CONDITIONAL USE PERMIT / ALTERNATIVE COMPLIANCE (GENERAL) APPLICATION

Updated: March, 2023



CONTACT INFORMATION

Applicant's Name	vid Joyner	Property Owner	Palacellay Partners
Company	lace Way Park	Company	rescently rathers
Applicant's Mailing Address	38 Meyer Rd.	Owner's Mailing Address	11
Applicant's Phone #		Owner's Phone #	1,1
Applicant's Email		Owner's Email	Samp
PROPERTY INFORMA	TION 4087 State		
Subject Property Address: _ Zoning District:	1001 Seate	Highway 21 5 Tax ID #: R_ 1130	5an Marcos TX 04 99334
Zoning District: Legal Description: Lot	Block	_ Tax ID #: R 1/30	San Marcos TX 04,99334 Nat pending

Please use this space to describe the proposal. Attach additional pages as needed.

The owner is asking for relief from providing a public street through phase 4 of Palace Way Park which is currently zoned as manufactured housing. City staff and developers disagree as to the necessity of installing a public street within a manufactured home park. The developer believes this is in violation with city development code 7.6.1.3 d (All internal street shall be constructed and maintained by the owner or agent.). City contends that they believe it doesn't comply with block perimeter requirements, but I have reviewed those requirements of section 3.6.2.1 b. Table 3.1 block perimeters and manufactured housing is not amongst the affected zoning districts. City staff rushes in and says it falls under another district designation, which we are in disagreement with staff that such an interpretation would stand up to legal challenge.

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

Initial Filing Fee \$1,000*

Technology Fee \$15

TOTAL COST \$1,015

Renewal/Amendment Filing Fee \$750*

Technology Fee \$15

TOTAL COST \$765

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

^{*}Nonprofit Organization fees are 50% of the adopted fee listed for Conditional Use Permits

I, Pavid Joyner (owner name) on behalf of [Slace Way Partners (company, if applicable) acknowledge that I/we
(company, if applicable) acknowledge that I/we
arrivare the rightful owner of the property located at
4087 St. Hwy, 21 San Marcos (address).
I hereby authorize Tayld Joyner (agent name) on behalf of Alternative Compl. (agent company) to file this application for (application type), and, if necessary, to work with
(agent company) to file this application for
Alternative Compl. (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.
Signature of Owner: Davel Date: 8-28-2025 Printed Name, Title: Tavid L. Soyner Lead Tevelp. Parkner
Signature of Agent: Date: 8-28-202
Printed Name, Title: David L. Joyner Lead Develp Pertner
Form Updated October, 2019

PROPERTY OWNER AUTHORIZATION

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 in place had have not been vandalized or removed. The applicant shall immediately notify the 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.

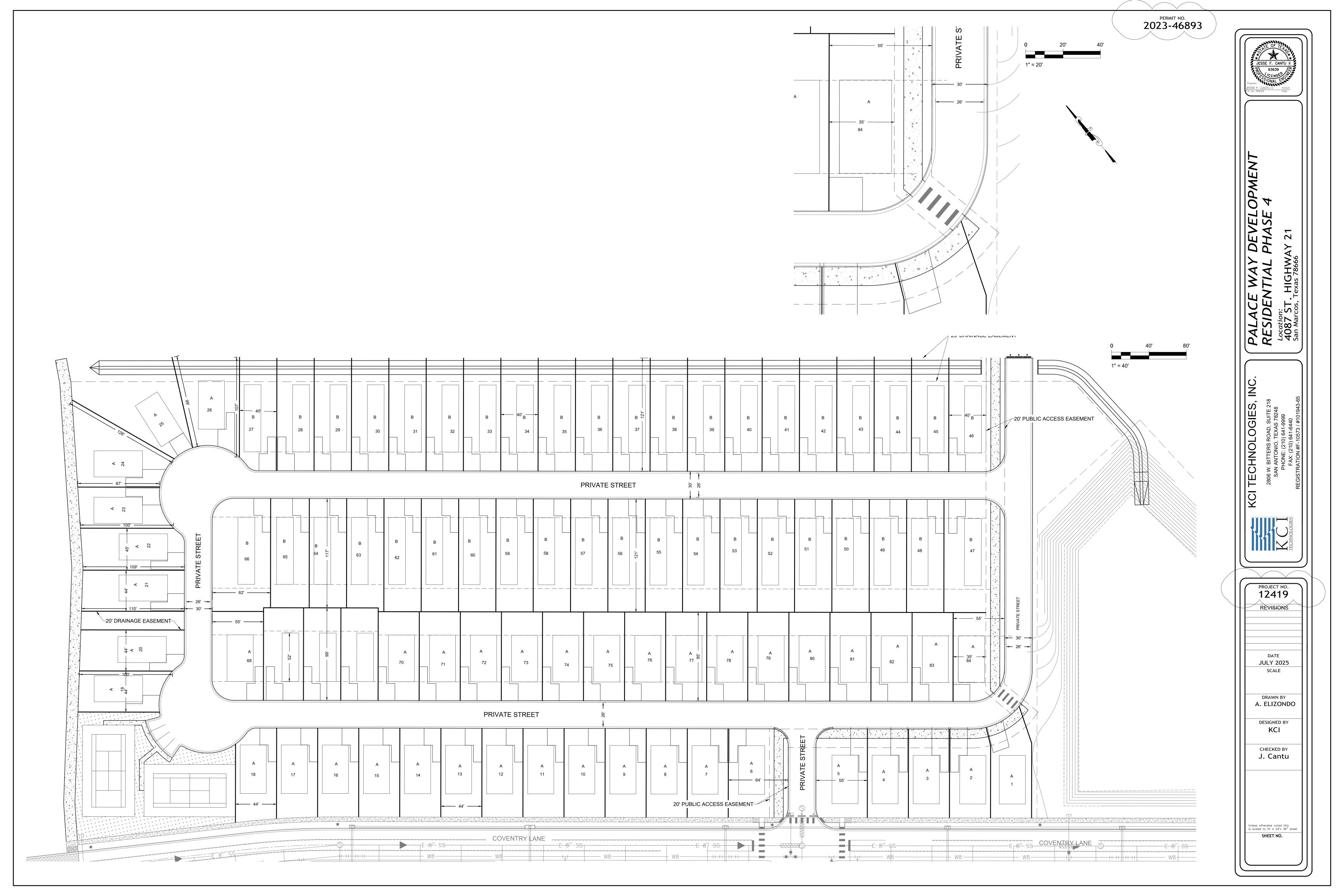
I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are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

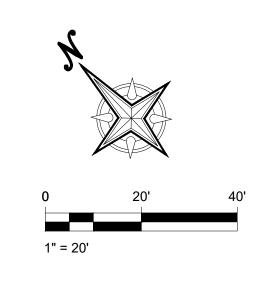
Signature:

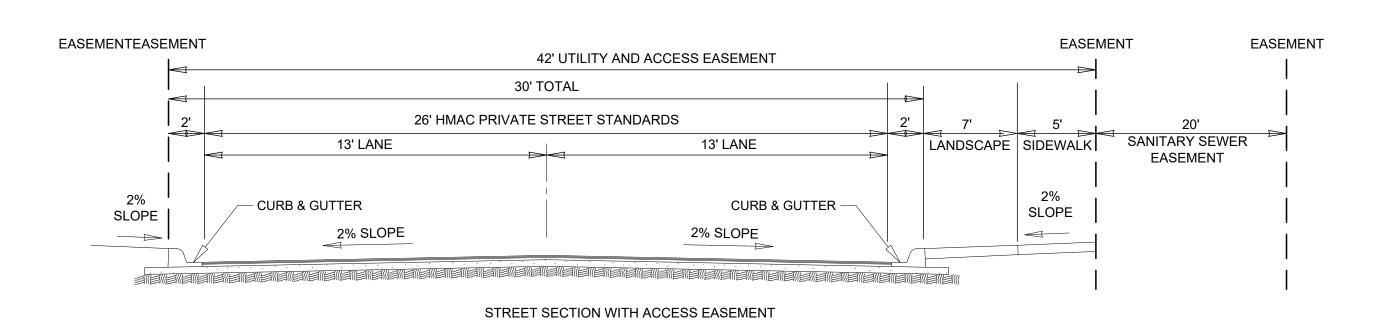
Print Name

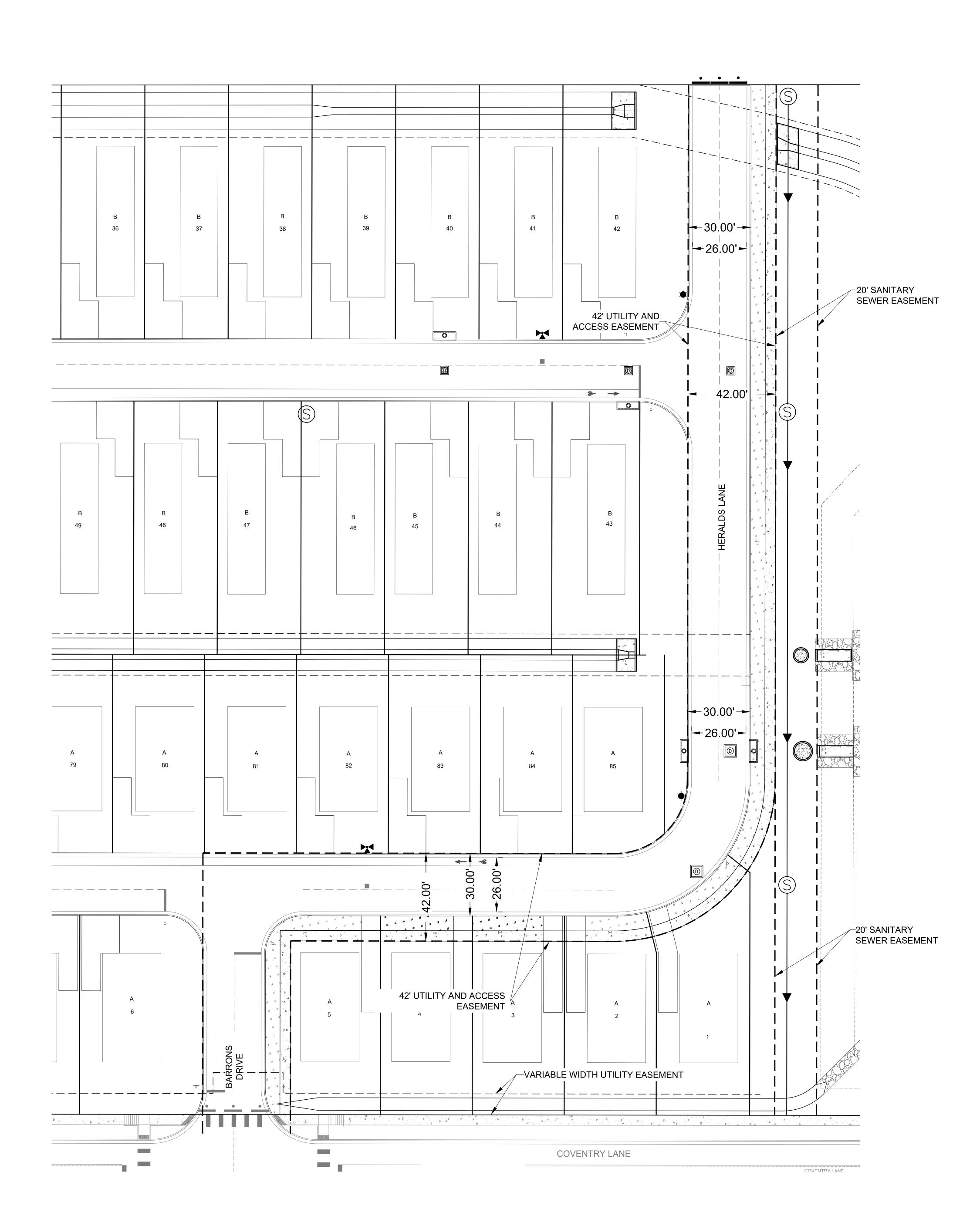
Data:

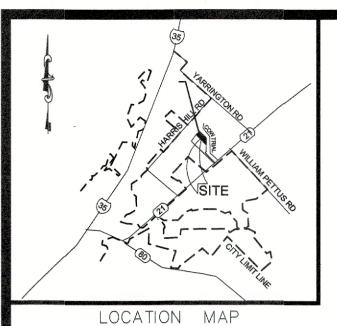
Form Updated March, 2023











"NOT TO SCALE"



LINE TABLE

LINE BEARING LENGTH

L1 N46'32'34"W 177.18'

L2 N53'02'00"W 178.32'

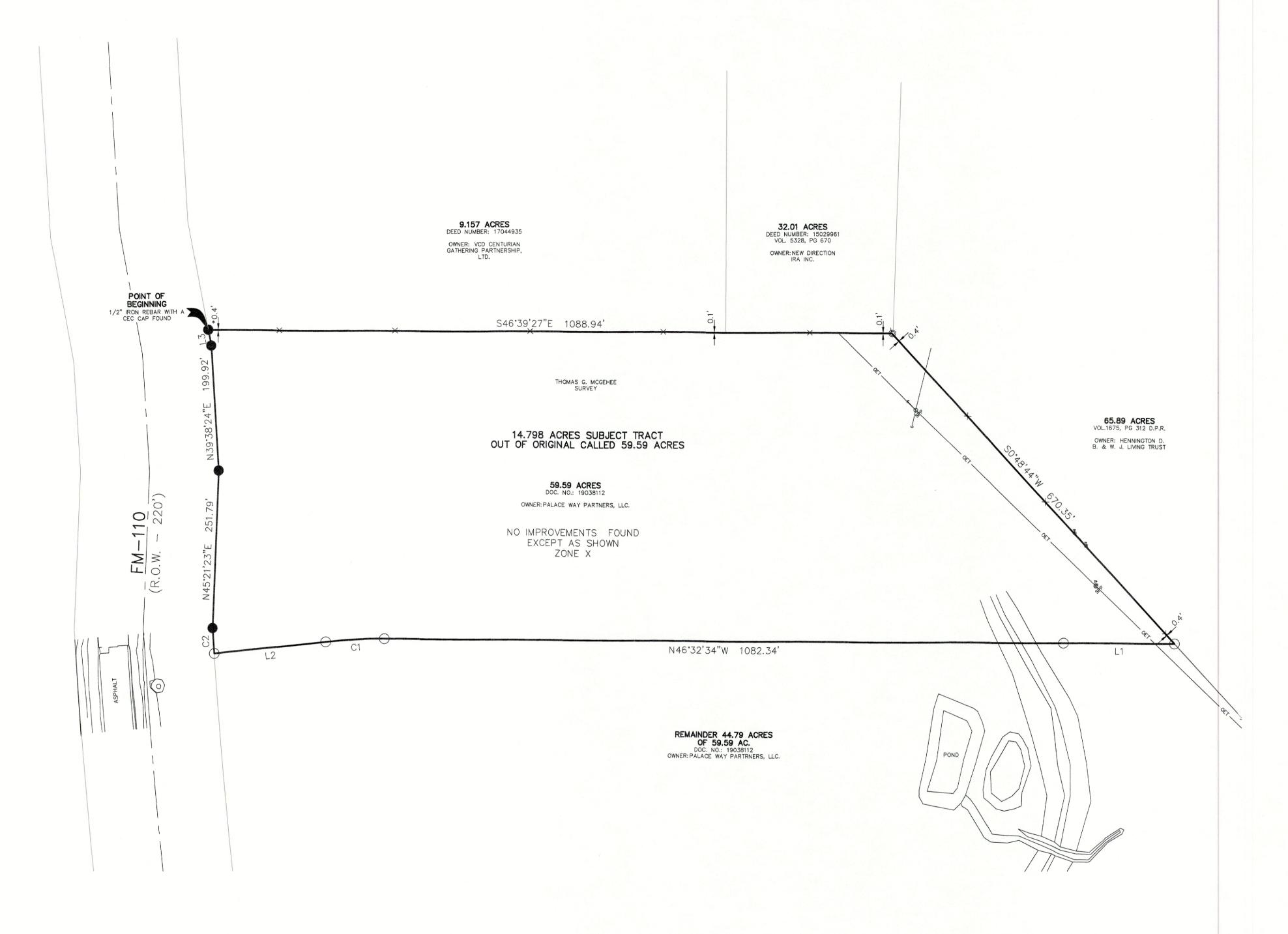
L3 N32'35'26"E 25.54'

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'



O SPP SERVICE POWER POLE UG — UNDERGROUND GAS LINE X — WIRE FENCE GUY WIRE SIGN OET — OVERHEAD ELECTRIC & TELEPHONE WM WATER METER

SPECIAL DRAIN FEATURE

OET—OVERHEAD ELECTRIC & TELE

WM WATER METER

EJB ELECTRIC JUNCTION BOX

PBX PULL BOX

GP. GUARD POST

-OF FIRE HYDRANT

ED GAS VALVE

O SPRINKLER

ICV IRRIGATED CONTROL VALVE

IOTES.

1. MONUMENTATION AS SHOWN.

2. THE BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE NAD83 (2011).

3. FIELD SURVEY COMPLETED 03/10/2023.

4. 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.

5. 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
O 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 B. NEILL R.P.L.S. NO. 3924 - TEXAS

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

EFFECTIVE DATE: 04/22/2019

- 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.]

ISSUE DATE: 08/07/2019

- 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 14.789 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 ½"rebar with KCl cap;

THENCE N 46°32'34" W, for a distance of 177.18 feet to a set ½"rebar with KCI cap;

THENCE N 46'32'34" W, for a distance of 1082.34 to a set ½"rebar with KCl 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 ½"rebar with KCl cap;

THENCE N 53°02'00" W, for a distance of 178.32 feet to a set ½"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 ½"rebar; N 45°21'23" E for a distance of 251.79 feet to a found ½"rebar;

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

N 452123 E for a distance of 251.79 feet to a found ½"rebar; N 39'38'24" E for a distance of 199.92 feet to a found ½"rebar; N 32'35'26" E for a distance of 25.54 feet'

GRAPHIC SCALE

O 50 100 200 400

(IN FEET)
1 inch = 100 ft.

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. MCGEHEE 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.



GARY B. NEILL

3964

KCI TECHNOLOGIES, INC.

11550 IH 10 WEST, SUITE 395
SAN ANTONIO, TEXAS 78230-1037
PHONE: (210) 641-9999
FAX: (210) 641-6440
REGISTRATION #F-10573 / #101943-65

DRAWN BY: MS SHEET

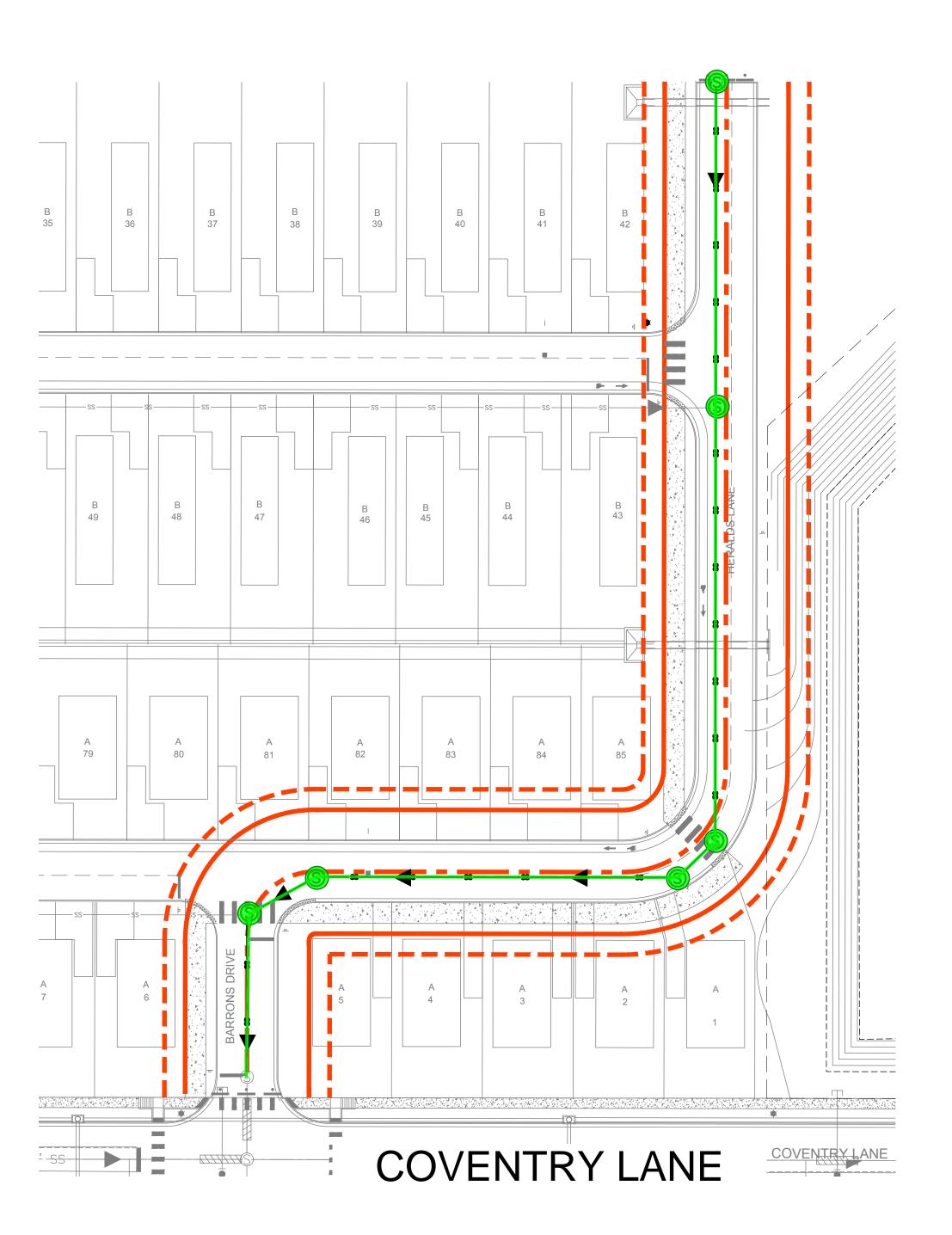
CHECKED BY: G.B.N.

DATE: MARCH 21, 2023

JOB NO. 762202701 OF 1

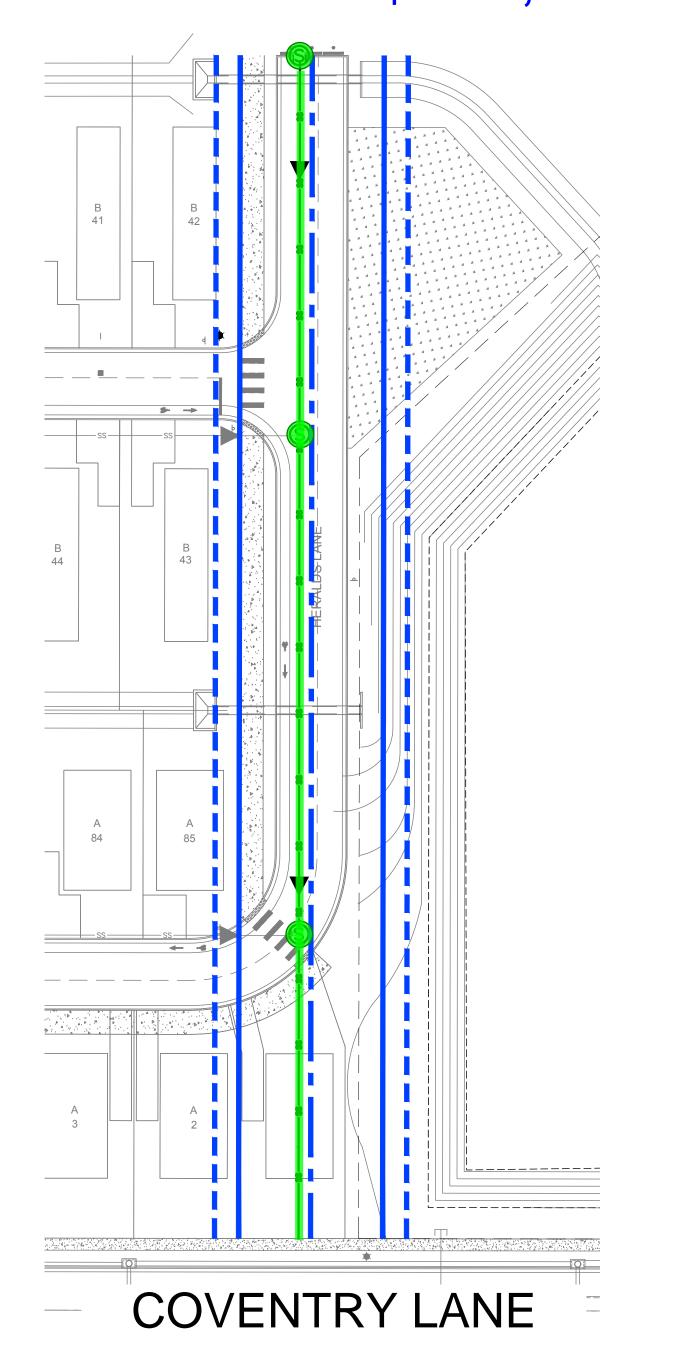
OPTION 1 60' ROW: LOSE 13 LOTS

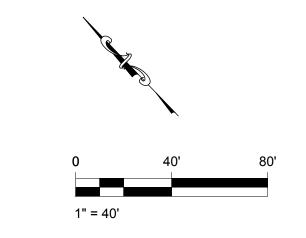
CONSTRUCTION FEES \$710,000 ENGINEERING FEES \$70,000 TOTAL COST \$780,000



OPTION 2 60' ROW: LOSE 3 LOTS

CONSTRUCTION FEES
\$531,000
ENGINEERING FEES
\$60,000
TOTAL COST \$591,000





OPTION 3 PUBLIC SEWER

CONSTRUCTION FEES \$46,000 ENGINEERING FEES \$30,000 TOTAL COST \$76,000

