

1. **Call to order**

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

PRESENT:

ABSENT:

Konrad Kuykendall

Albert Aleman

Carla Laws

Jason Linahan

William Stipek

Bill Simmons

Kerry Dike

Shawn Fitzpatrick

Damon Perrin

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 Linahan, 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:**

A. Approval – Planning & Zoning Commission minutes, September 4, 2019

Upon a motion made by Commissioner Simmons and a second made by Commissioner Stipek, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the Planning & Zoning Commission September 4, 2019 minutes as presented. The motion carried.

5. **Nomination and appointment of Chairman**

Upon a motion made by Commissioner Dike and a second made by Commissioner Stipek, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to appoint Albert (Buddy) Aleman as Chairman. The motion carried.

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

Upon a motion made by Commissioner Simmons and a second made by Commissioner Stipek, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to appoint Carla Laws as Vice-Chairman. The motion carried.

7. **Discussion – Welcome new members and thanks to departing members and information on open meeting and open records training - Chairman**

Chairman Aleman welcomed all new members and thanked the departing members for their contributions service to the Planning & Zoning Commission.

8. **Discussion / action – Possible approval of Preliminary Plat of Subdivision Plat Napier Park Unit-3 (Planned Unit Development), a 4.0 acre tract of land out of that 289.5 acre tract described in deed to Rogers Shavano Park Unit 18/19, LTD. – City Manager**

Upon a motion made by Commissioner Laws and a second made by Commissioner Linahan, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the Preliminary Plat of Subdivision Plat Napier Park Unit-3 (Planned Unit Development), a 4.0 acre tract of land out of that 289.5 acre tract described in deed to Rogers Shavano Park Unit 18/19, LTD. The motion carried.

9. **Public Hearing – A public hearing to receive comments from members of the public regarding the proposed rezoning of property legally described as County Block 4773A, Lot 1650, Shavano Park Unit-16F (4096 De Zavala Rd) from B-2 Business and Office District to a Planned Unit Development (PUD) zoning district with B-2 Business and Office base district with the following exceptions: Minimum Parking Requirement, Maximum Building Height, Rear Setback Requirement, Side Setback Requirement, Front Landscape Buffer Requirement and Rear Landscape Buffer Requirement**

Public hearing opened at 6:39 p.m.

City Manager Hill presented an overview of the proposed rezoning of property legally described as County Block 4773A, Lot 1650, Shavano Park Unit-16F (4096 De Zavala Rd) from B-2 Business and Office District to a Planned Unit Development (PUD) zoning district with B-2 Business and Office base district with the following exceptions: Minimum Parking Requirement, Maximum Building Height, Rear Setback Requirement, Side Setback Requirement, Front Landscape Buffer Requirement and Rear Landscape Buffer Requirement.

Public hearing closed at 6:45 p.m.

10. **Discussion / action – Possible recommendation to rezone the property legally described as County Block 4773A, Lot 1650, Shavano Park Unit-16F (4096 De Zavala Rd) from B-2 Business and Office District to a Planned Unit Development (PUD) zoning district with B-2 Business and Office base district - City Manager**

Upon a motion made by Commissioner Perrin and a second made by Commissioner Simmons, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve recommendation to rezone the property legally described as County Block 4773A, Lot 1650, Shavano Park Unit-16F (4096 De Zavala Rd) from B-2 Business and Office District to a Planned Unit Development (PUD) zoning district with B-2 Business and Office base district. The motion carried.

11. **Public Hearing – A public hearing to receive comments from members of the public regarding the proposed granting a Special Use Permit to the property legally described as County Block 4773A, Lot 1650, Shavano Park Unit-16F (4096 De Zavala Rd) for an Assisted Living Facility (CC) use in B-2 Business and Office District zoning category**

Public hearing opened at 6:48 p.m.

Public hearing closed at 6:50 p.m.

12. **Discussion / action – Possible recommendation of granting a Special Use Permit to the property legally described as County Block 4773A, Lot 1650, Shavano Park Unit-16F (4096 De Zavala Rd) for an Assisted Living Facility (CC) use in B-2 Business and Office District zoning category- City Manager**

Upon a motion made by Commissioner Laws and a second made by Commissioner Linahan, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve recommendation of granting a Special Use Permit to the property legally described as County Block 4773A, Lot 1650, Shavano Park Unit-16F (4096 De Zavala Rd) for an Assisted Living Facility (CC) use in B-2 Business and Office District zoning category. The motion carried.

13. **Public Hearing – A public hearing to receive comments from members of the public regarding proposed amendments to the City of Shavano Park Code of Ordinances clarifying & establishing definitions for building setback lines, porches, porte cocheres and front yards and establishing that open porches and porte cocheres are allowed to extend from the primary residence into the front setback under certain conditions**

Public hearing opened at 6:51 p.m.

City Manager Hill presented an overview of the proposed amendments to the City of Shavano Park Code of Ordinances clarifying & establishing definitions for building setback lines, porches, porte cocheres and front yards and establishing that open porches and porte cocheres are allowed to extend from the primary residence into the front setback under certain conditions.

Public hearing closed at 6:58 p.m.

14. **Discussion / action – Possible amendments to the City of Shavano Park Code of Ordinances clarifying & establishing definitions for building setback lines, porches, porte cocheres and front yards and establishing that open porches and porte cocheres are allowed to extend from the primary residence into the front setback under certain conditions - City Manager**

Upon a motion made by Commissioner Dike and a second made by Commissioner Simmons, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve proposed amendments to the City of Shavano Park Code of Ordinances clarifying & establishing definitions for building setback lines, porches, porte cocheres and front yards and establishing that open porches and porte cocheres are allowed to extend from the primary residence into the front setback under certain conditions with changes discussed. The motion carried.

15. **Discussion / action – Proposed amendments to Chapter 28 – Subdivisions regarding changes in plat procedures - City Manager**

City Manager Hill discussed the proposed amendments to – Proposed amendments to Chapter 28 – Subdivisions regarding changes in plat procedures as outlined in HB 3167 approved during the 86th Legislative Session.

16. Discussion – Possible amendments to Chapter 24 – Signs regarding banner signs and allowed signage in residential and business zoning districts - City Manager

City Manager provide a brief overview of the upcoming discussion regarding possible amendments to Chapter 24 – Signs regarding banner signs and allowed signage in residential and business zoning districts.

17. 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.

18. Chairman Announcements:

- A. Advise members to contact City staff to add new or old agenda items.
- B. Advise members of pending agenda items, as follows:
 - i. November, 2019 - Review of City Policy #15 Public Information Act update in accordance with new Texas Senate Bill 944
 - ii. November, 2019 – Public Hearing & action item for possible amendments to Chapter 24 – Signs regarding banner signs and allowed signage in residential and business zoning districts.
 - iii. November, 2019 – Public Hearing & action item for proposed rezoning of the commercial property located at the intersection of Huebner Road and Lockhill Selma Road to a PUD and discussion concerning same.
 - iv. November, 2019 – Possible amendments to the City of Shavano Park Code of Ordinances regarding building construction material requirements to comply with H.B. 2439.
 - v. TBD’ed - Amendments to Chapter 36 regarding MXD & PUD site plan approval to comply with the 30-day shot clocks from Texas Legislature
 - vi. February, 2020 – Semiannual presentation by Denton Communities regarding residential and commercial development in Shavano Park and surrounding areas and discussion concerning the same.

19. Adjournment

Upon a motion made by Commissioner Dike and a second made by Commissioner Linahan, the Planning & Zoning Commission voted (8) for and none (0) opposed to adjourn the meeting. The meeting adjourned at 7:52 p.m.

ALBERT ALEMAN
Chairman

ZINA TEDFORD
City Secretary