

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



Updated: March, 2023

CONTACT INFORMATION

Applicant's Name	Shannon Mattingly	Property Owner	See attached.
Company	Drenner Group	Company	See attached.
Applicant's Mailing Address	2705 Bee Cave Road, Ste. 100 Austin, Texas 78746	Owner's Mailing Address	See attached.
Applicant's Phone #	830-643-9453	Owner's Phone #	See attached.
Applicant's Email	smattingly@drennergroupp.com	Owner's Email	See attached.

PROPERTY INFORMATION

Subject Property Address(es): 421 Lindsey, 413/419/409 North Street, 420/435 Comacnhe

Legal Description: Lot _____ Block _____ Subdivision _____

Total Acreage: 1.931 Tax ID #: R 34773,141054,133230,32207

Preferred Scenario Designation: high intensity/existir Existing Zoning: MF 12, MF 18, MF24

Existing Land Use(s): multi

DESCRIPTION OF REQUEST

Proposed Zoning District(s): CD-5D

Proposed Land Uses / Reason for Change: Multi-family and student housing

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.

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

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

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: 08/04/2023

Print Name: Shannon Mattingly

PROPERTY OWNER AUTHORIZATION

I, Peggy Taylor (owner name) on behalf of _____ (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at 421/419 North St, San Marcos TX (address).

I hereby authorize Shannon Mattingly (agent name) on behalf of Drenner Group (agent company) to file this application for zoning, cwp, psa and alternative compliance (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: Peggy Taylor Date: 7-17-23

Printed Name, Title: Peggy Taylor

Signature of Agent: Shannon Mattingly Date: 7-17-23

Printed Name, Title: Shannon Mattingly, Director

Form Updated October, 2019

PROPERTY OWNER AUTHORIZATION

I, MATTHEW KENYON (owner name) on behalf of
420 NORTH STREET, LLC (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
420 North Street, San Marcos, TX (address).

I hereby authorize Shannon Mattingly (agent name) on behalf of
Drenner Group (agent company) to file this application for
Zoning, CUP, PSD and alternative compliance (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: [Signature] Date: 7/17/23

Printed Name, Title: MATTHEW KENYON, Managing Partner

Signature of Agent: [Signature] Date: 7/17/23

Printed Name, Title: Shannon Mattingly, Director

Form Updated October, 2019

PROPERTY OWNER AUTHORIZATION

I, Daryl Burtschell (owner name) on behalf of _____

(company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
409 North Street, San Marcos, TX 78666 (address).

I hereby authorize Shannon Mattingly (agent name) on behalf of
Drenner Group (agent company) to file this application for
Zoning, CUP, PSA, and Alternative Compliance (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 7/17/23

Printed Name, Title: Daryl Burtschell

Signature of Agent:  Date: 7/17/23

Printed Name, Title: Shannon Mattingly

Form Updated October, 2019

DRENNER GROUP

Shannon Mattingly
direct dial: (512) 807-2904
smattingly@drennergroupp.com

September 5, 2023

Amanda Hernandez
Planning Director, City of San Marcos
630 East Hopkins
San Marcos, TX 78666

Via Electronic Delivery

Re: PSA 23-02, ZC 23-19, CUP 23-22, AC 23-09– Preferred Scenario Map Amendment, Rezoning, Conditional Use Permit and Alternative Compliance request applications for the approximately 2.557 acre property located at southeast corner of North and Lindsey Street in the City of San Marcos, Hays County, Texas (the “Property”)

Dear Ms. Hernandez:

As representatives of the owner of the Property, we respectfully submit the enclosed package that includes a Preferred Scenario Map Amendment Application, a Rezoning Application, a Conditional Use Permit Application for purpose-built student housing with a reduction in parking to 0.75 and an Alternative Compliance request to allow up to 7 stories. The Property consists of 2.557 acres and is located adjacent to Texas State University (the “University”) at the southeast corner of North Street and Lindsey Street in the City of San Marcos, Texas.

The purpose of these applications is to change the Preferred Scenario map for the Property from Existing Neighborhood to High Intensity per the currently adopted comprehensive plan or Neighborhood High per the proposed unadopted comprehensive plan. The Property is intended to be redeveloped with a student housing project. The Property is currently zoned multi-family and is surrounded by the University, other multi-family and sorority houses. The Property not adjacent to residential. Currently, 0.626 acres of the Property is zoned CD-5D. We are requesting that the remaining 1.931 acres of property be rezoned to CD-5D to have consistent zoning on all lots to accommodate a student housing project.

We believe that this location is ideal to accommodate the increased student population, and the need for student housing adjacent to the University. Therefore, we are requesting a CUP for purpose-built student housing and a reduction in parking spaces as part of the CUP. We recognize that most students will bring a car to campus, therefore we are proposing a parking

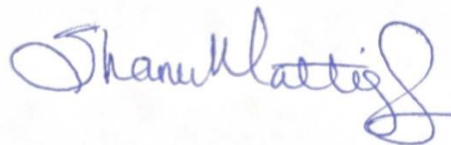
structure to accommodate the vehicles of the students. We commissioned a student housing evaluation to determine the parking utilization rates at comparable student housing properties located within one mile of the site. Our survey covered 10 properties that contained a total of 4,302 beds in 1,730 units. At these 10 properties, there are 3,230 parking spaces available to students. The average number of spaces per bed is 0.75 and the average vacancy rate is 10%, however, the majority of the vacant spaces are at the two most “overparked” projects, Sanctuary Lofts and Vie Lofts. Based on the current occupancy rates, the current ratio of spaces leased per leased bed is 0.69. Our project is proposing a parking ratio of 0.75, which has been determined to be more than we need to accommodate the project as a whole. The City’s recently adopted city-wide booting ordinance will also help to discourage students to park within the neighborhoods and the new proposed transit routes should also help to decrease traffic by allowing students an alternative to driving to get to areas outside of downtown. The adjacency to the University is an ideal location for this product type allowing students to walk across the street and be on campus.

We are also requesting an alternative compliance to increase the height of the project from 5 to 7 stories. This project is outside of the downtown area immediately adjacent to the University. We have provided a 3D rendering to show the height of the building as it related to surrounding properties. In order to serve the needs of the University student population given the limited number of sites that exist that are across from the University and not adjacent to single family, an increase in height is necessary to get the density to make the project beneficial for all.

This project is ideal, due to its location adjacent to campus, its proximity to services within the downtown area that are walkable. It will include an improved pedestrian experience with a well-connected network of streets to accommodate the increased walkability of students without the need to drive to class or to access their cars for work or to shop or access other services.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,



Shannon Mattingly

DESCRIPTION

DESCRIPTION OF A 1.139 ACRE TRACT OF LAND BEING ALL OF LOT 9-A BLOCK 14 OF THE LINDSEY AND HARVEY ADDITION AS RECORDED IN BOOK 17 PAGE 221 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS AND BEING FURTHER DESCRIBED IN A GENERAL WARRANTY DEED WITH A VENDOR'S LIEN TO BRETT S. TAYLOR AND WIFE PEGGY J. TAYLOR AS RECORDED IN VOLUME 2180 PAGE 708 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, BEING ALL OF LOT 4A BLOCK 14 AS SHOWN ON THE AMENDED PLAT OF LOTS 3,4,5,10, & 11 BLOCK 14 OF THE LINDSEY AND HARVEY ADDITION AS RECORDED IN VOLUME 15 PAGE 308 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED IN A WARRANTY DEED WITH A VENDOR'S LIEN TO DARYL BURTTSCHELL AND WIFE HEATHER BURTTSCHELL AS RECORDED IN VOLUME 3550 PAGE 883 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING ALL OF A CALL 0.3141 ACRE TRACT AS DESCRIBED IN A WARRANTY DEED WITH A VENDOR'S LIEN TO BRETT S. TAYLOR AND WIFE PEGGY J. TAYLOR AS RECORDED IN VOLUME 1891 AND 294 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAID 1.139 ACRE TRACT BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS AND DISTANCES BEING GRID BASED ON NAD83/2018 ADJUSTMENT TEXAS SOUTH CENTRAL ZONE 4204:

BEGINNING at a 1" iron pipe found at the southwest corner of the intersection of North Street (variable width right of way) with Lindsey Street (variable width right of way) and being the northeast corner of said Lot 9-A Lindsey and Harvey Addition;

THENCE departing the south right of way line of Lindsey Street and with the west right of way line of North Street being common with the east line of said Lot 9-A **S 08°43'23" E** for a distance of **136.02** feet to a ½" iron rod with cap stamped "Cardinal Surveying" set monumenting the southeast of said Lot 9-A and the northeast corner of Lot 4A Block 14

THENCE continuing with the said west right of way of North Street being common with the east line of said Lot 4A Block 14 **S 08°42'08" E** for a distance of **80.73** feet to a ½" iron rod with cap stamped "Cardinal Surveying" set monumenting the southeast corner of said Lot 4A Block 14 and the northeast corner of Lot 3A Block 14 as described in a Warranty Deed to the Delta Zeta Housing Corporation as recorded in Volume 1321 Page 56 of the Official Public Records of Hays County, Texas;

THENCE departing the said west right of way line of North Street with the south lines of Lot 4A Block 14 being common with the north lines of said Lot 3A Block 14 the following two (2) courses and distances;

1. **S 81°19'27" W** for a distance of **88.34** feet to an iron rod with cap found at the base of a stone wall,

2. **S 71°21'03" W** for a distance of **101.00** feet to an iron rod with cap found at the base of a stone wall, monumenting the northwest corner of Lot 3A and the southwest corner of Lot 4A, said iron rod with cap being in the east line of Lot 8 Block 14 as described in a General

Warranty Deed to 427 Lindsey Street Partnership LTD as recorded in Volume 1724 Page 523 of the Official Public Records of Hays county, Texas,

THENCE departing the said north line of Lot 3A with a line common to the east line of Lot 8 Block 14 **N 44°08'09" W** for a distance of **58.38** feet a ½" iron rod found monumenting the southwest corner of the said 0.3141 acre tract being part of Lots 10 and 11 Block 14 of the Lindsey and Harvey Addition as recorded in Book E Page 416 of the Deed Records of Hays County, Texas, and being the northwest corner of Lot 4A Block 14;

THENCE continuing with the said east line of Lot 8 Block 14 being common with the west line of the said 0.3141 acre tract **N 46°26'03" W** for a distance of **105.12** feet to a ½" inch iron rod found in the south right of way line of Lindsey Street monumenting the northeast corner of Lot 8 Block 14 and the northwest corner of the said 0.3141 acre tract

THENCE with the south right of way line of Lindsey Street being common with the north line of the 0.3141 acre tract **N 44°03'29" E** for a distance of **140.56** feet to a ½" iron rod with cap stamped "Cardinal Surveying" set monumenting the northeast corner of the 0.3141 acre tract and the northwest corner of said Lot 9-A;

THENCE continuing with the said south right of way line of Lindsey Street being common with the north line of Lot 9-A **N 75°15'52" E** for a distance of **175.02** feet to the **POINT OF BEGINNING** of the herein described tract and containing 1.139 acres of land more or less.



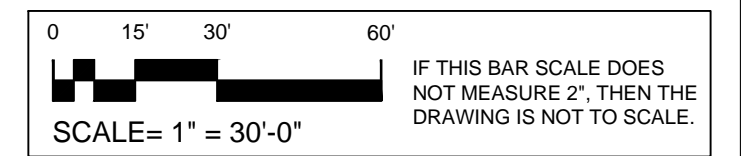
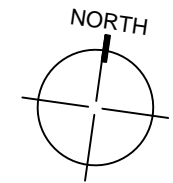
David Paul Carr
August 13, 2023



MCLAIN TRACT
SAN MARCOS, TX

ARCHITECTURE • LAND PLANNING • LANDSCAPE DESIGN • CONSTRUCTION ADMINISTRATION
KELLY GROSSMAN
ARCHITECTS, L.L.C.
280 ADDIE ROY ROAD, SUITE 210, AUSTIN, TEXAS 78746 PH: +1.512.227.3397

SITE PLAN- FLOOR 1



7 STORY									
BLDG #	FLOOR	TYPE	A1	B1	B2	D1	TOTAL	# of BEDS	
1	LL1	IA	0	1	1	1	3	8	
1	1	IIIA	2	3	3	5	13	34	
1	2	IIIA	2	4	3	5	14	36	
1	3	IIIA	2	4	3	5	14	36	
1	4	IIIA	2	4	3	5	14	36	
1	5	IIIA	2	4	3	5	14	36	
1	6	IIIA	2	4	3	5	14	36	
1	7	IIIA	2	2	2	4	10	26	
2	LL1	IA	0	4	0	2	6	16	
2	1	IIIA	0	7	0	4	11	30	
2	2	IIIA	0	7	0	4	11	30	
2	3	IIIA	0	7	0	4	11	30	
2	4	IIIA	0	7	0	4	11	30	
2	5	IIIA	0	7	0	4	11	30	
2	6	IIIA	0	7	0	4	11	30	
2	7	IIIA	0	3	0	2	5	14	
3	1	IA	4	10	4	8	26	64	
3	2	IIIA	4	11	4	8	27	66	
3	3	IIIA	4	11	4	8	27	66	
3	5	IIIA	4	11	4	8	27	66	
3	5	IIIA	4	11	4	8	27	66	
3	6	IIIA	4	11	4	8	27	66	
3	7	IIIA	4	11	4	8	27	66	
TOTAL		0	42	151	49	119	361	918	
			11.6%	41.8%	13.6%	33.0%	100.0%		

BLDGS 1&2
458 BEDS

BLDG 3
460 BEDS
188 UNITS

UNIT	TYPE	QTY	SF/UNIT	TOTAL SF
A1	1br	42	600	25,200
B1	2br	151	900	135,900
B2	2br	49	1,000	49,000
D1	4br	119	1,400	166,600
TOTAL		361		210,100
AVERAGE UNIT SF				582

	bldg	2	3
Garage	LL 2	52	98
	LL 1	48	98
	Level 1	52	0
	Level 2	52	0
	Level 3	52	0
	Level 4	52	0
	Level 5	52	0
	Level 6	52	0
	Level 7	52	0
	Level 8	52	0
PARKING PROVIDED		516	196

Overall
712 SPACES
0.78

PARKING PER BED: 1.13 0.43

Hays County
Linda C. Fritsche
County Clerk
San Marcos, Texas 78666



70 2008 80038674

Instrument Number: 2008-80038674

As

Recorded On: December 08, 2008

OPR RECORDINGS

Parties: MUSGRAVE ALVIN W JR

Billable Pages: 3

To BURTTSCHELL DARYL

Number of Pages: 4

Comment:

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

OPR RECORDINGS	24.00
Total Recording:	24.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2008-80038674
Receipt Number: 208202
Recorded Date/Time: December 08, 2008 03:46:54P
Book-Vol/Pg: BK-OPR VL-3550 PG-883
User / Station: L Curry - Cashiering #3

Record and Return To:

INDEPENDENCE TITLE
SAN MARCOS
SAN MARCOS TX 7866



State of Texas |
County of Hays

I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

Linda C. Fritsche
Linda C. Fritsche, County Clerk

ITC/DOE/0816238-SMA

Bk Vol Pg
20038674 OPR 3550 884

12-8-08 (3)
24.00

After Recording Return To:
Independence Title Company

Warranty Deed with Vendor's Lien

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.

Date: December 6, 2008

Grantor: ALVIN W. MUSGRAVE, JR., owning, occupying and otherwise claiming other property as homestead

Grantor's Mailing Address: 18540 Castle Hill Drive
Morgan Hill, CA 95037

Grantee: DARYL BURTTSCHELL and HEATHER BURTTSCHELL, husband and wife

Grantee's Mailing Address: 2301 Willow Arbor
San Marcos, TX 78666

Consideration: Cash and a note of even date executed by Grantee and payable to the order of PROSPERITY BANK-35 in the principal amount of One Hundred Thirty One Thousand Two Hundred Fifty and 00/100 Dollars (\$131,250.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of PROSPERITY BANK-35 and by a first-lien deed of trust of even date from Grantee to DAVID ZALMAN, Trustee.

PROSPERITY BANK-35, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of PROSPERITY BANK-35 and are transferred to PROSPERITY BANK-35 without recourse against Grantor.

Property (including any improvements):

Being part of Lots 3, 4, 5, 9, 10 and 11, Block 14, LINDSEY AND HARVEY ADDITION, a subdivision in Hays County, Texas, according to the map or plat thereof, recorded in Volume E, Page 416, corrected in Volume Z, Page 29, Deed Records, Hays County, Texas. Said tract of land being more particularly described by metes and bounds description shown in EXHIBIT "A" attached hereto and incorporated hereby for all purposes.

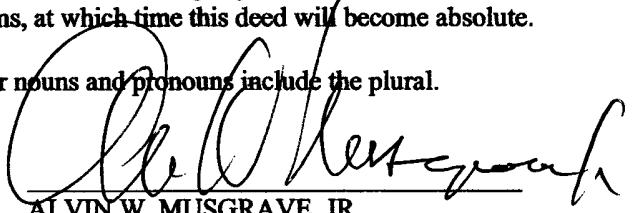
Reservations from Conveyance: None.

Exceptions to Conveyance and Warranty: Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; and taxes for 2009, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

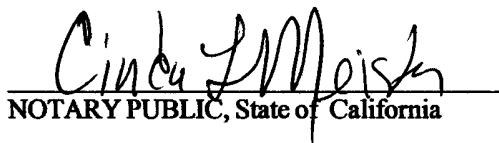
When the context requires, singular nouns and pronouns include the plural.



ALVIN W. MUSGRAVE, JR.

STATE OF CALIFORNIA §
 §
COUNTY OF Santa Clara §

This instrument was acknowledged before me on the 6 day of December, 2008, by ALVIN W. MUSGRAVE, JR.


NOTARY PUBLIC, State of California

"EXHIBIT A"

FIELD NOTES DESCRIBING A PORTION OF LOTS 3, 4, 5, 9, 10, AND 11, BLOCK 14, LINDSEY AND HARVEY ADDITION A SUBDIVISION IN SAN MARCOS, TEXAS, IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORDED IN VOLUME E, PAGE 416, AND CORRECTED IN VOLUME Z, PAGE 29, DEED RECORDS OF SAID COUNTY AND BEING THAT PROPERTY DESCRIBED IN VOLUME 986, PAGE 897, OFFICIAL PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron pipe found at the intersection of the south r.o.w. line of Lindsey Street and the west r.o.w. line of North Street same being the northeast corner of the Taylor Tract described in Volume 2180, Page 708, Official Public Records of said county;

THENCE along the west r.o.w. line of North Street and the east line of the Taylor Tract, South 08°00'00" East, 136.03 feet to a p.k. nail set in the south edge of a concrete wall for the northeast corner hereof and the POINT-OF-BEGINNING of this description;

THENCE continuing along the west r.o.w. line of North Street, South 08°00'00" East 80.70 feet to a ½ inch iron rod found at the northeast corner of Lot 3A, Block 14, of the Resubdivision of Lots 3 and 4, Block 14, of the Lindsey and Harvey Addition said Lot 3A, recorded in Volume 4, Page 140, Plat Records of said county for the southeast corner hereof;

THENCE along the north line of Lot 3A, and the south line of the herein described tract South 82°00'00" West, 88.40 feet to a cap iron rod set for an angle point hereof;

THENCE continuing along the north line of said Lot 3A, the south line of the herein described tract South 72°11'33" West, 101.00 feet to a cap iron rod found at the northwest corner of said Lot 3A, same being the common corners of Lindsey Street Partnership recorded in Volume 2016, Page 710, and also the Lindsey Street Partnership Tract recorded in Volume 1724, Page 523, for the Official Records of said county for the southwest corner hereof;

THENCE along the easterly line of the Lindsey Street Partnership Tract, North 43°33'49" West, 58.33 feet to a ½ inch iron rod found in the southwest corner of the Taylor Tract recorded in Volume 1891, Page 294, for the northwest corner hereof;



THENCE along the south line of the Taylor Tract, North 58°54'13" East, 91.17 feet to a ½ inch iron rod found for the southeast corner of the Taylor Tract for an angle point hereof;

THENCE along the south line of the Taylor Tract described in Volume 2180, Page 708, and the north line of the herein described tract, North 75°55'19" East, 138.77 feet to the PLACE OF BEGINNING.

Bearing Basis iron pipe found at the northeast corner of the Taylor Tract recorded in Volume 2180, Page 708, and the southeast corner of the Alvin W. Junior Musgrave Tract recorded in Volume 986, Page 897, same being the southeast corner of the herein described tract (South 08°00'00", East) distance of 216.73.

FIELD NOTES ONLY TO BE USED WITH THE ATTACHED PLAT.

R1201308
12/03/08



Student Housing Parking Utilization Study

Prepared for

Mr. Matt Kenyon
Kenyon Companies
4826 East Cesar Chavez
Austin, Texas 78702

By

Capitol Market Research, Inc.
1102 West Avenue, Suite 100
Austin, Texas 78701

On

July 17, 2023



Real Estate Research, Land Development Economics & Market Analysis

July 17, 2023

Mr. Matt Kenyon
Kenyon Companies
4826 E Cesar Chavez
Austin, TX 78702

Re: San Marcos Student Housing Market Research and Parking Utilization Study

Dear Mr. Kenyon:

As you requested, we have just completed a student housing evaluation to determine the parking utilization rates at comparable student properties located within one mile of the site where you would like to build, at 420 North Street, in downtown San Marcos, Texas. Our survey covered 10 properties that contain a total of 4,301 beds in 1,730 units. At these 10 properties, there are 3,230 parking spaces available for students to lease (Table 1). The average number of spaces per bed is 0.75 and the average vacancy rate is 10%, but a majority of the vacant spaces are at the two most “overparked” projects, Sanctuary Lofts and Vie Lofts (Table 2). Based on the current occupancy rates, the current ratio of spaces leased per leased bed is 0.69 (Table 3).

Based on this analysis, Capitol Market Research suggests a parking ratio of 0.70 spaces per bed at the subject property. After you have reviewed the report and our recommendation, we invite you to call with any questions or comments that you may have.

Respectfully submitted,

CAPITOL MARKET RESEARCH

Charles H. Heimsath
President

CHH/cad

Capitol Market Research, Inc.
1102 West Avenue, Suite 100
Austin, Texas 78701
Phone: (512) 476-5000
cheimsath@cmraustin.com

Table (1)
Garage Parking Analysis
 San Marcos Student Housing

Map No.	Project	YOC	Total Units	No. Beds	Parking Cost per month	Total Spaces	Vacant Spaces
Built 2006 +							
1	Aspire San Marcos	2020	225	755	\$100	514	0
2	Cheatham Street Flats	2020	143	234	\$85	162	0
3	Pointe San Marcos	2017	109	345	\$35 S / \$65 R	265	0
4	Sanctuary Lofts	2006	202	481	\$30	548	234
5	The Local	2017	96	304	\$64.95	200	0
6	The Lyndon	2019	233	515	\$60 un /\$85 Covered	314	32
7	The Parlor	2021	261	452	\$75 S / \$90 R	350	0
8	The View on the Square	2021	120	386	\$90 un /\$120 Covered	249	6
9	Vie Lofts at San Marcos	2016	86	230	\$30 S / \$40 R	228	50
10	Vistas San Marcos	2013	255	599	\$50	400	10
Total			1,730	4,301		3,230	

Source: Capitol Market Research, telephone survey of each property, July 2023

* S = Standard

* R = Reserved

Table (2)

Resident Parking Information
Number of Beds and Parking Spaces

Map No.	Project	YOC	Total Units	No. Beds	Total Spaces	Spaces Per Bed	Vacant Spaces	Vacancy Rate
<i>Built 2010 +</i>								
1	Aspire San Marcos	2020	225	755	514	0.68	0	0.0%
2	Cheatham Street Flats	2020	143	234	162	0.69	0	0.0%
3	Pointe San Marcos	2017	109	345	265	0.77	0	0.0%
4	Sanctuary Lofts	2006	202	481	548	1.14	234	42.7%
5	The Local	2017	96	304	200	0.66	0	0.0%
6	The Lyndon*	2019	233	515	314	0.61	32	10.2%
7	The Parlor	2021	261	452	350	0.77	0	0.0%
8	The View on the Square	2021	120	386	249	0.65	6	2.4%
9	Vie Lofts at San Marcos	2016	86	230	228	0.99	50	21.9%
10	Vistas San Marcos	2013	255	599	400	0.67	0	0.0%
Total			1,730	4,301	3,230	0.75	322	10.0%

Source: Capitol Market Research, apartment community survey July 2023

parking_sm.xlsx

The properties selected were recently completed (2006+) and had a parking garage

With the exception of The Lyndon, all are located within one mile from 420 North Street.

Table (3)

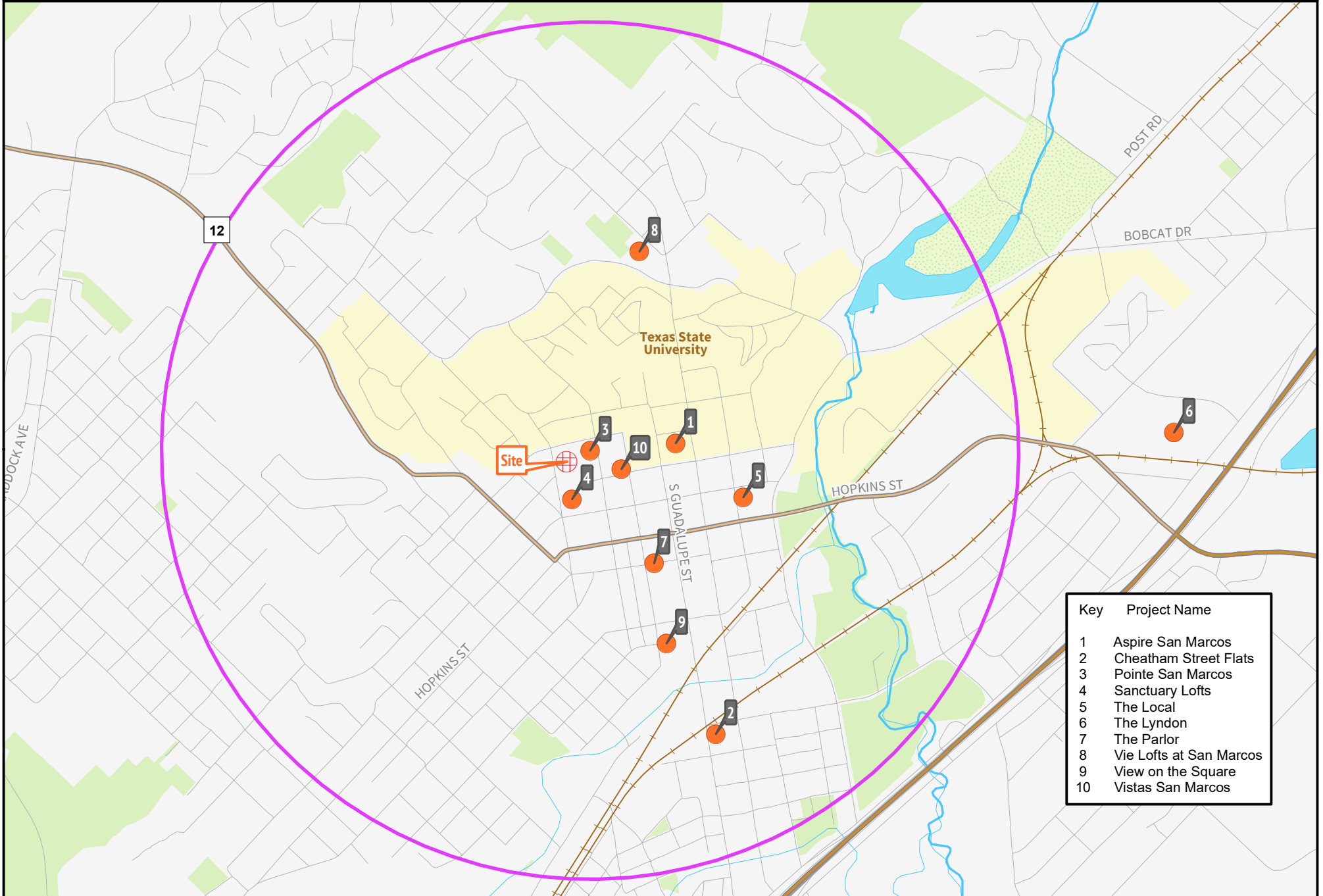
Resident Parking Information
Parking Ratios Based on Occupied Beds

Map No.	Project	YOC	Total Units	Total Number of Beds	Beds Leased	Total Spaces	Spaces Leased	Ratio of Spaces Leased Per Leased Bed
<i>Built 2010 +</i>								
1	Aspire San Marcos	2020	225	755	755	514	514	0.68
2	Cheatham Street Flats	2020	143	234	234	162	162	0.69
3	Pointe San Marcos	2017	109	345	345	265	265	0.77
4	Sanctuary Lofts	2006	202	481	460	548	314	0.68
5	The Local	2017	96	304	304	200	200	0.66
6	The Lyndon*	2019	233	515	506	314	309	0.61
7	The Parlor	2021	261	452	452	350	350	0.77
8	The View on the Square	2021	120	386	364	249	243	0.67
9	Vie Lofts at San Marcos	2016	86	230	230	228	178	0.77
10	Vistas San Marcos	2013	255	599	593	400	400	0.67
Total			1,730	4,301	4,243	3,230	2,935	0.69

Source: Capitol Market Research, apartment community survey July 2023

The properties selected were recently completed (2006+) and had a parking garage

With the exception of The Lyndon, all are located within one mile from 420 North Street.



**Zoning Map Exhibit and Parcel Information
McLain Multifamily**



Tract	Parcel Number	Property Owner	Mailing Address	Phone #	Email Address	Address	Lot	Block	Subdivisions	Acreage	Preferred Scenario Designation	Existing Zoning	Proposed Zoning
A	R34773	Peggy and Brett Taylor	PO Box 40 Martindale, TX 78655-0040	N/A	N/A	421 Lindsey Street	Part of 10-11	14	Lindsey and Harvey Addition	0.301	Existing Neighborhood	MF-24	CD-5D
B	R141054	Peggy and Brett Taylor	PO Box 40 Martindale, TX 78655-0040	N/A	N/A	413 & 419 North Street	9-A	14	Lindsey and Harvey Addition	0.49	Existing Neighborhood	MF-18	CD-5D
C	R133230	Daryl Burttschell	2301 Willow Arbor San Marcos, TX 78666	N/A	N/A	499 North Street	4A	14	Lindsey and Harvey Addition	0.339	Existing Neighborhood	MF-12	CD-5D
D	R32207	Matt Kenyon	4284 E. Cesar Chavez St Austin, TX 78702	N/A	matt@kenyonco	420 North Street	17A		DP Hopkins	0.3639	High Intensity	MF-24	CD-5D
E	R53147	Matt Kenyon	4284 E. Cesar Chavez St Austin, TX 78702	N/A	matt@kenyonco	435 N. Comanche St	9-23; Lot N 1/	2	PC Woods Addition	0.473	High Intensity	MF-24	CD-5D

Tracts A-C

DESCRIPTION

DESCRIPTION OF A 1.139 ACRE TRACT OF LAND BEING ALL OF LOT 9-A BLOCK 14 OF THE LINDSEY AND HARVEY ADDITION AS RECORDED IN BOOK 17 PAGE 221 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS AND BEING FURTHER DESCRIBED IN A GENERAL WARRANTY DEED WITH A VENDOR'S LIEN TO BRETT S. TAYLOR AND WIFE PEGGY J. TAYLOR AS RECORDED IN VOLUME 2180 PAGE 708 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, BEING ALL OF LOT 4A BLOCK 14 AS SHOWN ON THE AMENDED PLAT OF LOTS 3,4,5,10, & 11 BLOCK 14 OF THE LINDSEY AND HARVEY ADDITION AS RECORDED IN VOLUME 15 PAGE 308 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED IN A WARRANTY DEED WITH A VENDOR'S LIEN TO DARYL BURTTSCHELL AND WIFE HEATHER BURTTSCHELL AS RECORDED IN VOLUME 3550 PAGE 883 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING ALL OF A CALL 0.3141 ACRE TRACT AS DESCRIBED IN A WARRANTY DEED WITH A VENDOR'S LIEN TO BRETT S. TAYLOR AND WIFE PEGGY J. TAYLOR AS RECORDED IN VOLUME 1891 AND 294 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAID 1.139 ACRE TRACT BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS AND DISTANCES BEING GRID BASED ON NAD83/2018 ADJUSTMENT TEXAS SOUTH CENTRAL ZONE 4204:

BEGINNING at a 1" iron pipe found at the southwest corner of the intersection of North Street (variable width right of way) with Lindsey Street (variable width right of way) and being the northeast corner of said Lot 9-A Lindsey and Harvey Addition;

THENCE departing the south right of way line of Lindsey Street and with the west right of way line of North Street being common with the east line of said Lot 9-A **S 08°43'23" E** for a distance of **136.02** feet to a ½" iron rod with cap stamped "Cardinal Surveying" set monumenting the southeast of said Lot 9-A and the northeast corner of Lot 4A Block 14

THENCE continuing with the said west right of way of North Street being common with the east line of said Lot 4A Block 14 **S 08°42'08" E** for a distance of **80.73** feet to a ½" iron rod with cap stamped "Cardinal Surveying" set monumenting the southeast corner of said Lot 4A Block 14 and the northeast corner of Lot 3A Block 14 as described in a Warranty Deed to the Delta Zeta Housing Corporation as recorded in Volume 1321 Page 56 of the Official Public Records of Hays County, Texas;

THENCE departing the said west right of way line of North Street with the south lines of Lot 4A Block 14 being common with the north lines of said Lot 3A Block 14 the following two (2) courses and distances;

1. **S 81°19'27" W** for a distance of **88.34** feet to an iron rod with cap found at the base of a stone wall,

2. **S 71°21'03" W** for a distance of **101.00** feet to an iron rod with cap found at the base of a stone wall, monumenting the northwest corner of Lot 3A and the southwest corner of Lot 4A, said iron rod with cap being in the east line of Lot 8 Block 14 as described in a General

Warranty Deed to 427 Lindsey Street Partnership LTD as recorded in Volume 1724 Page 523 of the Official Public Records of Hays county, Texas,

THENCE departing the said north line of Lot 3A with a line common to the east line of Lot 8 Block 14 **N 44°08'09" W** for a distance of **58.38** feet a ½" iron rod found monumenting the southwest corner of the said 0.3141 acre tract being part of Lots 10 and 11 Block 14 of the Lindsey and Harvey Addition as recorded in Book E Page 416 of the Deed Records of Hays County, Texas, and being the northwest corner of Lot 4A Block 14;

THENCE continuing with the said east line of Lot 8 Block 14 being common with the west line of the said 0.3141 acre tract **N 46°26'03" W** for a distance of **105.12** feet to a ½" inch iron rod found in the south right of way line of Lindsey Street monumenting the northeast corner of Lot 8 Block 14 and the northwest corner of the said 0.3141 acre tract

THENCE with the south right of way line of Lindsey Street being common with the north line of the 0.3141 acre tract **N 44°03'29" E** for a distance of **140.56** feet to a ½" iron rod with cap stamped "Cardinal Surveying" set monumenting the northeast corner of the 0.3141 acre tract and the northwest corner of said Lot 9-A;

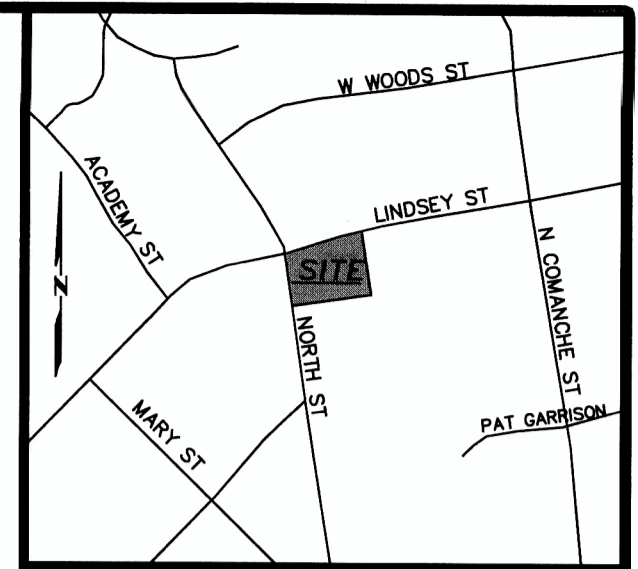
THENCE continuing with the said south right of way line of Lindsey Street being common with the north line of Lot 9-A **N 75°15'52" E** for a distance of **175.02** feet to the **POINT OF BEGINNING** of the herein described tract and containing 1.139 acres of land more or less.



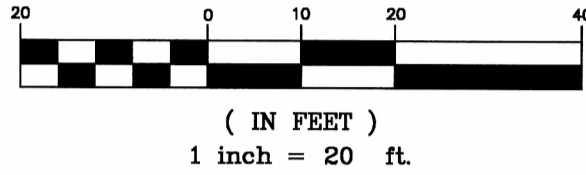
David Paul Carr
August 13, 2023

Tract D

PROPERTY ADDRESS:
420 NORTH STREET
SAN MARCOS, TEXAS 78666

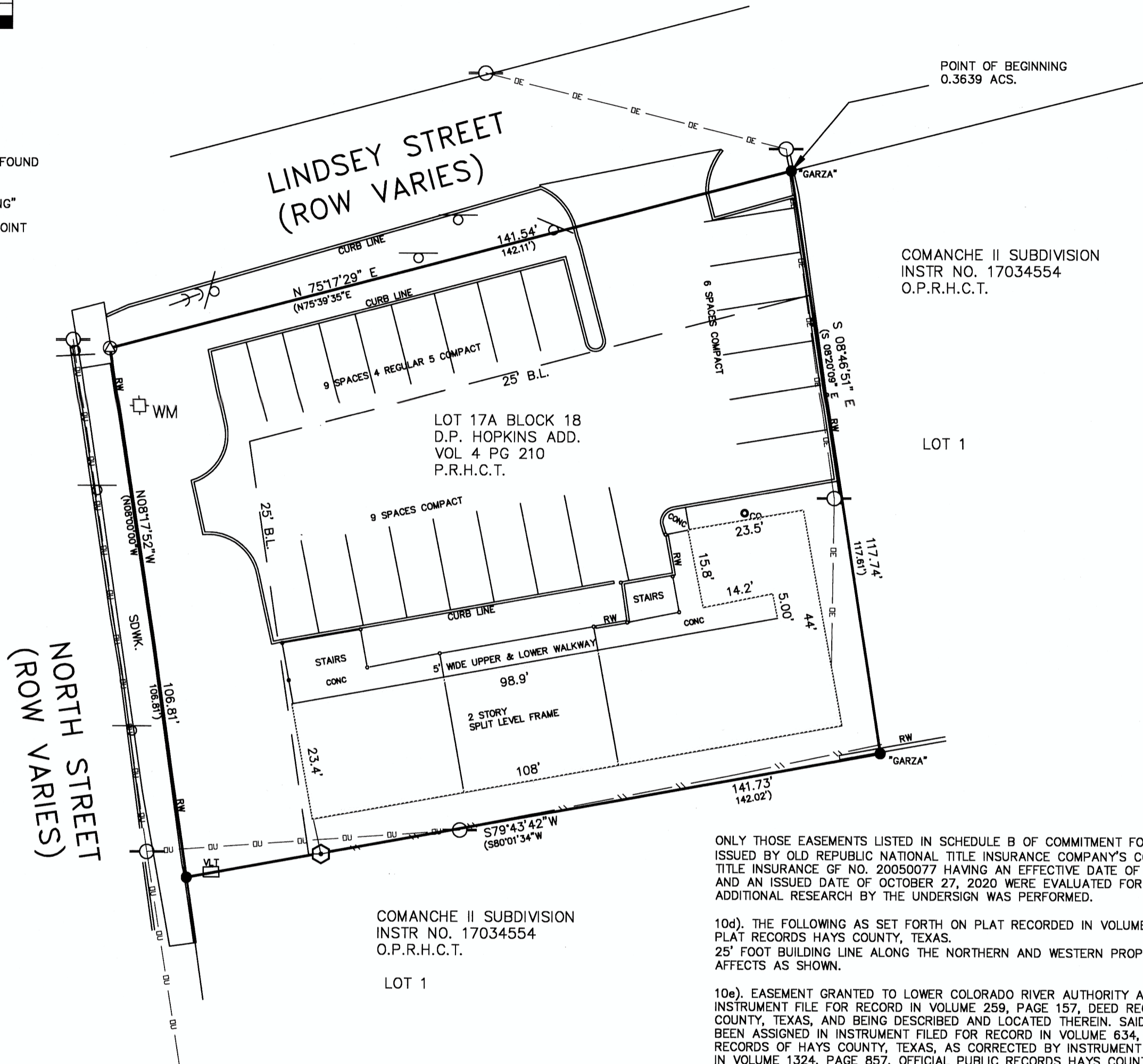


GRAPHIC SCALE



LEGEND

- IRON ROD FOUND
- IRON ROD W/ CAP "GARZA" FOUND
- ⊙ P.K. NAIL SET WITH SHINER MARKED "CARDINAL SURVEYING"
- △ PRIMARY SURVEY CONTROL POINT
- CLEAN OUT
- ⊕ WM WATER METER
- TELEPHONE MARKER
- PP POWER POLE
- DOWN GUY
- WOOD PICKET FENCE
- SIGN
- CONC. CONCRETE
- SDWK. SIDEWALK
- RW RETAINING WALL
- VLT TELEPHONE VAULT
- POST
- () PLAT CALLS
- B.L. 25' BUILDING LINE
- P.R.H.C.T. PLAT RECORDS HAYS COUNTY, TEXAS
- O.P.R.H.C.T. OFFICIAL PUBLIC RECORDS HAYS COUNTY, TEXAS



DESCRIPTION

DESCRIPTION OF A 0.3639 (15,852 SQUARE FEET) TRACT OF LAND IN THE J.M. VERAMENDI SURVEY ABSTRACT 17 HAYS COUNTY, TEXAS, BEING LOT 17A BLOCK 18 OF THE D.P. HOPKINS ADDITION A SUBDIVISION OF RECORD IN VOLUME 4, PAGE 210, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS, BEING THE SAME TRACT AS DESCRIBED IN A DEED FROM FRANCIS AND LINDA HORNE TO COMANCHE STREET PARTNERS AS RECORDED IN VOLUME 408, PAGE 231, OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, SAID 0.3639 (15,852 SQUARE FEET) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS BEING GRID BASED ON THE TEXAS PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE 4204:

BEGINNING at an iron rod with aluminum cap stamped "GARZA" found in the top of a concrete retaining wall in the south margin of Lindsey Street having a variable width right of way, also being in a west line of Lot 1 of the COMANCHE II subdivision as recorded under Instrument Number 17034554 of the Official Public Records of Hays County, Texas, and monumenting the call northeast corner of Lot 17A Block 18 and of the herein described tract;

THENCE departing the said south margin of Lindsey Street with the said west line of Lot 1 being common with the east line of Lot 17A Block 18 and of the herein described tract S 08°46'51" E for a distance of 117.74 feet to an iron rod with aluminum cap stamped "GARZA" found in a concrete lined drainage ditch and being an "all" corner of Lot 1 of the said COMANCHE II subdivision, said iron rod with aluminum cap monumenting the southeast corner of Lot 17A Block 18 and of the herein described tract;

THENCE with a north line of said Lot 1 being common with the south line of Lot 17A Block 18 and of the herein described tract S 79°43'42" W for a distance of 141.73 feet to a 5/8" inch iron rod found in the top of a concrete retaining wall in the east margin of North Street having a variable width right of way, said 5/8" inch iron rod monumenting the northwest corner of Lot 1 and the southwest corner of Lot 17A Block 18 and of the herein described tract;

THENCE departing the said north line of Lot 1 and with the east margin of North Street being common with the west line of Lot 17A Block 18 and of the herein described tract N 08°17'52" W for a distance of 106.81 feet to a P.K. Nail with shiner stamped "CARDINAL SURVEYING" set in a concrete sidewalk, being in the south margin of Lindsey Street and monumenting the northwest corner of Lot 17A Block 18 and of the herein described tract;

THENCE with the said south margin of Lindsey Street being common with the north line of Lot 17A Block 18 and of the herein described tract N 75° 17' 29" E for a distance of 141.54 feet to the POINT OF BEGINNING of the herein described tract and containing 0.3639 (15,852 square feet) of land more or less.

COMANCHE II SUBDIVISION
INSTR. NO. 17034554
O.P.R.H.C.T.

LOT 1

ONLY THOSE EASEMENTS LISTED IN SCHEDULE B OF COMMITMENT FOR TITLE INSURANCE ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY'S COMMITMENT FOR TITLE INSURANCE GF NO. 20050077 HAVING AN EFFECTIVE DATE OF OCTOBER 19, 2020, AND AN ISSUED DATE OF OCTOBER 27, 2020 WERE EVALUATED FOR THIS SURVEY NO ADDITIONAL RESEARCH BY THE UNDERSIGN WAS PERFORMED.

10d). THE FOLLOWING AS SET FORTH ON PLAT RECORDED IN VOLUME 4, PAGE 210, PLAT RECORDS HAYS COUNTY, TEXAS.
25' FOOT BUILDING LINE ALONG THE NORTHERN AND WESTERN PROPERTY LINE(S). AFFECTS AS SHOWN.

10e). EASEMENT GRANTED TO LOWER COLORADO RIVER AUTHORITY AS SET FORTH IN INSTRUMENT FILE FOR RECORD IN VOLUME 259, PAGE 157, DEED RECORDS OF HAYS COUNTY, TEXAS, AND BEING DESCRIBED AND LOCATED THEREIN. SAID EASEMENT HAVING BEEN ASSIGNED IN INSTRUMENT FILED FOR RECORD IN VOLUME 634, PAGE 818, DEED RECORDS OF HAYS COUNTY, TEXAS, AS CORRECTED BY INSTRUMENT FILED FOR RECORD IN VOLUME 1324, PAGE 857, OFFICIAL PUBLIC RECORDS HAYS COUNTY, TEXAS; AND ADDITIONALLY AFFECTED BY RELEASE OF EASEMENT FILED FOR RECORD UNDER HAYS COUNTY CLERK'S FILE NO. 13025691.
DOESN'T AFFECT.

10f). EASEMENT GRANTED TO LOWER COLORADO RIVER AUTHORITY AS SET FORTH IN INSTRUMENT FILE FOR RECORD IN VOLUME 278, PAGE 789, DEED RECORDS OF HAYS COUNTY, TEXAS, AND BEING DESCRIBED AND LOCATED THEREIN. SAID EASEMENT HAVING BEEN ASSIGNED IN INSTRUMENT FILED FOR RECORD IN VOLUME 634, PAGE 818, DEED RECORDS OF HAYS COUNTY, TEXAS, AS CORRECTED BY INSTRUMENT FILED FOR RECORD IN VOLUME 1324, PAGE 857, OFFICIAL PUBLIC RECORDS HAYS COUNTY, TEXAS; AND ADDITIONALLY AFFECTED BY RELEASE OF EASEMENT FILED FOR RECORD UNDER HAYS COUNTY CLERK'S FILE NO. 13025690.
DOESN'T AFFECT.

10g). TERMS, CONDITIONS, STIPULATIONS, AND PROVISIONS CONTAINED IN LEASE AGREEMENT AS EVIDENCED BY MEMORANDUM FILED FOR RECORD IN VOLUME 286, PAGE 261, DEED RECORDS OF HAYS COUNTY, TEXAS.
DOESN'T AFFECT.

BASIS OF BEARINGS IS GRID BASED ON GPS OBSERVATIONS FROM THE LEICA SMARTNET NAD 83/2011 ADJUSTMENT TEXAS PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE 4204.

DISTANCES SHOWN HEREON ARE SURFACE.

ACCORDING TO THE FEMA FLOOD MAP 48209C0389F DATED SEPTEMBER 2, 2005 THE SUBJECT TRACT LIES IN ZONE " X " UNSHADED AREA OF MINIMAL FLOOD HAZARD.

TO: 420 NORTH STREET LLC, RALPH C. HUTCHISON AND CAROL HUTCHISON (TRUSTEES OF THE HUTCHISON FAMILY TRUST), AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.

I DAVID PAUL CARR DO HEREBY CERTIFY THAT THE FOREGOING MAP IS OF A SURVEY PERFORMED BY ME PERSONALLY IN NOVEMBER 2020, AND IT SUBSTANTIALLY COMPLIES WITH THE REQUIREMENTS OF A CATEGORY 1A CONDITION II LAND TITLE SURVEY AS OUTLINED IN THE MANUAL OF PRACTICE FOR LAND SURVEYING PUBLISHED BY THE TEXAS SOCIETY OF PROFESSIONAL LAND SURVEYORS AND THAT THERE ARE NO PROTRUSION INTO OR OUT OF THE SUBJECT TRACT UNLESS SHOWN HEREON, AND THAT THERE ARE NO ENCROACHMENT INTO OR OUT OF DEDICATED EASEMENTS UNLESS SHOWN HEREON.



DAVID PAUL CARR R.P.L.S.
TEXAS REGISTRATION NO. 3997

11-03-20
DATE

Cardinal
Surveying  Mapping
David P. Carr, RPLS
TBPLS FIRM NO. 10194078

CATEGORY 1A CONDITION II LAND TITLE SURVEY
LOT 17A BLOCK 18 D.P. HOPKINS ADDITION
VOLUME 4 PAGE 210
PLAT RECORDS HAYS COUNTY, TEXAS

DATE	BY	REVISIONS

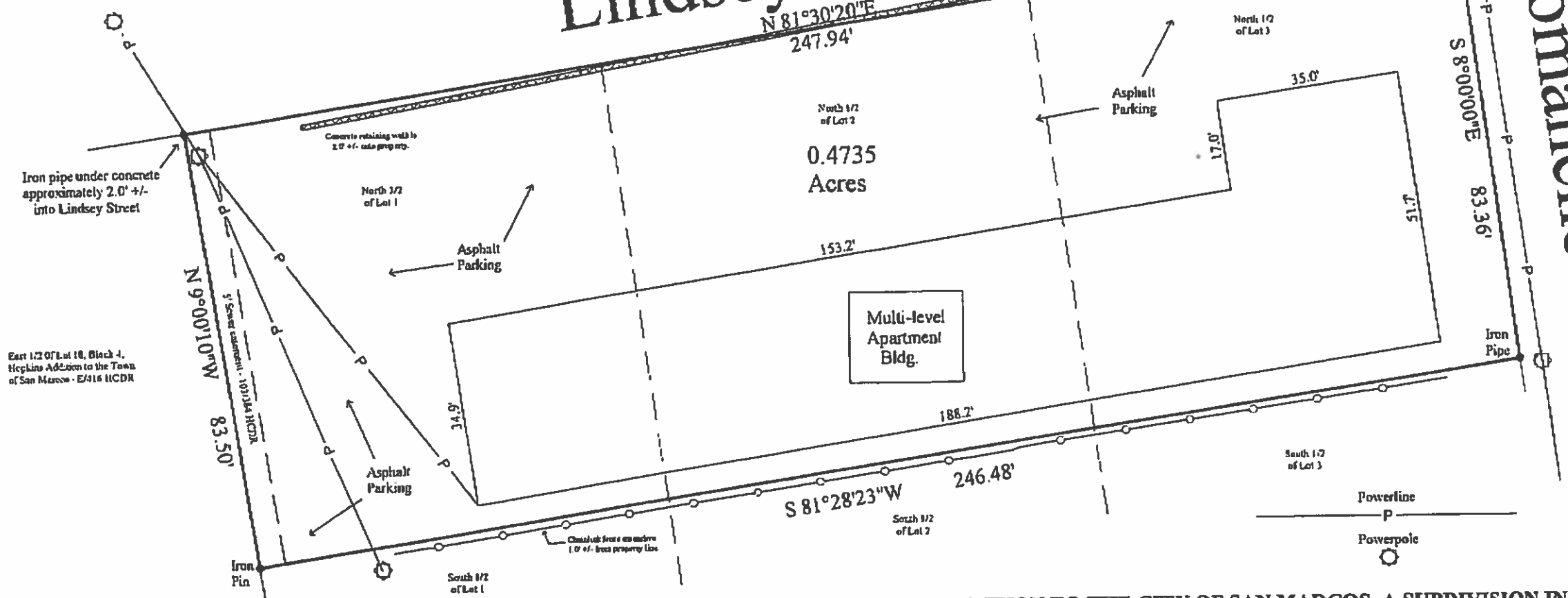
P. 02
TEL: 512 392 1671
HAYS CO. ABSTRACT
MAR. - 27:00 (MON) 14:20

Tract E

Lindsey Street

Comanche Street

1" = 25'



PLAT SHOWING SURVEY OF A 0.4735 ACRE TRACT OUT OF BLOCK 2 OF THE P. C. WOODS ADDITION TO THE CITY OF SAN MARCOS, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME T, PAGE 80, OF THE DEED RECORDS OF HAYS COUNTY, TEXAS.

FOR: Marjan Management LLC and The Hays County Abstract Company

GF: 20002132

DATE: March 8, 2000

ADDRESS: 436 North Comanche Street, San Marcos, Texas.

The undersigned does hereby certify that this is a Category 1A, Condition 2 survey and was made on the ground under my supervision of the property legally described hereon and is essentially correct and there are no visible discrepancies, shortages of area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-ways except as shown.

Ronald N. Hayes
Ronald N. Hayes, Registered Professional Land Surveyor, No. 2596

According to Map Panel 0193 E of the February 18, 1998 insurance rate map for the County of Hays, Texas, the property described hereon is in the Zone "X" of the flood hazard area.

RONALD N. HAYES
900 CASCADES TRAIL
SAN MARCOS, TEXAS 78666
512-396-1478

HAYES ENGINEERING**Tract E**202 SUNFLOWER DRIVE
KYLE, TEXAS 78640Phone 512/396-1478
Fax 512/396-1196

March 14, 2000

**FIELD NOTES FOR
0.4735 ACRES OF LAND**

A tract of land containing 0.4735 acres out of Lots 1, 2 & 3, Block 2 of the P. C. Woods Addition to the City of San Marcos, a subdivision in Hays County, Texas as described in Volume T, Page 80, Hays County Deed Records, and being the same tract conveyed to W. C. Carson by Sunset Limited as recorded in Volume 252, Page 473, Hays County Deed Records, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin with a Pro-Tech cap found for the northeast corner of the herein described tract, and also being the northeast corner of Lot 1, Block 2, of the P. C. Woods Addition, and located at the intersection of the southeast ROW of Lindsey Street and the southwest ROW of Comanche Street;

THENCE S 08° 00' 00" E, following the Comanche ROW, a distance of 83.36 feet to an iron pipe found for the southeast corner of this tract;

THENCE S 81° 28' 23" W, leaving the Comanche ROW, a distance of 246.48 feet to an iron pin found at the base of a concrete retaining wall for the southwest corner of this tract, and at 241.48 feet passing the east line of a 5' sewer easement of record in Volume 103, Page 384, Hays County Deed Records;

THENCE N 09° 00' 10" W, following the west line of the 5' sewer easement, a distance of 83.50 feet to an iron pipe found in concrete, located in the southeast ROW of Lindsey Street for the northwest corner of this tract and the northwest corner of Lot 3, Block 2, of the P. C. Woods Addition;

THENCE N 81° 30' 20" E, a distance of 247.94 feet to the **POINT OF BEGINNING**, containing 0.4735 acres.

This is to certify that this description of land represents an actual survey made by me on the ground under my supervision as shown on the accompanying plat and qualifies as a Category 1A, Condition 2 survey of the latest standards and specifications of the Texas Surveyors Association.



Ronald N. Hayes, Registered Professional Land Surveyor, No. 2596



DRENNER GROUP

Shannon Mattingly
direct dial: (512) 807-2904
smattingly@drennergroupp.com

January 12, 2024

Amanda Hernandez
Planning Director, City of San Marcos
630 East Hopkins
San Marcos, TX 78666

Via Electronic Delivery

Re: Updated PSA 23-02, ZC 23-19, CUP 23-22, AC 23-09– Preferred Scenario Map Amendment, Rezoning, Conditional Use Permit and Alternative Compliance request applications for the approximately 2.823-acre property located at the southeast corner of North and Lindsey Streets in the City of San Marcos, Hays County, Texas (the “Property”)

Dear Ms. Hernandez:

As representatives of the owner of the Property, we respectfully submit the enclosed package that includes no updates to the Preferred Scenario Map Amendment Application or the Rezoning Application. There are, however, amendments to the Conditional Use Permit Application for purpose-built student housing with a reduction in parking to 0.75. The developer will also provide 20 additional covered garage public parking spaces at the developer’s expense, (\$25K/space * 20 spaces = \$500,000) and will comply with the parking reduction fee identified in Division 2, Section 7.1.2.1,E,2 of the Land Development Code. The Alternative Compliance request has been amended to allow for up to 7 stories on the east side of North Street, however based on concerns from the neighbors, Planning Commission and City Council we have taken their suggestion and reduced the height on the west side to 5 stories, which will match what is allowed in CD-5D and is only 10-12 feet higher than what is currently allowed by right.

The purpose of these applications is to change the Preferred Scenario map for the Property from Existing Neighborhood to High Intensity per the currently adopted comprehensive plan or Neighborhood High per the proposed unadopted comprehensive plan. It is important to note that the proposed plan shows Neighborhood High on either side of our property and we would propose changing our property to be consistent with the surrounding properties in the new plan. The Property is intended to be redeveloped as a student housing project. The Property is currently zoned multi-family and is surrounded by the University, other multi-family and sorority houses. The Sanctuary Lofts and Vistas of San Marcos properties have been recently bought by Texas State University and will remove 1081 beds from non-University Housing availability. The Property is not adjacent to residential. Currently, a portion of the Property is

zoned CD-5D. We are requesting that the remaining parcels identified be rezoned to CD-5D to have consistent zoning on all lots to accommodate a student housing project. It is important to note these properties are already entitled and can develop as multi-family projects by right.

We believe that this location is ideal to accommodate the increased student population, and the need for student housing adjacent to the University. By allowing more dense student housing at key locations, such as this, the city is helping solve many of the most commonly heard issues in the community such as: Avoiding “student sprawl” throughout the city and removing many cars and busses required for the daily commute to the University, therefore reducing traffic congestion and pollution. We are requesting a CUP for purpose-built student housing and a reduction in parking spaces as part of the CUP. We recognize that many students will bring a car to campus, therefore we are proposing a parking structure to accommodate the vehicles of the students. We commissioned an independent third-party parking study to determine the parking utilization rates at comparable student housing properties located within one mile of the site, and within walking distance to the University. Our survey covered 10 properties that contained a total of 4,302 beds in 1,730 units. At these 10 properties, there are 3,230 parking spaces available to students. The average number of spaces per bed is 0.70 and the average vacancy rate is 10%, however, the majority of the vacant spaces are at the two most “overparked” projects, Sanctuary Lofts and Vie Lofts. Based on the current occupancy rates, the current ratio of spaces leased per leased bed is 0.69. Our project is proposing a parking ratio of 0.75, plus 20 public parking spaces, which has been determined to be more than we need to accommodate the project as a whole. The City’s recently adopted city-wide booting ordinance will also help to discourage students from parking within the neighborhoods, and the new proposed transit routes will help to decrease traffic by allowing students an alternative to driving to get to areas outside of downtown. The adjacency to the University is an ideal location for this product type allowing students to walk across the street and be on campus. The project will accommodate 20 covered public parking spaces and additional indoor secured bike parking. In addition, the developer will provide bikes that can be checked out at no charge at any time to get around campus, thereby further reducing traffic concerns in the area. The Developer will also have a bike maintenance and repair shop on site.

We are also requesting an alternative compliance to increase the height of the project from 5 to 7 stories, only on the east side of North Street. This will allow a nice reduction in density from 7 stories on the East side of North Street to 5 stories for the building fronting directly on North Street to the west. The reduction in height will continue to the west to existing 3 story apartment project, and then on to 2 story single family homes.

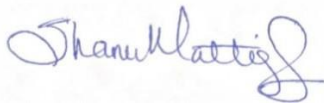
This project is outside of the downtown area immediately adjacent to the University. We have provided a 3D rendering to show the height of the building as it relates to surrounding properties. In order to serve the needs of the University’s student population and given the very limited number of sites that exist across from the University and not adjacent to single family, an increase in height is necessary to achieve the density to make the project beneficial for all. We have met with the Fire Chief and Fire Marshall and incorporated all of their recommendations to improve fire access to the site. We will be removing two older complexes as part of this project development, which were not required at the time of construction to meet the same current fire standards that exist today and are not currently sprinkled. Our proposal will include the first two stories be built with concrete and will then transition to wood construction.

This project is ideal, due to its proximity to the University as well as stores and services within the downtown area that are walkable. It will include an improved pedestrian experience with a well-connected network of streets to accommodate the increased pedestrian traffic, while reducing the number of cars on the road. Students will be able to attend class, get to work, shop or access other commonly used student services, all without accessing their cars.

After going through the first round of public input the developer has addressed the comments from the neighborhood meeting and has also addressed the criteria for requesting alternative compliance. These comments are attached on the following tables, as well as some additional renderings and an updated property summary.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,

A handwritten signature in blue ink that reads "Shannon Mattingly". The signature is written in a cursive style with a large, stylized initial "S".

Shannon Mattingly

Issue Identified	Project Response
Safety of student housing (structure)	Less safe, non-sprinkled units will be replaced with new, sprinkled units that meet current Building, Fire, Electrical, and Plumbing Codes. Met with the Fire Chief and Fire Marshall to discuss improved access to the site based on their recommendations.
Rent by the bed student housing contracts.	Individual housing contracts allow roommate matching. Students will only be placed with other students of the same gender. Lighting and access/egress will be designed to current Code standards and provide a safer environment than exists today. Rent by the bed protects students by

making them responsible for only their payments and damages. They are not responsible as they would be in traditional apartments, for roommates moving out. Places risk on the developer. If a certain roommate leaves before the lease is over, or causes damage to their room, the other(s) do not become responsible for that student's payments, the loss is on the developer for the damage and loss of rent if they cannot release the bedroom.

Overbuilt student housing

Data shows there is a current (and rising) demand for student housing, even with the proposed Texas State University project. In an independent study done by Capital Market Research, it found that the current

occupancy rates are at 97% in student housing projects city-wide, and showing a current need for over 3,000 student housing beds. As of this week it has been brought to our attention that the University has purchased Sanctuary Lofts and the Vistas properties.

Parking

An independent parking study, as suggested by the city was conducted in 2023 and clearly identifies 0.7 as the appropriate ratio of parking spaces/beds. We are proposing to park our development at .75. An additional 20 spaces will be available for public parking and to help assist with commuter parking during school hours by allowing them off street parking. At over

	<p>\$25,000/parking space this will result in over a \$500,000 additional expense to the developer.</p>
Height	<p>While originally proposed to be all 7 stories, western 3 parcel heights have been reduced to 5 stories, as suggested.</p>
Flooding/Drainage	<p>Per the city planning and engineering departments this will all be addressed and enforced by the city code during the site development permitting process. It is important to note that the parking garage facility will utilize the current slope of the property but will not require further excavation.</p>

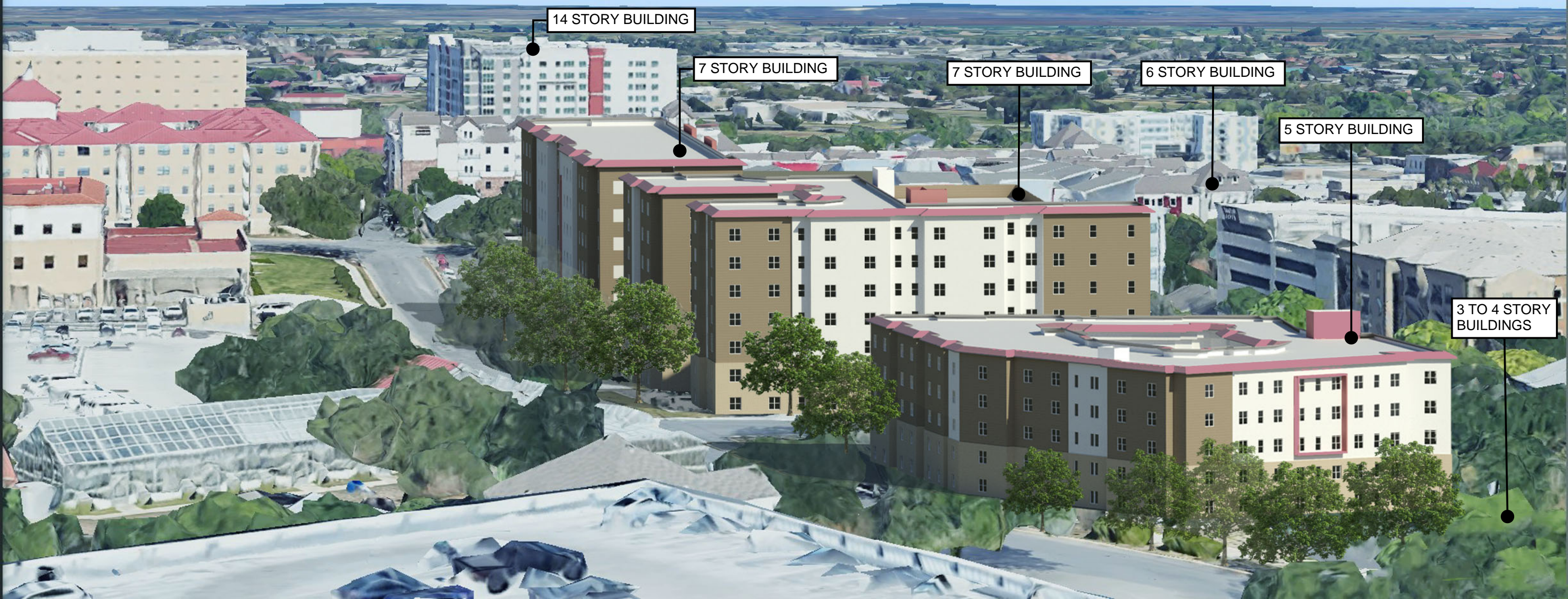
Historic Structures

We are currently in negotiations to have all 3 homes moved, if for some reason any or all of these falls through, we will immediately pursue moving the homes under the historic preservation guidelines.

Encroachment into Neighborhood

The height of the western 3 parcels has been reduced to 5 stories. Requested Preferred Scenario Amendment and Zoning Request are consistent with gradually decreasing density from the downtown area as noted above. The transition would go from 7 to 5 to 3. Noting that the current multifamily zoning allows for 4 stories by right and the current CD-5D allows for 5 by right.





14 STORY BUILDING

7 STORY BUILDING

7 STORY BUILDING

6 STORY BUILDING

5 STORY BUILDING

3 TO 4 STORY BUILDINGS

Texas State University

Currently occupied by students

Currently built student housing

Texas State University

Lindsey St

Project Site 2

North St

Project Site 1

Delta Zeta Sorority House

The Aspire Student Housing

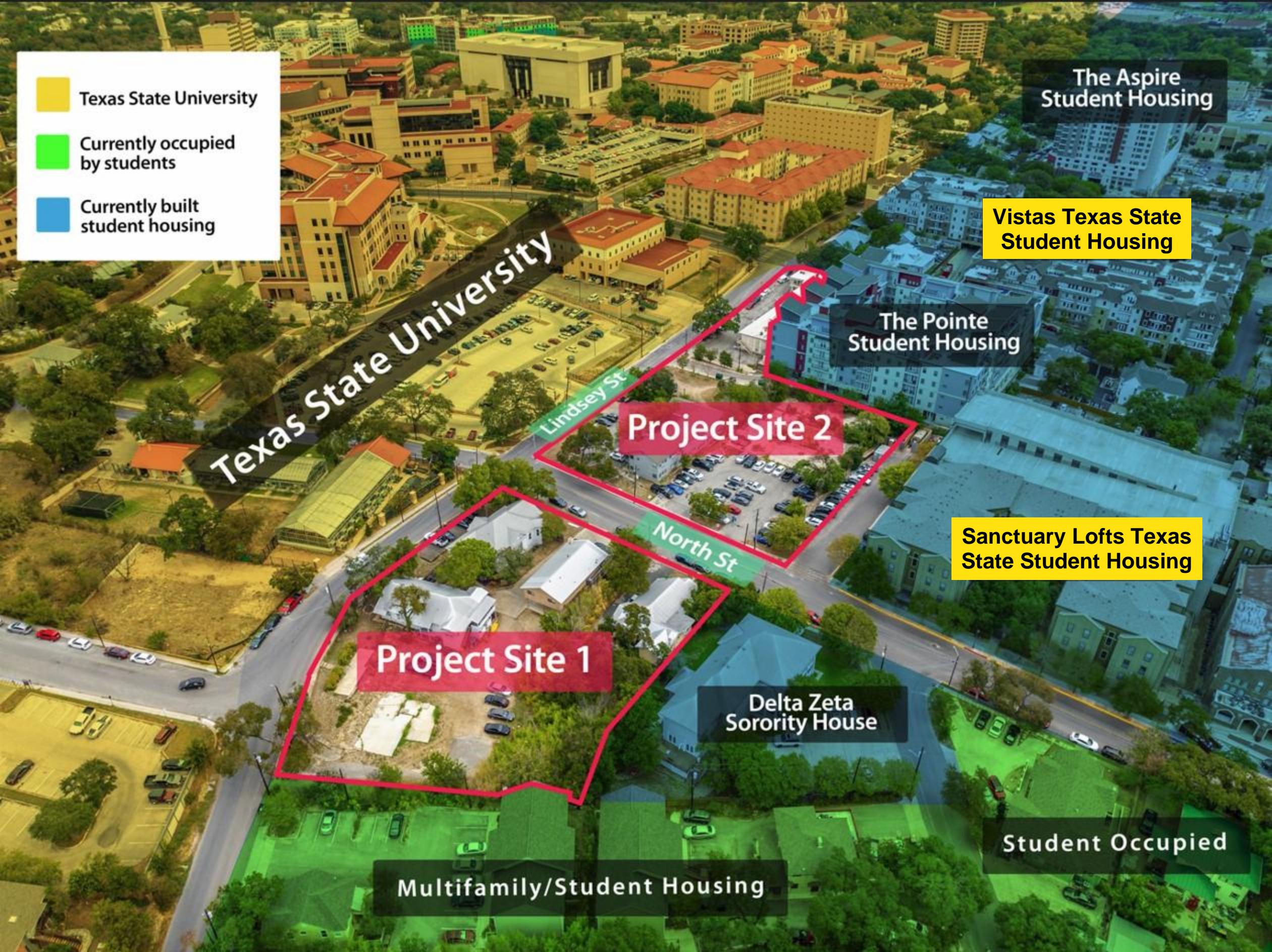
Vistas Texas State Student Housing

The Pointe Student Housing

Sanctuary Lofts Texas State Student Housing

Multifamily/Student Housing

Student Occupied



**Conditional Use Permit Exhibit and Parcel Information
McLain Multifamily**



TRACT	Parcel Number	Property Owner	Mailing Address	Property Address	Lot	Block	Subdivision	Acreage	Preferred Scenario (Existing)	Existing Zoning	Proposed Zoning
A	R34773	Peggy and Brett Taylor	PO Box 40 Martindale, TX 78655-0040	421 Lindsey Street	Part of 10 & 11	14	Lindsey and Harvey Addition	0.301	Existing Neighborhood	MF-24	CD-5D
B	R141054	Peggy and Brett Taylor	PO Box 40 Martindale, TX 78655-0040	413 & 419 North Street	9-A	14	Lindsey and Harvey Addition	0.49	Existing Neighborhood	MF-18	CD-5D
C	R133230	Daryl Burttschell	2301 Willow Arbor San Marcos, TX 78666	499 North Street	4A	14	Lindsey and Harvey Addition	0.339	Existing Neighborhood	MF-12	CD-5D
D	R32207	Matt Kenyon	4284 E. Cesar Chavez St Austin, TX 78702	420 North Street	17A		DP Hopkins	0.3639	High Intensity	MF-24	CD-5D
E	R53147	Matt Kenyon	4284 E. Cesar Chavez St Austin, TX 78702	435 N. Comanche St	N 1/2 Lots 1-3	2	PC Woods Addition	0.473	High Intensity	MF-24	CD-5D
F	R155306	Matt Kenyon (410 North Street LLC)	6724 Perimeter Loop Road Suite 180 Dublin, OH 43017-3202	410 North Street		1	Comanche II	0.856	High Intensity	CD-5D	CD-5D

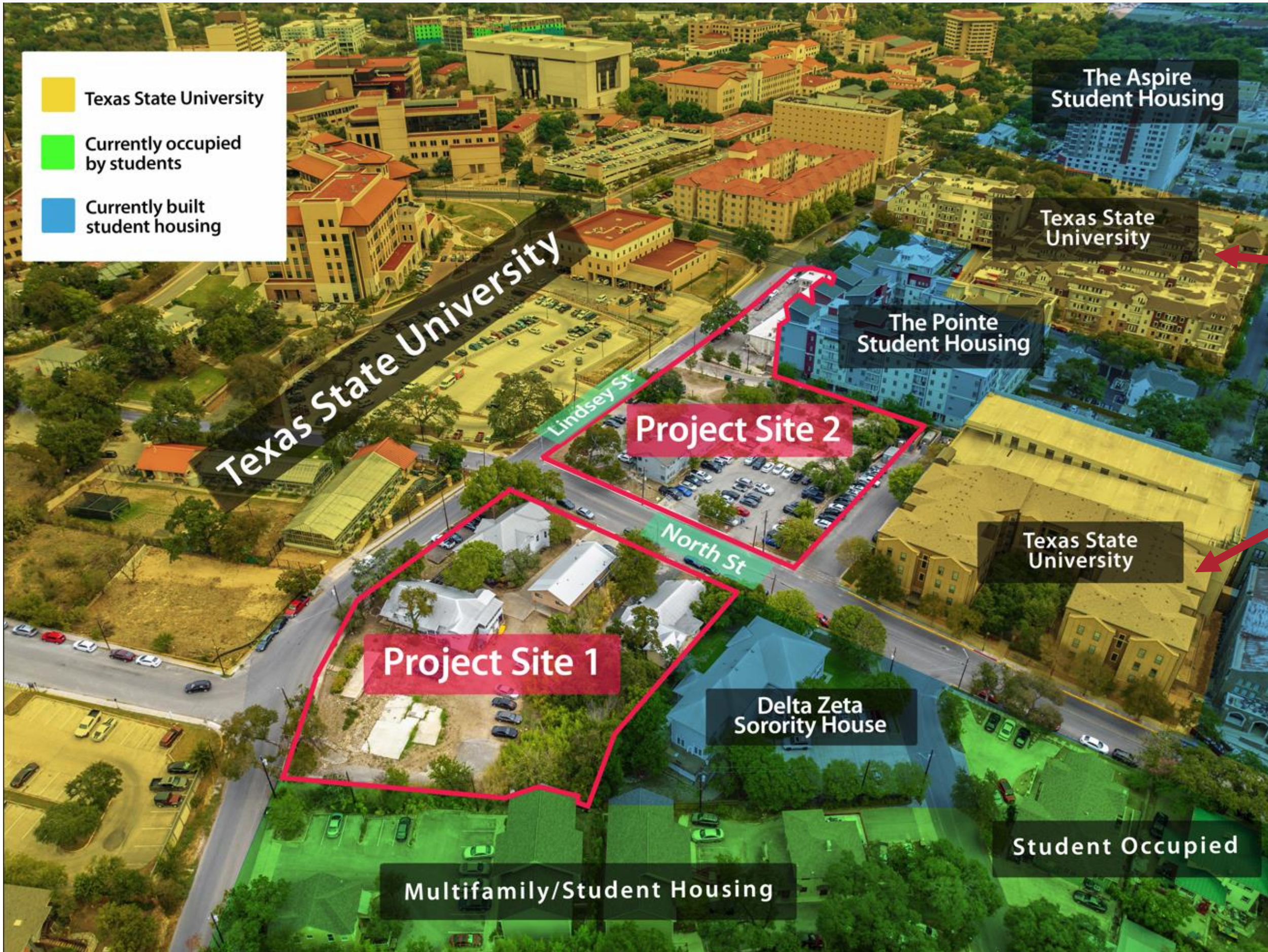
The McLain

Planning & Zoning Commission

PSA 23-02, ZC 23-19, CUP 23-22, AC 23-09

February 27, 2024

Site Aerial



COMMUNITY IMPACT

AUSTIN / SAN MARCOS - BUDA - KYLE / EDUCATION

Texas State University purchases downtown apartments for \$151 million



By Sierra Martin | 1:44 PM Feb 12, 2024 CST
Updated 1:44 PM Feb 12, 2024 CST



Texas State University has purchased two apartment buildings in downtown San Marcos to house an additional 1,086 students.

The Vista and Sanctuary Lofts were acquired by TXST in December, and the university took over management of the properties in January. The \$151 million purchase of the two properties was cheaper per-square-foot than building new dormitories, according to Bill Mattera, executive director of housing and residential life at TXST.

"The goal is just to offer more affordable housing for students and really lower the rates of these properties," Mattera said.

The big picture

He said that the growth of the freshman class over the past few years has caused a shortage in campus housing.

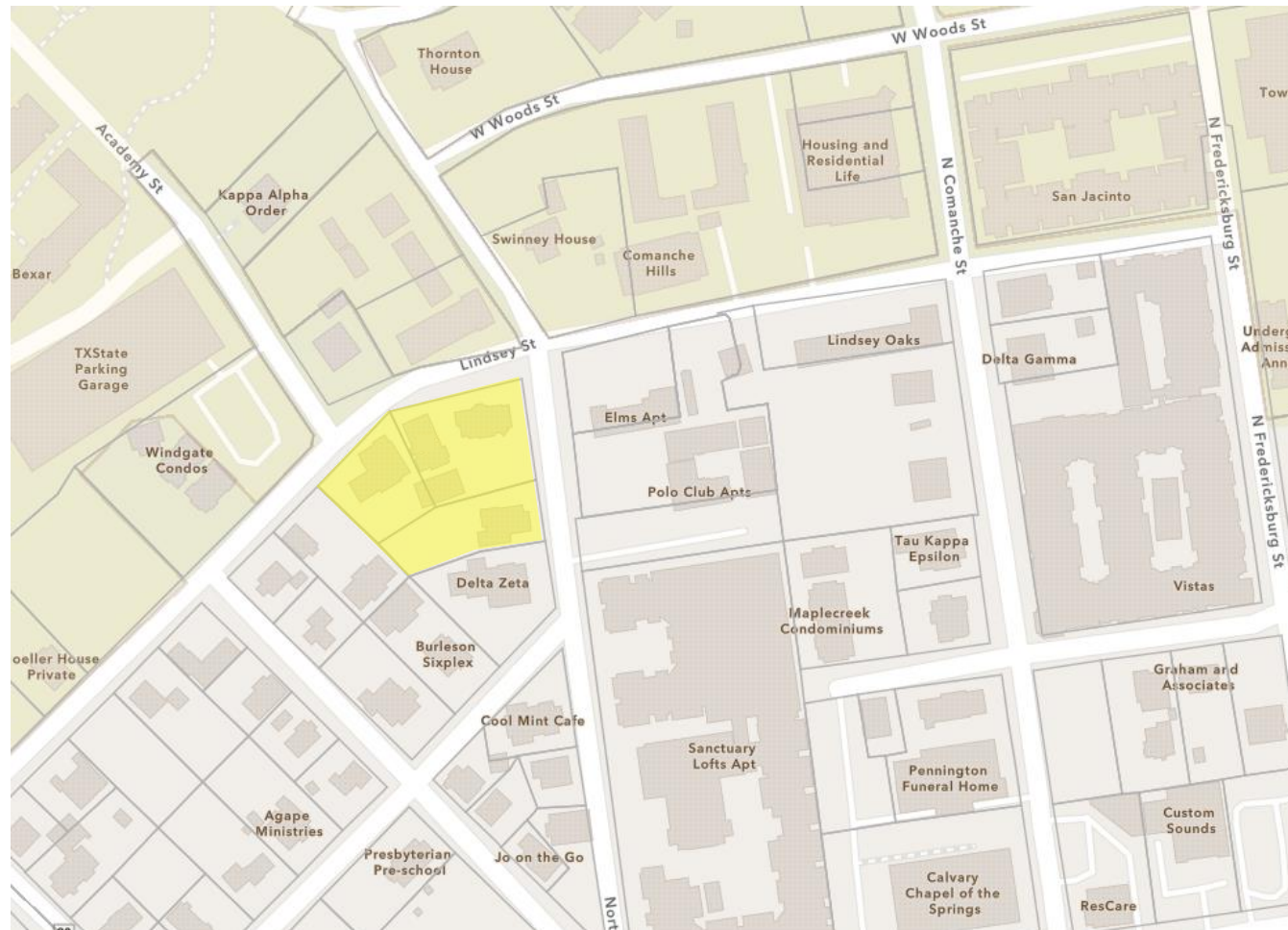
"Rents have increased by 40% in the San Marcos market, [TXST] has increased by 11%," Mattera said. "And so it's an opportunity to set up some affordable housing close to campus, but of the apartment variety."

About 90% of the property is already occupied by TXST students, but any occupant of **The Vistas** or **Sanctuary Lofts** that is not currently a student will be able to stay until the end of their lease but not have the ability to renew.

Request

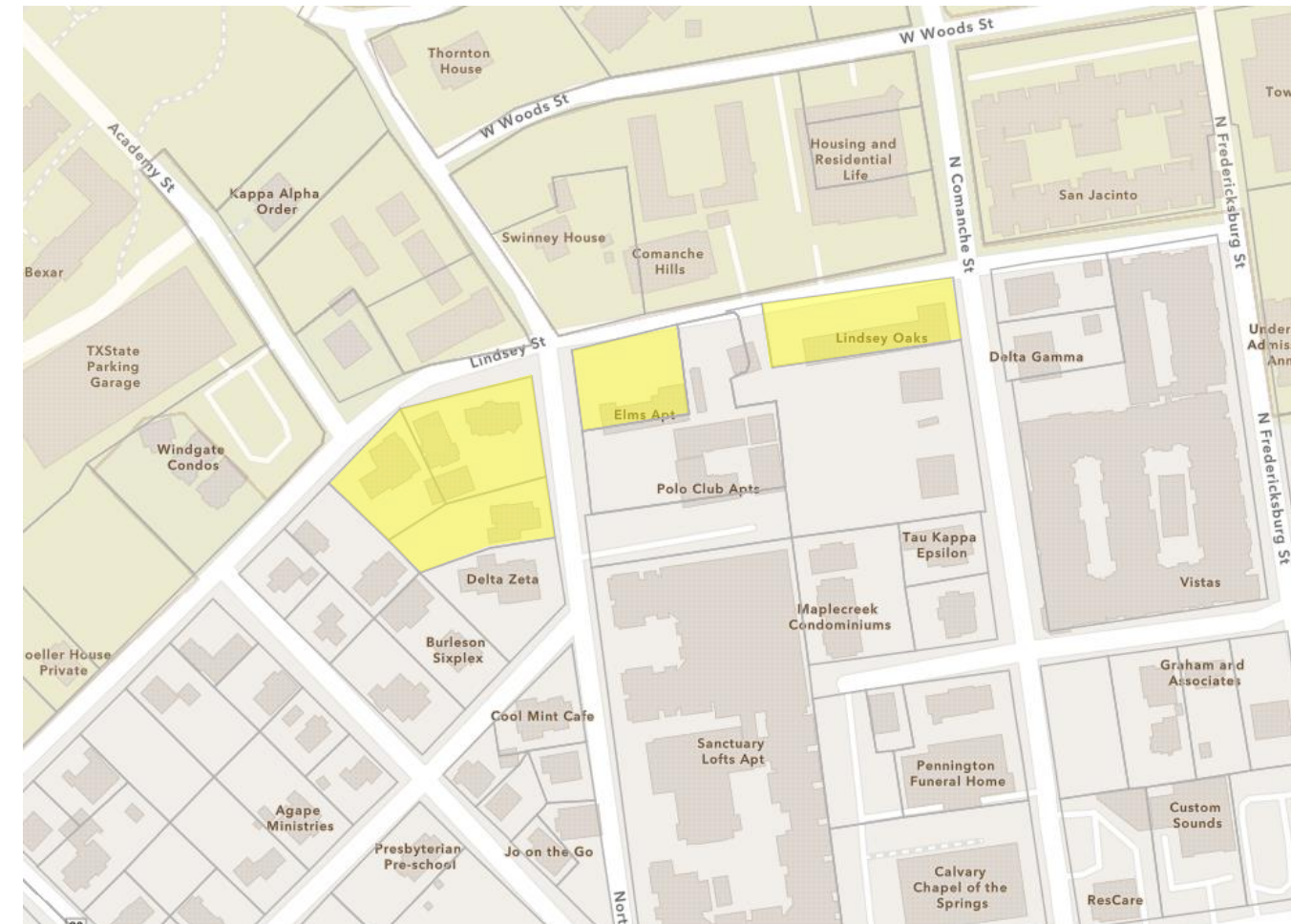
Preferred Scenario Amendment:

- PSA 23-02
- 3 parcels
- From “Existing Neighborhood” to “High Density-Downtown”
- Tract Size: 1.13 acres



Rezoning Request:

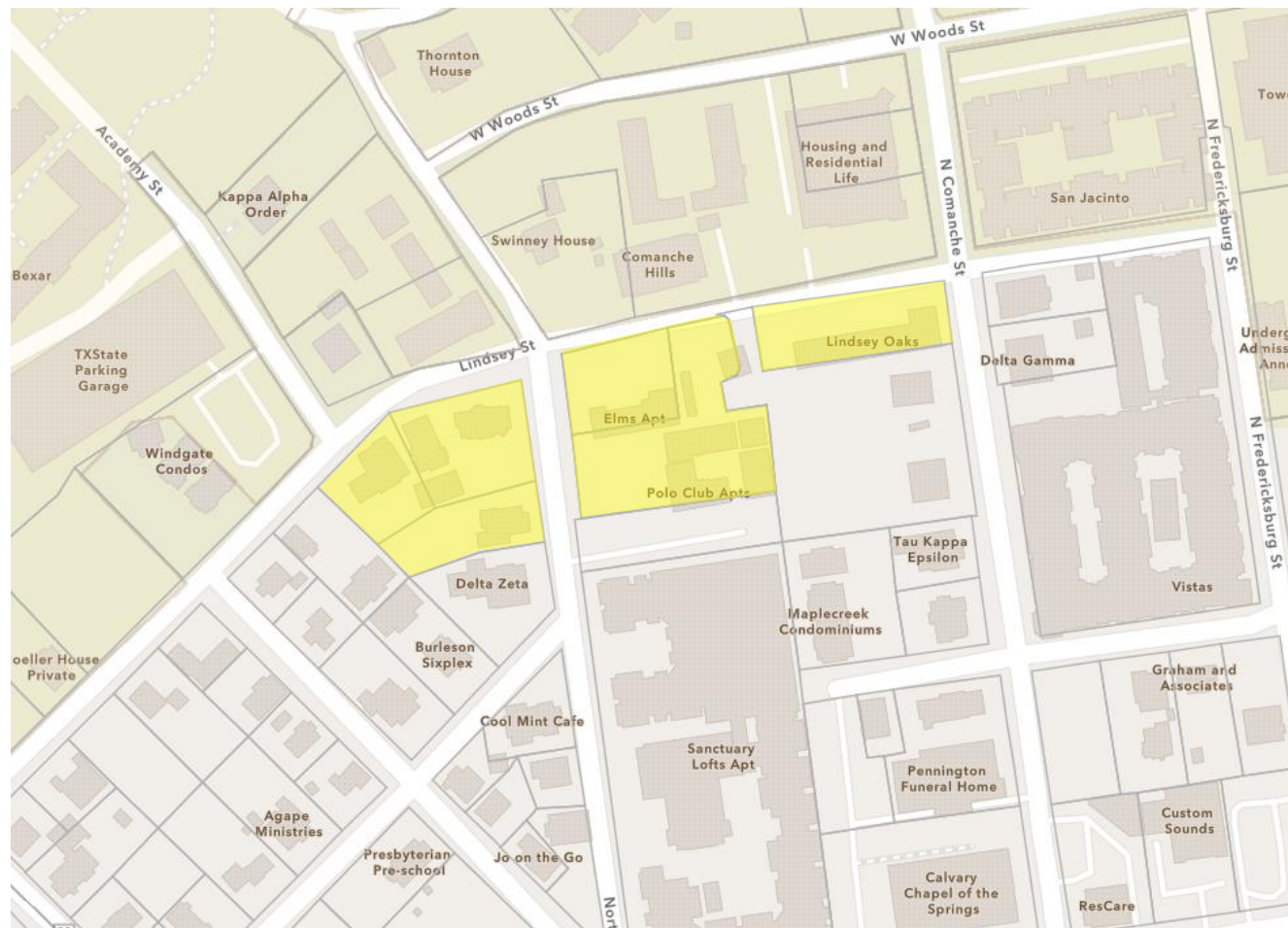
- ZC 23-19
- 5 parcels
- From “Multifamily MF-12/MF-18/MF-24” to “Character District 5-D”
- Tract Size: 1.97 acres



Request

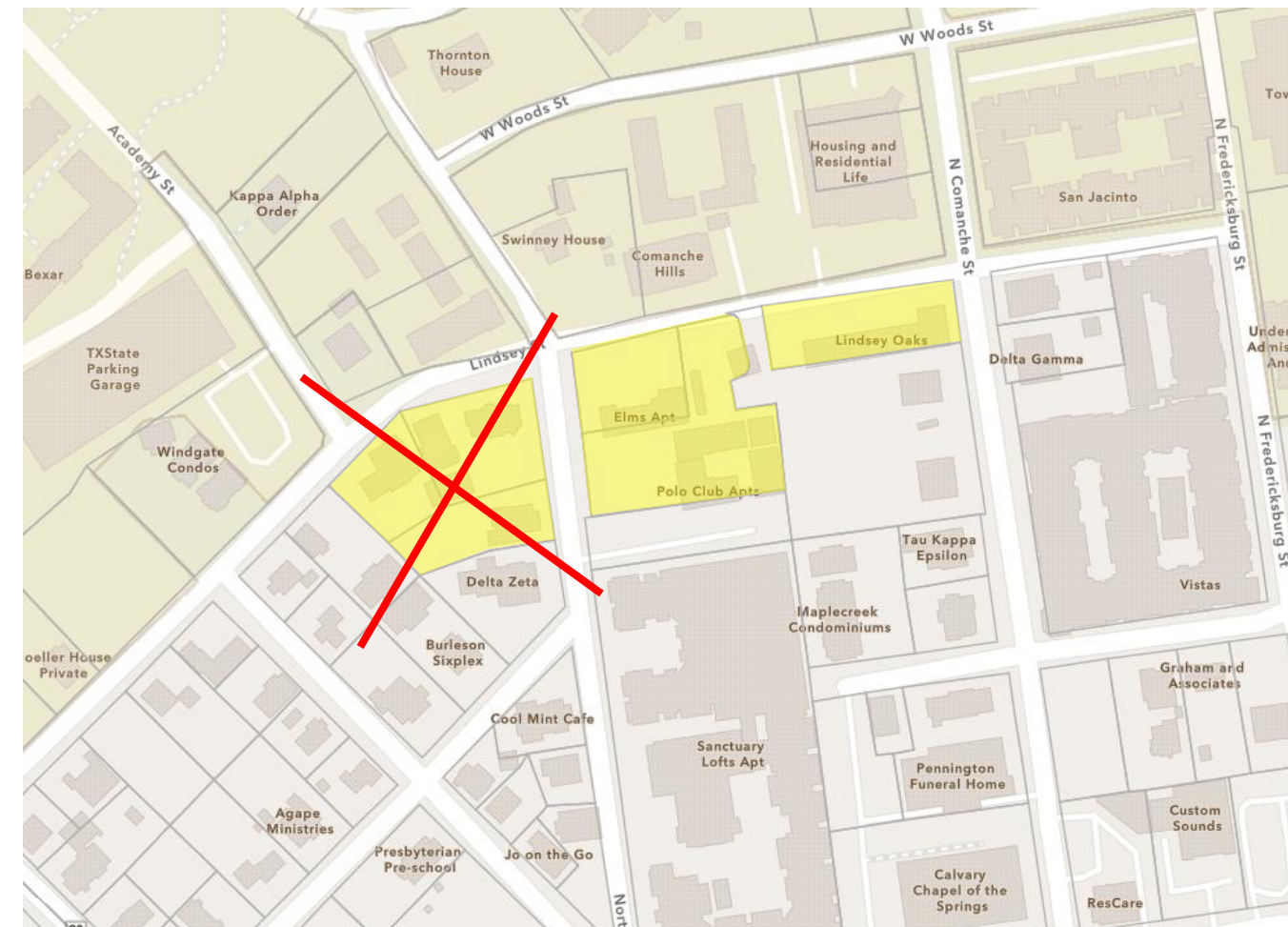
Conditional Use Permit:

- CUP 23-22
- 6 parcels
- For Student Housing & Reduction in Parking Ratio to 0.75 spaces/bed (plus payment of \$7500/space difference per Code)
- Tract Size: 2.59 acres



Alternative Compliance Request:

- AC 23-09
- 3 parcels (**removed western 3 tracts**)
- Increase the permitted height from 5 to 7 stories
- Tract Size: 1.46 acres (**removed 1.13 acres**)



Tax Impacts of Project

Tax Value Lost to Sale of Sanctuary Lofts/Vistas to Texas State University (2023)

Year	Taxing Unit	Tax Rate	Assessed Value		Lost Tax Value
			Sanctuary Lofts	Vistas	
2023	City of San Marcos	0.603000%	\$ 33,319,599	\$ 45,377,478	\$ 474,543
2023	Hays County	0.287500%	\$ 33,319,599	\$ 45,377,478	\$ 226,254
2023	San Marcos CISD	0.991500%	\$ 33,319,599	\$ 45,377,478	\$ 780,282
2023	Special Road District	0.020000%	\$ 33,319,599	\$ 45,377,478	\$ 15,739
2023					\$ 1,496,818



Tax Value Gained by McLain Project

Year	Taxing Unit	Tax Rate	Assessed Value						Lost Tax Value	Estimated Assessed Value - McLain	Gained Tax Value	Net Tax Value
			421 Lindsey	413/419 North	435 Comanche	410 North	420 North	409 North				
2023	City of San Marcos	0.603000%	\$ 248,140	\$ 968,915	\$ 1,431,612	\$ 244,720	\$ 665,000	\$ 579,110	\$ 24,949	\$ 65,262,107	\$ 393,531	\$ 368,581
2023	Hays County	0.287500%	\$ 248,140	\$ 968,915	\$ 1,431,612	\$ 244,720	\$ 665,000	\$ 579,110	\$ 11,895	\$ 65,262,107	\$ 187,629	\$ 175,733
2023	San Marcos CISD	0.991500%	\$ 248,140	\$ 968,915	\$ 1,431,612	\$ 244,720	\$ 665,000	\$ 579,110	\$ 41,023	\$ 65,262,107	\$ 647,074	\$ 606,051
2023	Special Road District	0.020000%	\$ 248,140	\$ 968,915	\$ 1,431,612	\$ 244,720	\$ 665,000	\$ 579,110	\$ 827	\$ 65,262,107	\$ 13,052	\$ 12,225
2023									\$ 78,695		\$ 1,241,285	\$ 1,162,590

The Estimated Assessed Value for McLain is a general estimate based on current building plans and market conditions and not a projection for the Tax Assessor's office.

- Project nets an approximate \$368,500 increase in City tax revenues over today's situation.
- This recovers 77% of tax revenues lost by sale of Sanctuary Lofts and The Vistas to Texas State University.
- All taxing units achieve 77% tax revenue recovery with project.

Public Outreach and Participation

- Public Outreach Highlights

- Neighborhood Meetings were held on September 28, 2023 and January 31, 2024.
- Planning Commission hearing will be held on February 27, 2024
- Canvassing students on campus

Issue Identified	Project Response
Safety of student housing (structure)	Less safe, non-sprinkled units will be replaced with new, sprinkled units that meet current Building, Fire, Electrical, and Plumbing Codes.
Safety of student housing (rent by bed)	Individual housing contracts allow roommate matching. Students will only be placed with other students. Lighting and access/egress will be designed to current Code standards and provide a safer environment than exists today
Overbuilt student housing	Data shows there is a current (and rising) demand for student housing, even with proposed Texas State University project. University is currently purchasing existing student housing projects to support the need.
Parking	Parking study conducted in 2023 clearly identifies 0.7 as the appropriate ratio of parking spaces/beds. This project will park at .75 and will pay the mandated parking fee prescribed by Code. An additional 20 spaces will be available for public parking.
Height	While originally proposed to be all 7 stories, western 3 parcel heights have been reduced to 5 stories.
Flooding/Drainage	Impervious cover of eastern 3 parcels is almost 100%. Per Engineering Department, impervious cover on eastern 3 parcels will be addressed as part of Site Development Permit.
Historic Structures	Historic structures will not be demolished, they will be relocated.
Encroachment into Neighborhood	The height of the western 3 parcels has been reduced to 5 stories. Requested Preferred Scenario Amendment and Zoning Request are consistent with gradually decreasing density from downtown area.

Petitions & Letters of Support

427 Lindsey Street Partnership, Ltd

1407 Brown Street, San Marcos, Texas 78666

Dear Members of City Council and/or Planning and Zoning Commission

I represent the owner of 427 & 431 Lindsey Street and 410 & 412 Burleson Street, San Marcos, TX 78666.

These properties connect from Lindsey Street on the north all the way to Burleson Street on the south and are directly adjoined to 413 & 421 Lindsey Street and 415 & 409 North Street making my property directly contiguous to the west of the new student housing project that Kenyon Companies is proposing on the corner of North Street and Lindsey Street.

The four properties owned by 427 Lindsey Street Partnership are multifamily/student housing and have been rented almost exclusively to students for many years.

I have been in contact with Kenyon Companies, and I am in support of the four (4) applications being submitted for these properties to enable them to be used as student housing. This includes the Preferred Scenario Amendment, the Zoning change to CD-5D, the Conditional Use for Student Housing, and the Alternative Compliance for an increase in height to 7 stories.

With such proximity to Campus, minimal site constraints, and a need for student housing near Campus, a project like this will benefit both the University and the City of San Marcos by:

- Enabling students to live closer to campus, which will remove traffic from other housing farther off Campus;
- Reducing the sprawl effect that can come with increased enrollment at Texas State
- Reducing vehicular traffic congestion, enabling them to access Campus and other routine services by bicycle or walking.

Thank you for considering this request.

Sincerely,



Allen E. Wise
President/Manager
Date: 10/20/23

PETITION OF SUPPORT

Preferred Scenario Amendment: PSA 23-02: From "Existing Neighborhood" to "High Density-Downtown" for Site 1
Rezoning Request: ZC 23-19: From "Multifamily MF-12/MF'18" to "Character District 5-D"
Conditional Use Permit: CUP 23-22: For Student Housing & Reduction in Parking to 0.75
Alternative Compliance Request: AC 23-09: Increase the permitted height from 5 to 7 stories

Project Description: The purpose of these applications is to change the Preferred Scenario map for both Sites from Existing Neighborhood to High Intensity-Downtown per the currently adopted Comprehensive Plan. **The Property is intended to be redeveloped with a student housing project with up to 917 beds.** The Property is currently zoned multi-family and is surrounded by the University, other multi-family and sorority houses. **The Property is not adjacent to residential.**

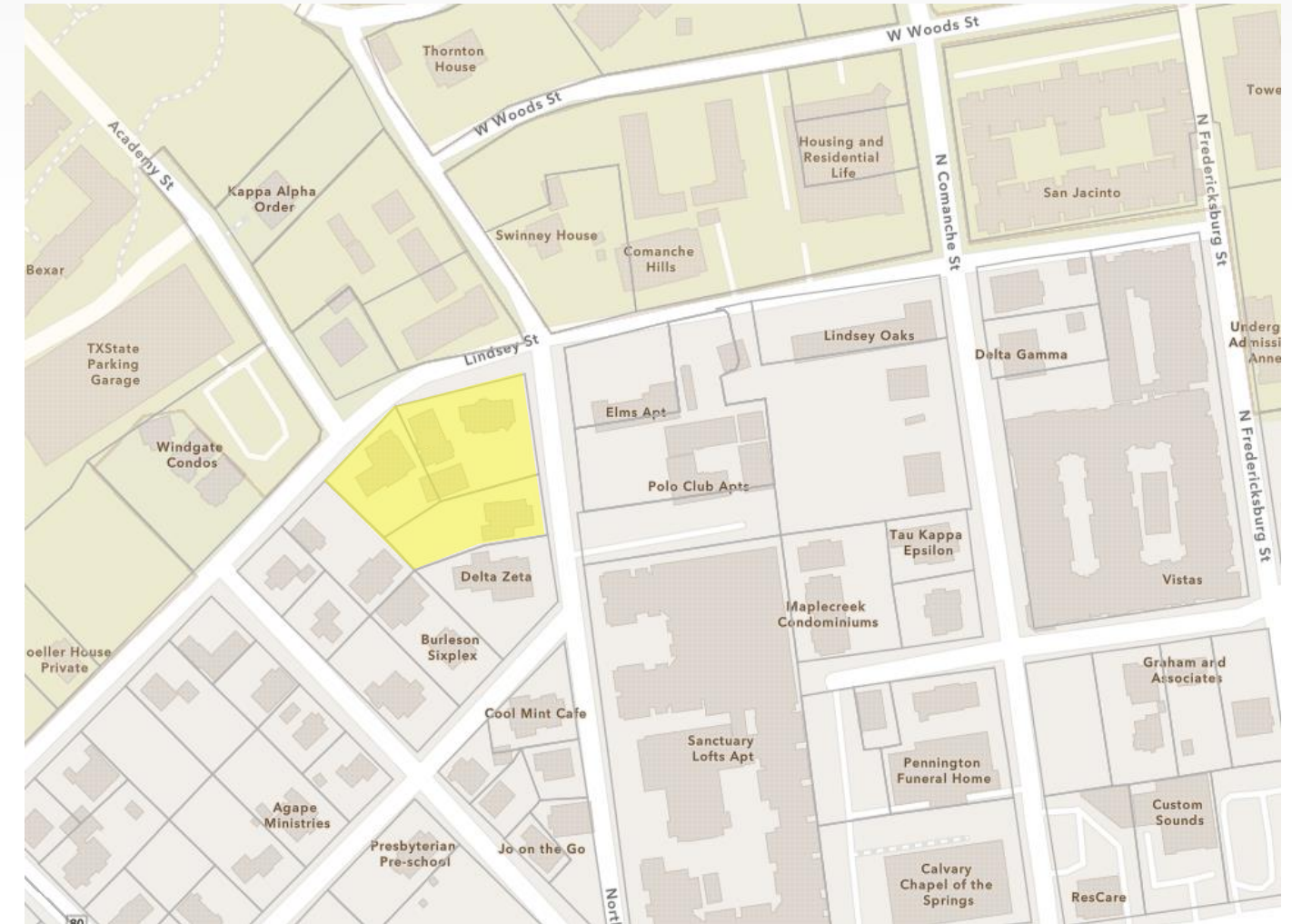
We believe that this location is ideal to accommodate the increased student population, and the need for student housing adjacent to the University. We recognize that most students will bring a car to campus, therefore we are proposing a parking structure to accommodate the vehicles of the students. Our project is proposing a parking ratio of 0.75, which has been determined to be more than we need to accommodate the project as a whole. **The adjacency to the University is an ideal location for this product type allowing students to walk across the street and be on campus.**

We are also requesting an alternative compliance to **increase the height of the project from 5 to 7 stories.** **This project is outside of the downtown area immediately adjacent to the University.** We have provided a 3D rendering to show the height of the building as it related to surrounding properties. **In order to serve the needs of the University student population given the limited number of sites that exist that are across from the University and not adjacent to single family, an increase in height is necessary to get the density to make the project beneficial for all.**



Preferred Scenario Map Amendment - Summary

- Amendment request for 3 parcels
- Located at Lindsey and North Street
- Adjacent the University
- Surrounded by multi-family, fraternity/sorority houses and University
- Current Comprehensive Plan **Vision SMTX** identifies the property as existing multifamily
- Under current Vision SMTX: Requesting **High-Density Downtown** designation to match surrounding properties
- Under proposed Vision SMTX (recommended by P&Z Commission): Requesting **High Intensity-Neighborhood** designation.
- Property is currently zoned Multifamily and allows for 4-story development.



Section 4.1.1.6 Comprehensive Plan Preferred Scenario

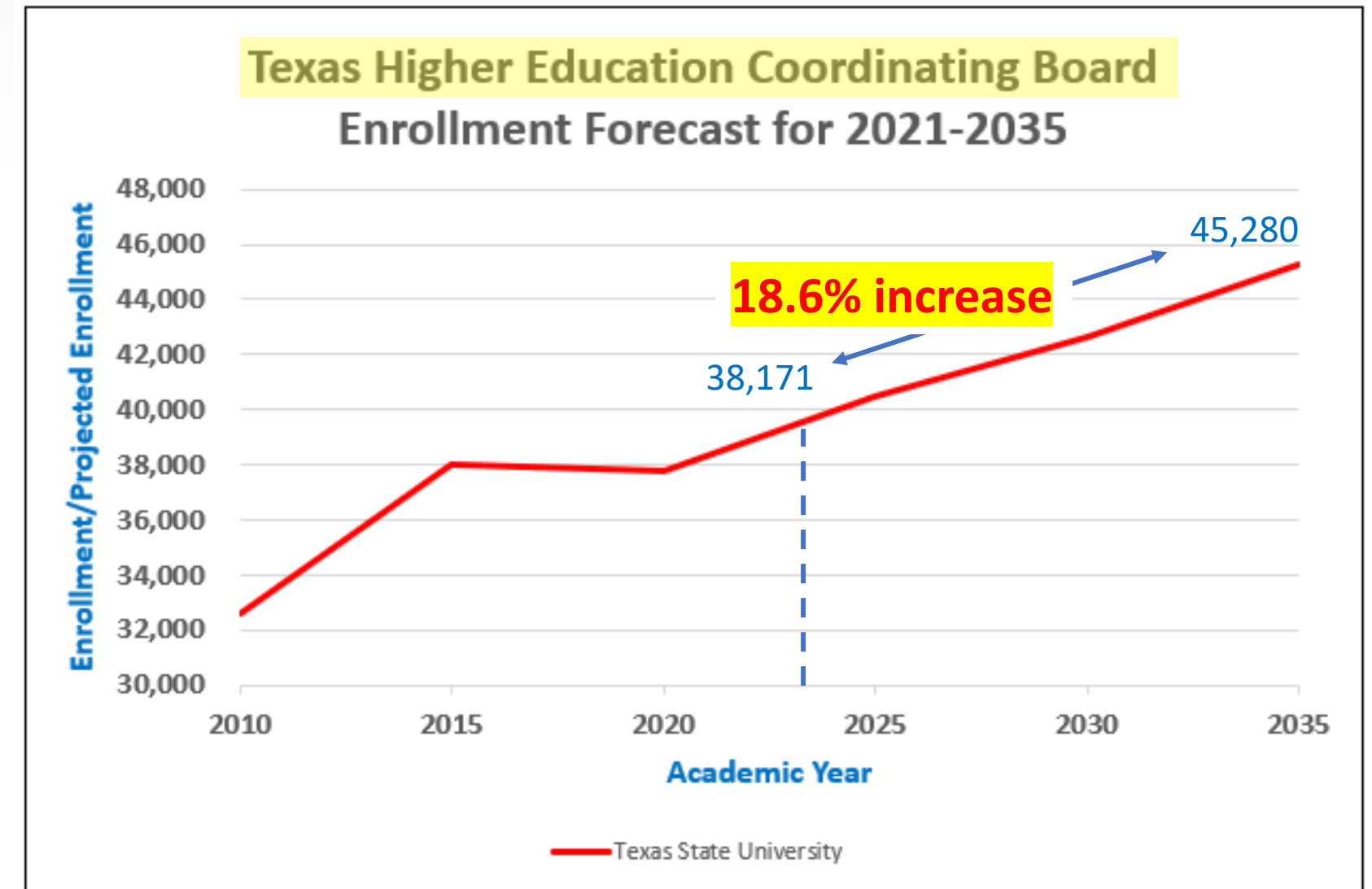
A. Comprehensive Plan Preferred Scenario Designations. To direct the intensity of, and development within, the various areas of the City, the Comprehensive Plan Preferred Scenario Map establishes the following Preferred Scenario areas:

4. Medium or High Intensity Zone. An area of change intended to accommodate the City's future growth and expansion where people can meet their daily needs within a short walk, bike, transit trip or drive.

Preferred Scenario Map Amendment - Use

- Use: Student Housing Demand

- Texas State University data shows freshman enrollment has increased 30% over the last 5 years.
- Community Impact (2023): “The freshman class represents a record-setting enrollment for the 3rd consecutive year.”
- Community Impact (2023): Current enrollment at Texas State University is at the highest in the past five (5) years and the 2nd-highest in university history.
- KTSW 89.9 (2022): “Texas State’s record-setting freshman enrollment could be cause of housing shortage.”
- Texas Higher Education Coordinating Board Enrollment Forecast for 2021-2035: Projects that enrollment at Texas State University will increase by roughly 18% by 2035.



- Use: Student Housing Supply

- 2021 U.S. Census Data shows 1,013 vacant rental units within San Marcos area, but this doesn't depict where these units are.
- November 2023 survey of 42 student housing projects in San Marcos: 21,264 total beds at 96.91% occupancy.
- July 2023 survey of ten (10) apartment communities with 1-mile of Property had vacancy rate of 1.3%.
- While there may be beds available city-wide, it is reasonable for the Commission to conclude that the supply of student housing within close proximity to the University is lacking.
- This is borne out by Texas State purchase of surrounding complexes adjacent to the University and abutting the proposed Project.

Preferred Scenario Map Amendment – Use

From TAG:

RBB Statistics in San Marcos, Texas

San Marcos is already **overbuilt** by roughly **6,308-12,309 beds** of Rent By the Bed (RBB) student-oriented housing.

38,376 students are currently enrolled (2023)

According to TSU Date, capacity is 6,753 and 7,174 students are living in these residence halls

22,685 students physically do not live in San Marcos and do not need RBBs:

6,853 students in residence halls,

1,456 in Round Rock,

10,814 commuters,

3,562 online only students,

Commuters and On-Line students cannot be assumed to not want to live on/near campus

Unknown number of students living in traditional housing

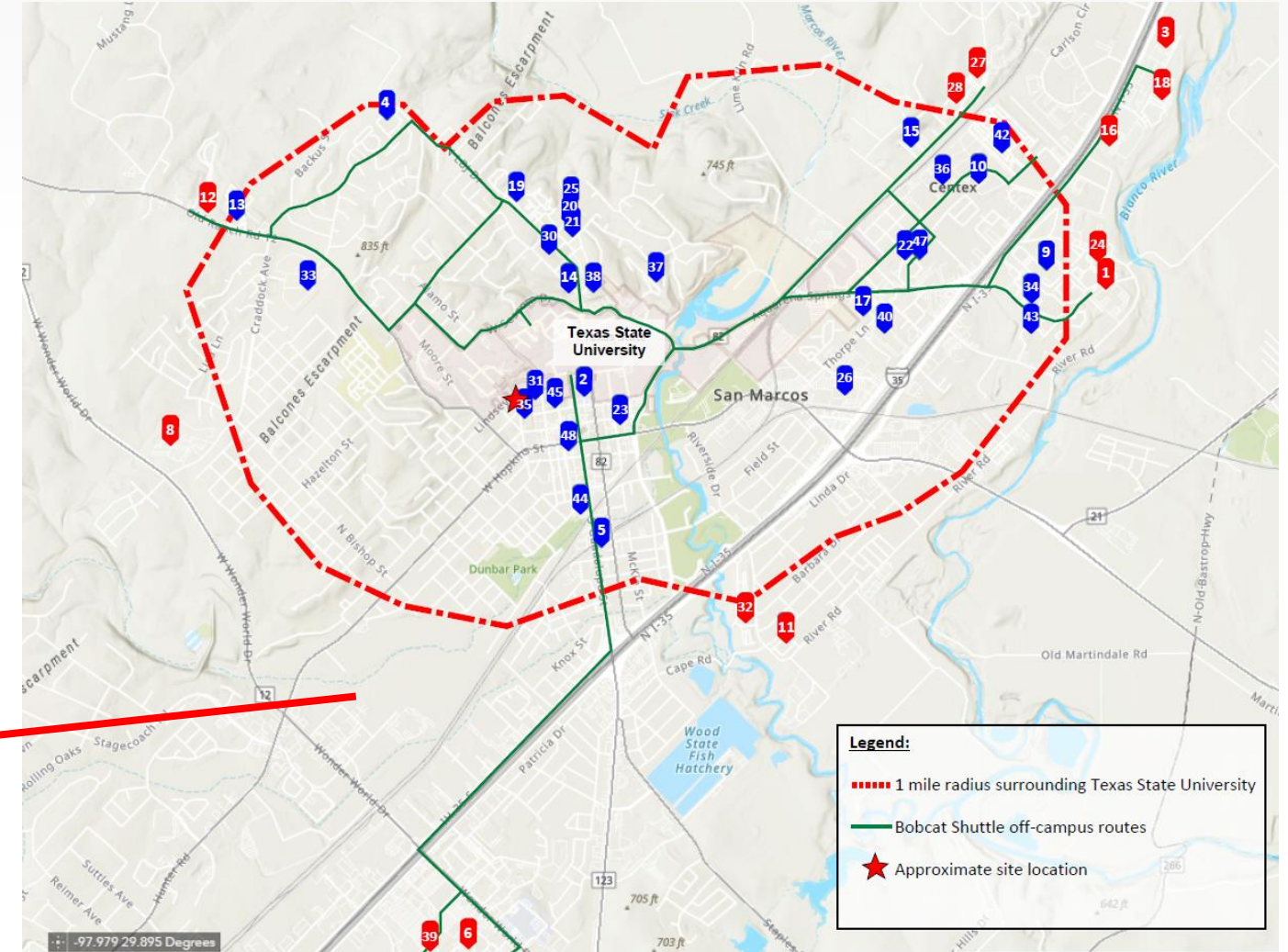
With commuters and on-line students, this number rises to 30,067

15,691 is the maximum number of “student housing” beds San Marcos needs to be able to house every Sophomore, Junior, Senior, PhD, Masters, Post Grad student, married, graduate, veteran, and people living in traditional/ joint lease housing.

21,999-ish RBB beds are available now. At least **28,000ish** beds are available with double occupancy.

More than 36% of these beds are > 1 mile from campus

Only 53% of these beds are within 500' of Bobcat Bus line



Student Housing Occupancy Information (within a 10 mile radius)

Map No.	Project	YOC	Total Units	Total Number of Beds	Beds Leased
Built 2010 +					
1	Aspire San Marcos	2020	225	755	755
2	Cheatham Street Flats	2020	143	234	234
3	Pointe San Marcos	2017	109	345	345
4	Sanctuary Lofts	2006	202	481	460
5	The Local	2017	96	304	304
6	The Lyndon*	2019	233	515	506
7	The Parlor	2021	261	452	452
8	The View on the Square	2021	120	386	364
9	Vie Lofts at San Marcos	2016	86	230	230
10	Vistas San Marcos	2013	255	599	593
Total			1,730	4,301	4,243

98.7% Occupancy Rate

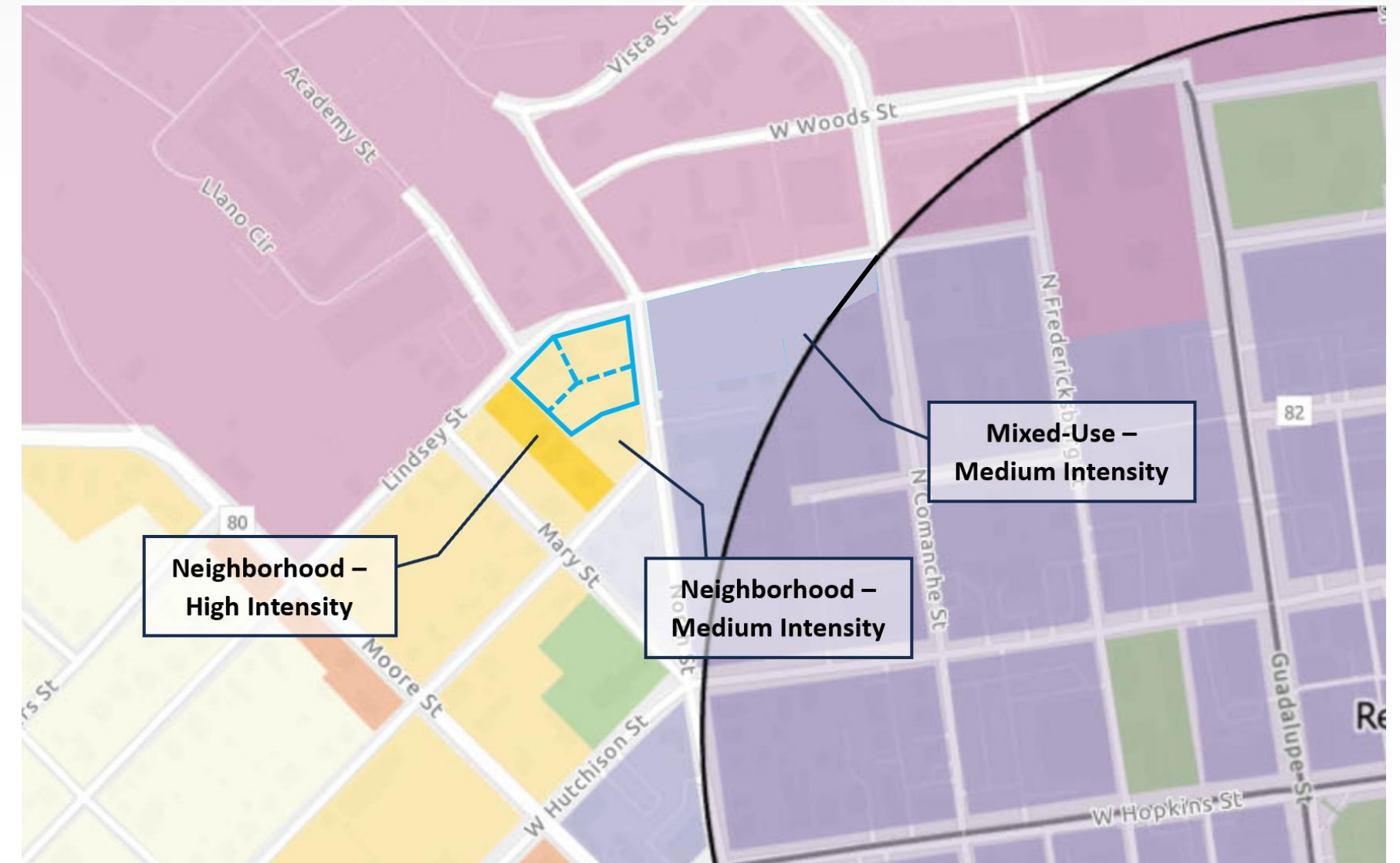
Source: Capitol Market Research, apartment community survey July 2023

- There is a market demand – see petition numbers.
- The University has recently purchased the existing Sanctuary Lofts and The Vistas Student Housing Project totaling 1,048 beds, which they will be using for freshman housing.
- Without additional student housing near campus, students will be forced to live throughout San Marcos causing student sprawl and increased traffic throughout the city.

Preferred Scenario Map Amendment – Good Urban Planning

Is this the right location for High Density Downtown Use?

- P&Z proposed Vision SMTX recommendation identifies Neighborhood High Intensity for a property abutting the proposed Project immediately to the west.
- Every unit **NOT** placed near campus puts pressure on other parts of San Marcos and will likely increase urban sprawl.
- Every unit **NOT** placed near campus means an additional car on the street, and additional car parking within a neighborhood, or additional strain on the bus system.
- Proposed project is **DIRECTLY ACROSS THE STREET** from the Texas State University campus.
- The proposed project site has a walkability score of 93 – putting it at the top of similar projects across the country.



- Per-capita water use in more densely developed areas is significantly less than in suburban areas.
- Urban sprawl has a proven negative impact on water quality.

Preferred Scenario Map Amendment – Summary

- City Staff supports this request.
- Good planning principals dictate a logical transition that meets the intent of **Vision SMTX**
 - From Mixed Use-Medium to Neighborhood High-Intensity to Neighborhood Medium-Intensity



- There is documented demand for student housing and the Preferred Scenario Map Amendment is appropriate to allow the kind of development to address the additional need for housing.
- The impacts of NOT making this change would likely result in:
 - Urban Sprawl
 - Increased parking issues in neighborhoods
 - Increased strain on the bus system
 - Increased water use on a per-capita basis
 - Poorer water quality
 - Increased traffic and associated impacts on air quality

Zoning Change Request

ZONING REGULATIONS

CHAPTER 4

Section 4.1.2.6 Character Districts

- A. Character districts are intended for infill development and new development in both high and medium intensity zones on the Preferred Scenario Map.
- B. Character districts provide for higher density residential and commercial uses in well planned areas where utilities and infrastructure are designed and constructed to support intense development in a walkable and mixed use environment.

TABLE 4.5 CHARACTER DISTRICTS

ABBREVIATED DESIGNATION	DISTRICT NAME	DISTRICT INTENT	SEC.
CD-5D	Character District -5 Downtown	The CD-5D district is intended to provide for mixed use, pedestrian-oriented development in downtown. To promote walkability and to encourage street level retail activity, auto-oriented uses are restricted. CD-5D should be applied in areas where the existing or proposed land use pattern promotes the highest levels of pedestrian and mixed use activity in the community.	Section 4.4.3.7

CHAPTER 4 ZONING REGULATIONS

GENERAL DESCRIPTION

The CD-5D district is intended to provide for mixed use, pedestrian oriented development in downtown. To promote walkability and to encourage street level retail activity, auto-oriented uses are restricted.

Walk Score is 93 for this site, which ranks among the highest in the nation for student housing near campus
 [Source: www.walkscore.com]

CHAPTER 4 ZONING REGULATIONS



APARTMENT:
 A multi-family residential only structure consisting of a number of dwelling units arranged side by side and stacked on multiple floors. Unit types may be either single level (flats) or multi-floor (townhouse).



Zoning Change Request

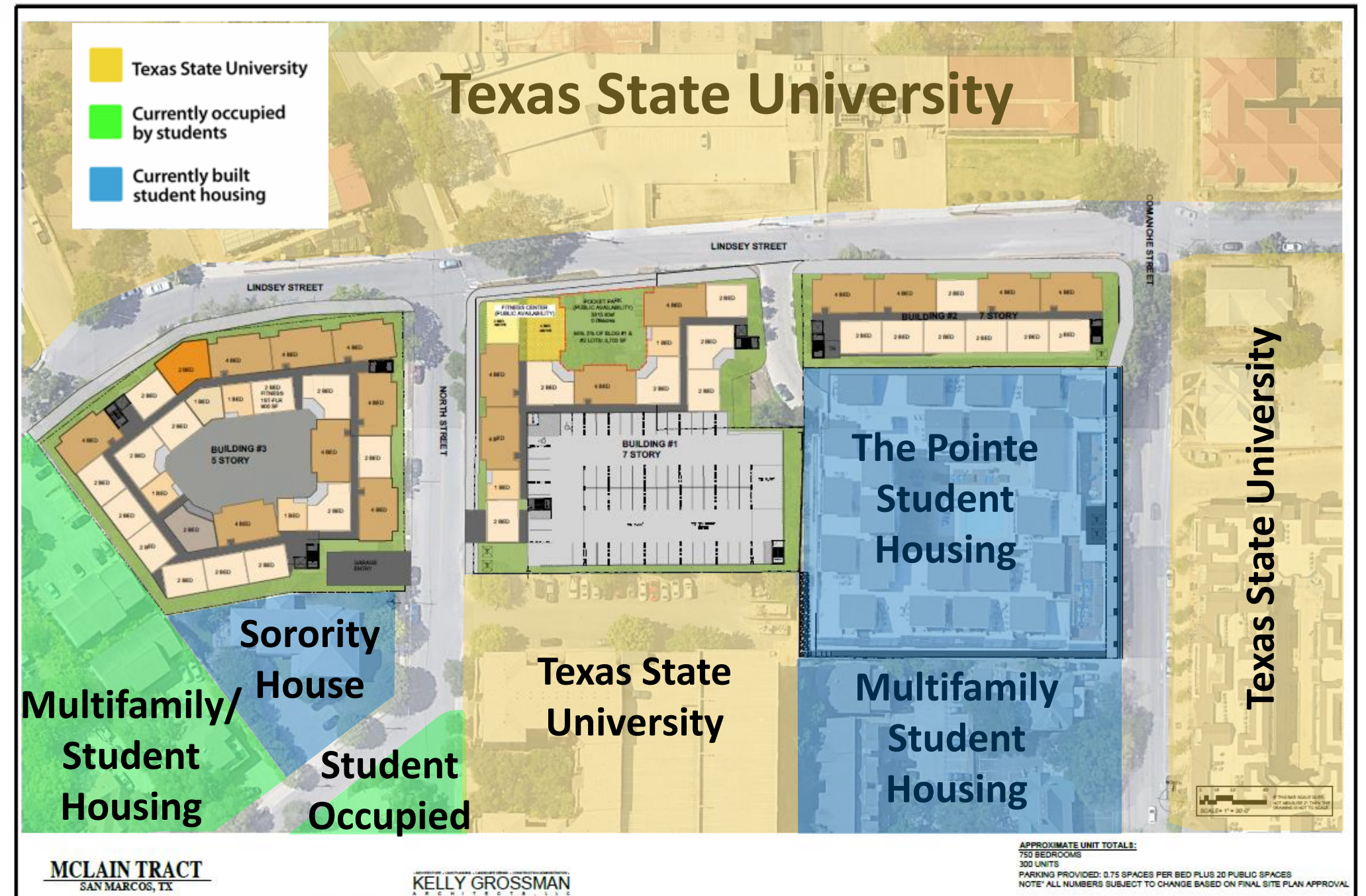
Parcel #	Label	Address	Zoning Change	Existing Zoning	New Zoning Allowed	Proposed
R34773	A	421 Lindsey St.	From MF-12 to CD-5D	4 stories	5 stories	5 stories
R141054	B	413 & 419 North St.	From MF-12 to CD-5D	4 stories	5 stories	5 stories
R133230	C	499 North St.	From MF-18 to CD-5D	4 stories	5 stories	5 stories
R32207	D	420 North St.	From MF-24 to CD-5D	4 stories	5 stories*	7 stories
R53147	E	435 N. Comanche St.	No Change (CD-5D)	5 stories*	5 stories*	7 stories
R155306	F	410 North St.	From MF-24 to CD-5D	4 stories	6 stories*	7 stories

* Alternative Compliance available (see Section 4.3.4.4 or Section 4.3.4.5).



Zoning Change Request - Summary

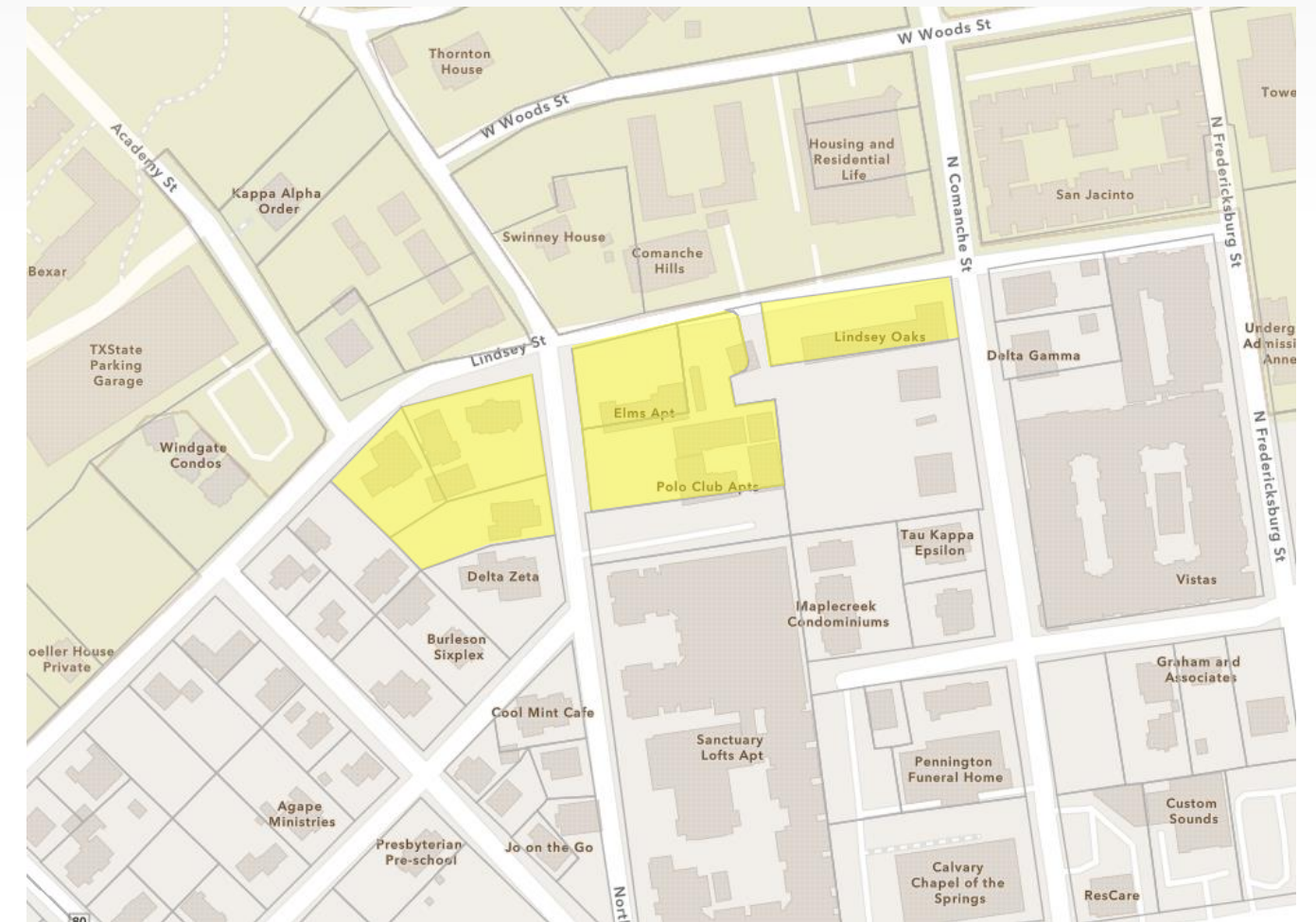
- Zoning change requested for 5 parcels.
- Property is currently zoned Multifamily.
- Project is seeking CD-5D
- Staff supports this request.
- Requested zoning:
 - Is consistent with surrounding zoning and use.
 - Promotes compatibility with adjacent and nearby uses.
 - Allows for a reasonable use of the property.
 - Satisfies a public need.
 - Promotes a transition between adjacent and nearby zoning districts, land uses, and development intensities.



Conditional Use Permit – Student Housing

Off-Campus Individual Housing Contract Student Housing

- The predominant Student Housing model in the United States
 - Limits student risk
 - Places all risk on developer
- In this model, a **student renter is protected** if:
 - A co-habitant is late or does not pay their lease
 - A co-habitant damages the portion of the apartment they have leased
- Students are only required to ensure their installment payments get paid monthly
 - **It will not matter if your roommates pays the rent on time or does not pay the rent at all.**
- Allows for roommate matching
 - Non-students will not be placed with students and can include age-appropriate matching
- Nationally, only 20% of on-campus student housing is equipped with **full kitchens**
 - Especially important as Universities struggle with providing meal plans that satisfy the broad range of dietary needs of their student population.
- **Provides an asset to the University** to academically, socially, and physically advance the learning environment while minimizing financial exposure.
 - **Proven by recent University purchase of adjacent private student-built housing projects.**



The Texas Fair Housing Act protects rights to rent an apartment free from discrimination based on race, color, national origin, religion, sex, familial status, and disability.

Conditional Use Permit – Parking & Open Space

- Applicant is proposing a parking ratio = 0.75 spaces/bed
- 2023 Capital Market Research Parking Utilization Study
 - **Appropriate ratio of parking spaces/bed for a student housing project in San Marcos = 0.7 spaces/bed.**
 - Especially true when Project is literally across the street from campus.
- Thus, the project provides 20 **paid, covered parking spaces available for public use.**
- Applicant will **meet the provisions** in the Land Development Code Chapter 7, Article 1, Division 4 by paying fee-in-lieu for the balance of the parking spaces not provided.
- Applicant is proposing to provide a bike storage room to include a maintenance shop and bikes available to be checked out by residents.
- Applicant is proposing to pay fee-in-lieu for all parkland required in the Land Development Code.
- Applicant will provide public park space on site including seating, bike parking, covered dining, etc.



Student Housing Parking Utilization Study

Prepared for

Mr. Matt Kenyon
Kenyon Companies
4826 East Cesar Chavez
Austin, Texas 78702

By

Capitol Market Research, Inc.
1102 West Avenue, Suite 100
Austin, Texas 78701

On

July 17, 2023

Conditional Use Permit – Staff Conditions

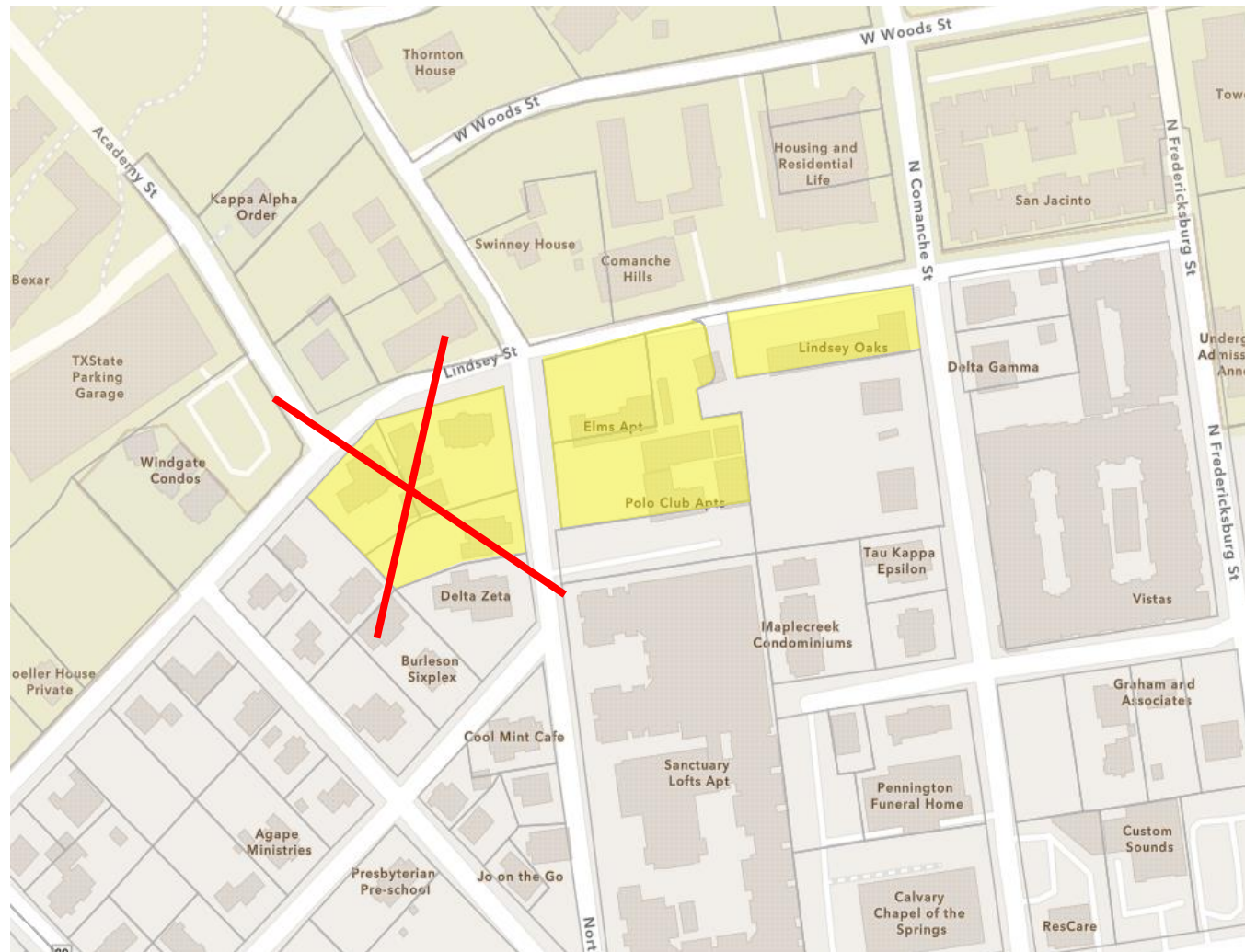
- Owner is **amendable to ALL Staff conditions:**

- The development shall register with the City of San Marcos Long Term Landlord Registration Scheme. ✓
- The existing “High Priority” structure identified in the Historic Research Survey shall be integrated into the development or relocated elsewhere – **it shall not be demolished.** ✓
- Approval of this request for Purpose-Built Student Housing does not waive any development code regulations, including parking requirements. Back up materials are provided for informational purposes only. ✓
- This Conditional use Permit shall not expire. ✓
- The lease shall be made publicly available on the property’s website and shall contain the following text: ✓

“In the event the Leased Premises are unavailable for occupancy on or before the commencement date of this Lease, Landlord shall offer Tenant the choice of: 1) accepting temporary safe, decent, and sanitary housing, provided by Landlord, at an alternate location within the City of San Marcos, or within a seven mile radius of the Leased Premises, with Tenant remaining bound by the terms of the Lease; or 2) terminating the Lease with no financial penalty and with full reimbursement to Tenant of all deposits and pre-paid items within 10 days.”

Alternative Compliance Request

- Request:
 - Increase the permitted height from 5 to 7 stories on eastern 3 parcels only (**removed this request on western 3 parcels**)
- Height:
 - CD-5D Zoning Category allows 5 stories by right
 - James Street Housing Complex is 7 stories <500 ft from the site on Academy Street.
 - Project meets **63%** of applicable Alternative Compliance Findings



Alternative Compliance Findings

The City Council may allow additional stories in the CD-5D... zoning districts, subject to the following:

1. The project is consistent with the objectives and guidelines from the City's Comprehensive Plan and Downtown Master Plan where applicable. **THE PROJECT IS CONSISTENT WITH THE COMPREHENSIVE PLAN.** ✓
- ~~2. For a residential project, the additional stories provide an opportunity to include a minimum of 10% of the project as affordable housing. **NOT APPLICABLE FOR STUDENT HOUSING**~~ NA
- ~~3. For a residential project, the additional stories provide an opportunity to include a minimum of 20% of the project as workforce housing. **NOT APPLICABLE FOR STUDENT HOUSING**~~ NA
4. The additional stories provide an opportunity for additional professional office or commercial space providing employment opportunities; -
5. The additional stories provide an opportunity to deliver a building that is rated a minimum of a silver in the LEED green building program; **PROJECT WILL BE LEED SILVER CERTIFIED** ✓
6. The additional stories provide an opportunity to include childcare within the facility; -
7. The additional stories provide an opportunity to add public parking in or adjacent to the downtown; **20 PUBLIC PARKING SPACES WILL BE PROVIDED.** ✓
8. The additional stories provide an opportunity to include on-site publicly accessible open space in excess of the open space required under Section 3.10.1.2. **APPROXIMATELY 5% OPEN SPACE WILL BE PROVIDED** ✓
9. In CD-5D and the five downtown Design Contexts, the approved alternate conforms to the Downtown Design Guidelines; and -
10. The project proposes architectural elements that mitigate any effects on adjacent properties or the pedestrian experience from the street level. **THE PROJECT HAS REDUCED THE HEIGHT ON THE EASTERN 3 PARCELS TO FACILITATE A BETTER PEDESTRIAN EXPERIENCE.** ✓

Timeline

Date]	Pre-submittal meeting with Staff
8/7/23	Submitted applications
9/26/23	Planning and Zoning Commission Update
10/2/23	City Council Update
9/28/23	Neighborhood Meeting (on site)
10/18/23	Neighborhood Commission
01/31/24	Neighborhood Meeting (Palmer's)
2/27/24	Planning and Zoning Commission Hearing
03/19/24	City Council Public Hearing (no action)
04/02/24	City Council Public Hearing/First Reading
4/16/24	City Council Public Hearing/Second Reading

