



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Draft Planning and Zoning Commission

Tuesday, December 10, 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, December 12, 2020 in the City Council Chamber of the City of San Marcos, City Hall, 630 East Hopkins St., San Marcos, Texas.

II. Roll Call

Commissioner Rand was present for the meeting, but not during Roll Call.

Present 8 - Commissioner Mike Dillon, Commissioner Jim Garber, Commissioner Mark Gleason, Commissioner Matthew Haverland, Commissioner Kate McCarty, Commissioner Betseygail Rand, Commissioner Gabrielle Moore, and William Agnew

Absent 1 - Commissioner Travis Kelsey

III. Chairperson's Opening Remarks

IV. 30 Minute Citizen Comment Period

There were no speakers.

CONSENT AGENDA

1. PC-19-58 (Blanco Vista, Tract K-2A) Consider a request by CSF Civil Group, on behalf of Brookfield Residential, for approval of a Final Plat for approximately 5.687 acres, more or less, out of the William Ward League, Abstract 467, located east of Old Stagecoach Road, north of Royal Oak Boulevard. (A. Brake)

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

For: 7 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Moore and Agnew

Against: 0

Absent: 2 - Commissioner Rand and Commissioner Kelsey

PUBLIC HEARINGS

2. CUP-19-30 (Ginger Sushi) Hold a public hearing and consider a request by Hanzoku LLC for a Conditional Use Permit to allow for the sale of beer and wine for on-premise consumption at 212 North LBJ Drive. (W. Parrish)

Chair Garber opened the Public Hearing.

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

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Haverland, seconded by Commissioner Dillon, that CUP-19-30 (Ginger Sushi) be approved with the following conditions: 1.) Permit is valid for one (1) year, provided standards are met; and 2.) The permit is posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 7 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Moore and Agnew

Against: 0

Absent: 2 - Commissioner Rand and Commissioner Kelsey

3. CUP-19-33 (Cheatham Street Expansion) Hold a public hearing and consider a request by Gemini Bar LLC to expand a Conditional Use Permit to allow for the sale of mixed alcoholic beverages for on-premise consumption at Cheatham Street Warehouse, located at 119 Cheatham Street and 390 South LBJ Drive. (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 Gleason, seconded by Commissioner Dillon, that CUP-19-33 (Cheatham Street Expansion) be approved with Staff recommendations.

A motion was made by Commissioner Gleason, seconded by Commissioner Rand, that the main motion be amended so that: No amplified live music shall be allowed outdoors or in other unconditioned areas except Friday and Saturday from 11 a.m. - 11 p.m. (Condition #4.)

Commissioner Gleason and Commissioner Rand modified the previous amendment so that: The applicant may apply for a special event permit for outdoor amplified live music up to four times per year on Friday and Saturday between 11 am-11 pm. (No changes are needed to Condition #4.) The motion carried by the following vote:

For: 8 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Agnew

Against: 0

Absent: 1 - Commissioner Kelsey

Chair Garber called for a vote on the main motion of CUP-19-33 (Cheatham Street Expansion) 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; 3.) The permit for the expansion shall be valid upon the issuance of a Certificate of Occupancy; 4.) No amplified live music shall be allowed outdoors or in other unconditioned areas; 5.) The use of outdoor speakers shall be limited to between the hours of 11 a.m. and 11 p.m.; 6.) The business shall be responsible for maintaining the sidewalk, gutters, parking lot, and all areas within 100 feet of any exit and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times; and 7.) The applicant may apply for a special event permit for outdoor amplified live music up to four times per year on Friday and Saturday between 11 am-11 p.m. The motion carried by the following vote:

For: 8 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Agnew

Against: 0

Absent: 1 - Commissioner Kelsey

- 4.** CUP-19-32 (Kissing Tree Golf Course) Hold a public hearing and consider a request by Josh Clay with Kissing Tree Golf Club, LLC, on behalf of Brookfield Residential Kissing Tree LLC, for renewal of an existing Conditional Use Permit for the sale of mixed alcoholic beverages for on-premise consumption at 201 Kissing Tree Lane. (A. Villalobos)

Chair Garber opened the Public Hearing.

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

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Gleason, seconded by Commissioner Haverland, that CUP-19-32 (Kissing Tree Golf Course) be approved with the following conditions: 1.) Permit shall be valid for three (3) years, provided standards are met; 2.) The sale of alcohol for on-premise consumption is prohibited outside the limits of the service area boundary as shown on Exhibit A; and 3.) The permit shall be posted in the same area and manner as the Certificate of Occupancy for both the Golf Clubhouse and the Social Building. The motion carried by the following vote:

For: 8 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Agnew

Against: 0

Absent: 1 - Commissioner Kelsey

5. ZC-19-10 (South Old Bastrop Hwy) Hold a public hearing and consider a request by Doucet and Associations, on behalf of SHC Holdings, LLC, for a zoning change from "FD" Future Development to "CD-3" Character District - 3, for approximately 29.4 acres, more or less, out of the Cyrus Wickson Survey, Abstract 474, Hays County, generally located in the 3200 Block of South Old Bastrop Hwy. (A. Villalobos)

Chair Garber opened the Public Hearing.

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

Ed Theriot, 5395 Hwy 183 N., Lockhart, TX, submitted on behalf of the applicant, SHC Holdings, LLC. He said the Character Districts are the recommended zoning based on the Preferred Scenario Map, and the intent for the CD-3 is for a residential single-family development.

Chair Garber closed the Public Hearing.

Discussion ensued.

A motion was made by Commissioner Rand, seconded by Commissioner Haverland, that ZC-19-10 (South Old Bastrop Hwy) be approved. The motion carried by the following vote:

For: 8 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Agnew

Against: 0

Absent: 1 - Commissioner Kelsey

6. ZC-19-11 (Corner of Rattler Road and South Old Bastrop Hwy) Hold a public hearing and consider a request by Doucet and Associates, on behalf of SHC Holdings, LLC, for a zoning change from "FD" Future Development to "CD-5" Character District - 5, for approximately six

acres, more or less, out of the Cyrus Wickson Survey, Abstract 474, Hays County, generally located at the western corner of South Old Bastrop Hwy and Rattler Road. (A. Villalobos)

Chair Garber opened the Public Hearing.

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

Ed Theriot, 5395 Hwy 183 N. Lockhart, TX, said there is a town center type development envisioned for this area, and could possibly contain mixed uses. He was available for questions.

Rosanna Ramirez, 3204 S. Old Bastrop Hwy, received a notice in the mail, and wants to know how it will affect their property.

Angela Pates, 259 Cerro Vista Dr., wonders how changing the zoning will affect the appraisal value of their home, and how it will affect the structures they already have on their land, and who will inform them of changes.

Robert Tijerina, 115 Cerro Vista Dr., said he is trying to understand how the development will impact existing residents in the area. He said he likes the quiet.

Richard Ramirez, 3204 S. Old Bastrop Hwy, inquired whether they would be getting annexed by the City. He asked how the development would impact the residents on the eastside of Rattler Rd.

Mary Alice Gomez, 129 Cerro Vista Dr., asked if they would be within City limits now, and whether they'd stay on septic. She also asked if her property would be separated from the development by a fence or gate, and would like to know that before the project gets started. She added the noise would increase in the area.

Chair Garber closed the Public Hearing.

Discussion ensued.

A motion was made by Commissioner Gleason, seconded by Commissioner Moore, that ZC-19-11 (Corner of Rattler Road and South Old Bastrop Hwy) be approved. The motion carried by the following vote:

For: 7 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Moore and Agnew

Against: 1 - Commissioner Rand

Absent: 1 - Commissioner Kelsey

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 7:29 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: