



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Draft Planning and Zoning Commission

Tuesday, May 8, 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, May 8, 2018 in the City Council Chambers of the City of San Marcos, City Hall, 630 East Hopkins St., San Marcos, Texas.

II. Roll Call

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

IV. 30 Minute Citizen Comment Period

James R. McClellan - Spoke in opposition of Item # 6 ZC-18-05 (Mystic Canyon).

Lois Cortes - Spoke in opposition of ZC-18-05 (Mystic Canyon). She says the two roads going into the property are not wide roads. She is concerned about the wildlife that is there currently.

Dianne Wassenich - She feels reassured about the new development and flood plain rules. On Mystic Canyon she says it has long been thought it would be developed as Single Family (SF).

Gregory Clayton, lives on 1941 Stonehaven. He said that he just received the notification letter, and a vote is taking place tonight, so he is concerned about the lead time. He asked if there were going to be any environmental impact assessments regarding building a subdivision in this area. He doesn't want the neighborhood to become a pass-through for traffic. He asked several other questions including whether there have been any environmental studies related to waste water treatment, and if there is a plan for the wildlife habitat.

Mike James, 2204 Stonehaven. He has been gathering signatures for a petition. So far he has 24 in opposition of the rezoning change. He has concerns about the watershed and construction noise. He also has concerns about the traffic, and says the construction

will uproot snake and scorpion nests. He asked what happened to the park idea that was proposed years ago.

CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of April 24, 2018.
2. PC-17-34_02 (Centerpark, Unit 1 Final Plat) Consider a request by Pape-Dawson Engineers, Inc., on behalf of Walton Texas LP, for approval of a Final Plat for approximately 28.336 acres, more or less, out of the J.H. Yearby Survey, Abstract 508, located north of Centerpoint Road. (W. Parrish)
3. PC-17-38_02 (Sunset Oaks Subdivision Preliminary Plat) Consider a request by Binkley & Barfield, Inc., on behalf of Kyle Three Partners, LLP, for approval of a Preliminary Plat for approximately 547.74 acres, more or less, out of the William Hemphill Survey, Abstract No. 221, located east of IH-35, at the intersection of State Highway 21 and Yarrington Road. (A. Brake)

A motion was made by Commissioner Porterfield, seconded by Commissioner McCarty, 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

4. CUP-18-09 (Pie Society) - Hold a public hearing and consider a request from Pie Society, on behalf of Hjorting Family Trust, for a renewal of a Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at the Pie Society, located at 700 N LBJ Drive, Suite 107. (T. Carpenter)

Chair Garber opened the Public Hearing.

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

Griffin Spell, 1115 N. LBJ Dr., spoke in favor of the item. He lives in close proximity of the business, and has no objections with them extending their Conditional Use Permit.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Porterfield, seconded by Commissioner Baker,

that CUP-18-09 (Pie Society) be approved with staff conditions.

Commissioner Dillon made a motion to amend the original motion that the CUP shall be valid for five (5) years of the TABC license, instead of for the life of the TABC license. The motion failed for lack of a second.

Chair Garber called for a vote on the main motion, that CUP-18-09 (Pie Society) be approved with the following conditions: 1.) The CUP shall be valid for the life of the TABC license, 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

5. CUP-18-13 (Figaro's Pizza and Pub) - Hold a Public hearing and consider a request by Figaro's Pizza & Pub on Behalf of Nomad Capital & Wonder World LLC, for a renewal of a Conditional Use Permit to allow the sale of Mixed Beverages for on premise consumption at 243 Wonder World Drive Suite 100. (W. Parrish)

Chair Garber opened the Public Hearing.

Will Parrish, Planner, gave an overview of the request.

There were no speakers.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Dillon, seconded by Commissioner Baker, that CUP-18-13 (Figaro's Pizza and Pub) be approved with the following conditions: 1.) The permit shall be valid for three (3) years, provided standards are met, subject to the point system; and 2.) 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 Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 0

6. ZC-18-05 (Mystic Canyon) Hold a public hearing and consider a request by Jim Ladner, on behalf of Michael Moffitt, for a zoning change from "FD" Future Development to "SF-6" Single Family for approximately 56.6098 acres, more or less, out of the Benjamin White Survey, John Williams Survey, and T.H.W. Survey located west of Old Ranch Road 12. (T. Carpenter)

Chair Garber opened the Public Hearing.

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

Debbie Kilpatrick, 1910 Stonehaven, spoke in opposition of the item. She says the City needs some more green space, and the site would be an ideal location for it. She says if there's going to be any development it should be closer to Old Ranch Road 12. She is concerned about flooding.

Jim White, 2105 Stonehaven, spoke in opposition of the item. He is concerned about the water and the transportation. He also says a week's notice is too short to review the item. He asked the Commission to put off their vote until everyone has enough time to review.

Marissa Brazil, 2002 Stonehaven, spoke in opposition of the item. She has mixed feelings because she says development will happen in a town, and she likes the idea of it being a Single Family (SF) area, but believes it will increase traffic, and has safety concerns for the kids. She also has environmental and wildlife concerns. She would like to see more information, including a geological survey. She said the vote should be delayed. If the development goes through she would like to see something like walking or nature trails that would add value to the neighborhood.

Carol Fatherree, 2005 Northview, spoke in opposition of the item. She did not receive notification. She only knew about it from her friend who lives on Stonehaven. She says there is already a lot of traffic on Northview. She said it is her understanding that the caves have already been filled in, but wonders how that is possible without the zoning change in place. She is worried about runoff during construction, particularly chemicals that may be used.

Jhet Brazil, 2002 Stonehaven, spoke in opposition of the item. He said he understands development is important, yet has concerns. He mentioned he has not seen a construction plat that explains how the neighborhood would be laid out, or a geological survey explaining the impact on Edwards Aquifer. He thinks the item should be brought to the public before the item is approved.

Griffin Spell, 1115 N. LBJ Dr., spoke in opposition of the item. He says notifications regarding development seem to be a reoccurring problem in San Marcos. He said the Commission should delay a vote until more information is collected.

Trudy Stone, 2033 Northview Dr., spoke in opposition of the project. She said she had no idea the project was on the agenda until she heard it from her neighbor. She thinks the vote should be postponed until more information is collected.

Lisa Marie Coppoletta, 1322 Belvin, spoke in opposition of the item. She says the project will impact her neighborhood. She mentioned traffic and flooding as concerns. She said the area should be kept pristine, and thinks the Commission should table the

item or vote against it.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Ramirez, seconded by Commissioner McCarty, to deny ZC-18-05 (Mystic Canyon).

A motion was made by Commissioner Gleason, seconded by Commissioner Dillon, to postpone consideration of the pending motion to deny until the June 12, 2018 Planning and Zoning Commission meeting. The motion carried by the following vote:

For: 7 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner McCarty, Commissioner Ramirez and Commissioner Rand

Against: 1 - Commissioner Porterfield

Recused: 1 - Commissioner Haverland

7. Hold a Public Hearing, receive a presentation from Engineering and Capital Improvements staff, and provide a recommendation on the 10-Year Capital Improvements Program. (L. Moyer).

Chair Garber opened the Public Hearing.

Laurie Moyer, Director of Engineering and Capital Improvement, gave a presentation of the program.

There were no speakers from the Public.

Chair Garber closed the Public Hearing.

V. Question and Answer Session with Press and Public.

There were no questions from the Press or Public.

VI. Adjournment

The meeting was unanimously adjourned at 7:59 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:
