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May 19, 2017

City of San Marcos
Development Department
630 E. Hopkins
San Marcos, Texas 78666

RE: Preferred Scenario Amendment Submittal
323 Lindsey Street
San Marcos, TX

To Whom It May Concern,

Please accept the accompanying completed application and additional information for the Preferred Scenario Amendment located at 323 Lindsey Street. We are requesting an amendment to the existing intensity zone from Low Intensity Zone to High Intensity Zone for this specific property.

Currently, the property located at 323 Lindsey Street (0.212 Acres) and 410 North Street (0.648 Acres) are being subdivided to include both properties as one (1) legal lot, totaling 0.860 Acres. The subdivision submittal is currently being reviewed by City Staff under City Case No. PC-17-18_05, "Comanche II Subdivision". In addition, a Zoning Change and Smartcode Warrant Application has been filed with the City of San Marcos requesting a zoning change from MF-24 to T5 for the 323 Lindsey Street property and a warrant requesting student housing uses for both properties. Currently, the 410 North Street property is zoned T5 and we are not requesting a zoning change for this property. Ultimately, the goal is to have one (1) legal lot, T5 zoning for the entire one (1) lot and an allowed student housing use for the entire one (1) lot.

The 410 North Street property, known as the Polo Club, is an existing multi-family development and located within the High Intensity Zone in accordance with the current Preferred Scenario Map. The property located at 323 Lindsey Street is currently undeveloped and is located within the Low Intensity Zone in accordance with the current Preferred Scenario Map.

The City of San Marcos Land Development Code, Article 4, Division 1, Section 1.4.1.3 (7) states the following "This provision shall apply to all properties except those properties in the Edward's Aquifer Recharge Zone which shall always take the less intense zone. Properties which are partially covered by an intensity zone boundary may be considered by the Director for full inclusion in, or full removal from an intensity zone according to the following criteria:

- a. Fifty-One Percent (51%) of the area of the property must be within the zone in which it proposes to locate; and
- b. The property must have a similar level of constraint as shown on the Land Use Suitability Map as the zone in which it proposes to locate; and
- c. The change meets the majority of the future vision for the zone in which it proposes to locate as described in the Comprehensive Plan"

Based on the criteria within this section of the Land Development Code, approximately 75.3% of the proposed one (1) lot subdivision is located within the High Intensity Zone which complies with 1.4.1.3 (7)a. In addition, the future development of the lot is proposing student housing. There are existing student housing developments located along Comanche Street and North Street which are within T5 zoning and within a High Intensity Zone. Therefore, the lot would have the same level of constraints as the other surrounding student housing developments near and/or adjacent to the proposed subdivision; thus, complying with 1.4.1.3 (7)b and c. In conclusion, this specific rule of interpretation would support the Intensity Zoning amendment from the existing Low Intensity Zone to the requested High Intensity Zone.

If you have any questions or concerns, please feel free to contact me at 512-439-0400 or jennifer@kbge-eng.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer M. Garcia". The signature is fluid and cursive, with the first name being the most prominent.

Jennifer M. Garcia, PE, CFM
Partner
KBGE