

**CITY OF SHAVANO PARK
PLANNING & ZONING COMMISSION MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
October 2, 2019**

6:30 P.M.

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. Citizens to be heard – Rules for Citizen’s Comments: The Planning & Zoning Commission welcomes citizen participation and comments at all of their meetings. As a courtesy to your fellow citizens and out of respect to Board members; we request that if you wish to speak that you follow these guidelines.
 - A. Direct your comments to the entire Board, not to an individual member;
 - B. Limit your discussion to one or two issues that you wish to address rather than a generalized statement; and
 - C. Show the Board the same respect and courtesy that you expect to be shown to you.
 - D. As stated in Resolution No. 04-11, residents are given three (3) minutes to speak during Citizens to be heard. Residents are only allowed to speak once and cannot pass their time allotment to someone else.

The Presiding Officer 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 Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

Note: The Commission may not debate any non-agenda issue, nor may any action be taken on any non-agenda issue at this time; however, the Board may present any factual response to items brought up by citizens [Attorney General Opinion – JC 0169]

4. Consent Agenda:
 - A. Approval – Planning & Zoning Commission minutes, September 4, 2019
5. Nomination and appointment of Chairman
6. Nomination and appointment of Vice-chairman
7. Discussion – Welcome new members and thanks to departing members and information on open meeting and open records training – Chairman

8. Discussion / action – Possible approval of Preliminary Plat of Subdivision Plat Napier Park Unit-3 (Planned Unit Development), a 4.0 acre tract of land out of that 289.5 acre tract described in deed to Rogers Shavano Park Unit 18/19, LTD. – City Manager
9. Public Hearing – A public hearing to receive comments from members of the public regarding the proposed rezoning of property legally described as County Block 4773A, Lot 1650, Shavano Park Unit-16F (4096 De Zavala Rd) from B-2 Business and Office District to a Planned Unit Development (PUD) zoning district with B-2 Business and Office base district with the following exceptions: Minimum Parking Requirement, Maximum Building Height, Rear Setback Requirement, Side Setback Requirement, Front Landscape Buffer Requirement and Rear Landscape Buffer Requirement
10. Discussion / action – Possible recommendation to rezone the property legally described as County Block 4773A, Lot 1650, Shavano Park Unit-16F (4096 De Zavala Rd) from B-2 Business and Office District to a Planned Unit Development (PUD) zoning district with B-2 Business and Office base district - City Manager
11. Public Hearing – A public hearing to receive comments from members of the public regarding the proposed granting a Special Use Permit to the property legally described as County Block 4773A, Lot 1650, Shavano Park Unit-16F (4096 De Zavala Rd) for an Assisted Living Facility (CC) use in B-2 Business and Office District zoning category
12. Discussion / action – Possible recommendation of granting a Special Use Permit to the property legally described as County Block 4773A, Lot 1650, Shavano Park Unit-16F (4096 De Zavala Rd) for an Assisted Living Facility (CC) use in B-2 Business and Office District zoning category- City Manager
13. Public Hearing – A public hearing to receive comments from members of the public regarding proposed amendments to the City of Shavano Park Code of Ordinances clarifying & establishing definitions for building setback lines, porches, porte cocheres and front yards and establishing that open porches and porte cocheres are allowed to extend from the primary residence into the front setback under certain conditions
14. Discussion / action – Possible amendments to the City of Shavano Park Code of Ordinances clarifying & establishing definitions for building setback lines, porches, porte cocheres and front yards and establishing that open porches and porte cocheres are allowed to extend from the primary residence into the front setback under certain conditions - City Manager
15. Discussion / action – Proposed amendments to Chapter 28 – Subdivisions regarding changes in plat procedures - City Manager
16. Discussion – Possible amendments to Chapter 24 – Signs regarding banner signs and allowed signage in residential and business zoning districts - City Manager
17. Report / update - City Council items considered at previous City Council meetings and discussion concerning the same - City Manager
18. **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. November, 2019 - Review of City Policy #15 Public Information Act update in accordance with new Texas Senate Bill 944
- ii. November, 2019 – Public Hearing & action item for possible amendments to Chapter 24 – Signs regarding banner signs and allowed signage in residential and business zoning districts.
- iii. November, 2019 – Public Hearing & action item for proposed rezoning of the commercial property located at the intersection of Huebner Road and Lockhill Selma Road to a PUD and discussion concerning same.
- iv. November, 2019 – Possible amendments to the City of Shavano Park Code of Ordinances regarding building construction material requirements to comply with H.B. 2439.
- v. TBD’ed - Amendments to Chapter 36 regarding MXD & PUD site plan approval to comply with the 30-day shot clocks from Texas Legislature
- vi. February, 2020 – Semiannual presentation by Denton Communities regarding residential and commercial development in Shavano Park and surrounding areas and discussion concerning the same.

19. 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 28th day of September at 11:45 a.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Zina Tedford
City Secretary