



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Draft Planning and Zoning Commission

Tuesday, April 14, 2020

6:00 PM

Due to COVID-19, this was a virtual meeting. For more information on how to observe the virtual meeting, please visit: <http://sanmarcostx.gov/541/PZ-Video-Archives>

I. Call To Order

With a quorum present the regular meeting of the San Marcos Planning and Zoning Commission was called to order by Vice Chair Gleason at 6:07 p.m. on Tuesday, April 14, 2020 via Virtual Meeting due to COVID-19.

II. Roll Call

Present 9 - Commissioner Mike Dillon, Commissioner Matthew Haverland, Commissioner Betseygail Rand, Commissioner Gabrielle Moore, Commissioner Travis Kelsey, Commissioner William Agnew, Commissioner Griffin Spell, Commissioner Mark Gleason, and Commissioner Kate McCarty

III. Chairperson's Opening Remarks

EXECUTIVE SESSION

IV. 30 Minute Citizen Comment Period

There were no comments.

CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of February 25, 2020.
2. PC-20-04 (Riverstone) Consider a request by Steven Buffum, on Behalf of Inayat Fidai, for approval of a Final Plat of the Riverstone multifamily subdivision, consisting of approximately 17.61 acre, more or less, out of the Juan M Veramendi Survey No. 1, located at 1428 Wonder World Drive. (W. Parrish)
3. PC-20-01 (Cottonwood Creek Phase 3 Units 6 & 7) Consider a request by Pape-Dawson Engineers, on behalf of Continental Homes of Texas, LP, to approve the Preliminary Plat, consisting of approximately 31.063 acres, more or less, out of the Farnam Frye Survey. (T. Carpenter)

A motion was made by Commissioner Kelsey, seconded by Commissioner Haverland, that the Consent Agenda be approved. The motion carried by the

following vote:

For: 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Spell, Commissioner Gleason and Commissioner McCarty

Against: 0

PUBLIC HEARINGS

4. PC-20-05 (Genlyte Industrial Park Replat) Hold a public hearing and consider a request by Ed Theriot, on behalf of Joseph Joyce, LLC, for approval of a replat of Genlyte Industrial Park, consisting of approximately 38.11 acres located 1611 Clovis Barker Road. (T. Carpenter)

Chair Gleason opened the Public Hearing.

Amanda Hernandez, Development Services Manager, gave an overview of the request.

Ed Theriot, applicant, spoke in favor of the item and was available for questions.

Chair Gleason closed the Public Hearing.

A motion was made by Commissioner Kelsey, seconded by Commissioner Dillon, that PC-20-05 (Genlyte Industrial Park Replat) be approved. The motion carried by the following vote:

For: 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Spell, Commissioner Gleason and Commissioner McCarty

Against: 0

5. CUP-20-03 (Rollin' Bowl) Hold a public hearing and consider a request from 99 Rollin' Bowl Inc., for a renewal of a Conditional Use Permit for the sale of beer and wine for on-premise consumption, located at 1285 South IH 35 Suite 103. (W. Parrish)

Chair Gleason opened the Public Hearing.

Amanda Hernandez, Development Services Manager, gave an overview of the request.

Cheng Tan, applicant, said that Olive Garden was far away from them.

Chair Gleason closed the Public Hearing.

A motion was made by Commissioner Dillon, seconded by Commissioner McCarty, that CUP-20-03 (Rollin' Bowl) be approved with the following conditions: 1.) Permit shall be valid for three (3) years, provided standards are met; 2.) The business shall be responsible for maintaining the sidewalk; gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all

times; 3.) The employees may not park on the Olive Garden lot; and 4.) The permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Spell, Commissioner Gleason and Commissioner McCarty

Against: 0

- 6. CUP-20-08 (54th Street Restaurant & Bar) Hold a public hearing and consider a request by 54th Street Restaurant & Drafthouse for a renewal of a Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 1303 South IH 35. (S. Caldwell)

Chair Gleason opened the Public Hearing.

Shavon Caldwell, Planner, gave an overview of the request.

Chair Gleason closed the Public Hearing.

A motion was made by Commissioner Dillon, seconded by Commissioner McCarty, that CUP-20-08 (54th Street Restaurant & Bar) be approved with the following conditions: 1.) Permit shall be valid for three (3) years, provided standards are met; 2.) The employees shall not park on the Olive Garden lot; 3.) The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; and 4.) The permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Spell, Commissioner Gleason and Commissioner McCarty

Against: 0

- 7. CUP-20-07 (Toro Ramen & Poke Barn) Hold a public hearing and consider a request by Toro Tanaka for a renewal of a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 700 North LBJ Drive, Suite 114. (S. Caldwell)

Chair Gleason opened the Public Hearing.

Shavon Caldwell, Planner, gave an overview of the request.

Chair Gleason closed the Public Hearing.

A motion was made by Commissioner Spell, seconded by Commissioner Dillon, that that CUP-20-07 (Toro Ramen & Poke Barn) be approved with the following conditions: 1.) Permit shall be valid for three (3) years, provided standards are met; 2.) The business shall be responsible for maintaining the

sidewalk, gutters; parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; and 3.) The permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Spell, Commissioner Gleason and Commissioner McCarty

Against: 0

- 8. CUP-20-05 (North Street Beer Bar) Hold a public hearing and consider a request by North Street Inc. for a renewal of a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 216 North Street (S. Caldwell)

Chair Gleason opened the Public Hearing.

Shavon Caldwell, Planner, gave an overview of the request.

Chair Gleason closed the Public Hearing.

A motion was made by Commissioner Haverland, seconded by Commissioner McCarty, that CUP-20-05 (North Street Beer Bar) be approved with the following conditions: 1.) Permit shall be valid for three (3) years, provided standards are met; 2.) No outdoor live music shall be allowed after 10:00 pm; 3.) The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 50 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; and 4.) The permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 8 - Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Spell, Commissioner Gleason and Commissioner McCarty

Against: 0

Recused: 1 - Commissioner Dillon

- 9. CUP-20-06 (The Davenport) Hold a public hearing and consider a request by Stamper Family LLC for a new Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 194 South Guadalupe Street (S. Caldwell).

Chair Gleason opened the Public Hearing.

Shavon Caldwell, Planner, gave an overview of the request.

Duane Brady, applicant, said they bought the LLC from the previous owner, who's no longer involved.

Chair Gleason closed the Public Hearing.

A motion was made by Commissioner Gleason, seconded by Commissioner Haverland, that CUP-20-06 (The Davenport) be approved with Staff conditions.

A motion was made by Commissioner Agnew, seconded by Commissioner McCarty, that the main motion be amended so that there shall be no music allowed on the rear patio. The motion failed by the following vote:

For: 3 - Commissioner Rand, Commissioner Agnew and Commissioner McCarty

Against: 6 - Commissioner Dillon, Commissioner Haverland, Commissioner Moore, Commissioner Kelsey, Commissioner Spell and Commissioner Gleason

Chair Gleason called for a vote on CUP-20-06 (The Davenport) with the following conditions: 1.) Permit shall be valid for one (1) year, provided standards are met; 2.) Outdoor amplified music on the patio fronting South Guadalupe Street shall be limited to the hours between 11 am and 12 am; 3.) Outdoor amplified music on the rear patio directly adjacent to Telephone Alley shall be limited to the hours between 11 am and 10 pm, 4.) Parking shall be prohibited in City right-of-way along South Guadalupe Street; 5.) The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 50 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; 6.) The permit shall be effective upon the issuance of a Certificate of Occupancy, and; 7.) The permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 8 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Spell and Commissioner Gleason

Against: 1 - Commissioner McCarty

10. SCW-20-01 (Waterstone Warrants) Hold a public hearing and consider a request by Blake Reed, on behalf of TACK Development & LaSalle Holdings for 12 SmartCode Warrants that allow deviation from SmartCode (SC) Zoning for a +/- 648 acre site out of the William Hemphil Survey (A. Hernandez)

Chair Gleason opened the Public hearing.

Amanda Hernandez, Development Services Manager, gave an overview of the request.

Chris Crawford with RVI Planning, gave a presentation regarding the request. He said

they support staff's comments and recommendations, including Warrant #6 and Warrant #12. He added that they would like to request that they do not have to provide the additional roadway connection, 158, which doesn't align with anything to the north.

Michael Schroeder said that a lot of the design shown was from input made by staff. He said that they added other connections that weren't in their original plan to provide connectivity.

Tim Timmermann said he recommends approval, and that it was great working with staff.

Chair Gleason closed the Public hearing.

A motion was made by Commissioner Kelsey, seconded by Commissioner Agnew, that SCW-20-01 (Waterstone Warrants) be approved for all 12 Warrants with the following conditions: 1.) Warrant #6 (Civic Buildings) with the condition that transit stops shall be provided in each pedestrian shed; and 2.) Warrant #12 (Driveway Width) with the condition that the driveway not exceed 12 ft. at the property line. The motion carried by the following vote:

For: 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Spell, Commissioner Gleason and Commissioner McCarty

Against: 0

11. AC-19-05 (Grant Harris) Hold a public hearing and consider a request by Angel Hernandez for an Alternative Compliance to Section 3.6.3.1(A) of the San Marcos Development Code, to allow the subdivision of a property into two lots which do not have frontage on a public street, located at 1070 Grant Harris Road. (W. Parrish)

Chair Gleason opened the Public Hearing.

Amanda Hernandez, Development Services Manager, gave an overview of the request.

Angel Hernandez submitted written comments read aloud by staff.

Chair Gleason closed the Public Hearing.

A motion was made by Commissioner Spell, seconded by Commissioner Dillon, that AC-19-05 (Grant Harris) be approved with the following conditions: 1.) This proposed subdivision shall meet all requirements of the San Marcos Development Code; 2.) This Alternative Compliance shall not expire. The motion carried by the following vote:

For: 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Spell, Commissioner Gleason and Commissioner McCarty

Against: 0

NON-CONSENT AGENDA

- 12. PC-19-53 (Grant Harris) Consider a request by Angel Hernandez for approval of a replat of Lot 7, Grant Harris Subdivision, which is approximately 4.57 acres, more or less, into 2 residential lots, each approximately 2.28 acres, more or less, located in the Antonio M. Esnaurizar Survey No. 6, Hays County, known 1070 Grant Harris Road. (W. Parrish)

Amanda Hernandez, Development Services Manager, gave an overview of the request.

A motion was made by Commissioner Haverland, seconded by Commissioner McCarty, that PC-19-53 (Grant Harris) be approved. The motion carried by the following vote:

For: 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Spell, Commissioner Gleason and Commissioner McCarty

Against: 0

- 13. Receive a presentation and update on the following semi-annual Preferred Scenario Map Amendment application(s):

PSA-20-02 (Riverbend Ranch) - Request to amend the Preferred Scenario Map from "Area of Stability-Low Intensity" to "Growth Area-Medium Intensity" for +/- 1,142 acres of land, located approximately at the intersection of North Old Bastrop Highway and Staples Road.

Shavon Caldwell, Planner, gave an overview of the request.

- 14. Receive a staff presentation of the 2021-2030 Capital Improvement Program.

Laurie Moyer, Director of CIP/Engineering, gave a presentation on the program.

- 15. Election of the following officers:
 - a. Planning and Zoning Commission Chair
 - b. Planning and Zoning Commission Vice Chair

A motion was made by Commissioner Dillon, seconded by Commissioner Kelsey, that Mark Gleason be elected Commission Chair. The motion carried by the following vote:

For: 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Spell, Commissioner Gleason and Commissioner McCarty

Against: 0

A motion was made by Commissioner Dillon, seconded by Commissioner Haverland, that Travis Kelsey be elected Vice-Chair. The motion carried by

the following vote:

For: 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand,
Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner
Spell, Commissioner Gleason and Commissioner McCarty

Against: 0

V. Question and Answer Session with Press and Public.

No questions from the Press or Public.

VI. Adjournment

The meeting was adjourned at 8:21 p.m.

Notice of Assistance at the Public Meetings

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning
Commission was removed by me from the City Hall bulletin board on the
_____ day of _____

_____ Title: