

**75 Sylvan Council
Committee Wednesday
September 4, 2019
1:00 p.m.
630 E. Hopkins**

AGENDA

- 1. Call to Order.**
- 2. Roll Call.**
- 3. Review Packet Material**
- 4. Summarize Committee Consensus and Next Steps**
- 5. Establish Next Meeting Date**
- 6. Adjourn.**

June 8th, 2019

75 Sylvan Street, LLC
3150 Brunswick Pike
Lawrence, NJ

Via Electronic Mail (WParrish@sanmarcostx.gov)
Cc: (AHernandez2@sanmarcostx.gov)

Re: Compliance Under CD-5D District for Conventional Multifamily

Dear Mr. Parrish & Mrs. Hernandez,

As we have been evaluating our options for the 75 Sylvan Street project, we have determined we may be able to construct this project as conventional multifamily and no longer need the CUP for Purpose Built Student Housing.

The proposed use of the property will be a maximum 5 story mixed-use retail and multi family project in accordance with the standards of the CD-5D District. To ensure compliance with the City's Code, the multi family component will include the following:

- The unit mix will be constructed to contain no more than 3 bedrooms per individual unit.
- Each unit will have 1 or more bathroom(s) accessible directly from the living area.
- All units will be offered for lease with both by-the-unit and by-the-bedroom lease options depending on the resident's desires.
- The project will be professionally managed, marketed and available to all potential qualifying residents in compliance with Fair Housing Act laws.
- The intended primary purpose of the project will be providing housing for families, Texas State instructors & professors and young professionals.
- The project will meet the requirements of all applicable City Codes and Ordinances for mixed use multi family developments in the CD-5D zoning district

Please review the above information and confirm that if we submit complete applications for the above described project, we will be considered as "multi family" under the CD-5D District and will not be required to obtain a Conditional Use Permit as "Purpose Built Student Housing". We certainly understand and respect staff's time, we would respectfully request a response and determination by next Wednesday, June 12th as it may affect our desires to move forward with the Council's consideration on June 18th.

Sincerely,



Christian Cerria
Development Director
Gilbane Development Company

CHRISTINE TERRELL

christineterrell@icloud.com

Dear Mayor Hughson & Councilmembers,

I appreciate your willingness to form a committee to further explore issues around purpose-built student housing (PBSH) and the specific development along Guadalupe just off the square.

I have a lot of concerns about this particular proposed development, PBSH and ownership and development patterns in general. What I'm hoping to do here is to frame some of these concerns in ways that will encourage different conversations about how we might approach our shared dilemmas.

Local Ownership vs Economic Colonization

It is no secret that the key to power and autonomy has long been land ownership. It's interesting to me that somewhere along the way the Economic Development forces in the world convinced us that selling our land to massive unknown entities was somehow a great deal for us. I'm sure there's a whole nefarious history there, but I won't digress.

The evidence is pretty convincing that the various woes we're experiencing in town have—at their core—the issue of ownership (or growing lack thereof) of our own places.¹ Not only does this impact our ability to create a vibrant place that works for residents, it keeps us from setting our own agenda. We are constantly at the mercy of others' agendas which keeps us from dedicating attention to the needs of residents. It's the epitome of a vicious cycle.²

The particular block in question on Guadalupe, as near as I can tell from tax records, currently represents 10 local property owners and around 27 or 28 locally owned and operated independent businesses. It's difficult to get good numbers from the Hays County site, but the valuation of all this seems to be around \$4.1 million currently. (I confess, I can't figure out what that means in terms of yearly revenue to the COSM, but I'm sure staff could easily provide those numbers. I also have not heard what the proposed tax revenue would be once this development was built, minus any subsidies, abatements or other exemptions. But more on this below.)

I think there are serious issues to contend with any time we encourage 10 local owners to sell to one multinational corporation no matter what the development. It would also be foolish to think that those 28 businesses would be able to relocate downtown. In fact, it's much more likely that many of these businesses would be forced to leave town or close up shop entirely. That block currently consists of unusual and unique spaces that provide affordable space to a variety of businesses. New construction—purposefully—provides none of this.

Ground floor retail is part of the proposed development, however, it's quite clear at this point that the leases on these spaces are beyond the reach of nearly all locally owned businesses. Not only are lease prices too high, there are difficult barriers to entry from corporate landlords. From a recent report from The Institute for Local Self Reliance:

“On the supply side, as older buildings—which were generally designed to have small-scale, ground-level retail space—are getting razed for new development, those new projects often don't replace them, instead containing commercial space that's larger-format and designed for a national chain.

For the real estate developers behind these projects, securing a single large ground-floor tenant makes a project easier. A name-brand tenant is a faster ticket to financing for a project, especially within a banking system that's increasingly national and international in scope.”³

We already have entire blocks of serially unrented, corporately owned spaces up and down Guadalupe, to say nothing of other parts of downtown. To think that the ground floor space of this structure would fare any differently would be to ignore the evidence. There is no real incentive for the developer to fill these spaces. Their revenue flows in by the hundreds of thousands per month from students and the value of the land they now own also continues to appreciate. Empty ground floor retail is of little consequence to the developer, but our downtown suffers from a further erosion of appropriate and affordable commercial space, high vacancy rates and overall diminished vibrancy.

Wealth Extraction & Privatization Schemes

The PBSH model of development is a known wealth privatization scheme. This model has been touted in the last decade by REITs, hedge funds and multinational investment banks as a slick way to efficiently funnel money out of public student loan programs into their already obscenely laden coffers. This is a multi billion dollar industry complete with shady tax dodges, multi layered shell corporations, off-shore accounts and undisclosed foreign investment.⁴

These are not businesses looking to add to our economy. They are wealth extraction devices that suck every last resource from a place and then abandon it for the next host. This is not hyperbole. I would encourage each of you to research just how problematic these “neighbors” are for communities. I recognize we are at a severe disadvantage to their wealth and power, but we do NOT have to continue to use the narrative that this is somehow economic development. There is no appreciable prosperity brought to town through these properties. If the City has financial data that disproves my assertion, I would be grateful for those numbers.

That said, financial numbers are not the only indicators of a healthy and prosperous community. Even if a development like this brings in more tax revenue than the current 10 owners/28 local businesses, there is no way it could ever match the wealth of human capital and community enrichment. Those local businesses contribute to a circular economic structure where money passes from renter/local business to landlord then back to local businesses in a continuous loop. It’s so key to prosperity it has a name-- The Local Multiplier Effect.⁵ These sorts of development are designed to switch this circulating model of money to a linear path—from student renter to out of state landlord/hedge fund. Period. That’s Economic Devastation, not Economic Development.⁶

Demographic Monoculture & Issues of Scale

PBSH are unhealthy monocultures. Warehousing students in giant developments in the middle of communities creates unnatural living conditions. Creating a monoculture where students live in the community yet are walled off from normal interactions and day to day activities of the broader group is a recipe for a deep disconnect in the community fabric. This unnatural form of housing encourages bad behavior, discourages community integration and impoverishes tenants who arguably have no real alternative or clarity on the level of debt they are signing up for.⁷

Further, age segregation in our cities is a serious concern with recent research from demographer Richelle Winkler showing that “in the U.S., age segregation is often as ingrained as racial segregation. Using census data from 1990 to 2010, Winkler found that in some parts of the country, old (age 60+) and young (age 20–34) are roughly as segregated as Hispanics and whites. This broader pattern is reflected in our neighborhoods.”⁸

As it is, the number of these developments have produced a campus-by-proxy situation where the University has externalized it’s responsibility for the students onto the City.⁹ This is a burden to residents in ways hard to quantify. It’s hard to get good numbers, but the property taxes collected on these developments seem to be much less than the cost to the City to service them. It’s even harder to get a good analysis of a per student cost/benefit. It would be helpful to know exactly what each PBSH complex generates in yearly tax revenue to understand more clearly and thoroughly analyze.

PBSH have already created deep divides between the community and the University. To not recognize and course correct for this will only encourage further unhealthy segregation and resentments in our community.

Possible Process Improvements

1. Revise assessment process and framing

It is difficult to assess the quality of ANY proposed project if we don't know the most basic numbers. A more robust development assessment model that clarifies the true costs/benefits of current build out vs the proposed development would allow us to better understand what creates true local wealth and prosperity. Assessments like these are being carried out in other municipalities.

Some numbers I would like to see:

- current tax revenue of the land and businesses in question VS proposed development
- number of local businesses impacted and a survey of how they will manage the changes
- current quality/caliber/affordability of commercial space VS proposed development
- costs to the City for shepherding the development process VS costs to maintain/support current businesses
- assessment of diversity of use and ownership
- assessment around segregation issues—culture, ethnicity, age, activity
- vibrancy of streetscape
- assessment of human centered design VS car centered design

If it doesn't make financial sense for the community, there have to be really compelling secondary reasons to move forward with a proposal. It's impossible to assess those secondary reasons if we aren't asking the right questions.

2. Learn from other fiscally responsible municipalities

I would encourage each of you to listen to this episode of the Go Cultivate podcast. (<https://www.verdunity.com/podcast/episode-28>) It discusses how the city of Fate, TX now uses a spreadsheet model to financially assess proposed developments. Further, I would encourage you to reach out to Fate's City Managers to better understand how they are implementing more incremental, financially responsible development.

3. Update code to require covered sidewalks

Understanding that most of these problems will be built anyway, it would be great to make a simple code revision requiring downtown buildings to incorporate covered sidewalk space. This is a simple shift back to a traditional awning design that allows for more walkable, shaded spaces and is in keeping with good ideas from the past and the creation of better structures moving forward.

4. Transparency and easy accessibility of data.

There is no easy way to see what corporations are currently paying in taxes. Why does it have to be so difficult to pick an address, see who owns it, see what they PAY in taxes and what they DON'T through exemptions and other loopholes? This data exists and shouldn't require an advanced degree or FOIA requests to access.

5. Educate, educate, educate.

We have well qualified City staff, but I've experienced a lot of entrenched thinking and status quo bias with a variety of individuals. The world we are operating in is not the world of even 10 years ago. What we are currently doing is bankrupting us, so we clearly need to do something—anything—differently. Fostering a culture of education, experimentation, risk-taking and entrepreneurship among staff will better prepare these smart folks to ask better questions, approach issues from different perspectives and produce better outcomes. If we continue to build the places we've been building for the last 70 years we are doomed. Literally.

Thank you for your time with this much too long missive. I really appreciate all the work you do and know that you have our best interests at heart. I am happy to discuss any of this further or answer questions about things that may not be clear.

Best,

Christine Terrell

References:

1. <https://ilsr.org/local-ownership-healthier-wealthier-wiser/>
"A study recently published in the Cambridge Journal of Regions, Economy and Society, for example, found that people who live in communities where small, locally owned businesses are the norm are healthier than those who live in places where large corporations predominate. "We find that counties with a vibrant small-business sector have lower rates of mortality and a lower prevalence of obesity and diabetes," conclude the study's authors, Troy Blanchard, Charles Tolbert, and Carson Mencken."
2. <https://inthesetimes.com/rural-america/entry/20384/rural-america-economic-colonization-corporate-agriculture-exploitation>
"The sense of impotence and dread in rural America is a consequence of decades of economic extraction and exploitation carried out in the guise of rural economic development. Rural areas are suffering the consequences of prolonged "economic colonization"—a term typically used in reference to neo-liberal economic development in nations previously colonized politically. Rather than being colonized by national governments, most economic colonization today in rural America, and indeed in rural communities around the world, is carried out by multinational corporations."
3. <https://ilsr.org/affordable-space/>
4. <https://www.theguardian.com/education/2018/may/27/revealed-developers-cashing-in-privatisation-uk-student-housing>
5. <https://www.amiba.net/resources/multiplier-effect/>
6. (<https://www.forbes.com/sites/bisnow/2017/07/10/these-two-public-reits-are-making-a-killing-in-student-housing/#2265e7785eff>)
7. <https://rgs-ibg.onlinelibrary.wiley.com/doi/10.1111/area.12054>
8. <https://hbr.org/2018/06/the-u-s-isnt-just-getting-older-its-getting-more-segregated-by-age>
9. [Confronting the Challenges of Studentification in Orono - University of Maine](#)

Resources:

- Urban3: Mapping tools to assess a city's economic productivity and fiscal health
<http://www.urban-three.com/economic-productivity-analysis>
- Urban3 Blog
<http://www.urban-three.com/insights>
- Verdunity: Fiscally-informed planning, design, and community engagement to cultivate strong neighborhoods.
<https://www.verdunity.com/workshops>
- The Institute for Local Self-Reliance: Great resource for building resilient and prosperous places
<https://ilsr.org/>
- Strong Towns: Dedicated to making communities across the United States and Canada financially strong and resilient
<https://www.strongtowns.org/>
- Glass House: The 1% Economy and the Shattering of the All-American Town
<https://inequality.org/great-divide/read-1-economy-shatters-small-town/>
- Walkability Assessment Tool:
<https://ced.berkeley.edu/research/faculty-projects/toward-a-standardized-rating-tool-for-pedestrian-urban-streets>



Cover Memo

To:	City Council
From:	Planning & Development Services – Will Parrish, CNU-A, Planner
Date:	May 29, 2019
Re:	(CUP-19-11) Purpose Built Student Housing

At their regular meeting on May 28, 2019 the Planning and Zoning Commission considered this item during a Public Hearing.

Public Notification:

Personal notification for the May 28, 2019 Planning and Zoning Commission Meeting and June 18, 2019 City Council Meeting was mailed on May 10, 2019 (please see attached map and list).

Posted notification was placed on the property on May 10, 2019.

Correspondence:

Staff received 10 letters of opposition included in this packet.

Citizen Comment / Public Hearing:

For: *Linda Peterson
Juan Miguel Arredondo*

Against: <i>Roland Saucedo</i>	<i>Thea Dake</i>	<i>Samantha Burdick</i>
<i>Rusty Canavay</i>	<i>Diana Baker</i>	<i>Camille Phillips</i>
<i>Lisa Marie Coppoletta</i>	<i>Paula Hamilton</i>	<i>Jay Heibert</i>
<i>Marianne Moore</i>	<i>Patricia Quintero</i>	<i>Eric Hunter</i>
<i>Mike Scanio</i>	<i>Rodrigo Amaya</i>	<i>John Hohn</i>

Planning & Zoning Commission *draft* meeting minutes:

CUP-19-11 (Purpose Built Student Housing)) Hold a public hearing and consider a request by 75 Sylvan Street, LLC, for a Conditional Use Permit to allow a Purpose-Built Student Housing development on located on Guadalupe Street between San Antonio Street and MLK Drive. (W. Parrish)

Chair Garber opened the public hearing.

Will Parrish, Planner, gave an overview of the request.

A motion was made by Commissioner Kelsey, seconded by Commissioner Rand, that CUP-19-11 (Purpose Built Student Housing) be denied. The motion carried by the following vote:

For: 7 – Chair Garber, Vice Chair Gleason, Commissioner Ramirez, Commissioner McCarty, Commissioner Rand, Commissioner Baker, and Commissioner Dillion.

Against: 1 - Commissioner Moore

Absent: 1 - Commissioner Haverland

Attachments:

1. *Property Owner List*
2. *Notification Map*
3. *Public Comment Map*

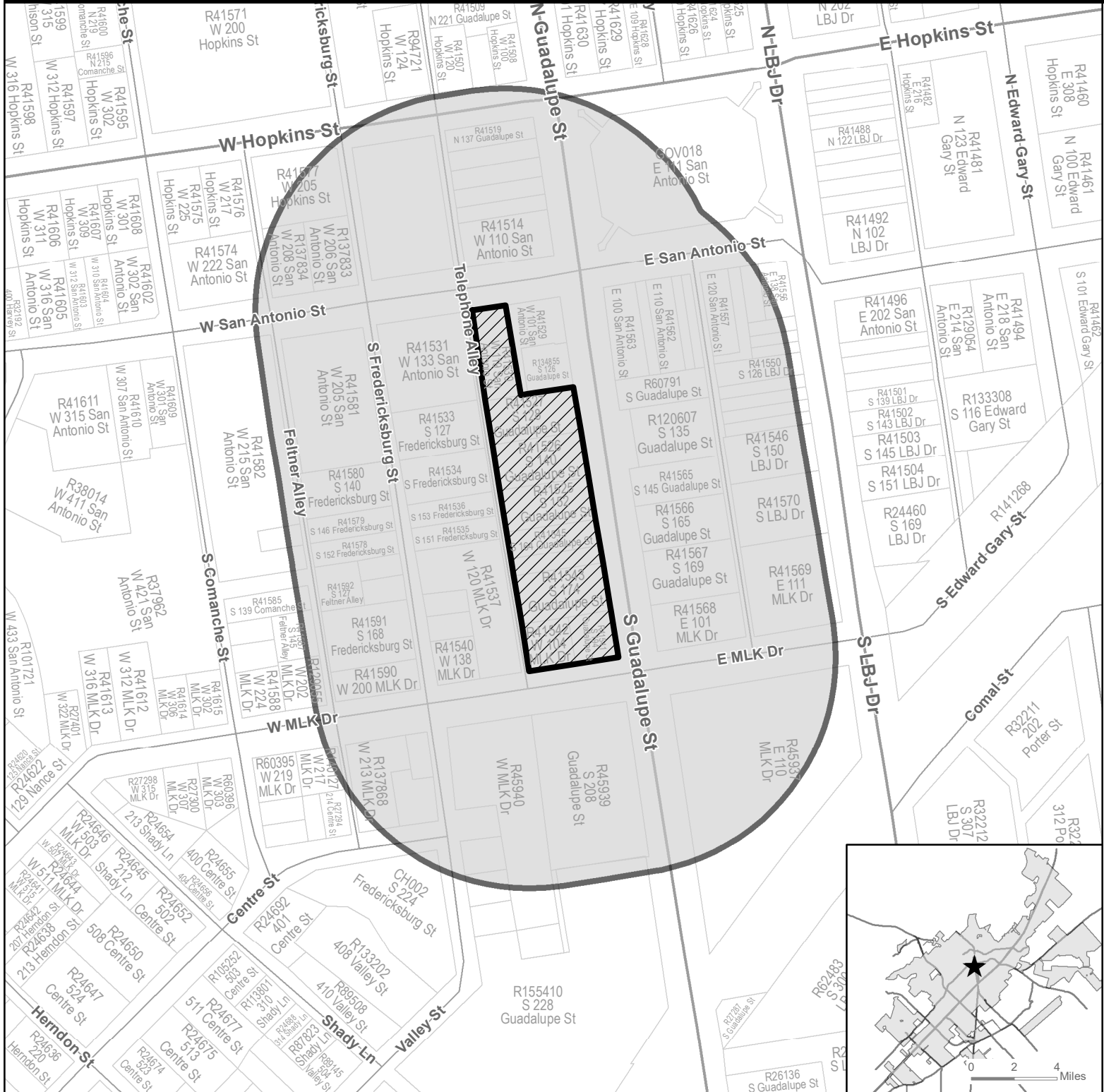
Name	Address	City	State
JAMES K WISE REAL ESTATES INC	6325 REDWOOD RD	SAN MARCOS	TX
HOHN JOHN Y LIFE ESTATE % MARK B JANSSEN	110 E SAN ANTONIO ST	SAN MARCOS	TX
THE MARC ON THE SQUARE LLC	1101 TATE TRL	SAN MARCOS	TX
WHITE DORA C & CONTRERAS LUCIA	127 FREDERICKSBURG ST	SAN MARCOS	TX
150 S LBJ LLC	102 WONDER WORLD DR STE 304	SAN MARCOS	TX
FINCH, JOHNNY	P O BOX 118	SAN MARCOS	TX
111 MLK DEVELOPMENT LLC	16925 WHISPERING BREEZE DR	AUSTIN	TX
FINCH, JOHNNY	P O BOX 118	SAN MARCOS	TX
FINCH, JOHNNY L	P O BOX 118	SAN MARCOS	TX
HAYS COUNTY OF	712 S STAGECOACH TRL STE 1063	SAN MARCOS	TX
WILSON, CLARA B	138 W MARTIN L KING DR	SAN MARCOS	TX
SM BUILDING #1-CRP LTD	730 BELVIN ST	SAN MARCOS	TX
FORREAL LTD	215 W SAN ANTONIO ST STE 2002	SAN MARCOS	TX
GALVEZ LUCIA A	158 S FREDERICKSBURG ST	SAN MARCOS	TX
CHAMBERS, MATTHEW J	160 S FREDERICKSBURG ST	SAN MARCOS	TX
WESLEY CHAPEL AFRO AMERICAN METHODIST ESPISCOPAL CHURCH IN	224 S FREDERICKSBURG	SAN MARCOS	TX
RICHARD, CARMEN E	201 W MLK DR	SAN MARCOS	TX
SAN MARCOS TELEPHONE CO INC	P O BOX 4065	MONROE	LA
GREER RANDY N & PATRICE A	140 S GUADALUPE ST	SAN MARCOS	TX
MURPHY PATRICIA R & BLACK MARY O	15 PILLOW RD	AUSTIN	TX
FORREAL LTD	215 W SAN ANTONIO ST STE 2002	SAN MARCOS	TX
GREENWOOD DOUGLAS A	503 W MLK	SAN MARCOS	TX
GREER RANDY N & PATRICE A	140 S GUADALUPE ST	SAN MARCOS	TX
RAINS, DON	P O BOX 1348	SAN MARCOS	TX
WHITTINGTON KEITH L & KELLY G	13511 CARPENTER LN	MANCHACA	TX
OZONA NATIONAL BANK % SAN MARCOS BRANCH	P O BOX 430	OZONA	TX
BLARCK LTD PARTNERSHIP	400 ROLLING HILLS DR	WIMBERLEY	TX
SOUTH GUADALUPE PARTNERS LTD	7609 BAJA CV	AUSTIN	TX
WORLD CUP INVESTMENTS LLC & WARREN BOBBY	728 SNYDER HILL DR	SAN MARCOS	TX
OZONA NATIONAL BANK % SAN MARCOS BRANCH	P O BOX 430	OZONA	TX
MUZUN INVESTMENTS LLC	P O BOX 160788	AUSTIN	TX
FOGLIA DAVID	206 W SAN ANTONIO ST	SAN MARCOS	TX
FORREAL LTD	215 W SAN ANTONIO ST STE 2002	SAN MARCOS	TX
SAN MARCOS CITY OF	630 E HOPKINS ST	SAN MARCOS	TX
SM HOPKINS LTD	5622 HARBOR TOWN DR	DALLAS	TX
GRAHAM DONALD W & DENISE A	901 HIGHLAND TERRACE	SAN MARCOS	TX





FORREAL LTD	215 W SAN ANTONIO ST	SAN MARCOS	TX
GRIZZLE DAVID RANDAL	118 E SAN ANTONIO ST	SAN MARCOS	TX
SIERRA ALBERT PHILLIP	118 ALGARITA	SAN MARCOS	TX
PUTTEMANS WIM	1915 ALAMEDA DR	AUSTIN	TX
ROGERS SHIRLEY	2609 SUMMIT RIDGE DR	SAN MARCOS	TX
SELVERA PAUL & SELVERA TRINE (LIFE ESTATE) % SELVERA RICHARD & SELVERA JOE RAYMOND	102 PITT ST	SAN MARCOS	TX
MARMOLEJO, MARCELINO JUAREZ	512 MARKET ST	JOLIET	IL
MLKSM LLC	510 HEARN ST # 380	AUSTIN	TX
ARREDONDO RICARDA EST Attn: FRANCES ARREDONDO	125 FELTNER ST	SAN MARCOS	TX
CHAMBERS MATTHEW J	160 S FREDERICKSBURG ST	SAN MARCOS	TX
CHAMBERS, MATTHEW J	160 S FREDERICKSBURG ST	SAN MARCOS	TX
ROTHER INVESTMENTS LLC	PO BOX 911	SAN MARCOS	TX
WARREN, ROBERT L	126 S LBJ DR	SAN MARCOS	TX
MENDEZ, RONNIE A	120 S LBJ DR	SAN MARCOS	TX
EAST HOPKINS LLC	120 W HOPKINS ST APT 200	SAN MARCOS	TX
MLKSM LLC	510 HEARN ST # 380	AUSTIN	TX
CARBAJAL GUADALUPE R & DIANA L	714 WILLOW CREEK CIR	SAN MARCOS	TX
DOZIER DIRK & KATHERINE	P O BOX 160667	AUSTIN	TX
PAPLPC TRUST	100 N GUADALUPE ST	SAN MARCOS	TX
EAST HOPKINS LLC	120 W HOPKINS ST APT 200	SAN MARCOS	TX
SAN MARCOS TELEPHONE CO INC	P O BOX 4065	MONROE	LA
FUENTES, AURORA DORA	139 S COMANCHE ST	SAN MARCOS	TX
HAYS COUNTY OF	HAYS COUNTY COURTHOUSE RM 103	SAN MARCOS	TX
FORREAL LTD	215 W SAN ANTONIO ST	SAN MARCOS	TX
MURPHREE, LARRY	712 MOUNTAIN VIEW DR	SAN MARCOS	TX
SANTA MARGARITA PROPERTIES LLC	907 CRYSTAL CREEK DR	AUSTIN	TX
VGZ GROUP LLC	400 DEERTRAIL DR	SAN MARCOS	TX
78 TRIPLE 6 INVESTMENTS LLC	205 E MIMOSA CIR	SAN MARCOS	TX
CARSON DIVERSIFIED PROPERTIES 2 LLC	407 S STAGECOACH TRL STE 203	SAN MARCOS	TX
SCANIO MICHAEL E TRUSTEE SCANIO BUILDING MANAGEMENT TRUST	121 N JOHNSON AVE	SAN MARCOS	TX
FACUNDO AND SONS INC	169 S GUADALUPE ST	SAN MARCOS	TX
FORREAL LTD	215 W SAN ANTONIO ST STE 2002	SAN MARCOS	TX
LIMITED PARTNERSHIP OF THE GILCREASE FAMILY LP	704 COUNTRY ESTATES DR	SAN MARCOS	TX
SAN MARCOS ASSETS LLC	126 S GUADALUPE ST	SAN MARCOS	TX
BLARCK LTD PARTNERSHIP	400 ROLLING HILLS DR	WIMBERLEY	TX
228 GUADALUPE LLC	7630 RED BAY CT	DUBLIN	OH

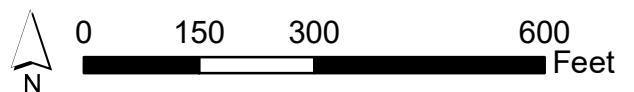
CUP-19-11

400' Notification Buffer

75 Sylvan - Purpose Built Student Housing



- ★ Site Location
-  Subject Property
-  400' Buffer
-  Parcel
-  City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 5/23/2019

CUP-19-11

Aerial

75 Sylvan - Purpose Built Student Housing



- ★ Site Location
- Subject Property
- Parcel
- City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 5/15/2019

Conditional Use Permit CUP-19-11

100 Block South Guadalupe Purpose Built Student Housing



Summary

Request:	A Conditional Use Permit to allow Purpose Built Student Housing		
Applicant:	75 Sylvan Street, LLC 3150 Brunswick Pike Lawrenceville, New Jersey	Property Owner:	Multiple, please see attached Owner's Authorizations
Type of CUP:	Purpose Built Student Housing	# of bedrooms Proposed:	545
Parking Required:	572 (1.05/bedroom)	Parking Provided:	409 residential (.75/bedroom) 43 retail / open use

Notification

Posted:	May 10, 2019	Personal:	May 10, 2019
Response:	Staff has received 10 letters, included in your packet		

Property Description

Legal Description:	Original Town of San Marcos, Block 12, Lots 1-3, W Part of Lot 5, Lots 14-16.		
Location:	South Guadalupe between West MLK Drive and West San Antonio Street		
Acreage:	+/- 2.157	Central Business Area:	Yes
Existing Zoning:	CD-5D	Preferred Scenario:	High Intensity
Existing Use:	Office / Retail / Commercial	Proposed Use:	Purpose Built Student Housing
CONA Neighborhood:	Downtown	Sector:	8
Utility Capacity:	To be provided by developer		

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	CD-5D	Commercial	Downtown High Intensity Zone
South of Property:	CD-5D	Commercial	Downtown High Intensity Zone
East of Property:	CD-5D	Commercial	Downtown High Intensity Zone
West of Property:	CD-5D	Commercial / Residential	Downtown High Intensity Zone

Conditional Use Permit	100 Block South Guadalupe
CUP-19-11	Purpose Built Student Housing



History

The properties included in this request are currently owned by multiple individuals and consists of retail, restaurant, office, and commercial uses. The applicant currently has these properties under contract.

Additional Analysis

This is one of the longest block faces within our downtown, measuring approximately 675 feet long, compared to the majority of blocks within the Downtown which tend to average around 350 feet per block face. Due to the length of the block face, the overall block perimeter is approximately 2,300 feet, which exceeds the maximum block perimeter of 2,000 feet permitted in CD-5D. The applicant is proposing a Pedestrian Passage on the ground level which would allow pedestrian access to Telephone Alley. The access meets the intent of the San Marcos Development Code if built at the code minimum width of 20 feet.

If this property is redeveloped, it will trigger streetscape improvements within the Right-Of-Way in front of the development, including large sidewalks, street trees, and the instillation of on street parking. Staff recommends a condition that the streetscape improvements be extended to the Guadalupe and San Antonio Street intersection due to large quantities of students that will be walking to campus.

In the CD-5D zoning district, “Purpose Built Student Housing” has a parking requirement of 1.05 spaces per bedroom, with an option to provide a fee in-lieu for up to 50% of the required parking. The applicant intends to provide a parking ratio of .75 parking spaces per bedroom. The remaining 30% would be subject to a fee in-lieu of approximately \$845,000. Money received through the fee in-lieu for parking is reserved for parking management, transit, or pedestrian and bicycle infrastructure improvements within the Downtown.

The property backs up to Telephone Alley, which separates it from primarily commercial uses, as well as a residential home. The area to the west of Telephone Alley is less densely developed and faces in the direction of several neighborhoods. In order to reduce the potential for negative impacts associated with noise from this development, Staff recommends that balconies be prohibited from facing Telephone Alley.

The size of the proposed building is a concern for the Fire Department, particularly in the course of searching and evacuating apartments structured in a “rent-by-the-bedroom” scheme. This is partially due to the fact that “rent-by-the-bedroom” units have many more locked doors within the unit than traditional apartment units, adding to the number of doors that must be opened with brute force during an emergency. If the Commission chooses to approve this request, the Fire Department has provided suggested conditions below that will assist the Fire Department if there is an emergency.

Conditional Use Permit
CUP-19-11

100 Block South Guadalupe
Purpose Built Student Housing



Comments from Other Departments

Police	No Concerns
Fire	<p>Fire has expressed several concerns with the proposed development, due to the nature of "Purpose Built Student Housing":</p> <ul style="list-style-type: none"> • There shall be a minimum of one operable building entrance / exit every 100 feet (on average) along the street frontage; • If the project is not split into a minimum of two buildings, smoke barriers shall be provided to subdivide every story that contains R-2 occupancies, into no fewer than two smoke compartments. Such stories shall be divided into smoke compartments of not more than 22,500 square feet. • A means of egress shall be provided from each smoke compartment created by smoke barriers without having to return through the smoke compartment from which means of egress originated. • All plans shall be reviewed, at the expense of the permit applicant, by a third party, as approved by the COSM, for compliance with the fire codes as adopted by the COSM. Any expenses for the plans review shall be the responsibility of the permit applicant and paid directly to the third party. The cost of these expenses are in addition to any permit fees required by the COSM. Final approval of the submitted plans shall remain the authority of the COSM. • Full dedication and construction of the alley shall be required at the time of development
Public Services	<ul style="list-style-type: none"> • Public Services expressed concern that Telephone Alley may be too narrow to accommodate 2 way traffic unless the full 24 feet of the alley is dedicated and constructed; • A Traffic Impact Analysis worksheet is required; and • All surrounding streets must be fully repaired after construction is finished.
Engineering	<ul style="list-style-type: none"> • The full width of Telephone Alley should be dedicated and constructed; and • Pedestrian Passage should be more closely aligned with potential cross block access on the other side of Guadalupe through to South LBJ Street.

Conditional Use Permit CUP-19-11

100 Block South Guadalupe Purpose Built Student Housing



Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	Denial
<ol style="list-style-type: none"> 1. Approval of this request for "Purpose Built Student Housing" does not waive any development code regulations, whether or not they are represented in the submitted back up material. 2. Any proposed building must meet the requirements of all City Codes and Ordinances. 3. Streetscape improvements shall be required to extend to the intersection of San Antonio and Guadalupe Street. 4. There shall be no balconies or patios permitted on the building facing Telephone Alley; 5. The Pedestrian Passage shall be a minimum of two stories in height, with pedestrian level entrances on both sides, sufficient internal lighting, and a minimum glazing requirement of 70% on the club house and lobby walls facing the Pedestrian Passage. 6. The applicant shall work with the City to mitigate noise and light nuisances associated with the parking garage. 7. There shall be a minimum of one operable building entrance / exit every 100 feet (on average) along the street frontage; 8. Smoke barriers shall be provided to subdivide every story that contains R-2 occupancies, into no fewer than two smoke compartments. Such stories shall be divided into smoke compartments of not more than 22,500 square feet. 9. A means of egress shall be provided from each smoke compartment created by smoke barriers without having to return through the smoke compartment from which means of egress originated. 10. All plans shall be reviewed, at the expense of the permit applicant, by a third party, as approved by the COSM, for compliance with the fire codes as adopted by the COSM. Any expenses for the plans review shall be the responsibility of the permit applicant and paid directly to the third party. The cost of these expenses are in addition to any permit fees required by the COSM. Final approval of the submitted plans shall remain the authority of the COSM. 11. Full dedication and construction of Telephone Alley adjacent to this project shall be required at the time of development; 12. All perimeter roadways shall be fully repaired after construction; 13. Double occupancy of bedrooms shall be prohibited; 14. The project will construct a minimum parking ratio of .75 spaces per bedroom, and pay the fee in-lieu for the remaining parking space per bedroom requirement in order to meet the full 1.05 parking spaces per bedroom requirement; 15. The project will provide an annual report of the number of students vs the number of non-student residents by ratio of bedrooms; and 16. The project shall meet the Green Building Standard Silver Program 		
Staff: Will Parrish	Title : Planner	Date: May 22, 2019

Planning and Zoning Commission Recommendation

Approval as Submitted	Approval with Conditions / Alternate	<input checked="" type="checkbox"/> Denial
Vote: 7-1		Date: May 28, 2019

Conditional Use Permit
CUP-19-11

100 Block South Guadalupe
Purpose Built Student Housing



Evaluation			Criteria for C.U.P Approval (Sec. 2.8.3.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.</p> <p><i>Vision San Marcos envisions a vibrant Downtown in which density is encouraged and supported.</i></p>
		<u>N/A</u>	<p>The proposed use is consistent with any adopted neighborhood character study for the area.</p> <p><i>Studies were not complete at time of request.</i></p>
<u>X</u>			<p>The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.</p> <p><i>The intent of the CD-5D district is to provide mixed use, pedestrian oriented development in Downtown and to promote walkability and street level retail activity.</i></p>
		<u>X</u>	<p>The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.</p> <p><i>If approved with the recommended conditions and constructed to meet Code requirements the impacts to the surrounding uses will be mitigated.</i></p>
		<u>X</u>	<p>The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood.</p> <p><i>If approved with the recommended conditions related to streetscape and alley improvements, and the Fire Department's recommended conditions traffic impacts will be mitigated.</i></p>
		<u>X</u>	<p>The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets.</p> <p><i>If approved with the recommended conditions related to streetscape and alley improvements traffic impacts will be mitigated.</i></p>
		<u>X</u>	<p>The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.</p> <p><i>If approved with the condition that patios and balconies are prohibited along the Telephone Alley frontage it will minimize adverse impacts on the neighborhood.</i></p>
		<u>X</u>	<p>The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood.</p> <p><i>If approved with the recommended conditions and constructed to meet Code requirements the development will meet the CD-5D district standards.</i></p>

Conditional Use Permit
CUP-19-11

100 Block South Guadalupe
Purpose Built Student Housing



Evaluation			Criteria for Purpose Built Student Housing Approval (Sec. 5.1.4.9)
Consistent	Inconsistent	Neutral	
	<u>X</u>		The ability for the development to transition in the future to accommodating a more diverse population; <i>The applicant is proposing a standard rent by the bedroom project with multiple rooms per unit. This type of development does not allow for an easy transition for a more diverse population.</i>
<u>X</u>			The durability, energy efficiency and longevity of the building <i>The applicant has committed to a building that will be certified under the National Green Building Standard Silver Program.</i>
<u>X</u>			The location of the development in relation to alternative transportation networks to and from the University including sidewalks, bike lanes, and transit networks <i>Guadalupe Street is a bus route for both the University and CARTS, the development would be required to construct a streetscape with wide sidewalks and street trees, and a two way bike facility is planned to connect to the University along Guadalupe Street in the near future.</i>
		<u>X</u>	Mitigation of any adverse effects on adjacent property or neighborhoods <i>The conditions recommended by Staff regarding patios and balconies on the alley frontage, as well as street and alley improvements, will help to mitigate adverse impacts of noise and traffic on adjacent neighborhoods.</i>
<u>X</u>			Compliance with the Comprehensive Plan, Downtown Master Plan, and any other adopted City plans or policies. <i>The applicant will be required to comply with all adopted Codes.</i>



75 Sylvan Street, LLC

Conditional Use Permit Request

Purpose Built Student Housing

75 Sylvan Street, LLC is requesting a Conditional Use Permit (CUP) for Purpose Built Student Housing in the CD-5D District. The City's Land Development Code defines Purpose Built Student Housing as follows: "One or more buildings, each containing two or more living units, that are designed, marketed, or used for the primary purpose of housing college students." This definition is broad and allows for substantial interpretation issues. The project's location will be attractive to students regardless of marketing. If more than 50% of the residents are students, the primary purpose of the property becomes housing for students. This project will meet the definition of Purpose Built Student Housing regardless of the design of the individual units and therefore, 75 Sylvan Street is requesting a CUP for Purpose Built Student Housing.

Section 2.8.3.4.A of the City's Land Development Code (LDC) provides the criteria for approval. The following outlines the approval criteria from the LDC and provides our response:

When considering an application for a conditional use permit, the Planning and Zoning Commission or City Council shall evaluate the impact of the proposed conditional use on and its compatibility with surrounding properties and residential areas to ensure the appropriateness of the use at the particular location, and shall consider the extent to which:

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan.

The proposed use of Purpose Built Student Housing encourages students to live within proximity to the University and within an area of preferred growth under the City's Comprehensive Plan. Housing students within proximity of the University along existing transportation networks with multiple transportation alternatives reduces congestion and traffic on major thoroughfares in the City and provides housing options away from single family residential neighborhoods and adjacent to more compatible uses.

2. The proposed use is consistent with any adopted small area plan or neighborhood character study for the area.

There is currently no small area plan or neighborhood character study adopted for this area; however, the proposed development and use meet the goals and objectives of the Comprehensive Plan and the Downtown Master Plan.

3. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;

The CD-5D District is the most intense Character District under the LDC. The development of multifamily is permitted by right and is consistent with the general purpose and intent of the applicable zoning district regulations. Purpose Built Student Housing in this location is buffered from residential neighborhoods due to distance from residential neighborhoods and other developments being proposed on surrounding/adjacent properties between the project site and adjacent neighborhoods.

4. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes Improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods;

The property is surrounded by largely developed, commercial, retail and office uses of varying intensities. Parcels in close proximity are currently being permitted for multifamily. 75 Sylvan Street believes that it will meet the definition of Purpose Built Student Housing and will be meeting all code requirements for construction of multifamily projects in the CD-5D District. Furthermore, the project incorporates a mid-block pedestrian passage that enhances connectivity and activity within the property and between adjacent properties.

5. The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood;

The additional pedestrian traffic generated by the proposed use will be a benefit to surrounding retailers and businesses. Additional vehicular traffic will access either San Antonio Street or MLK Drive and will not conflict with existing or anticipated traffic in any surrounding neighborhoods.

6. The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;

Access to the site is from the alley between Guadalupe Street and Fredericksburg Street. The existing alley connects MLK Drive and San Antonio Street which directs traffic flow to and from the development. The project anticipates dedication of ROW and improvements that will minimize development generated traffic on adjacent streets.

7. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and

The proposed Purpose Built Student Housing use has no different effect on adjacent properties than conventional multifamily from an exterior appearance standpoint. The project will meet all City codes and standards for design and construction of multifamily in addition to providing the self proposed conditions that establish minimum standards that would not otherwise be required for conventional multifamily not requesting a CUP for Purpose Built Student Housing.

8. The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

The proposed use will meet all standards for the applicable district and is not requesting any variations from such standards. With respect to compatibility with adjacent developments and the neighborhood and the impact of the proposed redevelopment, the proposed use is consistent with conventional multifamily that is permitted by right.

Section 5.1.4.9.B.2 of the City's LDC outlines additional items that the Planning and Zoning Commission and City Council may consider when specifically evaluating requests for Purpose Built Student Housing. In addition to the previously provided justifications, the following identifies the various considerations and provides explanations and justifications as to how we believe the project addresses those criteria:

1. The ability for the development to transition in the future to accommodating a more diverse population.

The request for a Conditional Use Permit for Purpose Built Student Housing is based on the property's location and proximity to Texas State University. This project will likely be occupied by greater than 50% students and therefore, by definition, the "use" as Purpose Built Student Housing, should be established as required by Code.

A diverse housing stock should be inclusive of all housing products. There are currently several projects in the site permitting phase near the project site that are constructing conventional multifamily and will be meeting the needs of that segment of the housing market. However, there is still a need for housing designed for students and this project will help in meeting that need.

The ability for the project to transition in the future to accommodate a more diverse population is subject to interpretation and future construction, technology and social needs that are currently unknown. As illustrated in the attached article, Purpose Built Student Housing not only serves a demographic of current students but also can be utilized by young professionals who are accustomed to the social interactions and lifestyle offerings provided by student housing developments that are often missing in conventional multifamily housing. Additionally, today's

generation of college students has on demand access to social and community events; however, values person privacy afforded by bed bath parity commonly found in Purpose Built Student Housing developments.

This request for Purpose Built Student Housing allows a specific housing stock that is vital in accommodating a diverse housing stock in downtown as a whole. Through future changes in technology, construction and market needs, the property will be able to accommodate future needs and respond to market demands as they occur. The ability to transition in the future is part of the natural cycle of real estate development and redevelopment.

2. The durability, energy efficiency, and longevity of the building;

This project will be certified under the National Green Building Standard Silver Program.

3. The location of the development in relation to alternative transportation networks to and from the university including sidewalks, bike lanes, and transit networks;

This project is in an excellent location to take advantage of multiple transportation options and existing networks. The project site is on Texas State University Bobcat Shuttle Bus Route 26. The City's proposed improvements to Guadalupe Street will introduce bike lanes and sidewalks where none currently exist. The project site is also approximately 2 blocks from the City bus station and Amtrak Depot. The project site offers multi-modal access to multiple alternative transportation networks.

4. Mitigation of any adverse effects on adjacent property or neighborhoods

The project site sits directly on the edge of the downtown square with existing businesses and largely commercial properties surrounding. Other adjacent developments currently under site permitting will be constructed between the project site and properties and neighborhoods farther away from the downtown square providing a natural transition in intensity as you move farther away from downtown. Design and construction will meet City Code that already requires mitigation of adverse effects on adjacent properties through architectural design guidelines and standards.

5. Compliance with the Comprehensive Plan, Downtown Master Plan, and any other adopted city plans or policies.

The project is located within a designated area for preferred growth and complies with the goals and objectives of the Comprehensive Plan, Downtown Master Plan and other adopted City plans or policies. Final design, layout and construction will be required to meet all applicable City codes and ordinances for redevelopment.

Summary

75 Sylvan Street, LLC is requesting a Conditional Use Permit for Purpose Built Student Housing because we believe that multifamily in close proximity to Texas State University will be greater than 50% occupied by students and therefore, by definition, are required to request this CUP. The multifamily “use” of this proposed development is appropriate in this location due to proximity to the University, is compatible with other existing or proposed developments in downtown and is consistent with the existing zoning designation, the Comprehensive Plan and the Downtown Master Plan.

From a design, architecture and site planning standpoint, the proposed redevelopment of this site and its impacts and affects on surrounding and adjacent properties will be no different, externally, than a conventional multifamily development. However, we recognize that Purpose Built Student Housing warrants additional considerations under the City’s LDC and are therefore proposing the following conditions be attached to this CUP to address concerns related to the specific use of Purpose Built Student Housing:

1. Parking will meet City Code requirements by providing a ratio of 0.75 spaces per bedroom on-site with the fee-in-lieu payment allowed by Code for the remaining 0.30 spaces per bedroom.
2. Double occupancy of bedrooms shall be prohibited.
3. The project will provide an annual report of the number of student residents vs. the number of non-student residents by ratio of bedrooms.

In consideration of the justifications and supporting information provided herein and the self-proposed CUP conditions identified above, we respectfully request approval of this CUP to allow Purpose Built Student Housing as an allowable use within this proposed redevelopment.



MERGING THE GAP BETWEEN STUDENT HOUSING AND CONVENTIONAL HOUSING

by Campus Advantage | Feb 4, 2019 | Blog



Millennial is not Multifamily: What the traditional apartment industry can learn from Student Housing about attracting and serving young professionals.

Attention Multifamily Industry: The Landscape has Changed

Over the past decade, student housing has changed drastically. Today's

graduated millennial has no memories of stark cinder block dorms. No, they experienced resort style convenience and amenities. Student housing has evolved and so have the expectations of that Millennial generation (now ages 22 – 37).

Take Notes from Today's Student Housing Operators

It is no secret that today's student housing trademarks are by-the-bed leasing, over-the-top amenities, and bed-bath parity; however, student housing goes far beyond the amenity offerings as many operators strive to build an environment that encourages academic success and promotes student interaction through resident events. This less tangible component of the experience is now an expectation of Millennial renters.

Students grow accustomed to this type of environment since they typically reside in a student housing community for most of their college tenure. Therefore, as these students mature and graduate, it is natural they are seeking the same sense of community at their next apartment complex. However, many conventional communities do not emphasize the resident experience through monthly programming and events. These young professionals move from student housing, a close-knit community in which they have built lasting relationships and achieved academic goals, into communities that do not sell the same experience, which leaves them frequently seeking new living accommodations to fulfill the void.

Fill the Void. Make Connections.

As conventional property owners, there is an opportunity to merge this gap and cater to these new young professionals and their same desire for a sense of community and belonging. In student housing, students are sold on the residence life programming and these same students are later seeking a similar experience as they begin their apartment hunt in the conventional market. By creating opportunities for residents to build relationships and become part of a community, it will not only fill this void, but will help set the property apart from other properties in the multi-family market. While the programming

efforts will look quite different than the typical student housing events consisting of pool parties, tailgating events, or grocery bingo, there are plenty of opportunities to target young professionals and to create an environment that caters to their evolving lifestyles.

Still Human.

While the focus and way of life of a young professional has shifted from the college mindset, they are still seeking events that will introduce them to new individuals, grow in their profession, and be a part of a larger community. Focus should be placed on creating programming that caters to life experiences, career growth, and success. Events such as social mixers, networking nights, meal preparation, community fitness classes, pet meet-and-greets, or free resume headshots are examples of programming that caters to a more mature audience. The programming should also focus on selling the lifestyle and amenities that the property offers. Young professionals tend to have a new appreciation for luxury amenities and the events should fully showcase and encourage the usage of the community's apartment and common area amenities.

Campus Advantage has successfully managed many conventional communities and implemented strategic programming to target young professionals. By providing a heightened resident experience, it bridges the gap between student housing and conventional housing and can result in a higher resident retention rate and increased leasing velocity. As such, word-of-mouth marketing is still an invaluable marketing technique, even among young professionals. By creating a sense of community and promoting interactions and career success, residents are more likely to share their experience and recommend the property to friends and colleagues – driving additional traffic and new leases. Properties within the multi-family market have the opportunity to capitalize on not only targeting this demographic but creating an environment in which young professionals are seeking, resulting in higher resident satisfaction and thus, property success.

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PRESS RELEASES
BLOG
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CASE STUDIES

RECENT POSTS

EMPLOYEE SPOTLIGHT: WHY CAMPUS ADVANTAGE IS AMIE MILLER’S SECOND FAMILY

NEW FLORIDA STUDENT HOUSING PROPERTY TO OPEN IN FALL 2020

CAMPUS ADVANTAGE ADDS KALAMAZOO, MICHIGAN PROPERTY TO ITS MANAGEMENT PORTFOLIO

Campus Advantage Takes on Management of 567-Bed Moontower
Campus Advantage to Manage TX Student Housing

NEWSLETTER SIGN UP

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CONTACT

Brianna McKinney

Bloom Communications

Office: 512-535-5066

Brianna@bloom-comm.com

WE ARE THE CAMPUS ADVANTAGE®

ABOUT CAMPUS ADVANTAGE


Campus Advantage, an industry leader in student housing, provides property management, consulting, acquisitions, and development with the goal of creating successful communities. [Learn More](#)

CAMPUS ADVANTAGE

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NEWS AND RESOURCES

EMPLOYEE SPOTLIGHT: WHY
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KALAMAZOO, MICHIGAN
PROPERTY TO ITS
MANAGEMENT PORTFOLIO

ABOUT PROPERTY MANAGEMENT RESIDENCE LIFE

CONSULTING INVESTMENTS PORTFOLIO CAREERS



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VIEW FROM MLK DR & S. GUADALUPE ST.



MARTIN LUTHER KING DR ELEVATION



S GUADALUPE ST ELEVATION



W SAN ANTONIO ST. ELEVATION



15' PEDESTRIAN PATH

ALLEY ELEVATION

UNIT TABULATIONS - 5-STORY RESIDENTIAL WITH 6-LEVEL GARAGE						5/17/19
UNIT NAME	UNIT TYPE	NET AREA(SF)	UNIT COUNT	B.R. COUNT	TOTAL AREA	% Breakdown(bdrm)
S1	STUDIO	360	15	15	5,400	2.8%
A1	1br/1ba	550	10	10	5,500	4.0%
A2	1br/1ba	570	6	6	3,420	
A3	1br/1ba	516	6	6	3,096	
B1	2br/2ba	702	18	36	12,636	6.6%
C1	3br/3ba	1,050	2	6	2,100	1.1%
D1	4br/4ba	1,260	51	204	64,260	76.3%
D2	4br/4ba	1,330	19	76	25,270	
D3	4br/4ba	1,266	34	136	43,044	
E1	5br/5ba	1,555	10	50	15,550	9.2%
TOTALS			171	545	180,276	100%
<div>UNIT AVERAGE NET SF :</div> <div>* NET AREA IS COMPUTED TO INCLUDE SQUARE FOOTAGE FROM EXTERIOR FACE OF ALL EXTERIOR FRAME WALLS THAT ENCLOSE A/C SPACE. IT DOES NOT INCLUDE PATIOS, BALCONIES, PATIO/BALCONY STORAGE.</div> <div>PROJECT DATA</div> <div><div>UNIT AVERAGE NET SF :</div><div>1,054 S.F.</div><div>ACREAGE:</div><div>2.09 ACRES</div><div>DENSITY:</div><div>261 BEDS / ACRE</div><div>PARKING:</div><div><div>RESIDENTIAL REQUIRED</div><div>409 SPACES</div><div>(0.75 space / bed)</div></div><div><div>RESTAURANT REQUIRED</div><div>9 SPACES</div><div>(3 spaces per 1000 GSF)</div></div><div><div>TOTAL REQUIRED</div><div>418 SPACES</div></div><div><div>TOTAL PROVIDED</div><div>452 SPACES</div></div><div><div>GARAGE PARKING</div><div>422 SPACES</div></div><div><div>INCLUDING COMPACT CAR</div><div>93 SPACES</div><div>20.6% (MAX 25% ALLOWED)</div></div><div><div>STREET PARKING</div><div>30 SPACES</div></div><div>0.81 SPACES/Bedroom</div></div>						

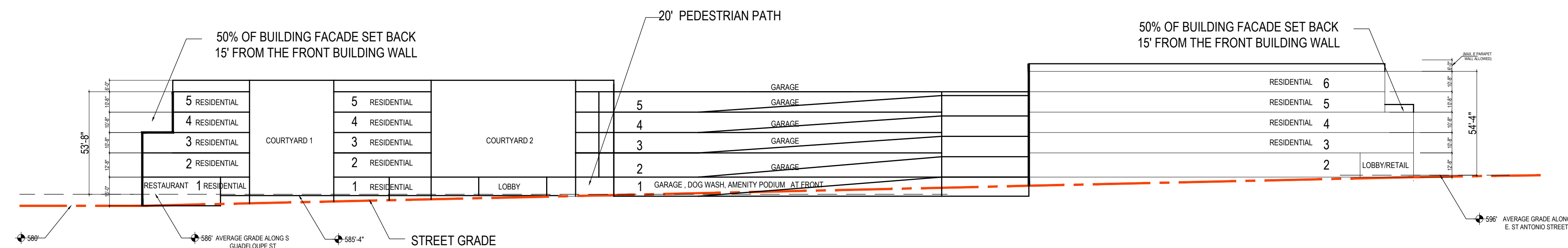
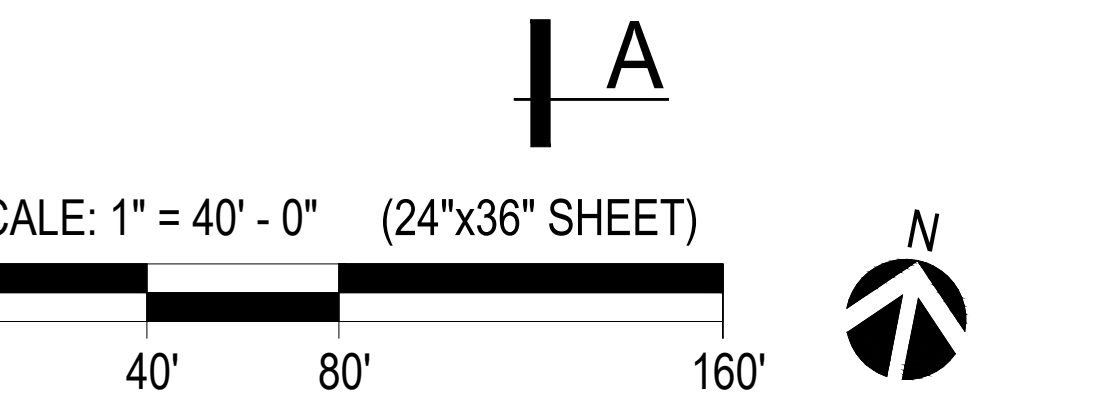
PROJECT DATA:

SITE AREA: 2.18 ACRES
CURRENT ZONING: CD-5D (CHARACTER DISTRICT-5 DOWNTOWN)
PROPOSED USE: PURPOSE BUILT STUDENT HOUSING
LOT COVERAGE ALLOWED: 100%
BUILDING HEIGHT:55'; 5-STORY, (MAX 75', 5-STORY ALLOWED BASED ON ZONING)
GROUND FLOOR ELEVATION: 2' MIN. FOR RESIDENTIAL

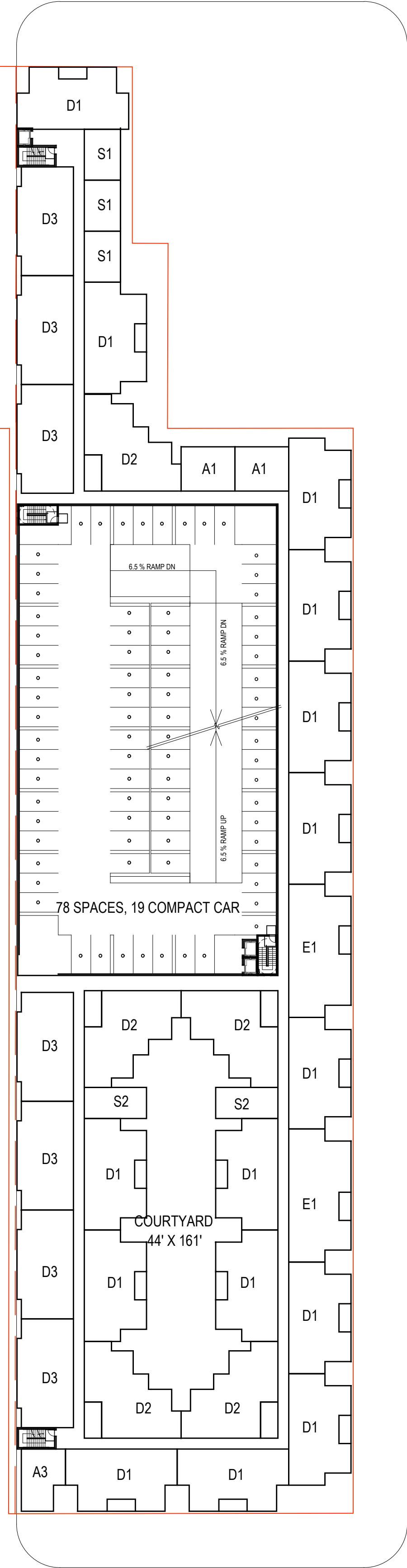
PARKING REQUIRED:
PURPOSE BUILT STUDENT HOUSING: 1.05 PER BED
OFFICE: 1 SPACE / 300 GFA
RETAIL: 1 SPACE / 250 GFA
RESTAURANT: 3 SPACES / 1000 GFA
NOTE: A FEE MAY BE PAID IN LIEU OF UP TO 50% OF THE MIN. PARKING REQUIREMENTS.

PARKING DIMENSIONS:
REGULAR: 9' X 18', AISLE: 24'
COMPACT: 7.5" X 15', AISLE: 20' (UP TO 25%)

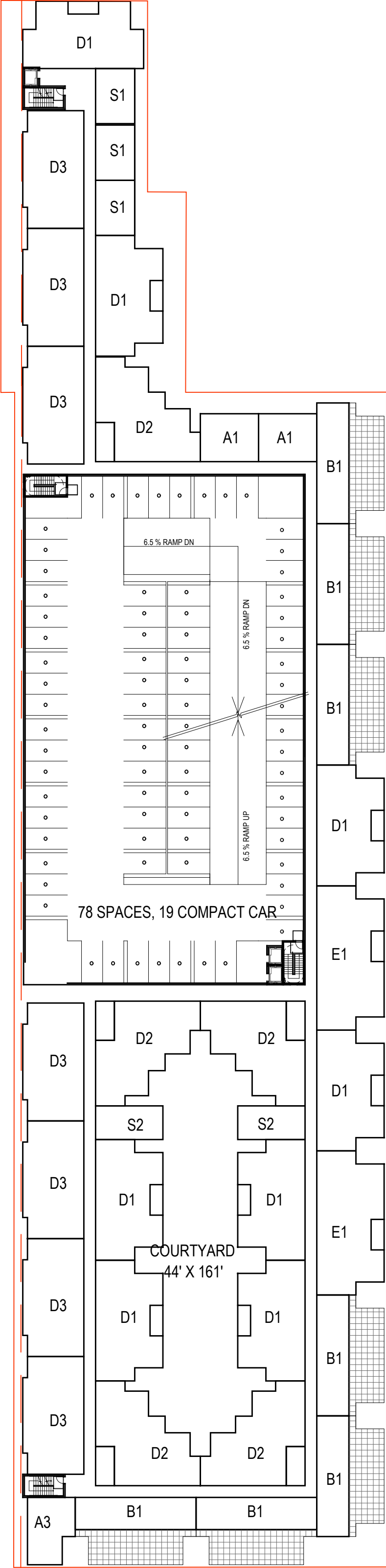
BICYCLE PARKING REQUIRED:
1 SPACE / 15 BEDROOMS



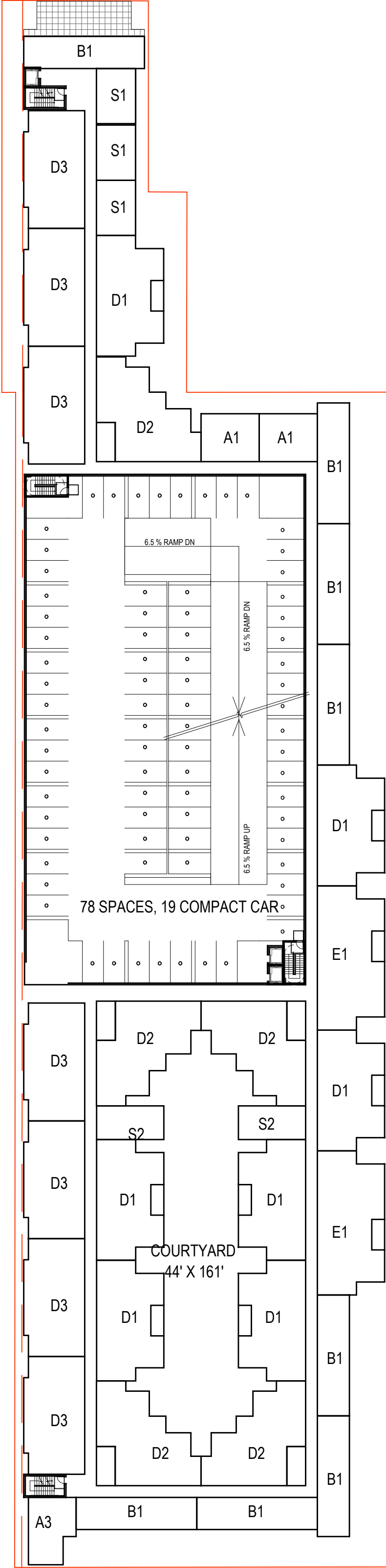
SECTION A-A DIAGRAM - S. GUADALUPE ST.



