



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes Planning and Zoning Commission

Tuesday, September 13, 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, September 13, 2016 in the City Council Chambers of the City of San Marcos, City Hall, 630 E. Hopkins, San Marcos, Texas.

II. Roll Call

Present 8 - Commissioner Jim Garber, Commissioner Travis Kelsey, Commissioner Shawn Dupont, Commissioner Saul Gonzales, Commissioner Kate McCarty, Commissioner Douglas Beckett, Commissioner Betseygail Rand, and Commissioner Lee Porterfield

Absent 1 - Commissioner Angie Ramirez

III. Chairperson's Opening Remarks

IV. 30 Minute Citizen Comment Period

Lisa Marie Coppoletta, 1322 Belvin, spoke regarding the Preferred Scenario Map-Envision San Marcos and the importance of sticking to the plan for San Marcos. She said that we are at the end of completing the Code Rodeo and prior to that was the Master Plan which was created approximately twenty years ago. She explained that the Master Plan is a blue print on how the City should grow. Ms. Coppoletta said she would like the Commission to consider that the city government is required to follow the Preferred Scenario Map and the Intensity Matrix which guides the different types of growth in the city. She pointed out that that Areas of Stability are established as residential areas where growth should not be channelled. She added that the Area of Stability and the Intensity Areas should not mix. Ms. Coppoletta stated that the most important concept of the Vision San Marcos Comprehensive Plan and the Preferred Scenario Map is that the plan is adopted by Ordinance and is City Law. She said if the City does not follow the Master Plan the citizens have an argument for legal recourse. She encouraged the Commission to give incentives to builders to use eco materials and incentives for best practices.

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting on August 23, 2016.

- 2. PC-16-20_01 (Las Colinas Concept Plat) Consider a request by ETR Development Consulting, LLC, on behalf of Las Colinas San Marcos, Phase 1, LLC, for approval of a Concept Plat for approximately 91.94 acres, more or less out of the Samuel Craft Sr Survey, generally located east of IH-35 and West of Old Bastrop Road, approximately one mile south of Posey Road. (B. Melland)

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

For: 8 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Rand and Commissioner Porterfield

Against: 0

Absent: 1 - Commissioner Ramirez

PUBLIC HEARINGS

- 3. CUP-16-09 (Kiva Patio) Hold a public hearing and consider a request by R&B South Sisters LLC, on behalf of Global Rock Investments LLC, for an expansion of an existing Restricted Restaurant CUP for mixed beverages within a patio proposed to be constructed in the existing parking lot at 202 North LBJ Drive, Suite A. (W. Parrish)

Chair Garber opened the public hearing.

Will Parrish, Planning Tech gave an overview of the request.

Henry Henderson said he has lived in San Marcos since 2001 and went to Texas State. Mr. Henderson said they want to increase the art and music culture in San Marcos. He pointed out that Miles, his partner started the their business, Kiva in January 2016. He feels that the patio will be an asset to the business and beautify the area.

Lisa Marie Coppoletta congratulated the gentleman. She said this is the type of alumni that we need in our community. She pointed out that the alley was a mess and was cleaned up by TCEQ. Ms. Coppoletta pointed out that this is an exemplary model of a business. Ms. Coppoletta said she supports business model and a wonderful example of revitalization of the downtown area.

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

A motion was made by Commissioner McCarty, seconded by Commissioner Dupont, that CUP-16-09 (Kiva Patio) be approved with the conditions that the CUP shall be valid for one (1) year, provided standards are met, subject to the point system, no outdoor live or amplified music will be allowed within the patio area, the permit shall be effective upon the issuance of the Certificate of

Occupancy, and the CUP shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 8 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Rand and Commissioner Porterfield

Against: 0

Absent: 1 - Commissioner Ramirez

4. CUP-16-20 (Dahlia Woods Gallery) Hold a public hearing and consider a request by Dahlia Woods Gallery LLC., on behalf of Dahlia Woods Gallery, for a new Unrestricted Conditional Use Permit to allow the sale of beer and wine for on-premise consumption at 232 N LBJ Drive, Ste 101. (A. Villalobos)

Commissioner Beckett recused himself.

Chair Garber opened the public hearing.

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

Johnathon Woods, 714 Bureson Street stated he is the Vice President and Treasurer of Dahlia Woods Gallery, LLC and an attorney. He advised that the owners could not be present due the the large opening occurring tonight to include a jewelry mermaid art show. Mr. Woods gave a brief overview of the gallery and explained that they felt opening a small wine bar would be a perfect addition and enhance the business.

