



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Draft Planning and Zoning Commission

Tuesday, March 27, 2018

6:00 PM

City Council Chambers

630 East Hopkins St.

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, March 27, 2018 in the City Council Chambers of the City of San Marcos, City Hall, 630 East Hopkins St., San Marcos, Texas.

II. Roll Call

Commissioner McCarty was not present during Roll Call. She arrived shortly after.

Present 9 - Commissioner Maxfield Baker, Commissioner Mike Dillon, Commissioner Jim Garber, Commissioner Mark Gleason, Commissioner Matthew Haverland, Commissioner Kate McCarty, Commissioner Lee Porterfield, Commissioner Angie Ramirez, and Commissioner Betseygail Rand

III. Chairperson's Opening Remarks

1. 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 McCarty, that Commissioner Garber be nominated and continue as Chair of the Planning and Zoning Commission. The motion carried by the following vote:

For: 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 0

A motion was made by Commissioner Rand, seconded by Commissioner McCarty to nominate Commissioner Ramirez for Vice Chair of the

Commission. A motion was made by Commissioner Ramirez, seconded by Commissioner Baker, to nominate Commissioner Gleason for Vice Chair of the Commission. Commissioners voted for either of the nominees. Chair Gleason was elected Vice Chair. The motion carried with the following vote:

Gleason: 8 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield and Commissioner Rand

Ramirez: 1 - Commissioner Ramirez

IV. 30 Minute Citizen Comment Period

Lisa Arceneaux is a local Environmental Engineer. She spoke about Item #6 (PSA-18-01/ZC-18-01) on the agenda. She opposed changing the property from Area of Stability to High Intensity. She pointed out a few things she knows about Sessom Creek, including that it's torn up because the bed and banks of the creek have been severely eroded by the high velocity flows. She is concerned about adding impervious cover which will impact the lower section of Sessom Creek.

Dianne Wassenich spoke about Item #6 (PSA-18-01/ZC-18-01) on the agenda. She says the Timbers Apartments were built in a time when we had little or no rules about what came off of that land. She says that tremendous damage is being done on that undeveloped property below The Timbers Apartments by the runoff from The Timbers. She encouraged the Commission to think about the long-term disposition and handling of the land. She also stated that if the Commission did not feel like an apartment complex was the best use for the property, they should think about, and send a recommendation to Council about the best use for it.

Sharon O'Neil, 121 E. Hillcrest, spoke about Item #6 (PSA-18-01/ZC-18-01) on the agenda. She said it seems so obvious that this is no place for a high rise development. One of the problems with the project she sees is parking. She says there's no place for the traffic to go now, and there certainly won't be a place for it with any new traffic brought to the area. Another concern she has with the development is the T5 zoning request. She says if this were passed under the current Land Development Code, there would be no restrictions and no requirement for dealing with the water coming off the hill.

CONSENT AGENDA

2. Consider approval of the minutes of the regular meeting of February 27, 2018.
3. PC-17-14_02 (Las Colinas) Consider a request by ETR Development Consulting on behalf of Reagan Dickerson, Las Colinas SM, LLC for a Preliminary Plat of approximately 92 acres more or less out of the Samuel Craft SR Survey, Tract PT of 2, located on South Interstate 35, between York Creek Road and Posey Road. (W. Parrish)

4. PC-18-05_03 (Cottonwood Creek, Phase 3, Unit 2) Consider a request by Pape-Dawson Engineers, Inc., on behalf of Continental Homes of Texas LP, for approval of a Final Plat for approximately 15.695 acres, more or less, out of the Farnam Frye Survey, generally located east of Highway 123, south of Rattler Road, and associated Subdivision Improvement Agreement.

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

For: 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 0

PUBLIC HEARINGS

5. CUP-18-06 (Leyalis Mediterranean Grill) - Hold a public hearing and consider a request by Eddie Haddad, on behalf of Leyali's Mediterranean Grill for a new Conditional Use Permit to allow for the sale of beer and wine at 301 N Guadalupe Street, Suite 154. (T. Carpenter)

Chair Garber opened the Public Hearing.

Tory Carpenter, Planner, gave an overview of the request.

There were no other speakers.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Porterfield, seconded by Commissioner Dillon, that CUP-18-06 (Leyalis Mediterranean Grill) be approved with the following conditions: 1.) The CUP shall be valid for one (1) year, provided standards are met subject to the point system; and 2.) The CUP shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 0

6. Hold a public hearing and consider two requests by Doucet and Associates, on behalf of Aurelius LTD, for approximately 6.57 acres, more or less, located at the 800 Block of Peques Street, regarding the following matters each to be approved by separate motion:
- a) PSA-18-01 - A Preferred Scenario Amendment from Area of Stability to High Intensity;

b) ZC-18-01 - A Zoning Change from Single Family (SF-6) to T5 SmartCode. (A.Villalobos)

Chair Garber opened the Public Hearing.

Andrea Villalobos, Planner, gave an overview of the request.

John Meeks, applicant, gave a presentation of the request.

The following spoke in favor of the item:

Drew Williams currently resides in New Braunfels, TX. He owns a property near the proposed development. He has no objections to the development and believes it will enhance the value of his property, making it more of a pedestrian corridor.

Mark Williams currently resides in McQueeney, TX. He co-owns a property with his son Drew that is near the proposed Peques development. He says if this project is turned down, he wonders what the scenarios will be that we will face in the future. He thinks Mr. Meeks has done an amazing amount of footwork, and it is his preferred scenario for the area. He says the neighborhood is no longer single family.

Sara Lee Underwood Meyers spoke in favor of the items. She says her concern is cars, but if we could make it walkable, keep the students there, and not bring them into the neighborhoods, she likes the idea.

Cori Schwartz lives above the proposed development site. She says she doesn't know if she's for or against it. The proposed apartment complex does not bother her as long as it does not have retail underneath it. She said if the property were to ever get rezoned, that rezoning goes with the property not with the project. She is not in favor of rezoning unless it legally can be written with restrictions on the impervious cover. Her biggest fear is for the environment. She thinks the City would need to have more oversight than it's had in past projects like The Woods. She wonders who is going to keep oversight of the development as it's being built, and afterwards. She's not comfortable with Doucet and Associates working on the project since they worked on The Woods. If it weren't for the river, she would be for the project without any hesitation.

Cathy Dillon, 1000 Burleson, is not sure which side of the project she falls on. Her concern is how many people will be put next to a single family neighborhood. With that said, she heard at another presentation for the project that it's not going where she thought it was, and it may not be visibly a problem. However, she wonders if we're getting completely overbuilt in this town by all of the apartment complexes.

The following spoke in opposition of the item:

Dr. Jim Kimmel feels the project will bring more traffic to the area. His major concerns are for the impacts of quality of life for San Marcos in general. He says that water features and open space are very important for the quality of life, and this project will put both of these at risk. He hopes the Commission considers using this property for something other than an apartment complex.

Kathryn Weiser, 113 Buena Vista St., spoke in opposition of the project. She says it is a single-family quiet neighborhood, and they want to keep it single-family in that area. She says the project will bring more cars on Sessoms and other areas when more students move in. She says that animals should be considered in the development of this project, so we need to consider where they will go.

Jeb Thomas, 115 Buena Vista, spoke in opposition. He said the development would bring higher crime rates to the area. He said if you bring an apartment complex in, you bring a target for people who want to commit crimes. He also opposed the rezoning.

Chair Garber closed the Public Hearing.

Andrew Dodson, 361 Middle Creek Buda, TX, is an Enginner with Doucet and Associates on the project. He was on hand to answer questions from the Commission.

After votes on this item, Chair Garber asked that the record reflect that the Commission expressed the desire for City Council to look at some options on the land in regards to water control features.

Chair Garber called for a motion on the Item. Motions were made by Commissioner McCarty to deny PSA-18-01 and ZC-18-01, and were both seconded by Comissioner Baker. Both Commissioners withdrew their initial motions.

A new motion was made by Commissioner McCarty, seconded by Commissioner Baker, that PSA-18-01 be denied. The motion carried by the following vote:

For: 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 0

A motion was made by Commissioner McCarty, seconded by Commissioner Baker, that a recommendation be made to City Council that the zoning change, ZC-18-01, be denied. The motion carried by the following vote:

For: 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 0

7. Hold a public hearing and consider two requests by Vance Elliott, on behalf of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation

solo, for approximately 0.447 acres, more or less, located at 801 Chestnut Street, regarding the following matters each to be approved by separate motion:

- a) PSA-18-02 - A Preferred Scenario Amendment from Area of Stability to Medium Intensity;
- b) ZC-18-02 - A Zoning Change from Neighborhood Commercial (NC) to General Commercial (GC) (A. Brake)

Item was withdrawn from consideration.

V. Question and Answer Session with Press and Public.

John Meeks, 103 W. Water Ln. San Marcos, TX thanked the Commission for their consideration. He says that it is difficult for an applicant to fully describe the context of what was being asked, so he tried to be as transparent as possible.

VI. Adjournment

The meeting was unanimously adjourned at 7:44 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: