

**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
March 8, 2011**

1. Present

Commissioners:

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

City Staff:

Matthew Lewis, Interim Director
Francis Serna, Recording Secretary
Sofia Nelson, Senior Planner
Phil Steed, Planner
John Foreman, Planner
Christine Holmes, Chief 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 6:02 p.m. on Tuesday March 8, 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

Jesse Valdez, 1035 Central Pkwy N., San Antonio, stated he is representing H&H Dorado Ltd., items #8 and #9 on the agenda and is available to answer questions.

Florencio Cuevas, stated he is speaking on behalf of Zulema Cuevas, 609 McGehee. He explained that they want to convert an existing structure to an efficiency dwelling.

Ron Jager, 626 W. San Antonio Street advised the Commission that he provided them with a letter containing his concerns regarding the Downtown SmartCode. Mr. Jager gave a brief overview of his concerns. Mr. Jager pointed out that the downtown square is a historic treasure and felt that reinventing downtown is inappropriate. He stated downtown evolved by natural processes. In addition, he pointed out that the current Code does not have architectural standards. Mr. Jager said authenticity is critical in the downtown square.

James Baker, 727 Belvin, referred to a letter he sent to the Commission and discussed findings about the Leander, TX SmartCode. He pointed out that the Leander SmartCode is an award winning SmartCode which has very good features. Mr. Baker encouraged the Commission to review the Leander SmartCode. Mr. Baker pointed out that that San Marcos does not have to sacrifice the open government that we have now. He added that the Leander SmartCode still allows citizens to continue to receive notices and public comment during Planning Commission and City Council meetings. He mentioned that the Leander SmartCode also has architectural guidelines which made the SmartCode an award winning document.

6. Workshop on the Downtown SmartCode.

Sofia Nelson gave a presentation on the Downtown SmartCode. The Commission discussed: Recap of the Planning Commission and City Council workshop on Feb. 2; Fire Chief Spoke about the ability to service buildings over 6 feet in height; Discussion on height and density; the recommendation of the Historic Preservation Commission; and the adoption of process and schedule. The Commission requested a Special Meeting in March to hold a public hearing and make a recommendation to City Council on the adoption of the Downtown SmartCode.

7. CUP-11-04 (609 McGehee) Hold a public hearing and consider a request by Florencio J. Cuevas, on behalf of Zulema Cuevas, to allow an existing accessory structure to be converted to an accessory dwelling in an SF-6 zone at 608 McGehee St.

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

MOTION: Upon a motion made by Commissioner Bryan and a second by Commissioner Seebeck the Commission voted all in favor to approve CUP-11-04 with the conditions that the structure shall meet all requirements of the 2009 International Residential Code; the permit is 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; the single-family restriction applies to the entire property; and there shall be no separate utility meter. The motion carried unanimously.

8. PC-11-03(01) (H&H Industrial Park) Consider a request by MBC Engineers, agent for H&H Dorado, LTD for the approval of a concept plat for approximately 32 acres of property located at 5680 South IH-35.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Wood, the Commission voted all in favor to approve PC-11-03(01) as submitted. The motion carried unanimously.

9. PC-11-04(03) (H&H Industrial Park) Consider a request by MBC Engineers, agent for H&H Dorado, LTD for approval of a final plat for approximately 3.08 acres of property located at 5680 South IH-35.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Wood the Commission voted all in favor to approve PC-11-04(03) as submitted. The motion carried unanimously.

10. ZC-11-05 (Holt Tract) Hold a public hearing and consider a request by Byrn and Associates, on behalf of Armbruster Holt, Ltd, for a Zoning Change from Future Development (FD) to General Commercial (GC) on a 2.04 acre, more or less, tract of land out of the J.M. Veramendi Survey No. 2, located at the northeast corner of IH 35 and River Ridge Parkway.

11. **LUA-11-03 (Holt Tract)** Hold a public hearing and consider a request by Byrn and Associates, on behalf of Ambruster Holt, Ltd., for a Land Use Amendment from Commercial (C) to High Density Residential (HDR) on a 23.99 acre, more or less, tract of land out of the J.M. Veramendi Survey No. 2, located at the northeast corner of IH 35 and River Ridge Parkway.

12. **ZC-11-06 (Holt Tract)** Hold a public hearing and consider a request by Byrn and Associates, on behalf of Ambruster Holt, Ltd., for Land Use Amendment from Commercial (C) to High Density Residential (HDR) on a 23.99 acre, more or less, tract of land out of the J.M. Veramendi Survey No. 2, located at the northeast corner of IH 35 and River Ridge Parkway.

Chair Taylor opened the public hearing for ZC-11-05, LUA-11-03 and ZC-11-05. Thomas Rhodes, ETR Development Consulting 401 Dryden Lane, Buda, stated he was present requesting a favorable recommendation on the zoning change. He said he is present with the project team, property owner, Allen Holt and the developer Paul Levine, Avalon Partners, CT. Mr. Rhodes advised the Commission they were available to answer questions. 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 approve ZC-11-05 as submitted. The motion carried unanimously.

MOTION: Upon a motion made by Commissioner Bishop and a second by Commissioner Wood the Commission voted all in favor to approve LUA-11-03 as submitted. The motion carried unanimously.

MOTION: Upon a motion made by Commissioner Bishop and a second by Commissioner Wood the Commission voted all in favor to approve ZC-11-06 as submitted. The motion carried unanimously.

13. Discussion Items.

Planning Report

a. Planning Commission Retreat.

Sofia Nelson reminded the Commission that the Retreat will be held on Monday, March 28, 2011 from 12:00 – 6:00 p. m at the Fish Hatchery. Items of discussion will include SmartCode implementation, Parks Master Plan, Update on the Comprehensive Plan and to set the 2011 Commission Goals. She asked the Commission to submit additional topic suggestions to staff.

Vice Chair Couch announced that he will not be available for the P&Z Retreat on March 28, 2011.

b. Student Liaison Position

Sofia Nelson advised the Commission that student interest forms were included in their reading files for their review. She stated that a recommendation to move forward could be made at the March 22, 2011 Planning Commission meeting.

Commissioners' Report

There was no Commissioners' Report.

14. Consider approval of the minutes from the Regular Meeting on February 22, 2011.

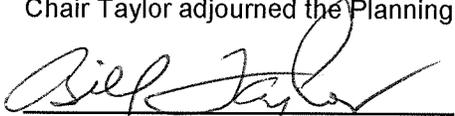
MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Stark the Commission voted eight (8) in favor, zero (0) opposed and one (1) abstained to approve the February 22, 2011 Regular Meeting minutes as corrected. The motion carried. Chair Taylor abstained.

15. Questions and answers from the Press and Public.

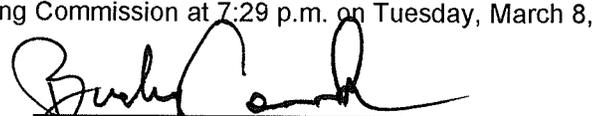
There were no questions from the public.

16. Adjournment

Chair Taylor adjourned the Planning and Zoning Commission at 7:29 p.m. on Tuesday, March 8, 2011.



Bill Taylor, Chair



Bucky Couch, Vice Chair



Jim Stark, Commissioner



Travis Kelsey, Commissioner



Chris Wood, Commissioner



Randy Bryan, Commissioner



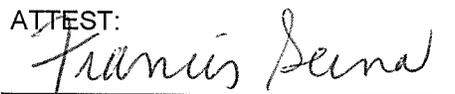
Kenneth Ehlers, Commissioner



Sherwood Bishop, Commissioner



Curtis Seebeck, Commissioner

ATTEST:


Francis Serna, Recording Secretary