Lisa Marie Coppoletta, 1322 Belvin said the art gallery is charming. She said that San Marcos has been lacking an art gallery for all the artist and poets. She stated that she supports the request. Ms. Coppolleta said it is a wonderful additional to downtown.

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

A motion was made by Commissioner Gonzales, seconded by Commissioner Porterfield, that CUP-16-20 (Dahlia Woods Gallery) 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 posted in the same area and manner as the Certificate of Occupancy.

A motion was made by Commissioner Gonzales, seconded by Commissioner Porterfield, that the main motion be amended to include that the permit shall be limited to apply only to the first floor of the building. The motion carried by the following vote:

For: 7 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Rand and Commissioner Porterfield

Against: 0

Absent: 1 - Commissioner Ramirez

Recused: 1 - Commissioner Beckett

Chair Garber called for a vote on the main motion that CUP-16-20 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 posted in the same area and manner as the Certificate of Occupancy and the permit shall be limited to apply only to the first floor of the building. The motion carried by the following vote:

For: 7 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Rand and Commissioner Porterfield

Against: 0

Absent: 1 - Commissioner Ramirez

Recused: 1 - Commissioner Beckett

5. CUP-16-21 (Chipotle) - Hold a public hearing and consider a request by Chipotle Texas LLC, on behalf of Tanger Outlets, for a Conditional Use Permit to allow for the sale of mixed beverages at 1020 Centerpoint Road Suite 112. (W. Parrish)

Chair Garber opened the public hearing.

Will Parrish, 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-16-21 (Chipotle) be approved with the conditions that the CUP 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, and the CUP shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 8 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Rand and Commissioner Porterfield

Against: 0

Absent: 1 - Commissioner Ramirez

6. CUP-16-22 (Hilton Garden Inn) - Hold a public hearing and consider a request by Shilpa Amin on behalf of Action Hotel Group, LLC, for a Conditional Use Permit to allow the sale of mixed beverages for on-premise consumption at 2131 North IH-35. (W. Parrish)

Chair Garber opened the public hearing.

Will Parrish, Planning Tech gave an overview of the request.

Shilpa Amin, 1901 Walton Lane, Austin, Managing Partner for Stonebridge Hotels. She pointed out that they have a couple hotels in San Marcos. Ms. Amin explained that the hotel is a full service property which includes a full restaurant and bar. She added that the bar would only be open during dinner hours and special events. She stated she was available to answer questions.

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

A motion was made by Commissioner Dupont, seconded by Commissioner McCarty, that CUP-16-22 (Hilton Garden Inn) be approved with the conditions that the CUP 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 and the CUP shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 8 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Rand and Commissioner Porterfield

Against: 0

Absent: 1 - Commissioner Ramirez

7. ZC-16-11 (Lot 2, Block A, Unipro Subdivision) Hold a public hearing and consider a request by Glenn Couch on behalf of San Marcos Land, LLC for a zoning change from "FD" Future District to "LI" Light Industrial District for Lot 2, Block A, Unipro Subdivision, generally located on the south side of Leah Avenue, approximately one-quarter mile west of Clovis Barker Road. (B. Melland)

Chair Garber opened the public hearing.

Brandon Melland, Senior Planner gave an overview of the request.

Glen Couch, 355 Eastman Parkway, Windsor Colorado stated with the current zoning there are no permitted uses for the property. He added that in order to bring additional growth and employment in the area they feel that Light Industrial zoning will allow them to market and build out to commercial warehousing space. Mr. Couch asked the Commission for their consideration.

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

A motion was made by Commissioner Dupont, seconded by Commissioner Kelsey, that ZC-16-11 be approved. The motion carried by the following vote:

For: 8 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Rand and Commissioner Porterfield

Against: 0

Absent: 1 - Commissioner Ramirez

NON-CONSENT AGENDA

V. Question and Answer Session with Press and Public.

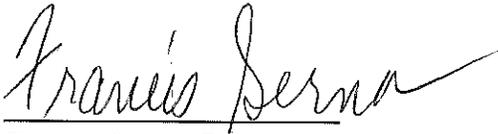
VI. Adjournment

A motion was made that the meeting be adjourned at 6:48 p.m. The motion carried by a unanimous vote.



Jim Garber, 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:

Note