



Meeting Minutes
Planning and Zoning Commission

Tuesday, March 22, 2016

6:00 PM

City Council Chambers

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 Garber at 6:00 p.m. on Tuesday, March 22, 2016 in the City Council Chambers of the City of San Marcos, City Hall 630 E. Hopkins, San Marcos, Texas.

II. Roll Call

Present 9 - Commissioner Jim Garber, Commissioner Travis Kelsey, Commissioner Shawn Dupont, Commissioner Saul Gonzales, Commissioner Kate McCarty, Commissioner Douglas Beckett, Commissioner Betseygail Rand, Commissioner Lee Porterfield, and Commissioner Angie Ramirez

III. Chairperson's Opening Remarks

Chair Garber advised the Commission that the applicant of Item #4 PDD-15-02 (Lindsey Hill Mixed Use) has requested that the item be postponed to the April 12, 2016 Planning Commission Meeting.

IV. 30 Minute Citizen Comment Period

Dianne Phalen, resident of San Marcos for 30 years who resides at 721 Burleson for 15 years is opposed to Lindsey Hill project as presented. She said she was primarily against the project due to increase in traffic in the neighborhood. She added that the developers tried to address the concerns of the people but at last night's meeting they said more people will be taking Moore Street but feels that they will take shortcuts through the neighborhood. Ms. Phalen added that she is also concerned about a 300 occupant hotel and apartment building and what it will do to the neighborhood. She feels it will set a bad precedent for other developers. Ms. Phalen said she would like to see condominium or high end apartments instead of the proposed development.

Christine Brown said she is from Southern California. She explained that she chose San Marcos because of its small human scale and beauty and history. She said she has never lived in a place like San Marcos and expressed her excitement. Ms. Brown stated she knows that the city is growing and development has to happen but hopes that the proposed development helps the city retain its human scale and historical feel and look. She provided pre and post development photos of Huntington Beach and gave a brief overview. She explained that the development in the photo is similar to

Lindsey Hill. She asked the Commission if that is what they want contemporary development surrounded by a historic district. Ms. Brown hopes that the Commission will ask the developers to scale back and down and build something that integrates into the community.

Amy Meeks, Belvin Street, said she is not opposed to the project. She understands that development will happen on the Lamar property but has concerns with proposed development. Ms. Meeks said she is concerned about the density and how many things are going to be happening on the land because the property has always been used for educational purposes. She is wondering if it will make a positive or negative impact at that location. Ms. Meeks feels that the best scenario for her is that they stay in conversation with the developers. She added that she has found them to be willing to meet and explain their request. She is glad they pulled the agenda item and are willing to speak to neighbors. She said she hopes that they will consider some compromise with people in the Historic District. Ms. Meeks mentioned that it has been suggested that perhaps there are restrictions on the land and that the restrictions may continue. She hopes she will come to the next Planning Commission meeting with the developers and be able to support the development.

Tina Simek lives in the Lindsey Rogers Neighborhood one block away from the Lindsey Hill Development. She said she is worried about the traffic that will come through their neighborhood. She would like to see the entrance and exit moved off Burluson and on to Hutchison Street which currently has a traffic light and feels it could support the traffic. Ms. Simek is also concerned with the SmartCode parking not being adequate which means the neighborhood will be full of overflow parking from the University. She said that the proposed traffic light on Moore and Burluson is going to be a nightmare. Ms. Simek stated that she does not like the hotel, retail and the thought of all the people going through the neighborhood. She hopes they can keep that type of progress on the other side of Moore Street.

Camille Phillips said she appreciates the fact that the Lindsey Hill project was withdrawn from the agenda. She said that we need a lot of time to figure out what is really going on and digest all the issues.

Carina B. Pinales, 612 W. Hopkins and citizen of San Marcos for 27 years said this development is an opportunity for San Marcos to showcase a pilot option with community engagement with the developer. She said that the developers seem to be open minded and have a vision of a community oriented project. Ms. Pinales pointed out that the developer has been working on the project for 14 months and there were some citizens that heard about it at the joint meeting for the first time. She saw that people were not brought to the conversation that should have been. Ms. Pinales stated a Pilot Program for a vetting process that can be formed to work with the developers. She felt that their was a great voice presence at the meeting and the developers listening so that they can work together. Ms. Pinales feels they can set a standard for future developers to work with the community in a process and make sure all voices are heard.

