

**CITY OF SHAVANO PARK
PLANNING & ZONING COMMISSION MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
May 5, 2021**

6:30 P.M.

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

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

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

Telephone Participation. The public toll-free dial-in number to participate in the telephonic meeting is 1-877-853-5247 and requires access code 983 2327 8966. The Livestream / telephone conference will be available to join at 6:00 p.m. (30 minutes prior to the meeting). If you have issues accessing Telephone Participation or Livestream, please call City Secretary Trish Nichols at 210-581-1116.

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

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

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

AGENDA

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

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

4. Consent Agenda:

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

5. Public Hearing - The purpose of the public hearing is to receive comments from members of the public regarding the proposed action of replatting Lot 1700, Block 21, C.B. 4782, originally platted as a 2.846-ac lot with the final plat of 1604/Pond Hill Restaurant, recorded in Book 9704, Page 131 of the Official Public Records of Bexar County, Texas as a 2.765-ac lot called Lot 1724, Block 21 in the replat and subdivision plat of Pond Hill Garden Villas Unit 2.
6. Discussion / action – Preliminary Subdivision Plat & Replat of Pond Hill Garden Villas Unit 2 being a total of 8.641 acre tract of land out of a 46.94 acre tract described as Tract 3 in a Deed to Rogers Shavano Park Unit 18/19, LTD., and partially platted as Lot 1700, Block 21, 1604/Pond Hill Restaurant - City Manager
7. Discussion – Possible amendments to table of allowed zoning uses under Chapter 36 – Zoning, Article VI. Tables – City Manager
8. Discussion / action – Review of updates to the official City Zoning Map – City Manager
9. Report / update - City Council items considered at previous City Council meetings and discussion concerning the same - City Manager
10. **Chairman Announcements:**
 - A. Advise members to contact City staff to add new or old agenda items.
 - B. Advise members of pending agenda items, as follows:
 - i. June – Possible City of Shavano Park ownership takeover of several Bitterblue owned greenbelts in the City

11. **Adjournment**

Accessibility Statement:

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

Decorum Required:

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

Action by Commission Authorized:

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

Executive Sessions Authorized:

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

Attendance by Other Elected or Appointed Officials:

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

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above named Shavano Park Planning and Zoning Commission is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin boards, of the City Hall of said City Shavano Park, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on this the 30 of April 2021 at 9:35 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Trish Nichols
City Secretary

Minutes

1. **Call to order**

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

PRESENT:

Albert Aleman
Carla Laws
Kerry Dike
Michael Janssen
Jason Linahan
Bill Simmons
Shawn Fitzpatrick
William Stipek
Damon Perrin

ABSENT:

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.**

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

3. **Citizens to be Heard.**

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

4. **Consent Agenda:**

Approval - Planning & Zoning Commission minutes, March 3, 2021.

A motion was made by Commissioner Laws, and a second made by Commissioner Fitzpatrick, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the Planning & Zoning Commission minutes of March 3, 2021 as presented. The motion carried.

5. **Discussion / action – Final Plat of Shavano Park Unit 19C Phase V (Huntington A-1 PUD) being a 38.668-acre tract of land, establishing Lots 2120-2133 & 2142-2143, Block 34 and Lots 2176-2190, Block 36, out of the 289.5-acre tract described in deed to Rogers Shavano Park Unit 18/19, LTD. - City Manager**

A motion was made by Commissioner Stipek to approve a Final Plat of Shavano Park Unit 19C Phase V (Huntington A-1 PUD) being a 38.668-acre tract of land, establishing Lots 2120-2133 & 2142-2143, Block 34 and Lots 2176-2190, Block 36, out of the 289.5-acre tract acre tract described in deed to Rogers Shavano Park Unit 18/19, LTD to include the appropriate changes as outlined

in the 9 page letter from Pape Dawson Engineering, with appropriate responses and answers to the City Engineers comments.

A second made by Commissioner Janssen

A motion by Commissioner Stipek and a second by Commissioner Janssen, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve a Final Plat of Shavano Park Unit 19C Phase V (Huntington A-1 PUD) being a 38.668-acre tract of land, establishing Lots 2120-2133 & 2142-2143, Block 34 and Lots 2176-2190, Block 36, out of the 289.5-acre tract acre tract described in deed to Rogers Shavano Park Unit 18/19, LTD to include appropriate changes 9-page letter that was delivered by Pape Dawson, with appropriate responses and answering all questions.

6. Discussion / action - After Action Review (AAR) and general discussion related to the events and actions from the Winter Weather Storm event and the Shavano Park 2018 Town Plan - City Manager

City Manager Hill provided an overview After Action Review (AAR) and general discussion related to the events and actions from the Winter Weather Storm event and the Shavano Park 2018 Town Plan

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

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

8. 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. Public Hearing - The purpose of the public hearing is to receive comments from members of the public regarding proposed amendments to the City of Shavano Park Code of Ordinances, Chapter 36 regarding MXD & PUD site plan approval to comply with House Bill 3167 from the 86th Texas Legislature
 - ii. Discussion / action - Amendments to Chapter 36 regarding MXD & PUD site plan approval to comply with the 30-day shot clocks for City review and approval mandated by the Texas Legislature - City Manager

9. Adjournment

Upon a motion made by Commissioner Dike and a second made by Commissioner Law, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to adjourn the meeting at 7:21pm.

Albert Aleman Chairman

Trish Nichols City Secretary

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: May 5, 2021

Agenda item: 5 / 6

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION:

5. Public Hearing - The purpose of the public hearing is to receive comments from members of the public regarding the proposed action of replatting Lot 1700, Block 21, C.B. 4782, originally platted as a 2.846-ac lot with the final plat of 1604/Pond Hill Restaurant, recorded in Book 9704, Page 131 of the Official Public Records of Bexar County, Texas as a 2.765-ac lot called Lot 1724, Block 21 in the replat and subdivision plat of Pond Hill Garden Villas Unit 2.

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

X

Attachments for Reference:

- 1) 6a Preliminary Plat + Replat
- 2) 6b Preliminary Plat + Replat Checklist
- 3) 6c MXD Site Plan Map
- 4) 6d City Engineer Review Letter

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

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

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

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

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

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

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

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

FINANCIAL IMPACT: Revenues of \$1,550 for preliminary plat and \$1,350 for replat (\$2,900)

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

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 citysecretary@shavanopark.org. This checklist does not supersede the City of Shavano Park Development Ordinances.

Name of Subdivision:	<u>Pond Hill Garden Villas Unit 2</u>
Proposed Use of Property:	<u>Residential / Commercial</u>
Property Description: (Lot & block, address or location)	<u>Approximately 0.25 miles west of NW Military Highway and</u> <u>Pond Hill Road intersection.</u>

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

Current Zoning:	<u>MXD</u>	Total Acreage:	<u>8.639</u>
Total Platting Fees:	<u>\$2,900.00</u>	Developable Acreage:	<u>6.508</u>
(Coordinate with Staff)		Greenbelts & Drainage Acreage:	<u>2.131</u>

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

	Yes	No	N/A
1. This is an original plat of property	<u>x</u>	<u> </u>	<u> </u>
2. This is a replat of an existing plat	<u>x</u>	<u> </u>	<u> </u>
3. If item 1 was answered "No," then:	<u> </u>	<u> </u>	<u> </u>
a. this is a vacate and replat	<u> </u>	<u> </u>	<u> </u>
b. this is a replat with out vacating	<u>x</u>	<u> </u>	<u> </u>
c. this is an amending plat	<u> </u>	<u> </u>	<u> </u>
d. this is a minor plat	<u> </u>	<u> </u>	<u> </u>
4. If item 1 was answered "No," a copy of the original plat is included in the submittal	<u>x</u>	<u> </u>	<u> </u>
5. The plat is of a Planned Unit Development District (PUD)	<u> </u>	<u>x</u>	<u> </u>
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	<u> </u>	<u> </u>	<u>x</u>

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

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> </u>	<u> </u>	<u>X</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>X</u>	<u> </u>	<u> </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: Burt J. H. Date: 4/21/21

Accepted by: [Signature] Date: 4/21/21




City Staff Reviewed

City Secretary: [Signature] Date: 4/28/2021

Fire Marshal: [Signature] Date: 4/26/21

Public Works / Water Director: [Signature] Date: 4-28-21




Land Use Code:

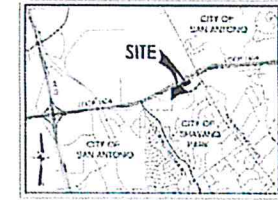
	Residential
	Commercial
	Private Open Space

Land Use Summary:

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

Legend:

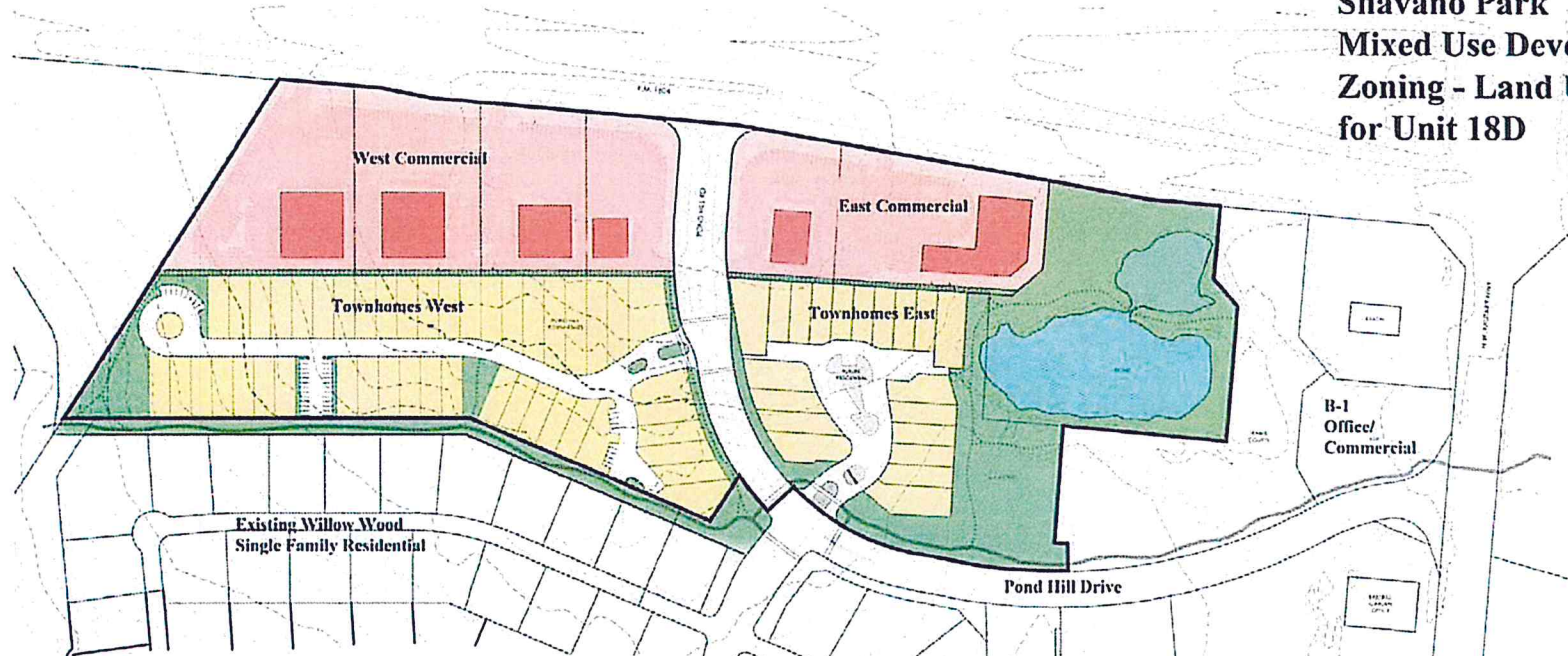
	MXD Zoning Boundary
	6' Multi-Use Pathway
	Potential Lot Lines



LOCATION MAP



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



03-07-14

REVISED MXD PLAN

April 30, 2021

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



On behalf of:



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

Dear Mr. Leeth,

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

Plat:

Sheet 1 of 2 -

1. Location Map: Show the city limits division.
2. Legend: Review and update the abbreviations as needed on the legend.
3. Plat is showing duplicate ownership signature blocks. Please remove one of them.
4. Please add floodplain note whether the subdivision is within or outside of the floodplain and reference the applicable FEMA FIRMette.
5. Add minimum 8" residential Finished Floor Elevation note on plat.
6. Add TxDOT notes and provide TxDOT approval.
7. Is this intended to be a P.U.D.? If it is, include in the title.

