



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Final Planning and Zoning Commission

Tuesday, February 12, 2019

6:00 PM

City Council Chambers

630 East Hopkins St.

I. Call To Order

With a quorum present the regular meeting of the San Marcos Planning and Zoning Commission was called to order by Chair Garber at 6:00 p.m. on Tuesday, February 12, 2019 in the City Council Chamber of the City of San Marcos, City Hall, 630 East Hopkins St., San Marcos, Texas.

II. Roll Call

Present 8 - Commissioner Maxfield Baker, Commissioner Mike Dillon, Commissioner Jim Garber, Commissioner Matthew Haverland, Commissioner Kate McCarty, Commissioner Lee Porterfield, Commissioner Angie Ramirez, and Commissioner Betseygail Rand

Excused 1 - Commissioner Mark Gleason

III. Chairperson's Opening Remarks

IV. 30 Minute Citizen Comment Period

Lisa Marie Coppoletta, 1322 Belvin, said we should fire the City Arborist, Steve Parker, Tom Taggart, and Sabas Avila. She says she's waited for five weeks while the City has held her house hostage, putting in a one-sided street sidewalk. She said they told her it was based on an internal study, yet five weeks later she has not received it. Instead, she said she was given an arborist report and a PowerPoint from 2013 that doesn't even have her street on it. She referenced a meeting where Mr. Becak asked if there would be any one-sided street sidewalks, and City staff said only a couple. She said her open records request revealed that there's been at least seven that have been implemented this year. She said she has Native American artifacts on her land and the City doesn't care about that, or her live oak trees. She said their justification for the sidewalk is a school bus stop that's on the other end of Dixon St. She said the other justification is a bus stop on Bishop and Belvin that they eliminated a year ago. She said the project will have flooding implications as well as liability concerns because everyone is going to be going down one side of the street.

CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of January 8, 2019.

2. Consider approval of the minutes of the regular meeting of January 22, 2019.
3. PC-18-55_03 (Paso Robles Phase 3B) Consider a request by Steve Crauford, on behalf of Carma Paso Robles, LLC, to approve Paso Robles Phase 3B Final Plat, consisting of approximately 51.651 acres, more or less, out of the John Williams Survey. (T. Carpenter)

A motion was made by Commissioner Porterfield, seconded by Commissioner Dillon, that the Consent Agenda be approved. The motion carried by the following vote:

For: 8 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 0

Excused: 1 - Commissioner Gleason

PUBLIC HEARINGS

4. Permit #2018-25568 (Corner of Cotter and Riverway Avenues) Hold a public hearing and consider a request by The Brownstone Group, Inc. for approval of a Qualified Watershed Protection Plan Phase 2 for Lot 1A, Block C of the Blanco Riverwalk Subdivision consisting of 13 acres located at the corner of Cotter and Riverway Avenues. (G. Schwarz)

Chair Garber opened the Public Hearing.

Greg Schwarz, Senior Engineer, gave an overview of the request.

Lisa Marie Coppoletta, 1322 Belvin, spoke in opposition of the item. She asked where the developer was, and why they didn't come speak in favor of the project. She asked how they were getting around the new code, and if it meets the requirements of the new code, especially taking into consideration the impacts of the water quality and the flooding. She said anyone who sends in their paperwork the day of the meeting, and doesn't allow our City staff analyze it is weird to her. She said she doesn't see how the Commission can approve it if there's no analysis from City staff.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Garber, seconded by Commissioner McCarty, that Permit #2018-25568 Qualified Watershed Protection Plan Phase 2 (Corner of Cotter and Riverway Avenues) be approved with the condition of the project showing no-rise in the floodplain. The motion carried by the following vote:

For: 6 - Commissioner Dillon, Commissioner Garber, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 2 - Commissioner Baker and Commissioner Haverland

Excused: 1 - Commissioner Gleason

5. Permit #2018-25080 (2540 S. IH 35) Hold a public hearing and consider a request by TFG San Marcos SC, LP for approval of a Qualified Watershed Protection Plan Phase 2 for Lot 3-B, Block 4 of the Stonecreek Crossing Phase 2 Subdivision consisting of 5.389 acres located at 2540 S. IH 35. (G. Schwarz)

Chair Garber opened the Public Hearing.

Greg Schwarz, Senior Engineer, gave an overview of the request.

Lisa Marie Coppoletta, 1322 Belvin, spoke in opposition of the item. She said we continue to play with people's lives. She said the retention ponds are a joke out there. She said she's shot video blogs on them, and we all know IH 35 floods, and people have gotten trapped in that. She said the Commission should deny the request.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Haverland, seconded by Commissioner McCarty, that Permit #2018-25080 Qualified Watershed Protection Plan Phase 2 (2540 S. IH 35) be approved. The motion carried by the following vote:

For: 8 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 0

Excused: 1 - Commissioner Gleason

6. Permit #2016-20468 (2805 N. IH 35) Hold a public hearing and consider a request by San Marcos IH 35, LLC for approval of a Qualified Watershed Protection Plan Phase 2 for Lot 3, Block 1 of the International Electric Corporation Addition subdivision consisting of 8.941 acres located at 2805 N. IH 35. (G. Schwarz)

Chair Garber opened the Public Hearing.

Greg Schwarz, Senior Engineer, gave an overview of the request.

There were no additional speakers.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Haverland, seconded by Commissioner Dillon, that Permit #2016-20468 Qualified Watershed Protection Plan Phase 2 (2805 N. IH 35) be approved. The motion carried by the following vote:

For: 8 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 0

Excused: 1 - Commissioner Gleason

7. CUP-19-03 (Hopdoddy Burger Bar) Hold a public hearing and consider a request by Hopdoddy Burger Bar for a new Conditional Use Permit to allow the sale of Mixed Beverages for on premise consumption at 200 Springtown Way Ste. 100. (W. Parrish).

Chair Garber opened the Public Hearing.

Will Parrish, Planner, gave an overview of the request.

There were no additional speakers.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Porterfield, seconded by Commissioner Baker, that CUP-19-03 (Hopdoddy Burger Bar) be approved with staff recommendations.

**A motion was made by Commissioner Garber, seconded by Commissioner Baker, that the main motion be amended to include the following condition:
1.) Hours of operation shall be consistent with those posted in the application.
The motion carried by the following vote:**

For: 8 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 0

Excused: 1 - Commissioner Gleason

Chair Garber called for a vote on the main motion with the following conditions: 1.) Permit shall be valid for one (1) year, provided standards are met, 2.) The permit shall be effective upon the issuance of a Certificate of Occupancy, 3.) The permit shall be posted in the same area and manner as the Certificate of Occupancy, and 4.) Hours of operation shall be consistent with those posted in the application. The motion carried by the following vote:

For: 8 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Haverland, Commissioner McCarty, Commissioner Porterfield, Commissioner Ramirez and Commissioner Rand

Against: 0

Excused: 1 - Commissioner Gleason

8. CUP-19-06 (Stonecreek Crossing Multifamily) Hold a public hearing and consider a request for a Conditional Use Permit to allow multifamily apartments with a limit of 24 units per acre for an approximately 16.7 acre tract, more or less, within the limits of the Stonecreek PDD, located on Lot 9B, Block 3, Stonecreek Crossing. (W. Parrish)

Chair Garber opened the Public Hearing.

Will Parrish, Planner, gave an overview of the request.

Linda Porterfield, 2520 Summit Ridge, spoke in opposition of the item. She works and is a co-owner of Gulf Business Forms, 2460 S. IH 35. She said they are just a few yards from the proposed project site. She said Barnes Dr. is a street many of the employees of Gulf Business Forms drive each day. She has traffic concerns with the additional people who would travel the road. She said the additional traffic on Barnes Dr. will create more traffic on their private road, which runs from the highway to Barnes Dr. She said when Stonecreek Crossing was first permitted the 2008 PDD stated its intention was for retail and commercial sites, and that apartments were never a consideration. She said in one of the permits, apartments were noted and excluded from building in the development. She added that there was no residential plan for the area as it was proposed. She said apartments built on the 16 acre tract would deter the retail growth it was planned for, a reversal of the City's intent in 2008. She believes we ought to give the original PDD and its vision a chance of coming to fruition.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Garber, seconded by Commissioner McCarty, that CUP-19-06 (Stonecreek Crossing Multifamily) be recommended for approval with the following conditions: 1.) The project shall comply with Section 9.4.3 of the San Marcos Land Development Code, the Multifamily Residential Design Standards with the exception of Section 9.4.3.4(B); 2.) The property is limited to 24 units per acre; and 3.) The development shall be substantially similar to the proposed site plan. The motion carried by the following vote:

For: 7 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Haverland, Commissioner McCarty, Commissioner Ramirez and Commissioner Rand

Against: 0

Recused: 1 - Commissioner Porterfield

Excused: 1 - Commissioner Gleason

V. Question and Answer Session with Press and Public.

There were no questions from the Press or Public.

VI. Adjournment

The meeting was adjourned at 7:52 p.m.

Notice of Assistance at the Public Meetings

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____ day of _____

_____ Title:
