



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Meeting Minutes Planning and Zoning Commission

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Tuesday, September 23, 2014

6:00 PM

City Council Chambers

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630 E. Hopkins

### 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 Wood at 6:00 p.m on Tuesday, September 23, 2014 in the Council Chambers of the City of San Marcos, City Hall, 630 E. Hopkins, San Marcos, Texas 78666**

### II. Roll Call

- Present** 7 - Commissioner Corey Carothers, Commissioner Jane Hughson, Commissioner Brian Olson, Commissioner Angie Ramirez, Commissioner Curtis Seebeck, Commissioner Amy Stanfield, and Commissioner Chris Wood
- Absent** 2 - Commissioner Kenneth Ehlers, and Commissioner Travis Kelsey

### III. Chairperson's Opening Remarks

**Chair Wood announced that staff has requested Item 3 of the Consent Agenda be pulled from the agenda. He also advised that Item 4 of the Consent Agenda will be pulled from consent to allow staff to make a presentation.**

### IV. 30 Minute Citizen Comment Period

*Camille Phillips spoke in opposition to agenda item 12. She stated that the area floods already and more impervious cover will make things worse. She added that Capes Camp will also influence flooding. Ms. Phillips added that the neighborhood is an established neighborhood and deserves to be protected. She pointed out that additional apartments will stress the neighborhood. Ms. Phillips said that there is already high traffic and will increase with additional projects. She asked the Commission to vote against the request.*

### CONSENT AGENDA

**Item 3 pulled from the agenda. Item 4 pulled from the consent agenda to allow staff to make a presentation.**

1. Consider approval of the minutes of the Regular Meeting on August 26, 2014.
2. Consider approval of the minutes of the Regular Meeting on September 9, 2014.
3. PC-13-37\_03 (Vista De Los Santos - Phase 1) Consider a request by HMT Engineering and Surveying for approval of a Final Plat and associated Subdivision Improvement Agreement for approximately 24.75 acres, more or less, out of the John Williams Survey, Abstract No. 2, located near Craddock Avenue and Valencia Way.
4. PC-14-17\_03 (Uniprop) Consider a request by Cuatro Consultants on behalf of RSSO, LLC

for a Final Plat and the associated Subdivision Improvement Agreement, consisting of 40 acres out of the J.M Veramendi League number 1, establishing Lots 1, 2, and 3 of the Uniprop Subdivision.

- 5. PC-14-24\_02 (Blanco Vista Tract E Phase 1) Consider a request by CSF Civil Group, LLC, on behalf of Brookfield Residential, to approve a preliminary plat for Blanco Vista Tract E, Phase 1.

**A motion was made by Commissioner Seebeck, seconded by Commissioner Carothers, that Consent Agenda Items 1, 2 and 5 of the consent agenda be approved. The motion carried by the following vote:**

**For:** 7 - Commissioner Carothers, Commissioner Hughson, Commissioner Olson, Commissioner Ramirez, Commissioner Seebeck, Commissioner Stanfield and Commissioner Wood

**Against:** 0

**Absent:** 2 - Commissioner Ehlers and Commissioner Kelsey

PC-14-17\_03 (Uniprop) Consider a request by Cuatro Consultants on behalf of RSSO, LLC for a Final Plat and the associated Subdivision Improvement Agreement, consisting of 40 acres out of the J.M Veramendi League number 1, establishing Lots 1, 2, and 3 of the Uniprop Subdivision.

*Chair Wood opened the public hearing.*

*Will Parrish, Planning Technician gave an overview of the request.*

*There were no citizen comments and the public hearing was closed.*

**A motion was made by Commissioner Stanfield, seconded by Commissioner Ramirez, that Item 4, PC-14-17\_03 (Uniprop) be approved with the plat note changes and additions that Notes 3 and 4 be combined into one note reading: Sidewalks will be constructed at the time of development; Note 9- The east one half of Leah Avenue is being constructed with this plat, said road will be constructed within the 30' dedication of Right of Way for Leah Avenue; Note 10- No driveway constructed on any lot within this subdivision shall be permitted access onto a public roadway unless (1) a permit for use of the County roadway Right of Way has been issued under chapter 751; and (2) the driveway satisfied the minimum spacing requirements for driveways set forth in chapter 721; Note 11- Total number of Lots: 3, average lot size: 12.68 acres including 2 lots 10 acres or larger, and 1 lot larger than 5.0 acres and smaller than 10 acres. The motion carried by the following vote:**

**For:** 7 - Commissioner Carothers, Commissioner Hughson, Commissioner Olson, Commissioner Ramirez, Commissioner Seebeck, Commissioner Stanfield and Commissioner Wood

**Against:** 0

**Absent:** 2 - Commissioner Ehlers and Commissioner Kelsey

**PUBLIC HEARINGS**

- 6. CUP-14-30 (Shisha Zone Moroccan Hookah Lounge) Hold a public hearing and consider a request by Mohamed Anani, on behalf of Hjortin Family Trust, for a conditional use permit to allow for a smoking lounge at 700 N LBJ Dr.

*Chair Wood opened the public hearing.*

*Tory Carpenter, Staff Planner gave an overview of the project.*

*There were no citizen comments and the public hearing was closed.*

**A motion was made by Commissioner Seebeck, seconded by Commissioner Olson, that CUP-14-30 (Shisha Zone Moroccan Hookah Lounge) be approved. The motion carried by the following vote:**

**For:** 4 - Commissioner Olson, Commissioner Ramirez, Commissioner Seebeck and Commissioner Wood

**Against:** 3 - Commissioner Carothers, Commissioner Hughson and Commissioner Stanfield

**Absent:** 2 - Commissioner Ehlers and Commissioner Kelsey

8. CUP-14-32 (Alcove Self Storage) Hold a public hearing and consider a request by Tyler Grooms, on behalf of 90 San Marcos LTD & DFRM Investments for a Conditional Use Permit to allow for a self-storage business located at 1615 N IH-35.

*Chair Wood opened the public hearing.*

*Will Parrish, Staff Planning Technician gave an overview of the project.*

*Tyler Grooms stated that he lives in Austin and feels that they have exceeded the minimum requirements for the proposed use. He pointed out that they will use Light Commercial on most of the back half of the building. Mr. Grooms stated that they are the lowest producers of traffic for commercial uses. He feels it is a good looking product and good appeal for the property. Mr. Grooms stated he and his architect were available to answer questions.*

*Felix DeLeon, 707 Uhland Road which is next door to the proposed use stated that his concern is that his property is located on the bottom of a slope and when heavy rains occur his property will flood. He asked if a retaining wall and a drainage system will be installed on the proposed property.*

*There were no additional comments and the public hearing was closed.*

**A motion was made by Commissioner Ramirez, seconded by Commissioner Hughson, that CUP-14-32 be approved.**

**Commissioner Ramirez moved to amend the motion to include that CUP-14-32 be approved with conditions that all buildings shall be setback at a minimum of 35 feet from any lot which has a residential use other than multifamily and the applicant shall comply with applicable screening requirements and the proposed additional landscape (trees behind the fence to create a visual screen) screening, and buffer requirements as noted in Sections 6.1.2.1 and 6.1.2.4 (3) of the Land Development Code. Commissioner Hughson seconded the motion. The motion carried by the following vote:**

**For:** 7 - Commissioner Carothers, Commissioner Hughson, Commissioner Olson, Commissioner Ramirez, Commissioner Seebeck, Commissioner Stanfield and Commissioner Wood

**Against:** 0

**Absent:** 2 - Commissioner Ehlers and Commissioner Kelsey

**Chair Wood called for a vote on the main motion that CUP-14-32 be approved with conditions that all buildings shall be setback at a minimum of 35 feet from any lot which has a residential use other than multifamily and the applicant shall comply with applicable screening**

requirements and the proposed additional landscape (trees behind the fence to create a visual screen) screening, and buffer requirements as noted in Sections 6.1.2.1 and 6.1.2.4 (3) of the Land Development Code. The motion carried by the following vote:

**For:** 7 - Commissioner Carothers, Commissioner Hughson, Commissioner Olson, Commissioner Ramirez, Commissioner Seebeck, Commissioner Stanfield and Commissioner Wood

**Against:** 0

**Absent:** 2 - Commissioner Ehlers and Commissioner Kelsey

- 7. CUP-14-31 (Alcove Self Storage) Hold a public hearing and consider a request by Tyler Grooms, on behalf of 90 San Marcos LTD & DFRM Investments for a Conditional Use Permit to allow for a structure with sheet metal siding to be located at 1615 N IH 35.

