### Vintage San Marcos Planned Development District Site Development Standards

This Agreement and Development Plan (this "Agreement") is made and entered by and between the City of San Marcos, Texas and the Property Owner(s). Upon sale, transfer or conveyance of portions of the hereinafter described property, the duties and obligations of the Owner, as it relates to such transferred property, will be assumed by the new Owner, and the transferring Owner will have no further liability relating to the transferred property.

Property Owner: Edward and Claudia Kotin

2106 Quail Run

San Marcos, Texas 78666

512-757-1943

Developer: Brandon Easterling

JBE & Associates 809 South Lamar Austin, Texas 78704

512-707-8000

Property: 2.712 acres as described in metes and bounds included as *Exhibit 1*.

### 1.0 PURPOSE, APPLICABILITY AND INTENT.

The intent of this document is to define responsibilities, limitations and accepted deviations from the city's Land Development Code for the development of the subject property. The document is binding on the Owners and Master Developer listed above as well as all assigns and heirs.

The owner and all heirs and successors further agree that:

Development of the subject property shall comply with all standards of the City of San
Marcos' Code of Ordinances, in place at the time of a given development application
unless alternative standards are specifically addressed herein.
This PDD shall constitute a new project under the terms of Texas Local Government
Code Chapter 245 et. seq. and, upon start of construction authorized by this PDD, will
automatically render any past projects, proposals and development rights, either claimed
or implied associated with the subject property to be null and void.
All development of this property shall be in conformance with all City codes as modified
herein and that representations included shall be utilized in the review of any subsequent
development, or redevelopment, proposed on the subject property.
Approval of this PDD does not constitute any waiver or exclusion from any future special
district or regulatory classification that may include this property.

The standards applicable to this property shall not be subject to relief provisions under
Chapter 1, Article 10 of Sub Chapter B.
Development requiring modifications of the plans and standards in this PDD may be
administratively approved by the Director of Planning and Development Services (or
successor) if deemed to be minor and are considered to be consistent with the intent and
quality of the project represented in the approved PDD document. See also Section 14 of
this PDD document.

- ☐ Any proposed changes to the PDD, not deemed minor, shall constitute a major amendment and must conform to all appropriate processes and standards as set forth in the Code of Ordinances. See also Section 14 of this PDD document.
  - 1.1 The Vintage San Marcos Planned Development District (the "PDD" or "Vintage PDD") is submitted to the City of San Marcos for the purpose of securing development rights, procedures and standards to govern the future use and development of the subject property. The PDD and any amendments will be the controlling mechanism for future development unless mutually revoked by all parties involved.
  - 1.2 The PDD meets special circumstances listed in Chapter 4, Article 2 Division 6 of the Land Development Code which states "the land consists of inner city or downtown property that is proposed for redevelopment or infill development, and special design considerations are deemed desirable".
  - 1.3 The PDD is consistent with the City's adopted Future Land Use Map, which designates the property for a High Density Residential land use.
  - 1.4 The PDD provides specific development standards and processes which will apply to all platted or re-platted lots within the overlay district.
  - 1.6 Unless otherwise stated in this Agreement, all development within the PDD shall comply with the Land Development Code. This PDD recognizes the Land Development Code requires any improvements which are within the City of San Marcos' right-of-way, such as signage, bike racks, lighting, etc., will require a license agreement.
  - 1.7 The PDD will be adopted to establish zoning standards and development regulations while ensuring a superior project is developed.
  - 1.8 The PDD is consistent with the goals of the Downtown Master Plan and lies within the boundary of the master plan. The development is also adjacent to Texas State University and within the master plan's defined University Village. It will provide student housing in a location that is within walking and biking distance of the university, therefore aiding in a decrease in urban sprawl and traffic issues associated with urban sprawl. Residents will have goods, services and open spaces in the near vicinity also within walking and biking distance.

- 1.9 This PDD overlay allows for flexible design while providing the following "bonuses" in excess of the Land Development Code and overall benefits to the City. These items and other elements will be further expanded upon in this PDD agreement.
  - Project specific design elements are defined and buildings will be 100% masonry.
  - Significant parking garage screening is provided, which will be visually and architecturally complimentary to the materials used on the residential floors above.
  - An inviting entry way to the project will be provided along with breezeways at various locations which will create interaction between the private/public spaces.
  - Additional street trees will be provided at a 1 tree per 20 foot ratio along Pat Garrison and Comanche Street.
  - Tree mitigation requirements will be exceeded by 5%.
  - Sidewalk furniture zones will be provided with a minimum of 2 benches per street side.
  - Ten (10) foot sidewalks will be provided along the majority of the property boundary.
  - The project promotes walkability and provides a pedestrian friendly streetscape.
  - The site is adjacent to Texas State University and will provide students with an opportunity to walk and bike to campus.
  - Neighborhood commercial services such as a grocery store, bank, book store, the "square", churches, restaurants and the university are within close vicinity and also within walking and biking distance, thereby reducing traffic congestion and traffic trips in the downtown core and campus area.
  - Interior courtyards with significant landscaping will be provided on-site, totaling approximately 15% of the site area.
  - The project will be designed to achieve Leadership in Energy and Environmental Design (LEED) certification.
  - Upgraded water quality treatment is being provided.
  - Safe, secure and covered bike locker stations and bike racks will be provided and will supply bicycle parking equating to 5% of the total parking spaces provided.
  - Additional tax base to the City of San Marcos.
  - Increased residents in the downtown core will help bring more money to downtown businesses.
  - Helps meet the Downtown Master Plan's goal to bring 400 to 600 multi-family units to downtown between 2007 and 2012.
- 1.10 This PDD allows for variations from code in order to accommodate the planned development and allow for a unique, urban infill project. The following items are

deviations from the Land Development Code and will be expanded upon in this PDD agreement.

- Open space provided is approximately 15% of the site area.
- Parking requirements are reduced by approximately 30% of code required off-street parking by altering required parking ratios.
- Right-of-Way (ROW) dedication is altered using alternative street sections.
- Maximum allowable impervious cover is 90%.
- Maximum height is 80 feet (based on the definition provided below).
- Maximum density is 95 units per acre equating to a maximum of 257 units.
- Setbacks are decreased to 5 feet on all building sides.
- 1.11 The PDD provides details of the proposed development consistent with the approved Vintage San Marcos Concept Plans, the existing base zoning and the land use designations. The Concept Plan is provided as an exhibit and will be supplemented and ultimately replaced by final plats at the time of their approval. Additionally, *Exhibits* (renderings, site presentations and other such materials) are provided as support for the PDD text. These materials merely provide an illustrative description of the project's intent and execution for use in the review and approval of subsequent development documents. The language of the PDD and the Exhibit's provide for variations of the final product to the extent that they are consistent with the character and purpose of these documents. The initial project will be designed and developed in accordance with the approved Concept Plan, Final Plats and the terms of this Agreement. The Owner and/or Developer will retain the right to request amendments to the Concept Plan, Final Plats and Agreement as needed. So long as this PDD remains in effect, subsequent redevelopment, remodeling and reuse of the property shall be consistent with the standards established herein as the same may exist from time to time, subject to variances that may be obtained consistent with the intent of this PDD.

### 2.0 LAND USE SUMMARY.

- 2.1 This site is currently zoned Multiple Family Residential District 24 (MF-24) and designated as High Density Residential on the City of San Marcos' Future Land Use Map.
- 2.2 Permitted, conditional and prohibited uses are per the Land Development Code except that accessory retail or restaurant land uses will be permitted if they are serving only the residents of the development (and their guests) and are an accessory to the multi-family land use.
- 2.3 Based on the Land Development Code, site development standards applicable to the base zoning districts are detailed in the chart shown as *Exhibit 2*. This chart explains differences in other standards addressed in other portions of the PDD.

### 3.0 BUILDING MATERIALS AND DESIGN.

- 3.1 Architectural renderings are included as *Exhibit 3* and will provide an example of the building materials and design elements required for the project. Building materials and design are expanded upon in the site development standards chart.
- 3.2 The entryway into the development will be located on the corner of Fredericksburg and Pat Garrison. This area will be designed in such a way as to create a sense of arrival and serve as a visual anchor for west-bound travel on University and Pat Garrison. In addition, there will be entry points (breezeways) at various locations around the project to create additional interaction between private/public spaces.

### 4.0 LANDSCAPING, STREETSCAPE AND TREE PROTECTION.

- 4.1 A minimum of 20% of the total site area will be landscaped and meet the Land Development Code percentage requirement and will include street trees, planters, existing trees, courtyards and hardscape elements.
- 4.2 Per the Land Development Code, street trees are required at a rate of 1 tree per 50 feet of street frontage. The redevelopment will include street trees at a rate of 1 tree per 20 feet on center along Pat Garrison and Comanche Street. Street trees will be provided at a rate of 1 tree per 2 parallel parking spaces along Lindsey and 1 tree per 3 parallel parking spaces along Fredericksburg. The trees will be a minimum of 5-caliper inches.
- 4.3 The following tree species are being considered to meet the street tree requirements:
  - Texas Oak/Spanish Oak (Quercus buckleyi)
  - Escarpment Live Oak (Ouercus fusiformis)
  - Texas Red Bud (Cercis canadensis var texensis)
  - Cedar Elm (Ulmus crassifolia)

The final street tree design and species mix is contingent on approval of the City.

The actual specimen trees and their locations are subject to approval by the City of San Marcos. A variety of the aforementioned trees will be provided.

- 4.4 A minimum of 2 benches will be provided along each street frontage to promote pedestrian activity and walkability.
- 4.5 Tree mitigation will exceed the Land Development Code at a rate of 105%. All specimen trees will be replaced at a one to one ratio as required by the Land

Development Code. This equates to removal of approximately 283 caliper inches with replacement of approximately 300 caliper inches on-site. The calculations must be confirmed at the design stage of the project. However, the redevelopment will exceed the minimum tree mitigation requirements by 5%.

4.6 Additionally, it is estimated a total of 10 trees on-site will be saved, totaling 123 caliper inches. This will be confirmed at the design phase of the project.

### 5.0 OPEN SPACE AND PARKLAND DEDICATION.

- 5.1 Interior courtyards make up approximately 15% of the site area and will provide for open space within the development. Additionally, enhanced streetscape and furniture zones will also provide for gathering spaces.
- 5.2 Due to the proximity of the project to Texas State University, many public open space areas are within very short walking distance for residents. For example, Concho Green, Bobcat Trail and the Quad along with the City of San Marcos park system which borders the San Marcos River are within close vicinity.
- 5.3 Parkland dedication will be satisfied through the approved fee-in-lieu calculation of \$266 per dwelling unit and will be determined based on the developed units as approved by the Parks and Recreation Board on August 19, 2008.

### 6.0 SCREENING.

- 6.1 General screening will be as required by Land Development Code.
- 6.2 Parking garage screening will be accomplished through one of the following methods:
  - The garage will be wrapped with apartment units where possible; or
  - A system of architectural elements such as colonnades and vertical and horizontal banding will applied directly to the exterior of the garage.

In general, the architectural elements will relate proportionately and rhythmically with the fenestration of the units above. Within the garage wall, and included in the pattern created by the architectural elements, will be openings screened with a wrought iron railing. The openings will be designed in such a way as to block any view of automobile headlights. In addition, the openings will partially obscure any direct view into the garage but will not block out any natural light from entering into the garage. The materials used to clad the exterior of the garage will be similar to the materials and color palette used on the main building.

7.0 PARKING, RIGHT-OF-WAY, ACCESS AND MOBILITY.

- 7.1 This project will be developed in accordance with the approved Traffic Impact Analysis (TIA).
- 7.2 No less than seventy percent (70%) of required parking per the Land Development Code will be provided. Alterations to the required parking ratios are further described in the site development standards chart. 70% equates to a rate of no less than .85 spaces per bedroom. All residents will be required to pay a parking fee. Residential leases will restrict double occupancy in bedrooms. Penalties will be imposed if occupancy restrictions are violated. No less than 22 on-street parking spaces will be provided for public use along Fredericksburg and Lindsey Street, and 10 visitor spaces will be reserved off-street. Visitor parking will be located outside of any restricted access parking and will have designated parking time limits. On-street and off-street parking will count toward parking requirements.
- 7.3 A combination of bike lockers and bike racks will be provided in covered, safe and secure locations. Bicycle parking will equate to 5% of the total number of parking spaces provided.
- 7.4 The San Marcos Thoroughfare Plan recommends a future right-of-way (ROW) width of 100 feet for Comanche Street which is defined as a future major arterial. Existing ROW for Comanche Street is 44 feet. This development proposes a dedication or reservation of ROW to accommodate alignment with the University's improvements north of the property. The Transportation Plan recommends a future ROW width of 85 feet for Pat Garrison which is defined as a minor arterial. Existing ROW for Pat Garrison is 47 feet. This development proposes no ROW dedication or reservation along Pat Garrison. This development proposes ROW dedication or reservation consistent with the alternative street sections and ROW dedication depiction shown in *Exhibit 4*.
- 7.5 Ten foot (10') sidewalks will be provided along 90% of the length of Fredericksburg and Lindsey Street and 80% of the length along Comanche. The remaining percentages of sidewalks along Fredericksburg, Lindsey Street and Comanche will be a minimum of 5 feet in width. Sidewalks along Pat Garrison will be 5 feet wide to accommodate for a bike lane. All sidewalks will be designed per the City of San Marcos' requirements. All or a portion of these sidewalks may be placed in sidewalk easements rather than right-of-way, subject to the City's approval.

### 8.0 SIGNAGE.

- 8.1 All attached and freestanding signs will be constructed in accordance with the Land Development Code.
- 9.0 ENVIRONMENTAL PROTECTION.

- 9.1 Detention of stormwater on the site may be waived, partially or in full, subject to submission of technical justifications and approval of the Engineering Director. This project reserves the ability to participate in a stormwater detention fee-in-lieu program, should one become available prior to site development.
- 9.2 Water quality for the proposed site will be provided by a Partial Sedimentation/Filtration Pond which will remove approximately 85% of the on-site pollutant load which exceeds the current City of San Marcos requirements. This project reserves the ability to participate in a water quality treatment fee-in-lieu program, should one become available prior to site development.

### 10.0 IMPERVIOUS COVER.

- 10.1 A maximum of 90% impervious cover is permitted.
- 10.2 Allowable impervious cover will be 90% of the total site area of 2.712 acres. Property dedicated or reserved for ROW will not be included in the impervious cover calculation. Sidewalks and paved parking adjacent to public ROW will not count toward the total site impervious cover.

### 11.0 HEIGHT.

11.1 The building height will be calculated from existing grade to the roof deck (or mean height of a pitched roof) of the adjacent elevation (see site development standards chart for further explanation). Parapets, stair/elevator towers, decorative elements, ornamental towers, etc. will be exempt from the height calculation. Building height will not exceed 80 feet. *Exhibit 5* includes exhibits demonstrating the building heights relative to the site grade and surrounding development.

### 12.0 PLATTING.

12.0 The property will be platted as a single lot and will meet the Land Development Code subdivision requirements except that ROW dedication will be consistent with Section 7.4 of this document.

### 13.0 GREEN BUILDING.

13.1 The project will apply for Leadership in Energy and Environmental Design (LEED) Certification for New Construction (NC). LEED-NC certification is not granted until construction completion but will be actively pursued by the owner and design team. Certification criteria will be based upon the U.S. Green building Council's Green building rating system for new construction or major rehabilitation in place at the time of site development.

### 14.0 REVISIONS AND VARIANCES TO THE PDD AND CONCEPT PLAN.

14.1 Approval of this PDD shall be conditioned upon approval of a final plat in conformance with the standards a set forth herein. All subsequent site preparation permits, building plans and re-plats shall be subject to compliance with these standards. Deviation from these standards shall be handled a follows:

Minor Revisions: The Planning Director may administratively approve minor revisions to the PDD or its Concept Plan to enable approval of an amending plat if the Director determines there are no significant or major effects to (i) areas that are part of a final plat or (ii) the overall intent of the PDD and its Concept Plan. The Planning Director's approval of any minor revision will be in writing. The following will be considered a minor revision, subject to limitations in the Land Development Code:

- (A) Minor changes up to 10% from adopted policy in the Land Development Code will be considered a minor revision to the PDD and may be administratively approved without an amendment to the PDD document if the Planning Director determines the basic layout of the project and the overall intent of the project remains the same and functions as well as before the revision.
- (B) A minor change in the configuration of a lot, if the Planning Director determines the basic layout of the project remains the same and functions as well as before the revision.
- (C) All other minor adjustments to the PDD and its Concept Plan, that the Planning Director deems does not substantially change the plan, may be approved administratively.

### Major Revisions and Variances:

- (A) Proposed changes to development standards, lot size or configuration not determined to be minor by the Planning Director shall cause an application for amendment to the PDD. Such amendment shall follow procedures set forth in the Land Development Code. Upon approval of such major revisions a replat will be required.
- (B) Variances or special exceptions to the standards of this PDD or the Land Development Code in effect shall not be allowed without mutual consent of the City and the Owner(s). Such variances, if allowed, shall follow the procedures set forth in the Land Development Code.

### 15.0 MISCELLANEOUS.

15.1 The Property Owner understands and acknowledges that the Project Site, including signage, parking areas, structures and the businesses there-in, will be bound by the provisions of these development standards as though they were

- conditions, restrictions and limitations on the use of the Project Site under the City's Land Development Code.
- 15.2 The Property Owner understands and acknowledges that any person, firm, corporation or other entity violating any provisions of these development standards shall be subject to all penalties that apply to violation of the zoning ordinances and Land Development Code of the City of San Marcos, as amended. The Property Owner further understands and acknowledges that any person, firm, corporation or other entity violating any provisions of these development standards shall be subject to a suit by the City for an injunction to enjoin the violation of these development standards as though they were conditions, restrictions and limitations on use of the Project Site under the City's Land Development Code.
- 15.3 All obligations of the Property Owner created under these development standards are performable in Hays County, Texas and venue for any action arising under these development standards shall be in Hays County, Texas. These development standards will be construed in accordance with the laws of the State of Texas.
- 15.4 Nothing in these development standards, express or implied, is intended to confer any rights, benefits or remedies under or by reason of these development standards upon any person or entity other than the City of San Marcos.
- 15.5 These development standards may be revised and amended only in accordance with the procedures described in the City's Land Development Code and this PDD document, as amended.
- 15.6 In case one or more provisions of these development standards are deemed invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and in such event, these development standards shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.
- 15.7 These covenants run with the title to the Property and are binding on the Developer, Owner and their successors and assigns.

### Exhibit 1 Metes & Bounds



### Professional Land Surveying, Inc. Surveying and Mapping

Office: 512-443-1724 Fax: 512-441-6987

2807 Manchaca Road Building One Austin, Texas 78704

### 2.712 ACRES J.M. VERAMENDI LEAGUE NO. 1

A DESCRIPTION OF 2,712 ACRES OF LAND IN THE J.M. VERAMENDI LEAGUE NO. 1, HAYS COUNTY, TEXAS AND BEING A PORTION OF FARM LOT 21, IN THE ORIGINAL CITY OF SAN MARCOS, HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF AND RECORDED IN VOLUME 46, PAGE 448 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, FURTHER DESCRIBED AS ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 1.5275 ACRES OF LAND, MORE OR LESS. DESCRIBED IN DOCUMENT NO. 9909841 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 0.2071 ACRES OF LAND, MORE OR LESS, AS DESCRIBED IN VOLUME 2225, PAGE 287 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 0.2120 ACRES OF LAND, MORE OR LESS, AS DESCRIBED IN VOLUME 2225, PAGE 287 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND AS DESCRIBED IN VOLUME 144. PAGE 32 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 0.44 ACRES OF LAND, MORE OR LESS, AS DESCRIBED IN VOLUME 3130, PAGE 484 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 2.712 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND **BOUNDS AS FOLLOWS:** 

**BEGINNING** at a copper pipe found at the intersection of the south right-of-way line of Lindsay Street (right-of-way width varies) and the west right-of-way line of Fredericksburg Street (right-of-way width varies) for the northeast corner of said 1.5275 acre tract;

THENCE South 08°55'21" East, with the west right-of-way line of said Fredericksburg Street and the east line of the 1.5275 acre tract, a distance of 477.53 feet to a ½" rebar with cap found at the intersection of the west right-of-way line of Fredericksburg Street and the north right-of-way line of Pat Garrison Street (right-of-way width varies), for the southeast corner of the 1.5275 acre tract:

THENCE South 81°12'14" West, with the north right-of-way line of said Pat Garrison Street and the south line of the 1.5275 acre tract, the south line of said 0.2071 acre tract and said 0.2120 acre tract, a distance of 298.24 feet to a ½" rebar found at the intersection of the north right-of-way line of Pat Garrison Street and the east right-of-way line of Comanche Street (right-of-way width varies) for the southwest corner of the 0.2120 acre tract:

**THENCE** with the east right-of-way line of said Comanche Street and the west and north line of the 0.2120 acre tract, the following two (2) courses:

- North 08°52'23" West, a distance of 110.67 feet to a ½" rebar with cap set for the northwest corner of the 0.2120 acre tract;
- North 80°45'00" East, a distance of 7.47 feet to a cotton spindle found for the southwest corner of said tract described in Volume 144, Page 32 of the Official Public Records of Hays County, Texas;

THENCE North 09°28'05" West, continuing with the east right-of-way line of Comanche Street and the west line of the tract described in Volume 144, Page 32 of the Official Public Records of Hays County, Texas, a distance of 83.31 feet to an iron pipe found for the northwest corner of the tract described in Volume 144, Page 32 of the Official Public Records of Hays County, Texas and the southwest corner of said 0.44 acre tract:

**THENCE** North 09°21'11" West, continuing with the east right-of-way line of Comanche Street and the west line of the 0.44 acre tract, a distance of 134.87 feet to a railroad spike found in the south fine of a 0.2590 acre tract described in Volume 2933, Page 584 of the Official Records of Hays County, Texas, for the northwest comer of the 0.44 acre tract:

THENCE North 80°01'20" East, with the north line of the 0.44 acre tract and the south line of said 0.2590 acre tract, a distance of 150.30 feet to a 1" iron pipe found in the west line of the 1.5275 acre tract, for the northeast corner of the 0.44 acre tract and the southeast corner of the 0.2590 acre tract:

**THENCE** North 10°11'29" West, with the west line of the 1.5275 acre tract, the east line of the 0.2590 acre tract and the east line of a 0.26 acre tract described in Volume 1746, Page 593 of the Official Records of Hays County, Texas, a distance of 144.01 feet to a copper pipe found in the south right-of-way line of Lindsay Street for the northwest corner of the 1.5275 acre tract and northeast corner of said 0.26 acre tract;

### Page 3 of 3

**THENCE** North 80°34'59" East, with the south right-of-way line of Lindsay Street and the north line of the 1.5275 acre tract, a distance of 145.38 feet to the **POINT OF BEGINNING**, containing 2.712 acre of land, more or less.

Surveyed on the ground May 14, 2008. Attachments: Drawing 527-002-TO1. Bearing Basis: Grid Azimuth for Texas South Central Zone State Plane Coordinates based on GPS solutions from the National Geodetic Survey (NGS)

06-20-2005

On-Line Positioning User Service (opus).

Clark O. Daniel, Jr.

Jak @ I

Registered Professional Land Surveyor

State of Texas No. 5861

### Exhibit 2 Code Comparison Chart

# VINTAGE SAN MARCOS PLANNED DEVELOPMENT DISTRICT SITE DEVELOPMENT STANDARDS COMPARISON CHART

	2.3	Development	Standards	MF-24 Code	PDD
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Lot/Parcel Area, Minimum Sq. Ft.	12,000	Per code
Lot/Parcel Area, Maximum Acres	N/A	Per code
Units per acre, Maximum /Gross	24	Maximum 95
Acres		
Lot Frontage Minimum Feet	60	Per code
Lot Width, Minimum Feet	60	Per code
Front Yard Setback, Minimum Feet	25	5
Side Setback, Minimum Feet, Interior	10	5
Side Setback, Minimum Feet, Corner	15	5
Rear Yard Setback, Minimum Feet	10	5
Lot Depth, Minimum Feet	100	Per code
Impervious Cover, Max %	75%	90%
Building Height, Maximum Feet	45	80

### 3.0 Building Materials and Design

Permitted Wall Materials:	Materials will be 100% masonry and consist of the
Rustic wood (rough sawn)	following:
Stucco/EFIS	
Brick	Stucco – 50%
Stone	Brick- 20%
Stained or painted wood	Stone- 5%
Glass, if 50% or less of façade	Cementacious Fiberboard- 25%
Cementacious fiberboard (Hardiplank)	
Custom-treated tilt wall	The façade will be composed of no more than 50%
Decorative, textured or split-face concrete block	glass.
•	
	Percentages of each material are approximate.
Permitted Roof Materials:	
Copper	Code compliant.
Metal sheet roofing	
Tile	
Commercial flat (built up) roof	
Composition roof	
Exterior Design of Buildings:	Exterior building design will be 100% masonry and
Three (3) of the following design elements and their	consist of the following:
qualifying techniques are required:	
<ul> <li>a) Use of one of the following methods for horizontal offsets in exterior building walls:</li> <li>1) Provide façade articulation of at least three (3) feet in depth for</li> </ul>	<ul> <li>A combination of pitched roofs and flat roofs with parapets will be incorporated to achieve vertical articulation.</li> <li>Off-sets and step-backs will be incorporated to provide horizontal articulation.</li> </ul>
every fifty (50) feet in horizontal	Change of building materials and massing

- surface length that is visible from an adjacent public street or residential property; or
- 2) Provide for any building façade with horizontal length over three (3) times its average height, articulation of at least fifteen (15) percent of the façade's height. Such articulation shall extend lateral for a distance equal to at least twenty-five (25) percent of the maximum length of either adjacent wall; or
- 3) Provide, subject to the approval of the Planning Director, a combination of varied facades, roof lines, and fenestration by utilizing a combination of offsets, setback heights, window and roof designs with varied dimensions and surface treatments.
- b) Use of the following methods for vertical offsets in exterior building walls:
  - 1) Provide façade articulation of at least three (3) feet in depth for every fifty (50) feet in height of the façade; or
  - 2) Provided, for facades that extend laterally for a distance of greater than three (3) times its average height, a façade height change of at least fifteen (15) percent of the height of either adjacent wall. This change in height shall extend for a distance equal to at least twenty-five (25) percent of the maximum length of the adjacent walls; or
  - 3) Provide, subject to the approval of the Planning Director, a combination of varied facades, roof lines, and fenestration by utilizing a combination of offsets, setback heights, window and roof designs with varied dimensions and surface treatments.
- c) Incorporate at least one (1) of the following pedestrian scale architectural features on at least three facades:
  - Use ground level arcades and covered areas along the majority of a façade; or
  - Use protected or recessed entryways to shops or interior walkways; or
  - 3) Include windows on at least 15

- will be incorporated to emphasize design features and reeducate the overall building scale.
- Window patterns and sizes will vary to create interest.

At a minimum, code will be met but will be enhanced with the above-mentioned design elements.

The entryway into the development will be located on the corner of Fredericksburg and Pat Garrison. This area will be designed in such a way as to create a sense of arrival and serve as a visual anchor for west-bound travel on University and Pat Garrison. In addition, there will be entry points (breezeways) at various locations around the project which will create additional interaction between private/public spaces.

percent of walls facing streets, walkways and primary entries.

- d) Utilize at least one (1) of the following features on any facades without windows or doors:
  - Place smaller retail spaces (linear buildings) along the blank elevation of the larger building; or
  - 2) Place landscape beds a minimum of fifteen (15) feet wide capable of providing seventy-five percent (75%) screening (at maturity) of a minimum of two-thirds (2/3) of the facades height; or
  - 3) Provide, subject to the approval of the Planning Director, landscaped public pedestrian spaces (courtyards, plazas or trial heads) along the blank façade.
- e) Utilize a minimum of two (2) of the following elements, repeated at appropriate intervals either horizontally or vertically, on any façade greater than fifty (50) feet in length:
  - 1) Material change; or
  - 2) Punched windows with recessed doorways; or
  - 3) Balconies, turrets or towers; or
  - Architectural details that create interest, shade and case shadows such as offsets, molding, eaves, cornices, pillars, archways or other appurtenances.

### 4.0 Landscaping, Streetscape and Tree Protection

Code PDD

A minimum percentage of the total lot area of property on which development, construction, or reconstruction occurs shall be devoted to landscaping.

Apartments 20%

- Plantings shall consist of a minimum of one (1) tree and three (3) five (5) gallon shrubs for every one thousand (1,000) square feet of the required minimum landscaping area to be planted or retained internal to the projects, ninety (90) percent of which shall be chosen from the Preferred Plant List.
- 2) Street tress shall be planted at the average rate of one (1) tree per fifty (50) feet, or

20% of the total site area will be landscaped and will include street trees, planters, existing trees, courtyards and hardscape plaza areas. Portions of this will be located in interior courtyards rather than the street front.

- 1) Plantings and landscaping shall comply with or exceed the standard requirements of the Land Development Code. Requirements will be met through the use of courtyards, planters, hardscape elements and existing trees.
- 2) Street trees will be provided at a rate of 1 tree per 20 feet on center along Pat Garrison and

major fraction thereof, of street frontage. Existing street trees that meet these standards may be credited as street trees, Street trees must be planted within ten (10) feet of the property line or public utility easement (when applicable) or in the right-of-way between the street and the sidewalk if this area is at least four (4) feet in width. In no case shall less than two large trees per lot be planted or preserved.

3) Existing trees and plant cover, if properly situated, can be counted toward compliance with the requirements.

Comanche Street. Street trees will be provided at a rate of approximately 1 tree per 2 parallel parking spaces along Lindsey and 1 tree per 3 parallel parking spaces along Fredericksburg. Street trees will be a minimum of 5-caliper inches. A minimum of 2 benches will be provided along all street frontages.

3) Code compliant.

### **Tree Protection:**

Protected and Specimen Trees.

The removal of any tree with a caliper of nine (9) inches or lager and the removal of any specimen trees (24 caliper inches or greater) must be specifically requested by the applicant and approved in writing by the designated responsible official prior to any action being taken to remove the tree or to damage or disturb the tree in any way.

Trees within Building Footprint or Within Site Access Areas & Tree Replacement.

- 1) Trees over nine (9) inches in caliper but less than twenty-four (24) inches that are located within a building footprint or within ten (10) feet of a building footprint, within the area over the septic system, or within areas necessary for reasonable site access (but not including parking areas), such as a driveway, shall not be required to be preserved or replaced.
- 2) Trees over 9 inches in caliper but less than 24 inches in caliper that are located within areas designated for the construction or installation of public facilities such as streets or utilities, shall not be required to be preserved or replaced.
- 3) Trees over 9 inches in caliper but less than 24 inches in caliper that are not located within a building footprint or within 10 feet of the building footprint, within the area over the septic system, within areas necessary for reasonable site access, or within areas designated for the construction or installation of public facilities such as streets or utilities, that the property owner requests and receives approval to remove may be removed, but shall be replaced on-site at a ratio of two and one-half (2 ½) trees per tree removed

Tree mitigation will exceed code at a rate of 105%. All specimen trees removed will be replaced inch for inch. This equates to removal of approximately 283 caliper inches with replacement of approximately 300 caliper inches on-site.

It is estimated 10 trees will be saved totaling approximately 123 caliper inches.

\*These calculations must be confirmed at the design phase of the project. However, the redevelopment will exceed the minimum tree mitigation requirements by 5%. and shall be credited toward the number of trees required for site development.

Replacement trees shall have a minimum caliper of two inches.

4) Any specimen tree (24 inch caliper or greater) that is located within the building footprint, or areas necessary for site access (but not including parking areas), such as a driveway, shall not be required to be preserved. However, the tree that is removed shall be replaced caliper-for-caliper (a ratio one-to-one). Trees removed shall be approved.

### 5.0 Open Space and Parkland Dedication

**Code** PDD

Open Space: A minimum of 20% of the gross land area within the entire PD district shall be devoted to open space. Open space requirements are in addition to requirements for site landscaping.	Interior courtyards make up approximately 15% of the site area and provide for open space. Additionally, enhanced streetscape and furniture zones will also provide for gathering spaces.
	Public open spaces are also within short walking distance from the development.
Parkland Dedication:	_
Fee-in-Lieu of dedication. As set by Council, the	The fee-in-lieu of parkland dedication request was
fee is \$266 per multi-family residential unit.	approved by the Parks & Recreation Board on
	August 18, 2008. The total fee is to be based on the
	actual units developed.

### 6.0 Screening and Compatibility

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Screeni	ing:	
Parking	g Area Screening.	A standard parking lot will not be provided. Parking will be within a parking garage.
Genera	al Screening.	Code compliant.
2)	privacy fences, evergreen vegetative	<ul> <li>Parking garage screening will be accomplished through one of the following methods:</li> <li>The garage will be wrapped with apartment units where possible; or</li> <li>A system of architectural elements such as colonnades and vertical and horizontal banding will be applied directly to the exterior of the garage.</li> </ul>
	screens, landscape berms, existing vegetation or any combination thereof. In	In general, the architectural elements will relate

any case in which a fence/wall is constructed to provide screening, landscaping elements shall be incorporated along a majority of the fence/wall. Also, in the case of roof-mounted mechanical equipment, parapet roof structures are approved fro screening such equipment.

proportionately and rhythmically with the fenestration of the units above. Within the garage wall, and included in the pattern created by the architectural elements, will be openings screened with a wrought iron railing. The openings will be designed in such a way as to block any view of automobile headlights. In addition, the openings will partially obscure any direct view into the garage but will not block out any natural light from entering into the garage. The materials used to clad the exterior of the garage will be similar to the materials and color palette used on the main building.

### Compatibility:

Screening requirements will apply to any multifamily use that is separated by only a street or has a side or rear contiguous to any residential district other than multi-family. Not applicable.

### 7.0 Parking, Right-of-Way, Mobility & Access.

**Code** PDD

### Parking:

For any multi-family project, off street parking spaces shall be provided in accordance with the following schedule.

a) Efficiency apartment: 1 ½ spaces

b) One-bedroom apartment: 2 spaces

c) Two-bedroom apartment: 2 ½ spaces

d) Three bedrooms or more: 1 space per bedroom

For this project, off street parking spaces shall be provided according to the Land Development Code, with the following modifications:

(a) Efficiency apartment: .85 spaces

(b) One-bedroom apartment: .85 spaces

(c) Two-bedroom apartment: 1.7 spaces

(d) Three bedrooms or more: 2.5 spaces plus .85 per additional bedroom

No less than 70%\* of required parking will be provided on-site equating to a rate of no less than .85 per bedroom\*.

\*Final unit mix is unknown.All residents will be required to pay a parking fee.

Residential leases will restrict double occupancy in bedrooms. Penalties will be imposed if occupancy restrictions are violated.

No less than 22on-street parking spaces will be provided for public use along Fredericksburg and Lindsey Street, and 10 visitor spaces will be reserved off-street. Visitor parking will be located outside of any restricted access parking and will have designated parking time limits. On-street and off-street parking will count toward overall parking requirements.

In order to aid in reducing parking needs on-site, a combination of bike lockers and bike racks will be

	provided in covered, safe and secure locations. Bicycle parking will equate to 5% of the total number of parking spaces provided.
Right-of-Way:	
Transportation Master Plan	The San Marcos Thoroughfare Plan recommends a
Comanche – Major Arterial (100' r-o-w)	future right-of-way (ROW) width of 100 feet for Comanche Street which is defined as a future major arterial. Existing ROW for Comanche Street is 44
Pat Garrison – Minor Arterial (85' r-o-w)	feet. This development proposes a dedication or reservation ROW to accommodate alignment with the University's improvements north of the property. The Transportation Plan recommends a future ROW width of 85 feet for Pat Garrison which is defined as a minor arterial. Existing ROW for Pat Garrison is 47 feet. This development proposes no ROW dedication or reservation along Pat Garrison. This development proposes ROW dedication or reservation consistent with the alternative street sections and ROW dedication depiction shown in Exhibit 4.
Sidewalks:	
Sidewalks shall be located on the front of lots and along the street sides of corner lots.	Ten foot (10') sidewalks will be provided along 90% of the length of Fredericksburg and Lindsey Street and 80% of the length along Comanche. The remaining percentages of sidewalks along Fredericksburg, Lindsey and Comanche will be a minimum of 5 feet in width. The sidewalk along Pat Garrison will be 5 feet wide to accommodate for a bike lane. All sidewalks will be designed per the City of San Marcos' requirements. All or a portion of these sidewalks may be placed in sidewalk easements rather than right-of-way, subject to the City's approval.  A minimum of 2 benches will be provided on each street side along the sidewalks.
Access:	
TIA Required.	Per the approved TIA.

### 8.0 Signage

On-Premises Attached Signs:	
1) Attached signs shall not extend vertically above the highest point of the roofline above the façade. Attached signs shall not extend into a required building setback area.	Code Compliant.

- 2) The area of attached signs is limited according to the land use of the premises. The allowances may be increased by up to fifty (50) percent when the premises will have no freestanding signs.
- a) Multi-family residential uses may have identification signs having a total aggregate area of up to five (5) percent of the area of the façade on which they are located (CEVM signs prohibited).

### On-Premises Freestanding Signs:

- 1) The number of permanent on-premises signs is limited to one per street frontage.
- 2) Maximum height of any on-premise sign shall not exceed 25 feet. Lots/businesses with street frontage in excess of 400 linear feet may have one additional ground/monument sign per street frontage. Ground/monument signs shall not exceed seven (7) feet in height.
- 3) Maximum sign area per sign shall not exceed 120 square feet or 80 square feet for ground/monument signs.

### 9.0 Environmental Protection

Code PDD

Detention: City of San Marcos detention standards require onsite detention.	Detention of stormwater on the site may be waived, partially or in full, subject to submission of technical justifications and approval of the Engineering Director. This project reserves the ability to participate in a stormwater detention feein-lieu program, should one become available prior to site development.
Water Quality: City of San Marcos water quality standards require detention of the 2-year storm event with pollutant removal efficiencies of approximately 70%.	Upgraded water quality is proposed based on a capture of the first 0.5-inch of runoff plus an additional 0.1-inch for each 10% increase of gross impervious cover over 20%. This will result in approximately 85% of pollutant removal during the 2-year storm event. This project reserves the ability to participate in a water quality treatment fee-in-lieu program, should one become available prior to site development.

### 10.0 Impervious Cover

MF permitted: 75%	Maximum allowable impervious cover is 90%.

Allowable impervious cover will be 90% of the total
site area or 2.712 acres. Property dedicated or
reserved for ROW will not be included in the
impervious cover calculation. Sidewalks and paved
parking adjacent to public ROW will not count
toward the total site impervious cover.

### 11.0 Height Definition

**Code** PDD

Permitted Height:

45 feet

### Calculation of Height:

- For the purposes of calculating the overall height of a structure, slope shall be calculated from the highest point of the building at natural grade, or the natural grade of an adjoining road, along a line that is, as close as possible, perpendicular to existing contours.
- 2) The height shall be measured from the highest parapet or roof ridge to natural grade or finish grade at the lowest point adjacent to the building exterior, whichever yields the greatest height.

Maximum 80 feet.

The building height will be calculated from existing grade to the roof deck (or mean height of a pitched roof) of the adjacent elevation. Parapets, stair/elevator towers, decorative elements, ornamental towers, etc. will be exempt from the height calculation.

### 12.0 Platting

The property will be platted as a single lot and will
meet the Land Development Code subdivision
requirements except that right-of-way (ROW)
dedication will be consistent with Section 7.4 of the
PDD Site Development Standards (alternative street
sections and ROW dedication).

### 13.0 Greenbuilding

No standards exist in City Code	The project will apply for Leadership in Energy and
	Environmental Design (LEED) Certification for
	New Construction (NC). LEED-NC certification is
	not granted until construction completion but will
	be actively pursued by the owner and design team.
	Certification criteria will be based upon the U.S.
	Green building Council's Green building rating
	system for new construction or major rehabilitation
	in place at the time of site development.

# Exhibit 3 Architectural Renderings and Site Plans





Rendering of project along Fredericksburg



Rendering of project from corner of Pat Garrison and Fredericksburg



Rendering of project from Comanche



General rendering of materials diversity and urban design



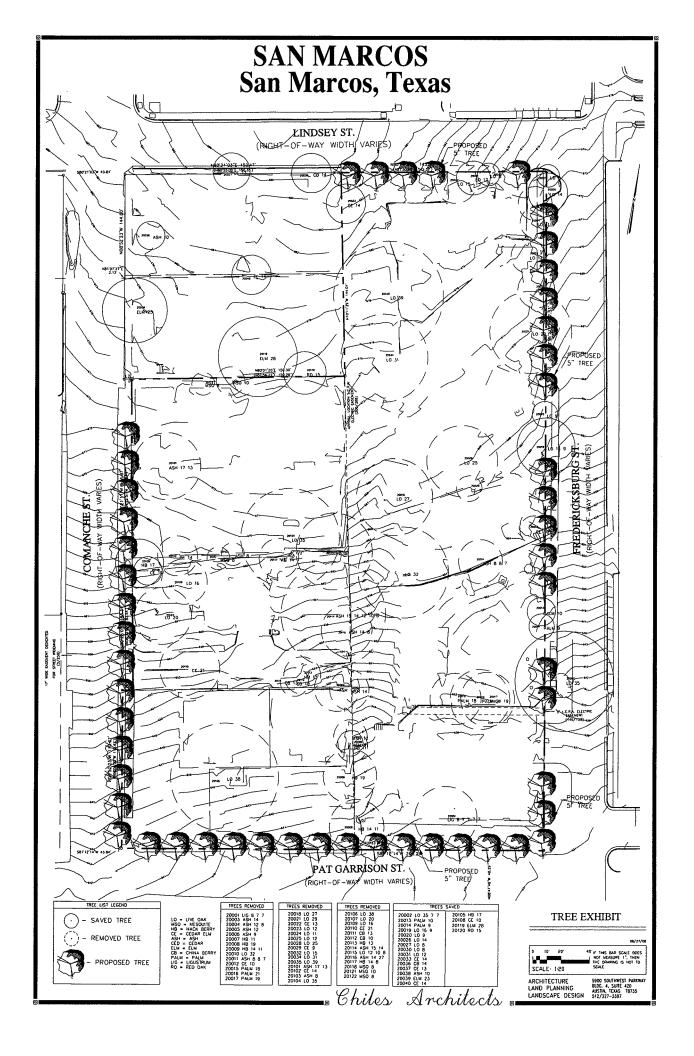
General rendering of streetscape quality, landscaping, materials diversity and urban design

