



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Draft Planning and Zoning Commission

Tuesday, May 25, 2021

6:00 PM

Virtual Meeting

Due to COVID-19, this will be a virtual meeting. To view the meeting please go to <http://www.sanmarcostx.gov/541/PZ-Video-Archives> or watch on Grande channel 16 or Spectrum channel 10.

I. Call To Order

With a quorum present the regular meeting of the San Marcos Planning and Zoning Commission was called to order by Chair Garber at 6:00 p.m. on Tuesday, May 25, 2021 via Virtual Meeting due to COVID-19.

II. Roll Call

Present 9 - Commissioner Betseygail Rand, Commissioner Gabrielle Moore, Commissioner Travis Kelsey, Commissioner Kate McCarty, Commissioner Griffin Spell, Commissioner Jim Garber, Commissioner William Agnew, Commissioner Zachariah Sambrano, and Commissioner Lupe Costilla

III. Chairperson's Opening Remarks

IV. 30 Minute Citizen Comment Period

Lisa Marie Coppoletta, 1322 Belvin, said she wanted Mr. Aguirre to tell her where the money for the GAP Program comes from. She said her trees were damaged by the City, and she paid for them to survive. She added it looks like a ghetto on Hopkins, and in Victory Gardens, saying people are parking on the sidewalk.

EXECUTIVE SESSION

CONSENT AGENDA

1. PC-19-36 (Hymeadow, Section 3, Phase 1) Consider a request by Binkley & Barfield, Inc, on behalf of Arroyo Cap II-1, LLC for approval of a Final Plat for approximately 13.128 acres, more or less, out of the William Hemphill Survey, Abstract 221, located northeast of Yarrington Road, along State Highway 21, Hays County, Texas. (A. Brake)
2. PC-19-45 (Hymeadow, Section 3, Phase 2) Consider a request by Binkley & Barfield, Inc, on behalf of Arroyo Cap II-1, LLC for approval of a Final Plat for approximately 14.329 acres, more or less, out of the William Hemphill Survey, Abstract 221, located northeast of Yarrington Road, along State Highway 21, Hays County, Texas. (A. Brake)

A motion was made by Commissioner Rand, seconded by Commissioner Spell, that the Consent Agenda be approved. The motion carried by the following vote:

For: 9 - Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner McCarty, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

PUBLIC HEARINGS

3. Hold a public hearing and consider a recommendation to the City Council regarding text amendments to the San Marcos Development Code, that, among other things, would address typographical and technical errors, and implement changes related to site permit requirements, detention, stormwater quality and stream protection, residential garage and pedestrian access requirements, building activation, the use of self storage and outdoor storage, the Employment Center zoning district, allowable uses in CD-2.5, ND-3.2, and other revisions to the Land Use Matrix and provide direction to Staff. (A. Villalobos)

Chair Garber opened the Public Hearing.

Greg Schwarz, Senior Engineer, gave an overview of the request.

Andrea Villalobos, Planning Manager, gave an overview of the request.

Lisa Marie Coppoletta, 1322 Belvin, said the "tattered flags" are not allowed per the Development Code. She said they need to be removed from the Code, or start enforcing it. She added we haven't done enough for Historic Preservation, and that she hasn't seen any Neighborhood Plans.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Kelsey, seconded by Commissioner McCarty, that the proposed amendments to the Development Code be approved.

A motion was made by Commissioner Garber, seconded by Commissioner Rand, that the main motion be amended so that: Staff and City Council shall look into bringing Planned Development Districts (PDDs) back into the Development Code. The motion carried by the following vote:

For: 8 - Commissioner Rand, Commissioner Kelsey, Commissioner McCarty, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 1 - Commissioner Moore

A motion was made by Commissioner Moore, seconded by Commissioner McCarty, to amend the main motion so that: Amendment #1 Watershed Protection Plans (2.6.1.2 Application Requirements) and Amendment #2 Site Permits (2.7.1.1 Purpose Applicability, Exceptions, and Effect) be removed for consideration. The motion failed by the following vote:

For: 3 - Commissioner Moore, Commissioner McCarty and Commissioner Sambrano

Against: 6 - Commissioner Rand, Commissioner Kelsey, Commissioner Spell, Commissioner Garber, Commissioner Agnew and Commissioner Costilla

A motion was made by Commissioner Rand, seconded by Commissioner Moore, that the main motion be amended to that: Amendment #5 Parking Location & Design (7.1.4.1 Single-Family and Two-Family) be removed from consideration. The motion failed by the following vote:

For: 3 - Commissioner Rand, Commissioner Moore and Commissioner Costilla

Against: 6 - Commissioner Kelsey, Commissioner McCarty, Commissioner Spell, Commissioner Garber, Commissioner Agnew and Commissioner Sambrano

A motion was made by Commissioner Agnew, seconded by Commissioner McCarty, that the main motion be amended so that on Amendment #5: Parking Location & Design (7.1.4.1 Single-Family and Two-Family): Semi-Flush. Garage doors are oriented toward the street. Garage doors must be positioned between 5 and 20 feet behind the front wall plane of the house, extending no more than 55% of the width of the house. The motion carried by the following vote:

For: 8 - Commissioner Rand, Commissioner Kelsey, Commissioner McCarty, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 1 - Commissioner Moore

A motion was made by Commissioner Sambrano to remove Item #4: A single garage door shall not exceed 16' in width. If two garage doors are proposed, each garage door shall not exceed 8' in width under Amendment #5 Parking Location & Design (7.1.4.1 Single-Family and Two-Family). The motion failed for lack of second.

Chair Garber called for a vote on the main motion with the following proposed amendments: 1.) Watershed Protection Plans (2.6.1.2 Application Requirements: Add the Edwards Aquifer Transition Zone and Contributing Zone within the Transition Zone to the list of areas where a Watershed Protection Plan Phase 2 (WPP2) is required for minor subdivision plats or replats and where WPP2 may not be applied for and approved as an element of a comprehensive site permit or public improvement construction plan; 2.) Site Permits (2.7.1.1 Purpose Applicability, Exceptions, and Effect): Add clarity to the site permitting approval and application process. It also reduces the threshold for when a site permit is required for existing non-residential and multifamily uses proposing to add or redevelop an area from greater than 5,000 square feet to greater than 1,000 square feet; 3.) Stormwater Collection and Drainage Systems (3.9.1.1 Flood Control Requirements): This change allows detention to be waived for developments directly adjacent waterways if no adverse impacts are demonstrated and a payment-in-lieu is made into the stormwater management fund. Developments outside areas requiring stormwater treatment will be required to meet the stream protection volume requirement for a 1.25-inch rainfall; 4.) Stormwater Management (6.1.4.1 Stormwater Quality and Stream Protection): Change the term “water quality” to “stream protection” to provide clarity and consistency with other sections of the code that refer to this section; 5.) Parking Location & Design (7.1.4.1 Single-Family and Two-Family): Revise the garage standards to allow a garage to be flush with the front façade or front most protrusion of a house and was approved as conditional language during the High Branch and Vantage Alternative Compliance requests. Semi-Flush. Garage doors are oriented toward the street. Garage doors must be positioned between 5 and 20 feet behind the front wall plane of the house, extending no more than 55% of the width of the house. No individual garage door may exceed 12 feet in width; 6.) Pedestrian Residential Access (3.6.4.2 Site Access): Reflect conversations with Fire/EMS regarding safe access to front doors of homes and was approved as conditional language during the High Branch and Vantage Alternative Compliance requests; 7.) Front Porch (4.3.5.11 Front Porch): Provide a minimum area for a front porch and ensures adequate clearance between front porch posts for first responders. This language approved as conditional language during the High Branch and Vantage Alternative Compliance requests; 8.) Residential Front Door Entrances (4.3.5.1 Residential Front Door Requirements): This change reflects conversations with Police and first responders and provides a new standard for

residential front door entrances to enhance visibility and assist first responders. This language was approved as conditional language during the Vantage Alternative Compliance requests; 9.) Residential Front Door Entrances – Building Type Updates (4.4.6.2 House): This page provides an excerpt from the House Building Type in which staff will indicate that the residential front door requirements apply to this building type (as indicated in Section 4.3.5.1). This change will also occur on the Cottage Court, Duplex, Zero Lot Line, and Townhome Building Type pages of the Development Code and those pages will be updated accordingly; 10.) Outdoor Storage Use (5.1.3.2 Accessory Uses): Clarify the definition of outdoor storage, amend the allowable height (Building height is further defined in Section 4.3.4.1), provide additional standards for location, and remove the “Limited” standards regarding screening and make screening a required standard in all instances; 11.) Outdoor Storage Use (5.1.1.2 Land Use Matrix): The Land Use Matrix reflects the changes made in Section 5.1.3.2 to revise all references of “Limited (L)” to “Permitted (P)” in the Land Use Matrix; 12.) Self Storage Use (5.1.7.7 Self Storage): Provide clear definitions, standards based on research from surrounding cities, and require that the use must be approved through a Conditional Use Permit by City Council; 13.) Self Storage Use (5.1.1.2 Land Use Matrix): The changes to the Land Use Matrix indicate that the use Self Storage is no longer “Permitted (P)” in any zoning district and is only “Conditional (C)” in Commercial (CM) zoning. (Note, name change from Employment Center zoning to Commercial zoning #14). The Conditional Use Permit requires a recommendation at the Planning and Zoning Commission with final approval at City Council; 14.) Commercial (CM) Zoning (4.4.5.1 Commercial) Staff revised the name of the “Employment Center (EC)” zoning district to “Commercial (CM)” to provide less confusion in the Development Code. Currently, there is both an “Employment Center” zoning district and a “Employment Center” Preferred Scenario designation. Staff will update the name of this district throughout the Code; 15.) Commercial (CM) Zoning (5.1.1.2 Land Use Matrix): Proposed changes to the Land Use Matrix reflect the revisions outlined in #14. In the top header row, the abbreviation for “CM” is now reflected. To limit the intensity of uses in this district, staff is proposing changes to allowable uses, such as not permitting a truck stop and requiring a Conditional Use Permit for uses such as gasoline sales or warehouse and distribution; 16.) CD-2.5 and CD-3.2 Allowable Uses (5.1.1.2 Land Use Matrix): Staff added the two newly created zoning districts, CD-2.5 and ND-3.2, to the Land Use Matrix. The uses included for CD-2.5 generally mirror those of SF-6. The uses for ND-3.2 generally mirror those of ND-3. This was overlooked with the September, 2020 Code Amendments; 17.) Administrative Certificate of Appropriateness (2.1.1.1

Classification of Applications and Decisions; Rules Governing Decision-Making): Staff added the Administrative Certificate Appropriateness process previously approved by Council for the painting of buildings (Ord. 2019-45, 12-17-19) to Table 2.1. This Table 2.1 outlines the approval process, the review and approval authority, and the notice requirements; 18.) **Agricultural Zoning Typo (Table 4.6 Character District/Existing Zoning Translation Table):** This change corrects the misspelling of “AR”, Agricultural Ranch Zoning; 19.) **Agricultural Zoning Typo (Table 4.12 Conventional Residential Districts):** This change removes “AR, Agricultural Ranch District” from table 4.12 because it is incorrectly located on this page. “AR” is not a Conventional Residential District but rather a Legacy District correctly located in Chapter 9; 20.) **Character District 2.5 Description (4.4.3.3 Character District 2.5) Correct misspellings;** 21.) **Accessory Dwelling Unit (4.4.6.1 Accessory Dwelling Unit):** Correct a typo in the Section title; 22.) **Apartment Building Type (4.4.6.9 Apartment):** Remove the table titled “Courtyard”. The table was incorrectly copied on this page; 23.) **Calaboose Museum Local Landmark (4.5.2.1 Historic District):** This change adds the Calaboose African American History Museum to the list of local Historic landmarks. The Calaboose was recently approved as a local Historic landmark in March 2021; 24.) **Demolition by Neglect (4.5.2.1 Demolition by Neglect):** Add in missing words; 25.) **Community & General Commercial (9.2.2.5 Community Commercial and 9.2.2.6 General Commercial):** Correct the description of these two zoning districts which were incorrectly flipped. The last sentence in the definition of Community Commercial was also removed; 26.) **Land Use Matrix Legend (Section 5.1.1.2 Lan Use Matrix):** Add a legend to the bottom of each Land Use Matrix page to clarify the allowable uses; 27.) **Revise “N-MS” to “N-CM”(Throughout Development Code):** Remove all instances of “Neighborhood Main Street (N-MS)” and replace with “Neighborhood Commercial (N-CM)”. The name of this district was updated during a previous Development Code update (Ord. No. 2019-45, 12-17-19), however, there are a few instances in which the name change was not updated in the text; 28.) **Add hyphens to zoning districts(Throughout Development Code):** Update all zoning district abbreviations to include a hyphen where necessary. Applicable zoning districts in which a hyphen should occur are SF-R, SF-6, SF-4.5, ND-3, ND-3.2, ND-3.5, ND-4, N-CM, CD-1,CD-2, CD-2.5, CD-3, CD-4, CD-5, CD-5D. This will ensure that searches for text in the Development Code are more accurate; 29.) **Demolition Review for Historic Age Resources (2.7.4.3 Process):** Correct name of Heritage Association of San Marcos and add City Council to notification list; 30.) **Staff and City Council shall look into bringing Planned Development Districts back into the Development Code. The motion carried by the following vote:**

For: 9 - Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner McCarty, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

V. Adjournment

A motion was made by Commissioner Kelsey, seconded by Commissioner Spell, that the meeting be adjourned. The meeting was adjourned at 7:48 p.m. The motion carried by the following vote:

For: 9 - Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner McCarty, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

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: