

PLANNING & ZONING COMMISSION MEETING

Wednesday, November 20, 2024 at 5:30 PM

Glen Rose City Hall, Council Chambers,
201 NE Vernon, Glen Rose, TX 76043



AGENDA

Live stream of this meeting is available on the City's Facebook and YouTube pages.

CALL TO ORDER

Pledge of Allegiance, Roll Call

CONSENT AGENDA

1. Consider approval of minutes from July 24, 2024 P&Z Board Meeting
2. Consider approval of minutes from August 28, 2024 P&Z Board Meeting
3. Consider approval of minutes from September 24, 2024 P&Z Board Meeting
4. Consider approval of minutes from October 23, 2024 P&Z Board Meeting

PUBLIC HEARING

5. Public hearing regarding a request for a Specific Use Permit in order to produce beer for self-distribution and on-premise sales at the property located at 302 Lakeview Acres 0.241, Tract: C6-33, Abst: A136, A136 MILAM CO SCH LD, TRACT C6-33, SN1 012344S5338 to operate in a B-2 (General Commercial District) Zone.

INDIVIDUAL ITEMS FOR CONSIDERATION

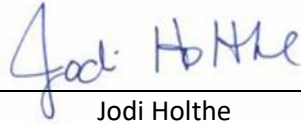
6. Discussion, consideration and possible action regarding a request for a Specific Use Permit in order to produce beer for self-distribution and on-premise sales at the property located at 302 Lakeview Acres 0.241, Tract: C6-33, Abst: A136, A136 MILAM CO SCH LD, TRACT C6-33, SN1 012344S5338 to operate in a B-2 (General Commercial District) Zone.
7. Discussion, consideration and possible action regarding amending Chapter 14.02.102 Specific Use Permits
8. Discussion, consideration and possible action regarding amending Chapter 10.06.004 Parkland Dedication to accommodate Commercial Development Language

ADJOURNMENT

In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in the is meeting should contact the City Secretary's office at (254) 897-2272 x 102 at least 48 hours prior to the meeting to request such assistance.

CERTIFICATION

I, the undersigned authority, do hereby certify that this NOTICE OF MEETING was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance of the City of Glen Rose City Hall, a place convenient and readily accessible to the general public, as well as to the City's website at www.glenrosetexas.org and said notice was posted on the following date and time: **Friday, November 15, 2024, on or before 5:00 PM** and remained posted for at least two hours after said meeting was convened.



Jodi Holthe
Building, Planning Code Enforcement Department

Certification of NOTICE OF MEETING was removed on: _____ at _____ am/pm

by _____ . _____



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	11/20/2024		
AGENDA SUBJECT:	Consider approval of minutes from July 24, 2024 P&Z Board Meeting		
PREPARED BY:	Building/Planning/Code Enforcement Assistant Holthe	DATE SUBMITTED:	11/15/24
EXHIBITS:			
BUDGETARY IMPACT:		Required Expenditure:	\$00.00
		Amount Budgeted:	\$00.00
		Appropriation Required:	\$00.00
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:			
RECOMMENDED ACTION: Move to approve or deny as presented.			

Meeting Minutes
Planning & Zoning Commission – City of Glen Rose, Texas
July 24, 2024

Item 1.

1. Call to Order
 - a. The meeting was called to order to 5:30 pm by Chairperson, Pam Streeter
 - b. Pledge of Allegiance
 - c. Roll Call: Absent: Larry Cremean, Greg Clanton. Present: Rex Miller, William Green, and Pam Streeter were in attendance. Additionally, Staff member Jodi Holthe was present. A quorum was present.
2. Consent Agenda
 - a. Approval of Meeting Minutes from June 26, 2024 was required.
 - b. No Discussion or Changes to Minutes were needed.
 - c. The motion to approve the consent agenda was made by Rex Miller and seconded by William Green
 - d. Motion passed 3/0
3. Workshop
 - a. Downtown District Overlay – the idea is to create an overlay district to allow for changes in ordinances that cross multiple zoning areas. The discussion of the overlay procedures were discussed along with what the downtown overlay district would look like.
 - b. Update some schedule of uses RV Parks, Off premise only alcohol sales, business offices, Bowling alleys, and Industrial areas
 - c. Sign Ordinance – this discussion was tabled
 - d. Park Land Dedication – discussion on current ordinance and whether a need for commercial development park land language was needed
 - e. Follow up on discussion from Joint City Council & P&Z Meeting – none needed
 - f. Business Type Limitations – Tabled
4. Having no further business before the commission the meeting was adjourned at 6:58pm

Chairperson

Jodi Holthe,
Building & Planning Department



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	11/20/2024		
AGENDA SUBJECT:	Consider approval of minutes from August 28, 2024 P&Z Board Meeting		
PREPARED BY:	Building/Planning/Code Enforcement Assistant Holthe	DATE SUBMITTED:	11/15/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:			
RECOMMENDED ACTION:			
Move to approve or deny as presented.			

Meeting Minutes
Planning & Zoning Commission – City of Glen Rose, Texas
August 28, 2024

Item 2.

- 1) Call to Order
 - a) The meeting was called to order to 5:30 pm by Chairperson, Pam Streeter
 - b) Pledge of Allegiance
 - c) Roll Call: Absent: Larry Cremean, Present: Greg Clanton, Rex Miller, William Green, and Pam Streeter were in attendance. Additionally, Staff member Jodi Holthe was present. A quorum was present.
- 2) Public Hearing
 - a) Public Hearing regarding SUP for Short Term Rental at 201 SW Barnard
 - b) Public Hearing regarding SUP for Custom Art Tattoo & Piercing Parlor at 611 NE Big Bend Tr
- 3) Items for Individual Discussion
 - a) SUP for Short Term Rental – this location is the ideal placement for a Short-Term rental as is in a residential home surrounded by commercial and tourism items.
 - i) A motion was made & 2nd to recommend to city council
 - ii) Motion was approved 4/0
 - b) SUP for Tattoo Parlor – discussion and presentation by artist and letters of recommendation from property owner and surrounding areas
 - i) A motion was made & 2nd to recommend to city council
 - ii) Motion was approved 4/0
 - c) Discussion, consideration, and possible action on recommendations for amending article 4.08 mobile food courts
 - i) A large amount of discussion was held on all subjects within the ordinance everything from electrical, water and sewer requirements to the amount of trucks per space. The final recommendations were to clean up some language as attached – Appendix 1
 - ii) Motion was made & seconded
 - iii) Motion passed 4/0
 - d) Discussion & Consideration and possible action regarding Mobil Food Trucks – Article 4.09
 - i) Key elements of discussion were to remove language that could be in conflict with state health code and simply reference the state laws on Mobile Food Trucks
 - ii) Another discussion was removing the permit fee amount from this ordinance and instead referencing the permit fee in the permit fee schedule to ensure there is not future conflict of fee amounts to be charged. This fee needs to be added to Appendix A – Article A4.400 – business related fees in the amount of \$300. As A4.008.
 - iii) Motion was made & seconded
 - iv) Motion was passed 4/0
 - e) Discussion, consideration and possible action regarding amending chapter 10.06.004 Parkland Dedication & Park Improvements
 - i) Sought opinions and permission from City Admin to add commercial language
 - f) Discussion Consideration and possible action regarding renaming subdivision regulations to commercial development & subdivision
 - i) This turned into a bigger task than expected and has been tabled
 - g) Discussion, Consideration and Possible Action to create procedures for creating a district overlay
 - i) It was agreed that having the ability to create overlay districts was needed and in keeping with the comprehensive plan.

- ii) Motion was made & seconded
 - iii) Motion passed 4/0
 - h) Discussion, consideration & possible action to set the downtown overlay district along with the confines and special requirements creating a new ordinance within Chapter 14
 - i) The mapping of the area was agreed upon, and the basics of the overlay district were discussed
 - ii) Motion was made & seconded
 - iii) Motion passed 4/0
 - i) Update some schedule of uses RV Parks, Off premise only alcohol sales, business offices, Bowling alleys, and Industrial areas
 - j) Sign Ordinance – this discussion was tabled
 - k) Park Land Dedication – discussion on current ordinance and whether a need for commercial
- 4) Having no further business before the commission the meeting was adjourned at 7:35pm

Chairperson

Jodi Holthe,
Building & Planning Department

ARTICLE 4.08 MOBILE FOOD COURTS**4.08.001 Definition****4.08.002 Mobile Food Court****4.08.003 Location Standards****4.08.004 Development Standards****4.08.005 Site Plan****4.08.006 Design And Maintenance Guidelines****4.08.001 Definition**

Mobile food service establishment. An enclosed trailer or motor vehicle designed and operated for the sale of food and/or beverages, and which stays at one location for more than four (4) consecutive days. For the purpose of this article, two or more such establishments located on a single lot or parcel shall be known as a mobile food court. (Ordinance 17.12.11 adopted 12/11/17)

4.08.002 Mobile Food Court

1. No mobile food vendor/vehicle shall operate within a mobile food court that does not possess a valid permit.
2. All mobile food vendor requirements apply (see mobile food vendor article).

(Ordinance 17.12.11 adopted 12/11/17; Ordinance 18.06.11C adopted 6/11/18)

4.08.003 Location Standards

1. A mobile food court must meet all applicable zoning requirements applicable to the zoning district in which it is located and as required by this article.
2. Mobile food establishments shall operate only in zoning districts where eating establishments are allowed in the current city zoning ordinance.
3. All activity must occur on private property outside of the public right-of-way.
4. Vehicular drive-through service of food and/or beverages shall not be permitted.
5. Permitted mobile food vendors/vehicles located within the court shall be exempt from having to remove the vehicle from the site during nonoperating hours so long as such operation is in compliance with its use permit.
6. Mobile food courts shall not be located within of a building with a restaurant possessing a certificate of occupancy.
7. Mobile food courts must comply with the setback minimum of the zoning district which the site is located, unless a more restrictive setback is required by the city to mitigate any negative impacts to adjacent businesses, residents, or safety, health or welfare of the general public.
8. No mobile food establishment or vending unit, structures associated with the mobile food court use, nor any seating areas shall be located in a required zoning setback, buffer yard, access easement drainage easement, floodplain, driveway, utility easement and/or fire lane.
9. Mobile food establishment spaces shall be set back at least twenty-five feet from the front and fifteen feet from the rear lot lines, and set back from the side lot lines as specified for the zoning district where located.

(Ordinance 17.12.11 adopted 12/11/17; Ordinance 18.06.11C adopted 6/11/18)

4.08.004 Development Standards

1. Mobile food courts shall be allowed to engage in business only between the hours of 6:00 a.m. and 9:00 p.m. unless otherwise approved in writing by the city administrator or his/her designee.
2. The Texas Food Establishment Rules (TFER), section 229.167(d)(10) states a private home used as living or sleeping quarters may not be used for conducting food establishment operations.
3. Mobile food courts shall require an all weather surface as defined in _____ (Add to definition list as follows: All weather surface (parking and vehicular access). Vehicular "all weather surfaces" shall constitute: poured concrete on prepared subgrade; hot laid asphalt on a prepared base course; single, double, or triple asphalt surface treatment (consisting of applications of asphaltic material, each covered with aggregate) on a prepared base course. Brick/concrete block/tile/flagstone set in mortar or on a prepared base course. The Building

Official shall determine if other materials may fit within this category of surface; however, in no case material be considered a "all weather surface" if such surfaces generates or produces any dust or particulate matter that could be airborne to adjacent properties such as occurs with compacted base materials.

4. Mobile food courts must provide a paved parking area (in accordance to current building code), at a ratio of two (2) parking spaces per individual vendor/vehicle.
5. Mobile food courts must provide outside seating consisting of a table and a seating capacity of four (4), per mobile food vendor/vehicle unit.
6. All vendors/vehicles selling food or beverages must provide at least one (1) appropriately sized trash receptacle adjacent to or as a part of their stand/operation.
7. Mobile food courts shall have access to a common dumpster and to a common grease disposal container, approved by the city. Common trash and grease disposal containers shall be enclosed within an area screened from view in accordance with city ordinances.
8. Each mobile food establishment shall obtain electricity from, and be within 50 feet of an individual main-disconnect breaker or central bank of multiple-disconnect breakers, as approved by the city.
9. Mobile food establishments shall not be connected directly to the city wastewater system unless a grease trap is installed.
10. Mobile food vendors/vehicles shall demonstrate that the vehicle or unit is readily moveable if required by the city. Any alteration, removal, attachment, placement or change in, under or upon the mobile food vehicle or unit that would prevent or otherwise reduce ready mobility is prohibited.
11. At least two (2) trucks spaces are required for a mobile food truck court to be permitted. Additional mobile food vendor/vehicle units may be authorized by the city council with a specific use permit.
12. Building official/fire marshal shall make the appropriate inspections of the location, equipment, vehicles/units and other reasonable inspections concerned with the mobile food court operation to assure compliance with the applicable adopted codes, ordinances, requirements of all state and federal statutes.
13. A minimum twenty (20) foot wide apparatus access route shall be provided around the periphery of any mobile food vendor/vehicle.
14. One (1) permanent detached sign permitted in compliance with the current sign ordinance shall be allowed for the mobile food court. Individual vendors/vehicles shall be limited to one (1) sign attached to trailer or truck. Signs on mobile food establishments shall be mounted flat on the exterior, and not exceed 20 percent of the wall area to which they are affixed. No detached or temporary signs are authorized.
15. Residing and/or dwelling within a vendor/vehicle unit(s) overnight is prohibited.
16. The sale, distribution or consumption of alcoholic beverages is prohibited within mobile food courts.
17. Mobile food courts must provide current and complete contact information including but not limited to: address, phone number, and any other information reasonably required by the city administrator or his/her designee for a designated on-call person to be a principal point of contact for city staff and the individual vendors/vehicles.
18. Failure to comply with these standards may result in termination or suspension of the certificate of occupancy.
19. The developer of a mobile food court will be responsible for adhering to site development standards, drafting food court rules, and meeting all permitting requirements.
20. The mobile food court sit plan for site work, installation, construction, utility connections, signs and operation must be approved by the city, including but not limited to health, fire, public works, traffic, building inspections, and zoning.

(Ordinance 17.12.11 adopted 12/11/17; Ordinance 18.06.11C adopted 6/11/18)

4.08.005 Site Plan

A site plan drawn to a conventional scale must be submitted to the planning department showing the location and surface type of the proposed mobile food establishment locations, location of customer table-seating and any associated shelter structures, location of water hose bibs and electrical service connections, location and surface type of parking spaces and driveways, location and surface type of pedestrian access, location and description of outdoor lighting, location of restrooms(s), location of individual trash receptacles and common trash/grease disposal facilities, and type and height of common trash/grease disposal screening. (Ordinance 17.12.11 adopted 12/11/17)

4.08.006 Performance Standards

Mobile food vendor vehicle/structures design and maintenance guidelines:

1. All structures (vehicles) shall be free from defects including but not limited to peeling paint, rust, exposed metal or wood.

2. Tires must be fully inflated at all times.
3. No outside sound amplifying equipment, or noisemakers, such as bells, horns, or whistles shall be permitted
4. Lighting shall comply with Article 3.12
5. All signage shall comply with Article 3.10,

(Ordinance 17.12.11 adopted 12/11/17)



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	11/20/2024		
AGENDA SUBJECT:	Consider approval of minutes from September 24, 2024 P&Z Board Meeting		
PREPARED BY:	Building/Planning/Code Enforcement Assistant Holthe	DATE SUBMITTED:	11/15/24
EXHIBITS:			
BUDGETARY IMPACT:		Required Expenditure:	\$00.00
		Amount Budgeted:	\$00.00
		Appropriation Required:	\$00.00
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:			
RECOMMENDED ACTION: Move to approve or deny as presented.			

Meeting Minutes
Planning & Zoning Commission – City of Glen Rose, Texas
September 24, 2024

- 1) Call to Order
 - a) The meeting was called to order to 5:03 pm by Chairperson, Pam Streeter
 - b) Pledge of Allegiance
 - c) Roll Call: Absent: Larry Cremean, Rex Miller Present: Greg Clanton, William Green, and Pam Streeter were in attendance. Additionally, Staff member Jodi Holthe was present. A quorum was present.
- 2) Public Hearing opened at 5:03 pm
 - a) Public Hearing regarding Appendix A – Schedule of Used – Agricultural & Related UsesPublic Hearing closed at 5:03 pm
- 3) Items for Individual Discussion
 - a) Discussion, consideration & possible action update the schedule of uses that any fair grounds, exhibition areas, rodeo, etc under the Industrial Zone would require a Special use Permit.
- 4) Having no further business before the commission the meeting was adjourned at 5:10 pm

Chairperson

Jodi Holthe,
Building & Planning Department



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	11/20/2024		
AGENDA SUBJECT:	Consider approval of minutes from October 23, 2024 P&Z Board Meeting		
PREPARED BY:	Building/Planning/Code Enforcement Assistant Holthe	DATE SUBMITTED:	11/15/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:			
RECOMMENDED ACTION:			
Move to approve or deny as presented.			

Meeting Minutes
Planning & Zoning Commission – City of Glen Rose, Texas
October 23, 2024

1) Call to Order

- a) The meeting was called to order to 5:30 pm by Chairperson, Pam Streeter
- b) Pledge of Allegiance
- c) Roll Call: Absent: Larry Cremean, Rex Miller Present: Greg Clanton, William Green, and Pam Streeter were in attendance. Additionally, Staff members Jodi Holthe & Larry Allen were present. A quorum was present.

2) Workshop

- a) Chapter 10.06.004 Parkland Dedication to accommodate commercial development language
 - i) After much discussion and feedback, the decision was made to suggest the following chart

Acreage	Fee
For every ¼ acre up to 1 acre	\$1050 per 1/4 acre
Anything over 1 acre would then be charged at	\$300 per ¼ acre

These numbers were looked at against Starbucks which was .624 acres meaning the fee would have been \$3150; Whataburger at 1.015 acres = \$4500; Taco Bell at .774 acres would have been = \$3150 and the car wash would have = \$4500. When looked at in comparison to our residential development, these are fair and in discussion with commercial location finders – these are very reasonable.

b) Specific Use Permits

- i) We readdressed the specific use permit ordinance and updated it to allow a SUP to follow the property in commercial and follow the owner if residential with some caveats – see Appendix 1

3) Having no further business before the commission the meeting was adjourned at 6:58pm

Chairperson

Jodi Holthe,
Building & Planning Department

Appendix 1

- 1) Standards: The SUP provides a means for developing certain uses in a way the specific use will be compatible with adjacent property and consistent with the character of the neighborhood.
- 2) SUP is granted to the ownership of each real property. Any change in ownership may result in a SUP no longer being valid. See paragraph 12 for exceptions.
- 3) The use regulations for each use in Division 14.02, Appendix A state whether an SUP is required for a use to be permitted in a zoning district. The SUP requirement for use in a zoning district does not constitute authorization or assurance that the use will be permitted. Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriately. Each SUP must be granted by the city council by a separate ordinance.
 - A. The city council shall not grant an SUP for use except upon a finding that the use will:
 - i) complement or be compatible with the surrounding uses and community facilities.
 - ii) contribute to, enhance, or promote the welfare of the area of request and adjacent properties.
 - iii) not be detrimental to the public health, safety, or general welfare; and
 - iv) conform in all other respects to all zoning regulations and standards.
 - B. The granting of an SUP has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.
 - C. The city council may impose reasonable conditions upon the granting of an SUP consistent with the purposes stated in this chapter.
 - D. The applicant shall post the SUP ordinance in a conspicuous place on the property, except where a use has no interior building space (for example, a private street or alley use).
- 4) An applicant or owner of real property within the notification area may appeal the decision of the city council to the board of adjustments. An appeal must be requested in writing within 10 days after the decision of the city council. Appeal to the city council is the final administrative remedy available.
 - A. A time limit may be imposed as a condition upon the granting of an SUP. If a time limit has been imposed, the SUP automatically terminates when the time limit expires. Except as otherwise provided in Subsection (c), the applicant shall go through the procedures outlined above in Paragraphs (1) and (2) to renew an SUP. [12. Automatic Renewals](#)
 - A. *As part of an SUP ordinance or ordinance amendment, the city council may declare that an SUP is eligible for automatic renewal pursuant to this subsection. Automatic renewal is an alternative to the standard method of renewing an SUP by amending the SUP ordinance. In order for automatic renewal to occur, the property owner or his representative must file a complete application for automatic renewal with the council after the 120th day but before the 180th day before the expiration of the current SUP time period. If a fee is required, the application is not considered "filed" until the fee is paid.*
 - B. *Automatic renewal does not result in an amendment to the SUP ordinance. An applicant seeking to change the SUP conditions or to otherwise amend the SUP ordinance must go through the procedures outlined in Subsection 3.*

- C. *An application for automatic renewal must be filed with the council on a form furnished by the city for that purpose. As part of the application, the property owner or his representative shall state that all existing SUP conditions have been complied with, and that no changes to the conditions or other SUP ordinance provisions are being requested. This must be done at the time of application.*
- D. *After the deadline for filing written protests has passed, the director shall review the conditions of the SUP and determine whether the conditions have been met. If the director determines that the conditions have not been met, he shall forward the application to the city plan commission and city council for further action.*
- E. *Any SUP granted in a residential zone (R1, R2, R2M, R3, R4) may apply for automatic renewals with the following exceptions. SUP are granted to the owner of the property, if the property changes ownership, the new owners must apply for an SUP to continue operating the property with the specific use permit.*
- F. Any SUP granted in a business or industrial district may apply for automatic renewals with the following exceptions, if the real property is sold and the intended use of the real property is to change, the SUP revoked. However, if the real property is sold and the intended use of the real property is to remain AS-IS, then the SUP will be extended to the new ownership with a ownership change application that does not require a hearing before city council. (i.e. a property that currently operates as a retail store that sells clothing under store name XYZ, is sold and the new owners continue to operate the store as XYZ, the SUP in place will remain. If the new owners decide to operate a grocery store instead of the clothing store, the SUP will be cancelled.)
- G. "Further action" as that term is used in Paragraphs (D) means that the city shall schedule the application for public hearings before both the city planning and zoning commission and the city council. Notice of the public hearings must be given as would be required by law for a change in zoning district classification. The city planning and zoning commission shall make a recommendation to the city council regarding the proposed renewal based on staff reports, field inspections, and the evidence presented at its public hearing
- H. In connection with an application that has been forwarded to Council by the director pursuant to Paragraph (D) the city council may
 - (a) pass an amending ordinance to repeal the SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in the SUP ordinance; or
 - (b) take no action and thereby allow the SUP to automatically renew as a matter of law.
 - (c) No renewal or expiration of an SUP may occur while the application is pending before the city plan commission or city council. If the application is pending at the end of the current time period stated in the SUP ordinance, the time period shall be extended as a matter of law until:
 - I. the day following the next succeeding official agenda meeting of the city council after the council makes its final decision on the application; or
 - J. if the council votes to pass an amending ordinance, until the effective date of the amending ordinance.
 - (a) The renewal of an SUP eligible for automatic renewal occurs as a matter of law at the end of the current time period as stated in the SUP ordinance, or as extended pursuant to Paragraph A. Unless otherwise specified in the SUP ordinance, an automatic renewal is for the same time period as the immediately preceding time period [excluding, if applicable, extensions pursuant to Paragraph A.

- (b) An SUP that is automatically renewed pursuant to this subsection may continue to be automatically renewed in perpetuity so long as the owner or his representative continues to timely file the applications for automatic renewal required under Paragraph (1). Failure to timely file this application during any renewal period renders the SUP ineligible for further automatic renewal. The city council may, however, reinstate the SUP's eligibility for future automatic renewals as part of a new SUP ordinance or ordinance amendment.
- (c) This subsection does not impair the ability of the city plan commission or city council to call a public hearing on its own motion for the purpose of passing an amending ordinance to repeal an SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in an SUP ordinance.



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	11/20/2024		
AGENDA SUBJECT:	Public hearing regarding a request for a Specific Use Permit in order to produce beer for self-distribution and on-premise sales at the property located at 302 Lakeview Acres 0.241, Tract: C6-33, Abst: A136, A136 MILAM CO SCH LD, TRACT C6-33, SN1 012344S5338 to operate in a B-2 (General Commercial District) Zone.		
PREPARED BY:	Building/Planning/Code Enforcement Assistant Holthe	DATE SUBMITTED:	9/25/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:			
RECOMMENDED ACTION:			



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	11/20/2024		
AGENDA SUBJECT:	Discussion, consideration and possible action regarding a request for a Specific Use Permit in order to produce beer for self-distribution and on-premise sales at the property located at 302 Lakeview Acres 0.241, Tract: C6-33, Abst: A136, A136 MILAM CO SCH LD, TRACT C6-33, SN1 012344S5338 to operate in a B-2 (General Commercial District) Zone.		
PREPARED BY:	Building/Planning/Code Enforcement Assistant Holthe	DATE SUBMITTED:	9/25/24
EXHIBITS:	1. Request for Specific Use Permit Application 2. Property Notification Letter 3. Property Return Letter		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY ADMINISTRATOR APPROVAL:			
SUMMARY: 09/25/2024 – Request for Specific Use Permit Application was received 11/09/2024 - Notice of Public Hearing was posted in the local newspaper 11/06/2024 - 18 Property owner letters were sent representing 18 properties. 08 Letters have been confirmed as received 09 Letters unconfirmed as received 01 Letters were returned 00 Favorable response has been returned 02 Opposition response has been returned			
RECOMMENDED ACTION: Move to approve or deny as presented.			



Building, Planning and Code Enforcement Department
201 NE Vernon Street, PO Box 1949, Glen Rose, Texas 76043
(254) 897-2272 Fax: (254) 897-7989

NOTIFICATION

November 7, 2024

NOTICE OF PUBLIC HEARING

Public hearings will be held at 5:30 p.m. at City Hall (201 NE Vernon Street, Glen Rose, Texas) on November 20, 2024 before the Planning and Zoning Commission and on December 10, 2024 before the City Council on a request by applicant/owner's representative, David Dulcie; William & Patricia Pfitzinger, to request a Specific Use Permit in order to produce beer for self-distribution and on-premise sales at the property located at 302 Lakeview Acres 0.241, Tract: C6-33, Abst: A136, A136 MILAM CO SCH LD, TRACT C6-33, SN1 012344S5338 to operate in a B-2 (General Commercial District) Zone.

Dear Property Owner:

You are receiving this notice because our records indicate you own property within 200' of the property referenced above that is the subject of these hearings. Included with this letter is a Property Owner Response Form, the application for a Specific Use Permit to produce beer for self-distribution and on premises sales which is under consideration, and a map showing all the properties within 200' of the referenced property. If you would like to register your opinion in favor or in opposition to granting the Specific Use Permit, please complete the form and either mail or email it to us, or deposit it in one of the drop boxes at City Hall.

If the owners of 20% or more of the land within 200' of the referenced property provide written notice of their objection to the issuance of the Specific Use Permit Request, instead of a simple majority it will require a vote of $\frac{3}{4}$ of the City Council members present to approve the request.

You are welcome to attend and participate in either or both of the Public Hearings.

Should you have any questions, please contact us at (254) 897-2272 ext. 109.

Sincerely,

Building, Planning, and Code Compliance Department

NOTICE OF PUBLIC HEARING



City of Glen Rose, Texas
 Building, Planning, Code Enforcement Department
 P.O. Box 1949, Glen Rose, TX 76043
 Ph: (254) 897-2272 Fax: (254) 897-7989

Email: jodi.holthe@glenrosetexas.org

PROPERTY OWNER RESPONSE FORM

Re: Request for a Specific Use Permit in order to produce beer for self-distribution and on-premise sales at the property located at 302 Lakeview Acres 0.241, Tract: C6-33, Abst: A136, A136 MILAM CO SCH LD, TRACT C6-33, SN1 012344S5338 to operate in a B-2 (General Commercial District) Zone.

This letter may be deposited in either of the two drop boxes located at City Hall, 201 NE Vernon Street, Glen Rose, Texas or mailed to City Hall, Attention: Planning and Zoning Department, PO Box 1949, Glen Rose, Texas 76043.

NAME: _____

ADDRESS: _____

I AM () IN FAVOR () IN OPPOSITION TO THIS REQUEST.

Reasons/Comments:

Signature

Date

Building and Planning / Code Enforcement

City of Glen Rose - Building / Planning / Code Enforcement Office
201 NE Vernon Street Tel: (254) 897-2272 Fax: (254) 897-7989
Email: codeenforcement@glenrosetexas.org

Staff use only		Item 6.
Case #		
Date Received:	9/16/24	
Fee: \$ 150.00	Paid on: 9/16/24	

Specific Use Permit Application

Address of property: 302 Lakeview Street

Glen Rose, Texas 76043

Applicant's Name: David Dulcie Date: 9/25/24

Property Owner Information

Full Name: William S Pfitzinger and Patricia A Pfitzinger

Address: 322 Stoney Creek BLVD

Sunnyvale, Texas 75182

Telephone No: 314-517-2613 Email: bpfitzinger1@gmail.com

Applicant/Owner's Representative (if not the owner)

Full Name: David Dulcie

Address: 2180 fm 202 Glen Rose TX 76043

Telephone No: (254) 396-7890 Email: dauiddulcie@gmail.com

Present zoning at site: B-2

Form of Ownership of the property: ☒ Individual ☐ Partnership ☐ Corporation

Intended use of property:

Production of beer for self distribution + on premise sales

I/We am/are the owner(s) of the property. I/We hereby certify that all the information provided is true and correct.

Owner(s) Signature:

W S Pfitzinger

Patricia A Pfitzinger

Date: 9/24/2024



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	11/20/2024		
AGENDA SUBJECT:	Discussion, consideration and possible action regarding amending Chapter 14.02.102 Specific Use Permits		
PREPARED BY:	Building/Planning/Code Enforcement Assistant Holthe	DATE SUBMITTED:	11/15/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:			
RECOMMENDED ACTION:			
Move to approve or deny as presented.			

REPLACE 14.02.102 – Specific Use Permits

- 1) Standards: The SUP provides a means for developing certain uses in a way the specific use will be compatible with adjacent property and consistent with the character of the neighborhood.
- 2) SUP is granted to the ownership of each real property. Any change in ownership may result in a SUP no longer being valid. See paragraph 12 for exceptions.
- 3) The use regulations for each use in Division 14.02, Appendix A state whether an SUP is required for a use to be permitted in a zoning district. The SUP requirement for use in a zoning district does not constitute authorization or assurance that the use will be permitted. Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriately. Each SUP must be granted by the city council by a separate ordinance.
 - A. The city council shall not grant an SUP for use except upon a finding that the use will:
 - i) complement or be compatible with the surrounding uses and community facilities.
 - ii) contribute to, enhance, or promote the welfare of the area of request and adjacent properties.
 - iii) not be detrimental to the public health, safety, or general welfare; and
 - iv) conform in all other respects to all zoning regulations and standards.
 - B. The granting of an SUP has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.
 - C. The city council may impose reasonable conditions upon the granting of an SUP consistent with the purposes stated in this chapter.
 - D. The applicant shall post the SUP ordinance in a conspicuous place on the property, except where a use has no interior building space (for example, a private street or alley use).
- 4) An applicant or owner of real property within the notification area may appeal the decision of the city council to the board of adjustments. An appeal must be requested in writing within 10 days after the decision of the city council. Appeal to the city council is the final administrative remedy available.
 - A. A time limit may be imposed as a condition upon the granting of an SUP. If a time limit has been imposed, the SUP automatically terminates when the time limit expires. Except as otherwise provided in Subsection (c), the applicant shall go through the procedures outlined above in Paragraphs (1) and (2) to renew an SUP.[12. Automatic Renewals](#)

- A. *As part of an SUP ordinance or ordinance amendment, the city council may declare that an SUP is eligible for automatic renewal pursuant to this subsection. Automatic renewal is an alternative to the standard method of renewing an SUP by amending the SUP ordinance. In order for automatic renewal to occur, the property owner or his representative must file a complete application for automatic renewal with the council after the 120th day but before the 180th day before the expiration of the current SUP time period. If a fee is required, the application is not considered "filed" until the fee is paid.*
- B. *Automatic renewal does not result in an amendment to the SUP ordinance. An applicant seeking to change the SUP conditions or to otherwise amend the SUP ordinance must go through the procedures outlined in Subsection 3.*
- C. *An application for automatic renewal must be filed with the council on a form furnished by the city for that purpose. As part of the application, the property owner or his representative shall state that all existing SUP conditions have been complied with, and that no changes to the conditions or other SUP ordinance provisions are being requested. This must be done at the time of application.*
- D. *After the deadline for filing written protests has passed, the director shall review the conditions of the SUP and determine whether the conditions have been met. If the director determines that the conditions have not been met, he shall forward the application to the city plan commission and city council for further action.*
- E. *Any SUP granted in a residential zone (R1, R2, R2M, R3, R4) may apply for automatic renewals with the following exceptions. SUP are granted to the owner of the property, if the property changes ownership, the new owners must apply for an SUP to continue operating the property with the specific use permit.*
- F. *Any SUP granted in a business or industrial district may apply for automatic renewals with the following exceptions, if the real property is sold and the intended use of the real property is to change, the SUP revoked. However if the real property is sold and the intended use of the real property is to remain AS-IS, then the SUP will be extended to the new ownership with a ownership change application that does not require a hearing before city council. (i.e. a property that currently operates as a retail store that sells clothing under store name XYZ, is sold and the new owners continue to operate the store as XYZ, the SUP in place will remain. If the new owners decide to operate a grocery store instead of the clothing store, the SUP will be cancelled.)*
- G. *"Further action" as that term is used in Paragraphs (D) means that the city shall schedule the application for public hearings before both the city planning and zoning commission and the city council. Notice of the public hearings must be given as would be required by law for a change in zoning district classification. The city planning and zoning commission shall make a recommendation to the city council regarding the proposed renewal based on staff reports, field inspections, and the evidence presented at its public hearing*
- H. *In connection with an application that has been forwarded to Council by the director pursuant to Paragraph (D) the city council may*

- (a) pass an amending ordinance to repeal the SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in the SUP ordinance; or
- (b) take no action and thereby allow the SUP to automatically renew as a matter of law.
- (c) No renewal or expiration of an SUP may occur while the application is pending before the city plan commission or city council. If the application is pending at the end of the current time period stated in the SUP ordinance, the time period shall be extended as a matter of law until:
 - I. the day following the next succeeding official agenda meeting of the city council after the council makes its final decision on the application; or
 - J. if the council votes to pass an amending ordinance, until the effective date of the amending ordinance.
- (a) The renewal of an SUP eligible for automatic renewal occurs as a matter of law at the end of the current time period as stated in the SUP ordinance, or as extended pursuant to Paragraph A. Unless otherwise specified in the SUP ordinance, an automatic renewal is for the same time period as the immediately preceding time period [excluding, if applicable, extensions pursuant to Paragraph A.
- (b) An SUP that is automatically renewed pursuant to this subsection may continue to be automatically renewed in perpetuity so long as the owner or his representative continues to timely file the applications for automatic renewal required under Paragraph (1). Failure to timely file this application during any renewal period renders the SUP ineligible for further automatic renewal. The city council may, however, reinstate the SUP's eligibility for future automatic renewals as part of a new SUP ordinance or ordinance amendment.
- (c) This subsection does not impair the ability of the city plan commission or city council to call a public hearing on its own motion for the purpose of passing an amending ordinance to repeal an SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in an SUP ordinance.



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	11/20/2024		
AGENDA SUBJECT:	Discussion, consideration and possible action regarding amending Chapter 10.06.004 Parkland Dedication to accommodate Commercial Development Language		
PREPARED BY:	Building/Planning/Code Enforcement Assistant Holthe	DATE SUBMITTED:	11/15/24
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:			
RECOMMENDED ACTION:			
Move to approve or deny as presented.			

Commercial Development Parkland Dedication

Parkland Dedication is a local government requirement imposed on site plan applications mandating the dedication of land for a park and/or the payment of a fee to be used by the governmental entity to acquire land and/or develop park facilities.

Local Gov't Code Section 212.207

Parkland Dedication Authority

- (a) A municipality may not require a parkland dedication, impose a parkland dedication fee, or both require the dedication and impose the fee for any commercial use. For the purpose of this section, a commercial use does not include a multifamily, hotel, or motel use.
- (b) If a plan application submitted to a municipality proposes development of the land subject to the application that includes both multifamily, hotel, or motel and commercial uses, the municipality shall determine the amount of a parkland dedication based only on the pro rata portion of the land proposed for multifamily, hotel, or motel use.

Added by Acts 2023, 88th Leg., R.S., Ch. 493 (H.B. 1526), Sec. 1, eff. June 10, 2023.

Source: Section 212.207 — Parkland Dedication Authority, <https://statutes.capitol.texas.gov/Docs/LG/htm/LG.-212.htm#212.207> (accessed Jun. 5, 2024).