

**CITY OF SHAVANO PARK
PLANNING & ZONING COMMISSION MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
June 2, 2021**

6:30 P.M.

**SUPPLEMENTAL NOTICE OF MEETING BY LIVESTREAM / TELEPHONE
CONFERENCE:**

In accordance with Order of the Office of the Governor issued March 16th, 2020, the governor has suspended various provisions of the Open Meetings Act pursuant to his state disaster authority, which now authorize the participation of a meeting by live-video stream or telephone. The City of Shavano Park will conduct the Regular Meeting on Wednesday, March 3, 2020 at 6:30 p.m. at 900 Saddletree Court, Shavano Park Council Chambers in part by Livestream / telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) and slow down the spread of the Coronavirus (COVID-19).

Livestream Participation. The livestream available via the YouTube app or website from your computer, tablet or smartphone at: <https://youtu.be/X1uGpx6EK6U>

Telephone Participation. The public toll-free dial-in number to participate in the telephonic meeting is 1- 888-788-0099 and requires access code 968 2910 3521. The Livestream / telephone conference will be available to join at 6:00 p.m. (30 minutes prior to the meeting). If you have issues accessing Telephone Participation or Livestream, please call City Secretary Trish Nichols at 210-581-1116.

The public will be permitted to offer comments telephonically as provided by the agenda during Citizen’s to be Heard. Citizens who want to speak during this period, should sign up to speak prior to the beginning of the meeting by stating their intent and providing Name, Address, and Topic to be addressed. Follow the guidelines under agenda item 3. If unable to participate in the meeting, you may submit public comments by email to tnichols@shavanopark.org.

The meeting agenda and agenda packet are posted online at www.shavanopark.org.

A recording of the telephonic meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

AGENDA

1. Call to order
2. Vote under Section 36-69 of the Shavano Park City Code (“Code”) concerning a finding that each of the items following item 2 on the agenda are “planning issues” or otherwise prescribed Planning & Zoning Commission duties under 36-69(l) of the Code or the severance of one or more of such items for an individual vote on such item or items.
3. The Planning and Zoning Commission welcomes “Citizens to be Heard.” If you wish to speak, you must follow these guidelines. **As a courtesy to your fellow citizens and out of respect to our fellow citizens, we request that if you wish to speak that you follow these guidelines.**

- Pursuant to Resolution No. R-2019-011 citizens are given three minutes (3:00) to speak during “Citizens to be Heard.”
 - Members of the public may only speak once and cannot pass the individual’s time allotment to someone else
 - Direct your comments to the entire Commission, not to an individual member
 - Show the Commission members the same respect and courtesy that you expect to be shown to you
- The Chairman will rule any disruptive behavior, including shouting or derogatory statements or comments, out of order. Continuation of this type of behavior could result in a request by the Mayor that the individual leave the meeting, and if refused, an order of removal. In compliance with the Texas Open Meetings Act, no member of the Commission may deliberate on citizen comments for items not on the agenda. (Attorney General Opinion – JC 0169)

4. Consent Agenda:

A. Approval - Planning & Zoning Commission minutes, May 5, 2021.

5. Discussion / action - Nomination and appointment of Chairman & Vice-chairman.

6. Discussion / action – Final Subdivision Plat & Replat of Pond Hill Garden Villas Unit 2 being a total of 8.641 acre tract of land out of a 46.94 acre tract described as Tract 3 in a Deed to Rogers Shavano Park Unit 18/19, LTD., and partially platted as Lot 1700, Block 21, 1604/Pond Hill Restaurant - City Manager

7. Discussion - Possible City of Shavano Park ownership takeover of several Bitterblue owned greenbelts in the City

8. Discussion / action – Possible amendments to the table of allowed zoning uses under Chapter 36 – Zoning, Article VI. Tables and amendments clarifying MXD Zoning District language in Section 36-41 – City Manager

9. Report / update - City Council items considered at previous City Council meetings and discussion concerning the same - City Manager

10. **Chairman Announcements:**

A. Advise members to contact City staff to add new or old agenda items.

B. Advise members of pending agenda items, as follows:

- i. July – Possible City of Shavano Park ownership takeover of several Bitterblue owned greenbelts in the City
- ii. July – Possible Zoning Table of Allowed Use Amendments

11. **Adjournment**

Accessibility Statement:

The City of Shavano Park City Hall is wheelchair accessible. The entry ramp is located in the front of the building. Accessible parking spaces are also available in the front and sides of the building. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-447-5400 or TDD 1-800-735-2989.

Decorum Required:

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

Action by Commission Authorized:

The Planning and Zoning Commission may vote and/or act upon any item within this Agenda. The Commission reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

Executive Sessions Authorized:

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials:

It is anticipated that members of City Council or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above named Shavano Park Planning and Zoning Commission is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin boards, of the City Hall of said City Shavano Park, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on this the 28 of May 2021 at 10:09 a.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Trish Nichols
City Secretary

Minutes

1. **Call to order**

Chairman Aleman called the meeting to order at 6:30 p.m.

PRESENT:

ABSENT:

Albert Aleman

Carla Laws

Kerry Dike

Michael Janssen

Jason Linahan

Bill Simmons

Shawn Fitzpatrick

William Stipek

Damon Perrin

2. **Vote under Section 36-69 of the Shavano Park City Code (“Code”) concerning a finding that each of the items following item 2 on the agenda are “planning issues” or otherwise prescribed Planning & Zoning Commission duties under 36-69(l) of the Code or the severance of one or more of such items for an individual vote on such item or items.**

Upon a motion made by Commissioner Linahan and a second made by Commissioner Law, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the agenda as it was provided as Planning & Zoning Commission issues. The motion carried.

3. **Citizens to be Heard.**

No one signed up to address the Planning & Zoning Commission.

4. **Consent Agenda:**

Approval - Planning & Zoning Commission minutes, April 7, 2021.

Upon a motion made by Commissioner Fitzpatrick, and a second made by Commissioner Stipek, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the Planning & Zoning Commission minutes of April 7, 2021 as presented. The motion carried.

5. **Public Hearing- The purpose of the public hearing is to receive comments from members of the public regarding the proposed action of replatting Lot 1700, Block 21, C.B. 4782, originally platted as a 2.0846 acre lot with the final plat of 1604/Pond Hill Restaurant, recorded in Book 9740, Page 131 of the Official Public Records of Bexar County, Texas as a 2. 765 acre lot called Lot 1724, Block 21 in the replat and subdivision plat of Pond Hill Garden Villas Unit 2.**

Public hearing opened at 6:32 p.m.

Assistant to the City Manager Curtis Leeth addressed the purpose of the proposed action of replatting Lot 1700, Block 21, C.B. 4782, originally platted as a 2.0846-acre lot with the final plat of 1604/Pond Hill Restaurant, recorded in Book 9740, Page 131 of the Official Public Records of Bexar County, Texas as a 2.765-acre lot called Lot 1724, Block 21 in the replat and subdivision plat of Pond Hill Garden Villas Unit 2.

Public hearing closed at 6:33 p.m.

6. Discussion / action – Preliminary Subdivision Plat & Replat of Pond Hill Garden Villas Unit 2 being a total of 8.641 acre tract of land out of a 46.94 acre tract described as Tract 3 in a Deed to Rogers Shavano Park Unit 18/19, LTD., and partially platted as Lot 1700, Block 21, 1604/Pond Hill Restaurant - City Manager

Assistant of the City Manager Curtis Leeth provided an overview of the Preliminary Subdivision Plat & Replat of Pond Hill Garden Villas Unit 2 being a total of 8.641-acre tract of land out of a 46.94-acre tract described as Tract 3 in a Deed to Rogers Shavano Park Unit 18/19, LTD. and partially platted as Lot 1700, Block 21, 1604/Pond Hill Restaurant.

Commissioners asked questions and discussed the plat with the developer, Bitterblue, Inc. and their engineer Caleb Chance from Pape-Dawson Engineers.

Upon a motion made by Commissioner Janssen and a second made by Commissioner Law, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the Preliminary Subdivision Plat & Replat of Pond Hill Garden Villas Unit 2 being a total of 8.641-acre tract of land out of a 46.94-acre tract described as Tract 3 in a Deed to Rogers Shavano Park Unit 18/19, LTD., and partially platted as Lot 1700, Block 21, 1604/Pond Hill Restaurant. The motion carried.

7. Discussion – Possible amendments to table of allowed zoning uses under Chapter 36 – Zoning, Article VI. Tables – City Manager

Assistant to the City Manager Curtis Leeth provided an overview of the possible amendments to the table of allowed zoning uses under Chapter 36 – Zoning, Article VI. Tables.

8. Discussion / action – Review of updates to the official City Zoning Map – City Manager

Assistant to the City Manager Curtis Leeth provided an overview of updates to the official City Zoning Map.

9. Report / update - City Council items considered at previous City Council meetings and discussion concerning the same - City Manager

Assistant to the City Manager Curtis Leeth provided an overview of items considered at the previous City Council Meeting.

10. **Chairman Announcements:**

- A. Advise members to contact City staff to add new or old agenda items.
- B. Advise members of pending agenda items, as follows:
 - i. June – Possible City of Shavano Park ownership takeover of several Bitterblue owned greenbelts in the City.

11. **Adjournment**

Upon a motion made by Commissioner Dike and a second made by Commissioner Janssen, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to adjourn the meeting at 7:11pm. The motion carried.

Albert Aleman Chairman

Trish Nichols City Secretary

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: June 2, 2021

Agenda item: 5

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION:

Discussion / action - Nomination and appointment of a Chairman & Vice-Chairman.



Attachments for Reference:

1) N/A

BACKGROUND / HISTORY: Chairman Albert Aleman recently was elected to Alderman on City Council and resigned his position on the Commission. Vice-Chair is Carla Laws who is currently presiding in absence of the Chairman.

The Planning & Zoning Commission is governed by Sec. 36-69 of the Code of Ordinances:

Sec. 36-69. - Planning and Zoning Commission.

- (a) *Establishment.* Pursuant to Vernon's Local Government Code, § 211.007, the Planning and Zoning Commission is established consisting of nine members appointed as described in chapter IV, section 2-87.
- (b) *Terms of members.* The members of the Planning and Zoning Commission shall serve for overlapping two-year terms.
- (c) *Chairman.* The Planning and Zoning Commission shall elect a chairman and vice-chairman from its own membership of the Commission.
- (d) *Presiding officer.* The chairman shall preside over meetings of the Commission. The vice-chairman shall preside in the absence of or at the request of the chairman.
- (e) *Quorum, majority vote.* A quorum shall consist of five members of the Commission in attendance. Action on any matter shall require the affirmative vote of a majority of all members of the Commission, except in cases when the Commission has twice held a public hearing and considered a zoning application and is unable to reach a majority vote. In such instances, the Commission may submit a report instead of a recommendation to the City Council.
- (f) *Meetings.* Regular meetings shall be held on the first Wednesday of each month at 6:30 p.m. and may be recessed from time to time, effective September 2015, at Shavano Park City Hall, and notice of each meeting shall be given in accordance with the Texas Open Meetings Act. Special meetings may be called by the chairman, provided written notice thereof is mailed to each member at least 72 hours prior to the time thereof and notice of each such meeting shall be given in accordance with the Texas Open Meetings Act. All meetings of the Commission shall be open to the public. The place, day and/or hour of meetings may be changed by vote of the Commission at any regular meeting.
- (g) *Motions.* Any motion by a member shall require a second. After a motion has been made and duly seconded, discussion of the motion may be held for a reasonable time. Discussion by members or by opponents or proponents, of a question before the Commission shall terminate whenever a member shall call for a vote upon the question or whenever the chairman shall so rule.

- (h) *Procedure.* Whenever any question or procedure or qualification may be raised at a Commission meeting, the chairman shall rule thereon. A member may move to overrule the chairman's decision, which may be done only by a majority vote of the members present.
- (i) *Voting.* Voting on zoning applications shall be called by roll call vote. Voting on all other matters may be by voice vote, provided that roll call vote shall be taken upon demand of any member.
- (j) *Conflict of interest.* A member shall not vote or participate as a member in any matter before the Commission if the member has any interest in the matter, whether such interest is direct or indirect, financial or otherwise. If a member has a conflict of interest, the member shall comply with Tex. Local Governmental Code § 171.001 et seq. In any case, where the question of a member's interest is raised, the chairman shall rule on whether the member should be disqualified.
- (k) *Recommendations.* The Commission shall take no final action on any matter before it without first obtaining a recommendation from the director of planning and reports from the other city departments concerned, as determined by the Commission.
- (l) *Duties.* The duties of the Planning and Zoning commission are [as] follows:
 - (1) Review, consider and take action on all preliminary and final plats consistent with the requirements of State and local law;
 - (2) Review and make recommendations for zoning boundaries and appropriate zoning regulations for zoning districts;
 - (3) Review and consider amendments to the City's comprehensive plan;
 - (4) Hold public hearings and consider planning issues when deemed appropriate by the Planning and Zoning Commission upon a finding by a majority vote that the issue being considered is a "planning issue" with such findings being recorded in the minutes of the meeting.
 - (5) To perform duties and functions as required by State law; and
 - (6) To perform other duties and functions as requested by a majority vote of City Council.

DISCUSSION: The Commission may formally appoint the Vice-Chair as Chairman and appoint a new Vice-Chair. Alternatively the Commission could take action to appoint a new Chairman.

COURSES OF ACTION:

- 1) Formally appoint Vice-Chair to Chairman and appoint new Vice-Chair;
 - 2) Appoint new Chairman;
 - 3) Decline and provide guidance to staff
-

FINANCIAL IMPACT: N/A

MOTION REQUESTED:

- 1. To nominate _____ to serve as the Chairman of the Planning and Zoning Commission.
- 2. To nominate _____ to serve as the Vice-Chairman of the Planning and Zoning Commission.

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: June 2, 2021

Agenda item: 6

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION:

Discussion / action – Final Subdivision Plat & Replat of Pond Hill Garden Villas Unit 2 being a total of 8.641 acre tract of land out of a 46.94 acre tract described as Tract 3 in a Deed to Rogers Shavano Park Unit 18/19, LTD., and partially platted as Lot 1700, Block 21, 1604/Pond Hill Restaurant - City Manager

X

Attachments for Reference:

- 1) 6a Redline version of Plat
- 2) 6b Final Plat + Replat
- 3) 6c Final Plat + Replat Checklist
- 3) 6d MXD Site Plan Map
- 4) 6e City Engineer Review Letter
- 5) 6f Pape-Dawson Response Letter

BACKGROUND / HISTORY: **UPDATES** On April 7, 2021 City Staff met with Pape-Dawson Engineering for a plat conference to kick-off the City staff and City Engineer *Administrative Completeness Review*.

8 property owners within 500 feet of the proposed Replat action were notified by letter of the public hearing on April 21, 2021. If the Replat is approved by the Commission, those property owners will again be notified of Commission approval, as required by City Ordinance (and Texas Law).

On April 30, 2021 the City Engineer completed their administrative completeness review of the preliminary plat and provided comments to be addressed before review by the Planning & Zoning Commission. On April 28, 2021 the City staff completed their administrative completeness review of the preliminary plat with no comments. On April 30, 2021 the Preliminary Plat was officially filed.

At the May 5, 2021 Planning & Zoning Commission the Preliminary Plat was approved in compliance with City Engineer review comments. At the May 10, 2021 City Council meeting, Council accepted the Preliminary Plat.

On May 24, 2021 Pape-Dawson submitted the Final Plat for City Engineer review. On May 28, 2021 the City Engineer completed their review and issued a review letter with 2 comments (attachment 6e). Pape-Dawson submitted a response letter on May 28, 2021 (attachment 6f). On May 28, 2021 the Final Plat was officially filed.

DISCUSSION: Pape-Dawson did not have time to produce a formal response letter. Pape-Dawson will have a response letter and updated plat ready for Commission review the night of the meeting.

This plat & replat is one action and creates the second subdivision of Pond Hill Garden Villas. The property is currently zoned a Mixed Use District (MXD). This plat would establish 19 new residential lots in Pond Hill Garden Villas.

This plat, in addition to platting new land, replats a portion of Lot 1700 in 1604/Pond Hill Restaurant by adding a small corner portion of the existing lot to Pond Hill Garden Villa's residential lots. The plat and replat actions are combined on a single plat document. The City Engineer advised staff that this is a common engineering practice. Staff handled public notices for a replat as normal and assessed Replat and Plat fees to account for both actions.

COURSES OF ACTION: Approve Preliminary Plat & Replat as submitted, approve conditionally or decline approval and provide further guidance to City Staff.

REMINDER: The Planning & Zoning Commission is the final approval authority for all plats in the City of Shavano Park per Ordinance O-2019-012 approved by City Council at the September 23, 2019 meeting. The plat is presented to City Council for review and comment.

FINANCIAL IMPACT: Revenues of \$41,476.80 for final plat.

MOTION REQUESTED: Approve Final Plat and Replat of Pond Hill Garden Villas Unit 2.

May 24, 2021

Mr. Bill Hill
City Manager
City of Shavano Park
900 Saddletree
Shavano Park, TX 78231

Re: Pond Hill Garden Villas Unit 2
Letter of Intent to Replat

Dear Mr. Hill,

Please accept the final subdivision and replat of Pond Hill Garden Villas Unit 2. The following revisions have been made to the final plat:

- The number of lots adjacent to the existing commercial lot have been reduced.
- An access easement has been added the commercial lot to accommodate an existing driveway
- Existing easements provided by KFW Engineers for the benefit of the existing commercial property have been added to the replat.
- CPS requested a 14' Electric, Gas, Telephone, and Cable TV Easement along the project boundary.

Please advise any questions or directions. Thank you for your consideration.

Sincerely,



Brooke Lindholm, P.E.
Sr. Project Manager

CITY OF SHAVANO PARK

Final Plat Submittal Checklist

This checklist is to be completed by the developer or his representative and submitted with the final plat and accompanying data. If any areas are incomplete, the plat will not be accepted. Any items labeled N/A must be explained in writing. Shavano Park City Council has asked that all plats be submitted to the City with a brief description of the purpose of the plat or re-plat. Also requested is that an electronic version be sent to the City Secretary at citysecretary@shavanopark.org. This checklist does not supersede the City of Shavano Park Development Ordinances.

Name of Subdivision:	Pond Hill Garden Villas Unit 2
Proposed Use of Property:	Residential
Property Description: (Lot & block, address or location)	Approx. 0.25 mi west from NW Military Highway and Pond Hill Road Intersection.

Owner		Engineer	
Name:	Rogers Shavano Park, Unit 18/19 Ltd.	Name:	Pape-Dawson Engineers, Inc.
Address:	11 Lynn Bats Lane, Suite 100 San Antonio, TX 78218	Address:	2000 NW Loop 410 San Antonio, TX 78213
Phone:	210-828-6131	Phone:	210-375-9000
Fax:	210-828-6137	Fax:	210-375-9010
Email:	laddiedenton@bitterblue.com	Email:	ALowry@Pape-Dawson.com

Current Zoning:	A-1	Total Acreage:	8.641
Total Platting Fees:		Developable Acreage:	3.725
(Coordinate with Staff)		Greenbelts & Drainage Acreage:	4.916

S.A.W.S. Sewer	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Septic System	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
S.A.W.S. Water	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Shavano Park Water	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

	Yes	No	N/A
1. The preliminary plat was approved by the City of Shavano Park less than one year ago	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. The final plat has not been altered in any way from the preliminary plat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. If item 2 was answered "No" indicating that the plat has been altered, a redline plat is attached showing every change made since preliminary plat approval	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. 15 folded copies of the final plat are attached	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. The plat is drawn on an 18"x 24" sheet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. The preliminary plat checklist is attached	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. The final plat shows all acknowledgements and certifications as required by Article 2, Section 3 of the City's Subdivision Ordinance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Is a digital copy of plans, plat, forms, or letters included in the submittal? x

The following items pertain to the proposed final drawing: Yes No N/A

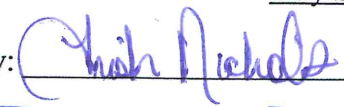
9.	Included with this submittal are three copies of the following plans:	<u> </u>	<u> </u> • <u> </u>	<u> </u>
a.	Streets, alleys, sidewalks, crosswalks, and other public improvement plans	<u> </u>	<u> </u> • <u> </u>	<u> </u>
b.	Sanitary sewer collection system plans	<u> </u>	<u> </u> • <u> </u>	<u> </u>
c.	Septic system plans	<u> </u>	<u> </u>	<u> </u> X <u> </u>
d.	Water Pollution Abatement Plan (WPAP)	<u> </u>	<u> </u> • <u> </u>	<u> </u>
e.	Water line and hydrant plan	<u> </u>	<u> </u> • <u> </u>	<u> </u>
f.	Storm Drainage plans	<u> </u>	<u> </u> • <u> </u>	<u> </u>
g.	Site plan (commercial only)	<u> </u>	<u> </u>	<u> </u> X <u> </u>
h.	Grading plan	<u> </u>	<u> </u> • <u> </u>	<u> </u>
10.	Tax certificate from the City, County, and School District are attached	<u> </u> x <u> </u>	<u> </u>	<u> </u>
11.	S.A.W.S. letter of certification is attached	<u> </u>	<u> </u>	<u> </u> Pending <u> </u>
12.	County Septic approval letter is attached	<u> </u>	<u> </u>	<u> </u> X <u> </u>
13.	C.P.S. letter certification is attached	<u> </u>	<u> </u>	<u> </u> Pending <u> </u>
14.	Water Pollution Abatement Plan (WPAP) approval from TCEQ is attached	<u> </u>	<u> </u>	<u> </u> Pending <u> </u>
15.	Sewage Collection System approval from TCEQ is attached	<u> </u>	<u> </u>	<u> </u> Pending <u> </u>
16.	TxDOT letter of approval is attached	<u> </u>	<u> </u>	<u> </u> Pending <u> </u>
17.	Cable Television letter approval attached	<u> </u> x <u> </u>	<u> </u>	<u> </u>
18.	The proposed platted property is compliant with current zoning regulations	<u> </u> x <u> </u>	<u> </u>	<u> </u>

*Applicable Construction Plans are currently under separate review
I certify that the above statements are true to the best of my knowledge and I further certify that I have read the City of Shavano Park Development Ordinances and this plat meets said ordinances except as notes.

Submitted by: Brooke Lindholm, P.E. Date: 5/24/2021

Accepted by:  Date: 5/25/21




City Staff Reviewed

City Secretary:  Date: 05/28/2021

Fire Marshal:  Date: 5/26/21

Public Works / Water Director:  Date: 5-26-21




Land Use Code:

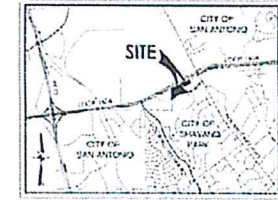
	Residential
	Commercial
	Private Open Space

Land Use Summary:

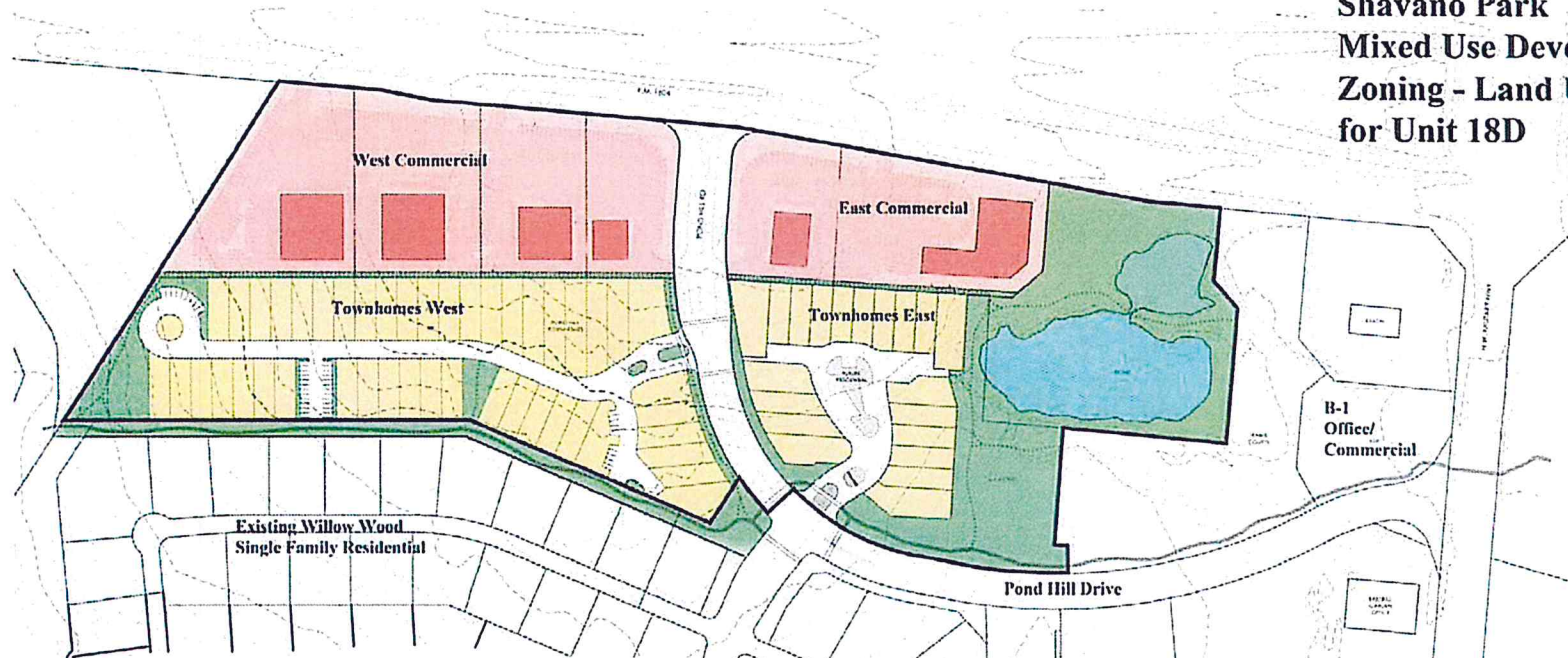
Residential			
Townhomes, East	20 d.u.'s	on	6.4 acres
Townhomes, West	46 d.u.'s	on	8.1 acres
Commercial			
East	(+/-) 27,000sf	on (+/-) 3.5 acres	
West	(+/-) 45,000sf	on (+/-) 6.8 acres	

Legend:

	MXD Zoning Boundary
	6' Multi-Use Pathway
	Potential Lot Lines



Shavano Park Mixed Use Development Zoning - Land Use Plan for Unit 18D



03-07-14

REVISED MXD PLAN

May 28, 2021

City of Shavano Park
Public Works Department
Attn: Curtis Leeth
900 Saddletree Ct
San Antonio, TX 78231



On behalf of:



Re: Final Plat Review Comments
Pond Hill Garden Villas Unit 2 Final Plat

Dear Mr. Leeth,

We have completed our review of the referenced Plat as submitted by Pape-Dawson Engineers. The following comment applies to the replat as submitted:

Plat:

Sheet 1 of 2 -

1. On the Aquifer Note, please remove any reference to the Cities of Shavano Park & San Antonio. Update to reference TCEQ requirements.

Sheet 2 of 2 -

1. Please check and add clear-vision easements as needed for exiting the subdivision. Our concern is landscaping being an obstruction to vehicles leaving the site.

Our review of the plat does not relieve or release the Engineer of Record or Surveyor of Record from complying with any and all the requirements of the local, state, and federal rules and regulations or guidelines impacting this project.

If you have any questions or need additional information please contact me at (210) 979-8444 or BTorres@kfwengineers.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Bobby Torres'.

Bobby Torres, P.E.
Plat Reviewer for the City of Shavano Park

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: June 2, 2021

Agenda item: 7

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION:

Discussion - Possible City of Shavano Park ownership of several Bitterblue owned greenbelts in the City

X

Attachments for Reference:

1) 7a Greenbelt Exhibits

BACKGROUND / HISTORY: In April 2021, Bitterblue approached City staff about potential City interest in taking ownership of Bitterblue-owned greenbelt tracts throughout the City. Bitterblue is nearing the end of development in Shavano Park and do not want these miscellaneous tracts of land (almost all are entirely undevelopable and in floodplain). Laddie @ Bitterblue explained:

1. Over the last several years, we have been working to clean up the miscellaneous tracts which have been mistakenly or defacto left in development entity ownership over the last 70 years. This is a function of:
 - a. I am the only one left with the background or history of the past.
 - b. Most of the ownership entities no longer exist or are totally moribund and non-functional.
 - c. The tracts end up being essentially abandoned.

DISCUSSION: Bitterblue proposes deeding (at no cost) to the City 5 (maybe 6) greenbelts to the City. See Attachment 7a for the exhibits, but in brief the 6 greenbelts are:

1. A 5.7050 acre tract of flood plain (Olmos Creek basin) between Harvard Oak street of Shavano Creek and Painted Post / Pepper Bush of Old Shavano Park (West). Valued at \$2,100.
2. A 6.8950 acre tract of flood plain (Olmos Creek basin) between Box Oak street of Shavano Creek and Happy Trail of Shavano Esates. Valued at \$100.
3. A 11.3395 acre tract of flood plain between Pond Hill Business / Willow Wood and West Mossy Cup of Old Shavano Park (West). Valued at \$36,220.

4. A 1.4275 acre tract of flood plain between Willow Wood and the “Shavano Park” Business Park (not in City limits). Valued at \$15,550. Note - The City sidewalk between Pond Hill and Lockhill-Selma runs through this tract.
5. A 12.4169 acre tract of flood plain north of Talmadge Lane of Bentley Manor. Valued at \$48,680. Note – the City sidewalk between Pond Hill and Lockhill-Selma and the berm constructed to protect Bentley Manor from storm water runoff coming from Lockhill-Selma both sit on this tract.
6. A 0.2415 acre tract of land that is either the parcel of land the berm or Bentley Manor Wall sits on. Valued at \$100. (MAYBE – Staff asked Bitterblue to further research. If the berm then City could have interest in owning, if the Bentley-Manor wall then perhaps Bentley Manor HOA is a more appropriate organization to own)

Data on acreage and valuations taken from Bexar County Appraisal District. Figures are more up to date than in the Exhibits.

Bitterblue also explained that any drainage basins on these properties are deeded responsibility to the nearby Home Owners’ Association (HOA) or Commercial Owners’ Association (COA). The City would not be taking over responsibility to maintain any drainage basins.

City staff estimates the required maintenance of these easements is a minimal burden to staff. Staff see no downside to owning these tracts, but many potential upsides:

If the City take ownership of these greenbelts the City would have control over them. City could ensure they are maintained (drainage ways kept clear of obstructions), City could ensure the greenbelts are not parceled out, sold or otherwise developed, and could ensure the tracts do not become a spot for squatters or illicit activities that abandoned properties can sometimes become.

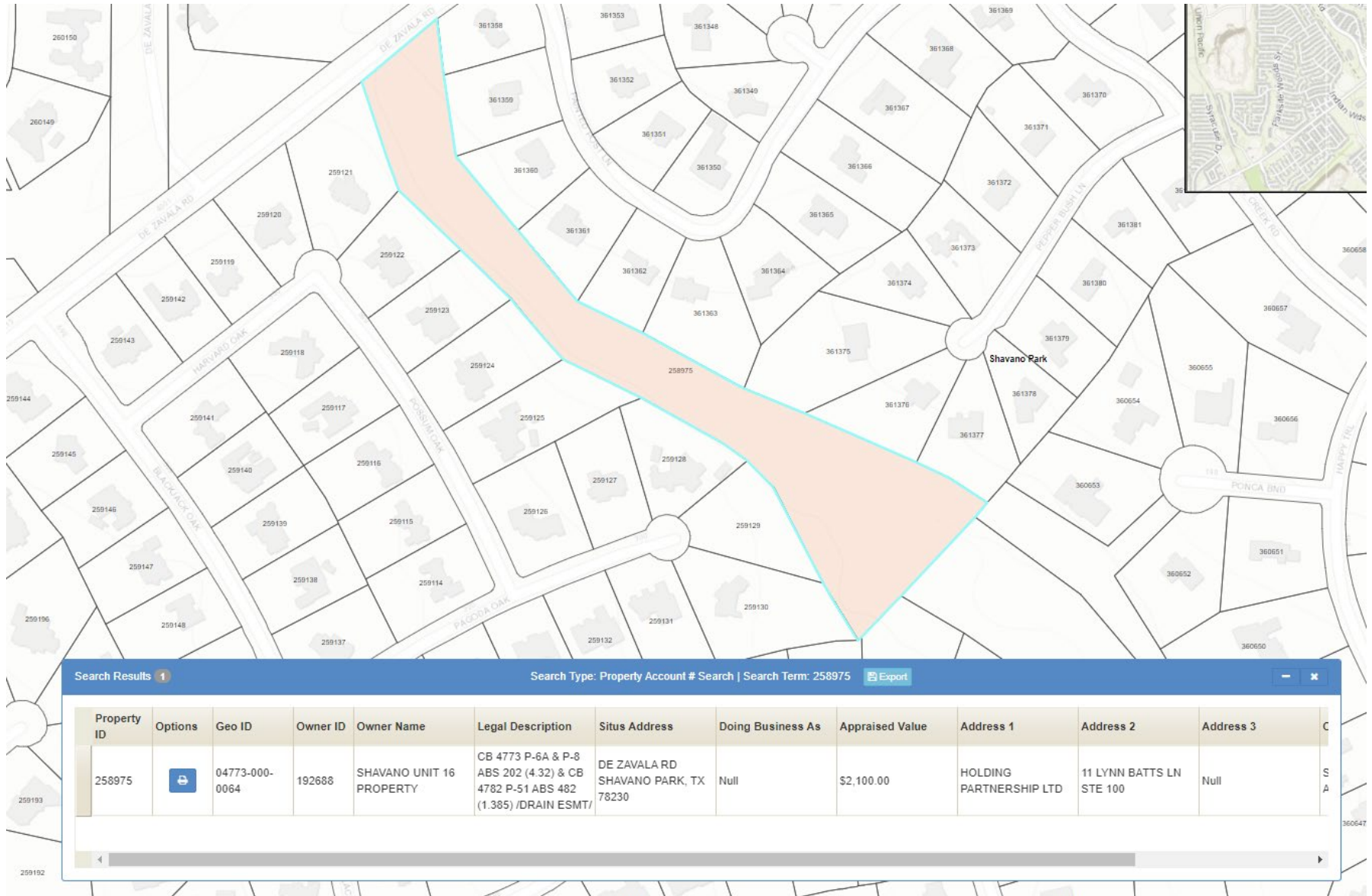
The areas in discussion are primarily storm water runoff basins and are adjacent to both residential and commercial development. All three topics are addressed in the 2018 Town Plan, which was drafted by the P&Z. Staff wishes to hear Planning & Zoning input on this proposal from Bitterblue. With P&Z input, staff will address with City Council.

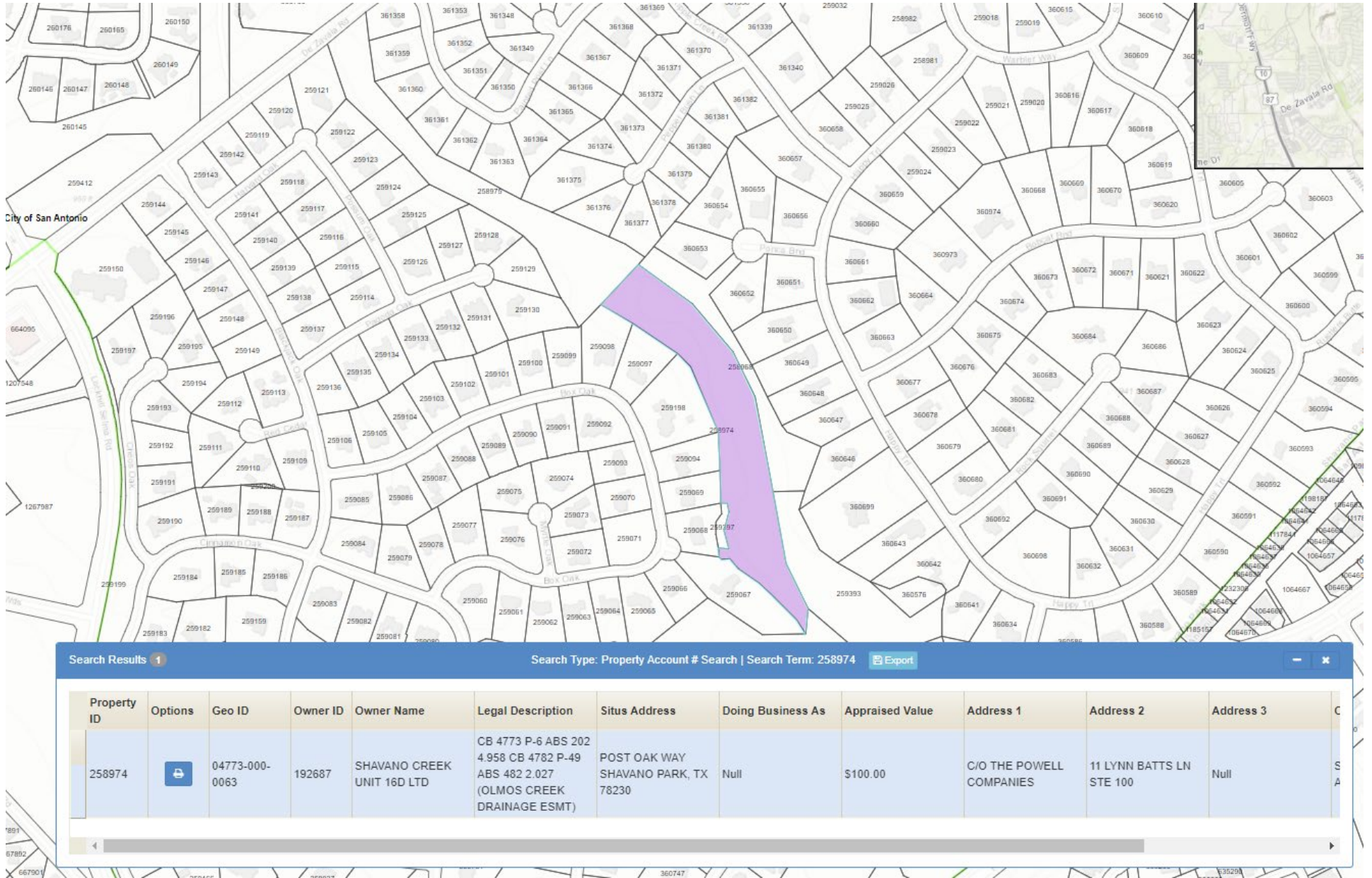
COURSES OF ACTION: Discussion item only; provide guidance to staff.

FINANCIAL IMPACT: N/A; Greenbelts would be deeded to City at no cost.

MOTION REQUESTED: N/A

For Discussion --- Tracts owned by Bitterblue entities



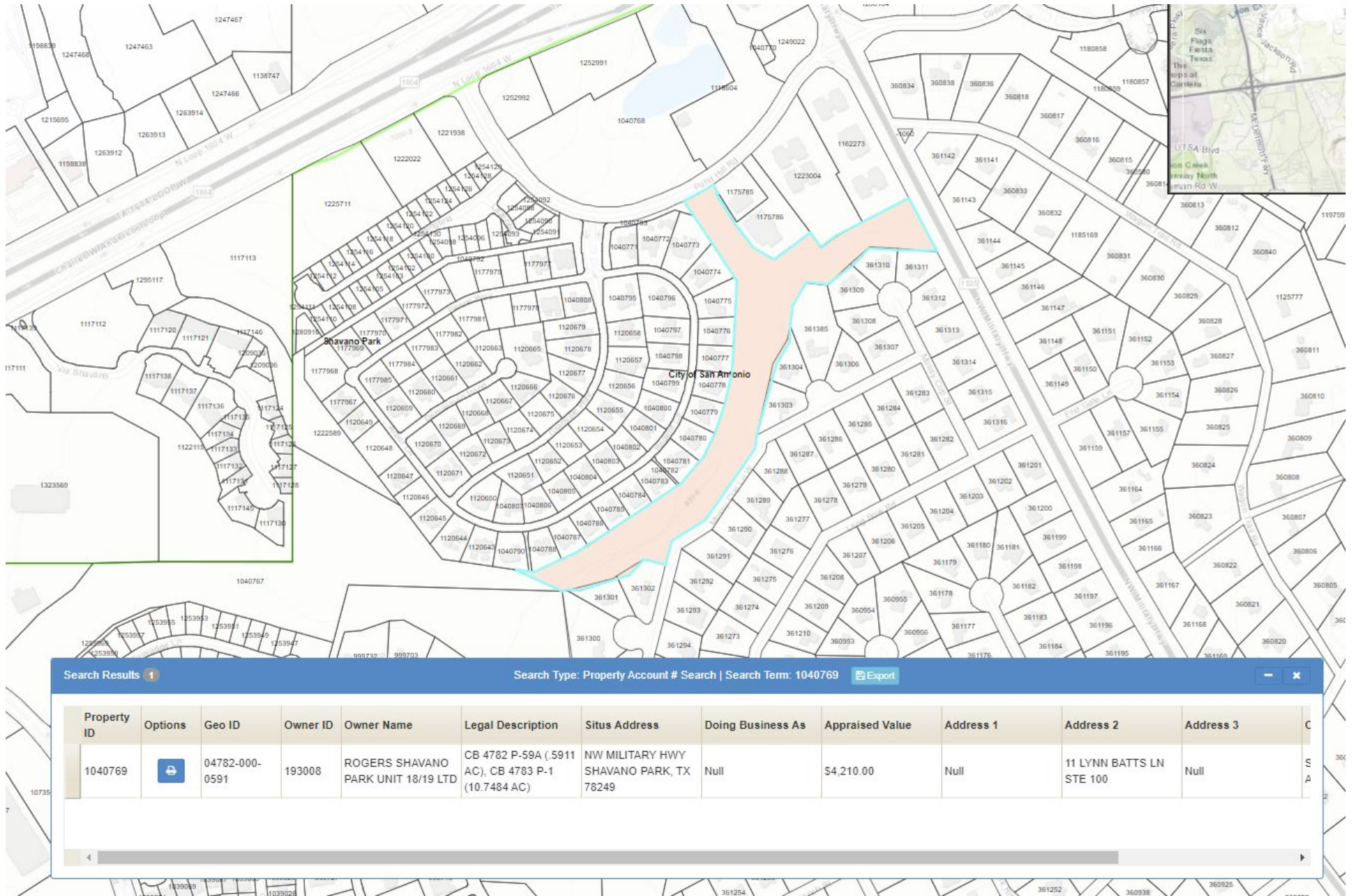


Search Results 1

Search Type: Property Account # Search | Search Term: 258974

Export

Property ID	Options	Geo ID	Owner ID	Owner Name	Legal Description	Situs Address	Doing Business As	Appraised Value	Address 1	Address 2	Address 3
258974		04773-000-0063	192687	SHAVANO CREEK UNIT 16D LTD	CB 4773 P-6 ABS 202 4.958 CB 4782 P-49 ABS 482 2.027 (OLMOS CREEK DRAINAGE ESMT)	POST OAK WAY SHAVANO PARK, TX 78230	Null	\$100.00	C/O THE POWELL COMPANIES	11 LYNN BATTS LN STE 100	Null



Search Results 1

Search Type: Property Account # Search | Search Term: 1040769

Export

Property ID	Options	Geo ID	Owner ID	Owner Name	Legal Description	Situs Address	Doing Business As	Appraised Value	Address 1	Address 2	Address 3
1040769		04782-000-0591	193008	ROGERS SHAVANO PARK UNIT 18/19 LTD	CB 4782 P-59A (.5911 AC), CB 4783 P-1 (10.7484 AC)	NW MILITARY HWY 78249	Null	\$4,210.00	Null	11 LYNN BATTS LN STE 100	Null



Search Results 1

Search Type: Property Account # Search | Search Term: 1222589

Export

Property ID	Options	Geo ID	Owner ID	Owner Name	Legal Description	Situs Address	Doing Business As	Appraised Value	Address 1	Address 2	Address 3
1222589		04782-000-0593	193008	ROGERS SHAVANO	CB 4782 P-59C ABS 482	POND HILL RD TX	Null	\$120.00	Null	11 LYNN BATTS LN STE 100	Null

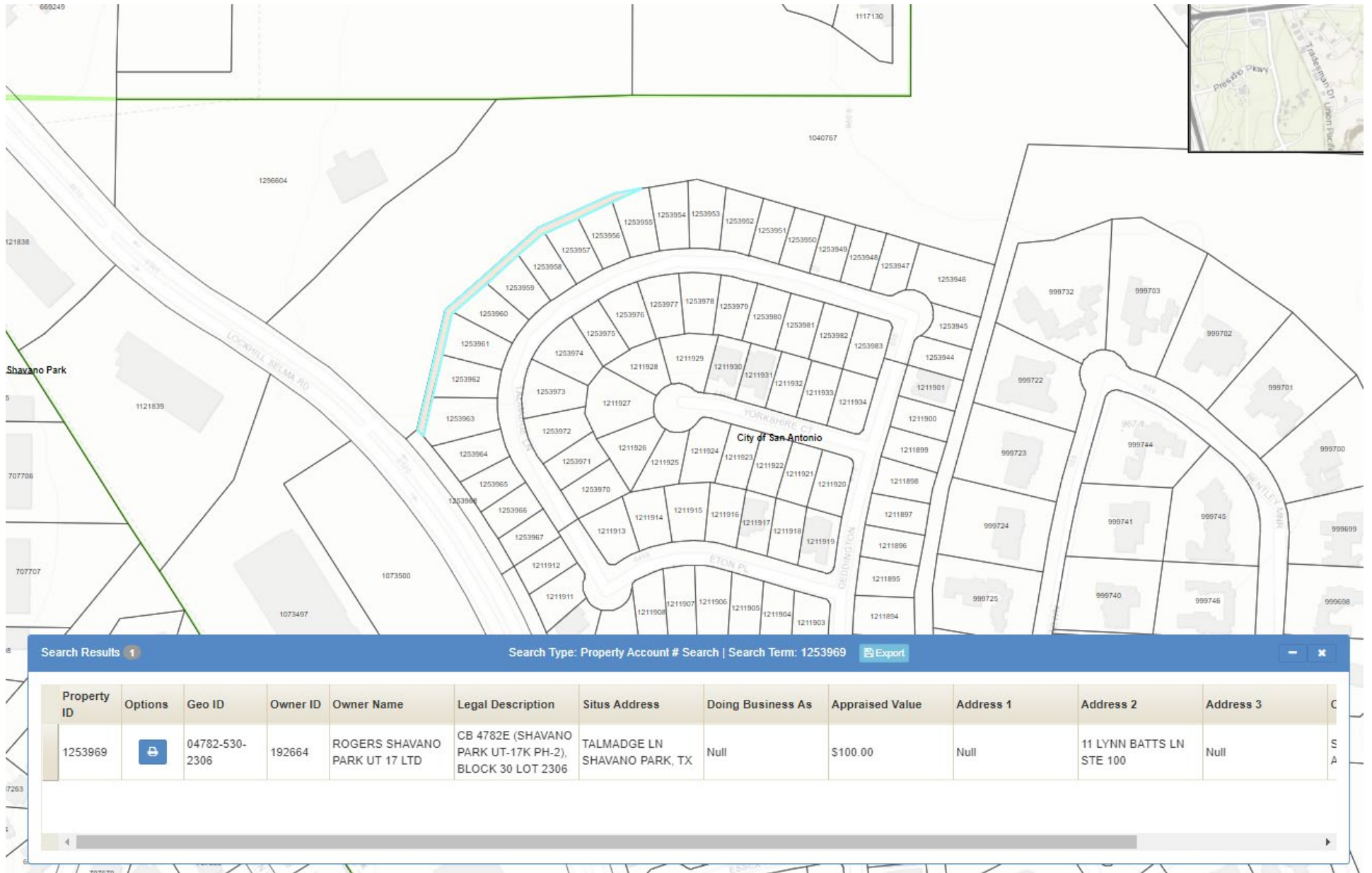


Search Results 1

Search Type: Property Account # Search | Search Term: 1040767

Export

Property ID	Options	Geo ID	Owner ID	Owner Name	Legal Description	Situs Address	Doing Business As	Appraised Value	Address 1	Address 2	Address 3	C
1040767		04782-000-0600	192664	ROGERS SHAVANO PARK UT 17 LTD	CB 4782 P-60 (FORMERLY P-17C) (12.4169 AC)	LOCKHILL SELMA RD SHAVANO PARK, TX 78249	Null	\$5,100.00	Null	11 LYNN BATTS LN STE 100	Null	S A



PLANNING AND ZONING STAFF SUMMARY

Meeting Date: June 2, 2021

Agenda item: 7

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION:

Discussion / action – Possible amendments to the table of allowed zoning uses under Chapter 36 – Zoning, Article VI. Tables and amendments clarifying MXD Zoning District language in Section 36-41 – City Manager

X

Attachments for Reference:

1) 7a Possible Draft Amendments (TRACK CHANGES)

BACKGROUND / HISTORY: **UPDATES** The City of Shavano Park regulates allowed uses by zoning district under Chapter 36, Article VI. – Tables. The Commission periodically reviews the Table of Uses, especially in regards to the commercial zoning districts, to ensure that allowed uses remain compatible with the ongoing development of the City.

The last time the Commission review the Table of Uses was in 2017, which ultimately resulted in Ordinance O-2017-009, attached as item 7b.

For newer members:

- Items marked **(CC)** mean the use requires a special use permit approved by Planning & Zoning & City Council after a public hearing.
- The commercial uses are setup as O-1 being the “lightest” commercial uses, with B-1 being “medium” commercial uses, and B-2 being the “heavier” commercial uses. The business zoning districts build on top of each other: all uses in O-1 are allowed in B-1, and again all O-1 AND B-1 uses are allowed in B-2. If a use is moved or added to O-1 for example it would be allowed in all business zoning districts.

DISCUSSION: For the June meeting staff prepared draft amendments using feedback from The Commission at the May 5 meeting. Track Changes include:

- Amendments clarifying MXD front setback language
- Adds MXD setback and area regulations to the Table No. 6
- Proposes some clarifying language for Banks/savings and loan use
- Proposes added Food Trucks to O-1 Zoning category

With the pandemic coming to a close, business development is picking back up. Many both inside and outside the business community are wondering what the “new normal” in many markets will look like. Staff have had several discussions with Bitterblue and other commercial developers about possible future businesses in the City. They include (broadly):

- A full bar with rotating food truck concept
- A credit union with emphasis on drive-thru banking services
- A pet store
- A Mexican restaurant
- A “high-end” tattoo parlor
- A “high-end” boxing & exercise gym
- Beauty services (injections, skin / hair treatments, powder brows)
- A “high end” private night club

Staff offer these as only as examples of the types of developments from the local business community that have shown interest in operating within Shavano Park.

Staff does recommend the Commission make one change to the Table of Uses: Allow banks and financial institutions to provide drive thru services without the requirement for a special use permit.

Drive thru services are how almost all banking services have been handled the past year amid the pandemic and staff consultation with developers is that no bank institution that serves the general public would build a building without a drive thru. The requirement for a special use permit (with public hearings) for a banking drive thru therefore seems burdensome.

Another consideration for clarification is food trucks. A number of food “uses” exist within the tables (Restaurant, Bakery retail store, Bar/tavern, and Cafeteria), food trucks are not listed (nor are the prohibited). Food trucks often provide service within Shavano Park. Food trucks are increasingly popular and some companies use rotating food trucks in their business model.

COURSES OF ACTION: Discuss possible amendments to the Table of Uses, give guidance to staff.

FINANCIAL IMPACT: N/A

MOTION REQUESTED: Discussion item only. This is item is intended to introduce the topic to the Commission in anticipation of action in June or July.

ARTICLE II. – DISTRICTS

...

Sec. 36-41. - MXD—Mixed-Use District.

(a) Definitions:

As used herein the term "Density Single-Family Residential" shall refer to such uses as townhomes, condominiums, and garden homes, which are generally defined as, but not limited to, buildings containing one-family dwelling units erected as a single building or multiple buildings on a single lot. It may include horizontally-stacked dwelling units but shall in no event include apartments, which are generally defined as multi-family dwelling units at a density greater than 25 units per acre.

(b) *Use regulations:*

- (1) This district allows a combination of residential, office, and commercial uses, which may or may not be in the same building, and flexibility in the planning and construction of the development in accordance with an approved site plan that allows for a broad range of mixed uses.
- (2) All uses permitted in Tables 3, 4 and 5 shall be permitted in the MXD District, except that uses requiring City Council approval ("CC" uses) shall be permitted by right pursuant to an approved MXD site plan. Additionally, Density Single-Family residential uses shall be permitted pursuant to an approved MXD site plan.

(c) *Area regulations:* A MXD District shall only be permitted on tracts fronting on Texas State Highway Loop 1604 and which consist of a minimum of three acres in area.

(d) *Height, density, setbacks and other limitations:* A MXD District shall not be subject to the use, height, density, commercial intensity, setbacks, parking and other regulations of the City zoning regulations, currently codified as chapter 36 of the Code of Ordinances. The height, density, commercial intensity, setbacks, parking and other requirements shall be established pursuant to an approved MXD site plan, provided, however, the following regulations shall apply:

- (1) A ten-foot minimum building setback shall be required where a non-single-family residential use within the MXD District abuts a single-family use or single-family zoning district.
- (2) A 20-foot minimum front setback shall be required for front-load residential garages and a ten-foot minimum front setback shall be required for side-load residential garages.
- (3) A ten-foot minimum building setback shall be required where any residential or nonresidential use abuts a public or private street.
- (4) Exterior fences and walls shall be permitted along the property line of any residential use.

- (5) All streets within a MXD District may be publicly accessible and may be located adjacent to the property line of any developed or undeveloped land, provided a minimum 30-foot buffer is installed when such street is adjacent to any residential rear property line. If streets are privately owned and maintained they may be gated.
- (6) Parking on public streets shall only be permitted on one side of the street and shall not be permitted between the hours of 2:00 a.m. and 5:00 a.m., except that on-street cut-out parking shall be allowed at any time pursuant to an approved MXD site plan. Public streets are defined, for the purpose of this section, as that portion of the roadway and shoulder from the property line on one side of the street to the property line on the opposite side of the street.
- (7) The height of any commercial or residential structure shall not exceed 45 feet unless authorized by an approved MXD site plan and serviceable by the Fire Department.
- (8) Where residential areas are developed with private common areas and/or privately shared open space, a mandatory homeowner's association shall be created. The homeowner's association shall be responsible for maintenance and upkeep of all private common and shared areas within the boundaries of the residential development. Board composition, dues, and other procedural aspects of the homeowner's association shall be determined by the developer of the residential area.
- (9) A minimum two-car garage shall be required for each density single-family residence and may be rear, side, or front loaded.
- (e) *MXD site plan:* A MXD site plan shall be approved by City Council as part of a rezoning to the MXD District and shall include:
 - (1) Legal description and exhibit of the property on a scaled map sufficient to determine detail showing the area to be zoned MXD.
 - (2) The general location of all land use categories. Multiple categories may be designated where a lot or building is sited to include two or more categories of uses.
 - (3) The general location of all existing and proposed streets.
 - (4) The proposed maximum heights, densities, commercial intensities, and parking ratios.
 - (5) The following existing conditions, where applicable:
 - a. Topographic contours of ten feet or less.
 - b. Existing 100-year floodplain, floodway and major drainage ways.
 - c. Utilities, including water, wastewater and electric lines.
- (f) *Amendments to approved MXD site plan:*
 - (1) *Classification:* Amendments to a previously approved MXD site plan shall be classified as a minor or major amendment. Minor amendments may be administratively accepted. Within 20 working days after the filing of the proposed amendments, the City Manager or his/her designee shall provide a written response to the applicant indicating whether or not the revised MXD site plan has been approved as a minor amendment. All revisions

to an approved MXD site plan not considered a major amendment shall be considered a minor amendment. Major amendments shall require a new application for rezoning and shall be processed in the same manner as the initial MXD site plan.

- (2) *Major amendments—Applicability:* Increasing the area or intensity of nonresidential uses shall be considered a major amendment.

ARTICLE VI. - TABLES

Table No. 1

A-1, A-1 PUD, A-2, A-2 PUD, A-3, A-4 and A-5 PUD

Single-Family Dwelling Districts

...

Table No. 2

CE Cottage Estates Residential District and MXD Mixed Use District

- (a) *Specifications.* In a CE Cottage Estates Residential District, each residence shall have a minimum gross floor area of not less than 2,000 square feet.
- (b) *Height regulations.* No building shall exceed two stories in height and the permitted maximum vertical height shall not exceed 45 feet.
- (c) *Area regulations.*
- (1) *Lot area.* All building lots in this district shall contain not less than 0.15 acres of land and have not less than 55 feet of average width per lot. The average width shall be calculated based on the linear width of such lot measured at the front property line and the rear property line. If any property line is curved, the measurement shall be based on a straight line running from the corners of such lot.
- (2) *Parking spaces.* Off-street parking space shall be provided on the lot to accommodate a minimum of two motor cars for each dwelling unit. For purposes of computing the required number of parking spaces for any improvements, no "parking space" located on public land, such as the public right-of-way of a street or alley, shall be included, except for parking in a utility or drainage easement area, whether public or private.
- (3) *Setback lines* for CE and CE-PUD (Bentley Manor Cottage Estates North) and CE-PUD (Bentley Manor Cottage Estates South):
- a. Front: Minimum front setbacks shall be as follows:
Front entry garages: 25 feet.
20 feet - Cul-de-sac lots.
Side entry garages: 15 feet; ten feet, cul-de-sac lots.
- b. Side: Minimum side setbacks shall be ten feet on one side and zero feet on the side abutting an adjoining lot having a minimum ten-foot setback; provided that no side

setback shall be required on any lot if there is at least a ten-foot separation between buildings with no side setback less than five feet.

c. Rear: The minimum rear setback shall be ten feet.

(d) *CE-PUD Cottage Estates Planned Unit Development* (Willow Wood) (established by Ordinance 100-12-03).

(1) *Specifications.*

a. One story residence: minimum 2500 square feet.

b. Two story residence: minimum 3000 square feet.

(2) *Area regulations.*

a. Lot area. 15,000 square feet minimum lot size.

b. Setback lines.

1. Front: 30 feet.

2. Side: 40 feet additive total side set back with a minimum of ten feet on any one side.

3. Rear: 21 feet.

(e) *Mixed Use District* (see Section 36-41 for zoning regulations in full). The height, density, commercial intensity, setbacks, parking and other requirements shall be established pursuant to an approved MXD site plan, provided, however, the following regulations shall apply:

(1) A ten-foot minimum building setback shall be required where a non-single-family residential use within the MXD District abuts a single-family use or single-family zoning district.

(2) A 20-foot minimum front setback shall be required for front-load residential garages and a ten-foot minimum front setback shall be required for side-load residential garages.

(3) A ten-foot minimum building setback shall be required where any residential or nonresidential use abuts a public or private street.

(f) *Fences.*

(1) *Fences in general.* All fences shall comply with the other applicable ordinances of the City.

(2) *Front fences.* Except where deed restrictions do not permit front fencing, front fencing shall be permitted. Front gates must be wide enough as to provide access for any and all emergency vehicles. Any front fence must not encompass any fire hydrant that may be present.

(g) *Swimming pools.*

(1) *Definitions.*

a. Swimming pools shall mean and include all in-ground pools, including swimming, wading and lap pools, and all in-ground and above-ground water spas.

- b. Swimming pool edge shall mean the edge formed where the swimming pool water meets the adjacent wall of the swimming pool.
- (2) *Restrictions.* The setback requirements set forth in Section C.3. above shall not apply to swimming pools in Unit 18 of the CE District and the following regulations shall apply. The pool edge shall be located no closer than:
 - a. Ten feet from the main residence building.
 - b. Ten feet from any side lot line.
 - c. The existing width of any easement located along or parallel to the rear property line unless a waiver is granted by the easement holder, but in no event closer than ten feet from the rear lot line.
 - d. Ten feet from the rear lot line if there are no easements adjacent to or parallel to the rear lot line.
 - e. Three feet from the rear lot line if the lot abuts a greenbelt or street right-of-way adjacent or parallel to the rear lot line.
 - f. Above ground water spas and other swimming pool appurtenances shall be limited to no more than 30 inches in height for all areas within the prescribed setbacks.

Table No. 3

Table of Permitted Uses

O-1 Zoning Category

Accounting

Architects

Attorneys

Banks, Credit Unions, and Savings and Loan Associations - drive through facilities allowed

Chiropractor

Clinic, dental or medical

Consultants

Developers

Engineers

Food Trucks

Brokerage services

General office uses
Insurance company and agents
Mortgage loan office
Office call center
Office data processing and management
Optician
Optometry services
Orthopedic services
Physical therapist
Real estate office
Software sales and service
Supplemental day care center - caring for not more than 12 persons
Tax preparation services
Telephone company - office use only
Travel agency

Table No. 4

Table of Permitted Uses

B-1 Zoning Category

As required by subsection 36-39(6)a. 1., all business activities, except for outdoor dining and Convenience Store activities (including outdoor pay at the pump gasoline sales and stand-alone self-service car wash), are required to be completely contained within an enclosed structure or court.

Any use permitted in O-1 Zoning Category, See Table No. 3

Antique store

Apothecary (drugstore)

Apparel and accessory store

Art gallery and/or museum

Bakery, retail store

Bar/tavern

Barber/beauty shop

Boutique hotel

Bookstore

Business machine shop

Cafeteria

Camera/photographic store

Candy/nut/confectionery store

Catering shop

Convenience store, (CC)

Cosmetics sales

Day spa

Dairy products, retail store

Drug store

Dry goods, retail store

Electric scooters sales and service

Fitness services 6,000 square feet or less

Floor covering, retail store

Florist, retail store

Fruit and produce store, retail store

Food store

Furniture sales, retail store

Gift shop

Gourmet shop, retail store

Grocery store, with alcoholic beverage sales

Hardware sales, retail store without outdoor display

Hobby supply store

Hotel/motel

Hotel/motel over 45 feet in height (CC)

Interior decorating studio

Jewelry store

Laboratory, dental or medical

Laboratory, research and/or testing (CC)

Laundry/dry cleaning, pickup station only

Leather goods and luggage store

Liquor store

Locksmith

Luggage sales and service

Milliner (custom)

Movie rental

Music store

Nursery school/day care

Nursery (plant sales) - retail

Office equipment/supply store, retail store

Optical goods, retail store

Pet grooming, small animals only with no overnight boarding

Pet shop, no outdoor boarding

Photographic equipment and supplies, retail store

Picture framing

Postal center

Pottery studio

Religious, cultural and fraternal activity up to 5,000 square feet

Restaurant

Schools up to 5,000 square feet

Second hand merchandise, retail store

Self defense instruction

Shoe repair

Shoe sales, retail store

Short-term in-patient surgical center - a facility in which the average in-patient length of stay shall not exceed 96 hours (CC)

Sporting goods, retail store

Stamp and coin sales, retail store

Stationary sales, retail store

Tailor shop

Tobacco store

Toy store

Trophy sales

Variety store, retail store

Watch repair

Weight loss/reducing salon

Table No. 5

Table of Permitted Uses

B-2 Zoning Category

As required by subsection 36-39(7)a. 1., all business activities, except for outdoor dining and Convenience Store activities (including outdoor pay at the pump gasoline sales and stand-alone self-service car wash), are required to be completely contained within an enclosed structure or court.

Any use permitted in B-1 Zoning Category, see Table No. 4

Air conditioner sales, retail store

Altering/repairing of apparel

Animal clinic, no outdoor boarding

Appliance repair

Appliance sales, retail store

Assisted Living Facility (CC)

Auto rental — pick up and drop off only (CC)

Bicycle repair and sales

Churches

Club — private (including meeting hall) (CC)

Copy and photostatting shop, dry copy processes only

Department store

Electronic equipment repair

Funeral home, (CC)

Fitness services greater than 6,000 square feet, (CC)

Hardware sales, retail store with outdoor display (screened from public view) (CC)

Miniature golf, indoor only (CC)

Office service facilities, rear-loading only, no outside storage

Paint and wallpaper store, retail store

Pawnshops that are licensed to transact business by the Consumer Credit Commissioner under the Texas Pawnshop Act (article 5069-51.01 et seq., Vernon's Texas Civil Statutes) - No Special permit is required for this use.

Personal storage facility - rock wall, full screened (CC)

Radio and/or television station - without transmission tower (CC)

Reception hall/meeting facility

Recreational facility, neighborhood only (CC)

Religious, cultural and fraternal activity over 5,000 square feet

Rug, carpet and tile store - retail store

Schools over 5,000 square feet

Skating rink, (CC)

Short-term in-patient surgical center - a facility in which the average in-patient length of stay shall not exceed 96 hours

Tennis, basketball, volleyball, racquetball or handball courts

Theater — no more than 12 screens or stages (CC)

Table No. 6
Other District Setbacks and Other Limitations

1. <u>General O-1, B-1, and B-2 Zoning District Front Setback.</u> For lots in zoning districts O-1, B-1 and B-2, an 80-foot front setback is required for a lot with a depth of 600 feet or more.
2. <u>Optional Adjustment to O-1, B-1, and B-2 Zoning District Front Setback.</u> For lots in zoning districts O-1, B-1 and B-2, the front setback line may be reduced by 25 percent if the front landscape buffer is increased to 100 percent of the front setback; provided, however, that in no event will the front setback be less than 25 feet, nor will the front landscape buffer be less than 25 feet.
3. <u>Variable O-1, B-1, and B-2 Zoning District Front Setback.</u> For lots in zoning districts O-1, B-1 and B-2 with less than 600 feet of depth, the front setback will be prorated on the basis of actual depth (e.g., a lot 300 feet deep (50 percent of 600 feet) will require a 40-foot setback (50 percent of 80 feet)), and the front setback may be further reduced by increasing the front landscape buffer as provided above (e.g., 40-foot front setback may be reduced 25 percent to 30 feet if the front landscape buffer is increased to 100 percent of the 30-foot setback).
4. <u>Corner Lots.</u> Corner lots shall maintain a front setback of 80 feet and a side/rear setback of 80 feet on the lot side abutting the side street, as if the lot had two frontages. The front and side/rear setbacks for corner lots shall be subject to adjustment as provided in Notes 2 and 3 above.
5. <u>Variable B-1, and B-2 Zoning District Side Setback.</u> For lots in zoning districts B-1 and B-2 that do not directly abut a residential use or residential zoning district, the above side setback requirement shall be reduced to 15 feet, which may be accomplished by shared setbacks or by placement of a setback on only one lot.
6. <u>Variable Greenbelt O-1, B-1, and B-2 Zoning District Rear Setback.</u> In zoning districts O-1, B-1, and B-2, the rear setback requirement shall be satisfied if the lot abuts a greenbelt of 100 feet or more. If a lot abuts a greenbelt of less than 100 feet, the actual width of the greenbelt shall be included in and correspondingly reduce the required 100-foot setback (e.g., if a lot abuts a 50-foot greenbelt, the rear setback requirement shall be reduced to 50 feet). No rear setback or rear landscape buffer shall be required for any lot that abuts a dedicated easement of 75 feet or more, on which permanent, habitable structures are not permitted:
7. <u>Reduced O-1, B-1, and B-2 Zoning District Rear Setback.</u> In zoning districts O-1, B-1, and B-2, the above provided rear setbacks and landscape buffers shall only apply to lots that abut or are separated by a street from a residential use, residential zoning district or greenbelt that abuts a residential use or residential zoning district. For lots that do not abut (including those separated

by a street from such use or district) a residential use, residential zoning district or greenbelt that abuts a residential use or residential zoning district, the rear setback shall be reduced to not less than 15 feet, and for a lot in a B-1 and B-2 zoning district that does not face a street, the rear landscape buffer shall be eliminated.

8. Mixed-Use District Setbacks. Setbacks shall be determined by an approved MXD Site Plan, with the following minimum setback standards: A ten-foot minimum building setback shall be required where a non-single-family residential use within the MXD District abuts a single-family use or single-family zoning district. A 20-foot minimum front setback shall be required for front-load residential garages and a ten-foot minimum front setback shall be required for side-load residential garages. A ten-foot minimum building setback shall be required where any residential or nonresidential use abuts a public or private street. See Section 36-41 for full district regulations.

9. Area Regulation. Except as permitted in Single-Family Cottage Estates Residential District (CE District) or Mixed-Use District (MXD), the buildings on any one lot must not cover more than one-third of the entire area of the lot.

<i>District</i>	<i>Height Limitation (in feet)</i>	<i>Parking Stall Ratio (in feet)</i>	<i>Rear Setback (in feet)</i>	<i>Side Setback (in feet)</i>	<i>Landscape Buffer</i>	
					<i>Front Yard (in feet)</i>	<i>Rear Yard (in feet)</i>
"M-U"— Municipal/Utility	50'	1/200s.f.	50'	25'	40'	40'
"O-1"—Office District	45'	1/300 s.f.	100'	25'	40'	30'
"B-1"—Business District	45'	1/200 s.f.	100'	25'	40'	30'
"B-2"—Business District	45'	1/200 s.f.	100'	25'	40'	30'
"MXD"—Mixed- Used District	45'	Determined by Site Plan	Determined by Site Plan	Determined by Site Plan	Determined by Site Plan	Determined by Site Plan

PLANNING AND ZONING COMMISSION (P&Z)

<u>NAME</u>	<u>HOME</u>	<u>OTHER</u>	<u>TERM EXP.</u>
Carla Laws 6 DeZavala Place carla.laws@satx.rr.com	210-764-1688	210-473-4081	09-30-2022
Michael Janssen 430 Bentley Manor mikebarb@aol.com	210-479-2799	210-861-3990	09-30-2022
William Stipek 622 Bentley Manor wstipek@satx.rr.com	210-492-7875	210-413-6974	09-30-2022
Kerry Dike 113 Wagon Trail Rd kdike@cbharper.com	210-492-6634	210-262-9626	09-30-2021
Vicky Maisel 111 Painted Posted vickymaisel@yahoo.com	210-764-7520	210-218-2187	09-30-2022
Shawn Fitzpatrick 108 Elm Spring skf@fitzkoslaw.com	210-493-9361	210-573-6323	09-30-2021
Bill Simmons 130 Wagon Trail Rd williamhsimmons@gmail.com	210-846-2652		09-30-2021
Jason Linahan 113 Shavano Drive jason@theplacesa.com	210-846-7356		09-30-2021
Damon Perrin 614 Bentley Manor damonperrin@gmail.com	210-218-3800		09-30-2021