



Legislation Text

File #: ID#19-577, **Version:** 1

AGENDA CAPTION:

Receive a Staff presentation and hold a Public Hearing to consider an appeal by James Ingalls, on behalf of Two Rivers Interests, LP, of the decision of the Planning and Zoning Commission on September 10, 2019 to deny the request for Alternative Compliance as to the residential garage parking requirements in Section 7.1.4.1. of the Development Code for a proposed residential development located at 2357 Redwood Road, Hays County, Texas.

Meeting date: October 15, 2019

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:

Workforce Housing

Comprehensive Plan Element (s):

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☒ Land Use - High Density Mixed Use Dev. & Infrastructure in the Activity Nodes & Intensity Zones (supporting walkability and integrated transit corridors)
- ☒ Neighborhoods & Housing - Diversified housing options to serve citizens with varying needs and interests
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☐ Not Applicable

Master Plan:

Vision San Marcos - A River Runs Through Us

Background Information:

The applicant is requesting Alternative Compliance to deviate from the Residential Garage Parking Standards that apply to Character District-3 (CD-3) zoning. A request to rezone the property to CD-3 and annex the property into the City Limits is being considered concurrent to this Alternative Compliance application request. A preliminary Concept Plan provided by the applicant indicates that approximately 410 residential lots are proposed on the property. However, this Concept Plan is not yet approved.

Section 7.1.4.1(C) Residential Garage Parking Requirements, outlines that garage placement must match one of the of the following options: Semi-flush, recessed, side-loaded, detached, or alley-loaded. (See attached excerpt from the code). The applicant has requested to not meet the options provided in the code and is requesting deviations to the garage standards.

Council Committee, Board/Commission Action:

Planning and Zoning Commission meeting: September 10, 2019

Speakers in favor or opposed:

1. Sarah Simpson (opposed)
2. Melanie Whalley (in favor)

Recommendation from the Planning and Zoning Commission Meeting held September 10, 2019:

A motion was made by Commissioner Rand, seconded by Commissioner Moore, to deny AC-19-03. The motion carried 7-2.

- **For:** (7) Chairperson Garber, Commissioner Rand, Commissioner McCarty, Commissioner Haverland, Commissioner Kelsey, Commissioner Baker, and Commissioner Moore
- **Against:** (2) Vice Chairperson Gleason and Commissioner Dillon
- **Absent:** 0

Per the Development Code, the applicant can appeal the decision of the application to the City Council. The City Council shall apply the same criteria that governs the decision of the Alternative Compliance Application when considering the appeal.

Alternatives:

n/a

Recommendation:

Staff recommends that the request is approved with the following conditions:

General:

1. This Alternative Compliance applies to all House and Cottage Building Types constructed on the subject property. All other Building Types shall follow the regulations outlined in the Development Code.
2. This Alternative Compliance shall not expire;

Garage Location:

3. Garages may extend a maximum of 6 feet beyond the front façade of the house on a maximum of 50% of the homes within the subdivision. All other garages shall not be located in front of the front façade of the house;
4. A front porch shall be required on a minimum of 25% of the homes. The front porch shall extend in front of the front façade of the house and shall be a minimum of 6 feet of clear space in all directions and shall have a minimum area of 60 square feet.
5. The total width of the garage door (including any center column between two garage doors) shall not exceed more than 55% of the width of the house.

Architectural Treatments:

6. A single overhead garage door shall not exceed 16' in width. If two overhead garage doors are proposed, each garage door shall not exceed 8' in width.
7. Garage doors shall include architectural trim along the top and sides of the garage;
8. An ornamental light fixture shall be provided flanking the doors;
9. Garage doors shall include windows on 25% of the homes within the subdivision;
10. Garage doors shall include an overhang such as an eyebrow overhang, awning, or trellis that overhangs a minimum of 12 inches over the garage doors.
11. A 4' concrete pedestrian sidewalk shall be provided connecting the main entrance of the home to the public sidewalk along the street;