



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Meeting Minutes - Draft Planning and Zoning Commission

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Tuesday, September 22, 2020

6:00 PM

Virtual Meeting

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**Due to COVID-19, this will be a virtual meeting. To view the meeting please go to <http://www.sanmarcostx.gov/541/PZ-Video-Archives> or watch on Grande channel 16 or Spectrum channel 10.**

### 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 Gleason at 6:02 p.m. on Tuesday, September 22, 2020 via Virtual Meeting due to COVID-19.

### II. Roll Call

**Present** 9 - Commissioner Mike Dillon, Commissioner Matthew Haverland, Commissioner Betseygail Rand, Commissioner Gabrielle Moore, Commissioner Travis Kelsey, Commissioner William Agnew, Commissioner Mark Gleason, Commissioner Kate McCarty, and Commissioner Griffin Spell

### III. Chairperson's Opening Remarks

#### EXECUTIVE SESSION

### IV. 30 Minute Citizen Comment Period

Lisa Marie Coppoletta, 1322 Belvin, said she needs an expert to determine if her Heritage Live Oaks have suffered. She added that the City Council has never done a review of the Complete Streets Programs since its inception in 2013. She said her street looks like a war zone with dust, heavy machinery, busted bulbouts, and her cracked tile and wall because of an overlay and speed bumps, which she said was a personal favor from the City Manager. She also mentioned that her trees were butchered during the winter months.

### CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of August 25, 2020.
2. Consider approval of the minutes of the regular meeting of September 8, 2020.

**A motion was made by Commissioner Kelsey, seconded by Commissioner Haverland, that the Consent Agenda be approved. The motion carried by the**

**following vote:**

**For:** 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

**Against:** 0

**PUBLIC HEARINGS**

3. AC-20-11 (Twin Peaks Restaurant) Hold a public hearing and consider a request by Paul Stevens, on behalf of Alden Short Inc, for an Alternative Compliance Request to not meet maximum site lighting levels of Section 7.5.2.1(b) and light trespass onto adjacent properties of Section 7.5.2.3, for approximately 2.3 acres known as Lot 1C, Quarters Addition, located at 1207 S IH 35. (M. Johnson)

**This item was postponed by the applicant.**

4. CUP-20-13 (Longhorn Daiquiris) Hold a public hearing and consider a request by Andrea Villescaz on behalf of G&S Development LLP, for a Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 1617 Aquarena Springs Drive. (A. Hernandez)
- Chair Gleason opened the Public Hearing.

Amanda Hernandez, Development Services Manager, gave an overview of the request.

Chair Gleason closed the Public Hearing.

Discussion ensued.

Chair Gleason reopened the Public Hearing to allow the applicant the opportunity to speak since they had technical difficulties.

Andrea Villescaz, 1525 Amberwood Loop, Kyle, TX, said Longhorn Daiquiris is in good standing with TABC, with a location in Austin, and they wanted to open a restaurant in San Marcos with a beer and wine license. She said they rented out the restaurant space, and had an incident with the renters where the police was called because of fights in the parking lot. She said they are asking for a beer and wine permit to be able to serve guests in the restaurant and to-go.

Chair Gleason closed the Public Hearing.

Discussion ensued.

**A motion was made by Commissioner Kelsey, seconded by Commissioner Haverland, that CUP-20-13 (Longhorn Daiquiris) be denied. The motion carried by the following vote:**

**For:** 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

**Against:** 0

**A motion was made by Commissioner Gleason, seconded by Commissioner McCarty, that the Public Hearing for CUP-20-13 (Longhorn Daiquiris) be reopened. The motion carried by the following vote:**

**For:** 5 - Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Gleason and Commissioner McCarty

**Against:** 4 - Commissioner Dillon, Commissioner Kelsey, Commissioner Agnew and Commissioner Spell

**A motion was made by Commissioner Agnew, seconded by Commissioner Spell, that CUP-20-13 (Longhorn Daiquiris) be denied. The motion carried by the following vote:**

**For:** 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

**Against:** 0

5. CUP-20-16 (Stellar Coffee Co) Hold a public hearing and consider a request by Keith Myrick, on behalf of Stellar Coffee, for a renewal of an Unrestricted Conditional Use Permit to allow the sale of beer and wine for on premise consumption at 232 N LBJ Dr, Ste 101 (T. Carpenter).

Chair Gleason opened the Public Hearing.

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

Chair Gleason closed the Public Hearing.

**A motion was made by Commissioner Haverland, seconded by Commissioner Kelsey, that CUP-20-16 (Stellar Coffee Co) be approved with the following conditions: 1.) Permit shall be valid for three (3) years, 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:** 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

**Against:** 0

6. ZC-20-12 (Steen Road) Hold a public hearing and consider a request by Mike Siefert, on behalf of LOP/SM Properties LLC for a Zoning Change from Future Development (FD) to Single Family 6 (SF-6), for approximately 14.71 acres out of the J.W. Berry Survey, located near N LBJ Drive and Steen Road. (T. Carpenter)

Chair Gleason opened the Public Hearing.

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

Randall and Diane Osborne, 1 Timbercrest St., submitted written comments that were read aloud. They wrote in opposition of the item, expressing that the Steen Rd. access off N. LBJ Dr. was dangerous. They also expressed flooding concerns.

Steven Aycock submitted written comments that were read aloud. He express concerns for a high density neighborhood, and the impact that would have on traffic. He also runoff concerns into Sink Creek and the San Marcos River.

George Gilbert, 15 Timbercrest St., submitted written comments that were read aloud. He wrote in opposition of the request. He expressed concerns for wildlife in the area, and that changing the density would ruin the beauty of the area. He also expressed concerns for overloading the water and road symptoms, including getting emergency personnel into the area.

Dr. Jane Saunders, 7 Timbercrest St., submitted written comments that were read aloud. She expressed concerns about encroachment, traffic and noise. She also asked about the environmental impact of the creek behind the proposed property.

Mary Ann and Robert Moerke, 110 Oak Ridge Dr., submitted written comments that were read aloud. They expressed several concerns regarding the proposed zoning change. Their first concerns was whether the infrastructure in place could support the proposed development. They expressed concerns that more density to the area might bring, including increased traffic and noise.

Dan Caldwell, 3 Timbercrest St., submitted written comments that were read aloud. He said he needed more information on the project, and has several questions. He asked what will be built, and whether traffic impact, hydrology, and environmental studies had been done. He also asked how the project would affect wildlife in the area, and what the timeline for the project was.

Lee Elliott Stern, Oak Ridge Dr., submitted written comments that were read aloud. He lives adjacent to the proposed property, and expressed aesthetic, environmental and economic concerns related to the project.

Harold Stern, 201 Oak Ridge Dr., spoke in opposition of the proposed zoning change. He said that any additions should be compatible with the current neighborhood, and the proposed zoning is not because the lot sizes are too small, not keeping with the existing

character. He also mentioned concerns for increased traffic. He also said the ecological impact and lack of parkland dedication hasn't been considered for this area.

Diane Eure, 11 Timbercrest, spoke in opposition of the item. She expressed concerns for increased traffic on LBJ, the environment due to runoff, and wildlife displacement. She said the one-way access to the property would be a safety issue, said she questions whether fire trucks would have enough room to turn onto Steen Rd. She said a Traffic Impact Analysis, water study, ecological and an archeological assessment should be completed before the zoning change. She also said the proposed request would be inconsistent with the surrounding neighborhood.

Naomi Medina, 5 Timbercrest, wanted to emphasize that the decisions that are made now shape the decisions that are made in the future. She added that the decision has greater implications than just Timbercrest, Oak Ridge, LBJ and wildlife.

Richard Medina, 5 Timbercrest, spoke in opposition of the item, saying he needs more information. He said that they don't know what the developer has planned for the area, and hasn't seen any plans. He added that makes voting on a zoning change difficult. He said the density would destroy the integrity of the neighborhood. He also said there's a piece of land that's not included in the request, and asked if that could be changed to multi-family zoning.

Mike Siefert, (applicant representative) 2721 Long Lasso Pass, Leander, TX, spoke in favor of the item. He said they develop master-planned communities. He said they have 16-acres at this location, and two of the acres are zoned SF-6, so their goal is to get the remaining 14 acres to match. He added that they looked at adjacent zoning surrounding the proposed property, and they were zoned SF-6. He said they are not requesting any variances to the City's code.

Chair Gleason closed the Public Hearing.

Discussion ensued.

**A motion was made by Commissioner Kelsey, seconded by Commissioner McCarty to postpone ZC-20-12 (Steen Road) until the November 10, 2020 Planning and Zoning Commission meeting.**

**Commissioners Kelsey and McCarty withdrew their motions.**

**A motion was made by Commissioner Kelsey, seconded by Commissioner Haverland, that ZC-20-12 (Steen Road) be recommended for denial. The motion carried by the following vote:**

**For:** 9 - Commissioner Dillon, Commissioner Haverland, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

Against: 0

V. Adjournment

The meeting was adjourned at 7:30 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:  
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