



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Draft Planning and Zoning Commission

Tuesday, November 12, 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, November 12, 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 Matthew Haverland, Commissioner Kate McCarty, Commissioner Betseygail Rand, Commissioner Gabrielle Moore, and Commissioner Travis Kelsey

Absent 1 - Commissioner Mark Gleason

III. Chairperson's Opening Remarks

IV. 30 Minute Citizen Comment Period

Lisa Marie Coppoletta, 1322 Belvin, said it's troubling that one email to Saul Gonzales resulted in the bulb-out being ripped out in front of her house. She said the neighbor lied and said they couldn't back out their truck because of it. She said five Heritage Live Oak trees will die as a result of ripping them out. She said she was told the sidewalk couldn't be built from the curb because it would flood her house. She said every person on her block has gotten theirs but her, and she's tired of being harassed.

CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of October 22, 2019.

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

For: 8 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

Against: 0

Absent: 1 - Commissioner Gleason

PUBLIC HEARINGS

2. CUP-19-29 (Wok and Roll) Hold a public hearing and consider a request from Lai Mei Wan for a Conditional Use Permit for a mixed beverage permit for on-premise consumption of alcohol at 812 South Guadalupe St. Suite 101. (W. Parrish)

Chair Garber opened the Public Hearing.

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

Chair Garber closed the Public Hearing.

Discussion ensued.

A motion was made by Commissioner Kelsey, seconded by Commissioner Rand, that CUP-19-29 (Wok and Roll) be approved with the following conditions: 1.) Permit shall be valid for a lifetime, 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 Dillon, Commissioner Garber, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

Against: 0

Absent: 1 - Commissioner Gleason

3. CUP-19-31 (Cheddars) Hold a public hearing and consider a request by Cheddar's Casual Café, Inc. on behalf of TFG San Marcos SC, LP for a Conditional Use Permit for a mixed beverage permit for on-premise consumption of alcohol at 2540 South IH 35. (W. Parrish)

Chair Garber opened the Public Hearing.

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

Courtney Heirhart, 14901 Quorum Dr., Dallas, TX spoke in favor of the item. She is the Site Development Consultant for the project. She said they are excited to be in San Marcos. She mentioned that alcohol sales for the restaurant ranges between 8-9 percent. The restaurant is in 28 states throughout the United States. She said the company has been in business since 1979.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Baker, seconded by Commissioner Dillon, that CUP-19-31 (Cheddars) be approved with the following conditions: 1.) Permit shall be valid for one (1) year, provided standards are met; 2.) The permit shall be posted in the same area and manner as the Certificate of

Occupancy; and 3.) The permit shall be valid upon the issuance of a Certificate of Occupancy. The motion carried by the following vote:

For: 8 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

Against: 0

Absent: 1 - Commissioner Gleason

4. Hold a public hearing and consider a recommendation to the City Council regarding text amendments to the San Marcos Land Development Code to address typographical and technical errors, Historic Preservation Resolutions, and to implement changes related to the 2019 Legislative Session. (S. Caldwell)

Chair Garber opened the Pubic Hearing.

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

Lisa Marie Coppoletta, 1322 Belvin, said why even show up to open houses and workshops for the Code, because none of the suggestions made it in there. She said there's no protection for Heritage Live Oaks or Native American artifacts right now. She said developers are being held to a higher standard than City staff when it comes to sidewalk projects.

Chair Garber closed the Public Hearing.

Discussion ensued.

A motion was made by Commissioner Kelsey, seconded by Commissioner Rand that the main motion be amended so that Items #7 and #25 (Prohibit painting of previously unpainted masonry, include administrative Certificate of Appropriateness for approval of painting buildings in Downtown Historic District) be removed until more information is available. The amendment was withdrawn.

A motion was made by Commissioner Kelsey, seconded by Commissioner Baker, that the main motion be amended so that more information on the effects of paint on brick and stone material is provided before a decision is made on Items #7 and #25 (Prohibit painting of previously unpainted masonry, include administrative Certificate of Appropriateness for approval of painting buildings in Downtown Historic District). The motion carried by the following vote:

For: 8 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

Against: 0

Absent: 1 - Commissioner Gleason

A motion was made by Commissioner Kelsey, seconded by Commissioner Baker, that the main motion be amended removing Item #16 (Allow 3:1 length to width ratio lots (elongated) for use as townhomes or zero lot line lots). The motion carried by the following vote:

For: 6 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Haverland, Commissioner McCarty and Commissioner Kelsey

Against: 2 - Commissioner Rand and Commissioner Moore

Absent: 1 - Commissioner Gleason

A motion was made by Commissioner Moore, seconded by Commissioner Kelsey, that the main motion be amended to include removal of Item C under Section 4.5.2.1 Historic District (Historic paint palettes from all major paint manufacturers are allowed.) The motion carried by the following vote:

For: 8 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

Against: 0

Absent: 1 - Commissioner Gleason

NON-CONSENT AGENDA

- 5.** Discuss and consider approval of the 2020 Planning and Zoning Commission Meeting Date Calendar.

A motion was made by Commissioner Kelsey, seconded by Commissioner Baker, that the 2020 Planning and Zoning Commission Meeting Date Calendar be approved with the removal of July 14, November 24 and December 22, 2020 dates. The motion carried by the following vote:

For: 8 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

Against: 0

Absent: 1 - Commissioner Gleason

V. Question and Answer Session with Press and Public.

There were no questions from the Press or Public.

VI. Adjournment

The meeting was adjourned at 7:39 p.m.

EXECUTIVE SESSION

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:
