

**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
May 24, 2011**

1. Present

Commissioners:

Bill Taylor, Chair
Bucky Couch, Vice-Chair
Sherwood Bishop
Travis Kelsey
Jim Stark
Chris Wood
Kenneth Ehlers
Curtis Seebeck

City Staff:

Matthew Lewis, Development Services Director
Francis Serna, Recording Secretary
Christine Barton-Holmes, Chief Planner
John Foreman, Planner
Phil Steed, 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 May 24, 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

Mike Dillan, 1000 Burleson stated he and his wife operate the Crystal River Inn located at 326 W. Hopkins. He explained that a year ago, Kevin Katz and his two sons came to them to advise that they had purchased the adjacent property and were going to open a bar with acoustic music. Mr. Dillan said that the development is well done and an improvement over the U-Haul company. He Dillon explained that a weekend into the business there has been issues at 2:00 a.m. with obscene language, public urination, trash and constant clanging of horse shoes and noise. They have spoken to the Katz' and hoping to get something worked out. Mr. Dillon said they had hoped to be protected by the 10 p.m. noise ordinance which for some reason does not apply. He added that he heard the Katz' are going to request and install diners to cook out of. He pointed out that the item is not on the agenda but is bringing it to the attention of the Commission because the business will come before them in the future. Mr. Dillon asked the Commission what we want this town to look like.

Kathy Dillon stated that over the last year people have asked her why she was in support of a bar next to the Crystal River Inn. Ms. Dillon said she was in support because they were restoring a historic building and that the business would be a nice bar. She said that they cannot continue with the issues they are having with the business. She explained that the noise is until 3 or 4 in the morning. Ms. Dillon stated that they have called the police and were told that they cannot do anything about the business because they are zoned commercial. She added that they have not been cooperative and that the business has told neighbors to do what they want. Ms. Dillon mentioned that there are other homes in the area and they have not gotten cooperation from the business.

Linus Wilks, 915 W. Hopkins stated he was born in San Marcos. His home was built in 1940. He said he did not know how the Hopkins Street Historic District happened and does not see the benefit. Mr. Wilks explained that he recently had the main sewage line on Hopkins Street collapse and back up into his house. He said he has tried to find out who maintains Hopkins Street. He referred to the Hopkins Street improvements and said that the road and sidewalks have been built by individual homeowners. Who owns Hopkins Street? He asked how the City can declare a Historical District on a state highway.

Jean Baggett, 726 W. Hopkins, here to speak regarding the CIP funding. She mentioned that she hopes the Commission funds the Hopkins Street Improvement project. Ms. Baggett explained that it has been a year since the Wonder World Drive extension was developed and that the bypass has not helped relieve traffic on Hopkins Street. She pointed out that there is more traffic on Hopkins than on the four lane Wonder World Drive extension. She added that congestion on Hopkins Street is horrible and feels that the Purgatory Creek apartments will add more traffic. Ms. Baggett stated that Hopkins Street residents represent San Marcos. She said neighbors have come together and ask the Commission to fund traffic calming devices on Hopkins Street. She provided the Commission with a petition signed by thirty three residents in support of the Hopkins Street project.

Angela Pierce, 716 W. Hopkins said she is new to the neighborhood. Ms. Pierce pointed out that the road is terrible and has had discussions with neighbors to move traffic away from Hopkins Street. She explained that she is a runner and cannot run on Hopkins due to the sidewalks being a mess and the traffic. Ms. Pierce pointed out that Hopkins Street is an asset to San Marcos and asked the Commission to support the funding of traffic calming devices on Hopkins Street.

6. PC-11-15(02) (The Retreat at San Marcos). Consider a request by Retreat Holdings, LLC, on behalf of Jack Weatherford and Whitetail JV, for approval of a preliminary plat for approximately 48.36 acres of property from the E. Clark Survey, located at the southeast corner of Old Ranch Road 12 and Craddock Ave.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Couch, the Commission voted all in favor to approve PC-11-15(02) with the conditions that the applicant add a note that the proposed detention pond shall be located in a drainage easement and change the callout regarding the 40' joint access easement between Lots 2&3 to read, "Exact location to be determined by site plan of Lot 2 or Lot 3, whichever is developed first." The motion carried unanimously. Commissioner Kelsey recused himself from the discussion and vote.

7. PC-11-16(03) (San Marcos Armed Forces Reserve Center Final Plat). Consider a request by Ash & Associates, on behalf of US Army Corps of Engineers, Fort Worth District for approval of a final plat of Lot 1, Block 1, San Marcos Armed Forces Reserve Center Addition, being 19.048 acres out of the J.M. Veramendi League Survey No. 1, City of San Marcos, Hays County, TX, located at 1202 Clovis Barker Road.

MOTION: Upon a motion made by Commissioner Bishop and a second by Commissioner Stark, the Commission voted all in favor to approve PC-11-16(03) as submitted. The motion carried unanimously.

8. PC-11-17(04) (International Electric Corp Replat) Hold a public hearing and consider a request by Ash & Associates, on behalf of 2809 S. IH-35 LTD, for approval of a replat, vacating Lot 1, Block 1, International Electric Corporation Addition with the addition of an abutting 1.246 acre tract out of the J.M. Veramendi League Survey No. 1 establishing Lots 1A, 2 & 3, Block 1, International Electric Corporation Addition, City of San Marcos, Hays County, TX, located at 2809 S. IH-35.

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

MOTION: Upon a motion made by Commissioner Bishop and a second by Commissioner Seebeck, the Commission voted all in favor to approve PC-11-17(04) with the condition that the property owner provides sufficient security to ensure completion of the required public improvements. The motion carried unanimously.

9. PR-11-04 (Capital Improvement Project presentation) Hold a public hearing and consider recommendations for Capitol Improvement Project nominations for 2011-2021.

Chair Taylor opened the public hearing. Karl Brown, 834 W. Hopkins said he was adding his support to calming the traffic on Hopkins Street. Hopkins is a very dangerous place for children to play. He suggested visiting the noise ordinance. Mr. Brown added that there is a lot of truck traffic on Hopkins Street. He suggested in the future that trucks be encouraged to use the loop and not to use Hopkins Street. He added that he has invested a lot of money in his home and felt that Hopkins Street can be a gateway to 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 Kelsey, the Commission voted six (6) for and two (2) opposed to recommend approval of the Capital Improvements Projects to City Council with the inclusion of bike lanes and other traffic-calming methods for Hopkins St and Hunter Lane projects. The motion carried. Commissioners Couch and Seebeck voted no.

AMENDED MOTION: Upon a motion made by Commissioner Bishop and a second by Commissioner Kelsey, the Commission voted five (5) for and three (3) opposed to recommend approved of the Capital Improvements Projects to City Council with the inclusion of bike lanes and other traffic-calming methods for Hopkins St and Hunter Lane projects; and legal review of the use of Sessom Creek Park for sewer line easements, as well as study regarding the feasibility of other locations for the line. The motion carried. Commissioners Couch, Seebeck and Wood voted no.

10. Consider appointment of a student liaison to the Planning and Zoning Commission.

The Commission appointed Brooks Andrews.

11. Discussion Items.

Planning Report

No Planning Report.

Commissioners' Report

No Commissioners' Report.

13. Consider approval of the minutes from the Regular Meeting on May 10, 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 May 10, 2011. The motion carried unanimously.

14. Questions and answers from the Press and Public.

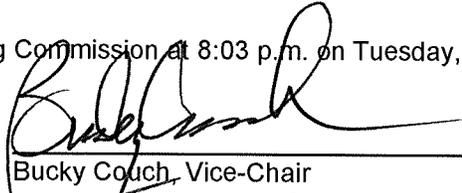
There were no questions from the public.

15. Adjournment

Chair Taylor adjourned the Planning and Zoning Commission at 8:03 p.m. on Tuesday, May ²⁴10, 2011.

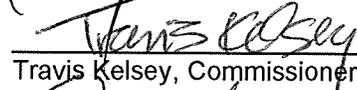


Bill Taylor, Chair



Bucky Couch, Vice-Chair

Jim Stark, Commissioner



Travis Kelsey, Commissioner

Chris Wood, Commissioner



Curtis Seebeck, Commissioner



Kenneth Ehlers, Commissioner



Sherwood Bishop, 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:

515 Craddock Ave
San Marcos, TX 78066

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 24th May, 2011 agenda of the governmental body, and the subject matter of the vote or decision is as follows:

PC-11-15(02)
The Retreat at San Marcos

Check if applicable:

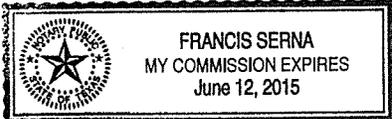
The interest described above belongs to a person related to me in the first degree by consanguinity (natural kinship) or affinity (marriage). Relative's name and relation:

EXECUTED this 24 day of May, 2011.

Signature Travis Kelsey

Printed Name Travis Kelsey

SWORN TO AND SUBSCRIBED before me on this 24 day of May, 2011.



Francis Serna
Notary Public, State of Texas

Notary Stamp:

FILED this 16 day of June, 2011.

Samuel J. Hill
City Clerk of the City of San Marcos