



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Draft Planning and Zoning Commission

Tuesday, February 14, 2023

6:00 PM

City Council Chambers

This was a hybrid (in-person/virtual meeting). To view the meeting please go to <http://www.sanmarcostx.gov/541/PZ-Video-Archives> or watch on Grande channel 16 or Spectrum channel 10

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 14, 2023 via Hybrid Meeting due to COVID-19.

II. Roll Call

Present 7 - Commissioner Griffin Spell, Commissioner Jim Garber, Commissioner William Agnew, Commissioner Lupe Costilla, Commissioner Amy Meeks, Commissioner Travis Kelsey, and Commissioner David Case

Absent 1 - Commissioner Zachariah Sambrano

III. Chairperson's Opening Remarks

Chair Garber welcomed the audience and gave brief opening remarks detailing the meeting rules and guidelines.

IV. 30 Minute Citizen Comment Period

Chair Garber opened the Citizen Comment Period.

- 1) Billy Ray Callihan - 740 Center Street**
- 2) Bruce Jennings – 5401 Riverbend Lane, opposed item 6**
- 3) David Garza – 112 Colorado Drive, opposed item 6**
- 4) Anna Juarez – 342 Newberry Trail, opposed item 6**
- 5) Rocko Moses – 101 Riverpark Drive, opposed item 6**
- 6) Annie Donovan – 3355 FM 1984, opposed item 6**
- 7) Noah Brock – 3355 FM 1984, opposed item 6**
- 8) Lisa Marie Coppoletta - 1322 Belvin, general comments**

Chair Garber closed the Citizen Comment Period.

CONSENT AGENDA

- 1. PC-22-11 (Rattler Ridge Preliminary Plat) Consider a request by Dan Ryan, on behalf of Rattler Ridge, LLC for approval of a Preliminary Plat of approximately 421.93 acres out of the Andrew Mitchell Survey, Abstract No. 220, the John Jones Survey, Abstract No. 435, the S.A. & M.G. Railroad Company Survey, Abstract No. 509, and the H.E. Jordt Survey, Abstract No. 195, located within the Extraterritorial Jurisdiction of the City of San Marcos at FM 1978 and Henk Ln. (W. Rugeley)

- 2. PC-21-58 (La Cima Ph 5 Preliminary Plat) Consider a request by Tirso Gonzalez, on behalf of Bryan Lee, for approval of a Preliminary Plat of approximately 41.44 acres out of the John Williams Survey, Abstract No 490, generally located at the southwest corner of the W. Centerpoint Rd. and Central Park Lp. Intersection. (W. Rugeley)

A motion was made by Commissioner Kelsey, seconded by Commissioner Spell that the Consent Agenda be approved.

The motion carried with the following vote:

For: 7 - Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Costilla, Commissioner Meeks, Commissioner Kelsey and Commissioner Case

Against: 0

Absent: 1 - Commissioner Sambrano

PUBLIC HEARINGS

- 3. CUP-23-02 (Rollin Bowl) Hold a public hearing and consider a request by Rollin Bowl, for renewal of a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 1285 IH 35. (C. Garrison)

Craig Garrison, Planner, gave a presentation on CUP-23-02

Staff recommended approval of CUP-23-02 with the following conditions:

- 1. The CUP shall be valid for three (3) years, provided standards are met;
- 2. Employees may not park in the Olive Garden lot; and
- 3. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

Chair Garber opened the Public Hearing.

1) Lisa Marie Coppoletta – 1322 Belvin, general comments

Chair Garber closed the Public Hearing.

A motion was by Commissioner Spell, Seconded by Commissioner Meeks, that CUP-23-02 be approved with the following conditions:

1. The CUP shall be valid for three (3) years, provided standards are met;
2. Employees may not park in the Olive Garden lot; and
3. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

The motion carried by the following vote:

For: 7 - Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Costilla, Commissioner Meeks, Commissioner Kelsey and Commissioner Case

Against: 0

Absent: 1 - Commissioner Sambrano

4. CUP-23-03 (Chit House) Hold a public hearing and consider a request by, Warren Pulley, on behalf of Chit House, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 208 N LBJ Drive. (C. Garrison)

Craig Garrison, Planner, gave a presentation on CUP-23-03.

Staff recommended approval of CUP-23-03 with the following conditions:

1. The permit shall be valid for one (1) year, provided standards are met;
2. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(B)(4)(b), Eating Establishments – Downtown CBA Boundary;
3. The business shall be responsible for maintaining all areas within 50 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times as set forth in Section 5.1.5.5(E)(2)(d); and
4. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

Chair Garber opened the Public Hearings.

1) Warren Pulley – 191 Connor Road, in favor

Chair Garber closed the Public Hearings.

A motion was made by Commissioner Kelsey, seconded by Commissioner Costilla to approve request CUP-23-03 with the following conditions:

- 1. The permit shall be valid for one (1) year, provided standards are met;**
- 2. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(B)(4)(b), Eating Establishments – Downtown CBA Boundary;**
- 3. The business shall be responsible for maintaining all areas within 50 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times as set forth in Section 5.1.5.5(E)(2)(d); and**
- 4. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**

The motion carried by the following vote:

For: 7 - Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Costilla, Commissioner Meeks, Commissioner Kelsey and Commissioner Case

Against: 0

Absent: 1 - Commissioner Sambrano

- 5. CUP-23-05 (Fairfield Inn & Suites) Hold a public hearing and consider a request by Frank Chen, on behalf of Fairfield Inn & Suites, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 1250 N IH 35. (K. Buck)**

Amanda Hernandez, Interim Director of Planning and Development Services, gave a presentation on CUP-23-05

Staff recommend approval of CUP-23-05 with the following conditions:

- 1. The permit shall be valid for one (1) year provided standards are met;**
- 2. The permit shall be effective upon issuance of the TABC License;**

3. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

Chair Garber opened the Public Hearing.

There were no speakers.

Chair Garber closed the Public hearing.

A motion was made by Commissioner Agnew, seconded by Commissioner Spell to approve CUP-23-05 with the following conditions.

- 1. The permit shall be valid for one (1) year provided standards are met;**
- 2. The permit shall be effective upon issuance of the TABC License;**
- 3. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**

The motion carried by the following vote:

For: 7- Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Costilla, Commissioner Meeks, Commissioner Kelsey and Commissioner Case

Against: 0

Absent: 1- Commissioner Sambrano

- 6. ZC-23-01 (Smart Terminal FD to HI) Hold a public hearing and consider a request by Franklin Mountain San Marcos I.L.P, for a Zoning Change from Future Development (FD) to Heavy Industrial (HI), or, subject to consent of the owner, another less intense zoning district classification, for approximately 588.821 +/- acres of land, more or less, out of the William Pettus Survey, Abstract No. 21 and the Thomas Maxwell Survey No.17, Abstract No. 188, Caldwell County, Texas, generally located on FM 1984 at the intersection between State Highway 80 and the future FM 110. (J. Cleary)**

Julia Cleary, Senior Planner, gave a presentation on ZC-23-01.

Staff recommended approval of ZC-23-oz as presented.

Chair Garber opened the Public Hearing.

- 1) Juanita Zapeda – 5 Oak Street, opposed**

- 2) Ryan Burkhardt – in favor
- 3) Dan Grant – in favor
- 4) Lisa Marie Coppoletta - 1322 Belvin, opposed

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Kelsey, seconded by Commissioner Spell that ZC-23-01 be postponed until 3/28/2023.

The Commission requested that the Developer meet with residents and communities that may be affected.

The motion carried by the following vote:

For: 7 - Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Costilla, Commissioner Meeks, Commissioner Kelsey and Commissioner Case

Against: 0

Absent: 1 - Commissioner Sambrano

- 7. ZC-23-08 (Cottonwood Creek Phase 3) Hold a public hearing and consider a request by Doucet and Associates, on behalf of, Randall Morris, for a Zoning Change from General Commercial (GC) to Character District 4 (CD-4), or, subject to consent of the owner, another less intense zoning district classification, for approximately 1.811 acres out of Cottonwood Creek, Phase 3 , located north of the intersection of Rattler Road and Monterrey Oak (C. Garrison)

Craig Garrison, Planner, gave a presentation on ZC-23-08.

Staff recommended approval of ZC-23-08 as presented.

Chair Garber opened the Public Hearing.

- 1) Ed Theriot – 120 Lakeview Circle, in favor
- 2) Lisa Marie Coppoletta – 1322 Belvin, opposed

A motion was made by Commissioner Spell to recommend denial of request ZC-23-08.

The motion died for lack of 2nd.

A motion was made by Commissioner Kelsey, seconded by Commissioner Costilla to recommend approval of request ZC-23-08.

The motion carried the following vote:

For: 6 - Commissioner Garber, Commissioner Agnew, Commissioner Costilla, Commissioner Meeks, Commissioner Kelsey and Commissioner Case

Against: 1 - Commissioner Spell

Absent: 1 - Commissioner Sambrano

The meeting entered into a 10-minute recess.

The meeting reconvened at 7:40 pm.

NON-CONSENT AGENDA

8. Receive a presentation from Staff and project consultants, MIG, and hold an Information Meeting and discussion as required for Comprehensive Plan Map Amendments, on the Vision SMTX Comprehensive Plan Rewrite and Downtown Area Plan.

Andrea Villalobos, Planning Manager and Amanda Hernandez, Interim Director of Planning and Development Services, gave a presentation, on The Vision SMTX Comprehensive Plan Rewrite and Downtown Plan.

Chair Garber requested to sit down with members from P&Z who were also on the Comprehensive Plan Steering Committee and the Mayor, to review the Comprehensive Plan for edit.

Commissioners Agnew, Case and Meeks agreed to form a Subcommittee with Chair Garber and Mayor Hughson.

V. Question and Answer Session with Press and Public.

Chair Garber opened the Question and Answer Session with Press and Public.

Billy Ray Callihan, asked two questions unrelated to the agenda.

VI. Adjournment

A motion was made by Commissioner Kelsey, seconded by Commissioner Meeks to Adjourn.

The vote carried by the following vote:

For: 7- Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Costilla, Commissioner Meeks, Commissioner Kelsey and Commissioner Case

Against: 0

Absent: 1- Commissioner Sambrano

The meeting Adjourned at 8:44 p.m.

Enrique Velasquez, Recording Secretary



Jim Garber, Chair

