

**MINUTES OF A PUBLIC MEETING
OF THE CITY OF BUNKER HILL VILLAGE
PLANNING AND ZONING COMMISSION
THURSDAY, MARCH 7, 2019 AT 8:00 A.M.**

I. CALL TO ORDER

Chairman Bill Purifoy called the Planning and Zoning Commission Meeting to order at 8:02 a.m. based on a quorum of members present:

Present:

William Purifoy, Chairman
Catherine Wile, Vice Chair
Jack Christiansen
Bill Going
John Gillette
Monica Muschalik

Absent:

Jean Krivan

Also in Attendance:

Councilmember Robert Lord, P&Z Liaison
Loren Smith, City Attorney
Steve Smith, Dir of Public Works/Bldg Official
Karen Glynn, City Administrator

II. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF THE JUNE 26, 2018 MINUTES

A motion was made by John Gillette to approve the minutes for June 26, 2018 as corrected to show that Catherine Wile presided at the meeting as Vice Chair. The motion was seconded by Catherine Wile.

The motion carried 6-0

III. CONSIDERATION AND POSSIBLE ACTION ON A RECOMMENDATION TO THE CITY COUNCIL TO APPROVE A CONSENT TO ENCROACH AGREEMENT FOR THE PROPERTY AT 719 OURLANE CIRCLE IN THE CITY OF BUNKER HILL VILLAGE

Steve Smith, Director of Public Works/ Building Official presented this item.

Mr. Smith explained that the property at 719 Ourlane Circle has gone through the City's process for a major remodel. During the process, the builder found that the house encroached into the front yard setback. As a result, the encroachment was eliminated as part of the remodel design. Once completed, the City requests a follow up survey be provided. When the follow up survey was submitted, the builder identified an additional encroachment on the other side that did not show during the first survey. The City worked with the builder to use an additional surveyor and both found a 6 inch encroachment. Previous surveys of the property did not show this encroachment. In addition, the builder noted that the property owner would have ensured this was resolved as the other encroachment was resolved.

In discussion with the builder and the surveyors, the most recent surveys show that different tie points were used. Further review found that the tie points vary approximately 1 foot which resulted in this encroachment.

The City has reviewed the information and is recommending an Encroachment Agreement whereby the City acknowledges the encroachment into the front yard setback. Wording in the agreement specifies that the encroachment exists; however, it is now considered as “in kind, same kind” and there shall be no expansion of the structure as detailed in the City’s development code.

Staff and the City Attorney have discussed this item and recommend the consent to encroach agreement.

The Commission discussed this situation and the “art of survey” resulting in this dilemma. It was the consensus of the discussion that the applicant has worked diligently to comply and would have complied had the previous survey shown the encroachment.

Catherine Wile noted that she would abstain because of a conflict of interest as she is related to the property owner.

A motion was made by John Gillette to approve a recommendation to the City Council to approve a consent to encroach agreement for the property at 719 Ourlane Circle in the City of Bunker Hill Village. The motion was seconded by Monica Muschalik.

The motion carried 5 – 0.

IV. REVIEW AND DISCUSSION ON A REQUEST BY MEMORIAL DRIVE PRESBYTERIAN CHURCH TO AMEND THE CURRENT SPECIFIC USE PERMIT TO INSTALL TEMPORARY BUILDINGS ON THE CHURCH SITE

Steve Smith, Director of Public Works/ Building Official presented this item.

Mr. Smith explained that the Memorial Drive Presbyterian Church is located at 11612 Memorial Drive and has operated under a “specific use permit” for many years. The SUP outlines a detailed site plan and specific conditions. The latest amendment was approved in 2013 when the Church added a Columbarium to their site.

The Church has submitted an application for adding a temporary building to their site within the existing paved area on the southern side of the property. The temporary building is proposed for a maximum timeframe of five (5) years.

A proposed change to the site plan would trigger the Specific Use Permit (SUP) Process which requires a recommendation by the Planning and Zoning Commission and approval by City Council.

The Church agreed to present this to the Planning and Zoning Commission as a review and discussion item to ensure all concerns and details of the Commission could be addressed before moving forward with the SUP Process.

Mr. Smith shared the proposed site plan and noted that the proposed side yard setback does not meet the minimum setback for non-residential development; however, the SUP process may allow for modifications to the City’s requirements.

The Commission discussed the proposal and agreed that the Church should meet the required setbacks since this is a non-residential use adjacent to residential development.

No formal action was taken on this item. Mr. Smith will share the discussion and consensus with the applicant.

V. REVIEW AND DISCUSSION TO DEVELOP REGULATIONS GOVERNING THE REGISTRATION AND MAINTENANCE OF UNOCCUPIED HOUSES AND VACANT LOTS WITHIN THE CITY AS REQUESTED BY THE CITY COUNCIL

Steve Smith, Director of Public Works/ Building Official presented this item.

Mr. Smith explained that staff continues to get complaints about various vacant houses and lots in the City. There are currently 4 houses and 3 lots that have been problematic and have been targeted for continuous code enforcement focus that include high grass, vandalism, and ongoing complaints from surrounding property owners.

Staff has reviewed opportunities to address these concerns and found a city outside of Texas has implemented a vacant house ordinance whereby vacant houses must be registered with the City and assessed a fee. In addition, the City of San Antonio has adopted an ordinance for vacant structures in their historic district.

Staff presented this to City Council at their November 2018 Meeting. The Council agreed that an ordinance could be helpful in these situations and recommended staff work with the Planning and Zoning Commission in 2019 to review opportunities to address these concerns and make a recommendation back to the City Council.

The Commission discussed a draft outline for a vacant property ordinance. Discussion included the definition for “vacant.” However, regardless of the definition, the consensus of the Commission was to ensure a registration process whereby the City would have accurate information for the ability to contact the property owner for maintenance and code enforcement needs. It was also suggested that if this is a structure, that the property be put on the Police Department House Watch Program. In addition, there was discussion regarding a penalty for not registering the property.

No formal action was taken. Staff will continue to develop the ordinance and review with the Commission at a future meeting.

VI. UPDATE ON ACTIVITIES – *Karen Glynn, City Administrator*

Karen Glynn outlined a few activities for the Commission:

- The next meeting was tentatively set for April 11, 2019 at 8:00 if applicants/items would be ready for discussion.

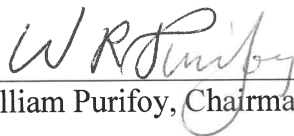
- The State of the City will be held on Tuesday, March 19th at 5:00 at the Regular Council Meeting.
- The Regional Drainage Project is wrapping up punch list items.
- The next construction project will be Warrenton, Kilts and Valley Star pavement, drainage and water line. The project is going out for bids.
- Roadway/Pavement Repairs are planned for Bunker Hill Road, Memorial, Forest Glen, and other point repairs city-wide.
- Please check your vline and the City's website for updates on the Fire / EMS Services.
- The City Council Election is May 4, 2019. The position of Mayor is contested.
 - Early Voting begins April 22
 - A Candidate Forum is being set for April 9th

VII. ADJOURN

A motion to adjourn was made by John Gillette and seconded by Catherine Wile.

The meeting closed at 9:48 a.m.

Approved and accepted on July 15, 2019.



William Purifoy, Chairman - Planning and Zoning Commission

Attest:



Britique Williams, City Secretary