



2/12/2024

Ryan Martin
Ledo Capital Group
1179 San Vicente Blvd., Suite 100
Los Angeles, CA 90049

RE: Whisper South Industrial, Electrical Infrastructure Overhead Extension Request

Mr. Martin:

Your request to vary from City code to allow for the overhead extension of Electrical infrastructure on Aiken Drive within the Whisper South Development, as shown in the attached exhibit, is **denied**. The action is based on the following code sections:

San Marcos Development Code Section 3.5.2.4 Electric:

- A. The installation of new electrical distribution infrastructure shall be installed underground in accordance with Chapter 86 of the City Code of Ordinances.**

City Code of Ordinances, Chapter 86, Article 4, Division 4, Section 86.188 – Standards for development:

- (a) Any new development in the City Limits shall have underground electric utilities.**

Per [Section 2.2.4.3.A](#) of the San Marcos Development Code: *“Where a development application does not include a provision for appeal, or where City Council is not the final appeal body an applicant may appeal to City Council. Any final appeal to City Council made under this Section 2.2.4.3 must be filed no later than the 15th day after the day the decision being appealed is made. City Council will make a decision on such an appeal on or before the 60th day after the day on which the appeal is filed. No hearing shall be required for this appeal.”*

Should you choose to appeal this decision, the Appeal Application Form, attached, is required to be submitted via My Government Online (www.mygovernmentonline.org) no later than **February 27, 2024**.

Sincerely,

Richard P. Reynosa, P.E., CFM
Assistant Director of Engineering
512.393.8235
rreynosa@sanmarcostx.gov

APPEAL APPLICATION FORM

Updated: March, 2023

Associated Case # _____ - _____ - _____



CONTACT INFORMATION

Appellate Name		Appellate Mailing Address	
Company		Company	
Appellate Phone #		Appellate Email	

ORIGINAL APPLICATION INFORMATION

Subject Property Address: _____

Original Application Type: _____

REASON FOR APPEAL

I am: The applicant Owner of Property within the Notification Area

Briefly describe the reason for appeal (attach additional pages if needed):

AUTHORIZATION

By submitting this digital application, 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.

Appeal, if property is located within 400ft of the subject property:

Filing Fee \$150

Technology Fee \$15

TOTAL COST \$165

All other appeals:

Filing Fee \$750

Technology Fee \$15

TOTAL COST \$765

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

Submit Appeal Application to: planninginfo@sanmarcostx.gov

City of San Marcos

Attn: Richard Reynosa

February 08, 2024

Re: Aboveground electrical infrastructure on Whisper Suth PID Road (Aiken Drive)

Please let this letter serve as formal notice that we are requesting City Council opine on our requested variance to allow us to install overhead electrical infrastructure on the collector roadways, within the Whisper South development.

As discussed, multiple times with City of San Marcos development and engineering staff, we are requesting this variance due to:

- Overhead electrical infrastructure is already present within the development, on Interstate 35, Harris Hill Road, as well as in the interior of the property.
- The subject property is composed of significant floodplain and electrical improvements are best protected, in the long term, being above flood-prone areas vs under.
- The subject property, in addition to single and three phase aboveground electrical infrastructure, also has above ground LCRA high distribution transmission infrastructure. These high distribution transmission lines are far more unsightly than single or three phase.
- A significant portion of the property is to be developed as industrial and/or general commercial, along the collector roadways. These developments require heavy electrical load and to the extent additional wire is required to deliver additional electrical load, it is far easier and economical to adjust overhead versus underground.

This request is brought forth based on the belief that it provides more optionality into the future (depending on future electrical load requirements), will not be unsightly or decrease project quality (given it is common practice in the central Texas region to install overhead on collector roadways), and because aboveground electrical infrastructure is already present on the site.

For these reasons, we are requesting City Council's support via variance approval.

Included in this letter is a layout showing the proposed locations of overhead electrical infrastructure – all other streets within the development will require underground infrastructure.

Thank you for your consideration,

Ryan Martin

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Ledo Capital Group

1179 San Vicente Blvd, Suite 100, Los Angeles, CA 90049



Harris Hill
Commercial

Harris Hill
Residential

Harris Hill Road

Harris Hill Road



-  Aiken Drive PID Improvements
-  Existing PID Improvements
-  Loop 110

SCALE: 1" = 300'

Date: May 09, 2020, 7:07am User: ID: Demian
File: P:\119\01\02\Design-File\Civil\Xref\MF1190102.dwg

