

**CITY OF SHAVANO PARK
PLANNING & ZONING COMMISSION MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
December 5, 2018**

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, November 7, 2018
5. Discussion / review of the City’s ordinances regarding minimum gate width in Residential Zoning Districts – City Manager Hill.
6. Discussion / action – Possible rescheduling of the January 2, 2019 Planning & Zoning Commission meeting to January 9, 2019 – City Manager Hill.
7. Discussion – TxDOT public open house meeting for Shavano Park residents regarding the impact on homeowners of the NW Military Highway project – City Manager Hill.

8. Report / update – City Council items considered at previous City Council meetings and discussion concerning the same – City Manager Hill.
9. 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. February, 2019 – Semiannual presentation by Denton Communities regarding residential and commercial development in Shavano Park and surrounding areas and discussion concerning the same.
 - ii. 2019 – Sign Ordinance
10. 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 29th day of November at 8:50 a.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

ZINA TEDFORD
City Secretary

1. Call to order

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

PRESENT:

ABSENT:

Konrad Kuykendall

Albert Aleman

Carla Laws

Bill Simmons

William Stipek

Kerry Dike

Jason Linahan

Michael Janssen

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 Dike and a second made by Commissioner Laws, 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 at this time.

4. Consent Agenda:

A. Approval – Planning & Zoning Commission minutes, October 3, 2018

Upon a motion made by Commissioner Aleman and a second made by Commissioner Simmons, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the Planning & Zoning Commission October 3, 2018 minutes as presented. The motion carried.

5. Nomination and appointment of Chairman

Upon a motion made by Commissioner Aleman to nominate Michael Janssen to serve as Chairman and a second by Commissioner Kuykendall, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the appointment of Michael Janssen as Chairman. The motion carried.

6. **Nomination and appointment of Vice-chairman**

Upon a motion made by Commissioner Dike to nominate Albert Aleman to serve as Vice-Chairman and a second by Commissioner Ortiz, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the appointment of Albert Aleman as Vice-chairman. The motion carried.

7. **Discussion – Welcome new members and thanks to departing members and information on open meeting and open records training – City Manager Hill**

City Manager Hill welcomed all new members and expressed thanks to departing members. A brief overview of the open meeting and open records training was presented.

8. **Public Hearing – Proposed re-plat of Lot 2143, Block 35, CB 4784 of the Shavano Park Unit-19C Phase II (PUD) and Lots 2160 and 2161, Block 35, CB 4784 of the Shavano Park Unit-19C Phase IV (PUD) to combine into new Lot 2164 – City Manager Hill**

Public hearing opened at 6:38 p.m.

Mr Ayers addressed the Planning & Zoning Commission regarding this agenda item.

Public hearing closed at 6:44 p.m.

9. **Discussion / action – Proposed re-plat of Lot 2143, Block 35, CB 4784 of the Shavano Park Unit-19C Phase II (PUD) and Lots 2160 and 2161, Block 35, CB 4784 of the Shavano Park Unit-19C Phase IV (PUD) to combine into new Lot 2164 – City Manager Hill**

Upon a motion made by Commissioner Aleman to approve the proposed re-plat of Lot 2143, Block 35, CB 4784 of the Shavano Park Unit-19C Phase II (PUD) and Lots 2160 and 2161, Block 35, CB 4784 of the Shavano Park Unit-19C Phase IV (PUD) to combine into new Lot 2164 with amendments as discussed and a second by Commissioner Kuykendall, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the amended re-plat of Lot 2143, Block 35, CB 4784 of the Shavano Park Unit-19C Phase II (PUD) and Lots 2160 and 2161, Block 35, CB 4784 of the Shavano Park Unit-19C Phase IV (PUD) to combine into new Lot 2164. The motion carried.

10. **Report / update – City Council items considered at previous City Council meetings and discussion concerning the same – City Manager Hill.**

City Manager Hill provided an overview of items considered at the previous City Council Meeting.

11. **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. December – Discussion regarding possible changes in the City's ordinances regarding minimum gate width in Residential Zoning District A-1.
- ii. December – Discussion regarding possible changes in the City's ordinances regarding landscaping and trees in commercial zoning districts.

- iii. February, 2019 – Semiannual presentation by Denton Communities regarding residential and commercial development in Shavano Park and surrounding areas and discussion concerning the same.

12. Adjournment

Upon a motion made by Commissioner Dike and a second made by Commissioner Laws, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to adjourn the meeting. The meeting adjourned at approximately 7::00 p.m.

MICHAEL JANSSEN
Chairman

ZINA TEDFORD
City Secretary

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: December 5, 2018

Agenda item: 5

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION:

Discussion – Discussion and review of the City’s ordinances regarding minimum gate width in Residential Zoning Districts – City Manager Hill.



Attachments for Reference: 1)

BACKGROUND / HISTORY: At the September 10, 2018 Special City Council Meeting authorized staff to immediately begin research to purchase a demo 100’ Ariel firetruck and authorizing staff to negotiate purchase during 2019 and said purchase not to exceed \$1.1M to be taken out of capital improvement fire department reserves.

An aerial ladder truck is a bigger vehicle than the current fire engines and there is some concern it may require larger entrances. Requiring future home construction to build gates of necessary width to allow aerial engine access would be beneficial to the fire safety of those residences.

The Fire Department is currently finalizing proposed amendments adopting the 2018 International Fire Code. The ordinance was approved first reading at the November 27, 2018 City Council Meeting. The Fire Department reports that the standard fire engine is 8 ½ feet wide, not including mirrors; therefore the current minimum gate width requirement of 12 feet in Sec. 36-36(f)(3) is sufficient.

DISCUSSION: Residential gate width is regulated in three sections of the City ordinances. Staff recommend that the three areas of the code be made consistent with the 12 feet minimum gate width requirement of Sec. 36-36(f).

Sec. 6-92. - Fences.

Front fencing past the front edge of a residence or building is only allowed in an A-I zoning district. A-2, A-3, A-4, and A-5 PUD zoning districts can have front fencing but cannot be past the front edge of the residence or building. Side and rear fencing is allowed in all districts. All fencing must meet the following criteria:

- (1) Fences not more than eight feet in height are permitted, provided that said fences are constructed of wood, concrete, brick, wrought iron or other materials approved

by the Building Official and the materials are architecturally and aesthetically consistent with the surrounding area.

- (2) On a corner lot, no shrubbery, when mature height is greater than 18 inches, may be planted within the area created by a straight line connecting two points that are respectively 30 feet along the side and front property lines from a street intersection.
- (3) Fences should be constructed in such a way as to not be an obstruction or change the natural drainage of water. Solid front fencing is not permitted, except in A-1 PUD Zoning District.
- (4) Front gates must be wide enough as to provide access for any and all emergency vehicles.
- (5) Any shrubbery, when mature height is greater than 18 inches, must not be within three feet of a fire hydrant.
- (6) No fence shall encompass any fire hydrant.

Sec 36-36(f) Fences subsection (3):

- (3) Side and rear fencing is allowed in all districts provided they meet the following criteria, including front fences:
 - a. Fences not more than eight feet in height are permitted and shall be constructed of masonry, brick or stone, wood, concrete, or wrought iron. In A-1 District, chainlink and hog-wire style fences are additionally permitted.
 - b. On a corner lot, no shrubbery, when mature with a height greater than 18 inches, may be planted within the area created by a straight line connecting two points that are respectively 30 feet along the side and front property lines from a street intersection.
 - c. Fences must be constructed in such a way that does not change the natural drainage of water.
 - d. Except in A-1 District and Unit 19 (Huntington Subdivision) A-1 PUD District, fencing shall not be permitted beyond the front face of the residence. Front driveway gates shall have at least a minimum of a 12-foot opening. In A-1 District and excluding Unit 19 (Huntington Subdivision) A-1 PUD, no one shall construct fencing beyond the front face of the residence in a manner that impedes the view of persons beyond the residence's property line. In no event shall a base footer exceed 36 inches.
 - e. No shrubbery, when mature height is greater than 18 inches may be within three feet of a fire hydrant.
 - f. Front fences must not encompass any fire hydrant that may be present.
 - g. For any property within the City limits with a property line abutting one or more of the City streets known as Lockhill Selma Road, NW Military Hwy., De Zavala

Road and Huebner Road (where such property presently has a solid wall along or parallel to one or more of such streets at the property line), such property owner may not construct a gate or other opening on such property line. Any property with an existing gate on property lines described above is considered a non-conforming use and may continue to exist.

Sec. 22-87. - International Fire Code adopted.*

- (11) Replace section 503.2.1, Dimensions, shall read: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, except where a fire hydrant is located on a fire department access road, in which case the minimum road width shall be 26 feet. An unobstructed vertical clearance of not less than 14 feet shall be required and maintained at all times. Security gates shall be sized to match the required road width.
- (12) Add section 503.2.5.1, Dead ends. Dead-end fire apparatus access roads located between buildings shall have a 10-foot setback from the edge of the access road to the structures on each side of the road.
- (13) Add section 503.2.9, Divided entrances. Subdivisions or complexes may have a divided entrance and exit. The entrance side shall have a clearance of 20 feet clear width, and the exit side shall have a 20-foot clear width. Gates shall be sized to match the openings.

*Staff note that residences do not have *Fire Apparatus Access Roads* nor are a subdivision or complex mentioned in the current Fire Code Amendments under Sec. 22-87. Adding a minimum gate width provision similar to Sec. 36-36(f)(3) would be best placed under this section in the newly adopted 2018 Fire Code Amendments.

COURSES OF ACTION: Not an action item.

FINANCIAL IMPACT: N/A

MOTION REQUESTED: Not an action item.

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: December 5, 2018

Agenda item: 7

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION:

Discussion – TxDOT public open house meeting for Shavano Park residents regarding the impact on homeowners of the NW Military Highway project – City Manager Hill.

X

Attachments for Reference:

1) 7a Open House Flyer

BACKGROUND / HISTORY: In 2015 the City partnered with TxDOT on a project to improve NW Military Highway. It was funded by the Alamo Area Metropolitan Planning Organization through a combination of federal and state dollars on April 25, 2016. The Project is slated to be open for contract bids in November 2020. Construction will be overseen by TxDOT.

Since 2016, the City and the City Engineer, KFW Engineers & Surveying, continue to work closely with TxDOT during the engineering phase of the project. The project's engineering schematic is now 90% complete and is nearing completion on all required environmental. The City has not received final answer on the scope of required water line moving for the project.

The project is on track for the November 2020 start date.

DISCUSSION: The public involvement phase of the project began November 13 and 14 when TxDOT held 22 individualized meetings with property owners along NW Military. No significant issues affecting the project's schematics arose from the meetings.

An open house for all the public will be held at the Barshop Jewish Community Center at the corner of Wurzbach and NW Military Highway on December 12th, 5:00 to 7:00PM. The City will use the website, social media and marquee to advertise for the meeting. Residents and other interested citizens can attend the open house at any time between 5 and 7 pm. There will not be a formal presentation, but rather tables set up with schematics with TxDOT engineers and project managers prepared to walk folks through the details and to answer questions.

COURSES OF ACTION: Not an action item.

FINANCIAL IMPACT: N/A

MOTION REQUESTED: Not an action item.



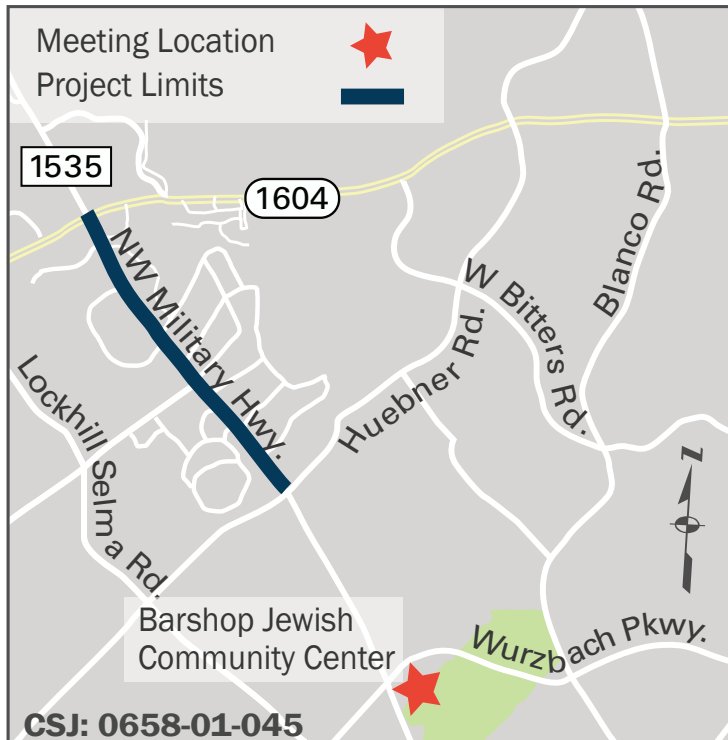
Open House

NW Military Hwy. (FM 1535) Improvement Project

From Loop 1604 to Huebner Rd.



Attend an open house to learn about improvements to NW Military Hwy. and share your input.



Dec. 12, 2018
5–7 p.m.

**Barshop Jewish
Community Center**

12500 NW Military Hwy.
San Antonio, TX 78231

Open house format

Improvements Include:

- Adding a continuous center-turn lane
- Adding sidewalks and bicycle accommodations

Share Your Input

- Submit comments at the meeting
- Send via email or mail (see below)

Comments must be received or postmarked by **December 31, 2018** to be included in the meeting summary.

Meeting materials will be available online within three working days after the open house. The meeting will be conducted in English and a Spanish translator will be available at the meeting. Please contact us by December 7 for special accommodations and every reasonable effort will be made to accommodate these needs.

Project Contact Information

Email: NWMilitaryHwy@gmail.com **Phone:** (210) 971-4621

Mail: NW Military Hwy. Improvement Project, PO Box 5459, Austin, TX 78763

Webpage: www.txdot.gov Search “NW Military Hwy”

*For project updates, send an email with “updates” in the subject line

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT.



Recepción Pública

Proyecto de Mejoramientos a la NW Military Hwy (FM 1535)

Desde Loop 1604 hasta Huebner Rd.



Asista a una recepción pública para aprender sobre los mejoramientos a la NW Military Hwy. y compartir sus comentarios.



12 de dic. de 2018
5-7 p.m.

**Barshop Jewish
Community Center**
12500 NW Military Hwy.
San Antonio, TX 78231
Formato “casa abierta”

Los Mejoramientos Incluyen:

- Añadir un carril continuo de vuelta
- Banquetas y acomodaciones para bicicletas

Compartir Sus Comentarios

- Entregar un comentario en la recepción
- Enviar por correo o correo electrónico (dirección abajo)

Comentarios tienen que ser recibidos o matasellados antes de **31 de diciembre de 2018** para ser incluidos en el resumen de la recepción.

Materiales de la recepción serán disponibles en línea adentro de tres días hábiles después de la recepción abierta. Esta recepción se llevará a cabo en inglés y un traductor de español será disponible. Si necesita acomodaciones especiales, por favor contáctenos antes de 7 de diciembre y se hará un esfuerzo razonable para satisfacer sus necesidades..

Información de Contacto

Correo electrónico: NWMilitaryHwy@gmail.com **Teléfono:** (210) 971-4621
Correo: NW Military Hwy. Improvement Project, PO Box 5459, Austin, TX 78763
Sitio de web: www.txdot.gov Busca “NW Military Hwy”

*Para recibir actualizaciones, envíe un mensaje con ‘actualizaciones’ en la línea de asunto.

La revisión ambiental, consultas y otras acciones requeridas por las leyes ambientales federales aplicables para este proyecto están siendo o han sido, llevado a cabo por TxDOT en virtud de 23 USC 327 y un Memorando de Entendimiento fechado el 16 de diciembre del 2014, y ejecutado por la FHWA y el TxDOT.