

## Agenda for the Meeting

1. **Call to Order and Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Previous Meeting Minutes from 11-27-2023**
4. **Old Business – None**
5. **New Business**
  - a) **Case Number 2023-28 VAR:** A request for 1) a rear yard setback variance for a proposed lot division from the required 25 feet down to 8.39 feet, thus a 16.61 feet variance request, and 2) a variance to allow an accessory structure within portions of a front and side yard, also because of a desired lot division; bot by Brandon Hamberlin, landowner and applicant, located at 5981 Caroline Drive within Hoytte Austin Lake, Section A, 1<sup>st</sup> Revision Subdivision, Lot 40, and consists of 0.45 acres +/-.
  - b) **Case Number 2023-31 AI:** A request to amend the text in article V. (General Provisions and Supplemental Zoning District Regulations), T. (Medical Cannabis) 2. F. of the City Zoning Ordinance, to change the hours of operation for Medical Cannabis dispensaries from 10 am – 10 pm to 7 am – 10 pm.
6. **Other Business.**
7. **Adjournment.**

### Start of the Items/Cases Portion of the Minutes –

**City Planning Commissioners present** – Chad Engelke (Chair), Jimmy Stokes (Vice-Chair), Linda McGan (Secretary) Janice Vidal, Clara Kirkley, William Egner, and Bill Mercer. **Absent** – Jessie Ware

**City Staff** – Andrew Hockensmith, Interim Planning Director; Jonathan Ryan, City Information Technology (IT); Steven Boxx, Director of Public Works; and Billy Simco, Planner I - Stormwater  
**Gallery** – Signed-in: Brandon Hamberlin.

**Items 1 and 2.** The Chair called the meeting to order at 6:00 p.m. The Secretary took roll call with all planning commissioners present except for Commissioner Ware. The Pledge of Allegiance was led by the chair and recited by those in attendance.

**Item 3.** Approval of minutes from the 11-27-23 PC meeting.

**Motion** to approve minutes as mailed – Vidal. **2<sup>nd</sup>** – Kirkley. **Vote:** Motion passed, 6-0.

4. **Old Business – None**
5. **New Business.**

- a) **Case Number 2023-28 VAR:** A request for 1) a rear yard setback variance for a proposed lot division from the required 25 feet down to 8.39 feet, thus a 16.61 feet variance request, and 2) a variance to allow an accessory structure within portions of a front and side yard, also because of a desired lot division; bot by Brandon Hamberlin, landowner and applicant, located at 5981 Caroline Drive within Hoytte Austin Lake, Section A, 1<sup>st</sup> Revision Subdivision, Lot 40, and consists of 0.45 acres +/-.

Interim Director Hockensmith presented on the case, detailing the merits of approving the variance as well as the complications associated with approving the variance.

Discussion ensued on the case. The Chair called for any motions. A **motion** was made by Vidal and a **second** was made by Kirkley to **recommend approval** of the final plat request with the **three conditions suggested by staff listed above**.

**Motion passed, 6-0.**

- b) **Case Number 2023-31 AI:** A request to amend the text in Article V. (General Provisions and Supplemental Zoning District Regulations), T. (Medical Cannabis) 2. f. of the City Zoning Ordinance, to change the hours of operation for medical cannabis dispensaries from 10 AM – 10 PM to 7AM – 10 PM.

The Interim Director presented on the case. He detailed the wishes of the business owners to have more flexibility for their hours of operation and the benefits that will come from operating more during daylight hours. Discussion ensued about the merits of the case. The Chair called any motions. A motion was made by Stokes to approve the request to amend the text to change the hours of operation for medical cannabis dispensaries from 10 AM – 10 PM to 7 AM – 10 PM.

**Motion passed, 6-0.**

**6. Other Business - None**

**7. Adjournment.**

**Chair** – Called for a motion to adjourn. **Motion** – Stokes. **2<sup>nd</sup>** – Egner. **Vote:** Motion to adjourn the meeting at 6:33 p.m. **passed, 6-0.**

**(Scrivener’s Note:** These minutes were prepared in first draft form by Billy Simco, Planner I - Stormwater, on 12-20-2023. The second draft was completed at 12:41 p.m. on 12-21-2023, upon review by Andrew Hockensmith, Interim Planning Director.)