Kama Davis said she has lived in San Marcos for 42 years and thanked the developers for an open dialogue. She added that she wished they would have been brought into the discussion a lot sooner. Ms. Davis spoke on behalf of her parents, Rev. Carl Brown and Dr. Karen Brown and sister who have owned a home on Hopkins Street for 38 years. She pointed out that they already have a lot of traffic problems. She stressed that the community was built with infrastructure and roads that are meant for small neighborhood use. She pointed out that they are not meant for Industrial Use. Ms. Davis added that Lindsey Hill will bring in hundreds of people as proposed and will use the infrastructure. She mentioned that it will add tax dollars and that the citizens will be paying for changes to the infrastructure to support the hotel, apartments and boutique shops. She said a solution is that developers pay an impact fee before construction begins. She feels that the multi use project is too much, she suggested getting rid of the hotel and add more apartment. Ms. Davis added that the Lindsey Hill Project is going to decrease neighborhood property values. She pointed out that the hotel will bring in new traffic and the Historic District will be glutted with traffic.

Matt Akins, 704 W. Hopkins read a letter he submitted to the Commission. Mr. Akins stated he is in full support of the Lindsey Hill Project.

Danny P. Putegnat resident at 546 Lindsey provided written comments. He asked the Commission to refrain from approving the currently proposed development.

James Baker of 727 Belvin said he appreciates the fact that the area is being developed. He pointed out that the Historic District is not a tourist destination it is a neighborhood. He said they would like to keep it as a neighborhood. Mr. Baker said in his opinion the hotel is going to be a big problem. They are not there to bring people from IH 35 to look at the Historic District. Mr. Baker pointed out that this is an area of stability and when they looked at the Denver model, some areas are area of stability and some areas are successful thriving neighborhoods. He also felt that there are too many things going on for their neighborhood. He said bars are going to be in the area and a precedent will be set. Mr. Baker reiterated that they want to keep their neighborhood a neighborhood. He said he would like to see instead of a hotel, townhouse, condominium or apartments. He said they want neighbors, people that will live in the neighborhood. They do not want transient people and commercial development in their neighborhood. He pointed out that his home has been here since before the University and hope that it will be there for many years after him.

Diane Wassenich said she will come to the Planning Commission meetings over the next few meetings. She told the Commission she will send them maps via email. Ms. Wassenich said she wants to explain her point that we have a clear river. She said other areas do not. She explained that we have a clear river because we have a vast swath of undeveloped land that our river flows from. She said the water is clear because it has vegetation on, not developed or paved. Ms. Wassenich gave a brief overview of a topographical map indicating the flow of water into Spring Lake.

Leanne Smith, 719 Belvin Street, and has lived there since 1992. She said she has

done alot of improvements on the property and has seen so much come and go in the neighborhood. Ms. Smith stated she is appreciative to developers who seem to be very sensitive to their desires and want to collaborate. She said she agrees with many of her neighbors that the hotel is too much. She mentioned that she is worried about people that don't care about her neighborhood. Ms. Smith said she likes the idea of apartments and as a University Professor feels it would be ideal for young professionals. She added that just because it's possible doesn't mean it's desirable.

Cathy Dillon has a business at 321 W. Hopkins and resident at 1000 Burleson deferred her time to David Hale.

David Hale, spoke regarding the Lindsey Hill topic. He said that the Commission probably realized that hey have something very special here. He stated there are not many cities in the state of Texas that have this type of expansive Historic Districts. He said that what they are seeing now in the 21st Century that cities that are seeing the revitalization are the cities that have saved their heritage. He told the Commission that they have a challenge to decide what do they want the future to look like. Mr. Hale continued that the time is now to set a precedent for the future. He spoke in support of saving the Historic District.

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting on March 8, 2016.

A motion was made by Commissioner Ramirez, seconded by Commissioner Kelsey, that the consent agenda abe approved. The motion carried by the following vote:

For: 9 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Rand, Commissioner Porterfield and Commissioner Ramirez

Against: 0

PUBLIC HEARINGS

2. CUP-16-07 (Root Cellar Bakery) Hold a public hearing and consider a request by Kyle B. Mylius, on behalf of Root Cellar Bakery, for a new Restricted Conditional Use Permit to allow the sale of beer and wine for on-premise consumption at 142 North LBJ Drive. (A.Villalobos)

Chair Garber opened the public hearing.

Andrea Villalobos, Planning Tech gave an overview of the request.

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

A motion was made by Commissioner Kelsey, seconded by Commissioner

Gonzales, that CUP-16-07 (Root Cellar Cafe) be approved with the conditions that the permit shall be valid for one (1) year, provided standards are met, subject to the point system; and 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 Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Rand, Commissioner Porterfield and Commissioner Ramirez

Against: 0

3. CUP-16-08 (Provision Spirit Distillery) Hold a public hearing and consider a request by Tracy Borrel, on behalf of Provision Spirit Distillery, for a new Conditional Use Permit to allow the sale of mixed beverages for on-premise consumption at 110 East MLK Drive, Ste. 100. (A.Villalobos)

Chair Garber opened the public hearing.

Andrea Villalobos, Planning Tech gave an overview of the request.

Marsha Millam, 1506 W. 13th Street, Austin, owner and operator of the business introduced herself and stated she is in support of the request. She said she is looking forward to being in San Marcos.

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

A motion was made by Commissioner Kelsey, seconded by Commissioner McCarty, that CUP-16-08 (Provision Spirit Distillery) be approved with the conditions that the permit shall be valid for one (1) year, provided standards are met, subject to the point system, the permit shall be effective upon the issuance of the Certificate of Occupancy. The motion carried by the following vote:

For: 9 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Rand, Commissioner Porterfield and Commissioner Ramirez

Against: 0

4. **PDD-15-02 (Lindsey Hill Mixed Use)** Hold a public hearing and consider a request by Guadalupe Re, LLC., for a zone change from "P" Public District to "PDD," Planned Development District with a base zoning of "MU" Mixed-Use, on Block 4, Lindsey and Harvey Addition (4.83 +/- acres). The property is generally located at the northwest corner of W. Hutchison Street and Moore Street. (B. Melland)

A motion was made by Commissioner Dupont, seconded by Commissioner Kelsey, that PDD-15-02 (Lindsey Hill Mixed Use) be postponed to the April 12, 2016 Planning and Zoning Commission meeting. The motion carried by the following vote:

For: 9 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Rand, Commissioner Porterfield and Commissioner Ramirez

Against: 0

5. LDC-16-01 Hold a public hearing and consider revisions to Subpart B of the City's Code of Ordinances (Land Development Code) updating Chapters 2, 4, 6, and 8 to clarify which standards apply to the Extraterritorial Jurisdiction, add Senior Housing as a land use, and amend zoning categories which permit Hospitals. (T. Carpenter)

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

Chair Garber opened the public hearing.

There were no comments and the public hearing was closed.

A motion was made by Commissioner Ramirez, seconded by Commissioner Dupont that LDC-16-01 be approved as stated.

A motion was made by Commissioner Kelsey, seconded by Commissioner McCarty, that LDC-16-01 be amended to change the definition from 12 to 14 units per acre. The motion carried by the following vote:

For: 9 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Rand, Commissioner Porterfield and Commissioner Ramirez

Against: 0

Chair Garber called for a vote on the motion to approve LDC-16-01 with the amendment that the definition be changed from 12 to 14 units per acre. The motion carried by the following vote:

For: 9 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Rand, Commissioner Porterfield and Commissioner Ramirez

Against: 0

6. Presentation of the 3-year Capital Improvements Program.

Laurie Moyer, Director of Engineering/CIP gave an overview of the 3-year Capital Improvements Project List. She advised the Commission that a public

hearing, additional discussion on the 3 year and a review of the remaining 7 years will be held on the April 12th Planning Commission Meeting. In addition, a second public hearing will be held on the April 26th Planning Commission Meeting as well as discussion and action on recommendations to City Council.

NON-CONSENT AGENDA

7.

Development Services Report:

1. National APA Conference (April 2-5, Phoenix)
2. UT Land Use Conference (April 27-29, Austin)

Shannon Mattingly informed the Commission about the upcoming conferences. She stated that if anyone was interested in attending a conference to contact Planning staff.

V. Question and Answer Session with Press and Public.

There were no citizen comments.

VI. Adjournment

A motion was made that the meeting be adjourned at 7:55 p.m. The motion carried by a unanimous vote.

Jim Garber, Commission Chair

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:
