

**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
July 26, 2011**

1. Present

Commissioners:

Bill Taylor, Chair
Sherwood Bishop
Travis Kelsey
Chris Wood
Kenneth Ehlers
Randy Bryan
Curtis Seebeck
Carter Morris

City Staff:

Sofia Nelson, Chief Planner
John Foreman, Planner
Phil Steed, Planner
Francis Serna, Recording Secretary

2. Call to Order and a Quorum is Present.

With a quorum present, the Regular Meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Taylor at 6:00 p.m. on Tuesday July 26, 2011 in the Council Chambers, City Hall, City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

3. Chairperson's Opening Remarks.

Chair Taylor welcomed the audience.

4. **NOTE:** *The Planning & Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session;*

5. Citizen Comment Period

There were no citizen comments.

Consent Agenda

6. **PC-11-22(02) (The Park at Willow Creek- Preliminary Plat).** Consider a request by Vigil and Associates, on behalf of WDG-Park, LTD., for approval of a preliminary plat for approximately 11.46 acres, more or less, vacating lot 34 and lot 35 of The Park at Willow Creek Subdivision and creating the Park at Willow Creek Phase 2.

7. **PC-11-14(03) (Aspen Heights- Final Plat). Waiver of 30 day review period.** Consider a request by Aspen Heights, on behalf of 90 San Marcos Ltd and DRFM Investments for approval of a waiver of the decision time for the final plat of approximately 22.90 acres of property located on Telluride Street.

MOTION: Upon a motion made by Commissioner Bishop and a second by Commissioner Seebeck, the Commission voted all in favor to approve PC-11-22(02) and PC-11-14(03) on consent. The motion carried unanimously. Commissioner Wood recused himself from the vote.

Public Hearing

8. LUA-11-16 (Hillside Ranch). Hold a public hearing and consider possible action on a request by ETR Development Consulting, LLC., on behalf of GEM Hillside Ranch LP, for a Future Land Use Map Amendment from Medium Density Residential (MDR) to High Density Residential (HDR) for approximately 8.0758 acres, a portion of lot 1 and lot 2 of the Hillside Villas Subdivision, located at 1350 N. LBJ Drive.

9. ZC-11-21 (Hillside Ranch). Hold a public hearing and consider possible action on a request by ETR Development Consulting, LLC., on behalf of GEM Hillside Ranch LP, for a zoning change from Multifamily – 12 Units an acre (MF-12) to Multifamily – 24 Units an acre (MF-24) for approximately 8.0758 acres, a portion of lot 1 and lot 2 of the Hillside Villas Subdivision, located at 1350 N. LBJ Drive.

Chair Taylor opened the public hearing for LUA-11-16 and ZC-11-21. Ed Theriot, 5395 Hwy. 183 N, Lockhart, said their effort is to provide a consistent zoning across the site. He introduced Jared Schink, representing GEM, Hillside Ranch, LP. Mr. Theriot advised they were available to answer questions. He added that they are aware of the sewer limitations and are working with the city. There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Bishop and a second by Commissioner Bryan, the Commission voted two (2) in favor and six (6) opposed to postpone LUA-11-16 to the August 9, 2011 Planning Commission meeting. The motion failed.

MOTION: Upon a motion made by Commissioner Morris and a second by Commissioner Wood, the Commission voted seven (7) in favor and one (1) opposed to approve LUA-11-16. The motion carried. Commissioner Bishop voted no.

MOTION: Upon a motion made by Commissioner Morris and a second by Commissioner Wood, the Commission voted seven (7) in favor and one (1) opposed to approve ZC-11-21. The motion carried. Commissioner Bishop voted no.

10. WPP2-11-08 – Hold a public hearing and consider possible action on a request by Lawrence M. Hanrahan, PE, on behalf of Terry Mitchell, Etheredge Development – San Marcos, for a Qualified Watershed Protection Plan Phase 2 for the placement of fill and reclamation of floodplain on approximately 23.7 acres at the northwest corner of the intersection of State Highways 80 and 21.

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

MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Morris, the Commission voted all in favor to approve WPP2-11-08 as submitted. The motion carried unanimously.

Non Consent Agenda

11. PDD-11-03 (Blanco Vista). Consider possible action on a request by ETR Development Consulting., LLC. on behalf of Brookfield RP, for a PDD overlay district for approximately 435.9 acres of the original 575 acre subdivision part of the William Ward Survey No. 3 and the UW. William Survey and part of the Blanco Vista Subdivision (except Blanco Vista Phase 1-2, Sections 1, 2 and Infrastructure and Blanco Vista Tract I Section A and School Tract and Trail Ridge Pass Church Subdivision), located at the intersection of Blanco Vista Blvd and Trail Ridge Pass.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Wood, the Commission voted all in favor to approve PDD-11-03. The motion carried unanimously.

12. PDD-11-04 (Blanco Vista-City Initiated). Consider possible action on a request by the City of San Marcos for a PDD overlay district for approximately 140 acres out of the original 575 acre subdivision and part of the Blanco Vista Subdivision Phase 1-2, Section 1, 2, and Infrastructure, Blanco Vista Subdivision Tract I Section A and School Tract and Trail Ridge Pass Church Subdivision located at north east corner of Trail Ridge Pass and Jacob Lane, the southwest corner of Trail Ridge Pass and Blanco Vista and extending south to include Phase 2 of the Blanco Vista Subdivision, and located at the interaction of Blanco Vista Blvd. and Old Settlers to include Phase 1 of the Blanco Vista Subdivision.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Wood, the Commission voted all in favor to approve PDD-11-04. The motion carried unanimously.

13. PDD-11-05 (Paso Robles). Consider possible action on a request by the City of San Marcos for an amendment to a Planned Development District for the tract of land known as the Paso Robles Subdivision, located west of Hunter Road, south of McCarty Lane and north of Centerpoint Road (approximately 1338.584 acres).

MAIN MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Bishop, the Commission voted seven (7) for and one (1) opposed to approve PDD-11-05. The motion carried. Commissioner Morris voted no.

AMENDED MOTION: Upon a motion made by Commissioner Morris and a second by Commissioner Ehlers, the Commission voted three (3) for and five (5) opposed to amend the motion to include "to reserve the right to address connectivity at the final plat state." The amended motion failed. Commissioners Bryan, Seebeck, Kelsey, Taylor and Wood voted no.

14. Discussion Items.

Commissioner Seebeck inquired on the LDC Amendments regarding property in the ETJ. Mr. Lewis advised that the LDC amendments would be brought before the Commission in September or October.

Planning Report

Updating Staff reports

John Foreman reported that the department will be implementing a new software program and asked the Commission if they are interested in changing the layout of the staff reports. He asked if the Commission would like to put the item on the next Commission meeting agenda for discussion. The Commission agreed to place the item on the August 9, 2011 Planning Commission agenda for discussion.

Commissioners' Report

Commissioner Seebeck inquired when the LDC amendments regarding ETJ properties and variances would be brought before the Commission.

Matthew Lewis advised that the LDC amendments would be brought before the Commission in September or October, 2011.

15. Consider approval of the minutes from the Regular Meeting on July 12, 2011.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Wood, the Commission voted all in favor to approve the minutes of the Regular Meeting on July 12, 2011. The motion carried unanimously.

16. Questions and answers from the Press and Public.

There were no questions from the public.

17. Adjournment

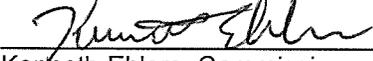
Chair Taylor adjourned the Planning and Zoning Commission at 7:24 p.m. on Tuesday, July 26, 2011.



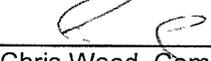
Bill Taylor, Chair



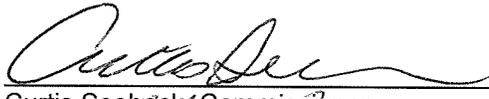
Sherwood Bishop, Acting Chair



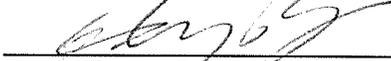
Kenneth Ehlers, Commissioner



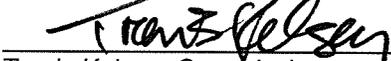
Chris Wood, Commissioner



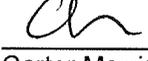
Curtis Seebeck, Commissioner



Randy Bryan, Commissioner

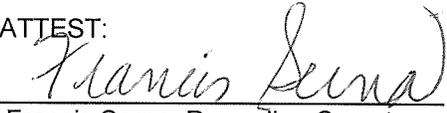


Travis Kelsey, Commissioner



Carter Morris, Commissioner

ATTEST:



Francis Serna, Recording Secretary

CITY OF SAN MARCOS
DISCLOSURE AFFIDAVIT- REAL PROPERTY

STATE OF TEXAS
COUNTY OF HAYS

The undersigned member of the City of San Marcos P&Z (name of City Board, Commission, etc.) states under oath as follows:

I have a substantial interest in real property that may be involved in a vote or decision of the governmental body described above, and it is reasonably foreseeable that the vote or decision will have a special economic effect on the value of the property, distinguishable from its effect on the public.

The real property is described as follows:

THE PARK & WILLOW CROSSING

I acknowledge that my interest in this real property has a fair market value of \$2,500 or more.

The vote or decision involving this interest in real property is on the July 26, 2011 agenda of the governmental body, and the subject matter of the vote or decision is as follows:

PC-11-22

Check if applicable:

The interest described above belongs to a person related to me in the first degree by consanguinity (natural kinship) or affinity (marriage). Relative's name and relation:

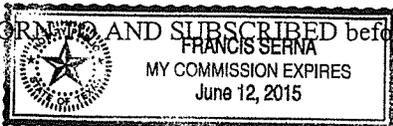
EXECUTED this 26 day of July, 2011.

Signature

Printed Name

Chris Wood

SWORN TO AND SUBSCRIBED before me on this 26 day of July, 2011.



Francis Serina
Notary Public, State of Texas

Notary Stamp:

FILED this 31 day of August, 2011.

Samuel P. [Signature]
City Clerk of the City of San Marcos