

**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
July 12, 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
Christine Holmes, Chief Planner
Francis Serna, Recording Secretary
Abigail Gillfillan, Planner

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 12, 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.

6. CUP-11-08 (1252 W. San Antonio St) Hold a public hearing and consider a request by Matthew Chambers, for a conditional use permit to construct an accessory dwelling adjacent to the primary dwelling in an SF-6 zone at 1252 West San Antonio Street.

Chair Taylor opened the public hearing. Matthew Chambers, partial owner and contractor of the property, explained that they are currently remodeling the main structure. He added that the home belongs to his mother and she could possibly have a caretaker or nurse reside in the proposed accessory dwelling unit. Mr. Chambers explained there is a utility pole near the proposed unit and requested that the utility connections be separate from the main house to save money. Mr. Chambers also requested that he be allowed to tap into the water and wastewater in Bishop Street.

Jason Howell, 1261 W. San Antonio spoke in support of the request. He pointed out that it would be consistent with the Historic neighborhood.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Wood, the Commission voted all in favor to approve CUP-11-08 with the conditions that the permit be granted to the applicant and the current owner and is required to be renewed if the property is sold; the accessory dwelling may not be rented separately from the main residence; and that the single-family occupancy restriction applies to the entire property. The motion carried unanimously.

7. CUP-11-09(1208 IH 35 South – La Fonda) Hold a public hearing and consider a request by Lorenzo Valadez on behalf of La Fonda Restaurant to allow the on premise consumption of beer and wine at 1208 IH 35 South.

Chair Taylor opened the public hearing. Nettie Galvez, representing Mr. & Mrs. Lorenzo Valadez on behalf of La Fonda, 1208 IH 35 S. stated they have been in business for 25 years. There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Bishop, the Commission voted all in favor to approve CUP-11-09 with the condition that the permit shall be valid for one (1) year, provided standards are met, subject to the point system. The motion carried unanimously.

8. CUP-11-10(217 E Hopkins St – Chimy's) Hold a public hearing and consider a request by Baccus Enterprises LLC on behalf of Chimy's Restaurant to allow an expansion of the existing Conditional Use Permit (CUP) to incorporate an outdoor patio area at 217 E. Hopkins St.

Chair Taylor opened the public hearing. Chad Baccus, owner of Chimy's explained that there is an existing patio behind the business. He said they have a lot of smokers and is trying to accommodate smokers in an outdoor area.

MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Kelsey, the Commission voted all in favor to approve CUP-11-10 with the condition that the permit shall be valid for one (1) year, provided standards are met, subject to the point system. The motion carried unanimously.

9. PDD-11-03 (Blanco Vista). Hold a public hearing and discuss 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.

Ed Theriot, 5395 Hwy. 183 N., Lockhart, Texas on behalf of the applicant gave a brief presentation.

Chair Taylor opened the public hearing. Chance Sparks 610 Irvin Drive, resident of Blanco Vista and Liaison for the PDD Committee stated he was happy to report that the relationship between Blanco Vista residents and the developer has drastically improved. He pointed out that the homeowners concerns have been satisfied regarding the stability and predictability of the neighborhood. Mr. Sparks emphasized his support and improved relationship that was developed between developers and Home Owners Association. Mr. Spark advised he was available to answer questions and recommended approval of the request.

Ivan Talley 222 Silo Street, resident of Blanco Vista and on the Architectural Control Committee thanked city staff, Mr. Sparks and developers who worked on the project. Mr. Talley recommended approval of the PDD. There were no additional citizen comments and the public hearing was closed.

Action to be taken at the July 26, 2011 Planning and Zoning Commission meeting.

10. PDD-11-04 (Blanco Vista-City Initiated). Hold a public hearing and discuss 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.

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

Action to be taken at the July 26, 2011 Planning and Zoning Commission meeting.

11. PDD-11-05 (Paso Robles). Hold a public hearing 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).

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

Action to be taken at the July 26, 2011 Planning and Zoning Commission meeting.

12. PVC-11-03 (San Marcos Community Church). Hold a public hearing and consider a request by San Marcos Community Church, on behalf of Texas Conf. Association of 7th Day Adventists, for a variance to Section 6.7.2.1(j) of the Land Development Code which requires that lot depth shall not exceed three times the lot width for lots platted after March 10, 1975 for an approximately 22.99 acre tract out of the Rebecca Brown Survey in Hays County, Texas.

Chair Taylor opened the public hearing. John McComb, 344 Meadow Lane, Martindale, gave a brief description of the layout of the proposed building. He felt that the layout would eliminate concern about crowding buildings. He pointed out that they have spoken to plenty of neighbors within 500 feet and have received support of having a church relocate on the property. Mr. McComb asked for approval of the request.

Trudy Foster, 9637 FM 1339, said she has been attending San Marcos Community Church for three years. She spoke in support of the request. Ms. Foster mentioned that the church has multiple outreaches that go outside of their community.

Chad Crawford 651 Horace Howard asked the Commission to approve the variance request.

Erin Scott, Pastor of Church of the Cross spoke in support of the request. He said having a church in close proximity to the High School and neighborhood would be a positive for San Marcos.

Mike Doucoumes, 1037 Willow Creek Drive, Burleson, TX, Association Secretary for the Texas Conference Association, explained that the intent of the first group who originally purchased the property did intend to put a church on the property. Although since the purchase of the property the idea of constructing a church has dissolved. He stated that people would rather have a church than residential property in the neighborhood. Mr. Doucoumes asked the Commission to review the buffers of the property which will allow the church to be away from surrounding residential properties. He asked the Commission to also think about the spiritual growth of the community. Mr. Doucoumes spoke in support of the request.

Perry Endsley of Buda Texas commented that there would not be adverse affects of the neighbors. He asked the Commission how the connectivity would hinder adjacent properties in the future. Mr. Endsley spoke in support of the request. 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 Wood, the Commission voted all in favor to postpone PVC-11-03 to the August 23, 2011 Commission meeting.

AMENDED MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Bryan, the Commission voted all in favor to postpone PVC-11-03 to a date uncertain. The motion carried unanimously.

13. Discussion Items.

There were no items.

Planning Report

There were no reports.

Commissioners' Report

There were no reports.

14. Consider approval of the minutes from the Regular Meeting on June 28, 2011.

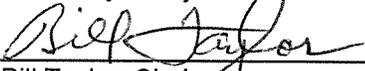
MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Bishop, the Commission voted all in favor to approve the minutes of the Regular Meeting on June 28, 2011. The motion carried.

15. **Questions and answers from the Press and Public.**

There were no questions from the public.

16. Adjournment

Chair Taylor adjourned the Planning and Zoning Commission at 8:03 p.m. on Tuesday, July 12, 2011.



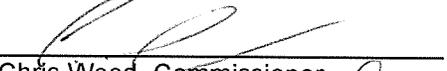
Bill Taylor, Chair



Sherwood Bishop, Acting Chair



Kenneth Ehlers, Commissioner



Chris Wood, Commissioner



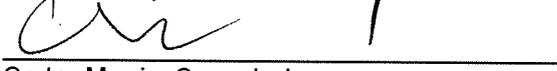
Curtis Seebeck, Commissioner



Randy Bryan, Commissioner



Travis Kelsey, Commissioner



Carter Morris, Commissioner

ATTEST: 

Francis Serna, Recording Secretary