



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Draft Planning and Zoning Commission

Tuesday, August 14, 2018

6:00 PM

City Council Chambers

630 East Hopkins St.

I. Call To Order

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

1. Sandra Neese, 416 Blanco St. - She spoke about the Lindsey Hill project. She said fear based statements about the project have not been supported by facts or examples. She said projects such as this adds dimension and does not destroy the neighborhoods. They enrich a sense of community life.

2. Don Neese - 416 Blanco St. He read a letter from his neighbors (Cathy and Randall Morris, 802 Belvin St.) who are in support of the Lindsey Hill project. He supports it too.

3. Dianne Pape - 400 Blanco St. She lives directly across from the Lindsey Hill project site. She spoke in favor of the project. She said it offers a solution for the need for a range of housing and lifestyle choices, as identified in the Master Plan. She is excited about the proposed park space. The domino effect of rezoning is not a concern of hers.

4. Camille Phillips - PO Box 172. She spoke about the upcoming senior dance, and the benefits of dancing. It is a free event. She also spoke about the Lindsey Hill project. She has infrastructure and flooding concerns. She is concerned about the PDD, and how it can come back. He thought it was withdrawn before it went before City Council.

5. Sue Cohen - lives on San Antonio St. She supports the Lindsey Hill project. She's excited about bringing a quality development to the neighborhood.

6. Lisa Marie Coppoletta - 1322 Belvin. She spoke in opposition of Lindsey Hill. She says the new urbanism model of walkability is just "smoke and mirrors," and it's just a perspective people are using to tear down the town. She mentions it was promised in the Land Development Code that there would be no more PDDs. She adds neighbors need to be

concerned about the demolition, lead and asbestos.

7. Bucky Couch - He supports the Lindsey Hill project. He said it combines housing options for all ages. He also said the developers have committed to preserving the historical significance of the site, and add amenities that promote the spirit and vitality of Innovation District Vision. He also said that the project adds to the tax base, and the project is a test of our relevance of the Comprehensive Plan.

8. Diana Baker - She said from a preservation perspective, the cultural significance of the Lamar School should be paid attention to. She said the early segregation of a high school in Texas is huge.

CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of July 24, 2018.
2. PC-17-46_02 (Park Court at Willow Creek) Consider a request by Hermann Vigil, on behalf of Robert W. McDonald III, for approval of an Amendment to a Preliminary Plat for approximately 2.52 acres, more or less, known as Park Court at Willow Creek located at Stagecoach Trail and Primers Lane. (A. Villalobos)
3. PC-18-30_02 (Paso Robles (Kissing Tree) Phases 3E, 4, & 5) Consider a request by Pape-Dawson Engineers, Inc., on behalf of Carma Paso Robles, LLC, for approval of a Preliminary Plat for approximately 181.09 acres, more or less, out of the John Williams, Issac Lowe, and Edward Burleson Surveys, located near the intersection of W Centerpoint Road (T. Carpenter)
4. PC-18-35_03 (Trace PID Phase 1B) Consider a request by Caren L. Williams-Murch, on behalf of Highpointe Trace, LLC., for approval of a Preliminary Plat for approximately 3.348 acres, more or less, out of the Van Horn Survey, located near the intersection of IH 35 and Van Horn Trace (T. Carpenter)

A motion was made by Commissioner Porterfield, seconded by Commissioner Dillon, 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-18-16 (Jack's Roadhouse) Hold a public hearing and consider a request from Philip

Nadeau, on behalf of Jacks Roadhouse to amend a Conditional Use Permit for the sale of beer and wine for on premise consumption to allow the sale of mixed beverages for on premise consumption at 1625 W Hopkins St. (T. Carpenter)

Chair Garber opened the Public Hearing.

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

Rocco Moses - 480 Mill Rd., Maxwell, TX. He spoke in favor of the item. They will run a farm-to-table program, continue live music, and establish itself as a positive influence to the City.

Lisa Marie Coppoletta - 1322 Belvin. She spoke in opposition of the item. She has concerns about the noise from the motorcycles.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Ramirez, seconded by Commissioner Dillon, that CUP-18-16 (Jack's Roadhouse) be approved with the following conditions: 1.) The permit shall be valid for one year provided standards are met; 2.) The permit shall become effective upon the issuance of a Change of Owner Certificate of Occupancy; 3.) The permit shall be posted in the same area and manner as the certificate of occupancy; and 4.) No outdoor amplified live music be shall allowed on the property. 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. CUP-18-24 (Komal Latin Kitchen + Bar) Hold a public hearing and consider a request from Komal Latin Kitchen + Bar to renew a Conditional Use Permit to allow the continued sale of mixed alcoholic beverages for on premise consumption at 2550 Hunter Road, Suite 1106 (T. Carpenter)

Chair Garber opened the Public Hearing.

Tory Carpenter, 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 Dillon, that CUP-18-24 (Komal Latin Kitchen + Bar) be approved with the following conditions: 1.) The permit shall be valid for (1) year, provide standards are met; 2.) The permit shall be posted in the same area and manner

as the certificate of occupancy; 3.) The following statement shall be included on all restaurant menus: “Due to the close proximity of a school campus, please be alert for students and drive carefully. This restaurant will accommodate, as necessary, any individual that needs transportation after consuming alcoholic beverages”; and 4.) The restaurant shall operate such that gross revenue from alcohol sales will be less than 25% of total gross revenue for the business, with the restaurant submitting annual reports indicating this condition has been met. 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. CUP-18-25 (Black’s Barbeque) - Hold a public hearing and consider a request by Kent Black on behalf of KBCB Investments LLC, for a renewal of a Conditional Use Permit to allow the sale of mixed beverages for on premise consumption at 510 Hull Street.

Chair Garber opened the Public Hearing.

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

Kent Black (Owner) - 2403 Arpdale St. Austin, TX. He spoke in favor of the item, and was available to answer questions.

Lisa Marie Coppoletta - 1322 Belvin. She spoke in opposition of the item. She says if this business were in a white neighborhood, it never would have been passed. She said it generates a lot of smoke, and sells hard liquor in an area where there are kids and senior citizens.

Chair Gaber closed the Public Hearing.

A motion was made by Commissioner Dillon, seconded by Commissioner McCarty, that CUP-18-25 (Black’s Barbeque) be approved with the following conditions: 1.) The permit shall be valid for (3) years, provided standards are met; 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 Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 1 - Commissioner Baker

8. PC-17-31_04 (Park Court at Willow Creek II, Replat) Hold a public hearing and consider a request by Hermann Vigil, on behalf of Robert W. McDonald, III, for approval of a replat of 2.52 acres, more or less, being Lots 1-10, Park Court at Willow Creek, establishing Lot 1-12, Park Court at Willow Creek II, San Marcos, Texas. (A. Villalobos)

Chair Garber opened the Public Hearing.

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

There were no speakers.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Gleason, seconded by Commissioner McCarty, that PC-17-31 (Park Court at Willow Creek II, Replat) 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

9. ZC-18-10 (Windmill) Hold a public hearing and consider a request by Michael Lackey, on behalf of WDBL Partners, Ltd., for a zoning change from "D" Duplex, to "ND-3.5" Neighborhood Density - 3.5 for approximately .78 acres, more or less, legally known as Windmill Addition, Lot 2, located at 128 Windmill Drive. (W. Parrish)

Vice Chair Gleason opened the Public Hearing.

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

Michael Lackey (Applicant) - 1360 Patterson Rd., Austin, TX - He spoke in favor of the item. He said they will promote walkability, housing options, and they will do what they can to keep them affordable.

Mike Camacho - 109 Windmill Dr. He spoke in favor of the item. He manages properties on Windmill Dr., and said it's a clean and quiet neighborhood, and he hasn't had any complaints in over 20 years.

Larry Mock - 107 Canyon Rd. He spoke in opposition of the item. He doesn't see how the zoning change benefits the neighbors.

Lisa Marie Coppoletta - 1322 Belvin. She spoke in opposition of the item. She has concerns about the ecological area. She also said everytime we allow a new dense development, someone else will come along wanting it too, creating a domino effect.

Vice Chair Gleason closed the Public Hearing.

A motion was made by Commissioner McCarty, seconded by Commissioner

Porterfield, that ZC-18-10 (Windmill) be denied. The motion failed by the following vote:

For: 2 - Commissioner McCarty and Commissioner Porterfield

Against: 6 - Commissioner Baker, Commissioner Dillon, Commissioner Gleason, Commissioner Haverland, Commissioner Ramirez and Commissioner Rand

Recused: 1 - Commissioner Garber

A motion was made by Commissioner Baker, seconded by Commissioner Ramirez, that ZC-18-10 (Windmill) be approved. The motion carried by the following vote:

For: 6 - Commissioner Baker, Commissioner Dillon, Commissioner Gleason, Commissioner Haverland, Commissioner Ramirez and Commissioner Rand

Against: 2 - Commissioner McCarty and Commissioner Porterfield

Recused: 1 - Commissioner Garber

10. ZC-18-13 (128 Spring Road) Hold a public hearing and consider a request by Thomas Rhodes for a zoning change from "FD" Future Development to "CD-3" Character District - 3 for approximately 4.851 acres, more or less, out of the J.M. Veramendi Survey No.2, located at 128 Spring Road, San Marcos, Texas. (A.Villalobos)

Chair Garber opened the Public Hearing.

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

Thomas Rhodes (Applicant), - 415 Guadalupe St., spoke in favor of the item and was available to answer questions.

Ann Dupont - 145 Spring Rd. She spoke in opposition of the item. She said the development would have detrimental environmental impacts, and would ruin the character of the neighborhood.

Jay Horton - 200 Spring Rd. He spoke in opposition of the item. He mentioned concerns about chips from asbestos siding that is on the site that will runoff into the San Marcos river. He also expressed infrastructure concerns with increased traffic in the area.

David Wahrmund - 200 Wren Haven Dr. He spoke in opposition of the item. He said the sorority house has disrupted the neighborhood. He said it's a lane and a half country road, you can't get fire truck through there, and he has concerns of additional traffic the proposed development would bring.

Lisa Marie Coppoletta - 1322 Belvin - She spoke in opposition of the item. She said the asbestos will go into the ground water. She said it looks like the Woods Development

right in the middle of the neighborhood, and it's shameful that they have been exposed to asbestos.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Ramirez, seconded by Commissioner Haverland, that ZC-18-13 (128 Spring Road) be denied.

A motion was made by Commissioner Porterfield, seconded by Commissioner McCarty, that ZC-18-13 (128 Spring Road) be postponed until the August 28, 2018 meeting. The motion carried by the following vote:

For: 6 - Commissioner Dillon, Commissioner Gleason, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 3 - Commissioner Baker, Commissioner Garber and Commissioner Haverland

11. ZC-18-14 (1520 Old Ranch Road 12) Hold a public hearing and consider a request by Michael Wills, on behalf of Richard Gillespie, for a zoning change from "OP" Office Professional to "N-MS" Neighborhood - Main Street for approximately 0.41 acres, more or less, legally known as the High Crest Addition, Lot 1-D, located at 1520 Old Ranch Rd 12, San Marcos, Texas. (A.Villalobos)

Chair Garber opened the Public Hearing.

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

There were no speakers.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Gleason, seconded by Commissioner Ramirez, that ZC-18-14 (1520 Old Ranch Road 12) 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

NON-CONSENT AGENDA

12. Receive an update and provide direction to Staff regarding the following Fall 2018 Preferred Scenario Amendment Application:

(a) PSA-18-04 - A Preferred Scenario Amendment from "Area of Stability - Existing Neighborhood" to "Growth Area - High Intensity" located at 500 W. Hutchison Street. (A. Villalobos)

Andrea Villalobos, Planner, gave an update on the Fall 2018 Preferred Scenario

Amendment (PSA) Application.

The Commission would like to receive PSA documents prior to the September 25 meeting so there is adequate time to review.

The Commission decided that the developer will be given thirty minutes to present at the next meeting.

The Commission would like staff to provide a comparison chart detailing the changes made since the last time the items came before them.

V. Question and Answer Session with Press and Public.

Dr. James Baker mentioned that in regards to the Preferred Scenario Amendment, it is not what we as a community said that area should be. He also expressed concerns that if anything is passed as a PDD, it might be amended later until it becomes anything the developer wants.

VI. Adjournment

The meeting was adjourned at 8:47 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: