

CITY OF OLMOS OARK
PLANNING AND ZONING COMMISSION
MINUTES OF MEETING HELD
JULY 31, 2014

The Planning and Zoning Commission for the City of Olmos Park, Texas held a meeting at 5:00 p.m. on Thursday, July 31, 2014 at City Hall. Members present were Patricia Meier, James Griffin, Joseph Johnson, Blair Young, George Williams and Sandra Ryan. Members not able to attend were Wade Giddens. Administrative staff present was Celia DeLeon, City Manager; Diane Gonzales, City Secretary and Jim Raby, Building Official. Also present were City Attorney Ashley White; A.T. Brainerd, 201 E. Mandalay Drive; PSW, Ross Wilson and Councilman Ronald Hornberger 215 Belvidere.

Chairwoman Patricia Meier called the meeting to order and announced a quorum was present at 5:03 p.m.

Approve minutes from July 10 2014 meeting

Review minutes on page 1 no change to substance just clarification to grammar from July 10th meeting on reviewing the development of a new zoning district and Frank Garza's statements.

The City of Olmos Park Planning & Zoning Commission will conduct a public hearing pursuant to the Code of Ordinances, City of Olmos Park, Texas Chapter 40, Art. VI. § 40-162 to consider the development of a new Garden Home zoning district available only for properties currently zoned AD-Apartment District.

Chairwoman Meier stated Mr. Garza has provide to Planning and Zoning a draft ordinance which is based on PSW Special Use Permit standards which would mean any future homes entitled "Garden Homes" would be entitled to follow their setback standards. The concern I have heard is does this mean we can continue to have 30 foot "Garden Homes" as a standard. Patricia Meier gave presented her alternative ordinance which would establish the creation of this new designated district, same statement that Mr. Garza made but with a slightly different set of standards, the rear yard does not change, the side yard set backs on each side would be 5 feet from the building and not the eaves. The front yard would have a depth not less than 30 feet from the property line, and a lot width of a minimum front yard width to the public street would be 45 feet. This is does not impact or penalized PSW because they have an approved Special Use Permit and have negotiated their standards.

City Manager DeLeon stated if PSW eventually decides to do this classification, they will not fit into this classification because you are changing the side yard setbacks and other requirements.

Chairwoman Meier stated they already have a Special Use Permit and that Special Use Permit would give them that exception.

Chairwoman Meier stated our task was to create a district, the draft ordinance that Mr. Garza is proposing mirrors the PSW which means it would be a standard for the apartment district.

James Griffin stated our task was to create a district that applied to the PSW project subject to the Special Use Permit. The zoning district was going to allow PSW to do what they can do now but if they applied for that zoning district it would take away the apartment use. If they

applied for your proposal the City should not grant it because it directly conflicts with what was approved.

Blair Young stated the City approved PSW's Special Use Permit so we have to put something on our books that they can apply for, we said at the last meeting with Mr. Garza that he would write the language that had everything in there that the City Council created, the only stipulation that we added is when you apply for what the City Council created you will also be applying to become a residential district.

Chairwoman stated our concerns were that Mr. Garza talked about district but then he said you could not have a geographical designation, since then I have talked to other people and other lawyers and they do not agree with that, this district would apply to any home or property in the apartment district. Chairwoman Meier stated PSW will apply for the designation they are going to build under.

Chairwoman Meier stated Mr. Garza said even though we list the lots when we create this district using these standards it will apply to the entire apartment district. I don't want to create something that becomes a standard, if we create a "Garden Home" district then PSW is protected. PSW has a Special Use Permit and when they apply and whatever they apply under they are guaranteed their standards. All we were commissioned to do was create a district.

Blair Young stated I think we should table this until we get the City Attorney here.

Ronald Hornberger stated regarding item #5 on the agenda is the properties described the same properties in the Special Use Permit? You are dealing with a multi-family district and a possibility of amending ordinances with the respect to the multi-family district to describe "Garden Home"; we are not dealing with a new district.

Chairwoman Meier stated "yes" they are the same properties.

Chairwoman Meier opened the public hearing at 5:25

Chairwoman Meier stated I believe Olmos Park is a place of diversity and I think PSW has agreed to their specifications on how this is going to look which I believe will be another alternative. I think once PSW homes are in they will be accepted.

Ronald Hornberger stated if the City of Olmos Park adopts a new ordinance that have the requirements listed on your proposal with 45 foot minimum width properties, then someone would not have to come in and ask for this to put in a "Garden Home" and this would not affect in anyway the PSW project. This ordinance would apply to the entire multi-family district. You are amending the ordinance concerning multi-family district to now provide in an addition to a townhome and an apartment.

James Griffin stated you can tailor a zoning district to an area and there are certain ways you can describe it so the ordinance that Mr. Garza drafted is a good start.

Blair Young stated I am very disappointed and this draft ordinance is not what we talked about. We were supposed to have a finished document tonight that we could vote on.

Chairwomen Meier closed the public hearing at 5:35.

A.T. Brainerd stated the process for the City Attorney's is that Planning and Zoning give them direction on what you want to do it's our standards.

James Griffin stated we were trying to adopt something that applied to the PSW project that took away the potential for apartments in the future but it also completely changes the standard that PSW's Special Use Permit was approved from.

Blair Young stated I am not ready to accept a "Garden Home" concept in Olmos Park. The City Council has approved an area to be developed a certain way. We should not put in something like it so that everyone can apply for. PSW attained nothing more than a simple variance. So we need to just create a geographical area just specific to PSW and not extend anywhere else.

Discuss and review the possible development of a new zoning district (Garden Home Zoning District); take possible action

Joseph Johnson moved to approve the proposed draft ordinance and sent it to Mr. Garza for review, then meet back in two weeks prior to the City Council Meeting.

Sandra Ryan seconded the motion.

The vote in favor of the motion was unanimous.

Chairwoman Meier stated we approve the alternate proposed draft ordinance and request to send it to Mr. Garza for his review then we will have to come back in two weeks prior to the City Council meeting and we will have to meet with Mr. Garza and discuss and if that is not going to meet a standard, then he comes with a geographically defined district so that the rest of the apartment district is not impacted by this standard. I would rather have a "Garden Home" standard right now and have it set at 45 feet. Even if we create a district these developers can come in and put more lots together. I want to propose that we pass this by our standards and come back in two weeks. I believe we need an ordinance that reads this is a designated "Garden Home" within the apartment district and this is the standard by drafting an ordinance that establishes a structure or dwelling within the apartment district that goes by these outlined standards.

Receive and consider application for preliminary re-plat by PSW Real Estate. The properties to be re-plated are zoned multi-family and identified as 350 East Olmos Drive (comprised of 350 and 360 East Olmos Drive) County Block, 4038 Block 2, Lots 3-9 & 8' of lot 10; 400 East Olmos (comprised of 400, 446 and 452 East Olmos Drive) County Block 4038, Block2, Lots 11-13 & 17' of 10, County Block 5717, Block 1, Lot West 33' of lot 12; 458 East Olmos Drive, County Block 5717 Block 1, Lots 9-11 and West 37' of 8 and East 27' of 12; take possible action.

Chairwoman Meier stated do you agree that the plat totally reflects what the City Council has approved?

PSW, Ross Wilson stated yes we agree.

City Manager DeLeon stated Jim Raby, our city engineer and myself have reviewed the plat.

James Griffin moved to approve PSW's request to re-plat its properties.

Sandra Ryan seconded motion.

The vote in favor of the motion was unanimous.

Discuss the need to develop a comprehensive plan to assure that the "character" of Olmos Park is sustained as future development is proposed and consider what measures could be taken to accomplish this goal; take possible action. Issue under consideration: Consider the Business/Commercial Corridors currently and as future development within the Business/Commercial corridor district is proposed; specifically consider a review and refinement of all existing ordinances within the commercial district and develop additional ordinances as appropriate. Plan collaboratively with Economic Development Corporation (EDC); take possible action.

Chairwoman Meier stated we need to table this item until next meeting.

Set date and proposed agenda items for next meeting.

City Manager will obtain a quorum to set a special meeting.

Review proposed revision to Sign Ordinance – Real Estate/For Sale signs within the commercial district made at the June P&Z meeting; take possible action

Chairwoman Meier stated under the section temporary signs we restated real estate signs and we did one residential and one designation for commercial real estate signs, we need a motion to amend the temporary signs section and send these amendments before City Council.

James Griffin moved to amend the temporary signs section.

Blair Young seconded motion.

The vote in favor of the motion was unanimous.

Jim Raby, stated please read the definition of temporary signs, you can't list those two signs as sub categories. Does the new revised copy show and allow for two for sales signs on the corner lots in both districts.

Chairwomen Meier stated that is why we are changing it, it should read temporary signs and then next category real estate signs and below real estate signs listed is residential and commercial.

Blair Young stated is the PSW sign out compliance; is there some confusion the way the ordinance is written?

Jim Raby stated PSW will move the sign, I sent them an email and stated the sign needs to be moved back what is now on City property and we allowed them to meet the conditions of residential real estate as far as size and height. The way the sign ordinance is written now there are no provisions to allow any real estate or for sales signs in any zoning district in Olmos Park.

There was no other business and the meeting adjourned at 5:45 p.m.

Adjourn.

Patricia Meier
Chair

ATTEST:

City Secretary