*Chair Wood opened the public hearing.*

*Will Parrish, Staff Planning Technician gave an overview of the project.*

*There were no public comments and the public hearing was closed.*

**A motion was made by Commissioner Olson, seconded by Commissioner Stanfield, that CUP-14-31 be approved. The motion carried by the following vote:**

**For:** 7 - Commissioner Carothers, Commissioner Hughson, Commissioner Olson, Commissioner Ramirez, Commissioner Seebeck, Commissioner Stanfield and Commissioner Wood

**Against:** 0

**Absent:** 2 - Commissioner Ehlers and Commissioner Kelsey

- 9. PSA-14-04 (Trace) Hold a public hearing and consider a request by High Pointe Communities for a Preferred Scenario Amendment to change an Area of Stability to a Medium Intensity Zone on an approximately 158.4 acre tract along the east side of IH 35, north of Posey Road, out of the William H. Van Horn Survey, or alternatively, designate a portion of the area appropriate as an Employment Center along IH 35.

*Chair Wood opened the public hearing.*

*Amanda Hernandez, Senior Planner noted that a typo was made on the agenda and should read south not north of Posey Road.*

*Chris Crawford, President of RVI, Planning, Landscape, Architecture 712 Congress Avenue, Suite 300, Austin Tx. and Caren Williams gave a presentation of the Preferred Scenario Amendment. There were no additional comments and the public hearing was closed.*

**A motion was made by Commissioner Stanfield, seconded by Commissioner Hughson, that PSA-14-04 be postponed to the October 28th Planning Commission Meeting. The motion failed by the following vote:**

**For:** 1 - Commissioner Hughson

**Against:** 6 - Commissioner Carothers, Commissioner Olson, Commissioner Ramirez, Commissioner Seebeck, Commissioner Stanfield and Commissioner Wood

**Absent:** 2 - Commissioner Ehlers and Commissioner Kelsey

**A motion was made by Commissioner Stanfield, seconded by Commissioner Olson, that PSA-14-04 be denied with the recommendation for the Hybrid option presented by the applicant. The motion carried by the following vote:**

**For:** 4 - Commissioner Carothers, Commissioner Olson, Commissioner Stanfield and Commissioner Wood

**Against:** 3 - Commissioner Hughson, Commissioner Ramirez and Commissioner Seebeck

**Absent:** 2 - Commissioner Ehlers and Commissioner Kelsey

10. PSA-14-05 (Hillert) Hold a public hearing and consider a request by Moeller and Associates for a Preferred Scenario Amendment to change an Area of Stability to a Medium Intensity Zone for an approximately 563.8 acre tract located along Staples Road, east of Old Bastrop Highway out of the William A. Matthews Survey, the William Burnet Survey and the B&G Fulcher League in Hays and Guadalupe Counties.

*Chair Wood opened the public hearing.*

*David Earl, 6 West Oaks Court, San Antonio, Tx representing the applicant gave a presentation of the project.*

*Amanda Hernandez, Senior Planner gave an overview of the project.*

*Todd Burek, 22711 Castle Peek, San Antonio ceded his time to David Earl.*

*David Earl stated that the Commission was given inaccurate information that the property is not within the CCN of the City of San Marcos. Mr. Earl referred to the Hillert Tract annexation in 2008. He pointed out that the property is located within the City of San Marcos Sewer CCN area and is entitled to service.*

*There were no additional comments and the public hearing was closed.*

**A motion was made by Commissioner Ramirez, seconded by Commissioner Carothers, that PSA-14-05 be denied. The motion carried by the following vote:**

**For:** 6 - Commissioner Carothers, Commissioner Hughson, Commissioner Ramirez, Commissioner Seebeck, Commissioner Stanfield and Commissioner Wood

**Against:** 1 - Commissioner Olson

**Absent:** 2 - Commissioner Ehlers and Commissioner Kelsey

11. PSA-14-07 (Las Colinas) Hold a public hearing and consider a request by Flying TZ, LP for a Preferred Scenario Map Amendment to change an Area of Stability to a Medium Intensity Zone for approximately 92.00 acres located between South IH 35 and Old Bastrop Highway South of Posey Road out of the Samuel Craft Sr. Survey, or alternatively, designate a portion of the area appropriate as an Employment Center along IH 35.

*Chair Wood opened the public hearing.*

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

*Reagan Dickerson, said he has been in San Marcos since 1961 and has lived on property since 1980. He feels that his request is consistent with the surrounding area in which the commercial area is directly across from the highway. Mr. Dickerson gave an description of the surrounding businesses. He explained that he has shown the plans to city staff since January 2013 and was not aware of any inconsistencies. Mr. Dickerson advised that Baker-Aicklen has not had time to review staff*

recommendations. He pointed out that the issue is that he has the property pre sold and requires a medium intensity in the center of the property. Mr. Dickerson was not concerned about front of the property being an employment center. He added that he does not want single family on IH 35. The property will have multi family residential and will consist of tenants that are 55 years or older. The front of the property will consist of a hospitality venue. He said it is important that he attain a medium intensity zone. Mr. Dickerson added that he will not develop anything that would reflect poorly on San Marcos.

There were no additional comments and the public hearing was closed.

**A motion was made by Commissioner Seebeck, seconded by Commissioner Stanfield, that PSA-14-07 be approved. The motion carried by the following vote:**

**For:** 5 - Commissioner Carothers, Commissioner Olson, Commissioner Seebeck, Commissioner Stanfield and Commissioner Wood

**Against:** 2 - Commissioner Hughson and Commissioner Ramirez

**Absent:** 2 - Commissioner Ehlers and Commissioner Kelsey

12. PSA-14-08 (Thornton) Hold a public hearing and consider a request by ETR Development Consulting for a Preferred Scenario Amendment to change an Area of Stability to a High Intensity Zone for an approximately 6 acre tract located at the intersection of IH 35 and Luciano Flores Boulevard out of the JM Veramendi Survey No. 1.

Chair Wood opened the public hearing.

Ed Theriot, ETR Development Consulting, 5395 Hwy, 183 N., Lockhart gave an presentation of the project.

Amanda Hernandez, Staff Senior Planner gave an overview of the project.

Diane Wassenich, San Marcos River Foundation said it may be pointless for her to speak because on the other side of the river the apartments are already being built with 10' wide tunnels under the buildings to carry flood waters. She pointed out that the property is important floodplain land which includes Willow Creek. Ms. Wassenich felt it was her responsibility to remind the Commission that the areas are not appropriate for development and need to be natural areas that absorb flood waters. There were no additional comments and the public hearing was closed.

**A motion was made by Commissioner Carothers, seconded by Commissioner Olson, that PSA-4-08 be approved. The motion carried by the following vote:**

**For:** 5 - Commissioner Carothers, Commissioner Olson, Commissioner Seebeck, Commissioner Stanfield and Commissioner Wood

**Against:** 2 - Commissioner Hughson and Commissioner Ramirez

**Absent:** 2 - Commissioner Ehlers and Commissioner Kelsey

## NON-CONSENT AGENDA

13. Development Services Report:
- Code SMTX Update
  - Planning & Zoning Commission meeting dates
  - Staff update

Abby Gillfillan gave an update on the Code SMTX Rodeo Events. Kristy Stark advised the Commission

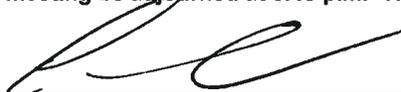
that there will be one P&Z meeting in October and one meeting in November. John Foreman announced that he has resigned.

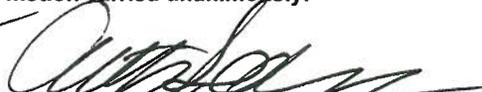
V. Question and Answer Session with Press and Public.

There were no questions from the press and public.

VI. Adjournment

A motion was made by Commissioner Seebeck, seconded by Commissioner Hughson, that the meeting be adjourned at 8:45 p.m. The motion carried unanimously.

  
Chris Wood, Chair

  
Curtis Seebeck, Commissioner

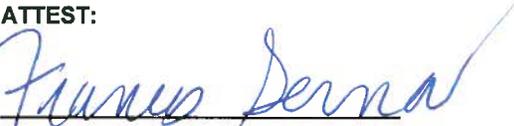
  
Corey Carothers, Commissioner

  
Angie Ramirez, Commissioner

  
Jane Hughson, Commissioner

  
Amy Stanfield, Commissioner

  
Brian Olson, Commissioner

ATTEST:  
  
Francis Serna, Recording Secretary

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: