

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

Updated: March, 2023



CONTACT INFORMATION

Applicant's Name	Andres Siller	Property Owner	Gonzalo Duarte
Company	Sword Engineering	Company	MKT 360 LLC
Applicant's Mailing Address		Owner's Mailing Address	
Applicant's Phone #		Owner's Phone #	
Applicant's Email		Owner's Email	

PROPERTY INFORMATION

Subject Property Address(es): 112 Smith Ln. San Marcos, TX 78666 

Legal Description: Lot _____ Block _____ Subdivision _____

Total Acreage: 2 Tax ID #: R12165

Preferred Scenario Designation: Neighborhood Low Existing Zoning: SF-6

Existing Land Use(s): Residential Single-Family

DESCRIPTION OF REQUEST

Proposed Zoning District(s): ND-3

Proposed Land Uses / Reason for Change: Residential Single-Family

Zoning district with density allowed for Duplex development

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.*

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

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

PROPERTY OWNER AUTHORIZATION

I, Gonzalo Duarte (owner name) on behalf of
MKT 360 LLC (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
112 Smith Ln, San Marcos, TX 78666 (address).

I hereby authorize Andres M. Siller (agent name) on behalf of
Sword Engineering (agent company) to file this application for
Zoning Change (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 08/07/2025

Printed Name, Title: Gonzalo Duarte

Signature of Agent:  Date: 08-07-2025

Printed Name, Title: Andres Siller

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:  _____
Print Name: Gonzalo Duarte

Date: 08/07/2025

HAYES SURVEYING

202 SUNFLOWER DRIVE
KYLE, TEXAS 78640

Phone 512/268-4813
Fax 512/268-4824

EXHIBIT A

METES & BOUNDS DESCRIPTION FOR 2.0059 ACRES OF LAND

A tract of land containing 2.0059 acres out of and part of the J. M. Veramendi Survey No. 2, in Hays County, Texas, being that same tract, called 2.0 acres as conveyed by a Gift Deed in June of 1981 to David and Mary Mendez as recorded and described in Volume 360, Page 367, of the Hays County Deed Records, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1" iron pipe found in the southeast right-of-way of Smith Lane for the northeast corner of the said Mendez 2.0 acre Tract, the northeast corner of the herein described tract and the northwest corner of the Wilson Tract as described in Volume 364, Page 299, of the Hays County Deed Records, from which for reference the calculated point for the intersection of the southwest right-of-way of Smith Lane with the west right-of-way of River Road (Old Highway #80) bears approximately S 45° 10' W, a distance of 343.05 feet;

THENCE S 44° 35' 00" E (bearing basis used herein), and at 149.44 feet and 0.59 feet to the right of the property line, passing a ½" iron rod found for the southwest corner of the said Wilson Tract and for the northwest corner of the Dean Tract #1 as described in Volume 254, Page 692, of the Hays County Deed Records, and at 289.736 feet and 1.14 feet to the right of the property line, passing a brass tube in concrete found disturbed for the southwest corner of the said Dean Tract #1 and for an exterior ell corner of the Remainder of the Dean Tract #2 as originally described in Volume 136, Page 161, of the Hays County Deed Records, in all a total distance of 517.26 feet to a ¾" iron pipe found at the base of a wood fence post and in the northwest line of a 15' drainage ditch as called for in the recorded plat of Greendale Addition, Unit #1, as recorded in Volume 151, Page 265, of the Hays County Deed Records, for the southeast corner of the herein described tract and the southwest corner of the said Remainder of the Dean Tract #2, from which for reference, an axle found for the southeast corner of the Remainder of the Dean Tract #2 bears N 45° 13' 52" E, a distance of 452.33 feet;

THENCE S 45° 37' 10" W, along the said drainage ditch, a distance of 169.03 feet to an iron rod with a plastic cap found for the southwest corner of this herein described tract and for the southeast corner of the Tanglewood LLC Tract as described in Doc. # 9924947, of the Official Public Records of Hays County;

THENCE N 44° 32' 52" W, and at 514.76 feet passing an iron rod with a plastic cap found for the northeast corner of the said Tanglewood LLC Tract, in all a total distance of 517.60 feet to a ¾" iron pipe found in the southeast right-of-way of Smith Lane for the northwest corner of the herein described tract;

THENCE N 45° 44' 08" E, along the Smith Lane right-of-way, a distance of 168.71 feet to the POINT OF BEGINNING, containing 2.0059 acres.

This is to certify that this description of land represents an actual survey made on the ground under my supervision in November of 2007. Only those documents with a red surveyor's signature and an accompanying red surveyor's seal shall be deemed reliable and authentic. Reference the attached sketch marked EXHIBIT B, File # SMTHLN03.

Ronald D. Hayes, Registered Professional Land Surveyor, No. 5703

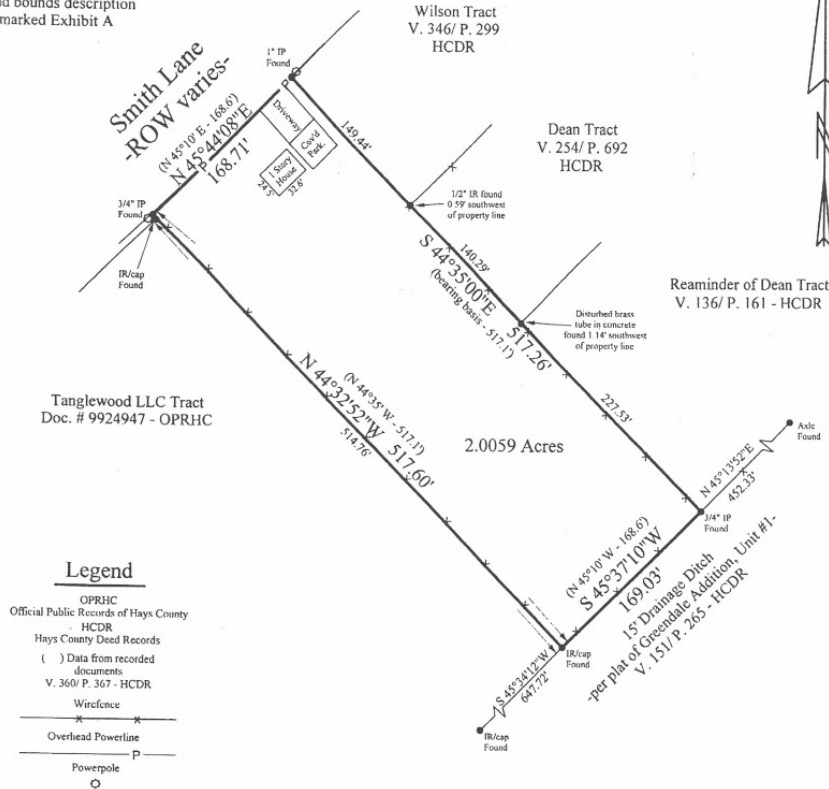


Exhibit B

J. M. Veramendi Survey No. 2

Reference attached metes and bounds description marked Exhibit A

Scale
1" = 100'



Legend

OPRHC
Official Public Records of Hays County
HCDR
Hays County Deed Records
() Data from recorded documents
V. 360/ P. 367 - HCDR
Wirefence
Overhead Powerline
Powerpole

Surveyor's Notes: Fences are shown for graphic purposes only and may meander along property lines slightly.

PLAT SHOWING SURVEY OF 2.0059 ACRES OUT OF AND PART OF
THE J. M. VERAMENDI SURVEY NO. 2, IN HAYS COUNTY, TEXAS.

FOR: Phong Pham

GF: 024308SMT/ San Marcos Title

DATE: November 8, 2007

ADDRESS: 112 Smith Lane, San Marcos, Texas.

The undersigned does hereby certify that this survey was made on the ground of the property legally described hereon and is essentially correct and that there are no visible discrepancies, encroachments, overlapping of improvements, visible utility easements or roadways, except as shown and that said property has access to a public road. Only those plats with a red surveyor's seal and red signature shall be deemed reliable and authentic.

Ronald D. Hayes, Registered Professional Land Surveyor, No. 5703

According to the scaling of Map Panel 0481F of the September 2, 2005 insurance rate map for the County of Hays, Texas, the property described hereon is in the Zone "AH" of the flood hazard area and determined to be inside the 100 year flood zone.



File # SMTHLN03
Field Book # 56
Page # 66

HAYES SURVEYING
202 SUNFLOWER DRIVE
KYLE, TEXAS 78640
512-268-4813

San Marcos Development Services Department
City of San Marcos
Planning and Development Services
630 East Hopkins Street
San Marcos, Texas 78666

Subject: Zoning Request No. ZC-25-10 (SF-6 → ND-3)

Summary Letter

112 Smith Lane, San Marcos, Hays County, Texas 78666

Sword Engineering Project #2511

Sword Engineering is providing this summary letter to accompany the zoning request for the property located at 112 Smith Lane in San Marcos, Hays County, Texas. The subject tract is approximately 2.0 acres and is identified in Hays County as property ID R12165. The property is currently zoned Single-Family Residential (SF-6).

The site currently improvements include a single-family residence and is located within an established residential area served by existing City infrastructure. The site does not contain any wetlands according to the National Wetlands Inventory mapping from the US Fish & Wildlife service. The site is not located within the Edward's Aquifer Recharge, Transition or Contributing Zones according to the TCEQ maps. The tract is within a Zone AO FEMA floodplain (2 feet depth) according with FIRM 48209C0481G effective on January 17, 2025, and will comply with all applicable floodplain development requirements, drainage criteria, and watershed protection standards as outlined in the San Marcos Development Code and Design Manual.

We are submitting this application to request a zoning change from **SF-6 to ND-3 (Neighborhood Density-3)**. The rationale for this request is summarized below:

Infill Residential Development

The requested rezoning will allow for the same single-family residential use currently permitted under SF-6, but at a greater density, creating smaller lots that support compact, walkable neighborhood design. This provides a form of infill residential development consistent with the Comprehensive Plan's goals for sustainable and efficient growth.

Alignment with Development Code

The ND-3 district, as defined in the San Marcos Development Code, is intended to accommodate single-family detached dwellings on smaller lots while maintaining compatibility with surrounding neighborhoods. Rezoning to ND-3 achieves this goal while ensuring compliance with neighborhood transitions, building standards, and design principles outlined in the Design Manual.

Efficient Use of Infrastructure

The property is located within city limits and is served by existing water, wastewater, and roadway infrastructure. By allowing increased density on the site, the rezoning will make more efficient use of public investment in infrastructure without requiring significant off-site extensions.

Support of Housing Goals

The rezoning request will help address the growing need for housing in San Marcos by providing additional opportunities for single-family homeownership within the city. The project will add to housing diversity while respecting the existing neighborhood character.

Improvements

The proposed improvements, as outlined in the attached concept plan for the site, include dedicated enhancements such as roadway construction, water and sewer line extensions, open space, and detention facilities, as well as the development of zero-lot line duplexes. The site is located within Flood Zone AO (depth 2). Accordingly, all proposed buildings will be designed in compliance with floodplain regulations and elevated to meet the minimum required elevation. Elevation certificates will be filed for each lot. Project runoff will be managed on-site to ensure post-development conditions do not exceed existing conditions. Stormwater infrastructure will include swales and detention facilities.

We respectfully request your consideration and approval of this zoning application. We are committed to working with City staff, the Planning and Zoning Commission, and City Council to ensure that the project aligns with the vision and standards established by the San Marcos Development Code.



Andres M Siller, PE, CFM

Project Manager

Sword Engineering, PLLC.

TBPE Firm No. F-26799