

Draft Minutes for the March 3rd, 2020 Planning Commission Regular Meeting

SUP20-019 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow the short term rental of a single-family dwelling in the "C-3" Commercial District on Lot 7 and the eastern 10 feet of Lot 8, City Block 1049, currently addressed at 191 East Faust Street. (Applicant/Owner: Jay Dudley/Derrell Dudley; Case Manager: Matt Greene)

Mr. Greene presents. Staff recommended conditional approval with the following restrictions: the residential character must be maintained, any significant changes will require a revision to the SUP, the property must meet all standards specified within the Code of Ordinances, and the driveway and parking areas shall be paved.

Commissioner Meyers asked if the applicant understands he will be required to pave in order to meet standards.

Mr. Greene stated he will not have to pave if the SUP is granted as requested.

Commissioner Meyers asked if the owners will be required to pave if that condition is included in their approved recommendation.

Mr. Greene confirmed this is true.

Commissioner Meyers asked Mr. Onion if the commission is able to include a recommendation of conditional approval that specifies only a certain number of adults over the age of 3.

Mr. Onion stated the commission is able to make this recommendation but there would need to be further analysis of Chapter 245 of Texas Local Government Code, in order to see if the case qualifies.

Mr. Onion stated the commission is able to set the number of maximum occupancy or the applicant is able to adjust the number himself.

Commissioner Meyer clarified if the commission is able to set a modified definition of adult from any adult over the age of 17 to any adult over the age of three.

Mrs. Snell stated the commission has previously included this condition with approval.

Discussion followed.

Commissioner Sonier asked for clarification as to the reasoning for the sign being removed.

Mr. Greene stated this was in order to maintain the residential character of the property.

Discussion followed.

Jay Dudley, the applicant, stated he is fine with the conditional approval language specifying adults over three for maximum occupancy requirements and getting rid of the sign; the applicant stated the high property taxes were the reasoning for requesting a short-term rental SUP for this location and that most surrounding uses are commercial rather than residential; the applicant stated he is able to pave the lot but would prefer not to for drainage.

Commissioner Meyer stated he does not have any objections.

Chair Edwards asked if anyone wished to speak in favor.

No one spoke.

Chair Edwards asked if anyone wished to speak in opposition.

No one spoke.

Motion by Commissioner Laskowski, seconded by Commissioner Sonier, to close the public hearing. Motion carried (8-0-0).

Motion by Commissioner Laskowski, seconded by Commissioner Sonier to recommend approval to City Council regarding the proposed rezoning to apply a Special Use Permit to allow the short-term rental of a single-family dwelling in the "C-3" Commercial District with an amendment to allow for a maximum occupancy of 10 adults over the age of 3 and to enforce staff recommendations. Motion carried (8-0-0).

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