

Alternative Compliance	3165 Misty Lane
AC-20-09	D. Reyes Subdivision Lot Frontage



Summary

Request:	An Alternative Compliance to section 3.6.3.1 of the San Marcos Development Code which requires that every lot shall have frontage on a public street.		
Applicant:	Hugo Elizondo, Jr., PE Cuatro Consultants, LTD PO Box 2579 Kyle, TX 78640	Property Owner:	Gabriel & Cristal Reyes 250 Jackson Dr Maxwell, TX 78656

Notification

Posted:	August 28, 2020	Personal:	August 28, 2020
Response:	None as of the date of this report		

Property Description

Legal Description:	10.167 Acres out of the Thomas Maxwell Survey		
Location:	South of the intersection of Misty Lane and Caldwell County Road 228		
Acreage:	10.167	PDD/DA/Other:	Ord. # or N/A
Existing Zoning:	N/A (ETJ)	Preferred Scenario:	Low Intensity
Existing Use:	Vacant	Proposed Use:	Single-family residential
CONA Neighborhood:	N/A	Sector:	N/A
Utility Capacity:	Adequate		

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	ETJ	Single-Family	Low Intensity
South of Property:	ETJ	Single-Family	Low Intensity
East of Property:	ETJ	Agricultural	Low Intensity
West of Property:	ETJ	Single-Family	Low Intensity

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Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	Denial
Staff recommends approval with the following condition;		
<ul style="list-style-type: none"> The applicant shall dedicate a right-of-way reserve to be used as a connection in the future. 		
Staff: Tory Carpenter, AICP, CNU-A	Title : Planner	Date: September 2, 2020

History

The applicant is proposing the subdivision of a 10.167-acre tract of land into two lots for two existing residences. One of the properties does not have access to a public street as required in section 3.6.3.1 of the Development Code. The proposed subdivision would include a right-of-way reserve which could be acquired by the City or County at no cost when needed for a future road.

Additional Analysis

See analysis below.

Comments from Other Departments

Police	No Comment
Fire	No Comment
Public Services	No Comment
Engineering	The Capital Improvements and Engineering department requested a right-of-way dedication or reserve for a future road.

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Evaluation			Criteria for Approval (2.8.4.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The request is consistent with the policies embodied in the adopted Comprehensive Plan; <i>This is a "Low Intensity" area as designated on the Preferred Scenario Map. This proposed two lot subdivision is consistent with the Comprehensive Plan.</i></p>
<u>X</u>			<p>The request is consistent with the general purpose, intent and character of the development regulations applicable to the property; <i>See Criteria for Approval in Section 3.6.5.1 below.</i></p>
<u>X</u>			<p>There are special circumstances or conditions arising from the physical surroundings, shape, topography or other features affecting the subject property; <i>There is an existing shared drive which serves seven properties adjacent to the subject property.</i></p>
<u>X</u>			<p>The request is detrimental to the public health, safety or welfare, or injurious to other property within the area; <i>The request will not be detrimental to the public health, safety or welfare, or injurious to other property within the area.</i></p>

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Evaluation			Lot Frontage Alternative Compliance Findings (Section 3.6.5.1)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The approved alternate meets the intent of Section 3.6.1.1</p> <p>A. The intent of the maximum block perimeter and connectivity regulations is to provide a well-connected street network. <i>This request allows for an adequate block structure in the future.</i></p> <p>B. Large blocks with limited connectivity discourages walking, contributes to street congestion and adds driving distance that can negatively impact emergency services. <i>This request allows for an adequate block structure in the future.</i></p> <p>C. New streets should be designed to consider future development. <i>Street design will be addressed at time of road construction.</i></p> <p>D. The access regulations are intended to provide safe and convenient vehicular and pedestrian access within developments and between adjacent developments to lessen traffic congestion. Pedestrian, bike, and vehicular access should be safe, direct and convenient. <i>This request allows for an adequate block structure in the future.</i></p>
<u>X</u>			<p>The approved alternate conforms with the Comprehensive Plan and adopted City plans; <i>This is a “Low Intensity” area as designated on the Preferred Scenario Map. This proposed two lot subdivision is consistent with the Comprehensive Plan. There are no roads indicated on the Transportation Master Plan for this area.</i></p>
<u>X</u>			<p>The approved alternate does not increase congestion or compromise safety; <i>The request has no impact on congestion on public streets.</i></p>
	<u>X</u>		<p>The approved adjustment does not create any lots without direct street frontage; <i>This request is to allow one lot without street frontage. The dedication of a right-of-way reservation will allow for direct street frontage in the future.</i></p>

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Evaluation			Lot Frontage Alternative Compliance Findings (Section 3.6.5.1)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The design adjustment is deemed reasonable due to one or more of the following:</p> <ul style="list-style-type: none"> a. Topographic changes are too steep; b. The presence of existing buildings, stream and other natural features; c. Site layout of developed properties d. Adjoining uses or the vehicles are incompatible; e. Strict compliance would propose a safety hazard; or f. The design adjustment does not conflict with an approved or built roadway construction project adjacent to or in the vicinity of the site. <p><i>This request is consistent with the layout of surrounding properties and private access roads in the area.</i></p>