



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Final Planning and Zoning Commission

Tuesday, May 14, 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, May 14, 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 9 - Commissioner Maxfield Baker, Commissioner Mike Dillon, Commissioner Jim Garber, Commissioner Mark Gleason, Commissioner Matthew Haverland, Commissioner Kate McCarty, Commissioner Betseygail Rand, Commissioner Gabrielle Moore, and Commissioner Travis Kelsey

III. Chairperson's Opening Remarks

IV. 30 Minute Citizen Comment Period

Lisa Marie Coppoletta, 1322 Belvin, read the Neighborhood Commission Resolution to the City Council. She read that it recommends the City Council advise the City Manager to look into the sidewalk plan and ensure clear communication amongst all City Departments and all affected citizens involved in the project. She said her block doesn't have any street lights on the side where they want to install the sidewalk. She said her health will be impacted because of the stress of the project, and that she and her neighbors are afraid of being flooded out. She said City Engineer, John Espinoza, told her to send him a video when her house floods. She also said that the City Arborist has said they need to go around the Heritage Oaks on the sidewalk project. She said City workers are not required to have a 5 ft. sidewalk, they've gone around their trees, but everyone else is required to have the 5 ft. sidewalk, and that is going to kill Live Oaks.

Thomas Larsen, 1631 Aquarena Springs Dr., spoke on behalf of Move SM, an informal group of community members whose mission it is to act in the absence of an alternative transportation advisory board for the City of San Marcos. He mentioned several recommendations Move SM would like to make after reviewing the 10-Year Capital Improvements Plan (CIP), and to achieve some of the goals of the Transportation Master Plan. Recommendations including creating a Transportation Advisory Board, reevaluating the scope of all roadway related CIP projects, prioritizing CIP projects that enable mode shift, and increase alternative transportation use on primary corridors. He also recommended identifying and prioritizing both potential and existing CIP projects

that support east to west transportation, creating a downtown safe zone, and calling for the installation of green infrastructure in City right-of-ways and public facilities.

Nick Dornack, Director of Watershed Services, for the Meadows Center (Texas State University), said he wanted to encourage green infrastructure in development, particularly with the alley project coming up downtown. He mentioned that permeable pavers are an incredible way to both treat water, and do it economically, and with the current infrastructure in place. He said that engineers that work with them at the Meadows Center, as well as Meadows Center staff can help guide CIP projects, so he wanted to commit to helping to work with the City. He said when we're planning for the next 10 years we're going to be planning for flooding, water quality degradation, or smart and sustainable growth, and clean and clear rivers.

CONSENT AGENDA

1. PC-18-57_03 (McCarty Commons Phase 2 Lot 1) Consider a request by Charles Hager P.E., on behalf of D.R. Horton, for a final plat of 6.622 acres, more or less, out of the Nathaniel Hubbard Survey, Abstract No. 230, located near the intersection of East McCarty Drive and Leah Avenue. (W. Parrish)

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

For: 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

Against: 0

PUBLIC HEARINGS

2. ZC-19-07 (Centerpoint Road and Old Bastrop Highway) Hold a public hearing and consider a request by La Kings, LLC, for a zoning change from "SC" SmartCode to "LI" Light Industrial for approximately 398 acres, more or less, out of the J.H. Yearby Survey located at the intersection of Centerpoint Road and Old Bastrop Highway. (W. Parrish)

The item was postponed to the May 28, 2019 Planning and Zoning Commission meeting.

3. ZC-19-08 (McGehee Rezoning) Hold a public hearing and consider a request by the City of San Marcos for a zoning change from "P" Public/Institutional to "SF-4.5" Single Family District - 4.5 for approximately 0.309 acres, more or less, legally known as Lots 18, 19, and 20, JQ Cliett First Addition, located in the 700 Block of McGehee Street, San Marcos, Texas. (S.Caldwell)

Chair Garber opened the Public Hearing.

Shavon Caldwell, Planner, gave an overview of the request.

Lisa Marie Coppoletta, 1322 Belvin, spoke in opposition of the item. She said there's multiple high rises being built in the area, and it's going to flood out all of those neighborhoods. She also said someone is paying for affordable houses, and in her instance the Habitat houses are the reason why her block is about to be destroyed. She said as far as the CIP projects are concerned, the City is the number one polluter over the Aquifer Recharge Zone.

Eva Rodriguez (no address given), spoke in opposition of the item. She said the area floods and people get trapped. She said it's not a safe place for people to live. She said there was a neighborhood there years ago, and they were moved out because of the flooding.

Tony Rodriguez, 327 Lee St., spoke in opposition of the item. He said the concern is the flooding, and he doesn't want the City to face a lawsuit because of good intentions. He added that because of the developments down the road, the water is building up more. He added that the creek is known to have homeless people that tend to panhandle.

Elsie Romano, 401 Mariposa, spoke in opposition of the item. She said there was a flood in the 1970s, and many of the families that were in the Veteran's Park area were relocated because of it. She said they've had a lot of close call rain events over the years that have impacted the neighborhood, with water rising to her sidewalk, driveway, and McGehee St. being underwater. She expressed concerns with adding housing units in close proximity to the creek. She also expressed health concerns because she said the sanitary sewer has overflow issues.

Raquel Garcia, 618 CM Allen Pkwy, spoke in opposition of the item. She expressed flooding concerns, and thinks building up this area will only worsen the flooding situation, like The Woods Apartments did on Barbara Dr. She said during the 2015 floods, fire trucks came out to rescue people on CM Allen Pkwy, and surrounding areas. She asked if it would change the flood zone area and require her to carry flood insurance. She also expressed concerns about wildlife in the area.

