NOTICE OF MEETING
PLANNING & ZONING COMMISSION
OF MARBLE FALLS, TEXAS
Thursday, July 7, 2016 – 6:00 PM

A quorum of the Marble Falls City Council and the Economic Development Corporation may be present

Fred Zagst, *Vice-Chairman*	Steve Reitz,	Mike Hodge, *City Manager*
Dee Haddock, *Commissioner*	*Chairman*	Caleb Kraenzel, *Assistant City Manager*
Thomas E. Barr, *Commissioner*		Elizabeth Yeh, *City Planner*
Darlene Oostermeyer, *Commissioner*		Chelsea Seiter-Weatherford, *GIS Analyst*
Greg Mills, *Commissioner*		Scarlet Contreras, *Commission Secretary*
Jason Coleman, *Commissioner*		Patty Akers, *City Attorney*

The City of Marble Falls Planning & Zoning Commission will meet on **Thursday, July 7, 2016,** in **regular session at 6:00 p.m.** in the City Council Chambers at 800 Third Street, Marble Falls, Texas.

The agenda listed below is distributed to the Chair, Commission members, and the Marble Falls Public Library no later than the Monday preceding the Commission meeting. The agenda is also posted on the City's website: www.marblefallstx.gov

1. **CALL TO ORDER AND ANNOUNCE PRESENCE OF QUORUM**

2. **Citizen/Visitor Comments to be heard for items not on the agenda:** This is an opportunity for citizens to address the Planning and Zoning Commission concerning an issue of community interest that is not on the agenda. Comments on a specific agenda item must be made when the agenda item comes before the Commission. The Chair may place a time limit on all comments. Any deliberation of an issue raised during Citizen Comments is limited to a proposal to place it on the agenda for a later meeting.

3. **REGULAR AGENDA:** The Commission will individually consider and possibly take action on any or all of the following items:

   A. **Approval of Minutes:** Minutes from the regular meeting on June 2, 2016. *(Scarlet Contreras, Commission Secretary)*

   B. **Discussion and Action:** Regarding variance requests to Subsection B.5 of Section 20-7 Detached Signs, Chapter 20 Sign Regulations, City of Marble Falls Code of Ordinances, to allow for a monument sign to be relocated and placed at a zero setback on Lot 1, Block 1, Gateway Park Section One, City of Marble Falls, Burnet County, Texas, municipally addressed as 302 Gateway North. Case 2016-19-SV. *(Cross Creek Retail Partners LTD, applicant and owner)*

C. **Presentation and Discussion:** Previous Planning and Zoning Commission items, City Council Disposition and update regarding future planning projects. *(Commission)*

1. P&Z Comprehensive Plan Prioritization Exercise Results and Analysis
2. Scenic City Certification
3. Tree Preservation and Protection Ordinance Action Update
4. Capital Improvement Plan Committee Discussion
5. Joint Workshop with City Council on August 2, 2016

D. **Presentation and Discussion:** Monthly Building Permit Summary; Construction Update. *(City Staff)*

4. ADJOURNMENT

"The Planning & Zoning Commission reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including but not limited to, Sections: 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues), and as authorized by the Texas Tax Code including but not limited to, Section 321.3022 (Sales Tax Information)."

In compliance with the Americans for Disabilities Act, the City of Marble Falls will provide for reasonable accommodations for persons attending the Commission Meetings. To better serve you, requests should be received 24 hours prior to the meeting, by contacting Ms. Christina McDonald, City Secretary, at 830-693-3615.

Certificate of Posting Agenda Meeting Notice

I, Elizabeth Yeh, City Planner for the City of Marble Falls, Texas, certify this Meeting Notice was posted at the Marble Falls City Hall in a place readily accessible to the general public, on the 1st day of July, 2016, at 5:00 p.m., posted thereafter for at least 72 continuous hours before the scheduled time of said meeting.

The agenda is also posted on the City's web site: www.marblefallstx.gov.

Elizabeth Yeh, City Planner

City of Marble Falls
Planning and Zoning Commission Agenda Cover Memo
July 7, 2016

To: Chairman and Planning & Zoning Commission
Item 3. A. **Approval of Minutes**
Requested by: Scarlet Contreras, Commission Secretary

SYNOPSIS

Commission will consider approval of the minutes from the regular meeting on June 2, 2016.

(*Minutes attachment following this page*)

STATE OF TEXAS
COUNTY OF BURNET
CITY OF MARBLE FALLS

On this 2nd day of June, 2016 the Planning and Zoning Commission convened at the regular meeting place having been posted as prescribed by law, with the following members present in accordance to-wit:

MEMBERS PRESENT:	Steve Reitz	Chairman
	Fred Zagst	Vice-Chairman
	Darlene Oostermeyer	Commissioner
	Jason Coleman	Commissioner
	Greg Mills	Commissioner
MEMBERS ABSENT:	Dee Haddock	Commissioner
	Tom Barr	Commissioner
STAFF PRESENT:	Caleb Kraenzel	Assistant City Manager
	Elizabeth Yeh	City Planner
	Mike Hodge	City Manager
	Chelsea Seiter-Weatherford	GIS Analyst
	Scarlet Contreras	Commission Secretary
VISITORS	Russ Edwards	Kite Commercial Properties
	Scott Strait	First Capital Bank

1. CALL TO ORDER AND ANNOUNCE PRESENCE OF QUORUM: Chairman Reitz called the meeting to order at 6:00pm and declared a quorum of the Commission is present to conduct the meeting.

2. Citizens/Visitors comments to be heard for items not on the agenda: This is an opportunity for citizens to address the Planning and Zoning Commission concerning an issue of community interest that is not on the agenda. Comments on a specific agenda item must be made when the agenda item comes before the Commission. The Chair may place a time limit on all comments. Any deliberation of an issue raised during Citizen Comments is limited to a proposal to place it on the agenda for a later meeting. There were no person(s) with any public comment(s).

3. REGULAR AGENDA: The Commission will individually consider and possibly take action on any or all of the following items:

A. Approval of Minutes: Minutes from the regular meeting on May 5, 2016. *(Scarlet Contreras, Commission Secretary)* Commissioner Coleman made a motion to approve the minutes as presented. Vice-Chairman Zagst seconded the motion. The motion was approved by a vote of 5 – 0.

B. <u>Discussion and Action:</u> Regarding variance requests to Section 20-7 Detached Signs, Chapter 20 Sign Regulations, City of Marble Falls Code of Ordinances, to allow for a monument sign to be placed at a distance of sixty feet (60') from another existing detached sign, and to allow for nine feet (9') in height, on Lot 15-A, Block 10, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas, municipally addressed as 311 N. US Hwy 281. Case 2016-18-SV. *(TJ Schier, applicant, and Kite Commercial Properties, Inc., owner)* Elizabeth Yeh, City Planner, addressed the Commission. The Commission discussed the location and height of the sign. Vice-Chairman Zagst made a motion to approve the sign variances as submitted. Commissioner Coleman seconded the motion. The motion was approved by a vote of 5 – 0.

C. Presentation and Discussion: Previous Planning and Zoning Commission items, City Council Disposition and update regarding future planning projects.(*Commission*)

1. Gregg Ranch Phase One

Assistant City Manager Caleb Kraenzel addressed the Commission.

D. Presentation and Discussion: Monthly Building Permit Summary; Construction Update (*City Staff*). Assistant City Manager Caleb Kraenzel addressed the Commission.

4. ADJOURNMENT: There being no further items to discuss, Commissioner Mills made a motion to adjourn the meeting. Commissioner Oostermeyer seconded the motion. The motion was approved by a vote of 5– 0. The meeting was adjourned at 6:21 pm.

_____

Steve Reitz - Chairman to the Commission

_____

Scarlet Contreras - Commission Secretary

DRAFT

City of Marble Falls
Planning and Zoning Commission Agenda Cover Memo
July 7, 2016

To:	Chairman and Planning & Zoning Commission
Item 3. B.	**Discussion and Action:** Regarding variance requests to Subsection B.5 of Section 20-7 Detached Signs, Chapter 20 Sign Regulations, City of Marble Falls Code of Ordinances, to allow for a monument sign to be relocated and placed at a zero setback on Lot 1, Block 1, Gateway Park Section One, City of Marble Falls, Burnet County, Texas, municipally addressed as 302 Gateway North.
Requested by:	Cross Creek Retail Partners LTD, applicant and owner
Case:	Case 2016-19-SV

SUMMARY

This item is regarding a sign variance request for the CVS Pharmacy Store, located at the intersection of US Hwy 281 and Gateway North. The Subject Area is Lot 1 within Block 1 of the Gateway Park Subdivision. The property is 1.466 acres and zoned General Commercial (C-3).

According to the adopted sign regulations, monument signs erected on properties with highway frontage are allowed a Sign Surface Area of seventy square feet (70 sq ft), a Gross Surface Area of ninety square feet (90 sq ft), a Sign Width of fourteen feet (14 ft), and Sign Height of eight feet (8 ft).

The existing monument sign proposed to be relocated meets all of the monument design regulations, including the minimum 40% masonry requirement, and only utilizes a Sign Surface Area of twenty-three square feet (23 sq ft), a Gross Surface Area of forty square feet (40 sq ft), a Sign Width of 5 feet (5 ft), and Sign Height of eight feet (8 ft). The sign also complies with the Gateway Property Owner's Association (POA) restrictions regarding signs.

The existing monument sign was originally permitted and installed above the retaining wall on the northwest corner of the property to avoid placement above an existing 8" public wastewater main. At the original location the sign met current setback requirements, however it could not be seen from US Highway 821 northbound traffic due to the surrounding topography and final site grading resulting from construction. The site was substantially filled behind a retaining wall near the corner of US 281 and Gateway North. The poor sightline to the sign location resulting from final site grading was not evident until the construction was

complete. The backfilled parking lot area behind the retaining wall at the corner of US 281 and Gateway North did incur some post-construction structural failure, which is why the wall was recently partially demolished and reconstructed. Due to this reconstruction the monument sign was temporarily removed from the site with the intention of relocating to a more effective location.

The applicant is requesting a variance from the 10 foot setback requirement in order to allow for the relocation of the monument sign to advertise on its US Highway 281 frontage at a zero setback.

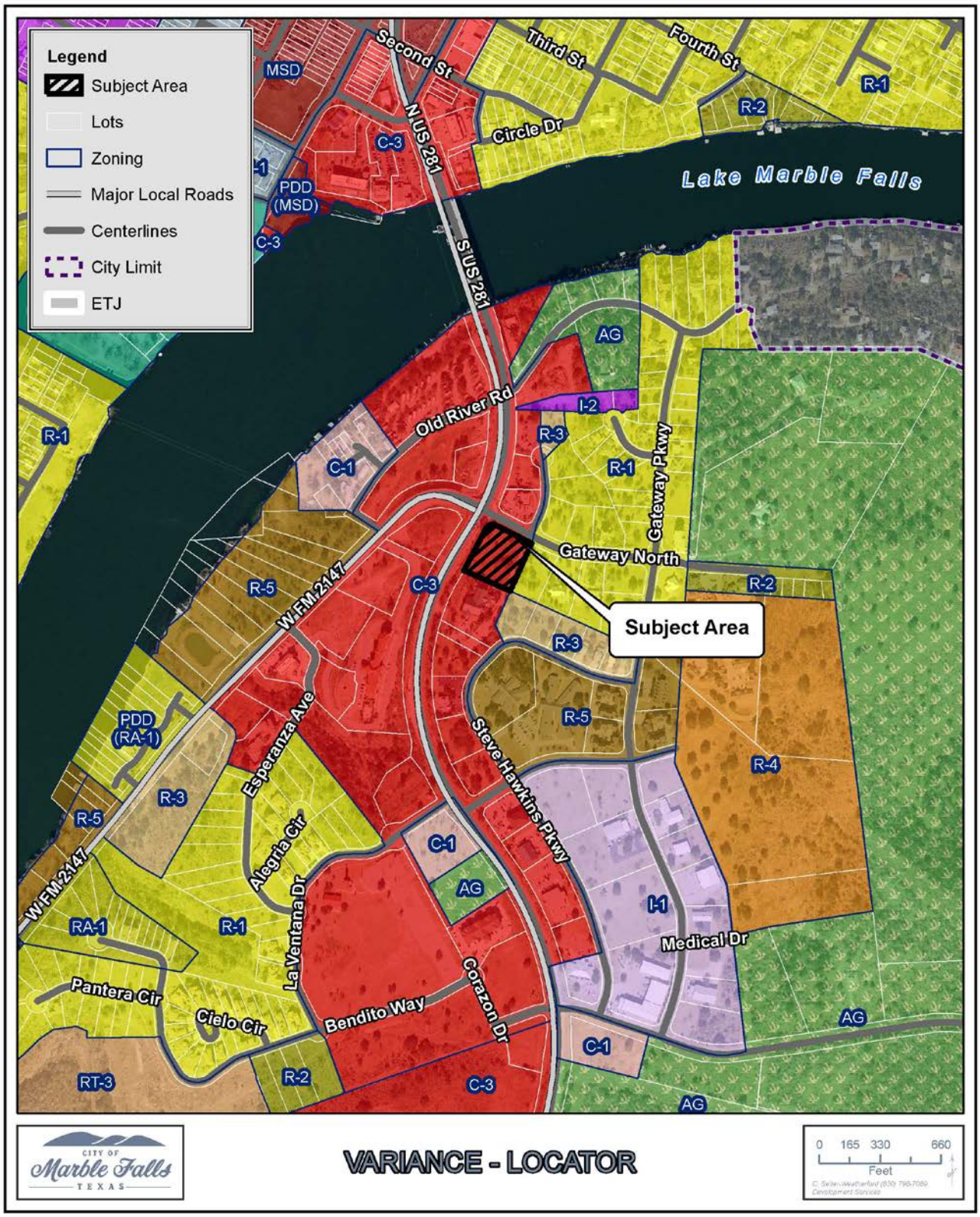
According to the applicant statement, the relocation would allow the sign to be seen from northbound traffic in advance of the intersection, with the intention of giving drivers ample time to get in the right lane to make a right turn onto Gateway North. Waiving the 10 foot setback requirement would also allow placement of the sign far enough away from the existing 8" public wastewater main so as to not be a disturbance in the future if maintenance of the line is required. While signs are allowed to be placed within public utility easements, if a sign is located in a public utility easement, the owner of the property is responsible for removal, relocation, or replacement, if work or maintenance is required by City.

RECOMMENDATION

In order to lessen practical difficulties due to the unique topography and the presence of a public wastewater main on the highway-fronting lot, Staff recommends approval of the variance request to allow for the existing monument sign to be relocated at a zero setback on Lot 1, Block 1, Gateway Park Section One Subdivision, as depicted on the submitted site plan.

Memo Contents:

- Informational maps produced by City Staff: **Pages 6 - 9**
- Site photography, site plan, and sign renderings: **Pages 10 - 16**
- Applicant Statement: **Page 17**


Legend
Subject Area
Lots
Zoning
Major Local Roads
Centerlines
City Limit
ETJ
Second St
Third St
Fourth St
MSD
N US 281
S US 281
Circle Dr
Lake Marble Falls
PDD (MSD)
C-3
R-1
R-2
AG
I-2
Old River Rd
R-3
C-1
Gateway Pkwy
Gateway North
Subject Area
R-5
W FM 2147
PDD (RA-1)
Esperanza Ave
Steve Hawkins Pkwy
R-4
Alegria Cir
La Ventana Dr
I-1
Medical Dr
RA-1
Pantera Cir
Cielo Cir
Bendito Way
Corazon Dr
RT-3
VARIANCE - LOCATOR
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Feet

0.75 ac
54319
LAKE LBJ IMPROVEMENT CORP
15158
BARRETT RICHARD F
2
W FM 2147
15157
SA & KL STEWART INVESTMENTS LLC
1
15164
ROOHOLAMINI M REZA
7
48713
NASH PARTNERS LLC
1
Gateway North
S US 281
C-3
R-1
15111
CROSS CREEK RETAIL PARTNERS LTD
1
15114
GARCIA DANIEL ERASMO & CLEOMA MARGAR
2
3
15123
281 SURGERY CENTER REAL ESTATE LLC
12
11
R-3
15121
ROOHOLAMINI M REZA
10
1
13
9
R-5
Legend
Subject Area
Lot Boundaries
Parcel Boundaries
Block Number
Zoning
VARIANCE - AERIAL
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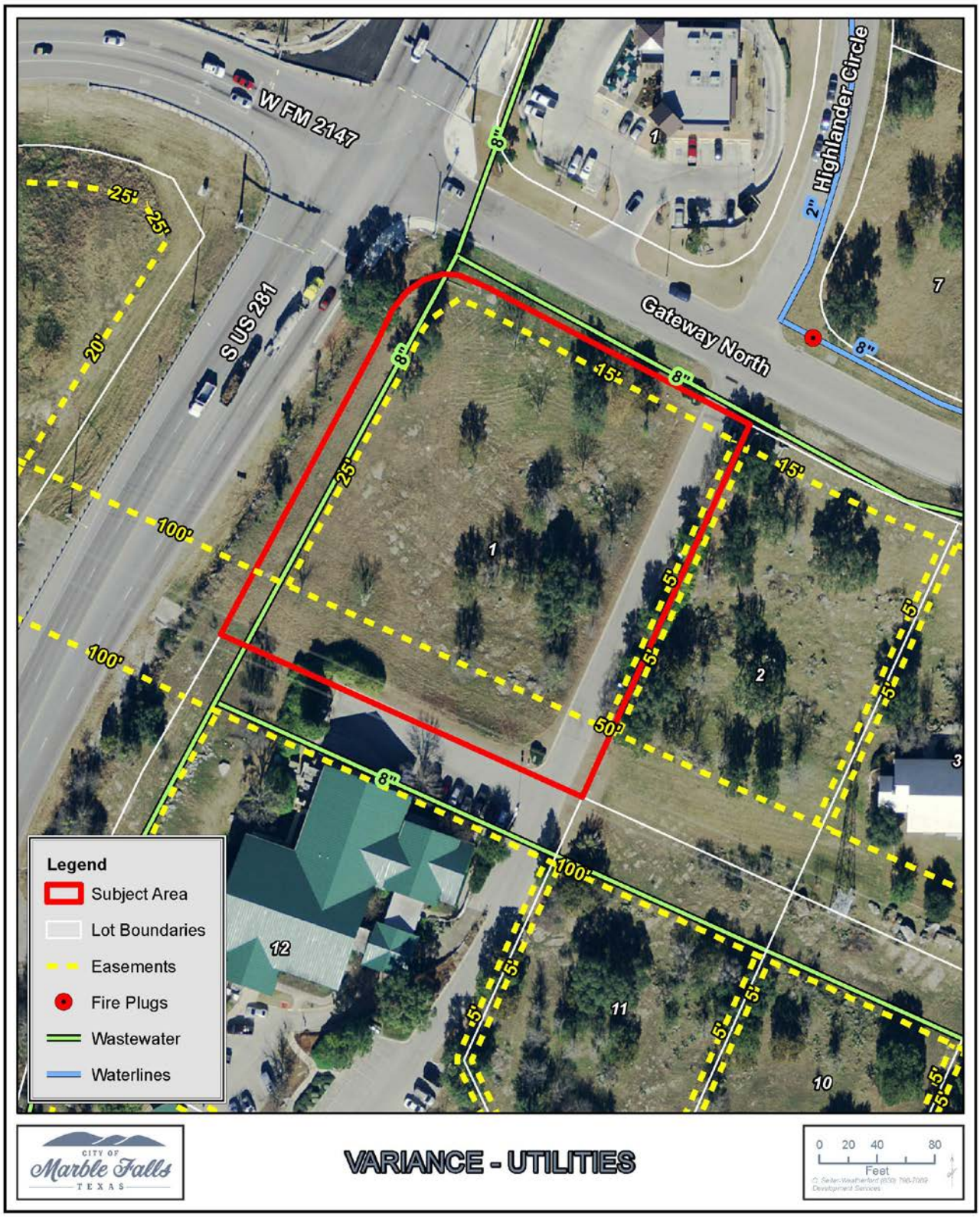
Feet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S US 281
Gateway North
2" Highlander Circle
8"
25'
20'
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2
3
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Legend
Subject Area
Lot Boundaries
Easements
Fire Plugs
Wastewater
Waterlines
CITY OF Marble Falls TEXAS
VARIANCE - UTILITIES
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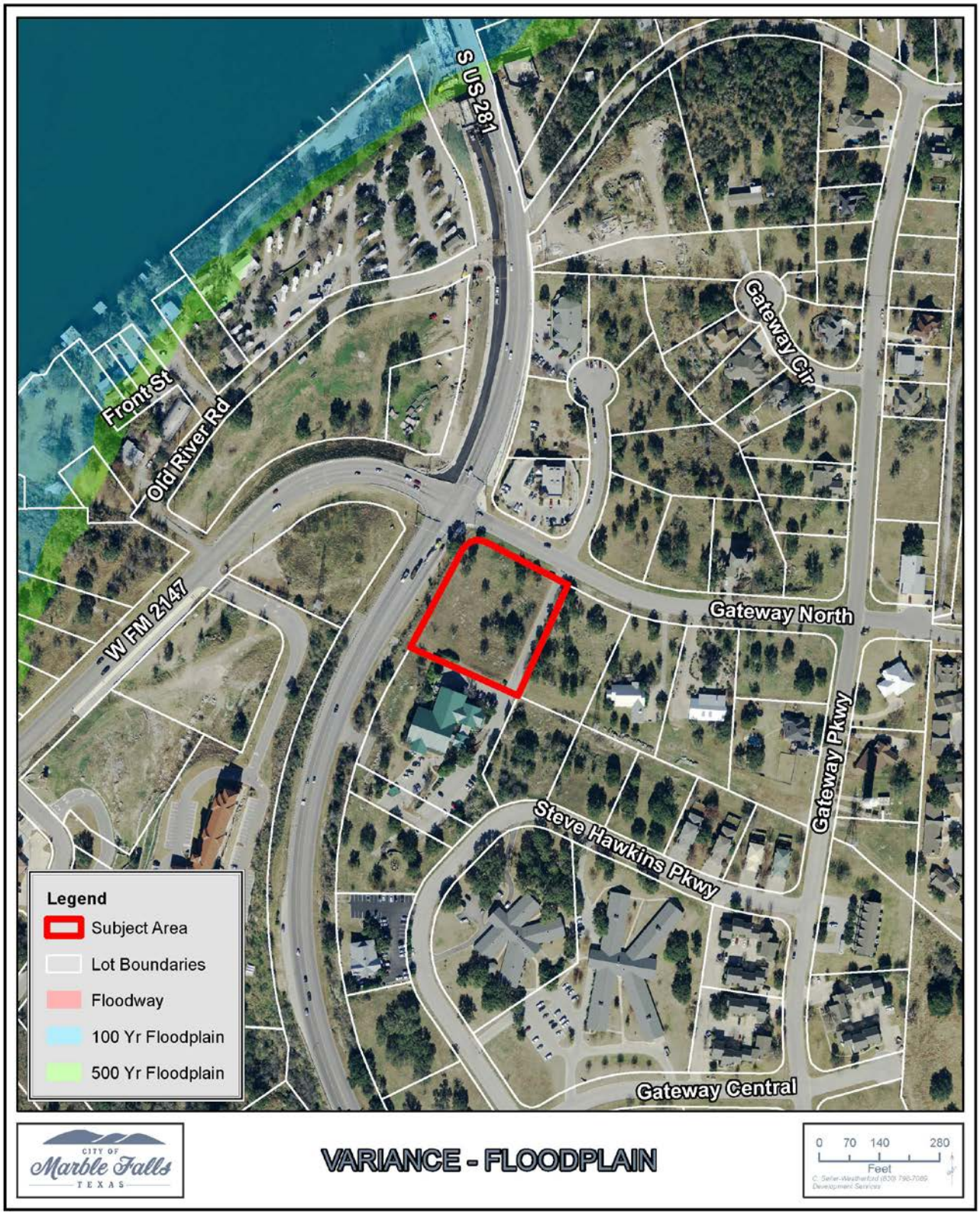
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Front St
Old River Rd
W FM 2147
Gateway Cir
Gateway North
Gateway Pkwy
Steve Hawkins Pkwy
Gateway Central
Legend
Subject Area
Lot Boundaries
Floodway
100 Yr Floodplain
500 Yr Floodplain
CITY OF Marble Falls TEXAS
VARIANCE - FLOODPLAIN
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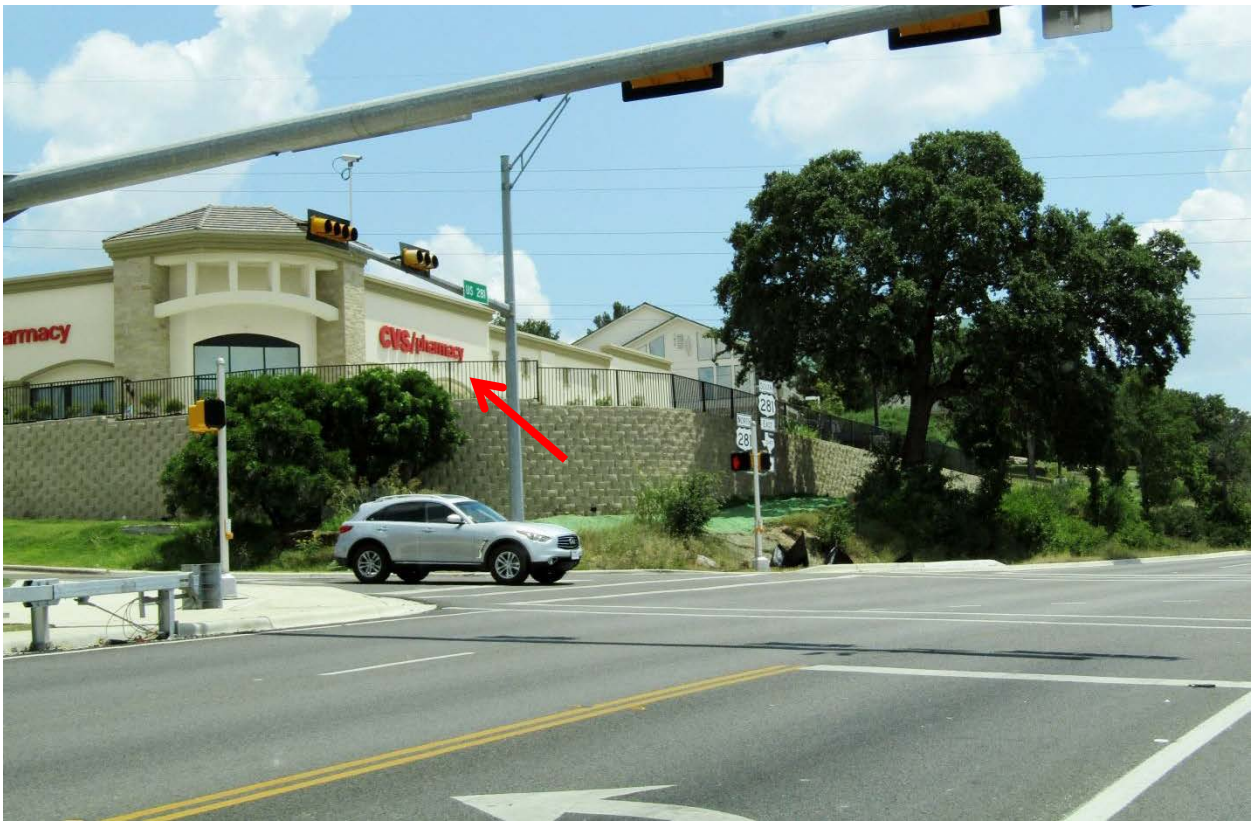
Feet

Case 2016-19-SV Previous Sign Location



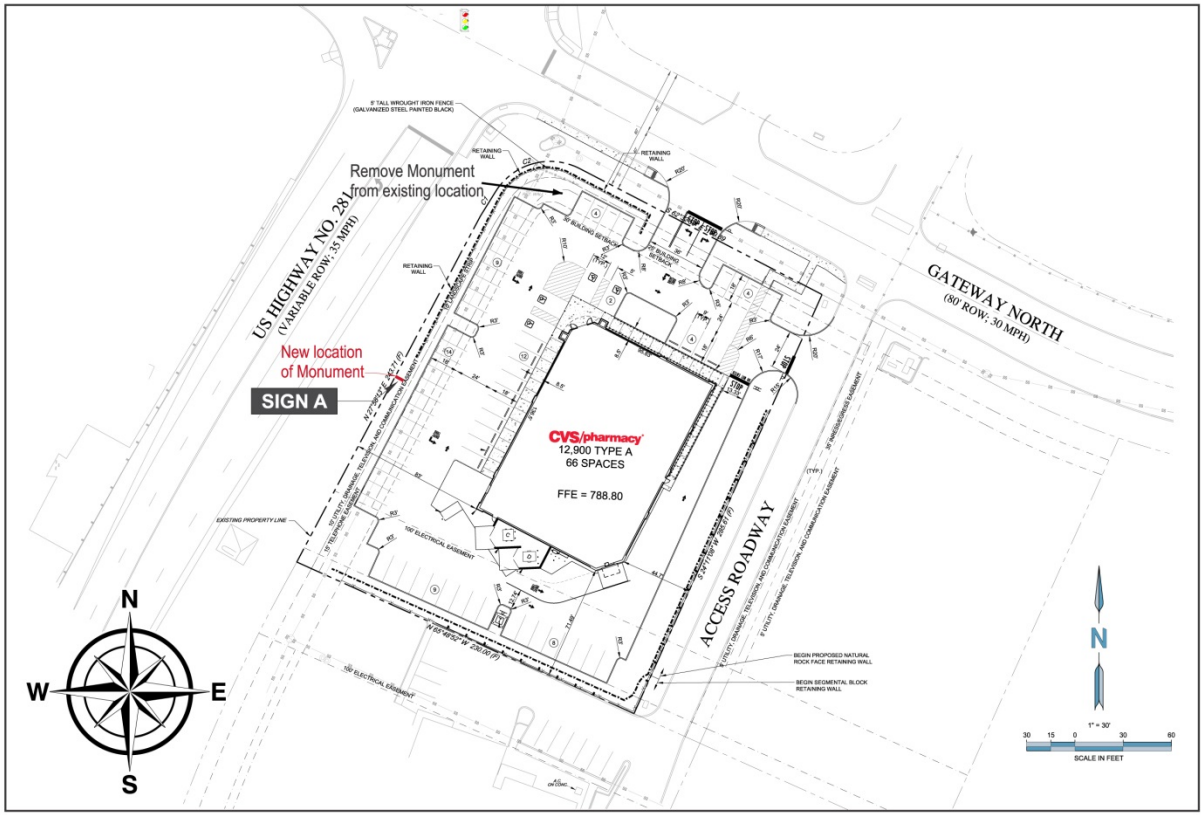
Case 2016-19-SV Proposed Sign Location

Case 2016-19-SV Existing Conditions

CVS/pharmacy

CVS/pharmacy 10691
302 Gateway N Marble Falls, TX 78654

SIGN A	Existing Monument
Type:	8' OAH Monument
Illumination:	Internally Illuminated LED
Square Footage:	23.07
Notes:	Relocate Monument to proposed location to right of building for 281 traffice passed retaining wall & railing.



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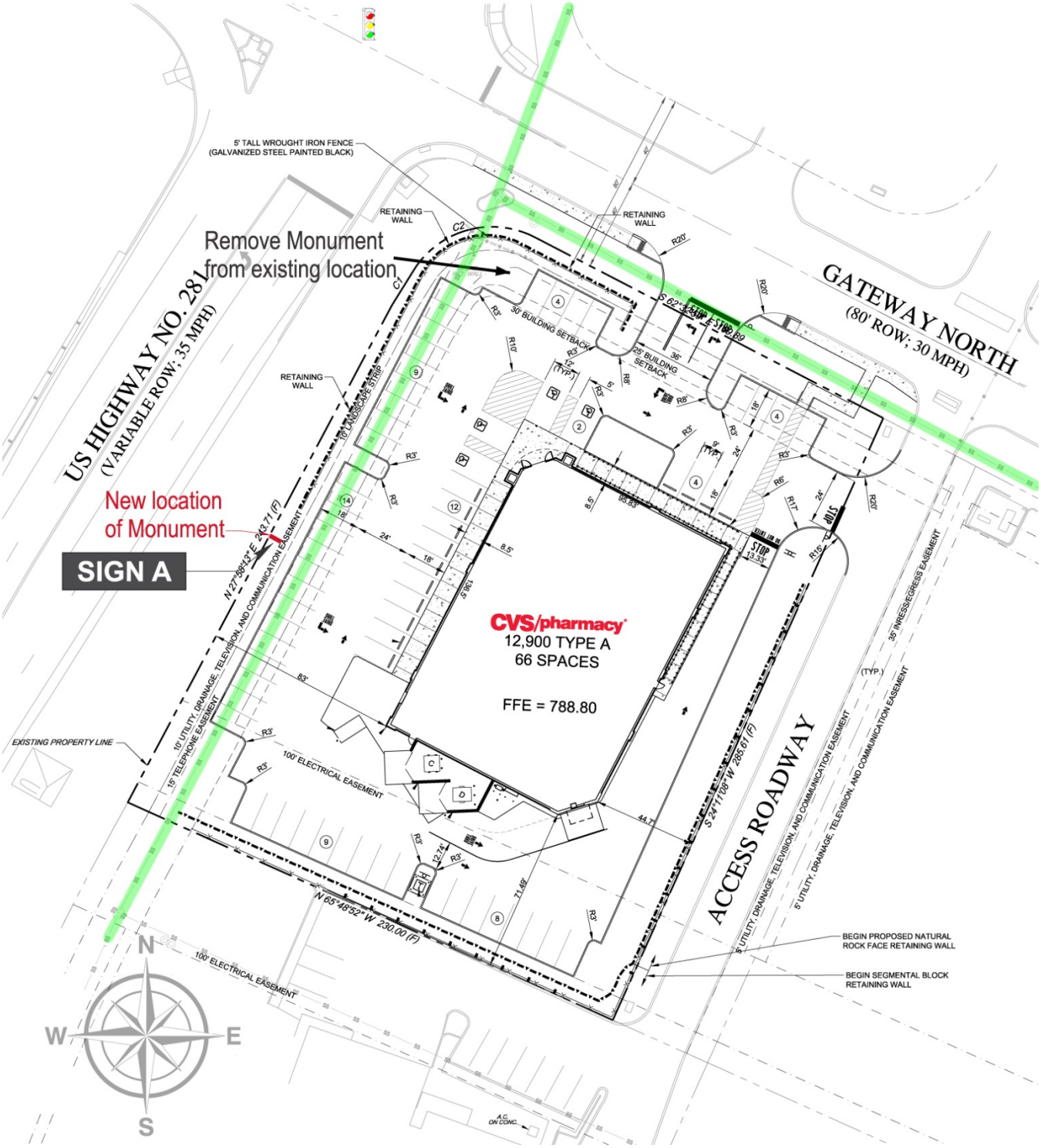
Apex Sign Group	This rendering is the property of Southwest Signs, Inc. It is for the exclusive use of Southwest Signs, Inc. and the party for which is was intended, the requestor. It is an unpublished original drawing not to be distributed, reproduced or exhibited without the explicit consent of Southwest Signs, Inc. Please contact your Account Manager for questions regarding this statement.	**CVS/pharmacy 10691** 302 Gateway N Marble Falls, TX 78654	Project ID#: **109604** Project Mgr: Delma Acuna Designer: A. Sifuentes Created on: 05/24/2016	REVISION R1 05/31/2016 AS Rev to rev lit no back panel on retaining wall R2 06/10/2016 MD Removed signs A & B

Case 2016-19-SV Site Plan



Case 2016-19-SV Rendering

Case 2016-19-SV Monument Sign Design

Case 2016-19-SV Applicant Statement

The CVS Pharmacy Store needs a sign that notices customers heading north on US 281, prior to the intersection of Gateway North and US 281. The topography of the lot does not allow a monument sign to be of any use on any portion of the property other than the west side on US 281. The City of Marble Falls originally requested for us to relocate the sign from US 281 side due to avoidance of a public sanitary sewer line in the proposed location. We did permit the monument sign and install it up above the retainer walls and behind a wrought iron safety fence, unfortunately it could not be seen from US 281 northbound traffic. This condition was not evident until the construction of the store and sign. We are requesting a variance to waive the 10 foot setback from the west property line, to allow the small monument sign to be seen on the northbound traffic of US 281, well in advance of the intersection. This will also give customers ample time to be in the right lane to make the right turn onto Gateway North. The variance is needed to be far enough away from the public sanitary sewer line as not to be disturbed in the future.

City of Marble Falls
Planning and Zoning Commission Agenda Cover Memo
July 7, 2016

To: Chairman and Planning & Zoning Commission

Item 3. C. **Presentation and Discussion:** Regarding previous Planning and Zoning Commission items, City Council Disposition and update regarding future planning projects.

Requested by: Planning & Zoning Commission

SYNOPSIS

This item is to update Commission regarding previous Planning and Zoning Commission items, City Council Disposition and update regarding future planning projects.

1. P&Z Comprehensive Plan Prioritization Exercise Results and Analysis
2. Scenic City Certification
3. Tree Preservation and Protection Ordinance Action Update
4. Capital Improvement Plan Committee Discussion
5. Joint Workshop with City Council on August 2, 2016

City of Marble Falls
Planning and Zoning Commission Agenda Cover Memo
July 7, 2016

To:	Chairman and Planning & Zoning Commission
Item 3. D.	**Presentation and Discussion:** Monthly Building Permit Summary; Construction Update.
Requested by:	City Staff

SYNOPSIS

This item is to update the Commission about the building permits issued in the past month and other ongoing projects.

For a quick reference to some of the major permitted development projects in Marble Falls, you can refer to the 'Development Buzz' portion of our website:

http://marblefallstx.gov/541/Development-BUZZ

Item 4. ADJOURNMENT