

**CITY OF SHAVANO PARK
PLANNING & ZONING COMMISSION MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
May 8, 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, April 3, 2019
5. Public Hearing – The Planning & Zoning Commission shall conduct a public hearing to receive testimony and comments from members of the public regarding the proposed re-plat of Lots 2 and 4 in CB 4787 of Shavano Park (Napier Park Unit-1 (PUD)) to create Lots 20, 21 and 22 – City Manager Hill.
6. Discussion / action – Proposed replat of Lots 2 and 4 in CB 4787 of Shavano Park (Napier Park Unit-1 (PUD)) to create Lots 20, 21 and 22 – City Manager Hill.

7. Public Hearing – The Planning & Zoning Commission shall conduct a public hearing to receive testimony and comments from members of the public regarding proposed amendments to Sec. 36-39 and Sec. 36-132 to authorize the Board of Adjustment to grant special exceptions to covered parking regulations in O-1, B-1, and B-2 zoning districts – City Manager Hill.
8. Discussion / action – Proposed amendments to Sec. 36-39 and Sec. 36-132 to authorize the Board of Adjustment to grant special exceptions to covered parking regulations in O-1, B-1, and B-2 zoning districts – City Manager Hill.
9. Discussion / action - Planning for potential trail head / restricted access to Salado Creek at dog leg on Cliffside and potential trail head near Blattman Elementary as directed by City Council - City Manager Hill.
10. Report / update – City Council items considered at previous City Council meetings and discussion concerning the same - City Manager Hill.
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. June, 2019 – Consider changing the Planning & Zoning Commission meeting from July 3, 2019 to July 10, 2019.
 - ii. June, 2019 – Planning for potential trail head / restricted access to Salado Creek on Cliffside and Loop 1604.
 - iii. July 2019 – Public hearing and planning for potential trail head / restricted access to Salado Creek on Cliffside and Loop 1604.
 - iv. August, 2019 – Remind members concerning the September 1, 2019 Boards / Commissions application deadline.
 - v. August, 2019 – Semiannual presentation by Denton Communities regarding residential and commercial development in Shavano Park and surrounding areas and discussion concerning the same.
 - vi. September, 2019 – Consider proposed changes to Sec. 24 of the City of Shavano Park Code of Ordinances regarding signs.
 - vii. October, 2019 – Welcome to new commissioners and thank you departing members.
 - viii. October, 2019 – Nomination and appointment of Chairman.
 - ix. October, 2019 – Nomination and appointment of Vice-chairman.
 - x. February, 2020 – Semiannual presentation by Denton Communities regarding residential and commercial development in Shavano Park and surrounding areas and discussion concerning the same.
12. 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 May 2, 2019 at 3:20 p.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:

Konrad Kuykendall

Jason Linahan

William Stipek

Kerry Dike

Carla Laws

Bill Simmons

Michael Janssen

ABSENT:

Carlos Ortiz

Albert Aleman

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 Laws and a second made by Commissioner Dike, the Planning & Zoning Commission voted six (6) 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, February 6, 2019

Upon a motion made by Commissioner Linahan and a second made by Commissioner Dike, the Planning & Zoning Commission voted six (6) for and none (0) opposed to approve the Planning & Zoning Commission February 6, 2019 minutes as presented. The motion carried.

5. **Discussion / action – Minor Amendment request for carport design to the Mixed-Use District Site Plan at CB 4782E, Block 21, Lot 1700 (4001 Pond Hill Road) in accordance with Sec. 36-41(f) of the City of Shavano Park Code of Ordinances – City Manager.**

Upon a motion made by Commissioner Simmons and a second made by Commissioner Stipek, the Planning & Zoning Commission voted four (4) for and two (2 - Commissioners Linahan / Kuykendall) opposed to approve the Minor Amendment request for carport design to the Mixed-Use District Site Plan at CB 4782E, Block 21 Lot 1700 (4280 North Loop 1604) in accordance with Sec. 36-41(f) of the City of Shavano Park Code of Ordinances. The motion carried.

6. **Discussion / action – Change request for carport design in the Planned Unit Development detailed plan for property located at NCB 17704, Block 1, Lot 5 (4675 Lockhill-Selma) in accordance with Sec. 36-40(l) of the City of Shavano Park Code of Ordinances – City Manager.**

Upon a motion made by Commissioner Laws and a second made by Commissioner Simmons, the Planning & Zoning Commission voted three (3) for and three (3 – Commissioners Linahan / Dike / Kuykendall) opposed to approve the change request for carport design in detailed Planned Unit Development plan for property located at 4675 Lockhill-Selma in accordance with Sec. 36-40(l) of the City of Shavano Park Code of Ordinances.

Chairman Janssen abstained. The motion failed.

7. **Discussion – Presentation on the recent AACOG sponsored Planning and Zoning workshop and discussions concerning the same – Commissioner Janssen.**

Chairman Janssen informed the Planning & Zoning Commission that he had attended the Workshop and that the Workshop was very informative.

8. **Discussion / action - Planning for potential trail head / restricted access to Salado Creek at dog leg on Cliffside and potential trail head near Blattman Elementary as directed by City Council – City Manager.**

City Manager Hill informed the Planning & Zoning Commission at the March 25, 2019 City Council meeting, Council directed the Planning & Zoning Commission to plan for potential City trail heads to San Antonio's Salado Creek Greenway Trail on Cliffside and near Blattman Elementary. Discussion was held and the Planning & Zoning Commission will discuss options at the next meeting.

9. **Discussion/update – Presentation by City staff on the progress of drainage improvements – City Manager Hill.**

City Manager presented an update on the progress of drainage improvements since October 2018.

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. August, 2019 – Semiannual presentation by Denton Communities regarding residential and commercial development in Shavano Park and surrounding areas and discussion concerning the same.
- ii. August, 2019 – Consider proposed changes to Sec. 24 of the City of Shavano Park Code of Ordinances regarding signs.

Apr 3, 2019

6:30 p.m.

12. Adjournment

Upon a motion made by Commissioner Dike and a second made by Commissioner Kuykendall, the Planning & Zoning Commission voted six (6) for and none (0) opposed to adjourn the meeting. The meeting adjourned at 8:20 p.m.

MICHAEL JANSSEN
Chairman

ZINA TEDFORD
City Secretary

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: May 8, 2019

Agenda item: 5 / 6

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION:

5. Public Hearing – The Planning & Zoning Commission shall conduct a public hearing to receive testimony and comments from members of the public regarding the proposed re-plat of Lots 2 and 4 in CB 4787 of Shavano Park (Napier Park Unit-1 (PUD)) to create Lots 20, 21 and 22 – City Manager Hill.

6. Discussion / action – Proposed replat of Lots 2 and 4 in CB 4787 of Shavano Park (Napier Park Unit-1 (PUD)) to create Lots 20, 21 and 22 – City Manager Hill.

X

Attachments for Reference:

- 1) 6a Pape-Dawson Request Letter
- 2) 6b Napier Park Unit-1 (PUD) Re-plat
- 3) 6c Re-plat Checklist
- 4) 6d Engineer Approval Letter
- 5) 6e Original Plat Napier Park Unit-1 (PUD)
- 5) 6f Napier Park PUD Site Map
- 6) 6g City Manager Letter dated Sept 20, 2017

BACKGROUND / HISTORY: On March 27, 2019 City Staff received from Pape-Dawson Engineers a request to re-plat Napier Park Unit-1 (PUD) (attachment 6a). This re-plat action occurs in Napier Park Planned Unit Development (PUD) – the site map is attached as 6f.

The City Engineer provided an initial review letter of the re-plat and Pape-Dawson provided an updated re-plat in response to staff on April 15, 2019. The updated re-plat is presented as attachment 6b along with the Engineer Approval Letter as attachment 6d.

On April 24, 2019 City Staff provided public notice to all property owners within 500 feet and by newspaper as required by City Ordinances.

Conditions for approving a re-plat request are under Section 28-46 of the City's Code of Ordinances:

Sec. 28-46. - Replatting without vacating a previous plat.

(a) *Conditions.* A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of that plat under the following conditions:

- (1) The replat must be signed and acknowledged by only the owners of the property being replatted.

- (2) The replat does not attempt to alter, amend or remove any covenants or restrictions.
- (3) The replat must be approved by the Planning and Zoning Commission and the City Council after respective public hearings in relation thereto at which interested parties and citizens shall have had an opportunity to be heard.

The purpose of Planning & Zoning (and City Council) review is prescribed in Sec. 28-4 of the City's Ordinances:

Sec. 28-4. - Interpretation and purpose.

- (a) The interpretations and application of the provisions of this chapter shall be deemed to be minimal in nature, and whenever the principles, standards or requirements of any other applicable provision of other ordinances of the City which are higher or more restrictive, the latter shall control; and when circumstances warrant, as determined by the City Council, the City Council shall have the authority to impose more restrictive conditions to this chapter.
- (b) The purpose of this chapter is to achieve orderly urban development through land subdivision; to promote and develop the utilization of land to ensure the best possible community environment in accordance with a comprehensive plan of the City; to provide for adequate municipal services and safe streets; and to protect and promote the public health, safety and general welfare.

DISCUSSION: The original plat for Napier Park Unit-1 (PUD) was approved on August 29th, 2016 (attachment 6e). This proposed action re-plats Lots 2 and 4 in CB 4787 of Shavano Park (Napier Park Unit-1 (PUD)) to create Lots 20, 21 and 22. It basically sub-divides one large lot (lot 4) and increases the width of an already existing lot (lot 2) by 18 feet.

The plat and proposed replat generally conforms to the originally approved PUD site map, which was modified and approved by the City Manager on September 20, 2017 under the authority of City Zoning Ordinance 36-40(I) – (see approval letter attachment 6g). In this re-plat, proposed changes do not alter the basic relationship of the proposed development to adjacent property and which do not alter the uses permitted or increase the density, floor area ratio or reduce the front, rear or side yards provided at the boundary of the site of the PUD. These changes have been reviewed formally by the City Manager with the Planning and Zoning Commission in 2017.

Nevertheless, staff has informed Bitterblue that continued development in the same manner as the ongoing actions will trigger a requirement to revise the PUD. Future development may increase the density and impervious cover, which may also result in concerns with storm water drainage and a review of the Water Pollution Abatement Plan.

COURSES OF ACTION: Recommend approval or alternatively decline and give guidance to staff on proposed re-plat of Lots 2 and 4 in CB 4787 of Shavano Park (Napier Park Unit-1 (PUD)) to create Lots 20, 21 and 22.

FINANCIAL IMPACT: N/A

MOTION REQUESTED: Recommend approval of proposed re-plat of Lots 2 and 4 in CB 4787 of Shavano Park (Napier Park Unit-1 (PUD)) to create Lots 20, 21 and 22.



March 26, 2019

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

Re: Description of Replat
Napier Park, Unit-1 Replat

Dear Mr. Leeth:

We are submitting this letter to inform you about the Replat of Napier Park, Unit-1. The developer is requesting to widen the Lot 4 frontage by 18 feet establishing Lot 22, and split Lot 2 into 2 lots, establishing Lot 20 and Lot 21.

If you have any questions or require any additional information, please do not hesitate to contact our office at your earliest convenience.

Sincerely,
Pape-Dawson Engineers, Inc.

Andrew Lowry, P.E.
Project Manager

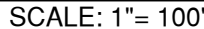
Attachments
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TBPE Firm Registration #470 | TBPLS Firm Registration #10028800

San Antonio | Austin | Houston | Fort Worth | Dallas

Transportation | Water Resources | Land Development | Surveying | Environmental

2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com



REGISTERED PROFESSIONAL LAND SURVEYOR

BY: _____ CITY CLERK

Civil Job No.7118-87; Survey Job No. 7118-87

CITY OF SHAVANO PARK

Preliminary Plat Submittal Checklist

This checklist is to be completed by the developer or his representative and submitted with the preliminary 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 ztedford@shavanopark.org. This checklist does not supersede the City of Shavano Park Development Ordinances.

Name of Subdivision:	<u>Napier Park, Unit-1 Replat</u>
Proposed Use of Property:	<u>Commercial</u>
Property Description:	<u>Lot 3, 20, 21 & 22, CB 4787</u>
(Lot & block, address or location)	<u>.07 miles south of the Loop 1604 and Napier Park Intersection</u>

Owner		Engineer	
Name:	<u>Bellaire Financial, Inc. & RY Investment Properties</u>	Name:	<u>Pape-Dawson Engineers, Inc.</u>
Address:	<u>4372 N. Loop 1604 W, Suite 206</u>	Address:	<u>2000 NW Loop 410</u>
	<u>San Antonio, Texas. 78249</u>		<u>San Antonio, Texas. 78213</u>
Phone:	<u>(210) 344-3113</u>	Phone:	<u>(210) 375-9000</u>
Fax:		Fax:	<u>(210) 375-9010</u>
Email:	<u>laddiedenton@bitterblue.com</u>	Email:	<u>alowry@pape-dawson.com</u>

Current Zoning:	<u>B-2</u>	Total Acreage:	<u>2.293</u>
Total Platting Fees:		Developable Acreage:	<u>1.646</u>
(Coordinate with Staff)		Greenbelts & Drainage Acreage:	<u>0</u>

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

	Yes	No	N/A
1. This is an original plat of property	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. This is a replat of an existing plat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. If item 1 was answered "No," then:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. this is a vacate and replat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. this is a replat with out vacating	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. this is an amending plat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. this is a minor plat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. If item 1 was answered "No," a copy of the original plat is included in the submittal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. The plat is of a Planned Unit Development District (PUD)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. If item 5 was answered "Yes" then include on plat PUD development standards that differ from the base zoning district development standards and include "PUD" in the subdivision name	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7.	Is a digital copy of plans, plat, forms, and/or letter included in the submittal?	—	X —	—
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The following items pertain to the proposed preliminary drawing:	Yes	No	N/A
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8.	This subdivision is one phase of a larger development	X —	—	—
9.	If item 5 was answered "Yes," a PUD plan is included in this submittal	x —	—	—
10.	Some portion of this property is located over the Edwards Recharge Zone	X —	—	—
11.	If Item 10 was answered "Yes," a Water Pollution Abatement Plan (WPAP) has been prepared for this site	X —	—	—
12.	This site requires offsite drainage or utility improvements	—	X —	—
13.	If item 12 was answered "Yes," 3 copies of the construction plans are included with cost estimate	—	—	x —
14.	The plat is drawn on an 18"x 24" sheet (not a 24"x 36" sheet as incorrectly stated on City Code)	X —	—	—
15.	15 Folded copies of the plat are included	X —	—	—
16.	The plat contains the names, addresses, and Contact information of the owner and engineer	X —	—	—
17.	The plat shows complete bearings and distances on all lot line and easements	x —	—	—
18.	The plat shows the location of the subject property in relation to an original survey corner or public street intersection	X —	—	—
19.	The plat illustrates and identifies all adjacent properties including recording information	X —	—	—
20.	The plat contains the total acreage being platted and individual lot acreage	X —	—	—
21.	The plat shows location, dimensions, name and description of all existing or recorded streets, alleys, reservations, easements, or other public right-of-way within the subdivision, intersecting or contiguous with its boundaries or forming such boundaries	X —	—	—
22.	The plat shows location, dimensions, description and name of all existing or recorded residential lots, parks, public areas, and other sites within or contiguous with the subdivision	X —	—	—
23.	The plat shows location, dimensions, description, and name of all proposed streets, alleys, parks, public areas reservations, easements or other rights-of-way, blocks, lots and other sites within the subdivision	X —	—	—

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

- | | | | | |
|-----|--|-------------|-------------|-------------|
| 24. | The plat shows the date of preparation, scale of plat and North arrow | <u>X</u> | <u> </u> | <u> </u> |
| 25. | The plat shows the topographical information with contour lines on a basis of two (2) vertical feet in terrain with an average slope of five percent (5%) | <u>X</u> | <u> </u> | <u> </u> |
| 26. | The plat shows a number or letter to identify each lot or site and each block. Said number shall be coordinated by the developer with the Clerk of Bexar County to prevent duplication | <u>X</u> | <u> </u> | <u> </u> |
| 27. | The plat shows front building setback lines on all lots and sites. Side yard building setback lines at street intersection and crosswalk ways and rear building setback lines. | <u>X</u> | <u> </u> | <u> </u> |
| 28. | The plat addresses the required landscape buffer in accordance with Table 6 of the Code of Ordinances | <u>X</u> | <u> </u> | <u> </u> |
| 29. | The plat shows location map at a scale of not more than 4000 feet to an inch which shall show existing adjacent subdivisions and major streets | <u>X</u> | <u> </u> | <u> </u> |
| 30. | The plat shows existing flood plain boundaries | <u> </u> | <u> </u> | <u>X</u> |
| 31. | The proposed platted property is compliant with current zoning regulations | <u>x</u> | <u> </u> | <u> </u> |

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:  Date: 3/26/2019

Accepted by:  Date: 3/27/19

City Staff Reviewed

City Secretary:  Date: 3 April 19

Fire Marshal:  Date: 3 APRIL 2019

Public Works / Water Director:  Date: 4-3-19

April 25, 2019

City of Shavano Park
Permitting Department
Attn: Marisa Knuffke
900 Saddletree Court
San Antonio, Texas 78231

Re: Final Replat Review Comments
Napier Park, Unit 1 (PUD) replat

Staff;

We have completed our review of the referenced Permit Plan Re-Submittal by Pape-Dawson Engineers. In accordance with the email letter from the City Manager dated 4/27/2019, the replat generally conforms to the existing PUD plan and does not alter the permitted use or increase the density, floor area ration or reduce the front, rear or side yards provided on the approved PUD plan. We find that the final replat generally conforms to the City of Shavano Park's Ordinances and have no additional comments.

Our review of the plat does not relieve or release the Engineer, Architect or Surveyor of Record or from complying with any and all the requirements of the local, state, and federal rules and regulations or guidelines impacting this project. If you require additional information, please contact our office.

Sincerely,



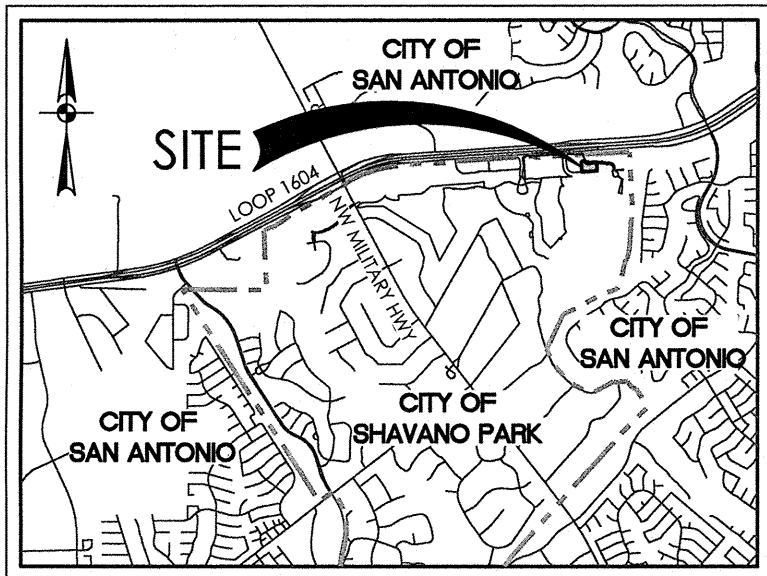
Rick Gray, P.E., CFM
Plan Reviewer for the City of Shavano Park



On behalf of the:



M:\622\01\01\Reviews\City Plan Review\190404 Napier Park U1 PUD replat\190417 PD resubmittal\KFW Review\190425 Napier Park U1 PUD final replat.docx



LOCATION MAP
NOT-TO-SCALE

SURVEYOR'S NOTES:

1. PROPERTY CORNERS ARE MONUMENTED WITH CAP OR DISK MARKED "PAPE-DAWSON" UNLESS NOTED OTHERWISE.
2. COORDINATES SHOWN ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (CORS 1996) FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE DISPLAYED IN GRID VALUES DERIVED FROM THE NGS COOPERATIVE CORS NETWORK.
3. DIMENSIONS SHOWN ARE SURFACE.
4. BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (CORS 1996), FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.

DEDICATION OF THE SANITARY SEWER AND/OR WATER MAINS:

THE DEVELOPER DEDICATES THE SANITARY SEWER AND/OR WATER MAINS TO THE SAN ANTONIO WATER SYSTEM UPON COMPLETION BY THE DEVELOPER AND ACCEPTANCE BY THE SAN ANTONIO WATER SYSTEM.

INGRESS/EGRESS SEWER:

"THE SAN ANTONIO WATER SYSTEM IS HEREBY GRANTED THE RIGHT OF INGRESS AND EGRESS ACROSS GRANTOR'S ADJACENT PROPERTY TO ACCESS THE WASTEWATER EASEMENT(S) SHOWN ON THIS PLAT"

INGRESS/EGRESS WATER:

"THE SAN ANTONIO WATER SYSTEM IS HEREBY GRANTED THE RIGHT OF INGRESS AND EGRESS ACROSS GRANTOR'S ADJACENT PROPERTY TO ACCESS THE WATER EASEMENT(S) SHOWN ON THIS PLAT"

SAWS HIGH PRESSURE NOTE:

A PORTION OF THE TRACT IS BELOW GROUND ELEVATION OF 985 FEET WHERE THE STATIC PRESSURE WILL NORMALLY EXCEED 80 PSI. AT ALL SUCH LOCATIONS, THE DEVELOPER OR BUILDER SHALL INSTALL AT EACH LOT, ON THE CUSTOMER'S SIDE OF THE METER, AN APPROVED TYPE PRESSURE REGULATOR IN CONFORMANCE WITH THE PLUMBING CODE OF THE CITY OF SAN ANTONIO.

AQUIFER NOTE:

THIS SUBDIVISION IS WITHIN THE EDWARDS AQUIFER RECHARGE ZONE. DEVELOPMENT WITHIN THIS SUBDIVISION IS SUBJECT TO CHAPTER 34, ARTICLE VI, DIVISION 6 OF THE SAN ANTONIO AND SHY CODE ENTITLED "AQUIFER RECHARGE ZONE AND WATERSHED PROTECTION", OR LATEST REVISIONS THEREOF. ANY REGULATED ACTIVITY MUST COMPLY WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS RELATING TO DEVELOPMENT WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.

WASTEWATER EDU NOTE:

THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDUs) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE DEVELOPMENT SERVICES DEPARTMENT.

EDU IMPACT FEE PAYMENT NOTE:

WATER AND/OR WASTEWATER IMPACT FEES WERE NOT PAID AT THE TIME OF PLATTING FOR THIS PLAT. ALL IMPACT FEES MUST BE PAID PRIOR TO WATER METER SET AND/OR PRIOR TO THE WASTEWATER SERVICE CONNECTION.

C.P.S. NOTES:

1. THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENTS AND RIGHTS-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT", "GAS EASEMENT", "ANCHOR EASEMENT", "SERVICE EASEMENT", "OVERHANG EASEMENT", "UTILITY EASEMENT", AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING POLES, HANGING OR BURYING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES; TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THEREOF. IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREA.
2. ANY CPS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS EQUIPMENT, LOCATED WITHIN SAID EASEMENT, DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATION.
3. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW:

CERTIFICATION OF CITY'S ENGINEER

THE CITY ENGINEER OF THE CITY OF SHAVANO PARK HEREBY CERTIFIES THAT THIS SUBDIVISION PLAT CONFORMS TO ALL THE SUBDIVISION REGULATIONS OF THE CITY AS TO WHICH HIS APPROVAL IS REQUIRED.

CITY ENGINEER

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

LICENSED PROFESSIONAL ENGINEER

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY: PAPE-DAWSON ENGINEERS, INC.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

REGISTERED PROFESSIONAL LAND SURVEYOR

LEGEND

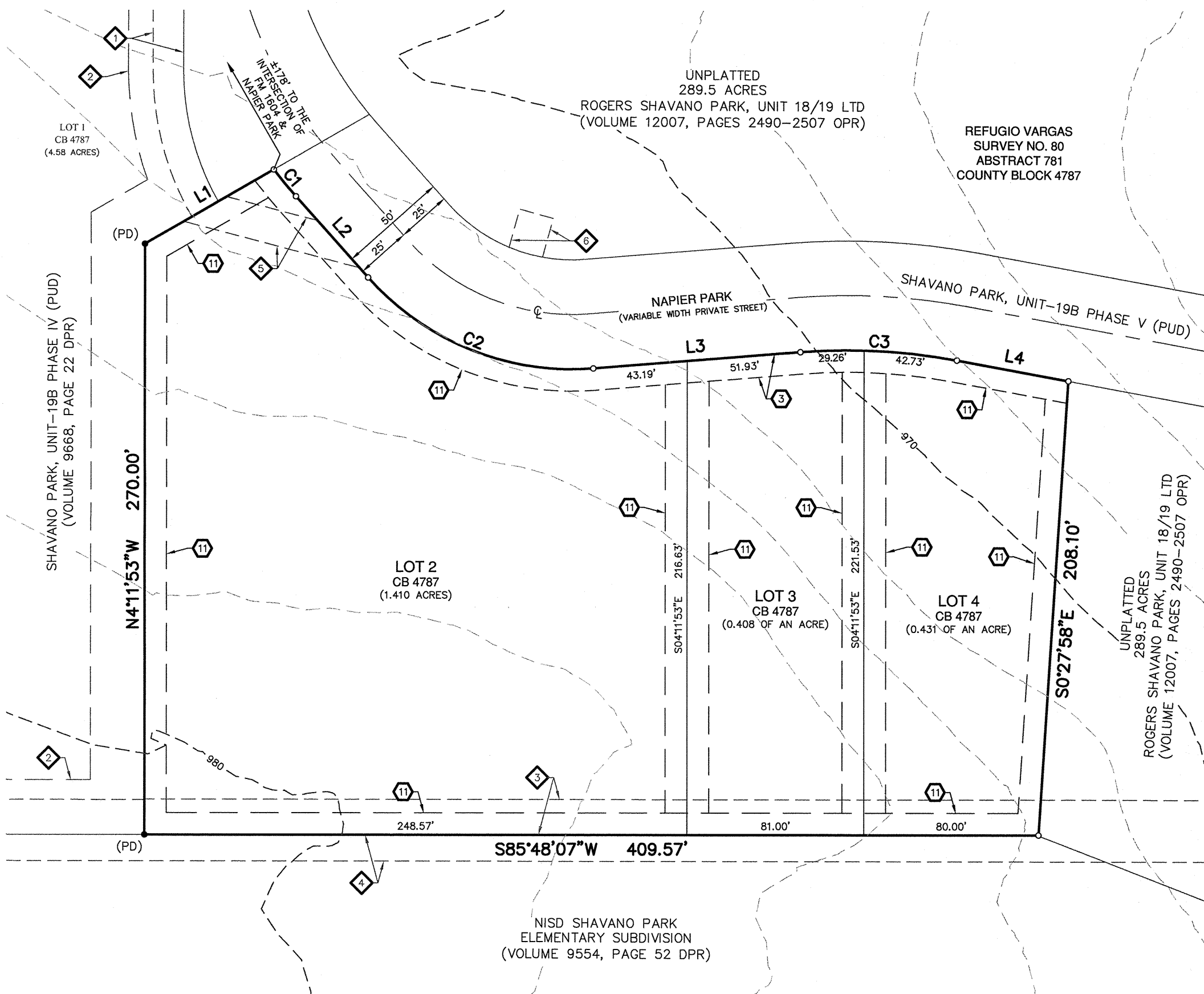
- DPR DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- OPR OFFICIAL PUBLIC RECORDS (OFFICIAL PUBLIC RECORDS OF REAL PROPERTY) OF BEXAR COUNTY, TEXAS
- CB COUNTY BLOCK
- FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE)
- SET 1/2" IRON ROD
- 1140 EXISTING CONTOURS
- 1140 PROPOSED CONTOURS
- 10' GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT
- 10' BUILDING SETBACK LINE

- 14' GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT (VOLUME 9668, PAGE 22 DPR)
- 25' BUILDING SETBACK LINE (VOLUME 9668, PAGE 22 DPR)
- VARIABLE WIDTH GAS, ELECTRIC, TELEPHONE, CATV AND WATER EASEMENT (VOLUME 10010, PAGES 292-297 OPR)
- VARIABLE WIDTH GAS, ELECTRIC, TELEPHONE, CATV AND WATER EASEMENT (VOLUME 9554, PAGE 52 DPR)
- VARIABLE WIDTH WATER EASEMENT (SHAVANO PARK, UNIT-19B PHASE V (PUD))
- 16' WATER EASEMENT (SHAVANO PARK, UNIT-19B PHASE V (PUD))

BASE ZONING EXCEPTION NOTE:

THIS PLAT DOES NOT MEET THE FOLLOWING REQUIREMENTS OF THE BASE ZONING DISTRICT OF B2.

- 1) 36-39(2)(b): OTHER USE REGULATIONS. SEE TABLE NO 6:
3. VARIABLE O-1, B-1, AND B-2 ZONING DISTRICT FRONT SETBACK.
7. REDUCED O-1, B-1, AND B-2 ZONING DISTRICT REAR SETBACK.



**SUBDIVISION PLAT
OF
NAPIER PARK, UNIT-1 (PUD)**

A 2.250 ACRE TRACT OF LAND OUT OF A 289.5 ACRE TRACT DESCRIBED IN DEED TO ROGERS SHAVANO PARK UNIT 18/19, LTD, RECORDED IN VOLUME 12007, PAGE 2490, OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, IN THE CITY OF SHAVANO PARK, BEXAR COUNTY, TEXAS, OUT OF THE REFUGIO VARGAS, SURVEY NUMBER 80, ABSTRACT NUMBER 781, IN COUNTY BLOCK 4787 OF BEXAR COUNTY, TEXAS.

**PAPE-DAWSON
ENGINEERS**

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028800

DATE OF PREPARATION: July 7, 2016

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE OR PART OF AN ENCLAVE OR PLANNED UNIT DEVELOPMENT, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER: LLOYD A. DENTON, JR.
ROGERS SHAVANO PARK UNIT 18/19, LTD.
11 LYNN BATTIS LANE, SUITE 100
SAN ANTONIO, TEXAS 78218
(210) 828-6131

STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED LLOYD A. DENTON, JR. KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, A.D. 20 _____.

NOTARY PUBLIC, BEXAR COUNTY, TEXAS

THIS PLAT OF _____ NAPIER PARK, UNIT-1 _____ HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SHAVANO PARK, TEXAS, AND IS HEREBY APPROVED BY SUCH PLANNING AND ZONING COMMISSION.

DATED: THIS THE _____ DAY OF _____, A.D. 20 _____.

BY: _____ CHAIRMAN

BY: _____ CITY CLERK

THIS PLAT OF _____ NAPIER PARK, UNIT-1 _____ HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF SHAVANO PARK, TEXAS, AND IS HEREBY APPROVED BY SUCH CITY COUNCIL.

DATED: THIS _____ DAY OF _____, A.D. 20 _____.

BY: _____ MAYOR

BY: _____ CITY CLERK

STATE OF TEXAS
COUNTY OF BEXAR

I, _____, COUNTY CLERK OF BEXAR COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE _____ DAY OF _____, A.D. 20 _____, AT _____ M. AND DULY RECORDED THE _____ DAY OF _____, A.D. 20 _____, AT _____ M. IN THE DEED AND PLAT RECORDS OF BEXAR COUNTY, IN BOOK/ VOLUME _____ ON PAGE _____ IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS _____ DAY OF _____, A.D. 20 _____.

COUNTY CLERK, BEXAR COUNTY, TEXAS

BY: _____, DEPUTY

SHEET 1 OF 1

NAPIER PARK, UNIT-1 (PUD)

Civil Job No. 7118-85: Survey Job No.

Date: Jul 07, 2016, 5:09pm User ID: Alawry File: P:\7118\85\Design\Civil\Plat\711885 - Unit-1.dwg

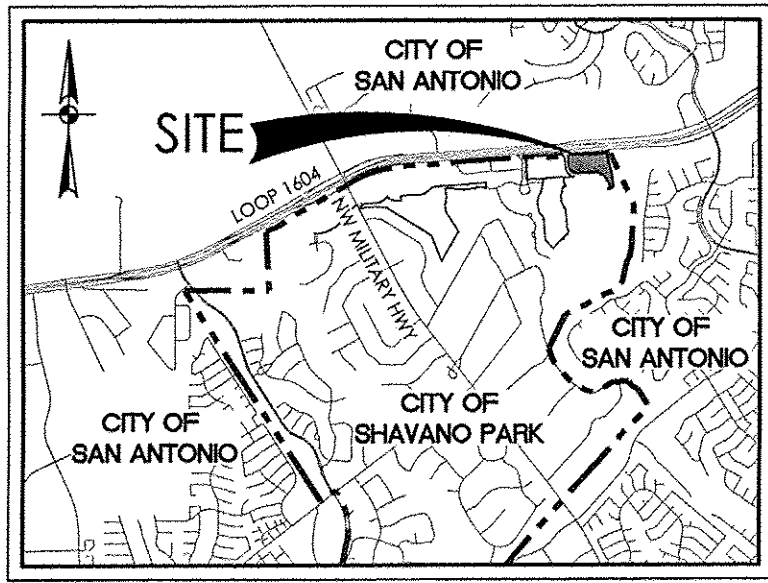
DETAIL PLAN REQUIREMENTS FOR
PROPOSED PLANNED UNIT DEVELOPMENT

RELOCATION TO MASTER PLAN:
THE PROPOSED PLANNED UNIT DEVELOPMENT RELATES TO THE CITY OF SHAVANO PARK'S MASTER PLAN IN THAT IT IS CONSISTENT WITH THE CITY'S MASTER PLAN AND THE PROPOSED BASE ZONING DISTRICT.

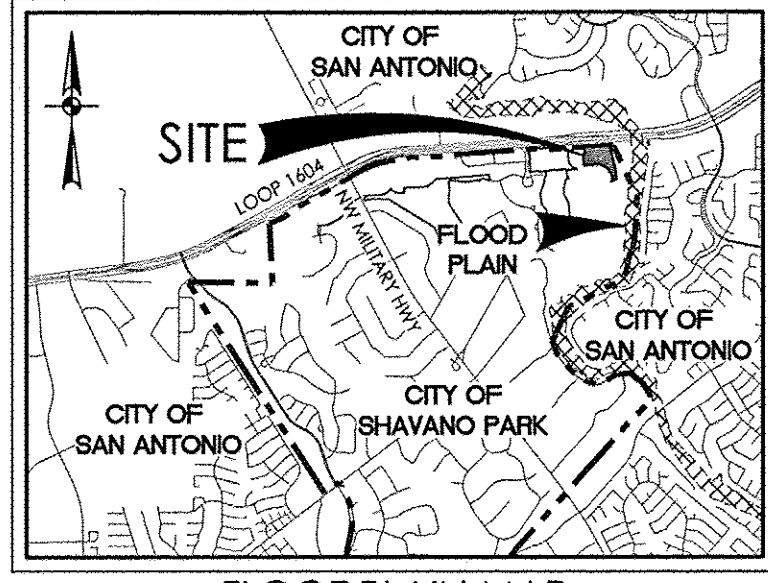
ACREAGE:
16.04
SURVEY LEGAL DESCRIPTION:
A 16.04 ACRE TRACT OF LAND OUT OF A 86.94 ACRE TRACT AND A 289.9 ACRE TRACTS OF LAND AS DESCRIBED IN CONVEYANCE TO ROGERS SHAVANO PARK UNIT 18/19, LTD. RECORDED IN VOLUME 12007, PAGES 2490-2507 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS IN THE CITY OF SHAVANO PARK OF BEXAR COUNTY TEXAS, AND BEING OUT OF THE WILLIAM HOTCHKISS, SURVEY NUMBER 77, ABSTRACT 336, COUNTY BLOCK 4783, THE JACOB KLAUS SURVEY NUMBER 78, ABSTRACT NUMBER 400, COUNTY BLOCK 4784, THE REFUGIO VARGAS SURVEY NUMBER 80, ABSTRACT 781, COUNTY BLOCK 4787 OF BEXAR COUNTY, TEXAS.

LAND USE:
USE AND OCCUPANCY CLASSIFICATION: BUSINESS GROUP B

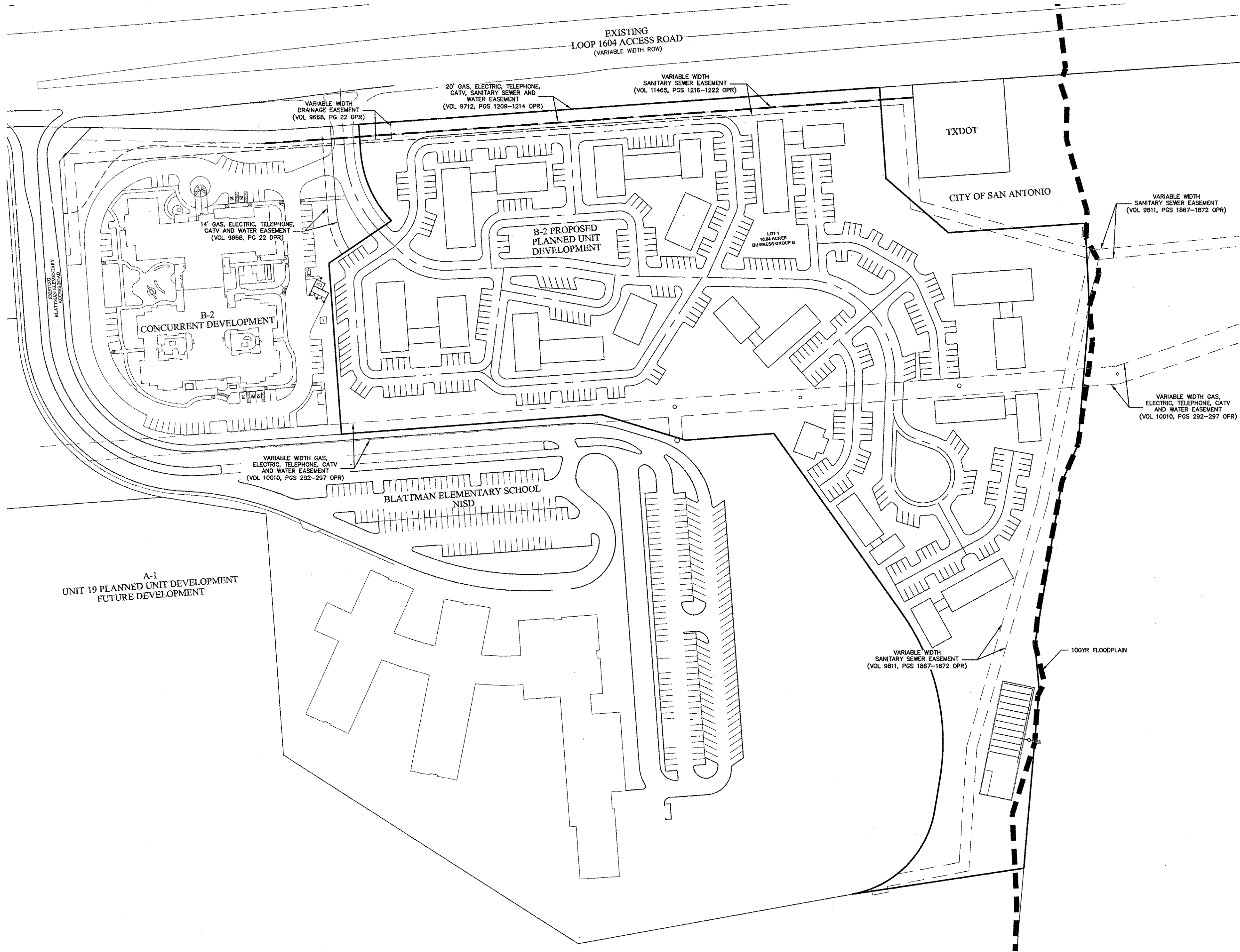
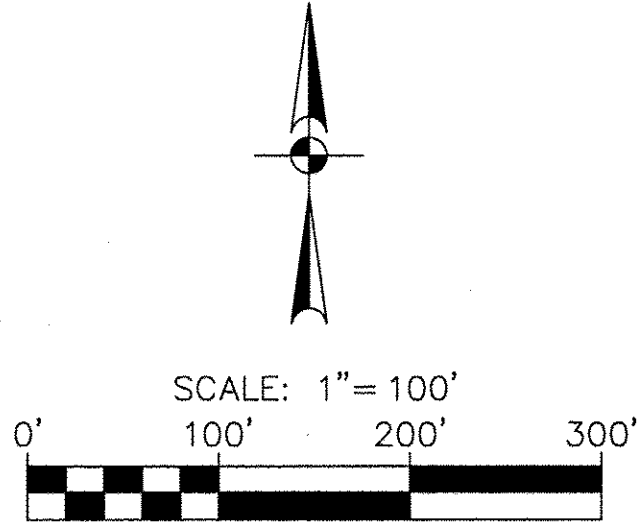
DEVELOPMENT STANDARDS:		
TYPE	STANDARD	PROVIDED
MINIMUM LOT AREA	-	16.04
MINIMUM WIDTH	-	1190'-0"
MINIMUM DEPTH	-	830'-0"
MINIMUM FRONT SETBACK	10'-0"	10'-0"
MINIMUM SIDE SETBACK	10'-0"	10'-0"
MINIMUM REAR SETBACK	10'-0"	10'-0"
MAXIMUM BUILDING HEIGHT	45'-0"	-
MAXIMUM BUILDING COVERAGE	-	88,785 SF
MAXIMUM FLOOR TO AREA RATION	-	-
MINIMUM PARKING REQUIRED	299 SPACES	375 SPACES



LOCATION MAP
NOT-TO-SCALE



FLOODPLAIN MAP
NOT-TO-SCALE



SHAVANO PARK UNIT 19-B PHASE V
SAN ANTONIO, TEXAS
PUD PLAN

PLAT NO. _____
JOB NO. 7118-75
DATE JANUARY 2015
DESIGNER CC
CHECKED CC DRAWN CWN
SHEET 1 OF 1

PAPE-DAWSON
ENGINEERS

2000 NW LOOP 410 | SAN ANTONIO, TEXAS 78213 | PHONE: 210.375.9000
FAX: 210.375.9010
TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470

CITY OF SHAVANO PARK



September 20, 2017

Mr. Laddie Denton
Bitterblue, Inc.
11 Lynn Batts Lane, Suite 100
San Antonio, TX 78218

Dear Mr Denton:

Reference: Change in Detailed PUD Plan, Napier Park

The City of Shavano Park received two requests for permits on July 12, 2017 for structures at 3208 and 3204 Napier Park. A plans review indicated that the parking and the landscape buffer did not meet normal zoning requirements nor did they exactly match the approved PUD detailed plan.

City Zoning Ordinance Sec. 36-40(I) Planned Unit Development provides that certain changes in a PUD's detail plan may be authorized by the City Manager. In this case, the changes do not alter the basic relationship of the proposed development to adjacent property and which do not alter the uses permitted or increase the density, floor area ratio or reduce the front, rear or side yards provided at the boundary of the site.

Therefore, in accordance with Sec. 36-40 of the City of Shavano Park Ordinances, I approve changes to the detailed PUD Plan and will also approve the permit from Mr. James Japhet for the construction of the building as proposed for 3208 and 3204 Napier Park.

As the property within the PUD is further developed, please have the owners / developers coordinate proposed plans prior to submitting permit to ensure any proposed changes can be approved. Finally, at some point likely upon completion of the development, you should rezone the PUD in one action to clarify all changes.

Sincerely,

Bill Hill
City Manager

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: May 8, 2019

Agenda item: 7 / 8

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION:

7. Public Hearing – The Planning & Zoning Commission shall conduct a public hearing to receive testimony and comments from members of the public regarding proposed amendments to Sec. 36-39 and Sec. 36-132 to authorize the Board of Adjustment to grant special exceptions to covered parking regulations in O-1, B-1, and B-2 zoning districts – City Manager Hill

8. Discussion/ action – Proposed amendments to Sec. 36-39 and Sec. 36-132 to authorize the Board of Adjustment to grant special exceptions to covered parking regulations in O-1, B-1, and B-2 zoning districts – City Manager Hill.

☒

Attachments for Reference:

- 1) 8a Staff Comparison of other cities
- 2) 8b Amended section Sec. 36-39 and Sec. 36-132

BACKGROUND / HISTORY:

The Lynd Corporation building, located at 4001 Pond Hill road is zoned Mixed-Use District (MXD) and is governed by a site plan under the MXD and has requested approval (as a Minor Amendment) of covered parking, which in three areas (Roof Material, Roof Slope, and End Cap) does not conform to CoSP Ordinances. Note: Lynd Corporation could in the future request a formal amendment to the MXD.

The proposed National Joint Care Institute (NJCI) located at 4675 Lockhill-Selma, N.C.B. 17704, Lot 2, Block 1 (old Church Property) is zoned Planned Unit Development (PUD) and has also requested approval of covered parking (as Changes to the Detail Plan), which in three areas (Roof Material, Roof Slope and End Cap) does not conform to CoSP ordinances. Note: NJCI could also in the future request a formal amendment to the PUD.

On April 1st P&Z addressed the two possible carport requests from the two local business. The Lynd request was recommended for approval by P&Z and the NJCI resulted in a tie vote. While the City Manager has the authority to approve these changes under the authorities granted in the Zoning Ordinances, in coordination with the Chairman of Planning and Zoning he has decided to propose amendments to the ordinance to allow for special exceptions.

Regulations for carports in business districts are under Section 36-39(1)(a)(4) of the City's Code of Ordinances:

Sec. 36-39. – Business and Office Districts

. . .

4. *Covered parking.* Covered parking shall only be permitted in a fully enclosed garage or in a carport meeting the criteria listed below. In no event shall this section be construed as to allow carports in single-family residential areas.

- (i) Carports shall be set back from the front building wall at a distance of not less than twenty-five (25) percent of the length of the side building wall.
- (ii) Carports visible from public right of ways shall have a solid masonry end wall on the portion of the carport facing the public right of way. The end wall shall be constructed with masonry that matches that of the primary structure.
- (iii) Carports shall have support columns constructed of steel and roofs constructed of standing seam metal rated at twenty (20) gauge or higher. Roofs shall be constructed at a minimum pitch ratio of three (3) to twelve (12).

In 2016, an ordinance was passed establishing the Board of Adjustment's power to authorize special exceptions to the City's zoning ordinance. The only special exception power currently established is the Board's ability to reduce the side and rear setbacks in all single family residential zoning districts if they meet certain conditions. Many cities offer a number of special exceptions for consideration.

DISCUSSION:

According to the requesters, both of these requests are intended to provide a contemporary design which more closely resembles the high end office building designs of both projects. Additionally, it has been pointed out that requiring an end wall results in two areas of concern. First, an end cap may obscure the visibility of drivers who are backing out of parking spaces and in the parking lot which, could result in accidents. Second, the end cap actually increases the visibility of the carport and makes it appear much like a structure in the middle of a parking lot (most contemporary carports have low profile roofs and minimal support poles, which minimizes the visibility).

The City's business carport ordinance has been a point of contention for several commercial business across the City. Staff reviewed and compared 7 other cities carport ordinances in the surrounding area with the Shavano Park ordinances. The review resulted in no specific restrictions for business carports other than location specifics. Staff researched several other small cities in Texas that resemble Shavano Park and they provided no adaptable examples as well.

To maintain the essence of our current ordinance, but to allow reasonable flexibility for proposals that merit consideration, staff proposes the addition of a special exception for carports in business districts to the Board of Adjustment's authority. Business would then be able to propose detailed carport designs that are reviewed by the Board of Adjustment in a public hearing with notice to all nearby property owners. In addition, the Board of Adjustment can

require specific conditions on their approval, such as landscaping requirements or aesthetics that the Planning & Zoning Commission does not have authority to impose.

The proposed amendment language specifically includes requirement that “Carports shall be maintained in good condition and not be allowed to fall into a state of disrepair or unsafe construction.” This will clearly allow for Code Enforcement of any carport that begins to tear, fade, or fall into disrepair.

COURSES OF ACTION: Recommend approval of amendments to Sec. 36-39 and Sec. 36-132 to authorize the Board of Adjustments to grant special exceptions to covered parking regulations in O-1, B-1, and B-2 zoning districts or provide guidance to staff.

FINANCIAL IMPACT: N/A

MOTION REQUESTED: To recommend approval of amendments to Sec. 36-39 and Sec. 36-132 to authorize the Board of Adjustments to grant special exceptions to covered parking regulations in O-1, B-1, and B-2 zoning districts.

Comparable Bexar County cities on carport ordinances:

- **Alamo Heights**: Provides ordinance in Office Districts (O-1) that allows carports, but does not address specifics on how the carport should be built only that they shall be placed to the rear of the property.
- **Balcones Heights**: Provides ordinance governing location requirements for carports in multifamily residence and does not address commercial properties.
- **Castle Hills**: Provides ordinance in General Business Districts (G), Special Business Districts (H), and Residential Districts that allows for the use of carports, but does not address specifics on how the carport should be built.
- **New Braunfels**: Provides ordinance governing the requirements for carports for multifamily units and does not address commercial properties.
- **Live Oak**: Provides ordinance governing the requirements for carports for multifamily units and does not address commercial properties.
- **San Antonio**: Provides ordinance governing carports but does not address specifics on how they should be built as long as they are constructed behind the setback required in specific districts.
- **Terrell Hills**: Provides ordinance in Semi-Commercial Districts (B) that allows carports, but does not address specifics on how the carport should be built.

Other small cities in Texas:

- **Denton**: Provides ordinance governing where a carport can be located in a Multiple Unit Residential Dwelling and Multi Family Development and has some architectural requirements.
- **West University Place, Texas**: No mention of carports in any City ordinance.
- **West Lake Hills, Texas**: Provides ordinance governing the requirements for carports for multifamily units and does not address commercial properties.

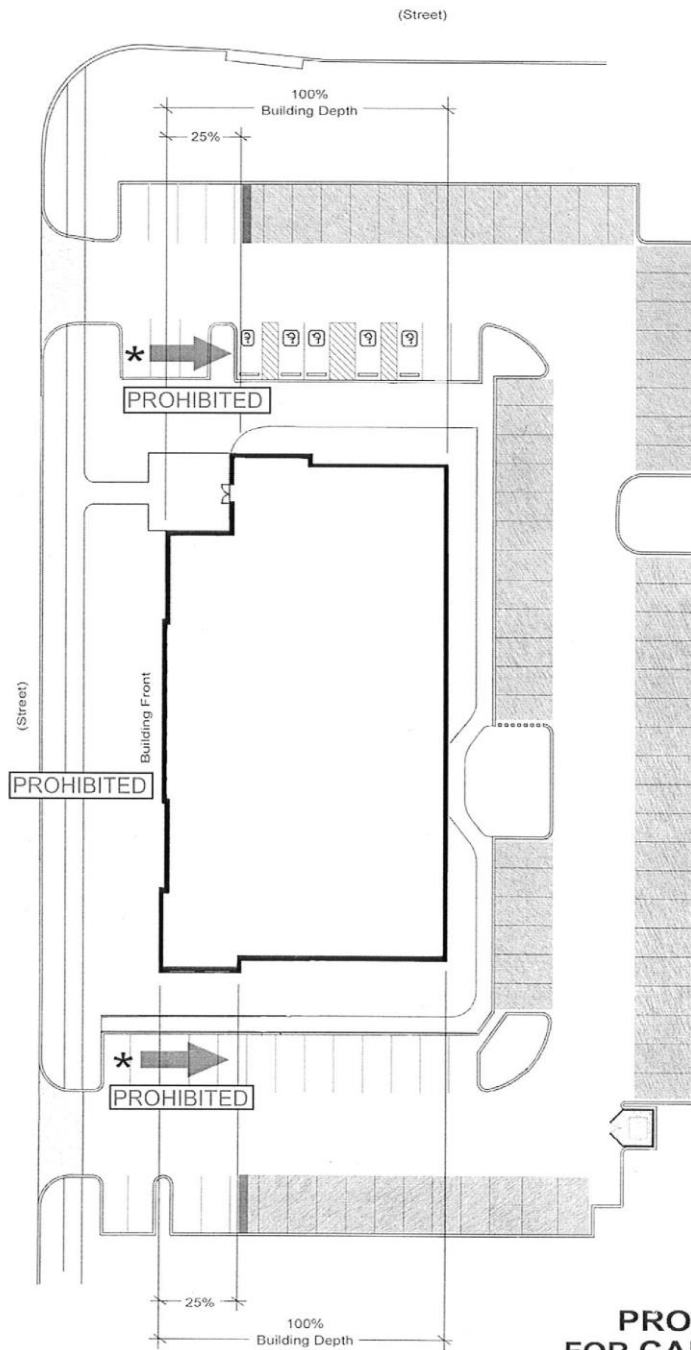
Sec. 36-39. - Business and Office Districts.

All business and office districts shall be governed by the following regulations.

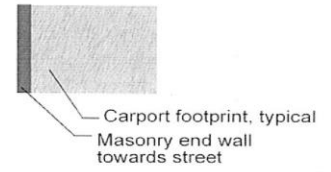
(1) *General requirements.* The following regulations shall apply to all property within the O-1, B-1 and B-2 zoning districts:

a. *Parking.*

1. *Composition.* Off street parking facilities graded for drainage and surfaced of concrete, asphaltic concrete or asphalt shall be located on the lot on which the user is located.
2. *Ingress/egress and lane width.*
 - (i) Ingress/egress shall be provided for each parking space. All circulation shall be internal with a minimum of 24-foot-wide lanes for maneuvering areas.
 - (ii) Ratio to building area. Parking stalls shall be provided so as to maintain a ratio of at least one space (stall) per the number of square feet of gross building area specified in Table No. 6.
3. *Landscaping buffer.* A landscaped buffer shall be maintained in accordance with Table No. 6. In addition to any other landscape buffer requirement, a container grown tree having a trunk diameter of at least three inches and a minimum height of ten feet with 100 square feet of planting shall be present for each ten parking spaces. All such trees shall be within planting areas having a width of at least five feet.
4. *Covered parking.* Covered parking shall only be permitted in a fully enclosed garage or in a carport meeting the criteria listed below. In no event shall this section be construed as to allow carports in single-family residential areas. For special exceptions to the covered parking zoning rules see Sec. 36-132.
 - i. Carports shall be set back from the front building wall at a distance of not less than twenty-five (25) percent of the length of the side building wall. See illustration below.
 - ii. Carports visible from public right of ways shall have a solid masonry end wall on the portion of the carport facing the public right of way. The end wall shall be constructed with masonry that matches that of the primary structure.
 - iii. Carports shall have support columns constructed of steel and roofs constructed of standing seam metal rated at twenty (20) gauge or higher. Roofs shall be constructed at a minimum pitch ratio of three (3) to twelve (12).
 - iv. Carports shall only be permitted in the shaded areas on the illustration below.



LEGEND:



NOTE: Carports to begin no closer than 25% of building depth into lot.

* No Carports adjacent to sides immediately adjacent to building unless required by a governmental agency.

PROTOTYPE SITE PLAN FOR CARPORT LOCATIONS

Sec. 36-132. - Special exceptions.

- (a) *Applications for special exception.* All applications for special exceptions from the terms of the chapter shall be in writing and shall specify the facts involved, the special exception desired and grounds therefore. The property owner shall file such application with the City Secretary who, after investigation by the City Manager or his designee(s), shall transmit such application together with a report to the Board of Adjustment within 60 days after receipt. The non-refundable fee for an application shall be the same as the fee for an application for variance or as described in Appendix A - City of Shavano Park Fee Schedule.
- (b) *Hearings on applications for special exceptions.* The Board of Adjustment shall fix a reasonable time for the hearing of all applications for special exceptions, give public notice thereof, as well as due notice to all persons entitled to notice under section 36-130, and such hearing shall be held within 90 days after receipt of the City Manager's report. At each hearing, any person may appear in person or by agent or by attorney.
- (c) *Granting special exceptions.* The Board of Adjustment may grant special exceptions to the side and rear setbacks and carports provided for under this chapter and solely in accordance with the following:
 - (1) Reduce the side or rear setbacks requirements in all single family residential zoning districts and all single family residential planned unit development zoning districts by up to 50 percent if the application satisfies the conditions provided for in subsections (d) and (e) and the side or rear setback in question abuts the following:
 - a. The streets of N.W. Military, and DeZavala;
 - b. City of San Antonio zoning districts;
 - c. O-1, B-1 or B-2 zoning districts; or
 - d. Greenbelts as designated on a plat.
 - (2) Wave the requirements in Sec. 36-39(1)(a)(4)(ii-iii) for carports in Zoning Districts O-1, B-1, and B-2 if the application satisfies the conditions provided in subsections (d) and (e) and the carports in question adhere to the following:
 - a. Carports shall be of solid neutral color with no lettering or symbols of any kind, except for that which may be required to identify them as reserved parking spaces;
 - b. The design of the carport should be constructed so as to have minimal impact on the character of the development;
 - c. Carports visible from the public right of ways shall be either (i) a solid masonry end wall constructed with the masonry that matches that of the primary structure or (ii) adequate landscaping on the portion of the carport facing the public right of ways; and
 - d. Carports shall be maintained in good condition and not be allowed to fall into a state of disrepair or unsafe construction.
- (d) *Conditions for granting special exceptions.* If the Board of Adjustment finds that all of the conditions in this subsection have been satisfied, the Board of Adjustment may approve the special exception application. This subsection's conditions are as follows:
 - (1) That the special exception will not endanger public health, safety, or general welfare;
 - (2) That the special exception will not be materially detrimental to public health, safety, or general welfare;

- (3) That as of the hearing date, it is not foreseeable that the special exception will substantially impair or diminish the presently permitted neighborhood uses, values and enjoyment of neighboring properties;
 - (4) That the special exception will not significantly impede the normal and orderly development and/or improvement of surrounding properties as to uses permitted in the district and/or immediately contiguous district;
 - (5) That the special exception will not result in such property violating any height, lot coverage, building size and/or exterior requirements;
 - (6) That the special exception will not result in such property violating any district parking space regulations and/or tree preservation requirements;
 - (7) That the special exception will not result in such property being incompatible with other properties within the zoning district;
 - (8) That the conditions provided for in subsection (e) have been satisfied; and
 - (9) That any accessory building allowed under this subsection shall be neither larger than 500 square feet nor taller than 16 feet from the lowest grade point of such building.
- (e) *Conditions and guarantees.* In order to protect the public health, safety and general welfare of the community and prior to the granting of any special exception, the Board of Adjustment shall stipulate such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the special exception as deemed necessary in its sole discretion to protect the public health, safety and general welfare of the community and to secure compliance with the standards and requirements specified in subsection (d) above. When the Board of Adjustment grants a special exception, the Board of Adjustment shall require such evidence and written guarantees as it deems necessary as proof that the property owner has and/or will comply with all conditions stipulated in connection therewith.
- (f) *Effect of denial of application.* If the Board of Adjustment denies a special exception in whole or in part, the property owner must wait at least one year from the date of said denial to make a resubmission under this section.
- (g) *Failure to comply with conditions.* Should a property owner fail to comply with any conditions of the Board of Adjustment in granting a special exception to a property, the City shall seek appropriate enforcement and remedies as stated in section 36-5 of this chapter.

([Ord. No. O-2016-008](#), § I, 7-25-2016; [Ord. No. O-2017-022](#), § I, 11-27-2017)

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: May 8, 2019

Agenda item: 9

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION: Discussion / action - Planning for potential trail head / restricted access to Salado Creek at dog leg on Cliffside and potential trail head near Blattman Elementary as directed by City Council - City Manager Hill.

X

Attachments for Reference: 1) 9a Staff Analysis

BACKGROUND / HISTORY: Updates in Yellow. At the March 25, 2019 City Council meeting, Council directed the Planning & Zoning Commission to plan for potential City trail heads to San Antonio's Salado Creek Greenway Trail on Cliffside and near Blattman Elementary.

At the April 3, 2019 Planning & Zoning meeting, the Chairman prepared items to consider regarding the Cliffside access trail as well as additional discussion where no action was taken.

DISCUSSION: There are three potential Shavano Park access points to the Salado Creek:

1. **Access at the Cliffside "elbow" on the south-side.** Staff has prepared analysis of items to consider included as attachment 9a.
2. **Trailhead at Loop 1604.** This is being constructed by City of San Antonio (CoSA) and there are no known issues with construction at this time. Salado Creek Greenway Trail completion is anticipated to be summer 2019. Staff will continue coordination with San Antonio and publicly advertise the opening date when available.
3. **Access from Huntington near Napier Park and Blattman.** Denton is planning an access point in the last Huntington unit near the CoSA trailhead which will be heavily advertised and represented to builders and buyers so there is complete understanding. There will only be this one access point from Huntington and it will be a key padded gate. Denton will also be installing a perimeter fence along the creek to secure Huntington Creekside. Denton has not designed or engineered this access point yet.

P&Z should develop a plan of action for assessing and developing recommendations for Salado Trail access.

COURSES OF ACTION: Provide guidance to staff.

FINANCIAL IMPACT: N/A

MOTION REQUESTED: Provide guidance to staff.

Items to Consider for Trailheads – 4-3-19

Staff Analysis – 4-22-19

Cliffside Trailhead

1. Should we hold a Public Hearing to hear citizen input, especially those living on and near the trailhead? It seems like most comments from the 2018 Town Plan survey favored the plan, as long as parking was not involved.

Staff: Staff agree a public hearing is needed to gather resident input on the project. A public hearing is tentatively scheduled for July Planning & Zoning.

2. Do we legally prohibit parking along Cliffside to insure that the trailhead is only available to our citizens? This would have to be done so that we do not also prohibit our citizens from parking in front of their property for events or parties they may be holding at their houses.

Staff: City Council can establish a “Resident Parking Only Zone” by Ordinance. Staff researched and found these type of ordinances in Fort Worth and University Park. Both Ordinances zoned certain blocks and/or streets to restrict parking to residents only, establish a parking permit and provided enforcement & penalty provisions. Both ordinances also provide for temporary visitor permits for the guests or contractors. Neither Ordinance is a zoning ordinance but appears to be derived from the Transportation Code Sec. 545.302.



Source: City of Austin.

3. Should we limit signage for the trailhead to discourage non-citizen knowledge and thus access to the trail?

Staff: Staff does not believe any identification signage is needed for the trail.

4. How do we inform citizens of the project?
 - a. Mail notices to selected addresses? A notice of the Public Hearing(s) can be mailed to residents near the proposed access point.
 - b. Electronic messages? City Facebook, Twitter, Nextdoor accounts.
 - c. City Manager section of the Roadrunner? Yes.
 - d. Include on City's signage? Digital marquee can be utilized for public hearing(s).
 - e. Other? Staff will coordinate all these efforts as a public awareness campaign in late June / early July in support of the July Public Hearing. Can coordinate similar efforts in support of Planning & Zoning Commission as required.
5. Construction and design of walkway to allow for easy walking and bike access.
 - a. Concrete, asphalt or crushed granite? Each type of materials offer advantages and disadvantages and vary in cost and ability to weather large storm events. Certain sections may be built using various materials. These construction materials offer the advantages of being erosion-resistant and provide better pedestrian & bicycle accessibility.
 - b. Width? If bicycles are contemplated, the width needs to be sufficient for both bikes and walkers on the same path. Width requirements for accessibility under US Forest Service Guidelines are 36 inches, or may be reduced to 32 inches minimum.
 - c. If we call it a trail rather than a sidewalk would the walkway have to be ADA compliant? Do we have enough property to allow for a gradual grade for ADA compliance? During the staff's discussion with the lead planner for the CoSA trail system, staff learned CoSA's accessibility standards for their trail design. CoSA's process is as follows:

Outdoor Recreation is not a part of Texas Accessibility Standards (TAS) due to the challenging nature of building accessible pathways in a natural environment. CoSA first requests a variance from the Texas Department of Licensing and Regulation (TDLR) to allow them to build a project following the US Forest Service Guidelines (FSTAG) instead of TAS. CoSA staff says that TDLR will defer judgment on the variance rather than approve or deny because outdoor recreation is not under TAS. FSTAG allows for some flexibility in accessibility standards in order to maintain the natural setting. For example, FSTAG allows for grades up to 12 percent and width requirements of 36 inches (with reductions to 32 inches). The City needs to determine the grade of the proposed trail path and determine if meeting FSTAG guidelines is feasible, and the City should verify independently to ensure CoSA's staff action steps are applicable to Shavano Park.

6. Do we have a survey of the property and can we have the property flagged so we know its exact location and topography?

Staff: Yes, a survey of the land was completed in prep for the 2014 land swap between the City and CoSA. Staff has not, at this time, ID'ed or marked the exact area, but understand this is a needed requirement.

7. Can we legally "tie into" San Antonio's walking trail or do we need to get their permission? Will they require us to match their sidewalk design and construction?

Staff: Staff contacted the CoSA trail system lead planner and he was anticipating some connector from Shavano Park as planned in 2014. Staff do not anticipate any legal complications connecting our access path to City of San Antonio (CoSA) trail. CoSA will likely require the City acquire a temporary construction easement. CoSA has not authority over the City's trail design, but may stipulate construction requirements when connecting with their path.

8. Just a note, but the access to Inwood is really beautiful and is not secured. It's also a pretty steep grade and I can't tell if it's ADA compliant or not. They do have signage that says no trespassing and private property.

Staff: The Inwood access point was built by CoSA on Inwood HOA land. ADA compliance is unknown at this time. The pathway is likely a "best effort" for accessibility using US Forest Service Guidelines under a variance request to Texas Department of Licensing and Regulation (TDLR). CoSA employs Accessibility Standards professionals to review their plans for compliance.

9. I have met SA Park Rangers during my walks. Should SPPD also patrol our portion of the trailhead?

Staff: Police Chief recommends that a visible jurisdictional line marker on or next to the trail be installed to help officers avoid jurisdictional confusion with CoSA when responding to calls on the trail. Police Chief also states that Police Department does not currently have the equipment to properly patrol the trail but will provide emergency aid on foot from Cliffside road to the access path.

Fire Chief states that it is unlikely the department's brush truck could access the Cliffside trail. Although this is not ideal, Chief reports that the Fire Department will provide emergency aid on foot from Cliffside road to the access path. Vehicle access from the 1604 CoSA trailhead is likely.

10. We need to develop a plan to provide for the upkeep and maintenance of the trailhead.

Staff: The construction materials used for the trail will greatly determine trail upkeep and maintenance requirements. Once Planning & Zoning provides further guidance to staff, staff can prepare maintenance estimates.

11. There is a home directly adjacent to the proposed entrance to the Salado Creek Trail. Should the City consider some reasonable accommodations to provide for his privacy and security?

Staff: Staff approach to this concern was to not improve or locate the trail adjacent to this property, but to locate the trail approximately 50 – 75 yards from the property line. At this time staff is planning efforts to protect the privacy and security of all residents in the vicinity of the access path.

12. Should we also consider costs, or do we let the City Council and City Staff worry about this?

Staff: Staff recommends costs always be considered. Staff can prepare cost estimates for the Commission as Planning & Zoning continues their work.

Trailhead at Loop 1604

1. The City of SA is constructing a trailhead with access and parking off Loop 1604. The trailhead is not yet complete and I access the walking trail through Napier Park.
2. It looks like SA is providing parking for about 70 cars, which to me appears to be adequate.
3. Denton has already constructed a sidewalk adjacent to Loop 1604 which will ultimately provide access from Military Drive to the trailhead.
4. If the SA parking proves inadequate, there will probably be some users of the Greenway Trail who will park in one of the office building parking lots fronting on Loop 1604 and then walk to the trailhead. This will have to be monitored to make certain that it does not become a problem in the future.
5. Should the City consider landscaping of the current City owned sidewalk along Loop 1604 to make the walk is more aesthetically pleasant?
6. There is really no property available for Shavano Park to construct its own trailhead for citizens to access to the trails.
7. We need to remember that the trail will be continuing north to the Rim, so parking could become a concern in the future.
8. I don't see any security or privacy issues for the Loop 1604 trailhead.

Staff: Staff see no issue with San Antonio's development of the trailhead at this time. Once complete and open to the public the City will make the trailhead's availability known to residents on social media, website & roadrunner newsletter.