

THE CITY OF OLMOS PARK  
PLANNING AND ZONING COMMISSION  
MINUTES OF MEETING HELD  
DECEMBER 7, 2022

The Planning and Zoning Commission for the City of Olmos Park, Texas held a meeting at 5:00 p.m. on Wednesday, December 7, 2022 at City Hall. Members present were Shannon Collins, Paul Covey, Adam Harden, Jim Hyslop, Lorin Runnels and Richard Wolf. Member not present was Hank Cornelius. Administrative staff present was City Manager, Celia DeLeon; and City Secretary, Kyndra Munoz. Also present was City Attorney, Austin Beck; and Deanna Rickabaugh, 302 Luther Drive.

Chair Adam Harden called the meeting to order and announced a quorum was present at 5:00 p.m.

Citizens to be heard: This time is provided for citizens to address the Council on issues and concerns. No action can or will be taken on issues raised under this portion of the meeting. Please state your name and address for the record and limit your remarks to a period not to exceed three minutes.

There were no citizens to be heard.

Approve minutes from September 14, 2022

Jim Hyslop moved to approve the minutes from September 14, 2022.

Paul Covey seconded the motion.

The vote in favor of the motion was unanimous.

Consider and take possible action regarding adoption of a Preliminary Report on a proposed ordinance amending Chapter 40 – Zoning to regulate the installation of certain lighting fixtures along McCullough Avenue.

City Attorney Austin Beck stated when we first considered this ordinance, we had a lengthy discussion which raised a number of issues. The version in your packet has some changes that attempted to address some of those issues. With this particular ordinance, some of these decisions are policy choices in which City Council will have to address those choices.

Jim Hyslop asked do you have an idea of the cost involved for this?

Paul Covey stated the cost for the conduit is negligible as long as you are doing other work on the job. Getting a crew out to do the concrete pedestals themselves with the reinforcing rebar will cost anywhere from \$3,000 to \$4,500 each. I like that you added the business owner may ask for reimbursement into the ordinance. Personally, I consider this to be an extraction. However, I feel this is a negligible additional cost, partially the PVC pipe which is a real cost savings for the future. As long as the City comes back and does their part by installing the light poles themselves, the benefit to the property outweighs the costs.

Jim Hyslop asked this will be for new construction, what about for existing properties?

Austin Beck stated this is part of the overall McCullough beautification standards. They are only triggered when major construction happens that affect the right of way. It will not be imposed on an existing property unless the owners are voluntarily making major renovations.

Jim Hyslop stated that is reasonable. From my vantage point, I do not like to burden the property owner with additional expenses because the City wants to make it beautiful. When you read this ordinance, there is some wiggle language on when funding is available. If the City cannot make a commitment, what are we doing with this?

Austin Beck stated those will be the policy questions City Council will need to discuss.

Paul Covey stated to date, there have been people who have been reimbursed for this by the Economic Development Corporation. I don't imagine there will be any issue with putting these in with or without an ordinance. Although, I would like to see added language that this is subject to amendment by the Building Official. This would add some flexibility to the ordinance because the size of the conduit and specifications can change over time.

Austin Beck stated the City commissions plans from the third-party engineer on how the McCullough corridor will look. Right now, the lighting is not part of that. When this goes to Council, there will be some guidance on how frequently they need to be placed determined by the engineer.

Paul Covey stated rather than guidelines, shouldn't we have something that says certain improvements to include conduits and pedestals will be placed in accordance to a plan that is determined by the City at that time. The Building Official can offer someone who will provide the guidelines at that time. We brought up the issue before of not having a set distance between the lights and it should be in accordance with a future lighting plan. For example, there may be a driveway installed at a certain property where it will not be appropriate to have the lights placed 70 feet apart but rather they would need to be placed 50 feet apart.

Austin Beck stated Ric would ultimately approve the final plans and we did include he would have some discretion. We did try to soften it where it reads: if needed to make something work on a given property, it can be 48 feet instead of 50 feet.

Paul Covey stated we can make it a very broad statement in which it reads there will be conduits and pedestals installed as approved by the Building Official and take out the descriptiveness because it can change over time.

Chair Adam Harden stated we were trying to prevent inconsistency since we have different intervals in which someone might be making a change now, next year or even ten years from now.

Lorin Runnels stated last time we were back and forth on payment for electricity. How did you decide to have the property owner pay for the electricity?

Austin Beck stated I do not know if this is something we can ask for and there is not one solution to this problem. Ultimately, this will be a policy choice for Council as well. No matter which way you go there will be issues. If you have the owner pay and then they abandon the building, you don't want to end up with gaps in your lighting because they aren't paying the bill. By the same token, if the City ties all of these together they will need to create an account and decide how they will pay for this.

Paul Covey stated for the City to pay for these, you would need an electrical drop. Since these are unfortunately being built discontinuously, you would have to do a drop at every single one and this can become unsightly. These are LED lights, once again the cost would be negligible and I would be shocked if there was a property owner that voluntarily wouldn't hook this up to

their electricity. It does come to question whether or not it is right to ask the property owner for this cost.

Shannon Collins asked do we have a response from the retail and business owners regarding this ordinance? Are they aware of the ordinance?

City Manager Celia DeLeon stated we have published this notice in the newspaper, on our website and sent out in our City email blast. We have not received any official responses from the business owners regarding this ordinance.

Paul Covey stated we discussed this with the owners who did the replat and they were more than happy with this. It will not be triggered unless they will be spending hundreds of thousands of dollars for a new building. As a commercial property owner myself, I cannot imagine anyone who would have an objection to a modest cost as long as it will enhance the avenue they are on and their property value.

Austin Beck stated that is the goal of the McCullough Corridor standards, to increase walkability and improve business aesthetics.

Jim Hyslop asked is this ordinance ahead of its time and who decided to move forward?

Austin Beck stated it definitely raises some issues that are precedent nor were we able to locate anything on the requirements. City Council directed the Planning and Zoning Commission to look at this in part because it has already been happening piecemeal. If we can come up with something that is uniform and works for everyone, this would be in line with what the City is already doing with the curb, sidewalks and landscaping.

Shannon Collins asked if this is triggered only when making major improvements to the property, what happens to the businesses that aren't doing any improvements and we have gaps?

Austin Beck stated they are grandfathered in. When the City looked at the McCullough Corridor, they asked, what would you like this to look like if you could raise millions of dollars? However, this was not feasible financially, so the alternative is to do this project by project. Eventually every building will get old enough to where it can't be repaired, when this happens these standards kick in. This was a way for the City to achieve its goals over time.

Chair Adam Harden stated there isn't anything preventing them from stepping up and doing this in the interim if they don't have any planned renovation or construction. It may end up happening they voluntarily do this because they see the gap and want the lighting on their property.

Austin Beck stated it would be helpful to distill your concerns regarding the placement and how the electricity is paid for to City Council. We will include the minutes of both meetings for City Council to review.

Paul Covey moved to adopt a Preliminary Report and approve a proposed ordinance amending Chapter 40 – Zoning to regulate the installation of certain lighting fixtures along McCullough Avenue with the comments and concerns of the Planning and Zoning Commission made at this meeting.

Lorin Runnels seconded the motion.

The vote in favor of the motion was unanimous.

Public hearing regarding agenda item No. 4.

Chair Adam Harden opened the public hearing at 5:25 p.m.

There were no speakers.

Chair Adam Harden closed the public hearing at 5:26 p.m.

Consider/Adopt final report regarding agenda item No. 4.

Paul Covey moved to adopt the preliminary report as the final report with the comments and concerns of the Planning and Zoning Commission made at this meeting.

Shannon Collins seconded the motion.

The vote in favor of the motion was unanimous.

Discuss and review Planning and Zoning Annual report for 2022; take possible action.

Jim Hyslop moved to approve the Planning and Zoning Annual report for 2022.

Paul Covey seconded the motion.

The vote in favor of the motion was unanimous.

Discuss future agenda items.

Adam Harden asked will we have any term expirations this year?

City Secretary Kyndra Munoz stated Jim Hyslop and Hank Cornelius have terms set to expire December 31, 2022 and will not be serving another term. Shannon Collins and Richard Wolf also have terms set to expire December 31, 2022 and have expressed willingness to serve another term.

Set time and date of next meeting.

Celia DeLeon stated we will send out any potential meeting dates.

There was no other business and the meeting adjourned at 5:28 p.m.

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Adam Harden  
Chair

ATTEST:

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Kyndra Munoz  
City Secretary