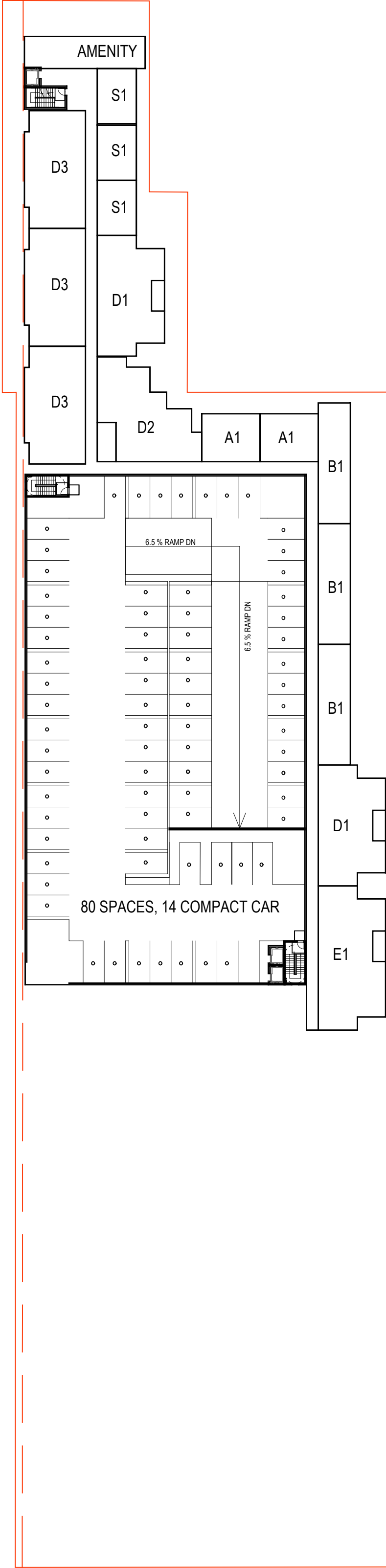
3RD FLOOR



4TH FLOOR

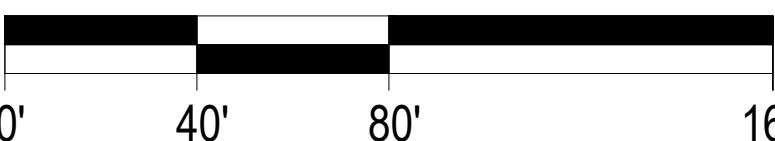


5TH FLOOR



6TH FLOOR

SCALE: 1" = 40' - 0" (24"x36" SHEET)



CONDITIONAL USE PERMIT / ALTERNATIVE COMPLIANCE (GENERAL) APPLICATION

Updated: October, 2018

Case # CUP-____-____



CONTACT INFORMATION

Applicant's Name		Property Owner	
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: _____

Zoning District: _____ Tax ID #: R_____

Legal Description: Lot _____ Block _____ Subdivision _____

DESCRIPTION OF REQUEST

Please use this space to describe the proposal. Attach additional pages as needed.

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.

Initial Filing Fee \$773* Technology Fee \$12 **TOTAL COST \$785**

Renewal/Amendment Filing Fee \$412* Technology Fee \$12 **TOTAL COST \$424**

**Nonprofit Organization fees are 50% of the adopted fee listed for Conditional Use Permits*

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

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/


PROPERTY OWNER AUTHORIZATION

I, Limited Partnership of the Gilcrease Family LP (owner) acknowledge that I am the rightful owner of the property located at 119 W San Antonio Street (address).

I hereby authorize 75 Sylvan Street LLC (agent name) to file this application for Conditional Use Permit / Alternative Compliance (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: Greg Gilcrease Date: 12/4/2018

Printed Name: _____

Signature of Agent:  Date: 12/3/2018

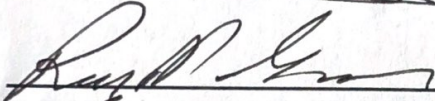
Printed Name: Christian Cerria

PROPERTY OWNER AUTHORIZATION

I, Randy N. Greer & Patrice A. Greer (owner) acknowledge that I am the rightful owner of the property located at 128 & 140 S Guadalupe Street (address).

I hereby authorize 75 Sylvan Street LLC (agent name) to file this application for Conditional Use Permit / Alternative Compliance (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner:



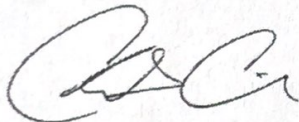
Date:

12/3/18

Printed Name:

Randy N Greer Patrice Greer

Signature of Agent:



Date:

12/3/2018

Printed Name:

Christian Cerria

PROPERTY OWNER AUTHORIZATION

I, Patricia R. Murphy & Mary O. Black (owner) acknowledge that I am the rightful owner of the property located at 152 S Guadalupe Street (address).

I hereby authorize 75 Sylvan Street LLC (agent name) to file this application for Conditional Use Permit / Alternative Compliance (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: Patricia R. Murphy & Mary O. Black Date: 12/3/2018

Printed Name: Patricia R. Murphy Mary O. Black / MARY O. BLACK

Signature of Agent: Christian Cerria Date: 12/3/2018

Printed Name: Christian Cerria

PROPERTY OWNER AUTHORIZATION

I, Douglas A. Greenwood (owner) acknowledge that I am the rightful owner of the property located at 164 S Guadalupe Street (address).

I hereby authorize 75 Sylvan Street LLC (agent name) to file this application for Conditional Use Permit / Alternative Compliance (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: _____



Date: 12/3/2018

Printed Name: _____

Signature of Agent: _____



Date: 12/3/2018

Printed Name: Christian Cerria

PROPERTY OWNER AUTHORIZATION

I, FORREAL LTD (owner) acknowledge that I am the rightful owner of the property located at 166 & 174 S Guadalupe Street (address).

I hereby authorize 75 Sylvan Street LLC (agent name) to file this application for Conditional Use Permit / Alternative Compliance (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner:



Date: 1/29/2019

Printed Name:

Melissa Hodgkins

Signature of Agent:



Date: 1/22/2019

Printed Name:

Christian Cerria

PROPERTY OWNER AUTHORIZATION

I, East Hopkins LLC (owner) acknowledge that I am the rightful owner of the property located at 194 S Guadalupe Street & 104 E Martin Luther King Dr. (address).

I hereby authorize 75 Sylvan Street LLC (agent name) to file this application for Conditional Use Permit / Alternative Compliance (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: _____

Date: 12/3/18

Printed Name: _____

J. Scott Gregson, Manager/Member

Signature of Agent: _____

Date: 12/3/2018

Printed Name: _____

Christian Cerria

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 \$88 plus an \$12 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 \$88 plus a \$12 technology fee.***

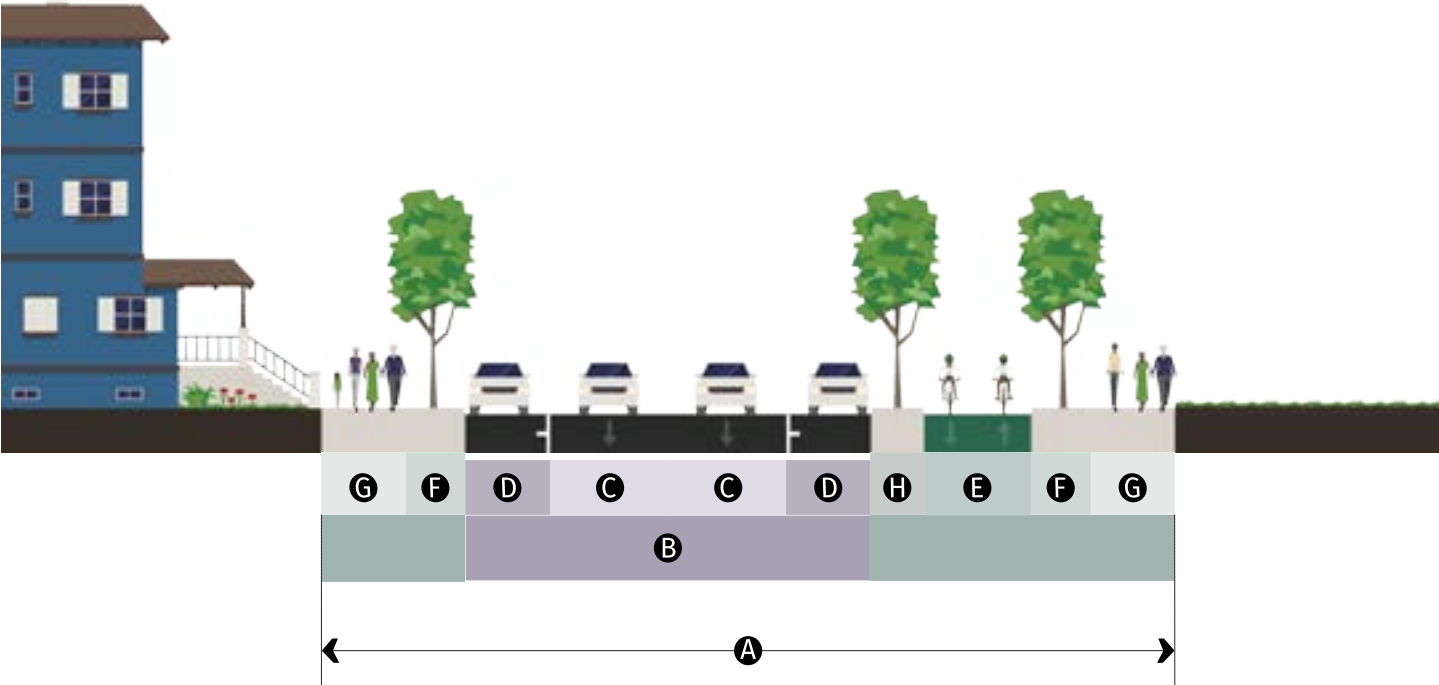
I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are 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: 02/22/2019

Print Name: Christian Cerria

Z. Guadalupe St 80'-38'



GENERAL

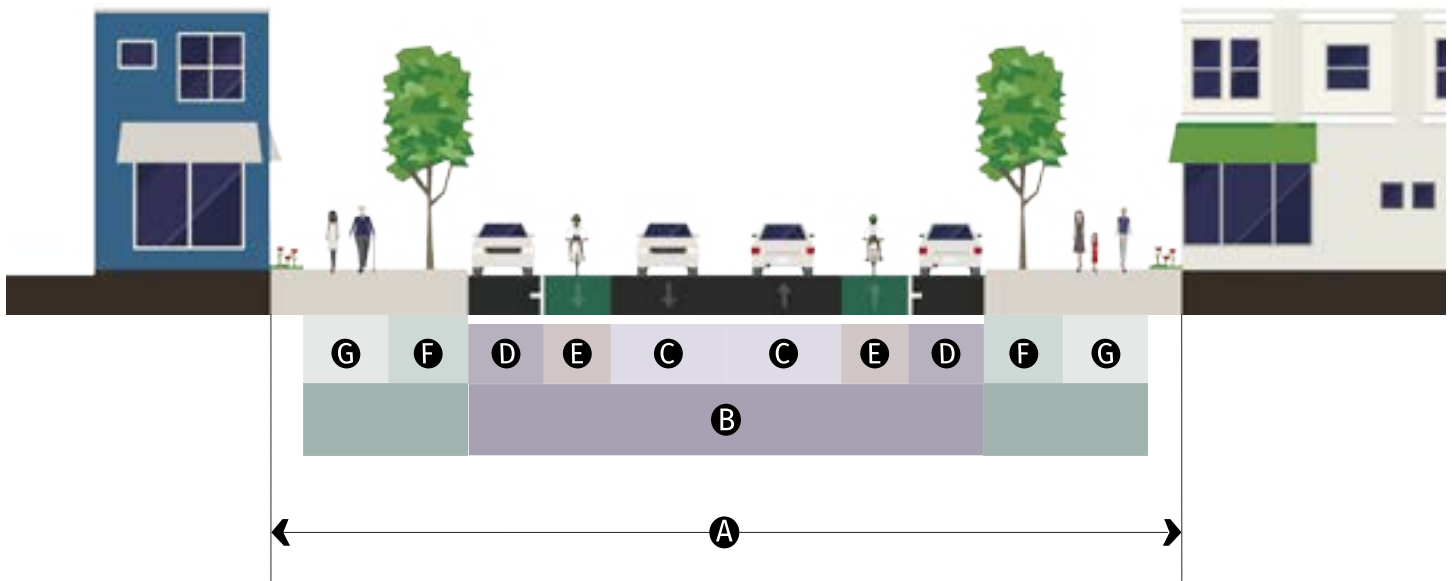
Right of Way	80'	A
Motorist Operating Speed	25 mph	
Walkway	Sidewalk	
Bikeway	Bike Lane (2-way west side)	
Parking	Parallel (Both sides)	
Planting	Tree Grate / Tree Lawn and Tree Buffer	

TRAVELWAY

Pavement Width	38' max	B
Travel Lane	11' max	C
Parking Lane	8' max	D
Traffic Lanes	2 lanes	

STREETSCAPE

Cycle Track	10' (5' each lane)	E
Planter	6' min	F
Tree Spacing	30' o.c. avg	
Sidewalk	7.5' min	G
Buffer	5' min	H

D. MLK Dr 83-(47'-50')**GENERAL**

Right of Way	83'	A
Motorist Operating Speed	30 mph	
Walkway	Sidewalk	
Bikeway	Bike Lane	
Parking	Parallel (both sides)	
Planting	Tree Grate/ Tree Lawn	

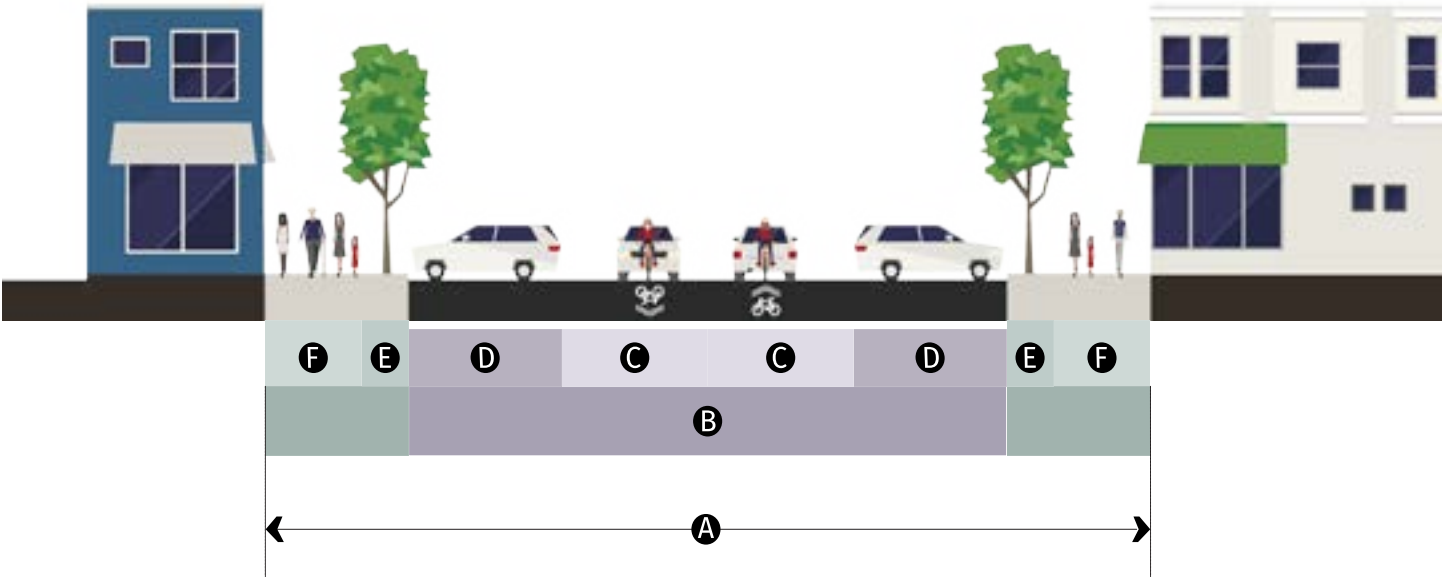
TRAVELWAY

Pavement Width	47' - 50' max	B
Travel Lane	10.5' - 11' max	C
Parking Lane	7' - 8' max	D
Traffic Lanes	2 lanes	

STREETSCAPE

Bike Lane	5.5' - 6' min	E
Planter	7' min	F
Tree Spacing	30' o.c. avg	
Sidewalk	8' min	G

C. San Antonio St (CM Allen to Harvey St) (80-94')-(54-58')



GENERAL		
Right of Way	80' - 94'	A
Motorist Operating Speed	25 mph	
Walkway	Sidewalk	
Bikeway	Shared Travel Lane	
Parking	Marked Angle (both sides)	
Planting	Tree Grate/ Tree Lawn	
TRAVELWAY		
Pavement Width	54' - 58' max	B
Travel Lane	10.5' max	C
Parking Lane	16.5' - 18' max (both sides marked angle)	D
Traffic Lanes	2 lanes	
STREETSCAPE		
Planter	4' min	E
Tree Spacing	30' o.c. avg	
Sidewalk	6' - 9' min	F

Parrish, Will

Subject: FW: [EXTERNAL] Information on CUP-19-11

From: Griffin Spell <griffintspell@gmail.com>
Sent: Monday, May 27, 2019 8:32 AM
To: P&Z Commission <P&ZCommission@sanmarcostx.gov>
Subject: [EXTERNAL] Information on CUP-19-11

Members of the Planning and Zoning Commission,

On Tuesday you will be considering CUP-19-11, a student housing project on South Guadalupe. I would like to provide you with some additional information that the city has collected, but does not appear to have been provided to you by the city's Planning and Development Services staff.

