ZONING CHANGE TO PLANNING AREA DISTRICT APPLICATION

Updated: October, 2019



CONTACT INFORMATION

PROPERTY INFORMATION

Applicant's Name	Ed Theriot	Property Owner	Outlet West Investors, Ltd.
Company	Doucet & Associates, Inc.	Company	c/o Tyler Sibley Pursuant Ventures Development
Applicant's Mailing Address	7401B Hwy. 71 W., Ste. 160 Austin, TX 78735	Owner's Mailing Address	415 North Guadalupe, Ste. 400 San Marcos, Texas 78666
Applicant's Phone #	512-618-2865	Owner's Phone #	214-282-8970
Applicant's Email	etheriot@doucetengineers.com	Owner's Email	tylersibley1@gmail.com

Subject Property Address(es): a portion of the property identified in the Hays County Appraisal District as R13080 Legal Description: Lot _______ Block ______ Subdivision ______ Total Acreage: 62.48 acres _______ Tax ID #: R 13080 Preferred Scenario Designation: Employment Area ______ Existing Zoning: N/A (ETJ) Existing Land Use(s): Vacant DESCRIPTION OF REQUEST Proposed Zoning District(s): Planned Area District Proposed Land Uses / Reason for Change: Apply zoning controls to the tract for development:

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee* \$1,057 plus \$100 per acre Technology Fee \$13

*Existing Neighborhood Regulating Plan Included.

*MAXIMUM COST \$3,013

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

APPLY ONLINE - WWW.MYGOVERNMENTONLINE.ORG/

PROPERTY OWNER AUTHORIZATION

Robert C. Wilson, III, President 1. of JOD GP, LLC, as general partier (owner name) on	behalf of
Outlet West Investors 1 td	
(company, if appli	cable) acknowledge that I/we
am/are the rightful owner of the property located at	
a portion of the property identified in the Hays County Appraisal District as R13080	(address).
I hereby authorize Tyler Sibley and his respective consultants (ager	the part of the last of the second
Pursuant Ventures Development 11 C	it name) on behalf of
Pursuant Ventures Development, LLC (agent company) to	file this application for
Erke Zening of the Subject project in a (application type) web etchethe Conference on my behalf throughout the Responsible Official Department on my behalf throughout the	and, if necessary, to work with selections and process
Signature of Owner Recuserit	. 1
Signature of Owner Recuserity	Date: 20 Vec 2019
Printed Name, Title Robert C. Wilson, IN Printer of	& JOQ GP, LLC,
Signature of Owner Robert C. Wilson, IN Project of Outle-	f West Investors, Ltd.
Signature of Agen	Date: 12/29/19
Printed Name, Title: Tyler S. Bley, Manger	Date: 12/29/19
NA. #	

PROPERTY OWNER AUTHORIZATION See Attached Authorization (owner name) on behalf of Outlet West Investors, Ltd. (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at a portion of the property identified in the Hays County Appraisal District as R13080 I hereby authorize _______Tyler Sibley and his respective consultants (agent name) on behalf of Pursuant Ventures Development, LLC (agent company) to file this application for For the zoning of the subject property in a manner agreeable to both the City of San Marcos & Pursuant Ventures Development, LLC (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process. Signature of Owner: Printed Name, Title: See attached authorization Date: 2019.12.30 16:00:50 Date: 12/30/19 -06'00' Signature of Agent: Printed Name, Title: Ed Theriot, Project Manager Form Updated October, 2019

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 \$91 plus a \$13 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 \$91 plus a \$13 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: 2019.12.30 16:02:21 -06'00'	Date: 12/30/19
Print Name:	Ed Theriot	

Form Updated October, 2019



CHECKLIST FOR ZONING CHANGE TO PLANNING AREA DISTRICT

The following items are requested for consideration of this application. These and additional items may be required at the request of the Department		Comments
✓	Pre-application conference with staff is recommended Please call 512-393-8230 to schedule	Pre-application meeting held on 10/08/19
Z	Completed Application for Zoning Change to Planning Area District	See attached
₹	Figures sufficient to address $\underline{\text{Section 4.4.3.7(A)(3)}}$ of the San Marcos Development Code	See attached conceptual plan
∠	Copy of Subdivision Plat or Metes & Bounds	Metes & Bounds and Survey are attached
₫	CAD file in grid for GIS integration. Projection: NAD 1983 StatePlane Texas South Central FIPS 4204 Feet	Attached.
Ø	Certificate of no tax delinquency	Account Summary and Tax Statement showing 2019 taxes have been paid is attached.
Ø	Proof of Ownership	Warranty Deed is attached.
	Lien Holder(s) Name and Mailing Address(es)	There are no lienholders per attached title commitment
4	Agreement to the placement of notification signs and acknowledgement of notification requirements	See attached
Ø	Authorization to represent the property owner, if the applicant is not the owner	Owners Authorization Attached
	Filing Fee \$1,057 + \$100 per acre (\$3,000 max) Technology Fee \$13	

^{**}San Marcos Development Code Section 2.3.1.1(C): "Every application accepted by the responsible official for filing shall be subject to a determination of completeness...the responsible official is not required to review an application unless it is complete..."

FIELD NOTES DESCRIPTION

DESCRIPTION OF 62.48 ACRES OF LAND IN THE EDWARD BURLESON SURVEY NO. 18, A-63, HAYS COUNTY, TEXAS; BEING A PORTION OF A CERTAIN CALLED 109.22 ACRE TRACT DESCRIBED IN THE DEED TO OUTLET WEST INVESTORS, LTD. OF RECORD IN VOLUME 1486, PAGE 887, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 62.48 ACRE TRACT, AS SURVEYED BY BOWMAN CONSULTING GROUP, LTD., BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found in the southeast right-of-way line of that certain 200-foot wide Union Pacific Railroad right-of-way, being the south corner of that 100-foot strip described in the deed to the Missouri, Kansas & Texas Railway Company of Texas of record in Volume 41, Page 23, Deed Records of Hays County, Texas, in the northeast line of a certain 29.07 acre tract designated as Tract Number 3 and described in the deed to Eugene A. Herry, Jr. and Frances K. Herry of record in Volume 276, Page 313, Deed Records of Hays County, Texas, at the west corner of the said 109.22 acre tract, for the west corner and **POINT OF BEGINNING** of the tract described herein;

THENCE N 46°39'30" E, leaving the northeast line of the said 29.07 acre tract, with the southeast railroad right-of-way line and the northwest line of the said 109.22 acre tract, with the northwest line of the tract described herein, a distance of 1903.09 feet to a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found, for the north corner of the tract described herein, from which a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found in the southeast railroad right-of-way line and the northwest line of the said 109.22 acre tract bears S 46°39'30" W, a distance of 160.21 feet;

THENCE leaving the said southeast railroad right-of-way line, crossing the said 109.22 acre tract, with the northeast, southeast and northeast lines of the tract described herein, the following seven (7) courses and distances:

- 1. S 46°27'37" E, a distance of 657.03 feet to a calculated angle point,
- 2. S 52°15'35" E, a distance of 229.85 feet to a calculated point for the most northerly east corner,
- 3. S 39°31'34" W, a distance of 198.77 feet to a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found,
- 4. S 32°44'39" W, a distance of 199.24 feet to a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found at a re-entrant corner,
- 5. S 46°16'38" E, a distance of 348.25 feet to a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found at an east corner,
- 6. S 45°29'11" W, a distance of 46.11 feet to a 1/2-inch iron rod found at a re-entrant corner, and
- 7. S 36°50'33" E, a distance of 111.52 feet to a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found in the southeast line of the said 109.22 acre tract, same being the curving northwest right-of-way line of Gregson's Bend, a 60-foot right-of-way, as shown on the Lot 2 and Gregson Road of Section 1, the Lowman Ranch Subdivision plat of record in Volume 7, Page 215, Plat Records of Hays County, Texas, for an east corner of the tract described herein;

THENCE with the west and northwest right-of-way line of said Gregson's Bend, with the east and southeast line of the tract described herein, the following five (5) courses and distances:

- 1. with the arc of a curve to the left, having a radius of 360.00 feet, an arc distance of 69.66 feet, and a chord which bears S 31°22'59" W, a distance of 69.55 feet to a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found at a point-of-tangency,
- 2. S 25°56'16" W, a distance of 277.98 feet to a ½-inch iron rod found at a point-of-curvature,

- 3. with the arc of a curve to the right, having a radius of 503.00 feet, an arc distance of 293.42 feet, and a chord which bears S 42°37′23" W, a distance of 289.28 feet to a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found at a point-of-tangency,
- 4. S 59°20'03" W, a distance of 40.49 feet to a calculated point-of-curvature, and
- 5. with the arc of a curve to the right, having a radius of 25.00 feet, an arc distance of 40.54 feet, and a chord which bears N 74°10'24" W, a distance of 36.24 feet to a calculated point for the northeast terminus of Commercial Loop, a 70-foot right-of-way as shown on the Proposed Roadway and Lot 3, Lowman Ranch Subdivision, Section 1 plat of record in Volume 9, Page 62, Plat Records of Hays County, Texas, for a re-entrant corner of the tract described herein, from which a ½-inch iron rod with a plastic cap stamped "BYRN Survey" found bears N 62°00'33" E, a distance of 1.27 feet;

THENCE S 62°00'33" W, continuing across the said 109.22 acre tract, with the north terminus of said Commercial Loop, with a south line of the tract described herein, a distance of 70.00 feet to a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found at the northwest terminus of said Commercial Loop and a reentrant corner of the tract described herein, and from which a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found bears S 62°00'33" W, a distance of 4.93 feet;

THENCE continuing across the said 109.22 acre tract, with the curving northwest right-of-way line of said Commercial Loop, with a northeast line of the tract described herein, with the arc of a curve to the left, having a radius of 1245.00 feet, an arc distance of 123.28 feet, and a chord which bears S 30°42′59" E, a distance of 123.23 feet to a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found at the northerly east corner of Lot 3, said Proposed Roadway and Lot 3, Lowman Ranch Subdivision, Section 1, for a northeast corner of the tract described herein:

THENCE leaving the northwest right-of-way line of said Commercial Loop, continuing across the said 109.22 acre tract, with the north and northwest line of said Lot 3, Lowman Ranch Subdivision, Section 1, with a south and southeast line of the tract described herein, the following two (2) courses and distances:

- with the arc of a curve to the left, having a radius of 25.00 feet, an arc distance of 44.76 feet, and a chord which bears N 84°42'52" W, a distance of 39.02 feet to an "X" in concrete found at a point-oftangency, and
- 2. S 43°35'28" W, at a distance of 21.70 feet, a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found bears S 46°24'32" E, a distance of 0.49 feet, and continuing for a total distance of 356.89 feet to a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found at the west corner of said Lot 3, Lowman Ranch Subdivision, Section 1, and the north corner of Lot 5, Section 1, Lowman Ranch Subdivision of record in Volume 17, Page 134, Plat Records of Hays County, Texas, for an angle point in the southeast line of the tract described herein;

THENCE S 43°32'32" W, continuing across the said 109.22 acre tract, with the northwest line of said Lot 5, Section 1, Lowman Ranch Subdivision, with the southeast line of the tract described herein, a distance of 322.26 feet to a ½-inch iron rod with a plastic cap stamped "BYRN SURVEY" found at the west corner of said Lot 5, Section 1, Lowman Ranch Subdivision, in the southwest line of the said 109.22 acre tract and the northeast line of the said 29.07 acre tract, for the south corner of the tract described herein, from which a 3/8-inch iron rod found in the southwest line of the said 109.22 acre tract at the northeast corner of the said 29.07 acre tract, same being an angle point in the southwest line of said Lot 5, Section 1, Lowman Ranch Subdivision and the north corner of Lot 13, South Park Commercial Subdivision of record in Volume 4, Page 59, Plat Records of Hays County, Texas bears S 45°19'13" E, a distance of 172.98 feet;

THENCE with the southwest line of the said 109.22 acre tract and the northeast line of the said 29.07 tract, with the southwest line of the tract described herein, the following three (3) courses and distances:

- 1. N 45°12'23" W, a distance of 147.03 feet to a cedar fence post found at an angle point,
- 2. N 45°53'12" W, a distance of 1024.34 feet to a cedar fence post found, and

3. N 45°57'03" W, a distance of 451.51 feet to the POINT OF BEGINNING and containing 62.48 acres of land more or less.

BEARING BASIS: Texas Coordinate System, NAD 83, South Central Zone, Grid.

BOWMAN WORD FILE: FN1965(en) **BOWMAN REF PLAN NO.: 3557**

H:\Survey_FieldNotes\FN-1900s\FN1965(en).doc

THE STATE OF TEXAS

8000

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF TRAVIS

That I, George L. Sanders, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the months of November and December 2016, under my direction and supervision.

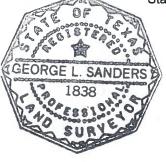
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on this for January, 2017 A.D.

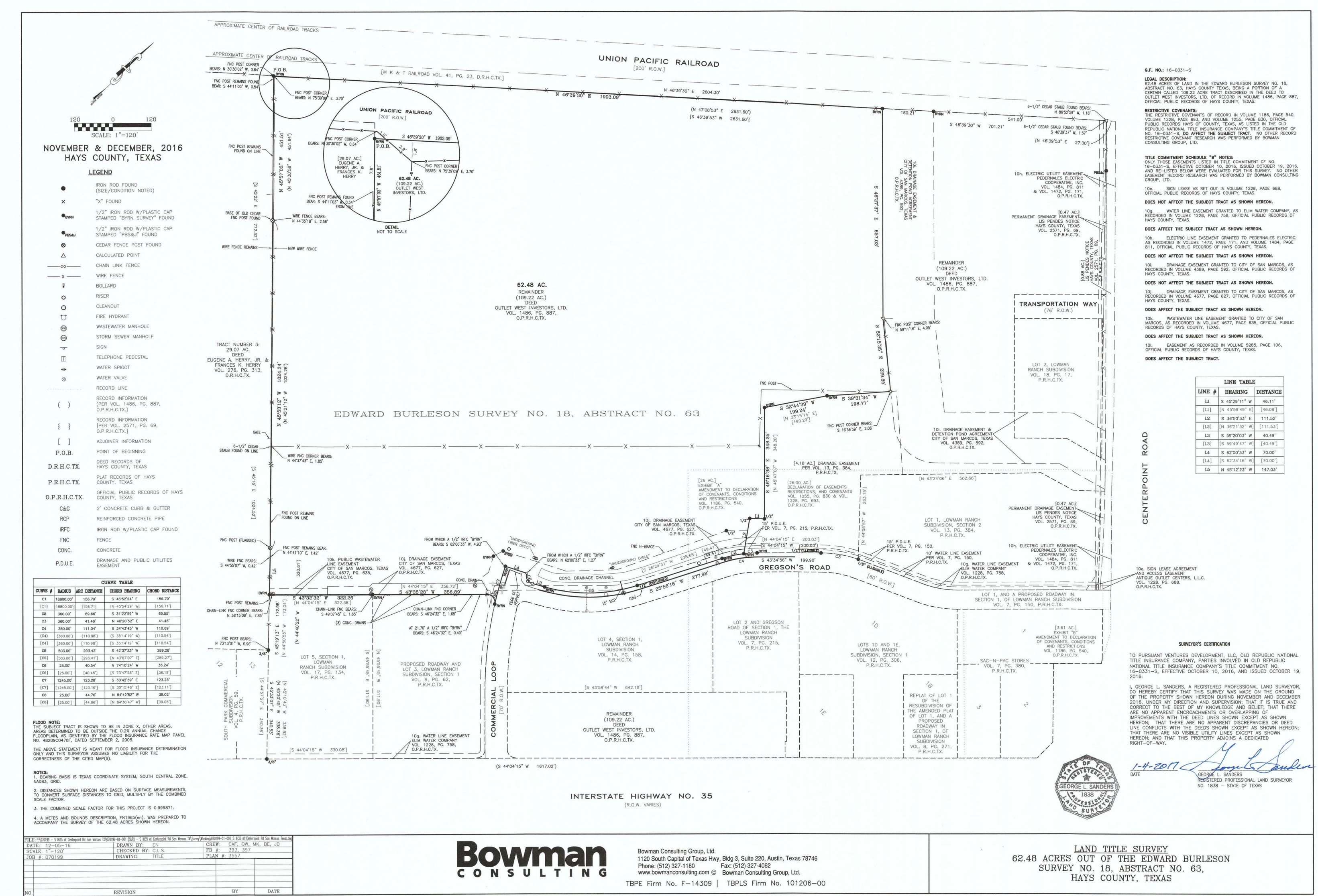
Bowman Consulting Group, Ltd. Austin, Texas 78746

George L. Sanders

Registered Professional Land Surveyor No. 1838

State of Texas





PLOT DATE: Jan 04,2017-1:37pm

PLAN #: 3557

