



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes Planning and Zoning Commission

Tuesday, April 26, 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, April 26, 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

IV. 30 Minute Citizen Comment Period

Lisa Marie Coppolletta thanked those who voted against Lindsey Hill Project. She added a few comments for those that voted for the project. She pointed out that the project is the highest hill in the community and knows that we have had flooding issues. Ms. Coppolletta referred to the Capstone development and noted that there were allot of issues with moldy insulation laying around, trash and contractors let the wood get moldy. She added that The Woods had bad construction where people can hear the people above them. She said the quality of construction puts the quality of peoples lives in danger. She encouraged the Commission that in the future to be more caring and thoughtful about the community. She added that there should be more oversight in the construction process.

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting on April 12, 2016.
2. PC-16-09_03 (Paso Robles Phase 2A Final Plat) Consider a request by Pape-Dawson Engineers, LLC, on behalf of Carma Paso Robles, LLC, for approval of a Subdivision Improvement Agreement and Final Plat for approximately 10.656 acres, more or less, out of the Edward Burleson Survey located near the intersection of Hunter Road and Centerpoint

Road. (T. Carpenter)

A motion was made by Commissioner Kelsey, seconded by Commissioner Ramirez, that the Consent Agenda 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

PUBLIC HEARINGS

3. CUP-16-10 (Higher Grounds) Hold a public hearing and consider a request by Graffito Beverages, L.L.C., on behalf of Higher Grounds, for a new Conditional Use Permit to allow the sale of beer and wine for on-premise consumption at 407 South Stagecoach Trail, Suite 103. (A. Brake)

Chair Garber opened the public hearing.

Alison Brake, Staff Planner gave an overview of the request.

David Graffagnini, owner of Higher Grounds explained that the name of the business is 80% sure but could possibly change. He felt that the business will increase foot traffic in the government center area and downtown. They will have healthy meal options for breakfast and lunch. Mr. Gaffagnini said he will bring a great business to San Marcos.

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

A motion was made by Commissioner Ramirez, seconded by Commissioner Dupont, that CUP-16-10 (Higher Grounds) be approved with conditions the CUP shall be valid for one (1) year, provided standards are met, subject to the point system, the permit shall be effective upon 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

4. CUP-16-11 (Buie Tract Phase 1 Mixed Use Tract) Hold a public hearing and consider a request by Stone Development Group, Inc., for a Conditional Use Permit to allow Multifamily (Apartments) as well as 14,000 square feet of commercial space on a lot that is zoned Mixed Use. (W. Parrish)

Chair Garber opened the public hearing.

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

Guy Dudley, Stone Development Group, 1911 Rio Grande, Austin Texas said he is looking to come to San Marcos and become part of the community to fill a need that would serve as a buffer between an apartment complex and single family homes while allowing home ownership. He explained that they have worked with staff and the city and have heard concerns. Mr. Dudley hopes to bring a green park like structure and decrease impervious cover. He said he was available to answer questions.

Lisa Marie Coppolletta, 1322 Belvin, expressed concerns regarding drainage. She informed the Commission that she has sent videos of drainage issues that go down from Bishop to Belvin Street. She stated that the Buie tract is an open wound to the community. Ms. Coppolletta stated that there are significant archeological finds on the property. She said in addition to the drainage and archeological finds the Edwards Aquifer Authority confirmed that they put cement in caves for the Capstone Development. She added that the neighborhood was once a quiet neighborhood but now bed locked. She pointed out that the property is over the recharge zone and the only place the water can go. Ms. Coppolletta pointed out that there is a 2008 flood permit that the city has not enforced. She strongly urged the Commission to vote against the request.

Joe Schneider, owns property at 1417 Franklin said was not present to speak for or against the project. He said that the density of the property was changed without any notification by the city. Mr. Schneider expressed concerned that he did not receive notification. He added that changes can negatively affect proeprty values. Mr. Schneider expressed his concenrs regading the width of Franklin Street from Bishop to the West end is 20'6 and would like to see Franklin to Bishop 36' wide. He pointed out that the street is not wide enough to handle the traffic and parking.

Bob Holder, 2010 Castlegate Circle expressed concerns with lack of notification of hte proposed change in density. Mr. Holder explained that there is a problem in his neighborhood that people do not come out to speak in opposition as other neighborhoods. Mr. Holder inquired about the caves and the recharge zone. He said that the impervious cover is outrageous. He also asked what was the need to change the zoning. Mr. Holder pointed out that a 20" heritage tree was cut down. Mr. Holder said he is opposed to the request.

Richard Shaper, 1754 N. Bishop, a student at the University said he lives very close to property and has a couple of concerns. He explained that he has a cave directly on his property. He added that he has alot of data on crime rates on multi-housing buidlings especially The Woods. He explained he has a years worth of data which indicates the traffic, violence, and noise have increased.

Mitsy Gosforth, 120 Grant Court, said they have alot of traffic in their area. She epressed concerns with the recent flooding that when the condominiums would be built they would create a problem with runoff. Ms. Gosforth explained that the creek

behind Cathryn Cove almost flooded. She said the development would be a major problem and feels crime will be a problem. She stated that she is on the Franklin Square Board and felt that if she knew sooner they would have gotten signatures in opposition. Ms. Gosforth said she is in opposition to the request because it could be better planned and in a better location.

Christopher Wheeler, 1754 N. Bishop said he lives extremely close to Craddock and Bishop to the proposed development. He said that he has the opening to Windy Cave in his back yard and currently have problems with runoff in the neighborhood. He feels that with a project this size they could carry runoff with toxins and pollutants to the Aquifer and endangered species can also have an affect. Mr. Wheeler also pointed out that property values do go down with this type of development. This is a family area and feels this type of development will increase noise, crime rates, traffic around the families in the neighborhood. He said he hopes the Commission takes all the concerns into consideration.

Selly Vaughan, 1507 Franklin Drive, said she has a petition that was taken around the neighborhood for signatures in opposition. Ms. Vaughan provided the protest petition to staff.

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

A motion was made by Commissioner Kelsey, seconded by Commissioner McCarty, that CUP-16-11 (Buie Tract Phase 1 Mixed Use Tract) be denied. The motion carried by the following vote:

For: 6 - Commissioner Garber, Commissioner Kelsey, Commissioner Gonzales, Commissioner McCarty, Commissioner Rand and Commissioner Ramirez

Against: 3 - Commissioner Dupont, Commissioner Beckett and Commissioner Porterfield

5. PC-15-36_03 (Coachman Replat) Hold a public hearing and consider a request by Byrn and Associates, Inc. on behalf of Kutscher Holdings, LP, for approval of a replat of 16.58 acres, more or less, being Lot 1, Block 1 Coachman Subdivision, establishing Lots 1-A, 1-B, 1-C, 1-D, 1-E, and 1-F, Coachman Subdivision, 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-15-36_03 (Coachman Replat) be approved with condition that the fiscal surety for the improvements be accepted by the Hays County Commissioners' Court. 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. Hold a public hearing and consider a recommendation to City Council on the 10-Year Capital Improvements Program (FY 2017-2026)

A motion was made by Commissioner Kelsey, seconded by Chair Garber, to recommend approval of the 2017-2026 Capital Improvements Program with the following amendments: Project #609-Downtown Master Plan Update be moved from FY2018 to FY2017; Project 45-Downtown Reconstruction Phase II be moved from FY2019 to FY2017; Project #590-Nature Center be moved from FY2019 to FY2017; Project #221-Swimming Pool Complex-East Side be moved from FY 2021 to FY2017; and remove Project #472-Capes Camp Improvements and Dam from the CIP.

A amended motion was made by Commissioner Kelsey, seconded by Commissioner Ramirez, that Project #472 remain in the CIP and be removed from the Main Motion. 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

An amended motion was made by Commissioner Beckett, seconded by Commissioner Kelsey, that the City Council consider accelerating all projects that include flooding and drainage. The motion carried by the following vote:

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

Against: 0

Absent: 1 - Commissioner McCarty

Chair Garber called for a vote on the main motion to recommend approval of the 2017-2026 Capital Improvements Program with the following amendments: Project #609-Downtown Master Plan Update be moved from FY2018 to FY2017; Project 45-Downtown Reconstruction Phase II be moved from FY2019 to FY2017; Project #590-Nature Center be moved from FY2019 to FY2017; Project #221-Swimming Pool Complex-East Side be moved from FY 2021 to FY2017; Project #472-Capes Camp Improvements and Dam remain in the CIP; and City Council consider accelerating all projects that

include flooding and drainage.

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

7. Discussion and direction to staff regarding the time allowed for Applicant presentations.

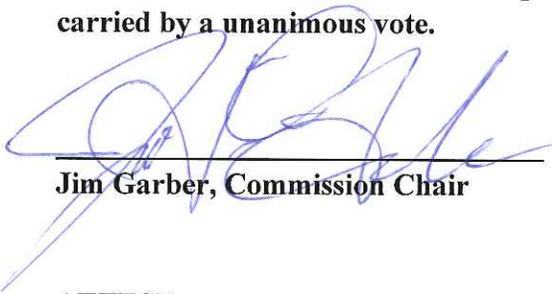
The Commission discussed and agreed on consensus to allow applicants a 10 minute presentation to be consistent with City Council.

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 8:15 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: