

CITY OF SAINT HEDWIG

APPROVED MINUTES

P&Z Meeting July 28, 2020:

Meeting called to order @ 7:00pm

Roll Call:

Commissioner Jones – Present via teleconference
Commissioner Polasek – Present
Commissioner Robinette – Present
Commissioner Maddox – Present
Code Compliance Officer Fornof – Present via teleconference
Secretary Schaefer – Present
Quorum established

Reading and approval of minutes:

Commissioner Maddox motioned to accept the June 30th, 2020 minutes as written. Commissioner Robinette second motion. June 30th, 2020 minutes approved, all in favor. Commissioner Polasek questioned the word “grandfathered”, term we have been using, would like to make sure we are using the term correctly and/or if we should be using the word “out of compliance” instead.

Update of Code Compliance Old/New Business:

Code Compliance Officer Fornof has had one request for variance for Board of Adjustments to build a home, Code Compliance Officer is working on all the details regarding this because it will need to be a GoToMeeting which will be a first for the property owner and for The Board of Adjustments. Commissioner Polasek asked if this request was in the 5 acre zoned area which Code Compliance Officer Fornof replied yes. The property is a 3 acre piece of property that was inherited. Commissioner Jones asked when this particular property was subdivided and CCO Fornof replied that it was within the last couple of years, after the Zoning Ordinance took effect. Commissioner Jones asked where this piece of property was located, Code Compliance Officer Fornof replied it was part of the Rice property. Code Compliance Officer Fornof not able to provide the street name/address for this piece of property at the time of the meeting but did state that she has had several request in the past in regards to dividing this property. Board of Adjustment meeting has not been scheduled yet. Commissioner Robinette asked if this piece of property is located in the 2.5 acre part of the future land map and Code Compliance Officer replied No, unfortunately it was not. This is a fairly large parcel owned by the Rice Estate. This particular property is an original plantation that helped form this city. Commissioner Mais addressed Commissioner Polasek’s concern about using the term “grandfathered”, wanted to know if Code Compliance Officer Fornof had any updates or insight if we are using this term correctly and/or if we should be using the word “out of compliance” instead. Code Compliance Officer replied she wasn’t sure if there was a better term, this is the term that has always been used.

Citizens to be Heard:

Jody Carroll, located at 13807 Spire View in St. Hedwig spoke. Ms. Carroll spoke in regards to the land on Pittman Road that was up for rezoning. She and her family have lived here for over 25 years. She was encouraged to go and look at the City Planning Map and the Future Land Map as the city had which they voted on. When they did that they looked at it in

regards to protecting their property value and they paid extra attention to the Future Land Use part of the map and she attended the Public Meeting Hearing but did not speak when the Council asked for Citizens to Be Heard. Ms. Carroll let her neighbor(s) speak, she felt she would just be saying the same thing because they were in agreement with letting them rezone that piece of property on Pittman Rd., however now she feels that was her mistake. Ms. Carroll wished to commend the Planning and Zoning Committee to uphold the Future Land Use Map and she questioned why the City Council did not accept and go forward with our ruling. Ms. Carroll stated that so often people that come and speak at these Public Hearing Meetings don't live near the properties that are in question. This particular piece of property on Pittman Rd., according to Ms. Carroll is right outside her back door, where she looks at everyday. The people that spoke against this ruling don't live anywhere near this piece of property according to Ms. Carroll, now she will see the affects of it. Ms. Carroll's last point was the people that seemed to objectionable to the number of cars that it would bring in if this area was rezoned into smaller parcels, however it really doesn't matter if we rezone into 5 acre, 10 acre, etc. because we can't stop the increase of traffic on these roads with the new subdivisions that are popping up around and outside of our city. So now the citizens of St. Hedwig will have to cover the cost of the repairs of the roads that others get to have the use, versus spreading that cost if the City Council had approved the rezoning of Pittman Rd. Again Ms. Carroll stated she liked to thank the Planning and Zoning for upholding the Future Land Use Map, it would have protected her future and was sorry again that the City Council did not back the Planning and Zoning Committee up. Commissioner Mais thanked Ms. Carroll for her comment.

Old Business:

1. Zoning Ordinance Review – Follow up with City Attorney. Discuss and take action.

No update from Code Compliance Officer Fornof, no word on any update(s) from the City Attorney – Commissioner Polasek asked that we put this on the agenda for the next meeting.

2. Subdivision Ordinance Review – Update from Ed McNew, Commissioner Polasek and Code Compliance

Officer Fornof. Discuss and take action.

Ed McNew not present for meeting. Commissioner Polasek spoke in absence of Code Compliance Officer, they did have one meeting and was a very informative meeting with information starting to flow in, especially about the auto approval after the 30 day submittal of a zoning change. Topics that were touched on were having conference meetings before applications are being accepted, there are various inspections that have to be done before and after applications are accepted. Commissioner Polasek hit on just the highlights from their first meeting in absence of Code Compliance Officer Fornof. Commissioner Polasek stated Code Compliance Officer Fornof is/would be the expert on these types of things. Commissioner Polasek stated again the meeting was very information and looks forward to making progress on this, unfortunately the second meeting had to be canceled due to extenuating circumstances. Commissioner Polasek asked that we place this item on the agenda for next meeting as well.

3. Signage on Rezoning Ordinance – get with City Attorney for guidance. Discuss and take action.

Commissioner Polasek brought for talking points a review of what we have talked about when this topic was originally brought up, handout was given to each Commissioner that was present (will be emailed to Code Compliance Officer Fornof). Commissioner Polasek stated we have been discussing making signage for a rezoning application and to do that affects (2) things:

Sign Ordinance: in accordance with sign ordinance, to include but not limited to: sign size, material, placement, etc.

Planning and Zoning Ordinance: to be a part of XVII:B – Procedure to include authorized signage paid by applicant to be outlined in fee schedule, deadline for posting by city/applicant at least 16 days before the date of the public hearing. No sign, no hearing. Sign removal would occur once City Council adopts/denies application.

Each sign would cost approximately \$20 per sign per Texas Signs in La Vernia. The cost for the wire stand is \$4. Commissioner Polasek confirmed with Commissioner Robinette that it had been discussed prior to having these signs be produced in bulk as generic signs – write the necessary information on them each time. Total cost for each sign with the wire stand would be approximately \$25 per sign. Sign would be picked up at City Hall. The sign wording can range from very specific to very generic. The sign wording could be determined by Planning and Zoning and Code Compliance as to what deemed necessary.

Generic Sign – has the potential opportunity to be used again. The wording would refer citizens to the web site where the very specific information would be posted, or to the City Email/Phone information. That would mean at the same time public notice is effective there would need to be a specific description on the web site for citizens to review.

Specific Sign - would indicate the change from current zoning to requested zoning, number of acres, address and City Hall contact information. Even these signs have potential for reuse using a patch over the previous information.

Commissioner Polasek stated she was more in favor the specific sign since not everyone may have access to Internet. Commissioner Polasek stated that most cities require signage be posted on the property and in same timing process as the first public notification and public hearing. Expense for the sign, posting and removal of the signage would be that of the requestor(s)/applicant. Commissioner Polasek included on the handout an Excerpt from Corpus Christi Planning and Zoning Ordinance regarding Zoning Notice Signs. Corpus Christi's Ordinance is very specific including the amount of street frontage that is required per sign. Commissioner Polasek also reached out to Cibolo and Schertz and researched through Schertz Planning and Zoning Ordinance, which was only 58 pages long, and was not able to find anything online but is awaiting a call from them. Commissioner Polasek did receive a call back from Cibolo and was informed that they do require signage in their city if someone does request rezoning. Commissioner Polasek stated that on the back of the handout she gave everyone there are examples of the signs for the rezoning that the City of San Antonio currently uses. Commissioner Polasek stated she was putting this out there for discussion again and see where we go from there. Commissioner Maddox asked about whether or not the City Attorney ever got back to us in regards to Sub Division Ordinance. No one had heard anything from the City Attorney. Commissioner Polasek asked Commissioner Mais if he had submitted/requested this be sent to the City Attorney which he replied he has not done this yet. CCO Fornof stated we would put this in our Sign Ordinance which she stated we would get to next. Commissioner Polasek asked CCO Fornof if this had to be in the Planning and Zoning Ordinance as well as a procedure? CCO Fornof stated we could, we would just state the date that the sign would have to be up and how long it would have to be up, we could do that. Commissioner Polasek stated she was pretty adamant about having this in the Planning and Zoning Ordinance as well. CCO Fornof stated ok, then we would need to provide language of what we are wanting to the City Attorney and have them put it in at this point. CCO Fornof stated we would have to get public comment on this topic before we can add into our ordinances. Commissioner Polasek asked if we had time to get this pushed through to the City Attorney now since the Planning and Zoning Ordinance is still currently being reviewed by the City Attorney and CCO Fornof stated yes we could make that happen. CCO Fornof stated she has a preview of the concerns from legal but not the full document so we can discuss it at the next meeting. Commissioner Polasek will email over the handout regarding the wording/verbiage of the signage and where this would be inserted into the Planning and Zoning Ordinance to CCO Fornof as stated so she can make sure it gets inserted into the correct area of the ordinance and will have the City Attorney review. Commissioner Jones wanted to thank Commissioner Polasek for all of her hard work on this subject. Commissioner Mais agreed and thanked Commissioner Polasek as well. Commissioner Polasek asked if we should decide whether we would make this responsibility the applicant's responsibility and/or the city's responsibility in regards to putting the sign in place. CCO Fornof stated she thought based upon previous conversations that we had talked about buying the signs and rolling the cost of the sign into the fee of the application for the rezoning request, which Commissioner Polasek confirmed. CCO Fornof stated she would prefer the applicant place the sign personally. CCO Fornof asked what do we do if the applicant doesn't want to put the sign out? Commissioner Polasek stated based upon other ordinances she has read is if the applicant does not place the sign then there would be no hearing scheduled = no sign, no hearing. CCO Fornof stated that was good, no sign up means further delay, that answered her question/concern. Commissioner Mais asked if

there was a motion to accept the Signage for Rezoning, Commissioner Robinette asked if we should get the wording/verbiage correct with the City Attorney first? Commissioner Robinette feels we should get the wording correct and that would also include the notice about the applicant being responsible for the cost of the signage and would also include that the applicant would be responsible for placing the sign. Commissioner Polasek and CCO Fornof were in agreeance and Commissioner Polasek also stated that if use Corpus Christi's Zoning Notice Signs as our example then multiple sign(s) may be needed for one property based upon the square footage of street frontage. CCO Fornof stated our current Sign Ordinance limits one real estate sign per property on the road facing, if there are 2 roads then they would be allowed one sign per street facing. CCO Fornof stated we would just need to add a line item for "Additional Signs" and we would just add the \$25 fee into the application fee plus have a fee for any additional sign(s) that may be needed.

New Business:

None

Agenda for next meeting:

Old Business:

1. Zoning Ordinance Revision – Follow up with City Attorney. Discuss and take action.
2. Subdivision Ordinance Revision – Update from Ed McNew, Commissioner Polasek and Code Compliance Officer Fornof. Discuss and take action.
3. Signage on Rezoning Ordinance – Update from Code Compliance Officer Fornof. Discuss and take action.

New Business:

Nothing to add at this time

Next Meeting:

Tuesday, August 18th, 2020 @ 7:00pm via teleconference/GoToMeeting. Mayor Grimm has made it clear that due to the current situation with COVID we need to take every precaution to stay safe and have next meeting as a virtual meeting. The same will go with City Council as well. Commissioner Jones stated that he feels if we stick with this GoToMeeting format we will be ok, we are all getting a little better at it, the main thing if we are doing it on the phone versus the web we must make sure to mute our phone(s) unless we are speaking otherwise we get all the crazy echo situation that goes on. Commissioner Jones stated if we can get the help from the Mayor to do another GoToMeeting versus just the phone in that would be great, they are more versatile.

Announcements:

Commissioner Polasek stated she wanted to publicly commend Secretary Schaefer for the great job she is doing with keeping all of our information straight and for jumping in and doing a great job, she greatly appreciates it. Commissioner Mais stated that was a good point, CCO Fornof agreed.

Adjourn Meeting:

Commissioner Mais adjourned meeting @ 7:47pm