Keith Benouis, 712 South CM Allen Pkwy, spoke in opposition of the item. He said there's been several severe floods since he's lived in his home. He said the three lots sit adjacent to his home, and stuffing three houses in a known flood zone is absurd. He added that the area is a mosquito pit, and that the ditch behind that runs adjacent to IH-35 can fill-up with water overnight.

Chair Garber closed the Public Hearing.

Discussion ensued.

A motion was made by Commissioner Baker, seconded by Commissioner

Haverland, that ZC-19-08 (McGehee Rezoning) be denied. The motion failed by the following vote:

- For:** 4 - Commissioner Baker, Commissioner Haverland, Commissioner McCarty and Commissioner Rand
- Against:** 5 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Moore and Commissioner Kelsey

A motion was made by Commissioner Gleason, seconded by Commissioner Dillon, that ZC-19-08 (McGehee Rezoning) be approved. The motion carried by the following vote:

- For:** 5 - Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Moore and Commissioner Kelsey
- Against:** 4 - Commissioner Baker, Commissioner Haverland, Commissioner McCarty and Commissioner Rand

4. CUP-19-13 (Twin Peaks) Hold a public hearing and consider a request by Mike Locey, on behalf of Twin Restaurant San Marcos, LLC, for a Conditional Use Permit to allow for the sale of mixed beverages for on premise consumption at 1207 South IH 35. (S.Caldwell)

Chair Garber opened the Public Hearing.

Shavon Caldwell, Planner, gave an overview of the request.

There were no additional speakers.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Gleason, seconded by Commissioner Dillon, that CUP-19-13 (Twin Peaks) be approved with the following conditions: 1.) Permit shall be valid for one (1) year, provided standards are met; 2.) The permit shall be posted in the same area and manner as the Certificate of Occupancy; 3.) Employees may not park on the Olive Garden lot; 4.) No outdoor live music shall be allowed; and 5.) No outdoor amplified music shall be allowed. The motion carried by the following vote:

- For:** 8 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Moore and Commissioner Kelsey
- Against:** 1 - Commissioner Rand

NON-CONSENT AGENDA

5. Provide a recommendation to the City Council on the 10-Year Capital Improvements Program. (L. Moyer)

Laurie Moyer, Director of Engineering and Capital Improvements, discussed some of the points the Commission addressed at the previous meeting, and was available for questions.

A motion was made by Commissioner Kelsey, seconded by Commissioner McCarty that the 10-Year Capital Improvements Program be recommended for approval with the condition that: 1.) Funding for Project ID #415 (Downtown Alley Reconstruction) and Project ID #712 (Downtown Pedestrian Safety & Comfort Improvements) should be moved up to 2020.

An amendment was made by Commissioner Rand, seconded by Commissioner Moore, that the main motion be amended to endorse the recommendations on the Move SM handout, and that Project #438 (City Park – ADA Playground) should have a shade structure.

Commissioner Rand retracted the Amendment.

A second amendment was made by Commissioner Rand, seconded by Commissioner Haverland that Project #438 (City Park – ADA Playground) should have a shade structure.

The motion carried by the following vote:

For: 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

Against: 0

A motion was made by Commissioner Rand, seconded by Commissioner Haverland, that the main motion be amended so that: The City Council shall collaborate with the Meadows Center on green infrastructure and permeable pavers on the downtown alley projects. The motion carried by the following vote:

For: 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

Against: 0

A motion was made by Commissioner Moore, seconded by Commissioner Rand, that the main motion be amended to recommend all of the points in the

Move SM letter.

Commissioner Rand withdrew her second.

Commissioner Rand reseconded the amendment.

Commissioner Moore restated the motion again that the City Council shall consider all of the points made in the letter from Move SM.

The motion carried by the following vote:

For: 5 - Commissioner Baker, Commissioner Dillon, Commissioner Haverland, Commissioner Rand and Commissioner Moore

Against: 4 - Commissioner Garber, Commissioner Gleason, Commissioner McCarty and Commissioner Kelsey

A motion was made by Commissioner Baker, seconded by Commissioner Rand, that the main motion be amended so that: In Project ID #703 (Traffic Signal Synchronization and Improvement Project), consideration should be given towards wayfinding and intersection optimization during the synchronization. The motion carried by the following vote:

For: 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

Against: 0

Chair Garber called for a vote on the main motion with the following amendments: 1.) Funding for Project ID #415 (Downtown Alley Reconstruction) and Project ID #712 (Downtown Pedestrian Safety & Comfort Improvements) should be moved up to 2020; 2.) Project #438 (City Park – ADA Playground) should have a shade structure; 3.) The City Council shall collaborate with the Meadows Center on green infrastructure and permeable pavers on the downtown alley projects; 4.) City Council shall consider all of the points made in the letter from Move SM; and 5.) In Project ID #703 (Traffic Signal Synchronization and Improvement Project), consideration should be given towards wayfinding and intersection optimization during the synchronization. The motion carried by the following vote:

For: 9 - Commissioner Baker, Commissioner Dillon, Commissioner Garber, Commissioner Gleason, Commissioner Haverland, Commissioner McCarty, Commissioner Rand, Commissioner Moore and Commissioner Kelsey

Against: 0

- 6. Receive a presentation from staff and discuss the Planning and Development Services 2018 Year in Review report.

Amanda Hernandez, Development Services Manager, gave an overview of the 2018 Annual Report.

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 8:10 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: