

Village of Salado, Texas
Planning & Zoning Commission
Minutes
Special Called Meeting
5:00 p.m. Thursday, June 7, 2016
Municipal Building, 301 N. Stagecoach Road
Board of Aldermen Chambers

Members Present: Ron Coleman, K.D. Hill, Jim Reed, Merle Stalcup, Larry Wolfe.

Others Present: Kim Foutz, Village Administrator; Chrissy Lee, Planning & Development; John Simcik, P.E., Kasberg, Patrick & Associates; Mary Ann Ray, Village Secretary.

I. Call to Order.

Commission Stalcup called the meeting to order at 1:33 p.m.

1. Consider and take action on the appointment of a Chairman and Vice Chairman.

Commissioner Wolfe made a motion to elect Commissioner Stalcup as Chairman. Commissioner Reed seconded. The motion carried by a 4-0 vote, with Commissioner Stalcup abstaining.

Chairman Stalcup accepted the gavel.

Commissioner Coleman made a motion to elect Commissioner Hill as Vice Chairman. Commissioner Reed seconded. The motion carried by a 4-0 vote, with Commissioner Hill abstaining.

2. Consider approval of the minutes from previous meetings:

- a. April 12, 2016
- b. May 19, 2016

Commissioner Reed made a motion to approve the minutes from the April 12, 2016, and May 19, 2016, meetings. Commissioner Wolfe seconded. The motion carried unanimously.

II. Regular Agenda.

3. Consider and take action on an alteration to a building in the Historic District, including awning and sign design, located at 1 Royal Street (Sugar Shack) as per Section 3.15K2, Permitting Process.

Ms. Lee reviewed the sign request. The applicant is proposing a new dome style awning over the front of the building facing Main Street. The awning will be 51' long by 3' drop by 3' projection. It will be built with an aluminum frame, pink sunbrella fabric, and white acrylic lettering.

There was discussion about whether or not the applicant must consult with representatives of the Salado Historical Society; Ms. Lee explained that the Village's Zoning Ordinance says the applicant is encouraged to consult with the Historical Society.

Commissioner Wolfe made a motion to approve an alteration to a building in the Historic District, including awning and sign design, located at 1 Royal Street (Sugar Shack) as presented. The motion died for lack of a second.

4. Consider and take action on a proposed fence and gate design in the Historic District located at 18 N. Main St. (Mud Pies Pottery) as per Section 3.15K2, Permitting Process.

Ms. Lee reviewed the fence and gate request. The applicant is proposing a new fence and gate to be located at the rear of the property and facing Church Street. The fence and gate will be twenty feet (20') long and eight feet (8') tall. It will be a sliding metal gate made of R-9 material. The applicant is proposing to mitigate the metal look of the gate with painted art work (1st choice) or attached wooded pickets.

Applicant Titia Arledge explained that she would ensure any painting on the gate would blend well with the surrounding environment.

Commissioner Reed made a motion to approve a proposed fence and gate design in the Historic District located at 18 N. Main St. subject to any additions to the fence have a consultation with the Historic Society, who will then have 30 days to make comment regarding any adornment to the fence. Vice Chairman Hill seconded. The motion carried unanimously.

5. Consider and take action on waivers to Sections 3.1C5, Offsite Improvements; Section 3.5, Sidewalks; Section 5.5D, Ramps; and Section 5.9, Perimeter Street Improvements of the Village of Salado Subdivision Ordinance 2009.03 for a construction plat of Mill Creek Springs, Phase VIII, a subdivision in the ETJ.

Administrator Foutz reviewed the request for a waiver to the requirement for sidewalks in the development. She said the following findings must be met to award such a waiver:

“General. Where the Planning & Zoning Commission recommends, and the Board of Aldermen finds, that undue hardships will result from strict compliance with a certain provision(s) of this Ordinance, or where the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve a waiver/suspension from any portion of these regulations so that substantial justice may be done and the public interest is secured, provided that the waiver/suspension shall not have the effect of nullifying the intent and purpose of these regulations, and further

provided that the Board of Aldermen shall not approve a waiver/suspension unless it shall make findings based upon the evidence presented to it in each specific case that:

1. Granting the waiver/suspension will not be detrimental to the public safety, health or welfare, and will not be injurious to other property or to the owners of other property, and the waiver/suspension will not prevent the orderly subdivision of other property in the vicinity;
2. The conditions upon which the request for a waiver/suspension is based are unique to the property for which the waiver/suspension is sought, and are not applicable generally to other property;
3. Because of the particular physical surroundings, shape and/or topographical conditions of the specific property involved, a particular hardship to the property owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;
4. The waiver/suspension will not in any manner vary the provisions of the Zoning Ordinance or Comprehensive Plan or any other adopted plan(s) or ordinance(s) of the Village;
5. An alternate design will generally achieve the same result or intent as the standards and regulations prescribed herein.

Such findings of the Board of Aldermen, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Board of Aldermen meeting at which a waiver/suspension is considered. A waiver/suspension from any provision of this Ordinance may be granted only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety and welfare may be secured and substantial justice done. Pecuniary hardship to the property owner or developer, standing alone, shall not be deemed to constitute undue hardship.”

Chairman Stalcup requested that each waiver be voted upon separately.

Section 3.5: Sidewalks

Commissioner Wolfe made a motion to recommend the waiver to the requirement for sidewalks as presented. Vice-Chairman Hill seconded. The motion carried unanimously.

Section 3.1C5, Offsite Improvements

Commissioner Wolfe made a motion to recommend the waiver to the requirements for street and thoroughfares as presented. The motion died for lack of a second.

Section 5.5, Ramps

Vice Chairman Hill made a motion to recommend the waiver for ramps as presented. Commissioner Reed seconded. The motion carried unanimously.

Section 5.9, Perimeter Street Improvements

Commissioner Wolfe made a motion to recommend the waiver for perimeter street improvements as presented. The motion died for lack of a second.

6. PUBLIC HEARING -- Hold a public hearing and consider a recommendation on rezoning of 12.98+/- acres to PD-MU (Planned Development Mixed Use, PDD #1), generally located at the intersection of Royal Street and Tablerock Road and commonly known as Tablerock.

Ms. Lee explained that this Planned Use Development had been proposed in 2003 but no records could be located to show that the measure was fully adopted by the Village. After conferring with the Village attorney, it was decided to adopt the full PDD at this time. All appropriate actions were taken: 200-foot notices were mailed out, the required notice was published in the newspaper, and responses were received. Twenty-nine notices were mailed: four denials and four approvals were received, and one denial was received in the form of a telephone call.

Chairman Stalcup opened the public hearing at 2:30 p.m.

Maurice Striegler, 901 Salado Oaks Drive, addressed his concerns that his street would be opened as a thoroughfare to the property in question.

After calling twice more for speakers, Chairman Stalcup closed the public hearing at 2:35 p.m.

Commissioner Reed made a motion to recommend approval of the rezoning of 12.98+/- acres to PD-MU as presented. Commissioner Wolfe seconded. The motion carried unanimously.

7. Hold a public hearing and consider a recommendation on a re-plat of Terra Bella Phase III, a 24.33 +/- acre subdivision in the ETJ located ½ mile north of the corner of Armstrong Road & Sulphur Wells Road.

Ms. Lee reported that this item has been removed from the agenda at the request of the developer.

8. Presentation, public hearing, and recommendation on an Ordinance of the Village of Salado, Texas, amending the Subdivision Ordinance, revising Section 3.1, Streets, Cul-de-Sac Length; revising Section 4.2, Protection of Drainage and Creek Areas; revising Section 3.5, Sidewalks; revising Section 2.9, Amending Plats; delegating certain approval authority to the Planning and Zoning Commission; delegating certain approval authority to the Mayor/Village Administrator; revising Section 1.13, Definitions; revising Section 2.2, Submission Materials and Completeness of Application; revising Section 3.1, General Adequacy of Streets Policy; and revising Section 2.9, Amending Plats.

Ms. Foutz reviewed the amendments and explained that their purpose is to streamline the applications process and eliminate numerous appearances before the Planning & Zoning Commission and the Board of Aldermen. She showed a PowerPoint presentation outlining the changes. At 2:56 p.m., Commissioner Wolfe removed himself from the panel because of Section 4.2, Protection of Drainage and Creek Areas. There was lengthy discussion about the recommended changes.

Commissioner Reed made a motion to recommend the ordinance to amend the Subdivision Ordinance.

Administrator Foutz said that Commissioner Wolfe did not need to excuse himself from the entire item, only Section 4.2. Commissioner Wolfe rejoined the Commission on the dais.

Commissioner Reed revised his motion to recommend all amendments in the ordinance except the amendment for Section 4.2. Commissioner Wolfe seconded. The motion carried unanimously.

Commissioner Wolfe excused himself from the panel at 2:58 p.m.

Commissioner Reed made a motion to recommend the amendment to Section 4.2. The motion died for lack of a second.

Chairman Stalcup closed the Regular Session at 3:01 p.m.

III. Workshop Session.

9. Discussion regarding update of the Future Land Use Plan.

The Workshop was tabled and the Regular Session reopened at 3:09 p.m.

IV. Regular Session.

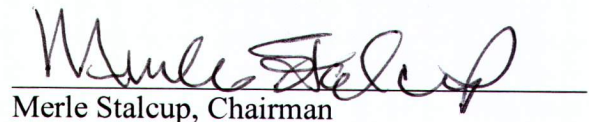
There was additional discussion about Section 4.2.

Vice-Chairman Hill made a motion to recommend the amendment to Section 4.2 as presented. Commissioner Coleman seconded. The motion carried by a 4-0 vote (Commissioner Wolfe abstaining).

V. Adjourn.

Commissioner Reed made a motion to postpone the Workshop to a later date. Commissioner Wolfe seconded. The motion carried unanimously and the meeting was adjourned at 3:25 p.m.


Mary Ann Ray, Village Secretary


Merle Stalcup, Chairman