

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING SECTION 6.2.2 OF THE PLANNED DEVELOPMENT DISTRICT STANDARDS FOR THE TRACE PLANNED DEVELOPMENT DISTRICT GENERALLY LOCATED EAST OF IH-35 AND SOUTH OF POSEY ROAD TO ALLOW TWO STORY MULTIFAMILY RESIDENTIAL BUILDINGS AS THE ONLY REQUIRED ELEVATIONS WITHOUT INCLUDING THREE AND FOUR STORY BUILDINGS; AND INCLUDING PROCEDURAL PROVISIONS.

RECITALS:

- 1.** On October 22, 2019, the City Planning and Zoning Commission of the City of San Marcos held a public hearing concerning a request to amend Section 6.2.2 of the Planned Development District Standards for the Trace Planned Development District generally located east of IH-35 and south of Posey Road as approved by Ordinance No. 2015-42 as outlined in the property owner's application seeking the amendments.
- 2.** Subsequent to the public hearing, the Planning and Zoning Commission considered the request and voted to recommend that the request be approved by the City Council.
- 3.** The City Council held a public hearing on November 19, 2019 regarding the request.
- 4.** The City Council hereby finds and determines that the adoption of the following ordinance is in the interest of the public health, morals, welfare and safety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. Section 6.2.2 of the Planned Development District Standards for the Trace Planned Development District generally located east of IH-35 and south of Posey Road as approved by Ordinance No. 2015-42 is hereby amended to allow two story multifamily residential buildings as the only required elevations without including three and four story buildings as specifically set forth in Exhibit A, attached hereto and made a part hereof.

SECTION 2. All other requirements for the Trace Planned Development District approved by Ordinance No. 2015-42 shall remain in full force and effect.

SECTION 3. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 4. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 5. This ordinance will take effect immediately after its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on November 19, 2019.

PASSED, APPROVED AND ADOPTED on second reading on December 3, 2019.

Jane Hughson
Mayor

Attest:

Approved:

Tammy K. Cook
Interim City Clerk

Michael J. Cosentino
City Attorney

EXHIBIT A



- Accessory buildings, if built or placed upon the individual lots, shall be subject to review by the architectural committee of the HOA.

6.2 Multi Family Residential

Except for the standards outlined below, the Property and the Project shall be subject to the existing City Code of Ordinances, Subpart B – Land Development Code, Chapter 4, Article 4, Division 3 – Multi Family Residential Design Standards attached in Appendix.

The Standards outlined below reflect superior requirements than the existing City Code of Ordinances. If the provisions of the standards below are inconsistent with provisions found in the attached existing City Code of Ordinances, the standards below shall control.

6.2.1 Variation

- For any street frontage containing at least three (3) and not more than (5) buildings (excluding clubhouses/leasing offices), there shall be at least three (3) distinctly different building designs.
- For all street frontages, there shall be no two (2) similar buildings placed next to each other along a street.

6.2.2 Building Design

- Combinations of two and three story; three and four story; or two, three and four story buildings shall be used to create visual building variation and roof lines.
- Where a maximum building height of two stories is proposed, two story buildings shall be allowed as the only required elevations without three and four story requirements.
- Where a maximum building height of two stories is proposed, visual variation in buildings and roof lines shall be achieved through variations in roof height, form, pitch, size, orientation, and offsets.

6.2.3 Roof Design

- A variety of roof modulations including turrets, dormers, cross gables, side and front gables, dual pitched roofs, cupolas, fenestrations and exposed rafters shall be used to create roof variations within any one building.

6.2.4 Lighting

- Main building entrances or individual unit entrances shall be well lit and easily accessible.

6.2.5 Miscellaneous

- This Multi-Family Residential District shall not have “rent by the individual bedroom” apartments.

6.3 Commercial

Trace shall require the following Commercial Architectural Standards. In order to ensure the aesthetic value and visual appeal of the City to residents and to visitors and potential businesses, the standards and criteria contained within this section are established as minimum standards. These standards shall