

**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
July 10, 2012**

1. Present

Commissioners:

Bill Taylor Chair
Bucky Couch
Carter Morris
Chris Wood
Corey Carothers
Travis Kelsey
Randy Bryan

City Staff:

Matthew Lewis, Development Services Director
Kristy Stark, Development Services Assistant Director
Roxanne Nemcik, Assistant City Attorney
Francis Serna, Recording Secretary
John Foreman, Planning Manager
Alison Brake, Planner
John Stanley, 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 10, 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

There were no citizen comments.

6. Presentation on Subdivision Process.

Consent Agenda:

7. Consider the approval of the minutes from the Regular Meeting on June 26, 2012.

8. PC-11-28(03) (Royal Subdivision Phase 2) Consider a request by Byrn & Associates, Inc. on behalf of Logan Ridge, L.L.C. for approval of a Final Plat for approximately 3.65 acres, more or less out of the J.M. Veramendi Survey No. 2, Abstract 17, City of San Marcos, Hays County located at 1651 Post Road.

MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Morris, the Commission approved on consent the minutes from the Regular Meeting on June 26, 2012 and PC-11-28(03) (Royal Subdivision Phase 2). The motion carried unanimously.

Public Hearing:

9. CUP-12-22 (Bobcat Nation Sports Bar & Grill) Hold a public hearing and consider a request by Brandon Stone, on behalf of Bobcat Nation Sports Bar & Grill, for a new Conditional Use Permit to allow the sale of mixed beverages for on-premise consumption at 700 N. LBJ Drive, Suite 109.

Chair Taylor opened the public hearing. Keith Whittington, Lynx Property Services, Property Manger representing the Center on behalf of Bobcat Nation Sports Bar & Grill. He said he leased the space to the gentlemen and is excited about the proposed plans. Mr. Whittington added that he thinks it is going to give an alternative to everything on the downtown square. He said he was available to answer questions. Terry Wagner said he is a hometown boy and a mail carrier for 36 years. He said they are excited to bring the project together with other partners. Mr. Wagner added that he has spoken to people and they are real excited about a Bobcat theme business in San Marcos. There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Morris and a second by Commissioner Wood, the Commission voted all in favor to approve CUP-12-22 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 permitting requirements must be met. The motion carried unanimously.

10. CUP-12-23 (Cody's Bistro and Lounge) Hold a public hearing and consider a request by #3 BPCC, Inc., on behalf of Cody's Bistro and Lounge, for a new Conditional Use Permit to allow the sale for on-premise consumption of mixed beverages at 690 Centerpoint Road, Suite 209.

Commissioner Couch recused himself from Item 10.

Chair Taylor opened the public hearing. Cody Couch, 203 Sierra Ridge Drive said he is available to answer any questions. He explained that they will have an upscale bar, quality food, drinks and service. They are located on the other end of the square. There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Morris and a second by Commission Kelsey, the Commission all in favor to approve CUP-12-23 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 permitting requirements must be met. The motion carried unanimously.

11. Development Services Report

a. Update from staff on Comprehensive Plan

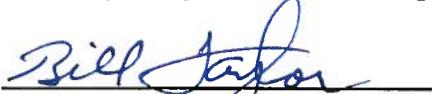
Matthew Lewis gave an update on the upcoming meetings for the Comprehensive Plan.

12. "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.

13. Adjourn.

Chair Taylor adjourned the Planning and Zoning Commission at 6:35 p.m. on Tuesday, July 10, 2012.



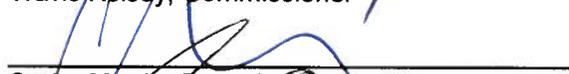
Bill Taylor, Chair



Travis Kelsey, Commissioner



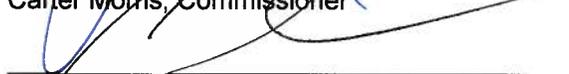
Corey Cuthers, Commissioner



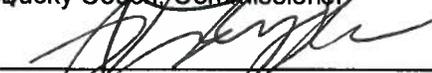
Carter Morris, Commissioner



Bucky Couch, Commissioner

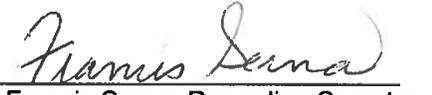


Chris Wood, Commissioner



Randy Bryan, Commissioner

ATTEST:



Francis Serna, Recording Secretary

CITY OF SAN MARCOS
DISCLOSURE AFFIDAVIT-BUSINESS ENTITY

STATE OF TEXAS
COUNTY OF HAYS

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

I have a substantial interest in a business entity that may be involved in a vote or decision of the governmental body described above, and the vote or decision may have a special economic effect on the business entity that is distinguishable from the effect on the public. The name of the business entity is

Cody's Bistro & Lounge

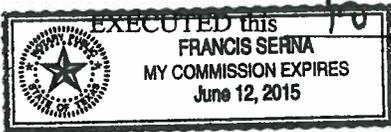
The nature and extent of my interest in the business entity is as follows: (check all that apply)

- Ownership of 10 percent or more of the voting stock or shares of the business entity.
- Ownership of 10 percent or more of the fair market value of the business entity.
- Ownership of \$5,000 or more of the fair market value of the business entity.
- Funds received by me from the business entity exceed 10 percent of my gross income for the previous year.
- 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.

Cody Couch - SON

The vote or decision involving this interest is on July 10, 2012 agenda of the governmental body, and is described as follows: CUP for Cody's

Bistro & Lounge



EXECUTED this 10 day of July, 2012
Signature Bucky Couch

Printed Name Bucky Couch

SWORN TO DEVELOPMENT SERVICES 10 day of July, 2012

Notary Stamp: 630 E. Hopkins Street
San Marcos, Tx 78666

Notary Public
State of Texas
Francis Serina

FILED this 16 day of August, 2012

Camille Lee Pittenger
City Clerk of the City of San Marcos