

**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
July 24, 2012**

1. Present

Commissioners:

Bill Taylor, Chair
Bucky Couch
Chris Wood
Corey Carothers
Randy Bryan
Kenneth Ehlers

City Staff:

Matthew Lewis, Development Services Director
Kristy Stark, Development Services Assistant Director
Sam Aguirre, Assistant City Attorney
Francis Serna, Recording Secretary
John Foreman, Planning Manager
Alison Brake, Planner
John Stanley, Planner
Emily Koller, Planning Tech

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 24, 2012, 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 audience and viewers.

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. 30 Minute Citizen Comment Period

Diane Wassenich, 11 Tangelwood said Item 13, Hillside II is an issue she still cares about and Hillside II is in her neighborhood. She stated that she does not like to see the area rezoned from single family to apartments. Ms. Wassenich pointed out that she wants to register her disapproval of the request. She added that she is still concerned about the erosion that continues to happen. She said months ago she emailed photos. Ms. Wassenich stated that she hopes that increased impervious cover in the area does not continue to cut a trench through the parkland down to sink creek.

6. Presentation and discussion regarding the Gas Lamp District project.

Matthew Lewis gave a brief overview of the project and introduced Alexas Knight. Alexas Knight, Regional Vice President of Walton Group and Rick Rosenberg, Managing Principle of DPFG Consulting firm in Austin gave a brief overview of the project.

Consent Agenda:

7. Consider the approval of the minutes from the Regular Meeting on July 10, 2012.

MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Bryan, the Commission approved on consent the minutes from the Regular Meeting on July 24, 2012. The motion carried unanimously.

Public Hearings:

8. PC-12-08(04) (Stagecoach Business Park Replat) Hold a public hearing and consider a request by Byrn & Associates, Inc., on behalf of South Stagecoach Business Park, LTD., for approval of a replat of Lot 9, Stagecoach Business Park, establishing Lots 9-A and 9-B, located at the corner of Wonder World Drive and South Stagecoach Trail.

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 Ehlers, the Commission voted all in favor to approved PC-12-08(04) with the conditions that Security is required to be posted for the extension of the wastewater line to Lot 9-A prior to the recordation of the plat. The motion carried unanimously.

9. CUP-12-25 (Ruby Heels Wine Shoppe - General) Hold a public hearing and consider a request by RAK Hestand, LLC on behalf of Ruby Heels Wine Shoppe for granting of a Conditional Use Permit to allow a microbrewery use within a T-5 Smart Code Zoning District at 100 N. Edward Gary Street, Suite C.

10. CUP-12-24 (Ruby Heels Wine Shoppe - TABC) Hold a public hearing and consider a request by RAK Hestand, LLC on behalf of Ruby Heels Wine Shoppe for granting of a Conditional Use Permit to allow the sale of beer and wine for on-premise consumption at 100 N. Edward Gary Street, Suite C.

Chair Taylor opened the public hearing for CUP-12-25 and CUP-12-24. There were no citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Couch and a second by Commissioner Ehlers, the Commission voted all in favor to approve CUP-12-25. The motion carried unanimously.

MOTION: Upon a motion made by Commissioner Couch and a second by Commission Ehlers, the Commission voted all in favor to approve CUP-12-24 with the conditions that the permit shall be valid for one (1) year, provided standards are met, subject to the point system; the permit shall not be valid until an approved TABC Permit is issued to the applicant and a copy is submitted to the Director; the permit shall not become effective until a Certificate of Occupancy is received; and all Environmental Health permitted requirements must be met. The motion carried unanimously.

11. CUP-12-26 (The Square Peg) Hold a public hearing and consider a request by Brass Holdings LLC on behalf of The Square Peg, for the granting of a Restricted (Restaurant) Conditional Use Permit to allow the sale of mixed beverages for on-premise consumption at 179 S. LBJ Drive.

Chair Taylor opened the public hearing. Brian Rasmussen, 1001 S. First Street, Austin Texas representing Brass Holdings, LLC thanked everyone for their consideration. He added that he was available to answer questions. There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Carothers and a second by Commission Wood, the Commission voted all in favor to approve CUP-12-26 with the conditions that the permit shall be valid for three (3) years, provided standards are met, subject to the point system; the Restricted Conditional Use Permit shall not be issued until the applicant has received an Economic Development Incentive from City Council or has been in operation for one (1) year; the permit shall not be valid until an approved TABC Permit is issued to the applicant and a copy is submitted to the Director, the permit shall not become

effective until a Certificate of Occupancy is received, and all Environmental Health permitting requirements must be met. The motion carried unanimously.

12. CUP-12-27 (Harper's Public House) Hold a public hearing and consider a request by Shy Inc., on behalf of Harper's Public House, for a renewal of the existing Conditional Use Permit to allow the continued sale of mixed beverages for on-premise consumption at 139 E. Hopkins Street.

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 Commission Couch, the Commission voted all in favor to approve CUP-12-27 with the conditions that the permit shall be valid for the life of the TABC license, provided standards are met, subject to the point system. The motion carried unanimously.

Non Consent Agenda:

13. PC-12-18(03) (Hillside Ranch Phase 2) Consider a request by Ash & Associates, LLC on behalf of GEM Hillside Ranch, L.P. and Daniel C. Anderson for approval of a final plat for approximately 10.925 acres, more or less, out of the Thomas J Chambers Survey, Tract 179 at 1410 N. LBJ Drive and to find that the parkland dedicated by such plat has exceptional recreational value that warrants its acceptance.

MOTION: Upon a motion made by Commissioner Carothers and a second by Commission Couch, the Commission voted five (5) for and one (1) against to approve PC-12-18(03) with the condition that the plat shall not be recorded with the County until private drainage easement within the parkland lot, agreeable to the City of San Marcos has been recorded with the County. The motion carried.

14. Development Services Report

- a. Update from staff on Comprehensive Plan

Matthew Lewis gave an update on the upcoming meetings for the Comprehensive Plan.

15. "Question and Answer Session with Press and Public. *This is an opportunity for the Press and Public to ask questions related to items on this agenda.*"

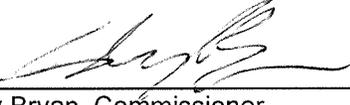
There were no questions from the press and public.

16. Adjourn.

Chair Taylor adjourned the Planning and Zoning Commission at 7:09 p.m. on Tuesday, July 24, 2012.



Bill Taylor, Chair



Randy Bryan, Commissioner



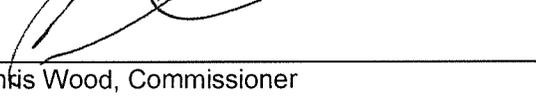
Corey Carothers, Commissioner



Kenneth Ehlers, Commissioner



Bucky Couch, Commissioner



Chris Wood, Commissioner

ATTEST:



Francis Serna, Recording Secretary

