



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Meeting Minutes - Draft Planning and Zoning Commission

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Tuesday, July 23, 2019

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, July 23, 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 Matthew Haverland, Commissioner Kate McCarty, Commissioner Gabrielle Moore, and Commissioner Travis Kelsey

**Absent** 1 - Commissioner Betseygail Rand

### III. Chairperson's Opening Remarks

### IV. 30 Minute Citizen Comment Period

Rodrigo Amaya, 729 Gravel St., spoke against Item #5 on the agenda, CUP-19-18. He said in the Agreement for Placement of Notification Signs, the applicant is supposed to check the sign to make sure the public is aware of the meeting, and the notification sign was down. He said he has pictures from June 26, 2019 showing the sign down. He said he has not found any consequences for failure to comply with requirements of the agreement.

## CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of June 25, 2019.
2. PC-18-49\_03 (Cottonwood Creek Phase 3 Unit 3) Consider a request by Pape-Dawson Engineers Inc., on behalf of Continental Homes of Texas LP, for a Final Plat of approximately 16.22 acres, more or less, out of the Farnam Frye and Charles Henderson Surveys consisting of 60 residential lots. (T. Carpenter)
3. PC-19-14\_03 (Halcyon) Consider a request by Steve Ramsey, on behalf of Halcyon Concepts, LP, for a Final Plat of approximately 20.246 acres out of the Nathaniel Hubbard Survey, Abstract No. 230, located at the intersection of Hunter Road and West McCarty Lane. (W. Parrish)

4. PC-19-17 (Paso Robles Phase 5A-2) Consider a request by Pape-Dawson Engineers Inc., on behalf of Brookfield Residential, for a Final Plat of approximately 37.494 acres, more or less, out of the John Williams Survey, E. Burleson Survey, and Nathaniel Hubbard Survey consisting of 5 lots. (T. Carpenter)

**A motion was made by Commissioner Gleason, 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 Haverland, Commissioner McCarty, Commissioner Moore and Commissioner Kelsey

**Against:** 0

**Absent:** 1 - Commissioner Rand

## **PUBLIC HEARINGS**

5. CUP-19-18 (Gravel St. Single Family) Hold a public hearing and consider a request by Greg Standard for a Conditional Use Permit for a single-family residence located at 734 Gravel Street (S. Caldwell)

Chair Garber opened the Public Hearing.

Shavon Caldwell, Planner, gave an overview of the request.

(Name inaudible) A man spoke in opposition of the item. He said a family member has property on Gravel St. He said all of the buildings in town are disturbing the natural flow of the water, and once we start altering it, we're asking for problems. He said the Gravel St. area sees quite a bit of water through Purgatory Creek, and that if you alter the channel going through Purgatory Creek, more than one home site will be affected.

Chair Garber closed the Public Hearing.

Discussion ensued.

**A motion was made by Commissioner Moore, seconded by Commissioner Dillon, that CUP-19-18 (Gravel St. Single Family) be approved with the following conditions: 1.) The applicant shall submit an updated site plan at the time of permit. The site plan shall demonstrate all applicable standards of the San Marcos Land Development Code have been satisfied; 2.) The applicant shall submit a third-party engineering and flood modeling analysis for Engineering staff review at the time of permit; and 3.) The applicant shall work with the City to provide the necessary easement required for the**

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**Purgatory Creek channel improvements project. The motion carried by the following vote:**

**For:** 6 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner Moore and Commissioner Kelsey

**Against:** 2 - Commissioner Baker and Commissioner McCarty

**Absent:** 1 - Commissioner Rand

6. CUP-19-19 (JP's San Marcos BBQ) Hold a public hearing and consider a request by Justin Pearson for a renewal of a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 2601 Hunter Road (S.Caldwell)

Chair Garber opened the Public Hearing.

Shavon Caldwell, Planner, gave an overview of the request.

Chair Garber closed the Public Hearing.

Discussion ensued.

**A motion was made by Commissioner Baker, seconded by Commissioner Haverland, that CUP-19-19 (JP's San Marcos BBQ) be approved with the following conditions: 1.) Permit is valid for three (3) years, 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 Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Moore and Commissioner Kelsey

**Against:** 0

**Absent:** 1 - Commissioner Rand

7. CUP-19-20 (Texas Bean & Brew House) Hold a public hearing and consider a request by Texas Bean & Brew House for a Conditional Use Permit to allow the sale and on premise consumption of beer and wine at 1328 North IH 35. (T. Carpenter)

Chair Garber opened the Public Hearing.

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

Chair Garber closed the Public Hearing.

**A motion was made by Commissioner Kelsey, seconded by Commissioner Dillon, that CUP-19-20 (Texas Bean & Brew House) be approved with the following conditions: 1.) Permit shall be valid for one (1) year, provided**

**standards are met, 2.) The permit shall be valid at the time of 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 Haverland, Commissioner McCarty, Commissioner Moore and Commissioner Kelsey

**Against:** 0

**Absent:** 1 - Commissioner Rand

8. CUP-19-21 (One Time Tavern) Hold a public hearing and consider a request by One Time Tavern for a Conditional Use Permit to allow the sale and on premise consumption of mixed beverages at 1700 South IH 35. (T. Carpenter)

Chair Garber opened the Public Hearing.

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

Bill Dufour, representing One Time Tavern, spoke in favor of the item. He said the hours of operation would only be to 1 a.m. on Saturday night, which is what the TABC permit allows. He said Friday's hours of operation would be until 12 a.m.

Chair Garber closed the Public Hearing.

Discussion ensued.

**A motion was made by Commissioner Baker, seconded by Commissioner Dillon, that CUP-19-21 (One Time Tavern) be approved with the following conditions: 1.) Permit shall be valid for one (1) year, provided standards are met; 2.) The applicant shall not apply for a late hours TABC permit; 3.) No speakers or live music shall be allowed outdoors or in other unconditioned areas; 4.) The permit shall be valid at the time of Certificate of Occupancy; and 5.) 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 Haverland, Commissioner McCarty, Commissioner Moore and Commissioner Kelsey

**Against:** 0

**Absent:** 1 - Commissioner Rand

## **NON-CONSENT AGENDA**

9. Presentation and update from Staff regarding *My Historic SMTX*, the City's historic resources survey. (A. Brake)

Alison Brake, Planner, gave an update on the Historic Resources Survey.

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

Diana Baker, 727 Belvin, asked how any recommendations in the Historic Resources Survey would be implemented. Staff advised that any recommendations would have to be placed on a City Council agenda for consideration.

## VI. Adjournment

The meeting was adjourned at 7:14 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 \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_ Title: