



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Meeting Minutes - Draft Planning and Zoning Commission

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Tuesday, June 12, 2018

6:00 PM

City Council Chambers

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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, June 12, 2018 in the City Council Chamber of the City of San Marcos, City Hall, 630 East Hopkins St., San Marcos, Texas.

### II. Roll Call

**Present** 8 - Commissioner Maxfield Baker, Commissioner Jim Garber, Commissioner Mark Gleason, Commissioner Matthew Haverland, Commissioner Kate McCarty, Commissioner Lee Porterfield, Commissioner Angie Ramirez, and Commissioner Betseygail Rand

**Absent** 1 - Commissioner Mike Dillon

### III. Chairperson's Opening Remarks

### IV. 30 Minute Citizen Comment Period

1. Sara Lee Underwood-Meyers, 1415 Harper Dr., spoke in regards to Item #6 on the agenda. She said there needs to be a CONA representative in Franklin Square.
2. Greg Clayton, spoke on Item #6, ZC-18-05 (Mystic Canyon). He said it seems like the decision has already been made on this project, and for better or worse, people with political influence have decided it is in the best interest of the community. He said before we do a zoning change, we should find out if the zoning change is what should actually happen.
3. Irma Carr spoke on the Mystic Canyon agenda item. She wants to keep her neighborhood safe, and wants to preserve the beauty of the neighborhood.
4. Dianne Wassenich, in regards to Mystic Canyon, said the developers are allowing for buffer zones and clustering which is a wiser choice. She also said the developer is paying attention to the geology, and is doing their best to try to satisfy the neighborhood.
5. Larry Wilson, Meadow View Dr., expressed concerns with flooding and traffic, especially as it relates to children's safety.

6. Charles Ainsworth has flooding concerns if the drainage gets worse.
7. Melvin Wilson, 2201 Meadow View Dr., has concerns about flooding, and children's safety if the item were to be approved.
8. Pam Foster, 1901 Lisa Ln., expressed her concerns about flooding in the area.
9. Holly Hirsch, Meadow View Dr., expressed her concerns with safety and flooding in the area.
10. Debbie Kilpatrick, 1910 Stonehaven, asked who from the City would be overseeing the project. She expressed concerns for increased traffic, wildlife, and flooding.
11. Ramika Adams, 2106 Stonehaven, spoke against item #6 on the agenda ZC-18-05 (Mystic Canyon). She said she was told no one would develop that land when they bought it because of the aquifer. She does not want to see anything built because of potential of flooding, preservation of wildlife, and because of the overall safety of the community.
12. Lisa Marie Coppoletta, 1322 Belvin, said this is the first time she's seen a developer who's open for dialogue, offering neighborhood buffers, and being conscientious about the flooding.
13. Jim White, 2015 Stonehaven, said the developer does not have any solutions to the problems that have been addressed.

## CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of May 22, 2018.

**A motion was made by Commissioner McCarty, seconded by Commissioner Baker, that the Minutes be approved. The motion carried by the following vote:**

**For:** 8 - Commissioner Baker, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

**Against:** 0

**Absent:** 1 - Commissioner Dillon

## PUBLIC HEARINGS

2. CUP-18-17 (Starplex) - Hold a public hearing and consider a request by David Roberts for renewal of a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at the Starplex theater located at 1250 Wonder World Drive. (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 McCarty, seconded by Commissioner Ramirez, that CUP-18-17 (Starplex) be approved with the following conditions:**

**1.) The permit shall be valid for the life of the TABC permit, provided standards are met; 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:** 8 - Commissioner Baker, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

**Against:** 0

**Absent:** 1 - Commissioner Dillon

- 3.** CUP-18-18 (Unami) - Hold a public hearing and consider a request by Hannah Lee on behalf of Flemming Hjorting for a renewal of a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 700 N. LBJ Drive. (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 Baker, seconded by Commissioner McCarty, that CUP-18-18 (Unami) be approved with the following conditions:**

**1.) The permit shall be valid for three (3) years, provided standards are met; 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:** 8 - Commissioner Baker, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

**Against:** 0

**Absent:** 1 - Commissioner Dillon

- 4.** CUP-18-19 (San Marcos BBQ) Hold a public hearing and consider a request by Justin Pearson for a new Conditional Use Permit to allow the sale of beer and wine for on premise

consumption at 2601 Hunter Road. (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 Porterfield, seconded by Commissioner Baker, that CUP-18-19 (San Marcos BBQ) be approved with the following conditions: 1.) The Permit is valid for one (1) year provided, standards are met; 2.) Hours of operation are limited to no later than 8 p.m.; 3.) Alcohol consumption is limited to inside the restaurant; and 4.) The permit is posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:**

**For:** 8 - Commissioner Baker, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

**Against:** 0

**Absent:** 1 - Commissioner Dillon

5. ZC-18-06 (1600 Block of Redwood Road) Hold a public hearing and consider a request by Moeller & Associates, on behalf of Two Rivers Interests, L.P., for a zoning change from "FD" Future Development to "CD-5" Character District 5 for approximately 15.0378 acres, more or less, out of the Barnette O. Kane Survey, Abstract No. 281, located in the 1600 Block of Redwood Road. (A. Brake)

Chair Garber opened the Public Hearing.

Alison Brake, Planner, gave an overview of the request.

Jeff Moeller, applicant, was available to answer questions.

Chair Garber closed the Public Hearing.

**A motion was made by Commissioner Porterfield, seconded by Commissioner Gleason, that ZC-18-06 (1600 Block of Redwood Road) be approved for a zoning change from "FD" Future Development to "CD-4" Character District 4. The motion carried by the following vote:**

**For:** 8 - Commissioner Baker, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

**Against:** 0

**Absent:** 1 - Commissioner Dillon

## **NON-CONSENT AGENDA**

6. ZC-18-05 (Mystic Canyon) 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)

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

**Chair Garber called for a vote on the item. There was an existing motion on the floor that was made by Commissioner Ramirez, seconded by Commissioner McCarty, that ZC-18-05 (Mystic Canyon) be denied. The motion failed by the following vote:**

**For:** 3 - Commissioner Baker, Commissioner Ramirez and Commissioner Rand

**Against:** 4 - Commissioner Garber, Commissioner Gleason, Commissioner McCarty and Commissioner Porterfield

**Absent:** 1 - Commissioner Dillon

**Recused:** 1 - Commissioner Haverland

**A motion was made by Commissioner Porterfield, seconded by Commissioner McCarty, that ZC-18-05 (Mystic Canyon) be approved. The motion carried by the following vote:**

**For:** 4 - Commissioner Garber, Commissioner Gleason, Commissioner McCarty and Commissioner Porterfield

**Against:** 3 - Commissioner Baker, Commissioner Ramirez and Commissioner Rand

**Absent:** 1 - Commissioner Dillon

**Recused:** 1 - Commissioner Haverland

## **V. Question and Answer Session with Press and Public.**

Irma Carr hopes there is oversight on the project from all those involved.

## **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:  
\_\_\_\_\_

\_\_\_\_\_  
Jim Garber, Chair

ATTEST:

\_\_\_\_\_  
Cesly Burrell, Recording Secretary