

To: City of San Marcos
Planning and Development Services
630 East Hopkins
San Marcos, TX 78666

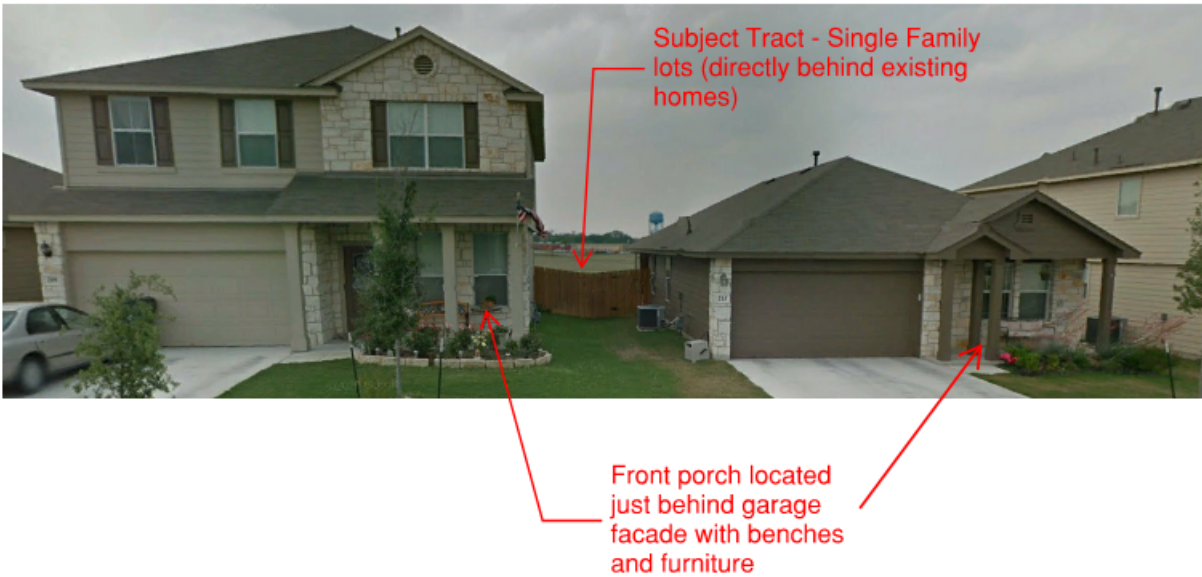
Re: Vantage at San Marcos – Alternative Compliance Appeal
- CD-2.5 – Division 4 – Section 7.1.4.1

Dear City of San Marcos,

We are requesting an appeal to the Planning and Zoning Commissions vote for our Alternative Compliance request (AC-21-01). The initial motion to approve this agenda items was a tied vote (4-4) and the subsequent motion to deny our request was approved (5-3).

We are appealing the decision based on our earlier annexation and zoning requests for the same property earlier in 2020. Both the PNZ and City Council have expressed interest for an owner occupied single family zoning for the subject parcel of land, however the current design standards limit our ability to provide housing product that is line with (1) what home buyers are desiring, (2) are in line with the design standards of the neighboring Cottonwood Creek community, and (3) can be provided to the end home buyers at a comparable purchase price of the surrounding area.

Our goal for the development of this single family neighborhood is to include many of the design characteristics from the CD-2.5 zoning while incorporating the more desirable design attributes from Cottonwood Creek. The picture below (taken from Google Earth) shows two existing houses (that will back up to the subject parcel of land) with orderly front porches that add character to the house facades and a usable space for future owners to enjoy the front yard. This also allows owners to have full enjoyment of their backyard as well rather than the garage limiting the views and enjoyment of the backyard.



The current design regulations require a garage to be located several feet behind the front façade of a house excluding any front porch proposed on a home within the district. We would like to propose placing the garage along the front façade while accommodating a front porch design as an element of the house, however limit the ability of any garage within the subdivision sticking out any further than 6' of the house to prevent "snout" houses and long runs along exterior walls.

Additionally, any front porch shall be required on a minimum of 50% of the homes. The front porch shall have a minimum area of 50 square feet.

The total width of the garage door including any center columns between tow garage doors shall not exceed more than 55% of the width of the house.

Additionally, a pedestrian sidewalk shall be provided connection the main entrance of the home to the public sidewalk along the street. The pedestrian sidewalk shall be separated from the driveway.

A similar request was recently discussed and approved by the City for a nearby community and is not substantially varying from the single-family homes that are within the adjacent Cottonwood Creek neighborhood

The request is not detrimental to the public health, safety or welfare, nor injurious to other property within the area.

This request does not have an adverse impact to adjacent property or neighborhoods or add undue drainage, parking, traffic, noise odors or visual nuisances.

This request does not have the effect of preventing the orderly use and enjoyment of other property within the area in accordance to with the provisions of the City Development Code or adversely affect the rights of owners or residents of adjacent property or neighborhoods.

The request does not result in any incompatibility of the development to which it relates with, or the character and integrity of, adjacent property or neighborhoods.

This request meets all the remaining standards of the zoning district.

We respectfully request that alternative compliance to our project per the lot dimensions associated with the attached plan be granted in order for the project to move forward per the remaining zoning standards

If you have any question with this request, please feel free to contact us directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Weigand', is centered on the page.

Vantage at San Marcos, LLC
Attn: Christopher Weigand, P.E.
7334 Blanco Road, Suite 200
San Antonio, TX 78216

CONDITIONAL USE PERMIT / ALTERNATIVE COMPLIANCE (GENERAL) APPLICATION



Updated: September, 2020

CONTACT INFORMATION

Applicant's Name	Chris Weigand	Property Owner	Vantage at San Marcos LLC
Company	Vantage at San Marcos LLC	Company	
Applicant's Mailing Address	7334 Blanco Road, Suite 200 San Antonio, TX 78216	Owner's Mailing Address	7334 Blanco Road, Suite 200 San Antonio, TX 78216
Applicant's Phone #	210.341.8097	Owner's Phone #	210.341.8097
Applicant's Email	cweigand@housingdev.com	Owner's Email	cweigand@housingdev.com

PROPERTY INFORMATION

Subject Property Address: 3625 SH 123 San Marcos TX 78666

Zoning District: CD-~~3~~2.5 Tax ID #: R 14470 & R 14472

Legal Description: Lot _____ Block _____ Subdivision NA

DESCRIPTION OF REQUEST

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

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 \$793* Technology Fee \$13 TOTAL COST \$806

Renewal/Amendment Filing Fee \$423* Technology Fee \$13 TOTAL COST \$436

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

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

PROPERTY OWNER AUTHORIZATION

I, John Condit, Manager (owner name) on behalf of
Vantage at San Marcos, LLC (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
3625 SH 123 San Marcos TX 78666 (address).

I hereby authorize Chris Weigand (agent name) on behalf of
Vantage at San Marcos, LLC (agent company) to file this application for
Alternative Compliance (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 12/30/20

Printed Name, Title: Jonh Condit, Manager

Signature of Agent:  Date: 12/30/20

Printed Name, Title: Chris Weigand

**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: 12/31/20

Print Name: John Condit, Manager



CHECKLIST FOR CONDITIONAL USE PERMIT / ALTERNATIVE COMPLIANCE (GENERAL) APPLICATION

	The following items are requested for consideration of this application. These and additional items may be required, at the request of the Department, in order to determine the application complete and filed.	Comments
<input type="checkbox"/>	Pre-development meeting with staff is required unless waived by the Responsible Official <ul style="list-style-type: none"> • Please visit http://sanmarcostx.gov/1123/Pre-Development-Meetings to schedule, or email planninginfo@sanmarcostx.gov with any questions. 	
<input type="checkbox"/>	Completed Application for Conditional Use Permit (General)	
<input type="checkbox"/>	Site Plan illustrating, where appropriate: location, square footage and height of existing and proposed structures, landscaping or fencing, setbacks, parking, ingress & egress, signs, etc.	
<input type="checkbox"/>	Floor Plan(s) illustrating fire exits, doors, rooms, indoor & outdoor seating, kitchen, bar, restrooms, fire exits, etc.	
<input type="checkbox"/>	Written statement explaining how the organization will comply with any other applicable code standards	
<input type="checkbox"/>	Business Details including Business Trade Name, Type of Entity (Individual, Partnership, Corporation, Etc), Entity Contact Person, Address, Email, Phone Number	
<input type="checkbox"/>	Detail Entertainment Facilities (on site plan or in writing) including television locations, stages, dancing areas, live music, acoustic music, ambient speaker music, etc	
<input type="checkbox"/>	Notification Authorization	
<input type="checkbox"/>	Authorization to represent the property owner, if the applicant is not the owner	
<input type="checkbox"/>	Initial Application Filing Fee \$793 Renewal or Amendment Filing Fee \$423 Technology Fee \$13	
<p>**San Marcos Development Code Section 2.3.1.1(C): "Every application accepted by the responsible official for filing shall be subject to a determination of completeness...the responsible official is not required to review an application unless it is complete..."</p>		
<p>For Renewals, staff <i>may</i> accept a written statement that no changes have been made if original copies are available on file</p>		

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

To: City of San Marcos
Planning and Development Services
630 East Hopkins
San Marcos, TX 78666

Re: Vantage at San Marcos – Alternative Compliance Request
- **CD-2.5 – Division 4 – Section 7.1.4.1**

Dear City of San Marcos,

We are requesting Alternative Compliance to the above mentioned section of the Development Code as it relates to the design of the single family homes and design elements related around a front porch, ornamental fixtures and garage widths and location relative to the homes proposed.

The current design regulations require a garage to be located behind the front façade of a house excluding any front porch proposed on a home within the district. We would like to propose placing the garage along the front façade while accommodating a front porch design as an element of the house, however limit the ability of any garage within the subdivision sticking out any further than 6' of the house to prevent "snout" houses and long runs along exterior walls.

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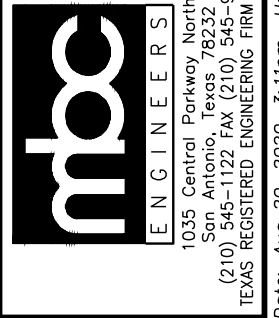
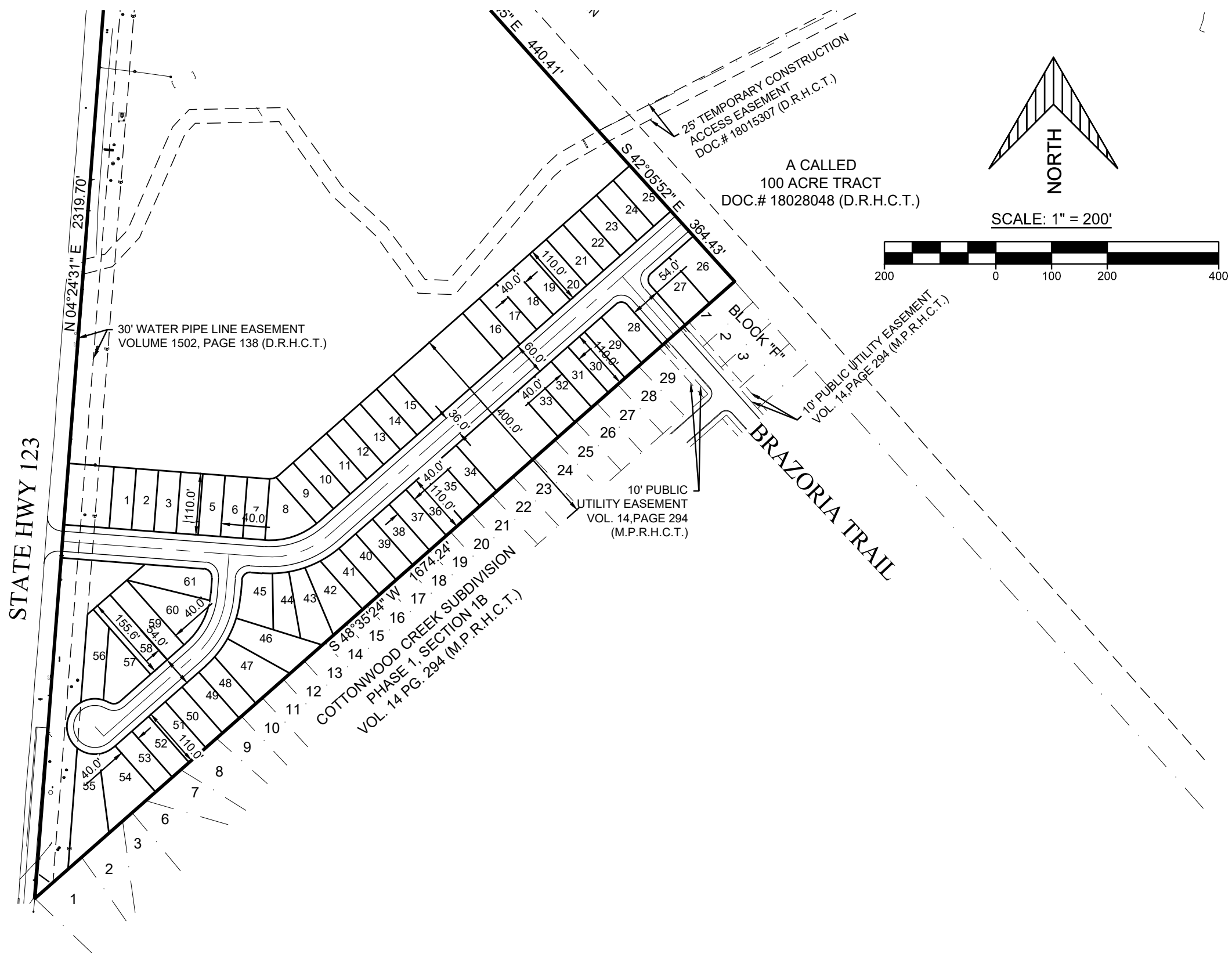
We respectfully request that alternative compliance to our project per the lot dimensions associated with the attached plan be granted in order for the project to move forward per the remaining zoning standards

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Sincerely,

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Vantage at San Marcos, LLC
Attn: Christopher Weigand, P.E.
7334 Blanco Road, Suite 200
San Antonio, TX 78216



1035 Central Parkway North
 San Antonio, Texas 78232
 (210) 545-1122 FAX (210) 545-9302
 TEXAS REGISTERED ENGINEERING FIRM F-784

Date: Aug 20, 2020, 3:11pm User ID: rcharles Layout: Layout1
 File: P:\Hays\ -32486- Vantage at San Marcos\Design\Exhibit\Ex08-site plan-32486.dwg Layout name: Layout1

VANTAGE AT SAN MARCOS
 SAN MARCOS, TEXAS
 40'X110' LOT LAYOUT EXHIBIT

DESIGN	GM
DRAWN	
CHECKED	
DATE	03/17/20
JOB NO.	32486-HAYS
SHT.	1 of 2

Applicant Example Renderings

