

THE CITY OF OLMOS PARK
PLANNING AND ZONING COMMISSION
MINUTES OF MEETING HELD
NOVEMBER 5, 2018

The Planning and Zoning Commission for the City of Olmos Park, Texas held a meeting at 5:00 p.m. on Monday, November 5, 2018 at City Hall. Members present were James Griffin, Wade Giddens, William Brooks, Merribell Parsons, Sandra Ryan and Dr. John Hogg. Members that were not present were Dr. Alison Wiesenthal. Administrative staff present was City Manager, Celia Deleon; City Secretary, Diane Gonzales and City Attorney, Molly Solis. Also present was Pat Meier, 140 Stanford Drive.

Chair Griffin called the meeting to order and announced a quorum was present at 5:05 p.m.

Approve minutes from September 26, 2018

Wade Giddens moved to approve the meeting minutes held on September 26, 2018.

William Brooks seconded the motion.

The vote in favor of the motion was unanimous.

Public Hearing to receive public comment regarding an Ordinance adding Article XI - McCullough avenue corridor site development standards to the Code of Ordinances city of Olmos Park, Texas Chapter 40 Zoning for the purpose of creating design and development regulations along the McCullough corridor in the mixed retail commercial district and local retail district; declaring a public purpose; incorporating recitals; providing a repealer and savings clause; providing for a penalty; providing for severability and setting an effective date.

Chair Griffin opened the public hearing at 5:07 p.m.

Pat Meier asked is the statement on variances still included in the ordinance?

Chair Griffin stated yes.

Pat Meier stated the Mayor at the last meeting pointed out that an ordinance stands alone and you don't delegate it to a designee for excessive approximation that the ordinance makes it clear enough and you don't need to interpret it.

Chair Griffin closed the public hearing at 5:08 p.m.

Discuss and take possible action on an Ordinance adding Article XI - McCullough avenue corridor site development standards to the Code of Ordinances city of Olmos Park, Texas Chapter 40 Zoning for the purpose of creating design and development regulations along the McCullough corridor in the mixed retail commercial district and local retail district; declaring a public purpose; incorporating recitals; providing a repealer and savings clause; providing for a penalty; providing for severability and setting an effective date.

Chair Griffin stated we had a color palette committee to help with the paint scheme and the Attorney has two options listed on the ordinance similar to what we have been discussing.

Sandra Ryan stated we tried to minimize the list of colors because there are so many colors that are alike and we ended up with a small list which takes in the various colors and gives two or three options for each color and as far as the whites and pastels we did not restrict that because that is more of a neutral. They thought it might be a good idea to restrict the main part of the building to a very dark color but preferably the building would be in a medium to neutral shade

and accents colors are fine. She stated if a person sells their building they would have to choose within this color palette and if they put the building up for rent and a new tenant comes in and wants to change the color then they will have to choose from the new approved color chart.

Merribell Parsons stated we chose colors that are preferred and have a nice range that meet our standards.

Dr. John Hogg asked what if a building owner decides they want to re-paint and do touch-ups to their buildings?

Molly Solis stated if they are re-painting the entire building then they have to choose the allowable colors only, if they are doing touch up in certain spots paint then they could use the same paint they had before. This ordinance will apply to any new construction or structures painted after the effective date of this ordinance so if they are painting a structure after this ordinance then it applies to them. She stated under the permit code you normally do not need a permit to paint but because you are instituting an ordinance that dictates paint colors that may be used then you will need a permit to paint.

City Manager DeLeon stated we will send post cards to the businesses owners letting them know about this new ordinance.

Pat Meier asked do any other ordinances say you can go to the Board of Adjustments?

City Manager DeLeon stated anything under Chapter 40 can go as variance.

Pat Meier asked do all the ordinances state it?

City Manager DeLeon stated no.

Pat Meier asked why does this ordinance state it?

Chair Griffin stated because we want to make it clear.

Pat Meier stated her concern with the Board of Adjustment is, they do not approve, you go for an appeal and they have hearings for hardships.

Chair Griffin stated it will be like any other process in the code either you meet the code or if you need a variance. He stated the Building Official should have some latitude to decide.

After a lengthy discussion the board agreed to have the City Attorney make the discussed revisions of changing 2b to reduce the percentage to 10%. Under 3a to reduce the percentage to 10% and under 3(a)(i)1 will be taken out and turned into 3b to read that mirrored glass with a reflectance of greater than twenty percent 20% shall be prohibited. Keep option #2 stating the permitted color palette will be kept at City Hall.

Sandra Ryan moved to have the City Attorney make the discussed revisions and send the ordinance to City Council.

William Brooks seconded the motion.

Dr. John Hogg opposes.

The vote in favor of the motion was approved.

Public Hearing to receive public comment regarding an Ordinance amending the Code of Ordinances City of Olmos Park, Texas Chapter 40 Zoning, Article IV. local retail district section 40-112 sidewalks, curbs, curb cuts, driveway entrances; article v. mixed retail commercial district section 40-140 sidewalks, curbs, curb cuts, driveway entrances to regulate the relocation of curbing along McCullough; declaring a public purpose; incorporating recitals; providing a repealer and savings clause; providing for severability and setting an effective date.

Chair Griffin opened the public hearing at 5:38 p.m.

Pat Meier asked is this defining those 3 feet that it would be the curb line?

Chair Griffin stated yes we are requiring the property owners to bring it out.

Chair Griffin closed the public hearing at 5:39 p.m.

Discuss and take possible action on an Ordinance amending the Code of Ordinances City of Olmos Park, Texas Chapter 40 Zoning, Article IV. local retail district section 40-112 sidewalks, curbs, curb cuts, driveway entrances; article v. mixed retail commercial district section 40-140 sidewalks, curbs, curb cuts, driveway entrances to regulate the relocation of curbing along McCullough; declaring a public purpose; incorporating recitals; providing a repealer and savings clause; providing for severability and setting an effective date.

Chair Griffin stated City Attorney Richard Lindner had brought up some concern about some inconsistencies of bringing the curb out in front of one property and not bringing it out on the others until that was triggered and he also has concerns of dangerous effects and liability. He stated EDC is recommending funding enhancement of the first block or two coming from the northern City limits.

Molly Solis stated Richard Lindner's recommendation is to leave in the exclusions under paragraph C under section 40-112 that the board had asked to take out.

Chair Griffin stated if someone is coming in for new construction they will be required to bring the curbs out to where the plans say it should be.

Wade Giddens stated the history is we are trying to create some sort of consistency in a walkable corridor and the curb relative to the property lines is in and out a bit and pulling it out enough to have a six foot sidewalk and a planter area. He stated the striping that is there now represents that and to gain enough space for planters and a wide sidewalk to create that consistent visual.

Chair Griffin stated there isn't any way to have it all done at once so P&Z is approaching from when a property owner has new construction then they have to bring out the curb and EDC is approaching it as support when they have the funds available they will do it.

Wade Giddens stated if we want all this to happen at once we have to lobby the community and obtain the political will to pass a bond.

After a lengthy discussion the board recommended to send the ordinance to City Council.

Wade Giddens moved to send the ordinance to City Council as written.

William Brooks seconded the motion.

The vote in favor of the motion was unanimous.

Discuss future agenda items.

No future pending agenda items.

City Manager DeLeon stated a 2018 Annual Report will need to be developed and sent to City Council at the December meeting.

The next meeting will be Wednesday, January 30th at 5:00 p.m.

There was no other business and the meeting adjourned at 5:58 p.m.

William Brooks
Chair

ATTEST:

Diane Gonzales
City Secretary