

CONDITIONAL USE PERMIT / ALTERNATIVE COMPLIANCE (GENERAL) APPLICATION

Updated: March, 2023



CONTACT INFORMATION

Applicant's Name	David Joyner	Property Owner	Palace Way Partners
Company	Palace Way Park	Company	
Applicant's Mailing Address	838 Meyer Rd. Kingbury, TX	Owner's Mailing Address	"
Applicant's Phone #		Owner's Phone #	"
Applicant's Email		Owner's Email	same

PROPERTY INFORMATION

Subject Property Address: 4087 State Highway 21, San Marcos TX
Zoning District: MH Tax ID #: R 11304 99334
Legal Description: Lot _____ Block _____ Subdivision Plat pending

DESCRIPTION OF REQUEST

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 request.

Initial Filing Fee \$1,000*

Technology Fee \$15

TOTAL COST \$1,015

Renewal/Amendment Filing Fee \$750*

Technology Fee \$15

TOTAL COST \$765

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

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

PROPERTY OWNER AUTHORIZATION

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

I hereby authorize David Joyner (agent name) on behalf of
David Joyner (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: David L. Joyner Date: 8-28-2025
Printed Name, Title: David L. Joyner, Lead Develop. Partner

Signature of Agent: David L. Joyner Date: 8-28-2025
Printed Name, Title: David L. Joyner Lead Develop. 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.

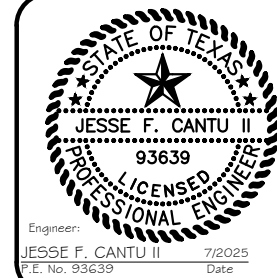
Signature: _____

Date: _____

Print Name: _____

Form Updated March, 2023

PERMIT NO.
2023-46893



**PALACE WAY DEVELOPMENT
RESIDENTIAL PHASE 4**

Location:
4087 ST. HIGHWAY 21
San Marcos, Texas 78666

KCI TECHNOLOGIES, INC.

2808 W. BITTERS ROAD, SUITE 218
SAN ANTONIO, TEXAS 78248
PHONE: (210) 641-9989
FAX: (210) 641-6440
REGISTRATION #F-10573 / #101943-05



PROJECT NO.
12419

REVISIONS

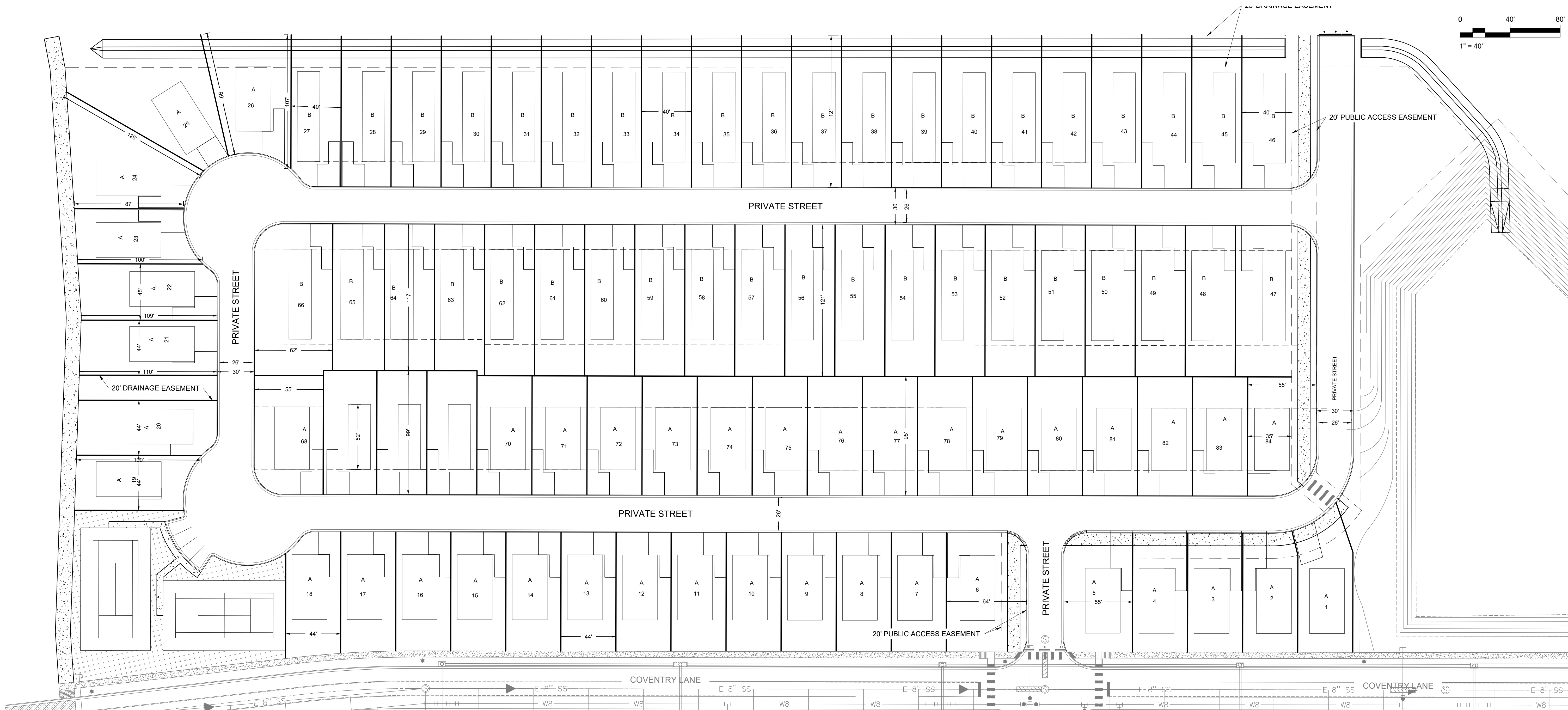
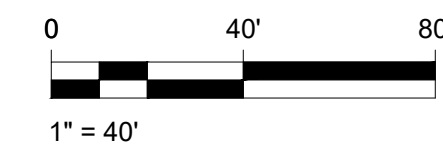
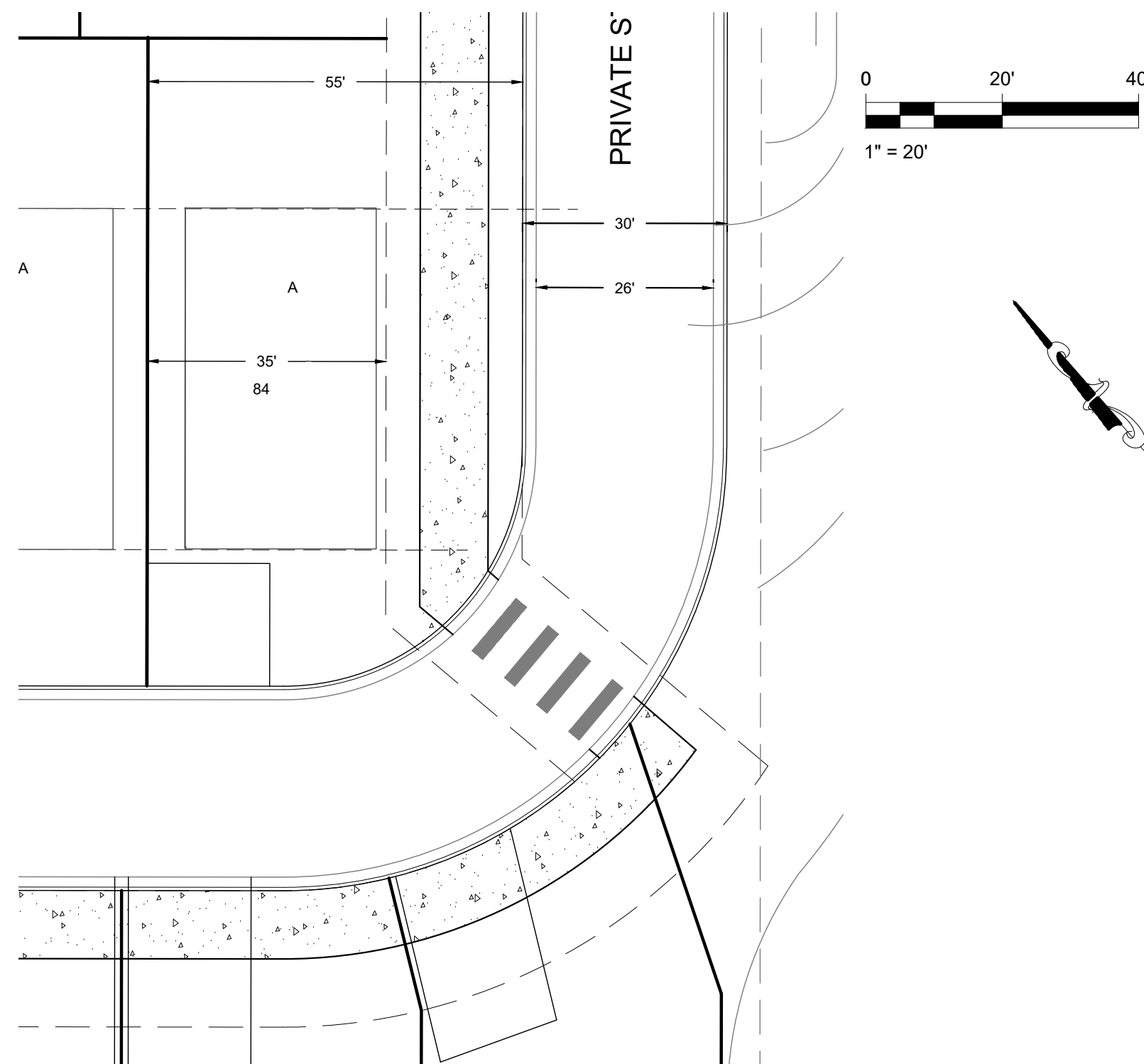
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JULY 2025
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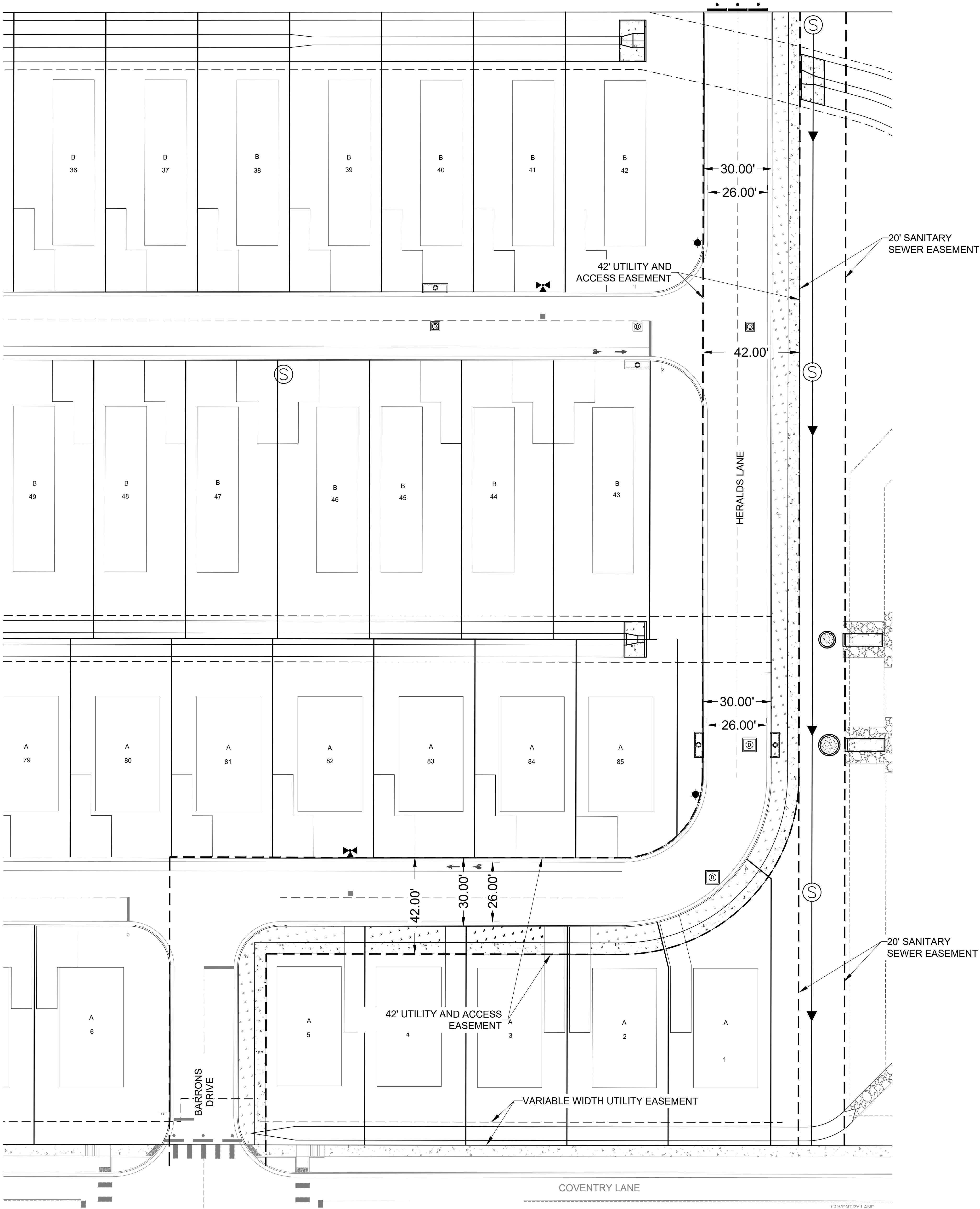
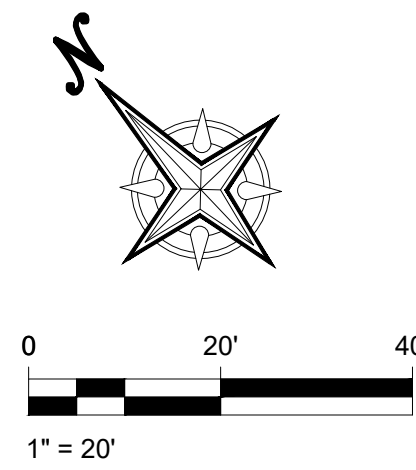
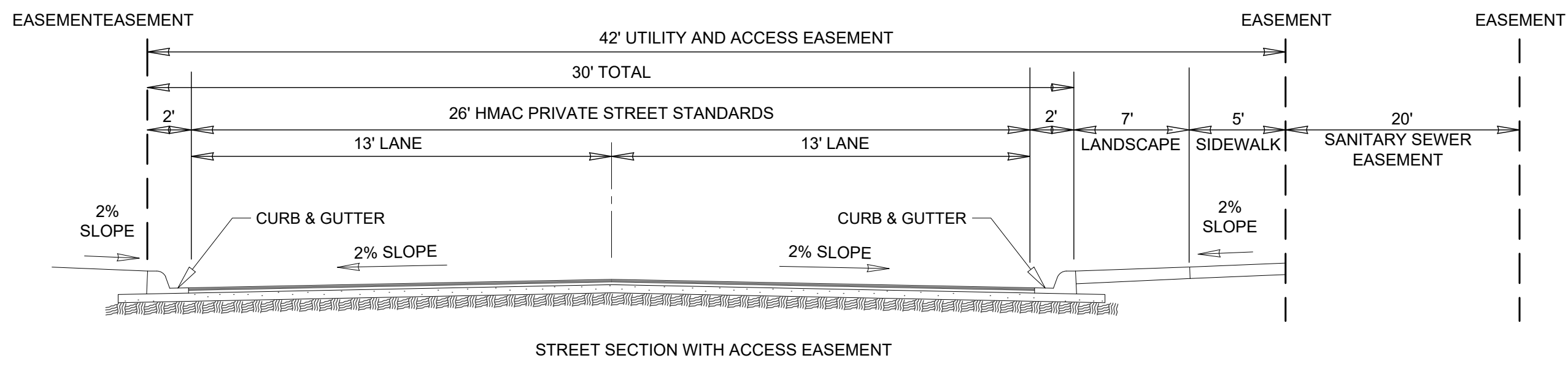
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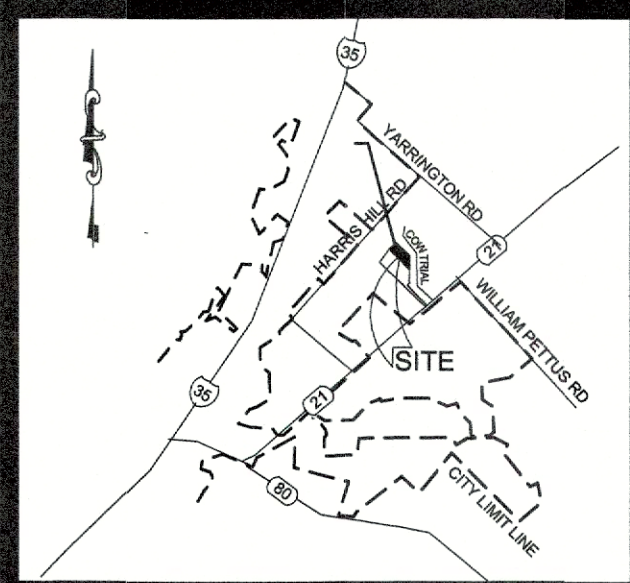
DESIGNED BY
KCI

CHECKED BY
J. Cantu

Unless otherwise noted this
is scaled to fit a 24" x 36" sheet
SHEET NO.





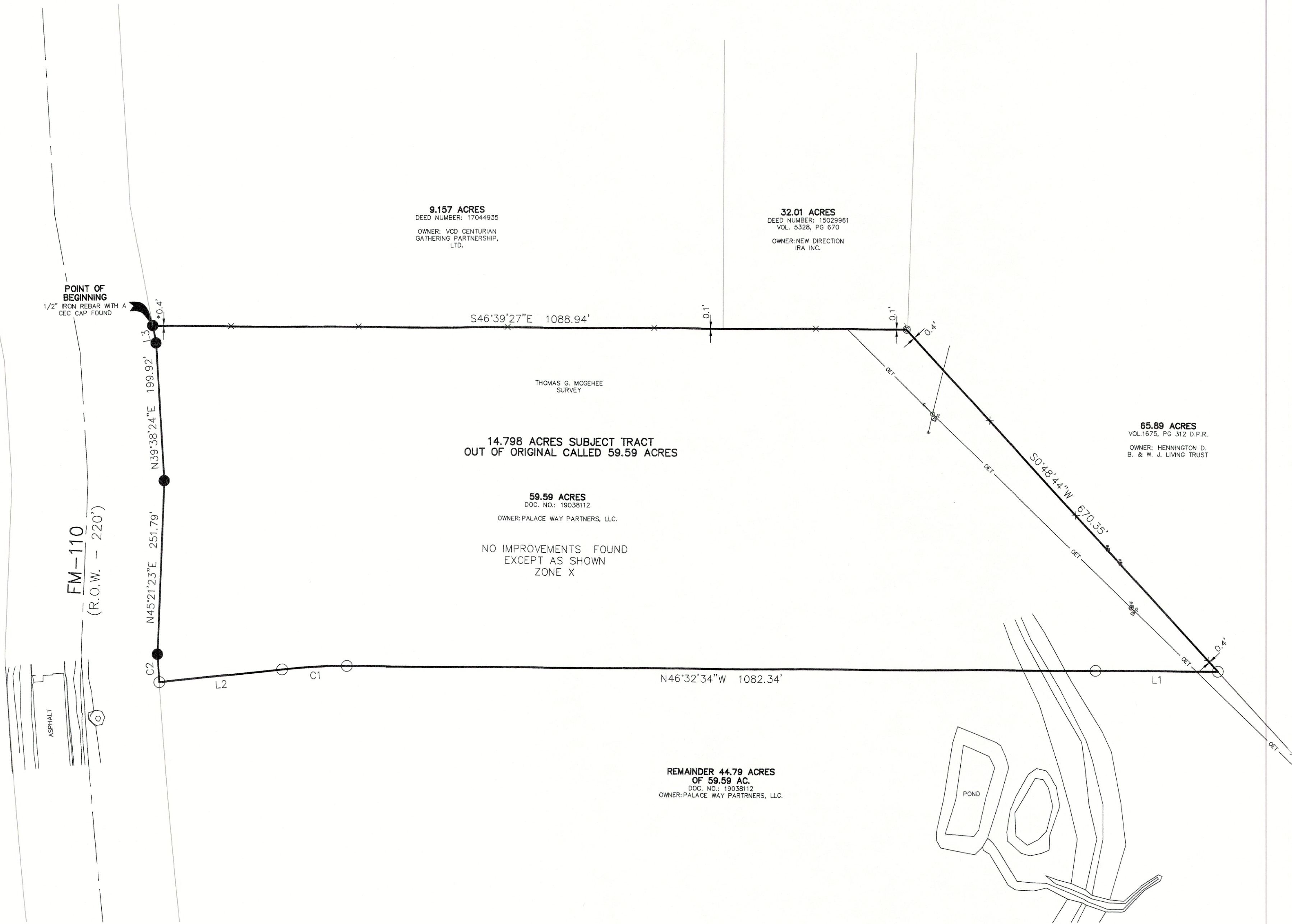


LOCATION MAP
"NOT TO SCALE"



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 14.789 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 feet 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.

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
- 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.

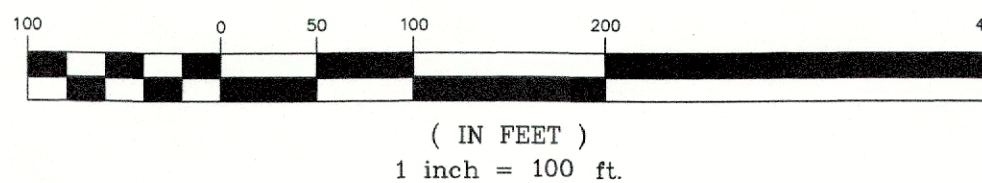
MARCH 21, 2023

DATE

GARY B. NEILL, R.P.L.S. NO. 3924 - TEXAS



GRAPHIC SCALE



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.

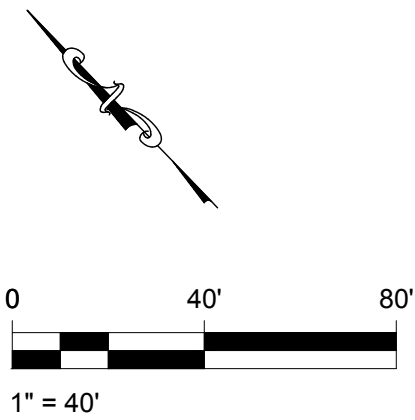
11550 IH 10 WEST, SUITE 385
SAN ANTONIO, TEXAS 78230-1037
PHONE: (210) 641-9999
FAX: (210) 641-4440
REGISTRATION WF-10573 / #101943-65

DRAWN BY: MS
CHECKED BY: G.B.N.
DATE: MARCH 21, 2023
JOB NO. 762202701

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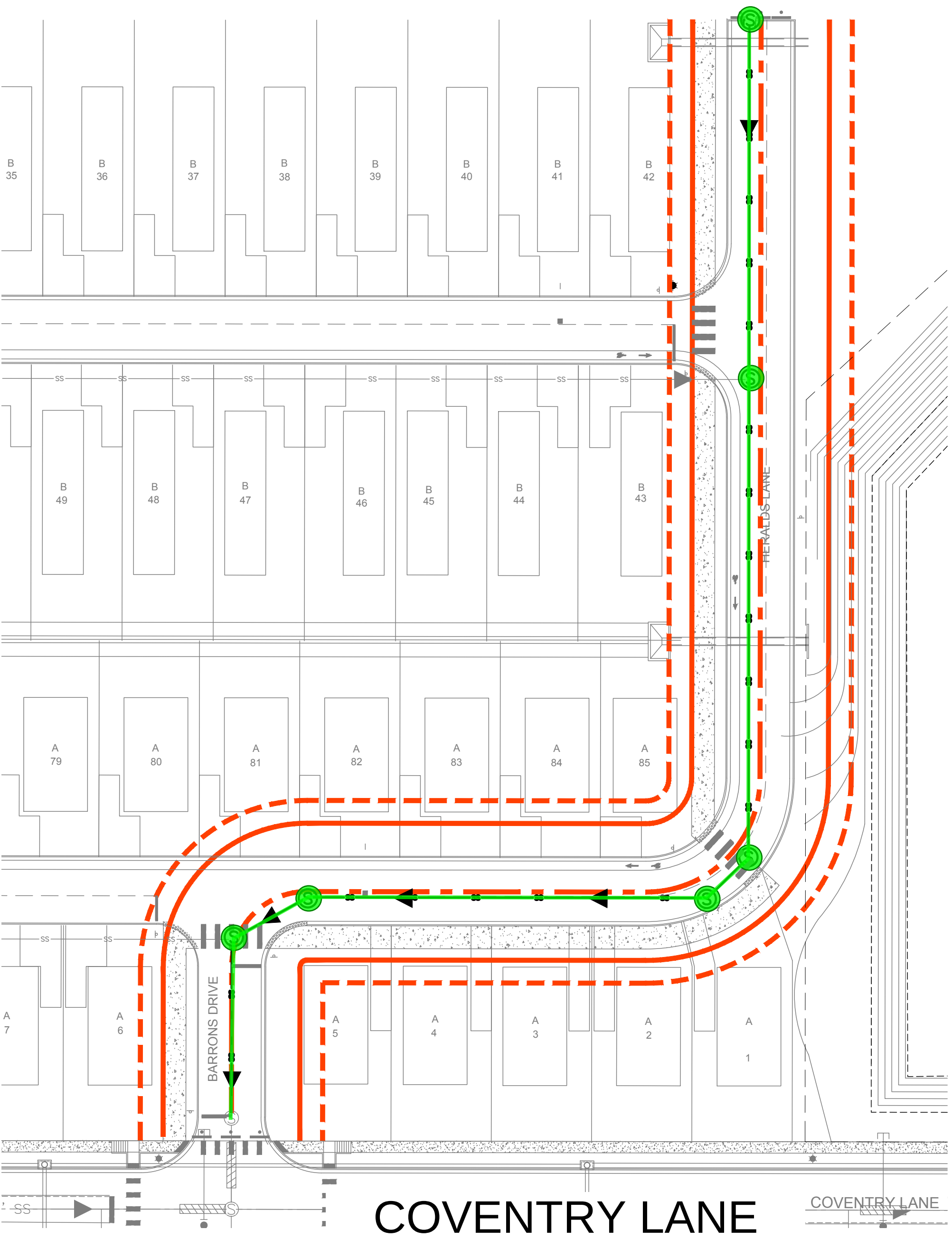
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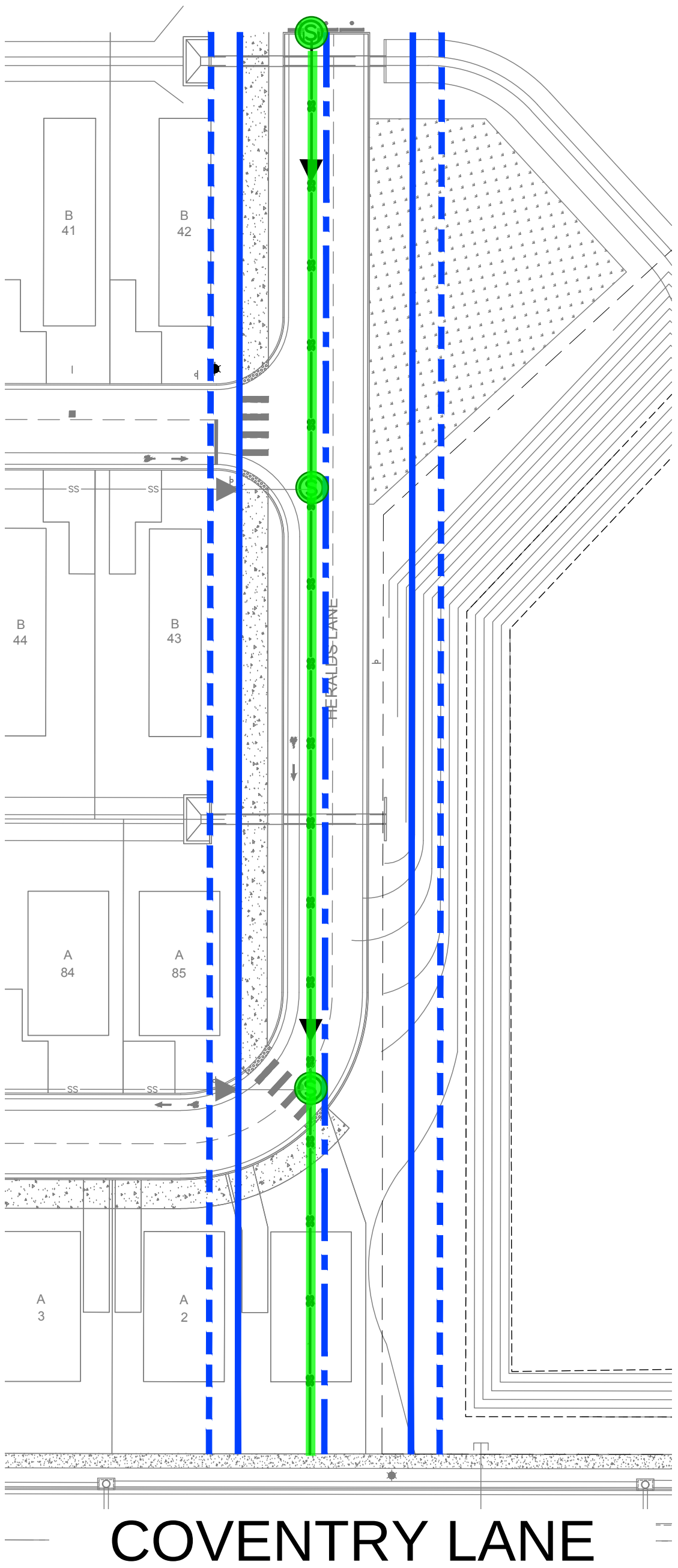
OPTION 1
60' ROW: LOSE 13 LOTS

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

