



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Draft Planning and Zoning Commission

Tuesday, January 8, 2019

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, January 8, 2019 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 Mike Dillon, Commissioner Jim Garber, Commissioner Mark Gleason, Commissioner Kate McCarty, Commissioner Lee Porterfield, Commissioner Angie Ramirez, and Commissioner Betseygail Rand

Absent 1 - Commissioner Matthew Haverland

III. Chairperson's Opening Remarks

IV. 30 Minute Citizen Comment Period

Mary Beth Harper spoke about Item #4 ZC-18-21(Smart Terminal) on the agenda. She lives between Martindale and San Marcos. She said from what she's read, they are supposed to start building in June, and right now there is no way to access area. She also said that the agreement back in October 2018, the way it was written, was stated as if the property was already in San Marcos City limits, which she expressed concerns about the legality of. She also expressed concerns about flooding and traffic.

John Meeks, 103 W. Laurel Ln., thanked the Commission for denying the rezoning request at the December 11, 2018 meeting and putting the responsibility of the decision on the City Council. He said that now at the request of the City Manager, the decision has come back to them. He told the Commission that they serve as checks and balances, weighing the public good against the request for amendments to our Development Code and regulations. He said they cannot be expected to execute their Oath of Office with the inadequate, inaccurate or insufficient information that was provided by City Staff, and it is not their fault that the vote for this request is in jeopardy. He added that he knows from working in after school programs, that an increasing large percentage of our students live below the poverty line. He said that under the abatement agreement, Katerra is obligated to provide 500 jobs at reasonable compensation. He urged the Commission to approve development, saying that it was the highest and best use for the property.

Sara Lee Underwood Meyers, 1415 Harper Dr., spoke about Item #4 (Smart Terminal) on the agenda. She thanked the Commission for giving leeway to Staff to send her notices when changes come. She said that allowed the neighborhood off Hwy 80 to come and hear the case. She mentioned she went out to the property and talked to a mobile home park community, and neighbors on both sides. She said besides the flooding, transportation issues, and the speed limit on Hwy 80, she would be in favor of the project if those things can get worked out.

Ed Theriot, County Commissioner for Caldwell County Precinct 3, in which this property lies, was available to the Commission for later questions regarding the county's previous actions related to the Smart Terminal project, specifically the 381 Agreement, the Department of Transportation, the EDA Grants, and the roadway projects that are being planned by TxDot and the Capital Area Metropolitan Planning Organization related to Loop 110, improvements to US 80, and improvements to State Hwy 21.

Sandra Martinez, 245 Newberry Trl., spoke about Item #4 (Smart Terminal) on the agenda. She expressed concerns about rezoning over 900 acres to heavy industrial. She said she doesn't want a heavy industrial site that close to her home. She said she doesn't particularly have a problem with the Katerra site, but is concerned about what else could be put there once it's rezoned. She also expressed flooding concerns.

Mike Schroeder, developer on Item #4 (Smart Terminal), was available for questions, and thanked the Commission for their reconsideration of the zoning request.

Anna Juarez, Blanco River Village, spoke against the Katerra development. She said it's too large, and too close to the river. She said they already have traffic concerns in the area, and those should be addressed prior to building something. She added that she is concerned about the salaries that are being offered. She said you cannot raise a family on the \$15 per hour being offered, and that it would do nothing to raise poverty in the schools.

CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of December 11, 2018.
2. PC-18-46 (La Salle Prelim) Consider a request by Joann Eagle on behalf of La Salle Holdings, LTD, to amend the La Salle Preliminary Plat, consisting of approximately 1748 acres, more or less, out of the William Hemphill Survey, Abstract 221, located at the intersection of Yarrington Road and County Road 158. (W. Parrish)

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

Against: 0

Absent: 1 - Commissioner Haverland

NON-CONSENT AGENDA

3. Consider a motion to reconsider the decision of the Planning and Zoning Commission in Case No. ZC-18-21 (Smart Terminal) to recommend denial of a request to zone approximately 934 acres of land out of the William Pettus Survey, Abstract No. 21, located in the City's ETJ near the intersection of State Highway 80 and FM 1984 to "HI" Heavy Industrial district.

A motion was made by Commissioner Garber, seconded by Commissioner Porterfield, that the Commission reconsider the decision to recommend denial on Case No. ZC-18-21 (Smart Terminal). The motion carried by the following vote:

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

Against: 0

Absent: 1 - Commissioner Haverland

PUBLIC HEARINGS

4. ZC-18-21(Smart Terminal) Hold a public hearing and consider a request to amend the City's official zoning map by zoning approximately 934 acres of land, out of the William Pettus Survey, Abstract No. 21, located in the City's ETJ near the intersection of State Highway 80 and FM 1984 to "HI" Heavy Industrial district. (T. Carpenter)

Chair Garber opened the Public Hearing.

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

Greg Schwarz, Senior Engineer, addressed the floodplain and drainage regulations for the site.

Mike Schroeder, developer, gave a presentation on the project.

Dolores Rose Lombardo, 309 Newberry Trl., asked if we see more air traffic coming in, what that means for noise, pollution, transient people and fuel dumping. She also asked with the railyard how much traffic congestion that would bring. She said they live in a quieter area and they value the serenity of the neighborhood.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Garber, seconded by Commissioner McCarty, that ZC-18-21 (Smart Terminal) be approved. The motion carried by the following vote:

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

Against: 1 - Commissioner Baker

Absent: 1 - Commissioner Haverland

5. PC-18-48_04 (Morrison Replat) Hold a public hearing and consider a request by Reece Morrison for approval of a replat of 2.01 acres being Lot 4 of the Morrison Subdivision, establishing Lots 4-A & 4-B, Morrison Subdivision City of San Marcos, Hays County, Texas. (T. Carpenter)

Chair Garber opened the Public Hearing.

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

There were no additional speakers.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Porterfield, seconded by Commissioner Baker, that PC-18-48_04 (Morrison Replat) be approved. The motion carried by the following vote:

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

Against: 0

Absent: 1 - Commissioner Haverland

6. CUP-18-38 (Casa Choi) Hold a public hearing and consider a request by Hannah Lee on behalf of Flemming Hjorting for a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 700 N. LBJ Drive Suite 102 B. (W. Parrish)

Chair Garber opened the Public Hearing.

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

There were no additional speakers.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Baker, seconded by Commissioner

Dillon, that CUP-18-38 (Casa Choi) be approved with the following conditions:

1.) Permit shall be valid for one (1) year, provided standards are met; 2.) The permit shall be effective upon the issuance of a Certificate of Occupancy, and 3.) 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 Dillon, Commissioner Garber, Commissioner Gleason, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 0

Absent: 1 - Commissioner Haverland

7. SNC-18-01 (Hunter Road to West Hopkins) Hold a public hearing and consider a request by the City of San Marcos, in the interest of public safety and to eliminate multiple names along the continuity of a single street, to rename a portion of Hunter Road, located between Wonder World Drive and West San Antonio Street to West Hopkins Street. (W. Parrish)

Chair Garber opened the Public Hearing.

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

Bernie Zurbriggen, 1951 Hunter Rd. (Purgatory Creek Apartments), spoke in opposition of the item. He said your street address is part of your identity. He said if the name change went through, people would have to make the change at various places including the post office, driver's license office, voter's registration, credit card companies, banks and investment companies. Legal documents and medical records are also part of your identity, and he said changing is a considerable undertaking for citizens. He said it has always been known as Hunter Rd., and he has not known of any confusion because of the name.

Beau Zurbriggen, 1951 Hunter Rd. (Purgatory Creek Apartments), spoke in opposition of the item. She said they did not receive notification of the November 15, 2018 meeting until November 16, 2018, so she said she's not surprised it was not well attended.

Laura Duffy, 1951 Hunter Rd. (Purgatory Creek Apartments), spoke in opposition of the item. She said she just updated all of her documents to Hunter Rd. She said if she needs to change it again, her driver's license would cost \$11 to change, and she feels she should be compensated. She is concerned about the timing of the name change because it's almost tax season, and she doesn't want any of her tax documents getting lost in the mail. She said with everyone at the apartment complex updating their documents, some people would fall through the cracks.

Joe Castillo, 1951 Hunter Rd., (Purgatory Creek Apartments), spoke in opposition of the item. He said the name change should have taken place before the apartment complex was built. He said directions will be out of sync with the name change. He said your driver's license, mail, and legal document have your actual address on them. He said he

could understand if they were moving, then it would be up to them to change, but we are talking about changing the name of the street that they have known as Hunter Rd.

Refugia Lucio, 1709 Hunter Rd., spoke in opposition of the item. She said she was born and raised here and it's always been Hunter Rd., and she would like it to stay that way.

Sis Kiel, 1951 Hunter Rd., spoke in opposition of the item. She said some people care for extended family, and in that process, their address is sometimes changed to theirs as they take care of them. She said there have been numerous accidents where an address didn't get changed, and they had to go through months of getting it corrected in the system.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Porterfield, seconded by Commissioner Dillon, that SNC-18-01 ((Hunter Road to West Hopkins) be recommended for denial. The motion carried by the following vote:

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

Against: 0

Absent: 1 - Commissioner Haverland

V. Question and Answer Session with Press and Public.

Refugia Lucio asked the Commission if someone could study the road and look at traffic flow off Hunter Rd. and Wonder World Dr. Staff took note of her comments.

VI. Adjournment

The meeting was adjourned at 8:15 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:

