



**SAN MARCOS PLANNING & ZONING COMMISSION
ACTION AGENDA
July 23, 2013
REGULAR MEETING**

Agenda #		Action or Direction
1	Call to Order	Chair Taylor called the meeting to order.
2	Roll Call	
3	Chairperson's Opening Remarks	
	NOTE: The Planning and 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.	
4	30 minute Citizen Comment Period	
31	<u>Consent Agenda</u> Consider the approval of the minutes of the Regular Meeting on July 9, 2013.	Approved on Consent
6	<u>Public Hearing</u> VR-13-07 (Tres Hermanas) Hold a public hearing and consider a request by David Chiu for a variance at 2550 Hunter Road to allow a restaurant serving alcohol less than 300 feet from a public school, but not less than 200 feet from the primary entrance to the school, to seek a Conditional Use Permit (LDC 4.3.4.2(b)(3)).	Public Hearing: No comments Approved 9-0 with the condition that "Due to close proximity of a school campus, please be alert for students and drive carefully. This restaurant will accommodate, as necessary, any individual that needs transportation after consuming alcoholic beverages" be placed on the restaurant menu.
7	CUP-13-18 (Tres Hermanas) Hold a public hearing and consider a request by David Chiu for renewal of a Conditional Use Permit to allow the sale of mixed beverages for on-premise consumption at 2550 Hunter Road.	Public Hearing: No comments Approved 9-0 with the following conditions that the CUP shall be valid for one (1) year, provided standards are met, subject to the point system; Include the statement "Due to the close proximity of a

		<p>school campus, please be alert for students and drive carefully. This restaurant will accommodate, as necessary, any individual that needs transportation after consuming alcoholic beverages”; the restaurant shall operate such that gross revenue from alcohol sales will be less than 25% of total gross revenue for the business, with the restaurant submitting annual reports indicating this condition has been met; the primary entrance for the restaurant shall remain at least 20 feet from the primary entrance of the school; alcoholic beverages shall not be served earlier than 11: a.m. or later than 10 p.m.; the CUP shall be effective upon approval of the variance by City Council</p>
<p>8</p>	<p>CUP-13-20 (Abel Autohaus) Hold a public hearing and consider a request by Abel Autohaus, for a Conditional Use Permit to allow the use of Auto Dealer-Used Auto Sales in a Community Commercial (CC) zoning district at 1710 N. IH 35.</p>	<p>Public Hearing: No comments</p> <p>Approved 9-0 with the conditions that on-site fencing shall be repaired or replaced if beyond repair; the entire property shall be landscaped in accordance with Section 6.1.1.4.- Required Landscape Area Standards; new lighting shall be 15 feet in height or less; and the property may not be used as a tow yard, vehicle storage, or impoundment.</p>
<p>9</p>	<p>Discussion and possible direction to staff regarding regulating and enforcing the point system, noise and outdoor live amplified music for Conditional Use Permits for on-site alcohol beverage consumption.</p>	<p>The Commission discussed the item and gave direction to staff to:</p> <ul style="list-style-type: none"> • Pursue creating a permit process for outdoor amplified music with the approvals going through a public process, • Evaluate establishing a downtown entertainment district with more allowance for amplified music, • Revise the noise ordinance, • Revise the point system, • Require posting of CUP in establishments, • Address the noise impacts of multi-family developments • Review the “restaurant” requirement for Restricted CUPs

10	Discussion and possible direction to staff regarding the boundaries for the Neighborhood Character Studies and the timing of the studies.	The Commission discussed the item and gave direction to staff to: <ul style="list-style-type: none"> • Add the Cottonwood Creek Area to the Study Area which includes El Camino Real • Gather statistics on the Study Areas on: owner/renter information, permits in process, anticipated future high growth areas, etc.
12	<p><u>Non-Consent Agenda</u></p> <p>Development Services Report</p> <p>a. Update from staff on the following:</p> <ol style="list-style-type: none"> 1. Major revisions to the Land Development Code; 2. July 25, 2013 City Council & Planning Commission Joint Meeting; 3. Impact Fee Report. 	Staff gave a brief update.
14	Question and Answer Session with Press and Public. <i>This is an opportunity for the Press and Public to ask questions related to items on this agenda.</i>	No comments
15	Adjournment	Adjourned at 7:29 p.m.