

CITY OF OLMOS OARK
PLANNING AND ZONING COMMISSION
MINUTES OF MEETING HELD
MAY 29, 2014

The Planning and Zoning Commission for the City of Olmos Park, Texas held a meeting at 5:00 p.m. on Thursday, May 29, 2014 at City Hall. Members present were Patricia Meier, Sandra Ryan, George Williams, Ron Michelena, Joseph Johnson and Blair Young. Administrative staff present was Celia M. DeLeon, City Manager and Diane Gonzales, City Secretary. Also present were Kari Englehardt, 330 E. Olmos Drive; A.T. Brainerd, 201 E. Mandalay; Doddie Furr, 302 Clover Leaf; Ronald Hornberger, 215 Belvidere.

Chairwoman Patricia Meier called the meeting to order and announced a quorum was present at 5:00 p.m.

Approve minutes from February 27th 2014 and April 24th 2014 meetings

Sandra Ryan moved to approve the minutes for February 27, 2014 as submitted.

George Williams seconded the motion.

The vote in favor of the motion was unanimous.

Sandra Ryan moved to approve the minutes for April 24th 2014 as submitted.

Blair Young seconded the motion.

The vote in favor of the motion was unanimous.

Chairwoman Patricia Meier announced that Kenyon McDonald has submitted his resignation because he has been elected to City Council.

Receive signage proposal for Special Use Permit for the following properties currently zoned Apartment District: CS 4032 BLK 2 LOT 1&2 Denverside Addition, 330 East Olmos Drive; take possible action.

Chairwoman Patricia Meier gave a brief background, on the April 9th meeting when the Planning and Zoning approved the Special Use Permit with the request that the petitioner come back for approval of the sign. We approved an "office use" and for you to receive clients. Because the Special Use Permit is in a residential district there can be no signage. Blair Young stated because the property is on a corner lot and facing a commercial district that the sign can be placed on the Judson side.

Kari Englehardt stated the sign was not making any sense to be face Judson for multiple reasons. One reason is when people come to see me professionally or delivery services they will not come down Judson, they will come down Olmos Drive. The door that faces Judson goes into the kitchen which I would not want anybody coming through the kitchen door. The only place to hang the sign that makes sense would be to hang it between the two windows. Before I went to City Council I wanted to know what the process is for re-considering the sign with the condition to move the sign from Judson to Olmos Drive. The City Manager recommended that I just make that part of my presentation for City Council to reconsider the signage.

Chairwoman Patricia Meier stated it is not the type of sign, it is the issue of that you have a home office which is in a residential neighborhood and should we grant this we have many

cottage businesses in Olmos Park and each might come for a Special Use Permit and they would want to put up signage.

Kari Englehardt stated my unique property lends itself to a special use.

Chairwoman Patricia Meier stated I hear that your deliveries are an issue, I hear people looking for you for the first time is an issue, and I would suggest that you change the address to Judson so when people are looking for you they turn onto Judson.

Kari Englehardt stated Olmos Drive is a street that everyone knows and that it is part of the value of my house. I will not change my address for real estate values.

A.T. Brainerd stated I was here when Ms. Englehardt came to City Council but this looks like a perfect place for a monument sign. A monument sign is a sign that sits to the ground. It could be on the corner of Judson and Olmos Drive.

Ron Michelena stated I think that is a good solution, you have a very unique property, there are a lot of home based businesses, the monument sign on the corner could be one way we could help you.

Kari Englehardt stated I have existing hedges in the front.

George Williams stated the monument sign could be 32' square feet and could be as high as 6' feet and 3' feet is certainly very practical.

A.T. Brainerd stated this is a special case and her sign would be lower and if anybody in the neighborhood came in and asked for it then they would have to go to the Board of Adjustment or Planning and Zoning and it could be denied and will not work in the neighborhood, however Ms. Englehardt is right on the commercial line.

Councilman Hornberger stated how is her property zoned?

Chairwoman Patricia Meier stated multifamily.

Joseph Johnson stated how attached are you to those boxwood hedges?

Kari Englehardt stated those hedges soften the lot and the appearance and keeping what's always been there. I am trying to create a situation where this little house can be saved instead of being tore down and going multifamily which is what it's zoned for.

Joseph Johnson stated would you be offended if I said all of your shrubs are traffic hazards? The big ones in the back are going to become even more of a traffic problem if traffic is coming out of the alley. We can't see past those shrubs without pulling into the street to peer around them.

Kari Englehardt stated one thing that will help change that is there is going to be a "bulb out" now that will come out so traffic will move 5' feet out so the hedges will not be in the site lines at all since traffic will move 5' feet forward to accommodate PSW's sidewalk.

Chairwoman Patricia Meier stated so there will be a site distance triangle of 32' feet. What if she used the L shaped sign with the shingle hanging rather than on the house and it would face both streets and it would be above the boxwood hedges.

Chairwoman Patricia Meier stated if we can come up with a sign that addresses both streets, then Ms. Englehardt has gotten what she needs and Planning and Zoning has held the line on no signage facing onto residential.

Sandra Ryan stated looking at your drawing, I like your sign I agree if we give into you we have to give into everyone else. I don't like the idea of taking down the hedges, they look great. The monument sign you will lose in the shrubs.

Chairwoman Patricia Meier stated I think the L shaped sign is more fitting than the monument sign on the ground as the L shaped will hang and be supportive.

Kari Englehardt stated my thought was putting the sign off 45' feet from the street it will be discrete but those who were looking for the sign could find it.

Chairwoman Patricia Meier stated It's not a matter of discrete or beauty, let's find a compromise that will honor the ordinance. I hope this opens the door for people who want to come for a home based business with the understanding there is no signage.

George Williams stated I don't have a problem with the sign sitting in the front if it's sitting back near the building. The exception is because the property is adjoining the commercial district.

Blair Young stated where are we talking about putting the signage? Would it be on the Judson corner? Can Ms. Englehardt have the sign running parallel length wise with Olmos Drive or does she have to turn it length wise with Judson?

Chairwoman Patricia Meier stated yes the corner of Judson. I think Ms. Englehardt wants it running parallel with Judson so it can be seen from either side. It would be a 2 sided sign. The sign has to be near your house not on the corner.

Blair Young stated even on for sale signs there is a certain set back. I would not want this to be a lit sign.

Kari Englehardt stated because its 45' feet back and because the road sits higher you will be able to see the sign.

Chairwoman Patricia Meier stated what is unique to this property, it's adjacent to the commercial district, within the multi-family district, it's a corner lot and it has a historic status.

Kari Englehardt stated I am proposing a sign of 36 X 66 that would sit below a window that is bigger than the sign, so there would be 45' feet back.

Chairwoman Patricia Meier stated the sign will be placed 45' feet back from the street and 3' feet off the ground. This Special Use Permit is actually a measure to preserve the integrity of and historical structure of the house.

Chairwoman Patricia Meier stated I think defining a corner which is unique and historic and nobody else could claim that.

Chairwoman Patricia Meier stated we prefer the sign being against the home rather than being on the L shaped or monument sign and our list of criteria that would protect us if someone within residential requests to put up a sign.

George Williams stated are we able to say any home office in a multi-family zoning is precluded from having a sign.

Blair Young stated I believe Ms. Englehardt has a good hardship here and she is trying to preserve the character of the house. We could add some language to limit the signage to two colors.

Kari Englehardt stated she will incorporate discrete landscape lighting that is within the landscaping itself. At night I would like there to be a little more light just for security purposes.

Chairwoman Patricia Meier stated the lighting projecting on the sign is limited to dim landscape lighting.

Chairwomen Patricia Meier summarized the stipulations.

- recognizing a hardship in keeping with the integrity of this historic building.
- characteristics are, it's adjacent to the commercial district corner lot within a multi-family district.
- the sign stipulation must be 45' feet from the street, 3'feet off the ground and limited to no more than 42' inches above the ground and the sign size be 36X66.
- two colors only permitted on the sign.
- lighting projecting the sign should be limited landscape; lighting shall be no more than 20 watts.

Blair Young moved to accept the summarized stipulations for the sign restrictions for 300 E. Olmos Drive.

Ron Michelena seconded the motion.

The vote in favor of the motion was unanimous.

Discuss reform(s) needed to developing 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.

A.T. Brainerd of 201 E. Mandalay Drive stated I would like to talk to you about zoning for commercial/retail and single family.

Chairwoman Patricia Meier stated so there will be no multi-family, legally which we are not guaranteed anything and ordinances can change, would we be running the risk if someone bought a multi-family home and if they could come in and develop a 45' feet tall with a 35' foot ancillary behind it, are there any guarantees that they have lost profitability?

A.T. Brainerd stated I don't believe so because any building in any of that zoning is going to be grandfathered. You increase the value of a lot when it goes from multi-family to single family.

Chairwomen Patricia Meier stated are you referring to all of the apartment districts from Denver down to north Olmos?

A.T. Brainerd stated yes and if somebody got ready to sell the apartment building they could sell it as an apartment building and it could remain as an apartment building, but if it is ever torn down it can't be sold as an apartment building and go back to single family. I think that will eliminate the developers coming in here and identifying two or three apartment houses in a row and saying we will buy all of those and put 35 little buildings in Olmos Park.

Chairwoman Patricia Meier stated I am hearing the only thing we gain is height by making it single family; we already have ordinances on side setbacks, front setbacks and rear setbacks. The ordinances were in place when PSW came in.

Doddie Furr of 302 Clover Leaf stated I live in Alamo Heights but I have 3 apartments here in Olmos Park and I pay \$20,000 a year on taxes on them and they are appraised around \$800,000 and I have tried to fight that issue with the tax office for years. I pay more taxes per building in Olmos Park than Alamo Heights. If the apartment district is turning into a subdivision with 30 foot lots and I don't think that will help any neighborhood. It is all a matter of density. What are the restrictions in Olmos Park is there a 50' or 60' foot lot minimum?

Chairwoman Patricia Meier stated there is no minimum width in Olmos Park there is a setback of 12' feet between homes on side setbacks and 30' feet from the property line from the front setbacks.

Councilman Hornberger stated A.T. is trying to come up with a methodology to try and prevent the city being caught between a rock and a hard place by another developer.

Chairwoman Patricia Meier stated we are looking at two districts which A.T. is proposing, a commercial or retail and single family. What you are talking about does not allow for duplexes. I have done some research with some cities in Texas and the other cities have what is called a mixed residential and within that they talk about duplexes, apartments, condos and describes what we have now. If I came to you and I bought this property and it was in a multi-family and I could have 45' feet and now I want to put in an apartment and I want it to be 45' feet tall and I want all the parameters that went with multi-family.

Councilman Hornberger of 215 Belvidere stated you would have no guarantee that you could tear down your current structure and rebuild another one. Under A.T.'s plan you wouldn't be able to. The concern that you need input on from the City Attorney is whether or not what A.T. is suggesting might subject the city to an inverse condemnation claim for damages.

Chairwoman Patricia Meier stated Planning and Zoning will meet at each meeting and discuss A.T. Brainerd's proposal and what things need to be done. Wade Giddeons will help and Wayne Knutson from EDC will also help. On June 19th the next City Council meeting EDC will give a presentation and I understand their latest design includes the roundabout and a lot of things that will deal with signage. I will meet with Jim Raby and talk about the PSW sign and some abandon signs and some neon light signs.

There was no other business and the meeting adjourned at 6:15 p.m.

Patricia Meier
Chair

ATTEST:

Diane Gonzales
City Secretary