



## Zoning & Planning Commission

Municipal Building 3800 University Blvd

### Meeting Minutes

June 9, 2016

MEMBERS PRESENT: Richard Wilson, Michael McEnany, John Cutrer, Mac Jensen, Mimi Tsai and Bob Higley

MEMBERS ABSENT: David Kuykendall

STAFF PRESENT: Debbie Scarcella, City Planner; City Attorney, Alan Petrov and Public Works Administrative Coordinator, Josie M. Hayes

COUNCIL PRESENT: Brennan Reilly

1. **Notices, Rules, Etc.** Richard Wilson, Chairman, called the meeting to order at 6:17 pm. He asked the ZPC members and City Staff to introduce themselves. Richard Wilson asked staff to confirm that appropriate notices were given. Debbie stated notices were posted per state and local laws.
2. **Application for Approval of Building Site Designation (4039 Swarthmore).** Debbie Scarcella stated that the applicant originally submitted a request for approval of a plan to divide a single building site into two 50' x 114' building sites at 4039 Swarthmore at last month's meeting. ZPC tabled this item meeting and requested a written opinion from the City Attorney as to the authority to approve the plan and the intent of the section. The two lots were combined through a building site designation form in 2000. The structure at 4033 Swarthmore was demolished and a pool and pool cabana building were constructed in 2002. The current property owner wants to divide the building site along the common boundary line into two separate building sites as they were originally platted. The current ordinance has regulations establishing the dimensions of old building sites (created before October 1987) and new building sites (created after October 1987). New building sites must be at least 75' wide. There is a provision that states that ZPC can approve a plan for building sites that are smaller than 75' wide, but it does not give any guidance on what circumstances or conditions the approval can be granted. City Attorney, Alan Petrov wrote an opinion for the commission and answered any questions ZPC had regarding this issue. There was general discussion regarding the initial intent of section. Killian Gilbert-Smith stated she and her husband, Doug were unaware when they purchased the home that it could not be sold as two separate lots in order to build a home on each one. They were completely unaware of not being able to do this until now. There were letters submitted from surrounding neighbors in favor of dividing the building site into two sites.





# The City of West University Place

*A Neighborhood City*

Michael McEnany made a motion to approve the application as outlined in the application submitted. Second by John Cutrer. **AYES:** Richard Wilson, John Cutrer, Michael McEnany and Mac Jensen. **NOES:** Mimi Tsai and Bob Higley. **Motion carried 4-2.** ZPC instructed staff to bring back a possible ordinance amendment that would keep this type of situation from occurring in the future.

- 3. **Town Center Provisions Review.** Staff presented the parking space count completed in May 2016. ZPC discussed the implications and then discussed whether or not to pursue review of the parking requirements and what type of new businesses would be allowed. Some of the members were in favor of sending a recommendation to City Council to repeal the ordinance provisions regarding Town Center. After a lengthy discussion, Mac Jensen made a motion to recommend for City Council to repeal the original ordinance provisions regarding Town Center. Second by Bob Higley. **AYES:** Mac Jensen and Bob Higley. **NOES:** Richard Wilson, John Cutrer and Michael McEnany. **ABSTAIN:** Mimi Tsai. **Motion fails.**

The commission discussed how to proceed with reviewing the TCC regulations per City Council's request. Discussion ensued. The commission instructed staff to return with documents and drawings pertinent to the parking requirements and existing improvements as well as proposed regulations. Pertinent slides from the public hearing power point presentation were suggested.

- 4. **Minutes.** The commission reviewed the minutes of the meeting held on May 12, 2016. Richard Wilson made a motion to approve the meeting minutes as amended. Second by Michael McEnany. **Motion carried.** Bob Higley excused himself from the meeting at 8:05 pm and did not vote.

[Adjournment]

Richard Wilson made a motion to adjourn. Second by Michael McEnany. **Motion carried.** Meeting adjourned at 9:03 p.m.

PASSED THIS 14th DAY OF JULY, 2016.

Richard J. Wilson  
Richard J. Wilson, Chairman

ATTEST: Josie M. Hayes  
Mrs. Josie M. Hayes, Public Works Administrative Coordinator

