



Cover Memo

To:	City Council
From:	Planning & Development Services – Will Parrish Planning Technician
Date:	May 18, 2015
Re:	Amendment to SmartCode Height Allowances within the SmartCode Districts

At their regular meeting on May 12, 2015, the Planning and Zoning Commission considered this item during a Public Hearing.

Public Notification:

Public Notice was published April 30, 2015

Courtesy Notice mailed to all T4 & T5 property owners in Downtown Smartcode district May 19, 2015.

See attached map and list.

Correspondence:

There was no correspondence for or against this item.

Public Hearing:

For:

- Dianne Wassenich*

Against:

- John David Carson*

Planning & Zoning Commission *draft* meeting minutes:

LDC-15-01 *Hold a public hearing and consider revisions to Subpart C of the City's Code of Ordinances (SMARTCODE) updating Articles 1 and 5 to revise allowable heights within the SmartCode Districts.*

Chair Wood opened the public hearing.

John David Carson, 1911 Corporate Drive, San Marcos, 711 Patterson Drive, Austin Texas, stated that the request is an unnecessary change because Planning and Zoning and the City Council already have full discretion to approve or deny any height request over five stories. He explained that the Downtown is a landlocked area. Mr. Carson said it is also their best chance in cultivating a walkable community in San Marcos with daily necessities, employment, education and recreation all in one area. He added that we should be encouraging people to these areas and not set up boundaries. Mr. Carson stated that if there is

a desire for shorter buildings the problem is not the number of stories but the parking requirements. He said he finds the proposal perplexing and asked the Commission to recommend denial of the request and direct Staff to modify the multifamily parking requirements in the SmartCode back to the 1 space per unit that was recommended in the base SmartCode and by Planning Staff.

Diane Wassenich, 11 Tanglewood spoke in favor of Staff's recommendation. She explained that San Marcos has many cheaply built apartments without enough parking, particularly those built in the past decade. Mrs. Wassenich added that we have buildings that are embarrassing to our community as people enter San Marcos. She said that she believes that the staff is trying to help attract a type of apartment developer that will possibly build a better quality apartment. Mrs. Wassenich felt that if we want our Downtown to look like a thriving healthy business and living place, the Commission and Staff are doing the right things to bring up the standards in San Marcos so that we don't get the leftovers that every other community is getting around us.

Will Parrish, Planning Technician gave a staff report.

- **A motion was made by Commissioner Garber, seconded by Commissioner Ramirez, that LDC-15-01 (SmartCode) be approved. The motion failed by the following vote:**

For: 3 – Commissioner Ramirez, Commissioner Garber, and Commissioner Gonzales.

Against: 5 – Chairperson Wood, Vice Chair Ehlers, Commissioner Stanfield, Commissioner Olsen and Commissioner Dupont.

Absent: 1 – Commissioner Kelsey

- **A motion was made by Commissioner Stanfield, seconded by Commissioner Olson, that LDC-15-01 (SmartCode) be denied. The motion was carried by the following vote:**

For: 5 – Chairperson Wood, Vice Chair Ehlers, Commissioner Stanfield, Commissioner Olsen and Commissioner Dupont.

Against: 3 – Commissioner Ramirez, Commissioner Garber, and Commissioner Gonzales.

Absent: 1 – Commissioner Kelsey

- **A motion was made by Commissioner Ramirez, seconded by Commissioner Garber, that LDC-15-01 (SmartCode) reduction in allowable height within the T4 District from 5 stories to 3 stories, as well as a change to table 1.3 in order to fix erroneous clerical error regarding principal height in the T3 District from "not applicable" to 2 stories be approved. The motion failed by the following vote:**

For: 3 – Commissioner Ramirez, Commissioner Garber, and Commissioner Gonzales.

Against: 5 – Chairperson Wood, Vice Chair Ehlers, Commissioner Stanfield, Commissioner Olsen and Commissioner Dupont.

Absent: 1 – Commissioner Kelsey

- A motion was made by Commissioner Ramirez, seconded by Commissioner Garber, that LDC-15-01 (SmartCode) change to table 1.3 in order to the fix erroneous clerical error regarding principal height in the T3 District from “not applicable” to 2 stories be approved. The motion was carried by the following vote:

For: 8 – Chairperson Wood, Vice Chair Ehlers, Commissioner Stanfield, Commissioner Olsen, Commissioner Ramirez, Commissioner Garber, Commissioner Dupont and Commissioner Gonzales.

Against: 0

Absent: 1 – Commissioner Kelsey

Attachments:

1. *Notification map*
2. *Property owner list*