

ZONING CHANGE, OVERLAY OR ESTABLISHMENT OF A HISTORIC DISTRICT/LANDMARK APPLICATION

Updated: September, 2020



CONTACT INFORMATION

Applicant's Name	Kelley Fowler	Property Owner	Bryan Lee
Company	KFM Engineering & Design	Company	La Cima Commercial LP
Applicant's Mailing Address	8701 W HW 71, STE 201G, Austin, TX 78735	Owner's Mailing Address	303 Colorado St., STE 2300 Austin, TX 78701
Applicant's Phone #	512 909 0390	Owner's Phone #	512 695 2875
Applicant's Email	kfowler@kfm-llc.com	Owner's Email	ericw@nd-austin.com

PROPERTY INFORMATION

Subject Property Address(es): RR 12 and West Centerpoint Road, San Marcos, TX 78666

Legal Description: Lot _____ Block _____ Subdivision _____

Total Acreage: 21.31 Tax ID #: R 143371

Preferred Scenario Designation: MF-24 Existing Zoning: ETJ

Existing Land Use(s): Vacant

DESCRIPTION OF REQUEST

Proposed Zoning District(s): MF-24

Proposed Land Uses / Reason for Change: Development of multi-family complex

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 MAXIMUM COST \$3,013

**Existing Neighborhood Regulating Plan Included.*

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

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

PROPERTY OWNER AUTHORIZATION

I, Bryon W. Lee (owner name) on behalf of
La Cima Commercial, LP (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
RR 12 and West Centerpoint Road, San Marcos, TX 78666 (address).

I hereby authorize Kelley Fowler (agent name) on behalf of
KFM Engineering & Design (agent company) to file this application for
Zoning Change (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:



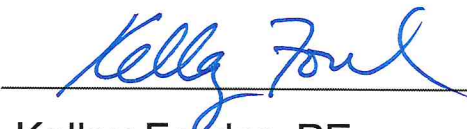
Date:

7/22/21

Printed Name, Title:

Bryon W. Lee, Manager

Signature of Agent:



Date:

7/27/21

Printed Name, Title:

Kelley Fowler, PE

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: _____



Print Name: _____

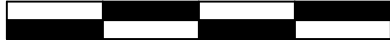
Kelley Fowler

Form Updated October, 2019

LEGEND

	PROPERTY LINE
	EXISTING PROPERTY LINES
	IRON ROD WITH "BCG" CAP FOUND (UNLESS NOTED)
DOC. NO.	DOCUMENT NUMBER
R.O.W.	RIGHT-OF-WAY
P.R.H.C.T.	PLAT RECORDS, HAYS COUNTY, TEXAS
O.P.R.H.C.T.	OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS
[.....]	RECORD INFORMATION PER DOC. NO. 17036340
(.....)	RECORD INFORMATION PER DOC. NO. 17042976
{.....}	RECORD INFORMATION PER DOC. NO. 20003929
<.....>	RECORD INFORMATION PER DOC. NO. 21021091

0 150 300



GRAPHIC SCALE: 1" = 150'

ACADEMY OAKS DRIVE (60' R.O.W.)

N42°47'59"E 588.40'

N03°11'02"E 956.38'

ZONING EXHIBIT
21.3104 ACRE(S)
928,280 SQUARE FEET

**JOHN WILLIAMS
SURVEY
ABSTRACT NO. 490**

CALLED 26.175 ACRES
(TRACT 3)

LA CIMA COMMERCIAL, LP
DOC. NO. 17042976
O.P.R.H.C.T.

MATCHLINE

L7 (L7) C9 C7 C8 (C8) [C8] L6 (L6) [L6] C6 (C6) [C6] L5 (L5) [L5] C5 (C5) [C5]

**WEST CENTERPOINT ROAD
(R.O.W. VARIES)**

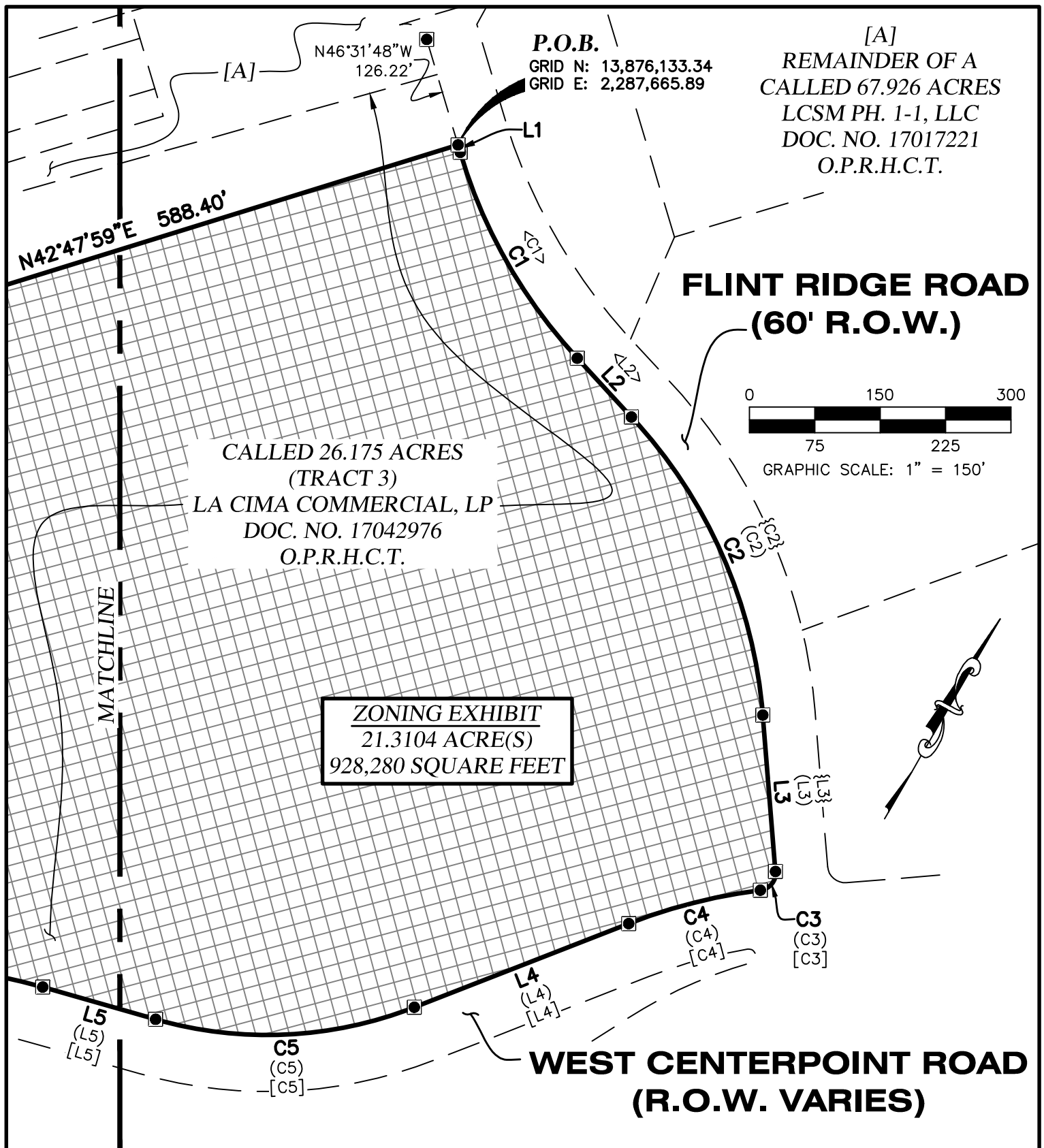
**21.3104 ACRES
ZONING EXHIBIT
City of San Marcos,
Hays County, Texas**



A Limited Liability Company

PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPELS FIRM #10174300

Date:	7/9/2021
Project:	01231
Scale:	1" = 150'
Reviewer:	FM
Tech:	EBD
Field Crew:	WC/MM
Survey Date:	JUNE 2021
Sheet:	1 OF 3



**21.3104 ACRES
ZONING EXHIBIT
City of San Marcos,
Hays County, Texas**



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LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S46°31'48"E	8.88'
L2	S72°40'27"E	91.75'
L3	S34°38'17"E	180.05'
L4	S38°40'52"W	263.88'
L5	S75°56'36"W	134.69'
L6	S51°26'58"W	173.43'

RECORD LINE TABLE		
LINE #	DIRECTION	LENGTH
<L2>	S72°40'55"E	91.71'
(L3)	S34°38'50"E	180.02'
{L3}	S34°38'50"E	180.02'
(L4)	S38°41'19"W	263.84'
[L4]	S38°41'19"W	263.84'
(L5)	S75°56'43"W	134.71'
[L5]	S75°56'43"W	134.71'
(L6)	S51°27'05"W	173.40'
[L6]	S51°27'05"W	173.40'
(L7)	S75°31'15"W	30.63'



Jason Ward
7/9/2021

**21.3104 ACRES
ZONING EXHIBIT
City of San Marcos,
Hays County, Texas**

CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	BEARING	DISTANCE
C1	600.00'	273.98'	26°09'47"	S59°36'17"E	271.61'
C2	570.00'	380.67'	38°15'53"	S53°46'47"E	373.64'
C3	20.00'	30.49'	87°20'14"	S09°04'39"W	27.62'
C4	635.00'	156.21'	14°05'43"	S45°45'11"W	155.82'
C5	465.00'	302.38'	37°15'29"	S57°19'09"W	297.08'
C6	635.00'	271.43'	24°29'29"	S63°41'39"W	269.37'
C7	565.00'	169.45'	17°11'00"	S60°02'49"W	168.81'
C8	565.00'	237.34'	24°04'07"	N63°29'23"E	235.60'
C9	565.00'	67.90'	6°53'07"	S72°04'53"W	67.86'

CURVE TABLE (RECORD)					
CURVE #	RADIUS	LENGTH	DELTA	BEARING	DISTANCE
<C1>	600.00'	273.97'	--	S59°36'02"E	271.60'
(C2)	570.00'	380.73'	--	S53°46'56"E	373.69'
{C2}	570.00'	380.73'	--	S53°46'56"E	373.69'
(C3)	20.00'	30.52'	--	S09°04'12"W	27.64'
[C3]	20.00'	30.52'	--	S09°04'12"W	27.64'
(C4)	635.00'	156.25'	--	S45°44'17"W	155.86'
[C4]	635.00'	156.25'	--	S45°44'17"W	155.86'
(C5)	465.00'	302.37'	--	S57°19'01"W	297.07'
[C5]	465.00'	302.37'	--	S57°19'01"W	297.07'
(C6)	635.00'	271.46'	--	S63°41'54"W	269.40'
[C6]	635.00'	271.46'	--	S63°41'54"W	269.40'
(C8)	565.00'	237.35'	--	S63°29'10"W	235.61'
[C8]	565.00'	237.35'	--	S63°29'10"W	235.61'

NOTES:

1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, SOUTH CENTRAL ZONE, (4204), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000129781029.

2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.



A Limited Liability Company

PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPELS FIRM #10174300

Date:	7/9/2021
Project:	01231
Scale:	N/A
Reviewer:	FM
Tech:	EBD
Field Crew:	WC/MM
Survey Date:	JUNE 2021
Sheet:	3 OF 3



PO Box 90876
Austin, TX 78709
(512) 537-2384
jward@4wardls.com
www.4wardls.com

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 21.3104 ACRES (928,280 SQUARE FEET) OUT OF THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 490, HAYS COUNTY, TEXAS, BEING A PORTION OF A CALLED 26.175 ACRE TRACT (DESCRIBED AS "TRACT NO. 3") CONVEYED TO LA CIMA COMMERCIAL, LP, RECORDED IN DOCUMENT NO. 17042976 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.T.), SAID 21.3104 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2-inch iron rod with "BCG" cap found in the southwest right-of-way line of Flint Ridge Road (60' Right-of-way), and being in the northeast line of said La Cima Commercial tract, for the northerly most corner and **POINT OF BEGINNING** hereof, from which a 1/2-inch iron rod with "BCG" cap found for a point of curvature in the southwest right-of-way line of said Flint Ridge Road, and being a point of curvature in the easterly line of the remainder of a called 67.926 acre tract conveyed to LCSM Ph. 1-1, LLC in Document No. 17017221 (O.P.R.H.C.T.) bears, N46°31'48"W, a distance of 126.22 feet;

THENCE, with the southwest right-of-way line of said Flint Ridge Road and the northeast line of said La Cima Commercial tract, the following five (5) courses and distances:

- 1) **S46°31'48"E**, a distance of **8.88** feet to a 1/2-inch iron rod with "BCG" cap found for a point of curvature hereof,
- 2) Along the arc of a curve to the left, whose radius is **600.00** feet, whose arc length is **273.98** feet and whose chord bears **S59°36'17"E**, a distance of **271.61** feet to a 1/2-inch iron rod with "BCG" cap found for a point of tangency hereof,
- 3) **S72°40'27"E**, a distance of **91.75** feet to a 1/2-inch iron rod with "BCG" cap found for a point of curvature hereof,
- 4) Along the arc of a curve to the right, whose radius is **570.00** feet, whose arc length is **380.67** feet and whose chord bears **S53°46'47"E**, a distance of **373.64** feet to a 1/2-inch iron rod with "BCG" cap found for a point of tangency hereof, and
- 5) **S34°38'17"E**, a distance of **180.05** feet to a 1/2-inch iron rod with "BCG" cap found for a point of curvature hereof, said point being the beginning of a right-of-way transition between the southwest right-of-way line of said Flint Ridge Road and the northwest right-of-way line of West Centerpoint Road (Right-of-way varies);

THENCE, with the right-of-way transition between said Flint Ridge Road and said West Centerpoint Road, and with the easterly line of said La Cima Commercial tract, along the arc of a curve to the right, whose radius is **20.00** feet, whose arc length is **30.49** feet and whose chord bears **S09°04'39"W**, a distance of **27.62** feet to a 1/2-inch iron rod with "BCG" cap found for a non-tangent point of compound curvature hereof, said point being the end of said right-of-way transition between said Flint Ridge Road and said West Centerpoint Road;

THENCE, with the northwest right-of-way line of said West Centerpoint Road and the southeast line of said La Cima Commercial tract, the following seven (7) courses and distances:

- 1) Along the arc of a curve to the left, whose radius is **635.00** feet, whose arc length is **156.21** feet and whose chord bears **S45°45'11"W**, a distance of **155.82** feet to a 1/2-inch iron rod with "BCG" cap found for an angle point hereof,
- 2) **S38°40'52"W**, a distance of **263.88** feet to a 1/2-inch iron rod with "BCG" cap found for a point of curvature hereof,
- 3) Along the arc of a curve to the right, whose radius is **465.00** feet, whose arc length is **302.38** feet and whose chord bears **S57°19'09"W**, a distance of **297.08** feet to a point of tangency hereof,
- 4) **S75°56'36"W**, a distance of **134.69** feet to a 1/2-inch iron rod with "BCG" cap found for a point of curvature hereof,
- 5) Along the arc of a curve to the left, whose radius is **635.00** feet, whose arc length is **271.43** feet and whose chord bears **S63°41'39"W**, a distance of **269.37** feet to a 1/2-inch iron rod with "BCG" cap found for a point of tangency hereof,
- 6) **S51°26'58"W**, a distance of **173.43** feet to a 1/2-inch iron rod with "BCG" cap found for a point of curvature hereof, and
- 7) Along the arc of a curve to the right, whose radius is **565.00** feet, whose arc length is **169.45** feet and whose chord bears **S60°02'49"W**, a distance of **168.81** feet to a 1/2-inch iron rod with "BCG" cap found for the southwest corner hereof;

THENCE, leaving the northwest right-of-way line of said West Centerpoint Road and the southeast line of said La Cima Commercial tract, over and across said La Cima Commercial tract, the following two (2) courses and distances:

- 1) **N03°11'02"E**, a distance of **956.38** feet to a 1/2-inch iron rod with "BCG" cap found for an angle point hereof, and
- 2) **N42°47'59"E**, a distance of **588.40** feet to the **POINT OF BEGINNING** and containing 21.3104 Acres (928,280 Square Feet) of land, more or less.

NOTE:

All bearings are based on the Texas State Plane Coordinate System, Grid North, South Central Zone (4204), all distances were adjusted to surface using a combined scale factor of 1.000129781029. See attached sketch (reference drawing: 01231_Zoning.dwg)

7/9/2021

Jason Ward, RPLS #5811
4Ward Land Surveying, LLC

