



Legislation Details (With Text)

**File #:** Res. 2020-50R      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Individual Consideration

**File created:** 1/22/2020      **In control:** City Council

**On agenda:** 3/3/2020      **Final action:**

**Title:** Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2020-50R, approving a third amended and restated Development Agreement in connection with the La Cima Development near the intersection of Old Ranch Road 12 and Wonder World Drive to, among other things, add 129.383 acres of land to the area covered by the agreement, reduce the project density from 1.16 to 1.10 dwelling units per acre, enlarge the area within which the originally allowed 720 multi-family units may be located from 30 acres to any part of the area designated in the conceptual land use plan as community commercial, and allow Condominiums as new use only by a conditional use permit approved by the City Council, authorizing the City Manager, or his designee, to execute the agreement on behalf of the City; and providing an effective date; and consider approval of Resolution 2020-50R.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** , , , ,

Date	Ver.	Action By	Action	Result
3/3/2020	1	City Council		

**AGENDA CAPTION:**

Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2020-50R, approving a third amended and restated Development Agreement in connection with the La Cima Development near the intersection of Old Ranch Road 12 and Wonder World Drive to, among other things, add 129.383 acres of land to the area covered by the agreement, reduce the project density from 1.16 to 1.10 dwelling units per acre, enlarge the area within which the originally allowed 720 multi-family units may be located from 30 acres to any part of the area designated in the conceptual land use plan as community commercial, and allow Condominiums as new use only by a conditional use permit approved by the City Council, authorizing the City Manager, or his designee, to execute the agreement on behalf of the City; and providing an effective date; and consider approval of Resolution 2020-50R.

**Meeting date:** March 3, 2020

**Department:** Planning and Development Services

**Amount & Source of Funding**

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**Fiscal Note:**

**Prior Council Action:** N/A

**City Council Strategic Initiative:** N/A

**Comprehensive Plan Element (s):**

- Economic Development
- Environment & Resource Protection
- Land Use - Set appropriate density & impervious cover limitations in environmentally sensitive areas to avoid adverse impacts on water supply
- Neighborhoods & Housing - Diversified housing options to serve citizens with varying needs and interests
- Parks, Public Spaces & Facilities
- Transportation
- Not Applicable

**Master Plan:** N/A

**Background Information:**

The La Cima Development Agreement was approved in September 2014. There have been two Preliminary Plats and two Final Plats approved under this existing Agreement. Natural Development Austin, L.L.C., on behalf of Lazy Oaks Ranch, LP, is requesting amendments to an existing Development Agreement.

Amendments to the Development Agreement were submitted for review in December 2019. The applicant is requesting an increase in overall acreage to the development (addition of 129.383 acres) with a decrease in overall density (from 1.16 units/acre to 1.10 units/acre). The additional acreage will be subject to Chapter 6 of the San Marcos Development Code and the Associated City of San Marcos Storm Water Technical Manual per Section 1.07 of the Development Agreement. While a new use is proposed, Condominium Residential, the residential dwelling unit count is proposed to remain at 2,800. The applicant is also requesting to allow a maximum of 720 multifamily units with no acreage maximum located east of Old Ranch Road 12 in the area depicted as Community Commercial.

The Council Committee met on February 5, 2020 to discuss the proposed amendments. The Council Committee asked staff to see if the developer would agree to adding language to the Agreement that would require City Council approval of a Conditional Use Permit for the Condominium Residential use. The applicant

has agreed to this and has added language to the Agreement in Section 1.04(A)(4)

Currently, the developer is proposing to dedicate 35.64 acres of parkland located in an area identified as a 91.5-acre Greenbelt (Purgatory Creek Open Space on the Conceptual Land Use Plan). The Council Committee also asked staff to see if the developer would provide an alternative park/open space option that was more useable and not bisected by a road. An alternative proposal was submitted by the developer. However, the alternative eliminated the 91.5-acre Greenbelt area that is on the far end of the property and replaced it with 40 acres of space on the Wills tract. After analysis, the Council Committee agreed to keep the 91.5-acre Greenbelt area as originally proposed as the alternative option would result in a net loss of about 50 acres of park/open space area, as well as a connection to the Conservation/Open Space and Habitat Preserve to several hundred acres of land that is either owned by the City, County, or Edwards Aquifer.

In addition, the applicant has requested that the City not oppose any petition the Owner may submit to Hays County to amend the existing PID to include any or all of the remaining property. Hays County authorized creation of a Public Improvement Districts on approximately 2,029 acres of the property with the initial Agreement. The Council Committee agreed to this.

A comparison chart has been created to show the changes between the existing Development Agreement and the proposed.

**Council Committee, Board/Commission Action:**

This item was not required to be presented to the Planning & Zoning Commission. City Council approved the original Development Agreement in September 2014.

**Alternatives:**

**Recommendation:**