

**CITY OF SHAVANO PARK
PLANNING & ZONING COMMISSION MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
June 5, 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, May 8, 2019
5. Public Hearing – The Planning & Zoning Commission shall conduct a public hearing to receive testimony and comments from members of the public for potential improvements and conditions for access to the Salado Creek Greenway from Cliffside Drive as directed by City Council – City Manager Hill.
6. Discussion / action – Proposed improvements and conditions for access to the Salado Creek Greenway from Cliffside Drive as directed by City Council– 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 regarding 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 regarding covered parking regulations in O-1, B-1, and B-2 zoning districts – City Manager Hill.
9. Discussion / action – Possible rescheduling of the July 3, 2019 Planning & Zoning Commission meeting to July 10, 2019 – Commissioner Janssen.
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. Remind members concerning the September 1, 2019 Boards / Commissions application deadline.
 - C. Advise members of pending agenda items, as follows:
 - i. July 2019 – Planning for potential trail head / restricted access to Salado Creek on Cliffside Drive.
 - ii. August, 2019 – Remind members concerning the September 1, 2019 Boards / Commissions application deadline.
 - iii. August, 2019 – Semiannual presentation by Denton Communities regarding residential and commercial development in Shavano Park and surrounding areas and discussion concerning the same.
 - iv. September, 2019 – Consider proposed changes to Sec. 24 of the City of Shavano Park Code of Ordinances regarding signs.
 - v. October, 2019 – Welcome to new commissioners and thank you departing members.
 - vi. October, 2019 – Nomination and appointment of Chairman.
 - vii. October, 2019 – Nomination and appointment of Vice-chairman.
 - viii. 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 30, 2019 at 1:00 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 (arrived 6:36 p.m.)

Carlos Ortiz

Albert Aleman

Jason Linahan

William Stipek

Carla Laws

Bill Simmons

Michael Janssen

ABSENT:

Kerry Dike

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 Ortiz, 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, April 3, 2019

Upon a motion made by Commissioner Stipek and a second made by Commissioner Linahan, the Planning & Zoning Commission voted seven (7) for and none (0) opposed to approve the Planning & Zoning Commission minutes, April 3, 2019 minutes as presented. The motion carried.

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.**

Public hearing opened at 6:31 p.m.

City Manager Hill presented an overview of the proposed re-plat.

Public hearing closed at 6:36 p.m.

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.**

Upon a motion made by Commissioner Laws and a second made by Commissioner Kuykendall, the Planning & Zoning Commission voted seven (7) for and none (0) opposed to approve the 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. The motion carried.

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.**

Public hearing opened at 6:42 p.m.

City Manager Hill presented an overview of the 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

Public hearing closed 6:50 p.m.

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.**

Upon a motion made by Commissioner Aleman and a second made by Commissioner Laws, the Planning & Zoning Commission voted seven (7) for and none (0) to table this agenda item. The motion carried.

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.**

The Planning & Zoning Commission discussed this item and requested that this item be placed on next month's agenda for further discussion.

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. 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**

Upon a motion made by Commissioner Bill Simmons and a second made by Commissioner Konrad Kuykendall_, the Planning & Zoning Commission voted seven (7) for and none (0) opposed to adjourn the meeting. The meeting adjourned at 8:05

MICHAEL JANSSEN
Chairman

ZINA TEDFORD
City Secretary

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: June 5, 2019

Agenda item: 5 / 6

Prepared by: Bill Hill

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 for potential improvements and conditions for access to the Salado Creek Greenway from Cliffside Drive as directed by City Council - City Manager Hill.

6. Discussion / action – Proposed improvements and conditions for access to the Salado Creek Greenway from Cliffside Drive as directed by City Council– City Manager Hill.

X

Attachments for Reference:

- 1) CM Email to Cliffside Residents
- 2) 6a Staff Analysis

BACKGROUND / HISTORY: 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. At the May 8, 2019 Planning and Zoning meeting, the commission came to a consensus on minimal actions that can be taken to improve the trail.

Since the meeting in May, a significant number of residents along Cliffside voiced support and concern regarding the various options being considered. The City Manager provided an email (see attachment 1) that outlined the basic consensus reached by the Planning and Zoning Commission and provided clarifying notes. The City Manager invited residents to the June P&Z Public Hearing. Finally, a resident of Cliffside Road hosted a meeting with concerned residents on Friday, May 31st, which the City Manager attended.

DISCUSSION: Following the Planning and Zoning meeting in May, staff in conjunction with Chairman Janssen compiled a list of consensus points that the commission had agreed upon in the May meeting.

- No parking allowed on Cliffside at the vicinity of the access path. Install an appropriate sign along the street most affected by the trailhead and consider signs such as “No Parking” and “No Parking Except with Residential Permit”
- Leave trail surface natural (no concrete)
- Use natural colored crushed granite in the small areas where footing is difficult (as long as storm water is not a factor).
- Remove or reduce rocks to help create a safe walking surface.
- Security Gate. The City in the future may want to consider a security gate with FOB access. The City should first monitor the use of the trail and based upon information gathered make a future decision. However such a gate may prove inadequate since access is easily made in areas other than the gate.
- Trim trees and other plants to make the trail safe from low hanging limbs and branches.
- Do not add any signage on Cliffside or significant improvements adjoining the San Antonio trail that will call attention to the entrance of the trail.
- Our goal for access to the Salado Creek Trail is to initially spend a minimum amount of money on the trailhead until such a time as we can gauge the actual usage of the trailhead by our residents.
- There are currently two trail options, one north and one south. We prefer to use the trail initially heading north, since it is shorter and also directs users away from nearby resident homes.

COURSES OF ACTION: Approve improvements and conditions for access to the Salado Creek Greenway from Cliffside Drive as proposed to be forwarded to City Council or provide edits or further guidance to staff.

FINANCIAL IMPACT: N/A

MOTION REQUESTED: To approve improvements and conditions for access to the Salado Creek Greenway from Cliffside Drive as proposed

Bill Hill

From: Bill Hill

Sent: Friday, May 17, 2019 10:04 AM

To:

Cc:

Subject: FW: update on issue affecting people living along Cliffside Dr

Hello to all on Cliffside,

I want to thank several of you who have forwarded this email to me and several other emails concerning the Salado Creek trail near Cliffside Road. I have also talked with or met with a number of you and its clear to me that it would be helpful to provide you all with an update on the situation with as much information as I have. If this doesn't answer your questions feel free to call me personally to discuss and clarify.

As all of you know. There already are several trails and paths that have been used by our residents for over 50 years to access the Salado Creek. Within the Salado Creek greenbelt there are several paths that are used for bikers and hikers. San Antonio has recently created a large concrete trail that connects to the existing trail at vicinity of Huebner Road and now goes all the way up to Loop 1604. In 2014, Shavano Park did a City limits boundary change with the City of San Antonio near Loop 1604 that allowed San Antonio to build a large trail head and parking area on Loop 1604 access road. That is currently being constructed and will no doubt be the primary location that people will access the trail.

1. In February, City Council tasked the Planning and Zoning Commission to investigate options and make a recommendation for the existing trails from Shavano Park to Salado Creek trail.
2. Huntington is working with the Developer to create an access point to their community. Given that and the Loop 1604 access point, the Planning and Zoning focus has been on the existing trails vicinity the bend at Cliffside Road.
3. The Planning and Zoning Commission has been gathering input and considering options for two months.
4. Input has included the range of options from do nothing to build a sidewalk.
5. While nothing has been acted upon, the Planning and Zoning Commission has reached an initial consensus to take a "minimal actions" approach (my words).
6. However, the Planning and Zoning will hold a public hearing at their next meeting on June 5th at 6:30 pm to gain resident input. You are welcome to attend and input.
7. In the future, Planning and Zoning will approve recommendations to forward to City Council for their consideration.
8. Below is the DRAFT general consensus points discussed by P&Z so far and will be discussed again at the June 5th meeting.

- No parking allowed on Cliffside at the vicinity of the access path. Install an appropriate sign along the street most affected by the trailhead and consider signs such as "No Parking" and "No Parking Except with Residential Permit"
- Leave trail surface natural (no concrete)
- Use natural colored crushed granite in the small areas where footing is difficult (as long as storm water is not a factor).
- Remove or reduce rocks to help create a safe walking surface.
- Security Gate. The City in the future may want to consider a security gate with FOB access. The City should first monitor the use of the trail and based upon information gathered make a future decision. However such a gate may prove inadequate since access is easily made in areas other than the gate.
- ~~Trim trees and other plants to make the trail safe from low hanging limbs and branches.~~

- Do not add any signage on Cliffside or significant improvements adjoining the San Antonio trail that will call attention to the entrance of the trail.

Again, feel free to email me at citymanager@shavanopark.org or call me at (210) 493-3478

Here to Serve!

Bill Hill
City Manager

www.shavanopark.org



Attention Public Officials: Please be reminded that a "Reply to All" could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.

From: Joy Girouard <joy.girouard@att.net>

Date: May 15, 2019 at 4:44:57 PM CDT

To: 'Louise Chumley' <dellchum300@yahoo.com>, Jan Kusch <jakusch@sbcglobal.net>

Cc: 'Lettie Pina' <slrpina@hotmail.com>, 'Sheryl Eck' <sheryleck99@gmail.com>, 'Susan Willing' <swilling78@gmail.com>, 'Jackie Van De Walle-Dreher' <jvdw@prodigy.net>, 'Linda Razloznik' <lindarazloznik@petsbarn.com>, 'Maureen Mimari' <mdianam@aol.com>, 'Abigale Kline' <abigalek@icloud.com>, 'Loree Cameron' <icameron110@hotmail.com>, 'Angie Cobb' <angie@egsw.us>, 'Christine Schmidt' <chrissy@instant.net>, 'Dawn Gorman' <dawn@thegormans.com>, 'Nancy Gonzalez' <nanjogon@gmail.com>, 'JoAnne Culpepper' <joanneculpepper@yahoo.com>, 'Alicia Trevino' <a.trevino@dhrarchitects.com>, 'Jeanne Tousley' <jyt30@hotmail.com>, 'Bonnie Shields' <bonshields@hotmail.com>, 'Janet Smith' <honeybear1066@gmail.com>, 'Madeline Walthall' <madelinesatx@gmail.com>, 'Annyce Kuykendall' <annycekuykendall@gmail.com>, 'Tammy Miller' <tmaggie95@yahoo.com>, 'Lauren Kalmbach' <laurenkalmbach@me.com>, 'tonigelfer@yahoo.com', 'Linda Griffin' <mimi@icloud.com>, 'Amanda Taylor' <ajtaylornd@icloud.com>, 'Katie Walker' <katiesvineyard@mac.com>, 'Carrie Fraser' <carrie.fraser@me.com>

Subject: Re: update on issue affecting people living along Cliffside Dr

Janet,

Thank you so much for going the Council meeting. Did they show any drawings/renderings of what this would look like? I just can't picture what they're trying to do. At what location would there be a gate with the fob access?

Joy
204 Cliffside

On Monday, May 13, 2019, 7:34:28 PM CDT, Jan Kusch <jakusch@sbcglobal.net> wrote:

Hello fellow Cliffside residents,

I attended the City Council meeting tonight and signed up to speak regarding proposed Salado Creek Bike trail. I am against this due to my concerns for safety, privacy and potential for trash on our street. Unfortunately, it seems my opinion fell on deaf ears. Four Shavano Park residents were there and spoke in favor of this project. This seems like history repeating

itself. When the apartments went up on Huebner (that my property backs into), the concerns were the same, safety, privacy and litter. At that time I was promised this awesome privacy fence, etc. Well, nothing like what was proposed to me was built by the apartment people as promised. Tonight it was suggested there be fobs that people purchase to have access in and out of the bikeway onto Cliffside. Again, nothing in writing to insure this. Anyway, wanted you to know. I truly feel this is a done deal.

Best regards,

Janet Kusch

100 Cliffside Dr.

From: Louise Chumley [<mailto:dellchum300@yahoo.com>]

Sent: Saturday, May 11, 2019 2:23 PM

To: Joy Girouard

Cc: Lettie Pina; Sheryl Eck; Susan Willing; Jackie Van De Walle-Dreher; Linda Razloznik; Maureen Mimari; Abigale Kline; Loree Cameron; Angie Cobb; Christine Schmidt; Dawn Gorman; Nancy Gonzalez; Jan Kusch; JoAnne Culpepper; Alicia Trevino; Jeanne Tousley; Bonnie Shields; Janet Smith; Madeline Walthall; Annyce Kuykendall; Tammy Miller; Lauren Kalmbach; tonigelfer@yahoo.com; Linda Griffin; Amanda Taylor; Katie Walker; Carrie Fraser

Subject: update on issue affecting people living along Cliffside Dr

Hi. I just received information from a resident that lives on Fawn and goes to the Planning and zoning meetings and they are again proposing to open up the Salado Creek bike and hike trail to Cliffside by providing at a minimum - paving the area from the 100 block of Cliffside down to the Salado Creek - making it a public trailhead and further - possibly providing parking near the entrance to the trailhead. It is a scary thing to think our properties will now be exposed on a daily basis to the general public as an advertised trailhead. We could see large numbers of non residents on a daily basis hanging out along the cliff. He said you can see the item from the Planning and Zoning committee from May 8th - item 9 if you want to see the discussed points according to my source. There is a council meeting this Monday at 6:30 if anyone wants to sign up to speak. You can also go the City of Shavano Park website and I believe there is an area that you can click onto to email your mayor, council and Bill Hill the City Manager.

Hope we can avoid this proposed change for all of our sakes.

Louise Chumley

<CLIFFSIDE LADIES LUNCHEON LIST.docx>

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.

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: June 5, 2019

Agenda item: 7 / 8

Prepared by: Bill Hill

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 regarding covered parking regulations in O-1, B-1, and B-2 zoning districts

8. Discussion/ action – Proposed amendments to Sec. 36-39 and Sec. 36-132 regarding covered parking regulations in O-1, B-1, and B-2 zoning districts – City Manager Hill.

x

Attachments for Reference:

- 1) 8a Amended section Sec. 36-39 (Version 2)
- 2) 8b Amended section Sec. 36-39 and Sec. 36-132 (Version 1)

BACKGROUND / HISTORY:

In March the City received two separate requests to build carports on two new commercial properties. 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. On April 1st the Planning & Zoning Commission addressed the two possible carport request from the two local business. On May 8th Planning & Zoning addressed a possible carport amendment that was tabled by the commission.

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).

DISCUSSION:

Staff originally prepared amendments to the carport ordinance that essentially maintained the current ordinance, but granted the Board of Adjustment the authority to grant special exceptions based upon a proposed criteria. This version (v1) is included in the packet as attachment #2. The Commission's consensus in May was that the ordinance itself should be amended, therefore eliminating the need for special exceptions.

Following the May 8th P&Z meeting, staff in coordination with the P&Z chairman drafted a proposed amendment to Sec. 36-39 (v2), which essentially adopts most of the language from the original proposed exceptions criteria. This version (v2) of the amendment strikes out the masonry end wall requirements, the requirement that roofs shall be constructed of standing seam metal rated at (20) gauge or higher, and the requirement for a minimum roof pitch of three (3) to twelve (12). The proposed amendment requires:

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.
 - a) 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;
 - b) The carport shall be of solid neutral color;
 - c) ~~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.~~
 - d) ~~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);~~
 - e) Except for lettering necessary to designate a reserved parking space, the carport shall display no lettering or symbols of any kind;
 - f) The carport shall be designed and constructed with the intent to have a minimal impact of the character of the development as well as the character of any surrounding developments;
 - g) The carport shall be maintained in good condition and neither be allowed to fall into a state of disrepair nor into a state of unsafe construction; and
 - h) The City Code Compliance Officer (or such other individual or classification of individuals as may be appointed by the City Council) may issue a citation requiring the removal, relocation, reconstruction or repair of any carport which does not meet the requirements of this Chapter.
 - i) Carports shall only be permitted in the shaded areas as noted in the illustration below:

COURSES OF ACTION: Recommend approval to the proposed amendments to Sec. 36-39 v2, or proposed amendments to section Sec, 36-39 and Sec. 36-132 v1, or some combination of the two version, or finally provide staff further guidance to address.

FINANCIAL IMPACT: N/A

MOTION REQUESTED: To approve the proposed amendments to Sec. 36-39 v2.

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.*

ai) 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.

bii) 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.

- a) 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;

b) The carport shall be of solid neutral color;

~~e) 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.~~

~~d) 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);~~

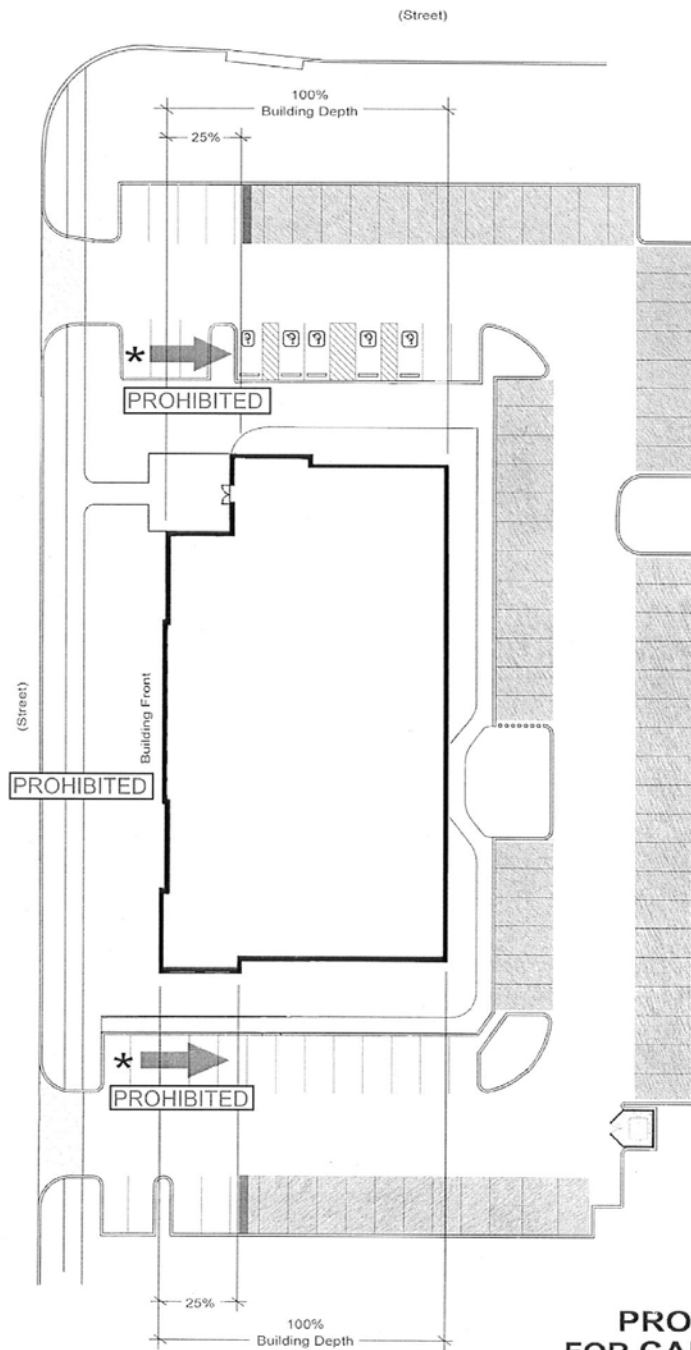
e) Except for lettering necessary to designate a reserved parking space, the carport shall display no lettering or symbols of any kind;

f) The carport shall be designed and constructed with the intent to have a minimal impact of the character of the development as well as the character of any surrounding developments;

g) The carport shall be maintained in good condition and neither be allowed to fall into a state of disrepair nor into a state of unsafe construction; and

h) The City Code Compliance Officer (or such other individual or classification of individuals as may be appointed by the City Council) may issue a citation requiring the removal, relocation, reconstruction or repair of any carport which does not meet the requirements of this Chapter.

- i) Carports shall only be permitted in the shaded areas **as noted in** the illustration below:



LEGEND:

Carport footprint, typical
Masonry end wall towards street

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.
PROHIBITED

PROTOTYPE SITE PLAN FOR CARPORT LOCATIONS

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.

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: June 5, 2019

Agenda item: 10

Prepared by: Bill Hill

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION:

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

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Attachments for Reference:

1) 10a Letter of Approval Lynd MXD

2) 10b Letter of Approval NJCI PUD

BACKGROUND / HISTORY:

At the May 13th City Council meeting the City Manager requested the approval of Council to approve the minor amendment to Lynd's MXD and NJCI's change to their PUD detail plan to allow for their requested carports. City Council approved both requests.

DISCUSSION:

The City Manager has the authority to approve of these changes under the authorities granted in the Zoning Ordinance. On May 23rd, the City Manager sent letters approving Lynd's minor amendment to their MXD, and approving NJCI's change in their detail PUD plan to allow for carports (See attachments).

COURSES OF ACTION: N/A

FINANCIAL IMPACT: N/A

MOTION REQUESTED: N/A

CITY OF SHAVANO PARK



May 23, 2019

Mr. Scott J. Brymer
Lynd Co. Office Building
4001 Pond Hill Road
Shavano Park, TX 78231

Reference: Request for a Minor Amendment to the MXD

Dear Mr. Brymer:

The City of Shavano Park received your request for a minor amendment to the Mixed – Use District (MXD) for the structure at 4001 Pond Hill Road to allow for exceptions to the City of Shavano Park covered parking ordinance. Your request would allow for three exceptions to the City of Shavano Parks ordinances (Roof Material, Roof Slope, and End Cap).

City Zoning Ordinance Sec. 36-41(f) Mixed-Use District stipulates that certain changes that qualify as minor amendments in a MXD's detail plan may be authorized by the City Manager. In your request, the proposed covered parking does not increase the area or intensity of nonresidential uses and qualifies as a minor amendment. Your request was additionally considered and approved by City Council on May 13, 2019.

Therefore, in accordance with Sec. 36-41 of the City of Shavano Park Ordinances, I approve changes to the MXD Plan to authorize the covered parking as presented during the May 13, 2019 City Council meeting as a minor amendment: 1) subject to future ordinance changes; and 2) with the following specifications:

- The carport shall be of solid neutral color.
- Except for lettering necessary to designate a reserved parking space, the carport shall display no lettering or symbols of any kind.
- The carport shall be designed and constructed with the intent to have a minimal impact of the character of the development as well as the character of any surrounding developments.
- The carport shall be maintained in good condition and neither be allowed to fall into a state of disrepair nor into a state of unsafe construction.
- The City Code Compliance Officer (or such other individual or classification of individuals as may be appointed by the City Council) may issue a citation requiring the removal, relocation, reconstruction or repair of any carport which does not meet the above requirements.

Sincerely,

Bill Hill
City Manager

CITY OF SHAVANO PARK



May 23, 2019

Ms. Sarah Teel
MSL Investments
2211 N.W. Military Highway, STE 220
San Antonio, TX 78213

Reference: Change in Detailed PUD Plan, (Lot 5, Block 1, NCB 17704) 4675 Lockhill Selma - NJCI

Dear Ms. Teel:

The City of Shavano Park received your request for a change to the detailed PUD plan on March 29, 2019 for the structure at 4675 Lockhill Selma to allow for exceptions to the City of Shavano Park covered parking ordinance. Your request would allow for three exceptions to the City of Shavano Park ordinances (Roof Material, Roof Slope, and End Cap).

City Zoning Ordinance Sec. 36-40(l) Planned Unit Development stipulates that certain changes in a PUD's detail plan may be authorized by the City Manager if they meet published criteria. In your request, the changes do not alter the basic relationship of the proposed development to adjacent property and 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 and qualifies as an acceptable change to the detailed PUD plan. Your request was additionally considered and approved by City Council on May 13, 2019.

Therefore, in accordance with Sec. 36-40 of the City of Shavano Park Ordinances, I approve changes to the detailed PUD plan to authorize the covered parking as presented during the May 13, 2019 City Council Meeting : 1) subject to future ordinance changes; and 2) with the following specifications:

- The carport shall be of solid neutral color.
- Except for lettering necessary to designate a reserved parking space, the carport shall display no lettering or symbols of any kind.
- The carport shall be designed and constructed with the intent to have a minimal impact of the character of the development as well as the character of any surrounding developments.
- The carport shall be maintained in good condition and neither be allowed to fall into a state of disrepair nor into a state of unsafe construction.
- The City Code Compliance Officer (or such other individual or classification of individuals as may be appointed by the City Council) may issue a citation requiring the removal, relocation, reconstruction or repair of any carport which does not meet the above requirements.

Sincerely,

Bill Hill
City Manager

CF:
Chesney Morales Partners
4901 Broadway, Suite 250
San Antonio, TX 78209