As you are likely aware, last year the City Council authorized the My Historic SMTX Historic Resources Survey. Beginning in November 2018 this survey, which is being independently conducted by Hicks & Company of Austin, has examined properties that are in or near the city's historic districts to determine their suitability and priority for preservation. These determinations are also vetted by the Texas Historical Commission. Please note that the My Historic SMTX Survey is still in a draft stage and has not yet been finalized.

All parcels included in CUP-19-11 were surveyed, in part due to the close proximity to the Downtown Historic District and the Dunbar Historic District. Specifically, the property at 101 West San Antonio is in the Downtown Historic District and would be adjacent to the proposed development on two sides. The Dunbar Historic District begins at South Fredericksburg Street, less than a block to the west of CUP-19-11.

One property within CUP-19-11, specifically 119 West San Antonio (currently Gilcrease Dental) was identified as High Preservation Priority. To quote from the My Historic SMTX Survey *"The high preservation priority resources are some of the most intact and best examples of distinctive architectural styles or resource types within the survey area. Many of these resources have associations with significant local events or people that have contributed to the historical development of San Marcos. As high preservation priority, these resources are recommended individually eligible for potential National Register listing and/or local landmark designation."* High Preservation Priority is the highest possible category for historic properties in San Marcos, and includes many of the buildings facing the Hays County Courthouse, as well as the Courthouse itself. 119 West San Antonio was constructed circa 1910, and is an intact example of commercial buildings of the time.

In addition, four of the other parcels within CUP-19-11 were identified as having Medium Preservation Priority. To quote again from the My Historic SMTX Survey *"Most of these resources have experienced some exterior alterations but had retained enough integrity to still convey their historical significance. Although likely not eligible individually for National Register or local landmark listing, many of these resources are considered contributing to potential or existing historic districts. Additionally, while these resources are not of the highest architectural significance or degree of integrity, a large number of the medium priority resources have been recommended for further study to determine if there are significant historical associations with the local community."* The properties identified as Medium Preservation

Priority are 140 S Guadalupe, 164 S Guadalupe, 166 S Guadalupe, and 194 S Guadalupe. While I do not know the exact dates of construction for these buildings, they would be very unlikely to be classified as Medium Preservation Priority if they were less than 50 years old.

Thank you for serving our community on the Planning and Zoning Commission. Please do not hesitate to ask if you have any questions before Tuesday's meeting.

Griffin Spell

San Marcos

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May 27, 2019

Re: Proposed “purpose-built/rent-by-the-bed” apartment complex on Guadalupe Street

Dear Planning & Zoning Commission:

I wish to stridently oppose yet another “student-oriented” or rent-by-the-bed or “purpose built” (P&Z staff change the name so frequently it is hard to keep up) apartment complex that is being proposed on Guadalupe Street just off the Square.

Rent by the Bed/ student-oriented/purpose built apartments artificially inflates the prices of all housing in San Marcos which makes affordable housing even less attainable. Each bedroom in a 4-bedroom unit is about \$700-\$800/month (on the Square it’ll be more). That’s \$2800-\$3200/month for one unit – making it unattainable for families and young professionals and only adds to the massive debt load of students.

Student-oriented purpose-built housing or Rent-By-the-Bed is outrageously expensive for the students they purport to serve. At Texas State, 27,000 students receive financial aid and much of this goes into housing. Once they graduate, they face crushing debt and can’t afford to stay in San Marcos, even if they were to find a good paying job. If we truly want our Texas State graduates to stay in San Marcos, or attract other young professionals, we’ve got to offer them housing they can afford now *and* after they graduate. The proposed development on Guadalupe simply won’t allow for that. How does it make San Marcos a better place to live? It doesn’t. It simply makes another developer (who doesn’t even live here) a lot richer and leaves the citizens to contend with higher traffic and less affordable housing and students in greater debt.

There is a fantasy out there that everyone will walk. How many students work at the outlet malls or at all the businesses along the highway? A lot, and you can’t walk there – you need reliable transportation or mass transit. And we don’t begin to have an adequate bus service in the city so they need cars. Rain or Sleet? Pretty unlikely students will walk then either. No, this is a multimillion-dollar corporation – if they want to build here, they need to provide adequate parking or purchase at least five or six busses (and contribute to staffing) and make the front of the building a bus stop – but that, of course, cuts into profits so isn’t in their proposal. If we are truly serious about reducing cars, no apartment complex would be allowed to be built without such a provision, but it appears to be lip service. Allowing any type of apartment being constructed to pay \$5000 to the city per parking space instead of building their own parking spaces is tantamount to our tax dollars subsidizing private business. If this corporation were to pay for their own parking spaces, it would cost approximately \$20,000+/spot (based on cost estimates from similar projects), but they will only pay the city \$5,000? So taxpayers will pick up the other \$15,000? They are simply trying to maximize their profits at the taxpayer’s expense.

Even if apartments promise to rent a certain percentage of their units to lower income families, how do you enforce that? There is no reason our city should use its time, energy, and resources to police this. Such complexes have lied to us so many times in the past – why should we trust this

corporation now? What do you envision for enforcement? Would the city somehow shut down the apartment until the apartment came into compliance & rent to lower income families? Who would pay for that? This would have to be considered, but apparently isn't – why?

Then there is the issue of location for families that might want to rent. Has anyone ASKED middle and lower income families if they want to rent downtown next to bars in an apartment full of college students? What's the data on that? There is no indication that such developers know or care about what is best for our vulnerable populations – but that is the job of P&Z and I hope that is at the forefront of your considerations.

Current data suggests that 79% of San Marcans rent. To have a stable economy and flourishing community, we need more opportunities to purchase homes or at least live in apartment communities that encourage families and are affordable. Another RBB goes directly against the goals of creating a stable economy, and offering affordable housing.

San Marcos is significantly overbuilt with purpose-built/rent-by-the-bed student housing. Specifically we are overbuilt by 2,758 - 12,758 bedrooms. According to city data, we already have 27,404 RBB beds available. We have more than 14,354 - 24,354 students who do not want or cannot live in such housing. How? 7,000 students in dorms, 854 enrolled in online classes exclusively, 2,000 at the Round Rock campus, 4,500 graduate students (who cannot afford the granite countertops, swim-up bars and other such amenities offered by such businesses) and thousands (1,000 - 10,000) of commuters, international, married, non-traditional, veterans, etc.

That's 41,758-51,758 students who either have RBB or do not need/ want them, and only 39,000 students. So, we're overbuilt by thousands. We certainly don't need more!

The population of Texas State will not exceed 45,000 by 2027 (TXST Master Plan). Many of the new enrolling students over the next years will be in Round Rock or online, NOT moving to the City of San Marcos. So what will happen when there is a market turn down or they simply can't fill the beds? Will they become derelict as many others have? Will they become a blight on our downtown? Please think 10-20 years into the future and see that this simply isn't sustainable.

I am not opposed to more density in housing, but proposals such as this necessarily cut out all options for families and young professionals. These complexes don't contribute to our parks, our communities and the tax dollars they pay are siphoned off by the increased costs for infrastructure (water, sewer, drainage, traffic, police, fire, etc.). They harm us (and certainly the students) more than help us. Please deny this proposal.

Sincerely,

Shannon M. FitzPatrick
625 Burt Street
San Marcos, Texas

From: [Burrell, Cesly](#)
To: [Parrish, Will](#)
Subject: FW: [EXTERNAL] Large downtown dorm
Date: Tuesday, May 28, 2019 11:38:04 AM
Attachments: [image001.jpg](#)



[Cesly Burrell](#)

Administrative Coordinator | Planning & Development Services
630 E Hopkins, San Marcos, TX 78666
512.393.8231

From: Kendall Bell-Enders <kendall_bell@hotmail.com>
Sent: Tuesday, May 28, 2019 11:36 AM
To: P&Z Commission <P&ZCommission@sanmarcostx.gov>
Subject: [EXTERNAL] Large downtown dorm

To whom it may concern,

I'm writing to voice my complete opposition to the proposed downtown dorm near the Square. It may be considered an "apartment" but let's be honest, it's a private TX State dorm that will rent by the room. This community has adamantly expressed frustration with how these private dorms are starting to dominate the city yet somehow the city staff is recommending approval of dorm that will take up an ENTIRE BLOCK of downtown (MLK to San Antonio St) and shut down local businesses. This has to stop!! As a young family in San Marcos, we are really getting tired of the city allowing these private student housing developers to dominate our city and community. We understand that TX State is a large part of the community (we are alumni) and students bring a lot of vitality but if you all want San Marcos to be a diverse community there has to be limits on TX State's expanse. As a non-student, I don't want our square and downtown area completely overrun with dorms. Allowing ANOTHER dorm to take up an entire block of our downtown is unacceptable and I hope P&Z will deny this request. San Marcos has been trying to build single family homes all over town; those families should be encouraged and enticed to come downtown and support our local businesses, not discouraged because it's basically an extension of TX State and overrun with dorms. There must be a balance and when almost half of all development permits from 2007-2018 are for private dorm rooms, you have a problem. Families are going to think twice about moving into this community and the ones that are here are going to start thinking twice about staying.

Please don't allow another huge private dorm room to be built right the heart of our town and community. How much do residents have to scream and holler about this issue before the city does something about it?

Kendall

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From: [Burrell, Cesly](#)
To: [Parrish, Will](#)
Subject: FW: [EXTERNAL] Please vote no
Date: Tuesday, May 28, 2019 2:08:16 PM
Attachments: [image001.jpg](#)



[Cesly Burrell](#)

Administrative Coordinator | Planning & Development Services
630 E Hopkins, San Marcos, TX 78666
512.393.8231

From: Kyle <kyle@rootcellarco.com>
Sent: Tuesday, May 28, 2019 2:07 PM
To: P&Z Commission <P&ZCommission@sanmarcostx.gov>
Subject: [EXTERNAL] Please vote no

Hello Commissioners,

I am writing to respectfully ask that you deny the CUP request for the “rent by the bedroom” project before you on Guadalupe. As someone who owns several businesses downtown I believe in the need for density. What we do not need at this time is another project that excludes young professionals and families. We need a true balance of residents downtown, not another for profit dormitory.

This project would also exacerbate current problems with the economic development of downtown. A quick walk around downtown will show that we are struggling. We have an abundance of retail space in new developments that have been sitting vacant for years while more are being built as we speak. We need smaller, older, affordable commercial spaces like the ones that would be removed should this project be approved. It’s easy to see that NO local businesses occupy the commercial space in developments like these as the lease rates are always a non-starter for truly local businesses. Even the out of town businesses have started to realize something that the local businesses have known all along. San Marcos is not a wealthy community and Austin prices won’t fly here. This make these projects fundamentally unsustainable at the rates they always charge There are plenty of examples. Just look at the empty retail under the Local. They haven’t been able to rent 60% of their space, ever, in close to 3 years. The old Post Office has been a literal revolving door of out of town businesses that can’t make the numbers work and Torchey’s is rumored to be leaving now as well.

There are many challenges that downtown San Marcos faces and I believe that granting this CUP would make them greater.

Please vote to support your downtown by denying this CUP.

Thank you,

Kyle Mylius

Owner Rhea's Ice Cream, The Coffee Bar, Root Cellar Catering Co., Root Cellar Cafe

Sent from [Mail](#) for Windows 10

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Parrish, Will

Subject: FW: [EXTERNAL] CUP Request for RBB on Guadalupe

From: Amy Meeks <amymmeeks@yahoo.com>
Sent: Tuesday, May 28, 2019 9:39 AM
To: Case, Jamie Lee <JCase@sanmarcostx.gov>
Subject: [EXTERNAL] CUP Request for RBB on Guadalupe

Hi Jamie,

Could you please send this letter to all P&Z Commissioners? Thank you so much!

Best,

Amy

To: Planning and Zoning Commissioners
RE: Request for CUP for RBB on Guadalupe
From: Amy Meeks
Date: May 28, 2019

Dear Commissioners,

Please DENY the request for a CUP for a RBB (Rent By the Bedroom) on Guadalupe Street. This proposed student housing project will negatively change the flavor and feel of our downtown area. This proposed development is in an adjoining block of the square and, if allowed, would cause untold problems for our downtown area.

Our city has wisely cultivated our historic downtown square into a charming, walkable destination so please do not allow a student housing project to smear the current feel and look of this area of our town.

Please deny the CUP request for this development on Guadalupe.

Thank you for your service to San Marcos and thank you for considering all opinions before making your decisions.

Best,

Amy Meeks
512.757.3790

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From: [Burrell, Cesly](#)
To: [Parrish, Will](#)
Subject: FW: [EXTERNAL] Agenda item for tonight's meeting 5-28-19
Date: Tuesday, May 28, 2019 10:10:56 AM



[Cesly Burrell](#)

Administrative Coordinator | Planning & Development Services
630 E Hopkins, San Marcos, TX 78666
512.393.8231

From: Ryan Patrick Perkins <ryanpatrickperkins@gmail.com>
Sent: Tuesday, May 28, 2019 10:06 AM
To: P&Z Commission <P&ZCommission@sanmarcostx.gov>
Subject: [EXTERNAL] Agenda item for tonight's meeting 5-28-19

Commissioners,

I am writing you to ask you to DENY CUP-19-11 (Purpose Built Student Housing) Hold a public hearing and consider a request by 75 Sylvan Street for a Conditional Use Permit to allow a Purpose Built Student Housing development on located on Guadalupe Street between San Antonio Street and MLK Drive. (W. Parrish), with or without a recommendation of approval from they city staff.

For many reasons far too numerous to layout in time for you to read and review before this evenings meeting, but each of your knows the reasons. They are the same issues facing our historic downtown and the number established (some "historic", others not but equally important and contributing to our community's story and heritage, if not more important) neighborhoods and mixed districts. We're all connected - what affects one part of this city impacts another. This is a highly risky move to make and the consequences could/will be devastating and have a ripple affect beyond the scope of downtown.

Ripping down an large portion of our downtown area to rebuild non-conforming "purposed-built" student housing is a game changer for everything. If allowed as proposed, it would forever alter our downtown in appearance and functionality. The ripple affect in and around the downtown area would negatively impact and add further pressure to much of the surrounding established (some historic) neighborhoods. Our Historic Resources Survey, now complete and viewable online as a draft, highlights the city's successes and mistakes in our distant and more recent pasts. Issues we face and recommendations on how we can go forward using preservation as a catalyst are in this document - prepared by a consultant contracted to do work on behalf of the citizens of the city of San Marcos and the State of Texas Historic Commission. Let's not throw it in the trash before we've even accepted the final report for which we're paying.

Also, can we please get some developer sensitivity training?! It should be required in and around our amazing community and ecologically outstanding region. This project proposed has zero intention on fitting-in to our community, much less it's surrounding blocks - it's about profit and designed to maximize a return - AT OUR COMMUNITY'S EXPENSE. When are

we going to stand up and demand what we are worth! We have something VERY few city's across this state and this country have. Our town does rival communities across the globe! Let's treat it and ourselves like the treasure it is. Let's do it right. Let's make it the best because we deserve the best. Let's hold ourselves (and others) to our highest standards.

Thank you for your service to your community. Please review the historic survey draft and watch for more information in the coming months on the survey, it's results and recommendations from the city's consultants and the state of Texas historic commission.

<https://www.sanmarcostx.gov/DocumentCenter/View/13129/DRAFT-My-Historic-SMTX-Phases-1--2-Historic-Resources-Survey-Report-with-Appendices-PDF>

Ryan Patrick Perkins

M: 512.757.3434 | ryanpatrickperkins@gmail.com
727 West Hopkins Street | San Marcos, TX 78666

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From: [Burrell, Cesly](#)
To: [Parrish, Will](#)
Subject: FW: [EXTERNAL] Purpose built housing
Date: Wednesday, May 29, 2019 8:36:58 AM



[Cesly Burrell](#)

Administrative Coordinator | Planning & Development Services
630 E Hopkins, San Marcos, TX 78666
512.393.8231

From: Sammy Falletta <sfalletta@secureandsmart.com>
Sent: Tuesday, May 28, 2019 5:30 PM
To: P&Z Commission <P&ZCommission@sanmarcostx.gov>
Subject: [EXTERNAL] Purpose built housing

I am against this development and any approval to make progress on this area for rent by the room housing. Thank you.

My residence is at 118 Armstead, SMTX, 78666

CUP-19-11 (Purpose Built Student Housing) Hold a public hearing and consider a request by 75 Sylvan Street for a Conditional Use Permit to allow a Purpose Built Student Housing development on located on Guadalupe Street between San Antonio Street and MLK Drive.

Sammy Falletta
Licensed Manager
Secure and Smart Services, Inc
1409 N. Bishop
Suite A-7
San Marcos, TX 78666
TX License # B20434
Mobile: 512-738-0086
Office: 512-396-2124
Web: www.secureandsmart.com

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SCANIO & SCANIO
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
144 E. SAN ANTONIO
SAN MARCOS, TEXAS 78666

(512) 396-2016
Fax: (512) 353-2984

MICHAEL E. SCANIO
Trained Mediator

STEVEN STACEY
Trained Mediator

FRANCESCA SCANIO STACEY
Trained Mediator

May 28, 2019

Planning and Zoning Commission
San Marcos, Texas 78666

RE: Proposed Student Housing Project

Dear Commissioners,

I had written once previously regarding the proposed student housing project that will be before the Commission this evening. Then, I addressed primarily my concern regarding the historic San Marcos Courthouse Square from a preservation and architectural standpoint. This time, I would like to address the impact on the quality of life for those of us who live and work here.

Even without the addition of the proposed new 545 student bedrooms, we already have major problems. Our building at 144 East San Antonio Street is one block from the proposed site. For years, we have had to deal with cleaning up vomit and beer cans and bottles outside our front door before we can open to the public after the weekend. I used to send the city photos, but gave up after no meaningful response. We have also had numerous occasions where the front door or the plate glass windows were broken due to the late night fights after a party weekend.

This new project would add to these problems the parking and traffic pressure that an additional 545 students would place on the already busy downtown square.

I understand that in order to allow this to be a student housing project, the developers will need a conditional use permit. I would urge the Commission to deny this permit. Although we cannot control all investment on the historic square, we certainly should be able to control whether it would be student housing.

Thank you for your time,

BY: _____

Michael Scanio
MICHAEL SCANIO

From: [Hernandez, Amanda](#)
To: [Parrish, Will](#)
Subject: FW: [EXTERNAL] San Marcos and it's community
Date: Friday, May 31, 2019 3:09:37 PM

Please add to the packet for CUP-19-11

-----Original Message-----

From: Emma Allen <emmamaecallen7117@gmail.com>
Sent: Friday, May 31, 2019 12:06 PM
To: Council Members Mail Group <CouncilMembers@sanmarcostx.gov>
Subject: [EXTERNAL] San Marcos and it's community

Hello,

I am writing to y'all as a very concerned citizen of San Marcos. I have been hearing rumors of more and more apartment complexes being built, going as far as knocking down buzzmill to build one. We must act now and maintain places that foster community. Texas state is a big part of San Marcos but this town is so much more than that and I hope that y'all see that. Stop catering only to their needs because those college students don't normally care about the long term life for San Marcos. Stop allowing apartment complexes to be built, atleast in the down town areas. Start bringing in local restaurants or music venues and art galleries. Austin is no place for artists any more, let's make San Marcos a haven for them.

Don't let greed keep you from saving a town with beautiful clean rivers and a vibrant community. There's not many places like that left.

I beg you to hear me out. I'm 22 and deathly afraid of the future of our world. We must start caring about or environment and less about money.

I don't want to be scared every single day. Please help us. Help our community.

Sincerely,
Emma Allen

Sent from my iPhone

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CUP-19-11

Public Comment Map

75 Sylvan - Purpose Built Student Housing



Site Location



Subject Property



Property Owners Opposed



0 150 300 600 Feet

400' Buffer

Parcel

City Limit

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 5/30/2019

CUP-19-11 (Purpose Built Student Housing)

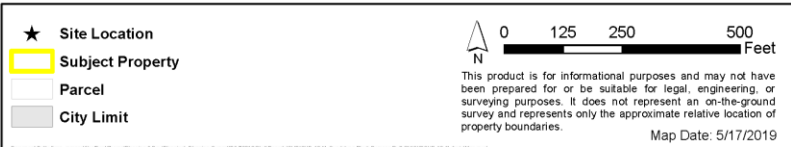
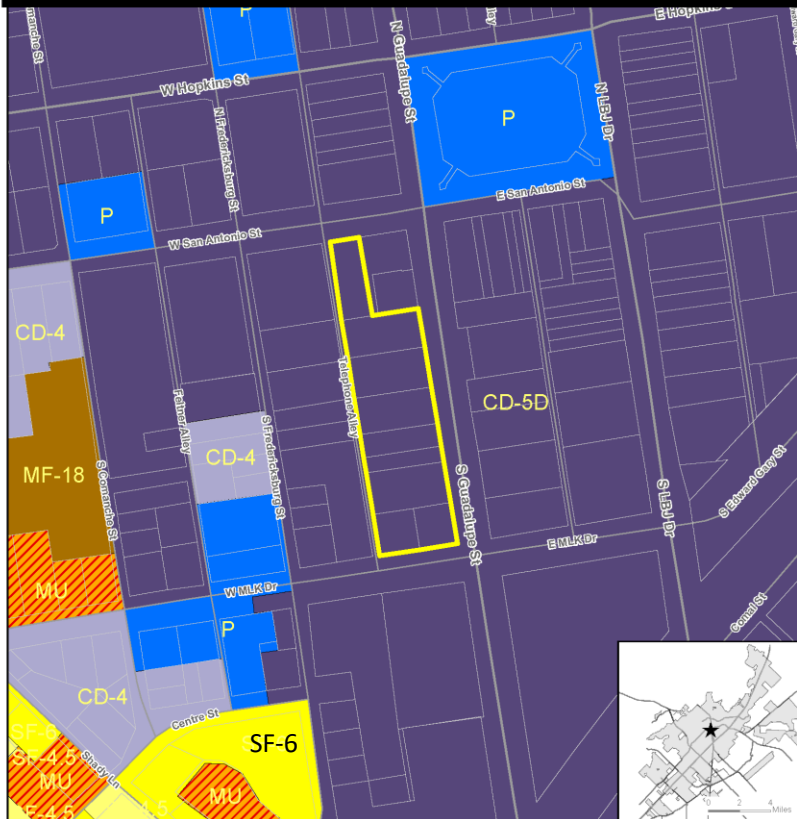
Hold a public hearing and consider a request by 75 Sylvan Street for a Conditional Use Permit to allow a Purpose Built Student Oriented Housing development located on South Guadalupe Street between San Antonio Street and MLK Drive. (W. Parrish)

Map Date: 5/15/2019

Context & History:

- Property is approximately 2.18 acres.
- Requesting Purpose Built Student Housing C.U.P.
- Surrounding is primarily CD-5D

CUP-19-11 Zoning Map



Planning Department Concerns

- Extended Streetscape Improvements;
- Noise from balconies facing neighborhoods;
- Conformance with Development Code standards.

CUP-19-11

Recommended Additional Streetscape Improvements



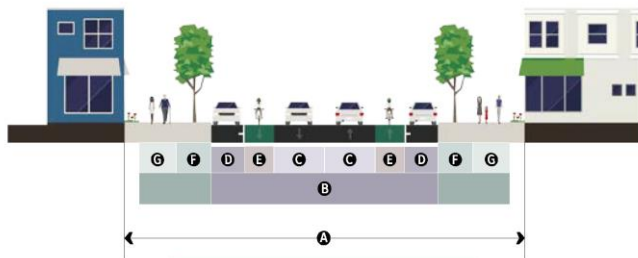
- ★ Site Location
- Subject Property
- Parcel
- City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

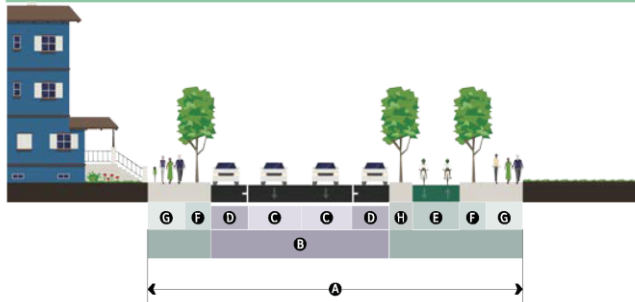
Map Date: 5/16/2019

D. MLK Dr 83'(47'-50')



GENERAL		
Right of Way	83'	A
Motorist Operating Speed	30 mph	
Walkway	Sidewalk	
Bikeway	Bike Lane	
Parking	Parallel (both sides)	
Planting	Tree Grate/ Tree Lawn	
TRAVELWAY		
Pavement Width	47' - 50' max	B
Travel Lane	10.5' - 11' max	C
Parking Lane	7'-8' max	D
Traffic Lanes	2 lanes	
STREETSCAPE		
Bike Lane	5.5' - 6' min	E
Planter	7' min	F
Tree Spacing	30' o.c. avg	
Sidewalk	8' min	G

Z. Guadalupe St 80'-38"



GENERAL		
Right of Way	80'	A
Motorist Operating Speed	25 mph	
Walkway	Sidewalk	
Bikeway	Bike Lane (2-way west side)	
Parking	Parallel (Both sides)	
Planting	Tree Grate / Tree Lawn and Tree Buffer	
TRAVELWAY		
Pavement Width	38' max	B
Travel Lane	11' max	C
Parking Lane	8' max	D
Traffic Lanes	2 lanes	
STREETSCAPE		
Cycle Track	10' (5' each lane)	E
Planter	6' min	F
Tree Spacing	30' o.c. avg	
Sidewalk	7.5' min	G
Buffer	5' min	H

Parking Requirements

- Unit/Bedroom counts.
 - 171 units
 - 545 bedrooms
- CD-5D Purpose Built Student Housing parking requirement is 1.05 parking spaces per bedroom.
 - $545 \times 1.05 = 572$
- Applicant intends to construct .75 parking spaces per bedroom, pay fee in-lieu for remaining spaces.
 - $545 \times .75 = 429$ spaces
 - $\$5,150 \times 143 = \$736,450$

UNIT TABULATIONS - 5-STORY RESIDENTIAL WITH 6-LEVEL GARAGE						5/17/19
UNIT NAME	UNIT TYPE	NET AREA(SF)	UNIT COUNT	B.R. COUNT	TOTAL AREA	% Breakdown(bdrm)
S1	STUDIO	360	15	15	5,400	2.8%
A1	1br/1ba	550	10	10	5,500	4.0%
A2	1br/1ba	570	6	6	3,420	
A3	1br/1ba	516	6	6	3,096	
B1	2br/2ba	702	18	36	12,636	6.6%
C1	3br/3ba	1,050	2	6	2,100	1.1%
D1	4br/4ba	1,260	51	204	64,260	
D2	4br/4ba	1,330	19	76	25,270	76.3%
D3	4br/4ba	1,266	34	136	43,044	
E1	5br/5ba	1,555	10	50	15,550	9.2%
TOTALS			171	545	180,276	100%

UNIT AVERAGE NET SF :	
* NET AREA IS COMPUTED TO INCLUDE SQUARE FOOTAGE FROM EXTERIOR FACE OF ALL EXTERIOR FRAME WALLS THAT ENCLOSE A/C SPACE. IT DOES NOT INCLUDE PATIOS, BALCONIES, PATIO/BALCONY STORAGE.	
PROJECT DATA	
UNIT AVERAGE NET SF :	
ACREAGE:	1,054 S.F.
DENSITY:	2.09 ACRES
PARKING:	261 BEDS / ACRE
RESIDENTIAL REQUIRED	409 SPACES (0.75 space / bed)
RESTAURANT REQUIRED	9 SPACES (3 spaces per 1000 GSF)
TOTAL REQUIRED	418 SPACES
TOTAL PROVIDED	452 SPACES
GARAGE PARKING	422 SPACES
INCLUDING COMPACT CAR	93 SPACES 20.6% (MAX 25% ALLOWED)
STREET PARKING	30 SPACES
	0.81 SPACES/Bedroom



VIEW FROM MLK DR & S. GUADALUPE





- Size of building
 - Length of proposed building hinders Fire Departments ability to search and evacuate building in a timely manner during an emergency;
 - Fire Department would like to see enhanced fire protection standards.
- Access
 - Adequate access in and around the building in order to fight fire or evacuate building

Section 2.8.3.4 Criteria For CUP Approval

- **Consistency with the policies in the comprehensive plan.**
 - Vision San Marcos envisions a vibrant Downtown in which density is encouraged and supported.
- **Consistency with any adopted neighborhood character study.**
 - Studies were not complete at time of request.
- **Consistency with the applicable zoning district regulations.**
 - The intent of the CD-5D district is to provide mixed use, pedestrian oriented development in Downtown and to promote walkability and street level retail activity.
- **Compatibility with and preservation the character and integrity of adjacent developments and neighborhoods.**
 - If approved with the recommended conditions and constructed to meet Code requirements the impacts to the surrounding uses will be mitigated.

Section 2.8.3.4 Criteria For CUP Approval (Cont.)

- **Generation of hazardous or conflicting pedestrian and vehicular traffic.**
 - If approved with the recommended conditions related to streetscape and alley improvements, and the Fire Department's recommendations, traffic impacts will be mitigated.
- **Incorporation of roadway adjustments, traffic control devices or mechanisms to control traffic flow**
 - If approved with the recommended conditions related to streetscape and alley improvements, traffic impacts will be mitigated.

Section 2.8.3.4 Criteria For CUP Approval (Cont.)

- **Incorporation of features to minimize adverse effects of the proposed use on adjacent properties**
 - If approved with the condition that patios and balconies are prohibited along the Telephone Alley frontage it will mitigate adverse impacts on the neighborhoods.
- **Meets the standards for the applicable district**
 - If approved with the recommended conditions and constructed to meet Code requirements the development will meet the CD-5D district standards.

Section 5.1.4.9 Criteria for Purpose Built Student Housing

- **The ability for the development to transition in the future to accommodate a more diverse population**
 - The applicant is proposing a rent by the bedroom product with multiple rooms per unit. This type of development does not allow for an easy transition for a more diverse population.
- **The durability, energy efficiency and longevity of the building**
 - The applicant has committed to a building that will be certified under the National Green Building Standard Silver Program.

Section 5.1.4.9 Criteria for Purpose Built Student Housing

- **The location of the development in relation to alternative transportation networks to and from the University, including sidewalk, bike lanes and transit**
 - Guadalupe Street is a bus route for both the University and CARTS, the development would be required to construct a streetscape with wide sidewalks and street trees, and a two-way bike facility is planned to connect to the University along Guadalupe Street.

Section 5.1.4.9 Criteria for Purpose Built Student Housing (Cont.)

- **The project must comply with all San Marcos Development Code standards. Mitigation of any adverse impacts on adjacent property or neighborhoods**
 - The conditions recommended by Staff regarding patios and balconies on the alley frontage, as well as street and alley improvements, will help mitigate adverse impacts of noise and traffic on adjacent neighborhoods
- **Compliance with adopted City Plans or policies**
 - The proposed use and density are consistent with the Downtown Intensity Zone.

Staff Recommendation

Staff provides this request to the Commission for your consideration and recommends **approval** of the Conditional Use Permit with the following conditions:

Recommended Conditions

- 1. Approval of this request for “Purpose Built Student Housing” does not waive any development code regulations, whether or not they are represented in the submitted back up material.**
- 2. Any proposed building must meet the requirements of all City Codes and Ordinances.**
- 3. Streetscape improvements shall be required to extend to the intersection of San Antonio and Guadalupe Street.**
- 4. There shall be no balconies or patios permitted on the building facing Telephone Alley;**
- 5. The Pedestrian Passage shall be a minimum of two stories in height, with pedestrian level entrances on both sides, sufficient internal lighting, and a minimum glazing requirement of 70% on the club house and lobby walls facing the Pedestrian Passage.**
- 6. The applicant shall work with the City to mitigate noise and light nuisances associated with the parking garage.**

Recommended Conditions

- 7. There shall be a minimum of one operable building entrance / exit every 100 feet (on average) along the street frontage;**
- 8. Smoke barriers shall be provided to subdivide every story that contains R-2 occupancies, into no fewer than two smoke compartments. Such stories shall be divided into smoke compartments of not more than 22,500 square feet.**
- 9. A means of egress shall be provided from each smoke compartment created by smoke barriers without having to return through the smoke compartment from which means of egress originated.**
- 10. All plans shall be reviewed, at the expense of the permit applicant, by a third party, as approved by the COSM, for compliance with the fire codes as adopted by the COSM. Any expenses for the plans review shall be the responsibility of the permit applicant and paid directly to the third party. The cost of these expenses are in addition to any permit fees required by the COSM. Final approval of the submitted plans shall remain the authority of the COSM.**

Recommended Conditions

- 11. Full dedication and construction of Telephone Alley adjacent to this project shall be required at the time of development;**
- 12. All perimeter roadways shall be fully repaired after construction;**
- 13. Double occupancy of bedrooms shall be prohibited;**
- 14. The project will construct a minimum parking ratio of .75 spaces per bedroom, and pay the fee in-lieu for the remaining parking space per bedroom requirement in order to meet the full 1.05 parking spaces per bedroom requirement;**
- 15. The project will provide an annual report of the number of students vs the number of non-student residents by ratio of bedrooms; and**
- 16. The project shall meet the Green Building Standard Silver Program**

Planning and Zoning Commission Recommendation

At their regularly scheduled meeting on May 28, 2019
the Planning and Zoning Commission voted to
recommend **denial** of the Conditional Use Permit 7-1

Hernandez, Amanda

From: Case, Jamie Lee
Sent: Tuesday, September 3, 2019 1:42 PM
To: Hernandez, Amanda; Mattingly, Shannon
Cc: Parker, Steve
Subject: FW: Timely questions re: Historic overlay dist etc - follow up to yesterday's Mtg with Sylvan

Hi ladies,

FYI



Jamie Lee Case, TRMC

City Clerk | City Clerk
630 E Hopkins, San Marcos, TX 78666
512.393.8089

From: Derrick, Melissa
Sent: Tuesday, September 3, 2019 12:41 PM
To: Kirby, Julie <JKirby@sanmarcostx.gov>; Case, Jamie Lee <JCase@sanmarcostx.gov>; Hughson, Jane <JHughson@sanmarcostx.gov>
Cc: Mattingly, Shannon <SMattingly@sanmarcostx.gov>
Subject: Re: Timely questions re: Historic overlay dist etc - follow up to yesterday's Mtg with Sylvan

Can someone please make sure this information is in our packets for the Sylvan meeting, and that perhaps Alison could be invited as well to explain the process and brain storm with us to see what we can do about the timeline?

From: Kirby, Julie <JKirby@sanmarcostx.gov>
Sent: Tuesday, September 3, 2019 11:49:14 AM
To: Marquez, Joca <JMarquez@sanmarcostx.gov>
Cc: Lumbreras, Bert <BLumbreras@sanmarcostx.gov>; Parker, Steve <SParker@sanmarcostx.gov>; Derrick, Melissa <MDerrick@sanmarcostx.gov>; Reyes, Stephanie <SReyes@sanmarcostx.gov>; Hughson, Jane <JHughson@sanmarcostx.gov>
Subject: FW: Timely questions re: Historic overlay dist etc - follow up to yesterday's Mtg with Sylvan

Council Member Marquez,
Forwarding to you, per the Mayor's request.



Julie Kirby

Senior Management Assistant | City Manager's Office
630 E. Hopkins St, San Marcos, TX 78666
512.393.8101

From: Hughson, Jane
Sent: Tuesday, September 3, 2019 11:36 AM
To: Lumbreras, Bert <BLumbreras@sanmarcostx.gov>; Parker, Steve <SParker@sanmarcostx.gov>
Cc: Kirby, Julie <JKirby@sanmarcostx.gov>; Derrick, Melissa <MDerrick@sanmarcostx.gov>
Subject: Re: Timely questions re: Historic overlay dist etc - follow up to yesterday's Mtg with Sylvan

Re-reading this today. At the time I received this I should have asked that it go right away to the third member of our 75 Sylvan committee but I don't think I did. Please send to Dr. Marquez ASAP.

From: Kirby, Julie <JKirby@sanmarcostx.gov>
Sent: Friday, July 26, 2019 1:00 PM
To: Derrick, Melissa <MDerrick@sanmarcostx.gov>; Hughson, Jane <JHughson@sanmarcostx.gov>
Cc: Lumbreras, Bert <BLumbreras@sanmarcostx.gov>; Reyes, Stephanie <SReyes@sanmarcostx.gov>; Parker, Steve <SParker@sanmarcostx.gov>
Subject: FW: Timely questions re: Historic overlay dist etc - follow up to yesterday's Mtg with Sylvan

Good afternoon Council Member Derrick,

Alison Brakes responses to your question are in red below.

She also reached out to TX Historic Commission regarding State tax incentives and how they are reviewed.

Here is the information on the State and Federal Tax Credit Programs from Caroline Wright, Tax Credit Project Reviewer at THC. If there are further questions, you may can contact Caroline at 512.463.7687 or Caroline.Wright@thc.texas.gov

Timing:

If a project is pursuing both federal and state credits, the formal review process will be 2 to 3 months. All materials are submitted to our office. We will first review the federal application, for which we have a 30-day review period, and then forward that to the NPS. They have another 30-day review period. Their review is the final authority for the federal application and we issue the review of the state application only after the federal is completed.

If a project is only pursuing the state credits, the review process will just be one 30-day period, because we are the only agency that reviews those.

We try to complete everything as soon as possible. Sometimes things take less than 30 days, sometimes more, depending on workload. And, of course, that is also dependent on receiving a complete application from the applicant.

Now, unlike local permitting, an applicant may start work on a project before submitting their application to us. They take a risk in doing that—if they do work that we would not approve, the project can be denied. There are usually work items that are safe to start before we have reviewed a project, though. We are always available by phone or email to speak with applicants about this kind of thing.

Applications are generally approved with conditions. Those conditions may require design changes that can be significant or major. Work on other aspects of a project can be underway while we work out those changes.

We typically recommend that applicants submit applications to us BEFORE they are submitted to local permitting, because we may require changes to plans that would mean going back through permitting. I don't know how San Marcos is doing these days, but that can be lengthier process in some cities. We do have an amendment process for our

applications, which takes the same review time as above, but again, other work on the project can be underway while we're working on changes to plans elsewhere in the building.

This whole process can add a time delay to a project, especially projects that are already in the planning phases. Applicants need to understand how this works and make the decision that is best for them and their project. One building owner may not feel like the paperwork and the review time is worth it to them, while others building owners might.

Scope of Work:

There are a number of variables to this question.

The federal credit requires that a property owner spend an amount equal to the adjusted basis of their building. Roughly, the value of the building (not including the land, taking into account depreciation and improvements). If a building is worth \$100,000, the owner must spend \$100,000. This does mean that to qualify for the federal credit, a property owner is usually rehabbing the entire building. If they can meet that financial threshold without rehabbing the entire building, they may still apply. However, we have review authority over ALL work that is happening on the property at the time the project work is going on.

The state credit only requires that a property owner spend a minimum of \$5000. We have owners just do roof replacements, HVAC equipment upgrades, exterior paint jobs, etc. Typically, we still follow the same rules as the federal program, that we have review authority over all work happening at the property at one time. You cannot, generally, have us review only part of a scope of work for a larger project.

However, we do also have an exterior-only option for the state credit, for buildings in designated historic districts. An applicant can pursue this and we will not review any work on the interior of the building, just on the exterior. We do look at the entire exterior, though, not just the front. And, the applicant receives credits only for the work done to the exterior—they get no credits for work on the interior of the building. This only applies to the state credit.

I will post this on the Message Board, for all the Council. Thank you.



Julie Kirby

Senior Management Assistant | City Manager's Office
630 E. Hopkins St, San Marcos, TX 78666
512.393.8101

From: Derrick, Melissa <MDerrick@sanmarcostx.gov>

Sent: Tuesday, July 23, 2019 2:14:44 PM

To: Lumbreras, Bert <BLumbreras@sanmarcostx.gov>; Reyes, Stephanie <SReyes@sanmarcostx.gov>; Parker, Steve <SParker@sanmarcostx.gov>; Jamison, Collette <CJamison@sanmarcostx.gov>; Kirby, Julie <JKirby@sanmarcostx.gov>

Cc: Mattingly, Shannon <SMattingly@sanmarcostx.gov>; Hughson, Jane <JHughson@sanmarcostx.gov>

Subject: Timely questions re: Historic overlay dist etc - follow up to yesterday's Mtg with Sylvan

All,

Please add this to the message board if you feel it would be helpful. After our meeting regarding the Sylvan yesterday, in particular if they were to purchase that corner lot on San Antonio St. and thus need to go through the design review process with the HPC to receive a certificate of appropriateness, can I please have more information about the process? I think Allison could likely best respond since she's our historic preservation planner. To my knowledge (and I've checked with many folks since yesterday) we have never had an entire block made up of 10 plus individual pieces of land in which only one property was in the downtown historic overlay district. Although that parcel isn't currently part of the plan, we did ask if it could be and Thomas was leery about timelines and what they'd be required to do.

Questions:

-would the entire building then be subject to a design review & COA, or only that corner lot? (I believe Shannon said the entire project, but I want to be sure I understand) **Only 101 W. San Antonio Street, Suites A-D are located within the Downtown Historic District; these are the buildings located on the corner of W. San Antonio Street and Guadalupe Street. These properties would be required to apply for a Certificate of Appropriateness (COA) if any exterior work was done that changed the material or design, this includes demolition of the properties. Typically, with COAs where demolition of a building is being requested, I ask for renderings of the new building as part of the submittal so that I can review it against the Construction and Repair Standards of the Development Code, the Historic Design Guidelines, and the Secretary of the Interior's Standards for the Treatment of Historic Properties. With demolition requests, I evaluate how the demolition will affect the historic district while reviewing how the new construction meets the requirements and Guidelines.**

-How long would the process take? I've spoken the Chair of the HPC, Griffin Spell, and he is unsure of the timeline, but stated that in the past staff has brought them the historic design requirement for their review for the approval of a COA's. **There is about a 30-day window between when a Certificate of Appropriateness application is submitted and the HPC meeting. That gives staff time to review the request, work with the applicant if necessary, and send the required notifications.**

-can someone send me a link to the requirements (not the design standards that have not yet been codified) for a certificate of appropriateness in the downtown historic overly, I want to make sure I'm reading codified requirements when I review them. **The following are what I use in reviewing a COA: the Construction and Repair Standards of the San Marcos Development Code [Sec. 4.5.2.1(I)], Appendix C of the San Marcos Design Manual – [Historic Design Guidelines](#), and the [Secretary of the Interior's Standards for the Treatment of Historic Properties](#).**

- Is our staff familiar with all the money Gilbrand could apply for to restore the Gilcrease dental building, and guide them in seeking funding via The National Trust (gives 20% of restoration cost) and the State Medallion Program that could offer them an additional 20-25% = up to 45% restoration cost? Also, do they know how much time this would add to the project start date - i.e. can it be done in weeks or months? Would like to know a time line for both of these projects, but I'm betting the State incentive will be much faster than the Federal. **I am familiar enough with the programs to guide applicants to people to speak to at a State and Federal level. I have attached a comparison chart that the Texas Historical Commission (THC) has that compares the two tax credit programs. As I don't review requests for tax credits, I reached out to the THC via email to ask about what would be required. I have not heard back from them as of date of this email. As soon as I do, I can send on that information. More information on Preservation Tax Incentives can be found [HERE](#) or you can contact Kylie Woodlock, THC Program Specialist, 512.475.0129, Kylie.Woodlock@thc.texas.gov.**

-if they were to apply for the above programs, would they need to restore more than just the facade or would they be required to restore the entire building to receive these funds? As I don't review requests for tax credits, I reached out to the THC via email to ask about what would be required. I have not heard back from them as of date of this email. As soon as I do, I can send on that information. More information on Preservation Tax Incentives can be found [HERE](#) or you can contact Kylie Woodlock, THC Program Specialist, 512.475.0129, Kylie.Woodlock@thc.texas.gov.

-Is staff aware of any other funding resources for historic buildings? THC has compiled a list of [potential funding sources](#) of historic preservation projects which is on their website (last updated in March 2019). The list online is broken down by types of project (e.g. businesses, residential, rural, etc.). I have attached the entire 36-page PDF that includes all the sources listed on the website and the summaries of each funding program.

Thanks so much, Thomas told us that he should be able to let us know if they are willing to do what we've asked or not in a couple of days, so I think it prudent to have the answers to the questions raised by both Thomas and the committee just as soon as possible. I know how busy ya'll are, and apologize for the need to request this info ASAP and do understand if that's not possible.

Many thanks in advance,

Melissa Derrick

City Council Member | City Council
630 E Hopkins, San Marcos, TX 78666
| Mobile 512.938.8141