



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Final Planning and Zoning Commission

Tuesday, April 9, 2024

6:00 PM

City Council Chambers

This will be a hybrid (in-person/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 quorum present the regular meeting of the San Marcos Planning & Zoning Commission was called to order by Vice-Chair Spell at 6:00 pm on Tuesday, April 9, 2024 via hybrid meeting.

II. Roll Call

Present 8 - Commissioner William Agnew, Commissioner Lupe Costilla, Commissioner Travis Kelsey, Commissioner Michele Burlison, Commissioner Amy Meeks, Commissioner Griffin Spell, Commissioner Jim Garber, and Commissioner Maraya Dunn

Absent 1 - Commissioner David Case

III. Chairperson's Opening Remarks

Vice-Chair Spell welcomed the audience and gave brief opening remarks detailing the meeting rules and guidelines.

IV. Citizen Comment Period

Vice-Chair Spell opened the Citizen Comment Period.

- 1) Virginia Parker, general comments on items #5 and #7**
- 2) Hayden Dooley, general comments on item #5**

Vice-Chair Spell closed the Citizen Comment Period.

CONSENT AGENDA

- 1. Consider approval, by motion, of the March 26, 2024 - Planning and Zoning Regular Meeting Minutes.**

A motion was made by Commissioner Kelsey, seconded by Commissioner Burlison to approve the Consent Agenda.

The motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Kelsey, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Garber and Commissioner Dunn

Against: 0

Absent: 1 - Commissioner Case

PUBLIC HEARINGS

2. CUP-24-08 (Shai Yo Thai) Hold a public hearing and consider a request by Adisak Nernbok, on behalf of Shai Yo Thai, to renew a Conditional Use Permit to allow on premise consumption of Mixed Beverages located at 700 N LBJ Suite 109. (C. Garrison)

Vice-Chair Spell opened the Public Hearings.

Craig Garrison, Planner, gave a presentation on request CUP-24-08.

Staff recommended approval of request CUP-24-08 with the following conditions:

1. The permit shall be valid for one (1) year, provided standards are met;
2. The permit shall be posted in the same area and manner as the Certificate of Occupancy;
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.

There were no speakers.

Vice-Chair Spell closed the Public Hearings.

A motion was made by Commissioner Garber, seconded by Commissioner Agnew to approve the request, including staff conditions, with the following modification to Condition #1;

1. The permit shall be valid for three (3) years commencing on September 14, 2022, provided standards are met.

A motion was made by Vice-Chair Spell, seconded by Commissioner Agnew, to remove condition #3.

The motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Kelsey, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Garber and Commissioner Dunn

Against: 0

Absent: 1 - Commissioner Case

The vote on the main motion carried by the following.

For: 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Kelsey, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Garber and Commissioner Dunn

Against: 0

Absent: 1 - Commissioner Case

3. CUP-24-09 (First Watch Daytime Cafe) Hold a public hearing and consider a request by Susan Hibbs, on behalf of First Watch Daytime Cafe, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 1506 N IH 35, Suite 101. (K. Buck)

Vice-Chair Spell opened the Public Hearings.

Kaitlyn Buck, Planner, gave a presentation on request CUP-24-09.

Staff recommended approval of request CUP-24-09 with the following conditions:

- 1. The permit shall be valid for one (1) year provided standards are met; and**
- 2. The permit shall be effective upon issuance of the Certificate of Occupancy; and**
- 3. The permit shall be posted in the same area and manner as the Certificate of Occupancy**

There were no speakers.

Vice-Chair Spell closed the Public Hearings.

A motion was made by Commissioner Costilla, seconded by Commissioner Burleson to approve request CUP-24-09 with staff conditions.

The motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Kelsey, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Garber and Commissioner Dunn

Against: 0

Absent: 1 - Commissioner Case

4. CUP-24-10 (Hat Creek Burger Co) Hold a public hearing and consider a request by Lucas Lee, on behalf of Hat Creek Burger Co, for renewal of a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 4206 S IH 35. (K. Buck)

Vice-Chair Spell opened the Public Hearings.

Kaitlyn Buck, Planner, gave a presentation on request CUP-24-10.

Staff recommended approval of request CUP-24-10 with the following conditions:

1. The permit shall be valid for two (2) years provided standards are met; and
2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

There were no speakers.

Vice-Chair Spell closed the Public Hearings.

A motion was made by Commissioner Garber, seconded by Commissioner Agnew approve the request, including staff conditions, with the following modification to condition #1.

1. The permit shall be valid for three (3) years commencing on August 27, 2022, provided standards are met.

The motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Kelsey, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Garber and Commissioner Dunn

Against: 0

Absent: 1 - Commissioner Case

- 5. CUP-24-11 (Elliot Electric Supply) Hold a public hearing and consider a request by Tri-Tech Engineering, L.P., on behalf of Elliott Electric Supply, to renew a Conditional Use Permit to allow the use and expansion of Warehouse and Storage Use, located at 1904 Dutton Drive. (C. Garrison)

Vice-Chair Spell opened the Public Hearings.

Craig Garrison, Planner, gave a presentation over request CUP-24-11.

Staff recommended approval with the following condition:

1. The outdoor storage shall be screened from the view of Dutton Drive and adjacent properties by a solid 6 ft. tall fence or wall, including the proposed gate as shown in Exhibit A. The fence shall meet the requirements of Section 7.2.6.2 of the Land Development Code and include the removal of the existing barbed wire fence. The fence shall be placed within the interior of the lot of the proposed grass swale.

- 1) Kayli Doherty - 155 Riverwalk Drive, in favor**
- 2) Sarah Simpson - 1905 Dutton Drive, conditionally in favor**
- 3) Hannah Farmer - 101 A Lively Lane, conditional support**
- 4) Adam Parker - 1904 Dutton Drive, in favor**

Vice-Chair Spell closed the Public Hearings.

A motion was made by Commissioner Meeks, seconded by Commissioner Agnew to approve the request with staff conditions.

The motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Kelsey, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Garber and Commissioner Dunn

Against: 0

Absent: 1 - Commissioner Case

- 6. ZC-24-04 (La Cima Phase 6 / FD to CD-4) Hold a public hearing and consider a request by Doug Goss, on behalf of LCSM PH 4, LLC, for a Zoning Change from Future Development (FD) to Character District-4 (CD-4), or, subject to consent of the owner, another less intense zoning district classification, for approximately 54.015 +/- acre tract of land out of the John Williams Survey, generally located at the southeast corner of West Centerpoint Road and Central Park Loop. (K. Buck)

Vice-Chair Spell opened the Public Hearings.

Kaitlyn Buck, Planner, gave a presentation on request ZC-24-04.

Staff recommended approval of request ZC-24-04 as presented.

A motion was made by Commissioner Costilla, seconded by Commissioner Meeks to recommend approval of request ZC-24-04.

The motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Kelsey, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Garber and Commissioner Dunn

Against: 0

Absent: 1 - Commissioner Case

- 7. Receive a staff presentation, hold a Public Hearing and discuss the 2025 Capital Improvement Program (CIP)

Vice-Chair Spell opened the Public Hearings.

Shaun Condor, Director of Engineering and Capital Improvement, gave a presentation on the 2025 Capital Improvement Program (CIP).

Vice-Chair Spell closed the Public Hearings.

Shaun Condor, Director of Engineering and Capital Improvement answered questions from the Commissioners.

No action was taken.

V. Question and Answer Session with Press and Public.

Vice-Chair Spell opened the Question and Answer Session.

There were no speakers.

Vice-Chair Spell closed the Question and Answer Session.

VI. Adjournment

A motion was made by Commissioner Kelsey, seconded by Commissioner Burleson to adjourn.

The motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Kelsey, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Garber and Commissioner Dunn

Against: 0

Absent: 1 - Commissioner Case

The meeting adjourned at 7:10 pm.

Enrique Velasquez, Recording Secretary

Chair, David Case