the land described in Exhibit A attached hereto and made a part hereof, together with all buildings and other improvements situated thereon and all rights and appurtenances pertaining thereto, including without limitation any and all right, title, and interest of Grantor in and to adjacent streets (collectively, the "Property").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anyway belonging, unto Grantee and its successors and assigns, forever, and Grantor does hereby bind itself and its successors and assigns, severally and not jointly, to warrant and forever defend all and singular the Property unto Grantee and its successors and assigns against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor but not otherwise.

Executed on the date of acknowledgment below, to be effective as of April ____, 2023.

[Remainder of page intentionally left blank; signature page follows]

Signature Page to Special Warranty Deed

GRANTOR:

Palace Way Partners, LLC

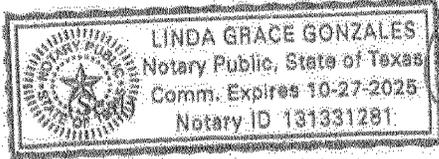
By:

Jim Glasgow
Jim Glasgow, Manager

STATE OF TEXAS)
)
COUNTY OF HAYS)

Before me, the undersigned notary public, on this day personally appeared Jim Glasgow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for himself and in his capacity as Manager of Palace Way Partners, LLC, on behalf of said LLC, for the purposes and consideration therein expressed.

Given under my hand and seal of office this 10th day of April 2023.



Linda Grace Gonzales
Notary Public's Signature

Exhibit A

Legal Description of Land

Being a 14.798-acre parcel of land in the Thomas G. McGehee Survey, Abstract No. 11, of Hays County, Texas, and being out of the called 59.59-acre tract described in the deed recorded in Document No. 19038112 of the Official Public Records (O.P.R.) of Hays County, said 14.789-acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2" rebar with CEC cap found in the north corner of this description and being the current west corner of a called 9.157 acre tract described in the deed recorded in Document No. 17044935 of the O.P.R. of Hays County, and lying on the southeast right-of-way line of FM 110 (220' ROW) which is currently under construction;
 THENCE S 46°39'27" E, for a distance of 1088.94 feet to a found 3" iron pipe;
 THENCE S 00°48'44" W, for a distance of 670.35 feet to a set 1/2" rebar with KCI cap;
 THENCE N 46°32'34" W, for a distance of 177.18 feet to a set 1/2" rebar with KCI cap;
 THENCE N 46°32'34" W, for a distance of 1082.34 to a set 1/2" rebar with KCI cap;
 THENCE with a tangent curve to the left having a radius of 830.00 feet and a central angle of 06°29'26", the chord bears N 49°47'17" W-93.98 feet, for an arc distance of 94.03 feet to a set 1/2" rebar with KCI cap;
 THENCE N 53°02'00" W, for a distance of 178.32 feet to a set 1/2" rebar with KCI cap on the previously mentioned southeast ROW of FM 110;
 THENCE with said right-of-way of FM 110 for the following four (4) courses:

With a non-tangent curve to the right left having a radius of 8890.00 feet and a central angle of 00°15'34", the chord bears N 39°30'52" E -40.26 feet, for an arc distance of 40.26 feet to a found 1/2" rebar;
 N 45°21 '23" E for a distance of 251.79 feet to a found 1/2" rebar;
 N 39°38'24" E for a distance of 199.92 feet to a found 1/2" rebar;
 N 32°35'26" E for a distance of 25.54 feet'

To the POINT OF BEGINNING, and containing 14.798 acres of land, more or less.

Bearings source is the southwest line of this description between the first two found monuments described above and called S 46°39'27" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone.

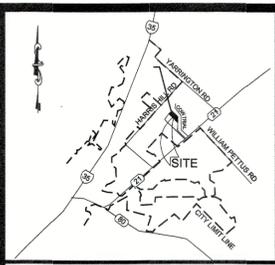
**THE STATE OF TEXAS
COUNTY OF HAYS**

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Hays County, Texas.

23012777 DEED
04/14/2023 02:03:42 PM Total Fees: \$34.00

Elaine H. Cárdenas, MBA, PhD, County Clerk
Hays County, Texas



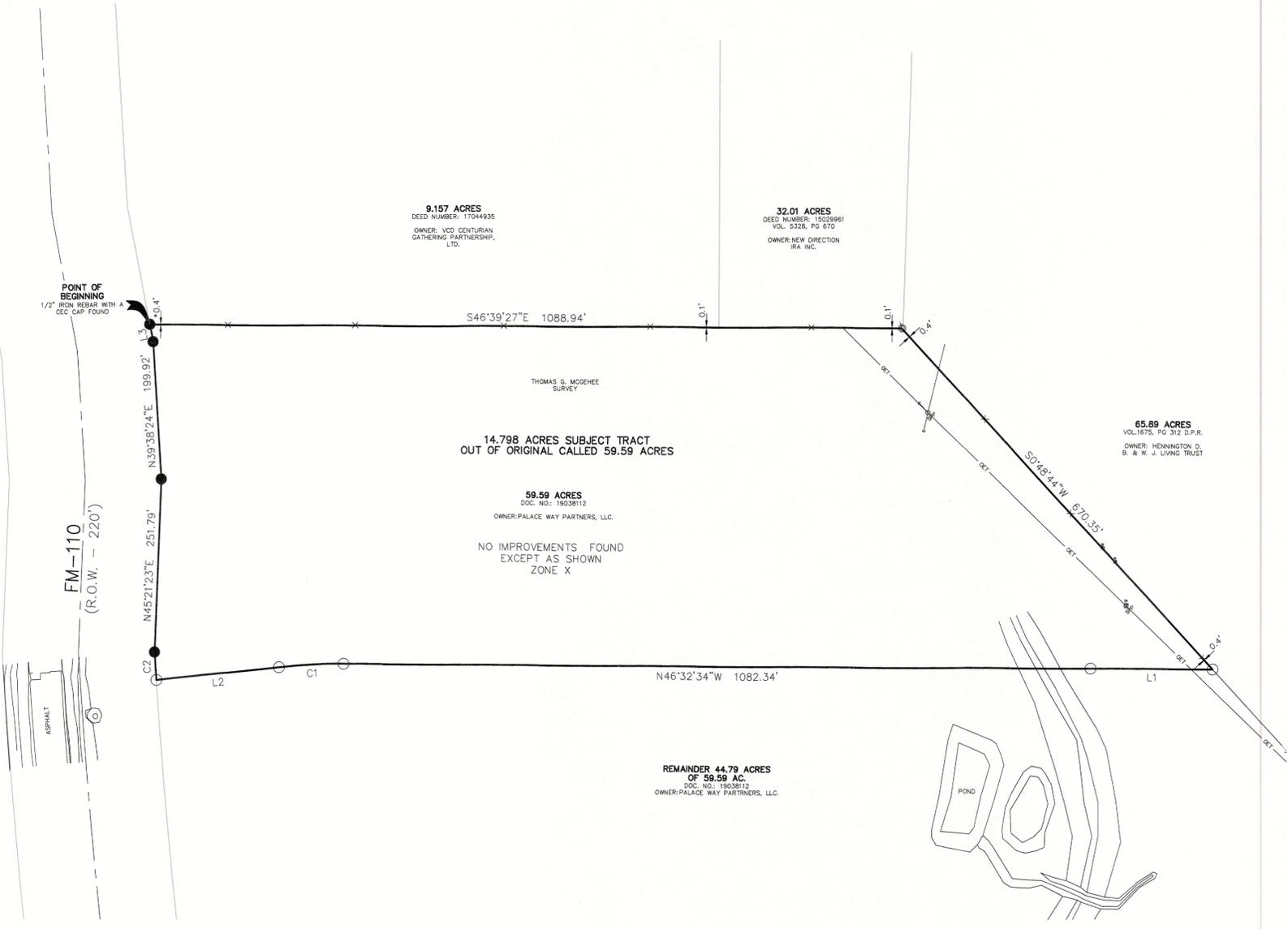


LOCATION MAP
"NOT TO SCALE"



LINE TABLE			
LINE	BEARING	LENGTH	
L1	N46°32'34"W	177.18'	
L2	N53°02'00"W	178.32'	
L3	N32°35'26"E	25.54'	

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	DISTANCE
C1	830.00'	94.03'	6°29'26"	N49°47'17"W	93.98'
C2	8890.00'	40.26'	0°15'34"	N39°30'52"E	40.26'



SCHEDULE B
[SURVEYOR'S COMMENTS]
GF NO. 20190411

- EFFECTIVE DATE: 04/22/2019 ISSUE DATE: 08/07/2019
- 10c. 10' Waterline Easement granted to Maxwell Water Supply Corp. as recorded in Volume 239, Page 222 of the Deed Records of Hays County, Texas. [BLANKET EASEMENT OVER PARENT 202 ACRES TRACT RESTRICTED TO 10' STRIP BASED ON CENTERLINE OF WATER PIPE AS LAID. SURVEYOR FOUND NO SURFACE EVIDENCE OF PERMITTED INFRASTRUCTURE ON SUBJECT TRACT]
 - d. Easement for Ingress and Egress as recorded in Volume 340, Page 666 of the Deed Records of Hays County, Texas. [LOCATION OF ACCESS ROAD CAN NOT BE DETERMINED FROM DOCUMENT.]
 - f. Terms and Conditions of the reservations and exceptions listed in Warranty Deeds recorded in Volume 1249, Page 392 and Volume 1249, Page 398 of the Deed Records of Hays County, Texas concerning a 10' strip of land out of the .74 acre tract. [DOES NOT AFFECT SUBJECT TRACT]
 - h. Existing overhead electric power distribution wires across property as shown on survey dated 7/15/2019, prepared by Kyle Smith, R.P.L.S. No. 5307. [AS SHOWN HEREON]
 - i. Any right, claim or assertion of title by the adjoining land owner in and to that strip of land located between the property line and the inset of fence on the east side of the property as shown on survey dated 7/15/2019, prepared by Kyle Smith, R.P.L.S. No. 5307. [DOES NOT APPLY SEE FENCE OFFSET DIMENSIONS SHOWN HEREON]

DESCRIPTION OF A 14.798 ACRE TRACT OF LAND

Being a 14.798 acre parcel of land in the Thomas G. McGehee Survey, Abstract No. 11, of Hays County, Texas, and being out of the called 59.59 acre tract described in the deed recorded in Document No. 19038112 of the Official Public Records (O.P.R.) of Hays County, said 14.798 acre tract being more particularly described by metes and bounds as follows:

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THENCE S 46°39'27" E, for a distance of 1088.94 feet to a found 3" iron pipe;

THENCE S 00°48'44" W, for a distance of 670.35 feet to a set 1/2" rebar with KCI cap;

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THENCE with a tangent curve to the left having a radius of 830.00 feet and a central angle of 06°29'26", the chord bears N 49°47'17" W - 93.98 feet, for an arc distance of 94.03 feet to a set 1/2" rebar with KCI cap;

THENCE N 53°02'00" W, for a distance of 178.32 feet to a set 1/2" rebar with KCI cap on the previously mentioned southeast ROW of FM 110;

THENCE with said right-of-way of FM 110 for the following four (4) courses:
With a non-tangent curve to the right left having a radius of 8890.00 feet and a central angle of 00°15'34", the chord bears N 39°30'52" E - 40.26 feet, for an arc distance of 40.26 feet to a found 1/2" rebar;
N 45°21'23" E for a distance of 251.79 feet to a found 1/2" rebar;
N 39°38'24" E for a distance of 199.92 feet to a found 1/2" rebar;
N 32°35'26" E for a distance of 25.54 feet

To the POINT OF BEGINNING, and containing 14.798 acres of land, more or less.

LEGEND

○ SPP	SERVICE POWER POLE
— UG	UNDERGROUND GAS LINE
— X	WIRE FENCE
—	GUY WIRE
—	SIGN
— OET	OVERHEAD ELECTRIC & TELEPHONE
—	WATER METER
—	ELECTRIC JUNCTION BOX
—	PULL BOX
—	GUARD POST
—	FIRE HYDRANT
—	GAS VALVE
—	SPRINKLER
—	IRRIGATED CONTROL VALVE
—	SPECIAL DRAIN FEATURE

- NOTES:
- MONUMENTATION AS SHOWN.
 - THE BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE NAD83 (2011).
 - FIELD SURVEY COMPLETED 03/10/2023.
 - ONLY SURFACE EVIDENCE OF UTILITIES WERE LOCATED AND NO ATTEMPT HAS BEEN MADE AS A PART OF THIS SURVEY TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, CONDITION, CAPACITY OR LOCATION OF ANY UTILITY OR MUNICIPAL/PUBLIC SERVICE UTILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES, PLEASE CONTACT THE APPROPRIATE AGENCIES.
 - THE SUBJECT PROPERTY IS LOCATED IN ZONE "X" AS IDENTIFIED BY THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, MAP NO. 48209C0415F, COMMUNITY PANEL NO. 0415 AND EFFECTIVE DATE OF 09/02/2005. SAID MAPS ARE APPROXIMATE IN NATURE AND DO NOT NECESSARILY SHOW ALL AREAS SUBJECT TO FLOODING.
- FLOOD ZONE EXPLANATION:
ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN
6. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. SOME INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO THE TRACT SHOWN HEREON WAS GAINED FROM THE TITLE COMMITMENT PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY FILE NO. 20190411 WITH AN EFFECTIVE DATE OF JULY 22, 2019 AND AN ISSUED DATE OF AUGUST 07, 2019.

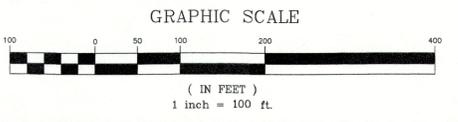
MONUMENT LEGEND

●	1/2" IRON ROD FOUND
●	1/2" IRON ROD "CEC" FOUND
○	1/2" IRON ROD "KCI" SET
○	3" IRON PIPE FOUND

SURVEYOR'S CERTIFICATION:
TO: PALACE WAY PARTNERS, LLC, A TEXAS LIMITED LIABILITY COMPANY, OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.

I, GARY B. NEILL, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON DURING MAY 2022 UNDER MY DIRECTION AND SUPERVISION; THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT IT SHOWS ALL IMPROVEMENTS ON THE SUBJECT PROPERTIES AND THAT EXCEPT AS SHOWN THERE ARE NO (1) INTRUSIONS UPON THE SUBJECT PROPERTY BY IMPROVEMENTS ON EASEMENTS OR ADJACENT PROPERTY; (2) PROTRUSIONS ONTO ADJACENT PROPERTY, EASEMENTS, OR STREETS AND ALLEYS BY ANY IMPROVEMENT ON THE SUBJECT TRACT; THAT THERE ARE NO VISIBLE UTILITY LINES EXCEPT AS SHOWN HEREON; THE TRACT HAS ACCESS TO A DEDICATED PUBLIC R.O.W. AND THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT MANUAL OF PRACTICE FOR LAND SURVEYING IN TEXAS AS ISSUED BY THE TEXAS SOCIETY OF PROFESSIONAL SURVEYORS, CATEGORY I-A, CONDITION III, SURVEY.

MARCH 21, 2023
DATE
GARY B. NEILL, R.P.L.S. NO. 3924 - TEXAS



TSPS CATEGORY 1A CONDITION III LAND TITLE SURVEY
14.798 ACRES OUT OF 59.59 ACRES, MORE OR LESS, OF LAND AREA IN THE THOMAS G. MCGEEHEE SURVEY, ABSTRACT NUMBER 11, HAYS COUNTY, TEXAS, BEING A PORTION OF THAT TRACT DESCRIBED AS 59.59 ACRES IN A DEED FROM ABUNDANT LIFE CHRISTIAN CHURCH, INC. TO PALACE WAY PARTNERS, LLC, DATED OCTOBER 22, 2019 AND RECORDED AS DOCUMENT NUMBER 19038112 IN THE HAYS COUNTY OFFICIAL PUBLIC RECORDS.

KCI TECHNOLOGIES, INC. 11560 H 10 WEST, SUITE 395 SAN ANTONIO, TEXAS 78230-1037 PHONE: (210) 641-9999 FAX: (210) 641-6440 REGISTRATION #F-10573 / #101945-85	DRAWN BY:	MS	SHEET 1 OF 1
	CHECKED BY:	G.B.N.	
	DATE:	MARCH 21, 2023	
	JOB NO.:	762202701	



**FIELD NOTES
FOR
14.798 ACRE TRACT**

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I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by employees of KCI Technologies.

Date: *March 21, 2023*

Gary B Neill

Gary B. Neill
R.P.L.S. #3964
Firm No. 10041000



Warning: Only those copies with the Signature and Seal in red should be relied upon.

4087 St. Hwy 21_Palace Way
Project Number: 762202701

Indicative Site Plan - Not Approved

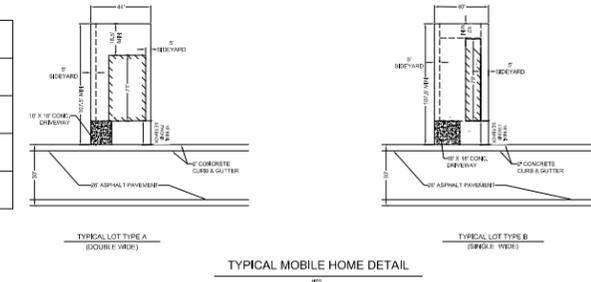
RECREATIONAL AREA REQUIREMENT = 14.801 ACRES X 5% = 0.74 ACRES
= 32,236.58 SF

RECREATIONAL AREA	AREA (SF)
A	20597.99
B	2485.68
C	1777.86
D	8805.59
E	4740.91
F	2344.57
TOTAL	40752.60

PARKING AREA REQUIREMENT = 79 LOTS X 150 SF = 11,850 SF

PARKING AREA #	AREA (SF)
I	1314.97
II	1314.97
III	891.65
IV	5963.51
V	2500.00
TOTAL	11985.10

LOTS	
LOT TYPE	QUANTITY
SINGLE WIDE	40
DOUBLE WIDE	39
TOTAL	79



Scale: 1" = 80'