Sheet 2 of 2 -

1. Detail "A": Move the lot number into view.
2. Detail "A": Add bearing information.
3. Detail "A": Add info to indicate where the break is located between C20 & L18.
4. Detail "A": Detail these easement lines (bearing & distance)
5. Doubled up ownership signature block. Please remove one.
6. Add scale and north arrow to this sheet.
7. Show Building Setbacks on plat.
8. Show the opposite side of the right-of-way (Loop 1604), add right-of-way dimensions, and centerline.
9. Add missing bearing or distance information.
10. Call out the electric / gas easement along the lots as indicated on redline plat.

11. Please fix text overlays on lots 1717, 1718, and 1720.
12. Survey pin is misplaced. Please fix.
13. Please label more contours.
14. Please show minimum Finished Floor Elevation for lots adjacent to the floodplain.
15. Update street name when available.
16. Add right-of-way dimensions to Pond Hill Rd.
17. The City shall confirm lot widths and lot areas are acceptable.
18. Lot lines should be perpendicular to the private street per code. The City shall administratively approve if this is acceptable.

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

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

Sincerely,



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

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: May 5, 2021

Agenda item: 7

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION:

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

X

Attachments for Reference:

- 1) 7a Table of Uses (commercial districts)
- 2) 7b Ordinance O-2017-009

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

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

For newer members:

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

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

- A full bar with rotating food truck concept
- A credit union with emphasis on drive-thru banking services
- A pet store

- A Mexican restaurant
- A “high-end” tattoo parlor
- A “high-end” boxing & exercise gym
- Beauty services (injections, skin / hair treatments, powder brows)
- A “high end” private night club

Staff offer these as only as examples of the types of developments coming from the local business community.

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

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

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

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

FINANCIAL IMPACT: N/A

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

ARTICLE VI. - TABLES

Commercial Zoning Districts Allow Use tables are Tables 3 – 5.

Table No. 3

Table of Permitted Uses

O-1 Zoning Category

Accounting
Architects
Attorneys
Bank/savings and loan - drive through facilities (CC)
Chiropractor
Clinic, dental or medical
Consultants
Developers
Engineers
Brokerage services
General office uses
Insurance company and agents
Mortgage loan office
Office call center
Office data processing and management
Optician
Optometry services
Orthopedic services
Physical therapist
Real estate office
Software sales and service
Supplemental day care center - caring for not more than 12 persons
Tax preparation services
Telephone company - office use only
Travel agency

Table No. 4
Table of Permitted Uses
B-1 Zoning Category

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

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

Antique store

Apothecary (drugstore)

Apparel and accessory store

Art gallery and/or museum

Bakery, retail store

Bar/tavern

Barber/beauty shop

Boutique hotel

Bookstore

Business machine shop

Cafeteria

Camera/photographic store

Candy/nut/confectionery store

Catering shop

Convenience store, (CC)

Cosmetics sales

Day spa

Dairy products, retail store

Drug store

Dry goods, retail store

Electric scooters sales and service

Fitness services 6,000 square feet or less

Floor covering, retail store

Florist, retail store

Fruit and produce store, retail store

Food store

Furniture sales, retail store

Gift shop

Gourmet shop, retail store

Grocery store, with alcoholic beverage sales

Hardware sales, retail store without outdoor display

Hobby supply store

Hotel/motel

Hotel/motel over 45 feet in height (CC)

Interior decorating studio

Jewelry store

Laboratory, dental or medical

Laboratory, research and/or testing (CC)

Laundry/dry cleaning, pickup station only

Leather goods and luggage store

Liquor store

Locksmith

Luggage sales and service

Milliner (custom)

Movie rental

Music store

Nursery school/day care

Nursery (plant sales) - retail

Office equipment/supply store, retail store

Optical goods, retail store

Pet grooming, small animals only with no overnight boarding

Pet shop, no outdoor boarding

Photographic equipment and supplies, retail store

Picture framing

Postal center
 Pottery studio
 Religious, cultural and fraternal activity up to 5,000 square feet
 Restaurant
 Schools up to 5,000 square feet
 Second hand merchandise, retail store
 Self defense instruction
 Shoe repair
 Shoe sales, retail store
 Short-term in-patient surgical center - a facility in which the average in-patient length of stay shall not exceed 96 hours (CC)
 Sporting goods, retail store
 Stamp and coin sales, retail store
 Stationary sales, retail store
 Tailor shop
 Tobacco store
 Toy store
 Trophy sales
 Variety store, retail store
 Watch repair
 Weight loss/reducing salon

Table No. 5
Table of Permitted Uses
B-2 Zoning Category

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

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

Air conditioner sales, retail store
 Altering/repairing of apparel
 Animal clinic, no outdoor boarding
 Appliance repair

Appliance sales, retail store

Assisted Living Facility (CC)

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

Bicycle repair and sales

Churches

Club — private (including meeting hall) (CC)

Copy and photostatting shop, dry copy processes only

Department store

Electronic equipment repair

Funeral home, (CC)

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

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

Miniature golf, indoor only (CC)

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

Paint and wallpaper store, retail store

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

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

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

Reception hall/meeting facility

Recreational facility, neighborhood only (CC)

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

Rug, carpet and tile store - retail store

Schools over 5,000 square feet

Skating rink, (CC)

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

Tennis, basketball, volleyball, racquetball or handball courts

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

ORDINANCE NO. O-2017-009

AN ORDINANCE AMENDING CHAPTER 36, ARTICLE IV, TABLES 3, 4, AND 5 OF THE CITY OF SHAVANO PARK CODE OF ORDINANCES REGARDING THE PERMITTED USES IN BUSINESS ZONING DISTRICTS O-1, B-1 AND B-2; FINDING THIS ORDINANCE TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 211 of Texas Local Government Code empowers the City Council of the City of Shavano Park to enact zoning regulations and provides for their administration, enforcement and amendment; and

WHEREAS, The Planning & Zoning Commission after a public hearing on March 1, 2017 recommended approval of the rezoning request; and

WHEREAS, the City Council and the Planning & Zoning Commission of the City of Shavano Park have complied with all notice of a public hearing as required by the Code of Ordinances of the City of Shavano Park; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the City Council determines that such use will not adversely affect the character of the area or the neighborhood in which it is proposed to locate; will not substantially depreciate the value of adjacent and nearby properties; will be in keeping with the spirit and intent of Chapter 36 of the Code of Ordinances of the City of Shavano Park; will comply with applicable standards of the district in which located; and will not adversely affect traffic, public health, public utilities, public safety, and the general welfare.

WHEREAS, the City Council has determined that this zoning ordinance is in the best interest of the general welfare of the City of Shavano Park.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHAVANO PARK, TEXAS:

I
CODE AMENDMENT

Chapter 36, Article IV, Table No. 3 of the City of Shavano Park Code of Ordinances is hereby amended to read as follows:

Table No. 3
Table of Permitted Uses
O-1 Zoning Category

Accounting

Architects

Attorneys

Bank/savings and loan - drive through facilities ~~require~~ (CC) approval

Chiropractor

Clinic, dental or medical

Consultants

Developers

Engineers

Brokerage services

General office uses

Insurance company and agents

Mortgage loan office

Office call center

Office data processing and management

Optician

Optometry services

Orthopedic services

Physical therapist

Real estate office

Software sales and service

Supplemental day care center - caring for not more than 12 persons

Tax preparation services

Telephone company - office use only

Travel agency

II CODE AMENDMENT

Chapter 36, Article IV, Table No. 4 of the City of Shavano Park Code of Ordinances is hereby amended to read as follows:

Table No. 4

Table of Permitted Uses

B-1 Zoning Category

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

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

Antique store

Apothecary (drugstore)

Apparel and accessory store

Art gallery and/or museum ~~Bakery, retail store~~

Bakery, retail store

Bar/tavern

Barber/~~or~~ beauty shop

Boutique hotel

Bookstore

Business machine shop

Cafeteria

Camera/photographic store

Candy/nut/confectionery store

Catering shop

Convenience store, (CC)

Cosmetics sales

Day spa

Dairy products, retail store

Drug store

Dry goods, retail store

Electric scooters sales and service

Fitness services 6,000-2,999 square feet or less

Floor covering, retail store

Florist, retail store

Fruit and produce~~t~~ store, retail store

Food store

Furniture sales, retail store

Gift shop

Gourmet shop, retail store

Grocery store, with alcoholic beverage sales

Hardware sales, retail store without outdoor display

Hobby supply store

Hotel/motel

Hotel/motel over 45 feet in height (CC)

Interior decorating studio

Jewelry store

Laboratory, dental or medical

Laboratory, research and/or testing (CC)

Laundry/dry cleaning, pickup station only

Leather goods and luggage store

Liquor store

Locksmith

Luggage sales and service

Milliner (custom)

Movie rental

Music store

Nursery school/ ~~or~~ day care

Nursery (plant sales) - retail

Office equipment/supply store, retail store

Optical goods, retail store

Pet grooming, small animals only with no overnight boarding

Pet shop, no outdoor boarding

Photographic equipment and supplies, retail store

Picture framing

Postal center

Pottery studio

Weight Loss/Reducing salon

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

Restaurant

Schools up to 5,000 square feet

Second hand merchandise, retail store

Self-defense instruction

Shoe repair

Shoe sales, retail store

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

Sporting goods, retail store

Stamp and coin sales, retail store

Stationary sales, retail store

Tailor shop

Tobacco store

Toy store

Trophy sales

Variety store, retail store

Watch repair

III CODE AMENDMENT

Chapter 36, Article IV, Table No. 5 of the City of Shavano Park Code of Ordinances is hereby amended to read as follows:

Table No. 5

Table of Permitted Uses

B-2 Zoning Category

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

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

Air conditioner sales, retail store

Altering/repairing of apparel

Animal clinic, ~~no outside operations~~ no outdoor boarding

Appliance repair

Appliance sales, retail store

Assisted Living Facility (CC)

Auto rental — pick up and drop off only (CC) ~~Bicycle repair and sales~~

Bicycle repair and sales

Churches

Club — private (including meeting hall) (CC)

Copy and photostatting shop, dry copy processes only

~~Delicatessen~~

Department store

Electronic equipment repair

Funeral home, (CC)

Fitness services greater than 6,000–2,999 square feet, (CC)

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

~~Miniature golf, indoor only (CC) Officer service facilities, rear loading only, no outside storage~~

Miniature golf, indoor only (CC)

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

Paint and wallpaper store, retail store

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

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

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

Reception hall/meeting facility

Recreational facility, neighborhood only (CC)

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

Rug, carpet and tile store - retail store

Schools over 5,000 square feet

Skating rink, (CC)

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

Tennis, basketball, volleyball, racquetball or handball courts, ~~indoor only~~

Theater — no more than twelve-eight screens or stages (CC)

IV CUMULATIVE CLAUSE

That this ordinance shall be cumulative of all provisions of the City of Shavano Park, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

V SEVERABILITY

That it is hereby declared to be the intention of the City Council of the City of Shavano Park that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

VI PROPER NOTICE AND MEETING

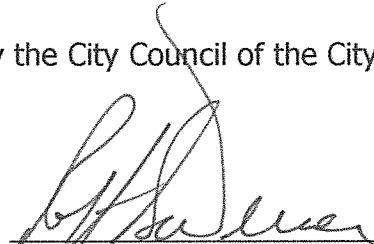
It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government.

VII
EFFECTIVE DATE

This ordinance shall be effective upon passage and publication as required by State and Local law.


PASSED AND APPROVED on the first reading by the City Council of the City of Shavano Park this the 27th day of March, 2017.

PASSED AND APPROVED on the second reading by the City Council of the City of Shavano Park this the 24th day of April, 2017.



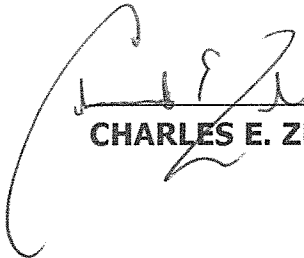
ROBERT WERNER, MAYOR

Attest:



ZINA TEDFORD, City Secretary

Approved as to Form:



CHARLES E. ZECH, City Attorney

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: May 5, 2021

Agenda item: 8

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION:

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

X

Attachments for Reference:

1) 8a Zoning Map vApril 28, 2021

BACKGROUND / HISTORY: The Zoning District Map is required under Section 36-32 of the City of Shavano Park Code of Ordinances:

Sec. 36-32. - Zoning district map.

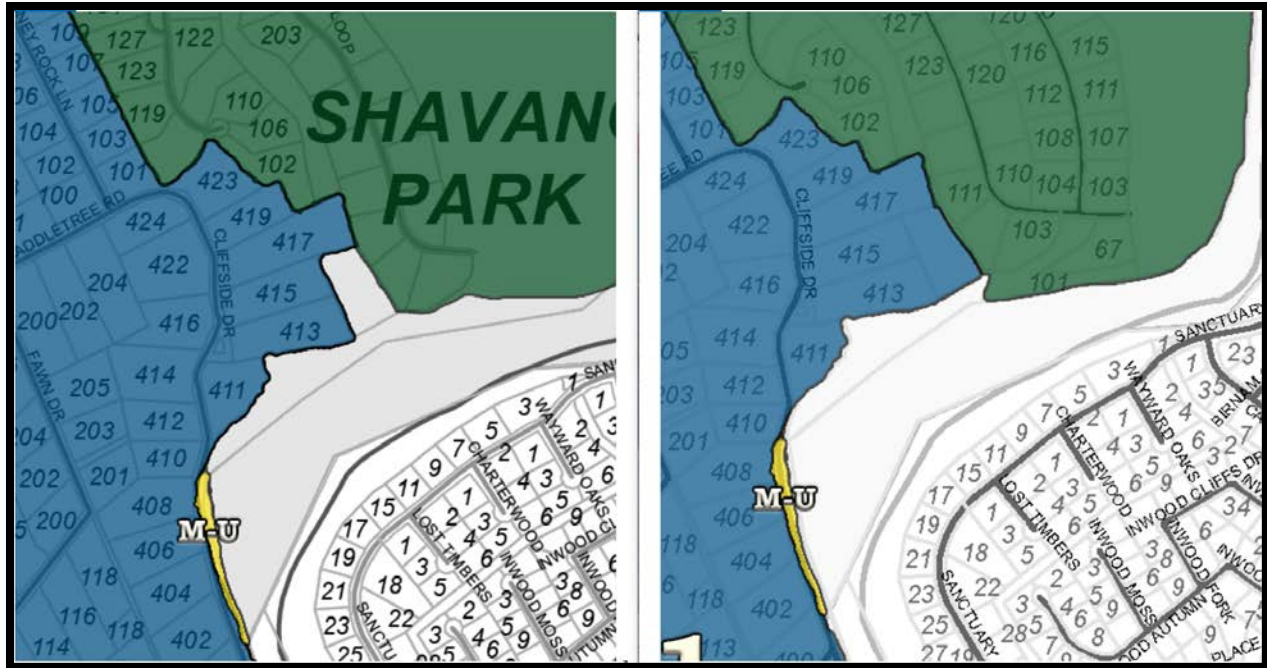
The location and boundaries of each of the districts herein established are shown on the official Zoning District Map, which is hereby incorporated into this chapter. The Zoning District Map, together with all notations, references and other information shown thereon and all amendments thereto, is hereby adopted and approved, incorporated herein and made a part hereof and collectively shall constitute the official Zoning District Map, and shall be as much a part of this chapter as if fully set forth and described herein. The Zoning District Map, properly attested, is on file in the office of the City Secretary.

Staff regularly update the zoning map to reflect rezoning actions and zoning special use permits as approved by the Planning & Zoning and City Council. At times staff will conduct independent research and make map amendments as appropriate.

DISCUSSION: The Zoning District Map previous version is December 10, 2019. Staff in April updated the map for the following reasons:

- Updated the base map of the City to new version provided by Bexar 9-1-1
- Added A-1 zoning designation for a vacant lot between Old Shavano and Huntington
- Updated south-east edge of Huntington to reflect the full extent of the A-1 PUD zoning District

Close-up of the changes in the area between Old Shavano and Huntington:



BEFORE

AFTER

Staff research indicates the vacant lot was land vacated from 413 / 415 Cliffside but not included in the replatted land in a 1960 Vacate & Replat action. As the land is a part of the original 1948 Platted lots of the City staff determined it should be zoned A-1 along with the rest of Old Shavano.

The last lot in the area not designated (thin strip south of 411 / 413 Cliffside) is legally described as CB 4784 P-1N (NON ADJ REMS) and staff believe the lot was never platted or zoned. The only known legal records of the property is from the 1940s era Jacob Klaus Survey 78 and a later deed transfer from Rogers Ranch to Rogers Shavano (included with the rest of the 248 acres of original Old Shavano). Lot not depicted on the original 1948 Plat of the City, unlike the vacant lot to the north. Staff left the lot un-zoned.

COURSES OF ACTION: None requested. Feedback is welcomed.

FINANCIAL IMPACT: N/A

MOTION REQUESTED: None requested.

ZONING MAP - Version April 28, 2021

