



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Meeting Minutes Planning and Zoning Commission

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Tuesday, June 14, 2016

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 Garber at 6:00 p.m. on Tuesday, June 14, 2016 in the City Council Chambers of the City of San Marcos, City Hall, 630 E. Hopkins, San Marcos, Texas.**

### II. Roll Call

Commissioner Rand late time in: 6:05 p.m

**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

### IV. 30 Minute Citizen Comment Period

Leona Hazlewood, 1409 Franklin provided a written statement protesting the Buie tract request. She advised that a petition has been started upon hearing of possible development on this property under the current zoning.

Lisa Marie Coppolletta, 1322 Belvin spoke about the Buie Tract and the walking path on Bishop. Ms. Coppolletta explained that City Council is presented the case once. She expressed concerns on the process of how property owners are informed. She also expressed concerns on the use of CIP funds for the project and that CIP funds should be used for drainage in Blanco Gardens. Ms. Coppolletta stated that the city has asked two private property owners to purchase a section of their property for easements. She expressed concerns that the city receives a request and the city gives them what they want. Ms. Coppolletta pointed out that every time they have connectivity it justifies a new development. She said half of this project is over the Aquifer Recharge Zone. She also pointed out the problems with runoff. Ms. Coppolletta added there have been several issues that have not been addressed.

Ty Stonestifer, 324 Moore stated he understood he is not addressing his concerns to the right Council. He asked why there is not ADA access to the river and city parks. He said there is no handicap ramps accessible.

**CONSENT AGENDA**

1. Consider approval of the minutes of the Regular Meeting on May 24, 2016.

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

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

**Against:** 0

**Abstain:** 1 - Commissioner Gonzales

**PUBLIC HEARINGS**

2. CUP-16-13 (Figaro's Pizza & Pub) Hold a public hearing and consider a request by Jeffery Harper for a Conditional Use Permit for the sale of mixed beverages at 243 Wonderworld Drive. (W. Parrish)

Chair Garber opened the public hearing.

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

Jeffrey Harper, the applicant made himself available for questions.

Commissioner Kelsey expressed his concerns regarding enforcement of the noise ordinance.

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

**A motion was made by Commissioner Ramirez, seconded by Commissioner Dupont, that CUP-16-13 (Figaro's Pizza & Pub) be approved with conditions that the CUP 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:** 9 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Rand, Commissioner Porterfield and Commissioner Ramirez

**Against:** 0

3. CUP-16-14 (Blue Dahlia Bistro) Hold a public hearing and consider a request by Dandelion Café, L.L.C., on behalf of Blue Dahlia Bistro, for a new Restricted (Restaurant) Conditional Use Permit to allow the sale of beer and wine for on-premise consumption at 107 East

Hopkins Street. (A. Brake)

Chair Garber opened the public hearing.

Alison Brake, Staff Planner 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 Dupont, that CUP-16-14 (Blue Dahlia Cafe) be approved with 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, 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:** 8 - Commissioner Garber, Commissioner Kelsey, Commissioner Dupont, Commissioner Gonzales, Commissioner McCarty, Commissioner Beckett, Commissioner Rand and Commissioner Porterfield

**Against:** 0

**Recused:** 1 - Commissioner Ramirez

4. PC-15-33\_02 (Gilmore Industrial Park, Replat) Hold a public hearing and consider a request by Byrn and Associates, Inc. on behalf of DBI San Marcos Property, LP, for approval of a replat of 20.95 acres, more or less, being all of Lot 1 and Lot 4, Gilmore Industrial Park No. 3 and 12.07 acres in the J.M. Veramendi League No. 1, establishing Lot 5, Gilmore Industrial Park No. 3, Hays County, Texas. (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 Dupont, seconded by Commissioner McCarty, that PC-15-33\_02 (Gilmore Industrial Park No. 3) be approved as submitted. 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. PDD-16-02 (Holt Tract) Hold a public hearing and consider a request by Alan Holt for a Planned Development District located at the intersection of IH-35 and East River Ridge Parkway. (W. Parrish)

Chair Garber opened the public hearing.

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

Alan Holt, Austin Texas said the property was originally purchased by his family in 1960. Mr. Holt gave a brief presentation. He explained that the neighboring apartment was in support of a variety of uses in the area. In addition, he stated that the buildings can be raised to avoid flooding issues. Mr. Holt pointed out that the property is no longer under contract. He added that he spoke to TCEQ and was advised that there are no restrictions on underground tanks in this area. Mr. Holt explained that new gasoline tanks cannot float away since TCEQ added gasoline tanks anchor standards, as well as other new environmental regulations on gas stations. Since 2009 additional gas station regulations have been in place. Mr. Holt advised the Commission that Council voted 5-1 in favor of the request and felt that questions from the Planning Commission were adequately answered. He explained that Council provided a number of specifications to include in the PDD. Mr. Holt advised they are 100% compliance with Council's requests.

**A motion was made by Commissioner Dupont, seconded by Commissioner Beckett, that PDD-16-02 (Holt Tract) be 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

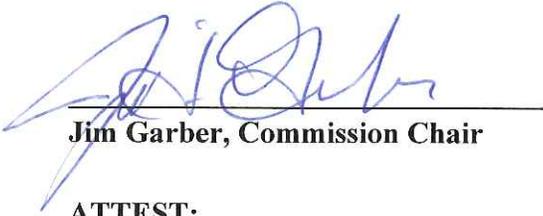
## NON-CONSENT AGENDA

### V. Question and Answer Session with Press and Public.

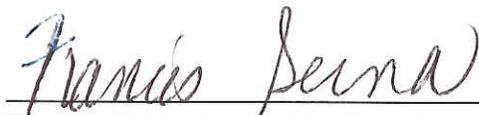
There were no questions from the press and public.

### VI. Adjournment

**A motion was made that the meeting be adjourned at 6:56 p.m. The motion carried by a unanimous vote.**

  
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**Jim Garber, Commission Chair**

**ATTEST:**

  
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**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:  
\_\_\_\_\_