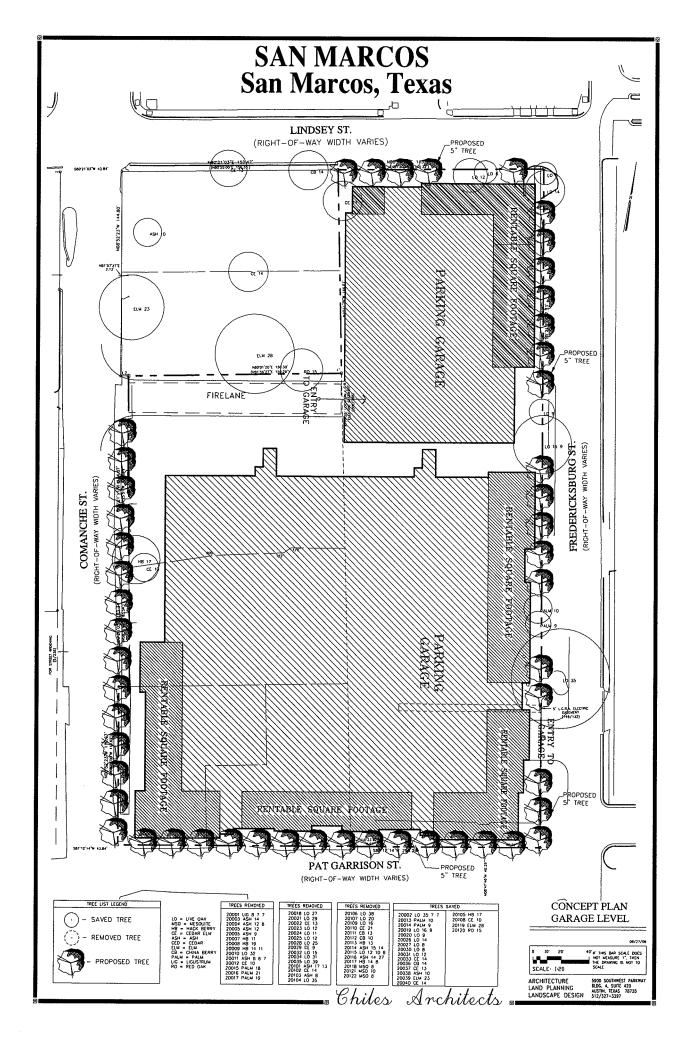


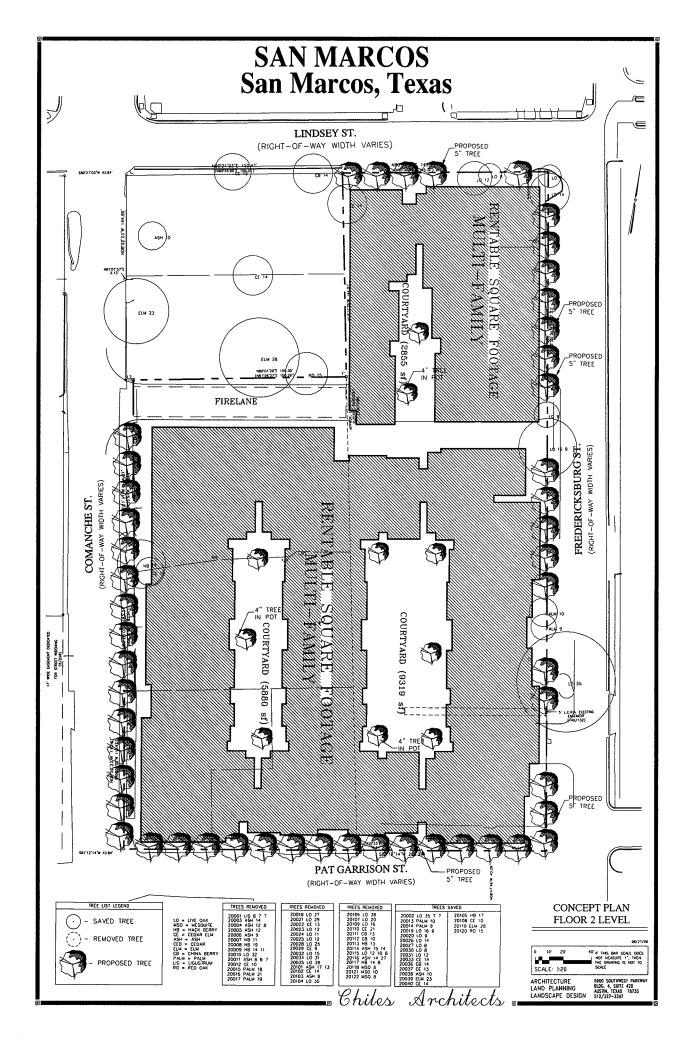
General rendering of streetscape quality, landscaping, materials diversity and urban design



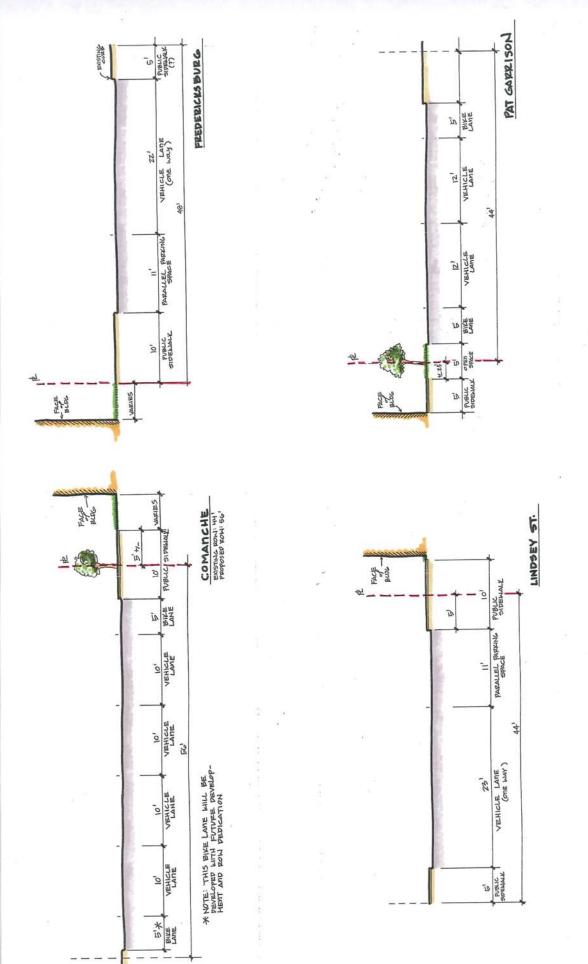
General rendering of streetscape quality, landscaping, materials diversity and urban design







# Exhibit 4 Alternative Street Sections and Rights-of-Way

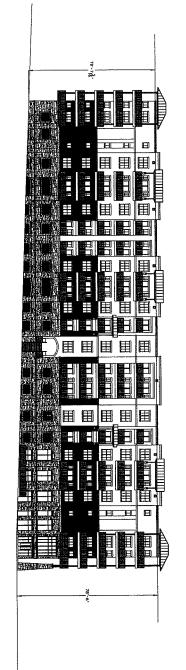


STREET CROSS-SECTIONS

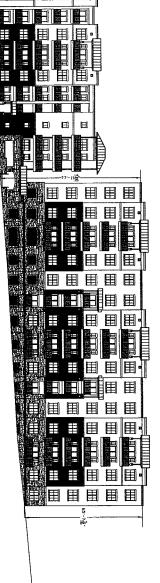


# Exhibit 5 Building Height

# SAN MARCOS San Marcos, Texas



ELEVATION PAT GARRISON ST



H

FREDERICKSBURG ST

HEIGHT EXHIBIT

ARCHITECTURE LAND PLANNING LANDSCAPE DESIGN

Chiles Architects

5900 SOUTHWEST PARKWAY BLDG, 4, SUITE 420 AUSTIN, TEXAS 78735 512/327-3397