

**NOTICE OF MEETING  
CITY OF SOUTH PADRE ISLAND  
DEVELOPMENT STANDARDS REVIEW TASK FORCE**

**NOTE: One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.**

NOTICE IS HEREBY GIVEN THAT THE DEVELOPMENT STANDARDS REVIEW TASK FORCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, WILL HOLD A MEETING ON:

**TUESDAY, FEBRUARY 11, 2014  
10:00 A.M. AT THE MUNICIPAL BUILDING,  
CITY COUNCIL CHAMBERS, 2<sup>ND</sup> FLOOR  
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS**

1. Call to Order.
2. Pledge of Allegiance.
3. Public Comments and Announcements.
4. Approval of Minutes of the January 21, 2014 Regular Meeting.
5. Discussion and action regarding a variance request by Andy Doss, Director, Field Enhancements of Whataburger from the City's Padre Boulevard and Entertainment District Code. Applicant is requesting approval of proposed color to repaint the Whataburger building. (3509 Padre Boulevard; Lot 3 Block 89 Padre Boulevard Central Character Zone)
6. Adjournment.

DATED THIS THE 6<sup>TH</sup> DAY OF FEBRUARY 2014

  
Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE DEVELOPMENT STANDARDS REVIEW TASK FORCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRECT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON **FEBRUARY 6, 2014** AT/OR BEFORE **5:00 P.M.** AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.



  
Susan Hill, City Secretary

THE FACILITY IS WHEELCHAIR ACCESSIBLE, AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT BUILDING OFFICIAL, JAY MITCHIM; ADA DESIGNATED RESPONSIBLE PARTY AT (956) 761-1025.

<p style="text-align: center;"><b>DEVELOPMENT STANDARDS REVIEW TASK FORCE</b> <b>MEETING MINUTES</b> <b>JANUARY 21, 2014</b></p>
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**1. Call to Order.**

Nancy Moyer called the meeting to order at 11:00 a.m. in the City Council Chambers on the Second Floor of the Municipal Complex Building: 4601 Padre Boulevard and declared a quorum of members present. Task Force members in attendance were: Joe Logan, Joe Baker, Robert Fudge and Nancy Moyer. Staff members present were: Darla Jones, Interim City Manager, Jay Mitchim, Building Official, David Travis, Code Enforcement Officer, Sungman Kim, Development Director and Marta Martinez. Also present was City Council Member Sam Listi.

**2. Pledge of Allegiance.**

Nancy Moyer led those present in the Pledge of Allegiance.

**3. Public Comments and Announcements.**

None.

**4. Election of Chair and Vice Chair.**

Ms. Moyer announced the item from the agenda and asked any nominations. Mr. Baker made a motion to nominate Mr. Fudge for Chair and Ms. Moyer for Vice Chair. Mr. Logan seconded the motion. The motion carried unanimously.

**5. Approval of Minutes of the November 21, 2013 Regular Meeting and December 18, 2013 Workshop Meeting.**

Ms. Moyer announced the item from the agenda and asked the Task Force Members if they had any corrections to the November 21, 2013 regular Meeting and December 18, 2013 workshop Meeting Minutes. Mr. Baker made a motion to approve both sets of minutes as submitted. Mr. Logan seconded the motion. The motion passed on a 3:0:1 vote. Mr. Fudge abstained.

**6. Discussion and action regarding a request by Sam Listi from the City's Padre Boulevard and Entertainment District Code. Applicant is requesting approval of the color, design and configuration of the new building. (1800 Padre Boulevard; Lot 4 Block 5 Padre Boulevard South Character Zone)**

Ms. Moyer announced the item from the agenda and asked Mr. Listi for a report. Mr. Listi stated that he is requesting approval of the color, design and configuration of the new building located at 1800 Padre Boulevard.

Ms. Moyer then opened it up for discussion by the Task Force. The Task Force expressed their comments/concerns regarding this matter. After some discussion Mr. Logan made a motion to conditionally approve with the following conditions:

## Development Standards Review Task Force Minutes

January 21, 2014

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1. Compliance with the Form Based Code;
2. Sidewalk on the west side to be located on the right-of-way;
3. 6ft wide landscape on west side and 3ft wide landscape on south side of building;
4. Entrance on the south side to be located near the east property boundary line.

Mr. Baker seconded the motion. The motion passed on a 3:0:1 vote. Mr. Fudge abstained.

7. **Reviewing the results of the Visioning Session for the City of South Padre Island.** (*Dr. Kim, Staff*)

Ms. Moyer announced the item from the agenda and asked for a staff report. Dr. Kim gave a brief summary and provided the Task Force with a draft document of what was discussed and outcome of the Visioning Session. No action was taken.

8. **Adjournment.**

Since there was no further business to discuss, Mr. Logan made a motion to adjourn. Mr. Baker seconded the motion. The meeting was adjourned at 11:41 a.m.

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Marta Martinez, Secretary

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Nancy Moyer, Vice Chairman

<b>DEVELOPMENT STANDARDS REVIEW TASK FORCE AGENDA REQUEST FORM</b>
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**MEETING DATE:** February 11, 2014

**TO:** Development Standards Review Task Force

**FROM:** Sungman Kim, Director of Development Services

**ITEM DESCRIPTION:**

Discussion and action regarding a variance on accent colors for Whataburger building at 3509 Padre Blvd.

**DISCUSSION:**

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On January 27, 2014, Andy Doss, Field Enhancements Director with Whataburger, applied for a variance on accent colors changing the existing beige earth-tone into corporate orange color.

**BACKGROUND HISTORY**

Corporate/Franchise color issue was discussed earlier at the Planning & Zoning Commission on June 28, 2013, which motion passed 4 to 1, and at the City Council on July 17, 2013, which motion failed 3 to 3.

The color palette issue will be discussed further with the Ad-hoc Committee created by the DSRTF.

**COLOR ISSUE**

Proposed orange, exactly the same color, does not exist in our color palette. Although similar color hue (SW6347, SW7708, SW7701 and SW6375) exists for building body color, only one hue (SW7703) exists for building accent. Considering the fact that the DSRTF has allowed interchange of body, trim and accent colors in the past, the five (5) colors should be compared with the proposed orange. A question would be that how much changes in Value and Chroma the DSRTF would allow.

Although roofing materials are defined in the Form-Based Code 8.3.1(iv), it seems that the city has not established color palette for roofs: The color palette shows three (3) main categories: (1) Body/Wall, (2) Shutters & Doors, Window, Wainscot, Trim, and (3) Accent/Fascia, Soffit. Therefore, it is staff's opinion that the currently existing roof color (the corporate orange) should not add any weigh to this review.

**LOCATION ANALYSIS**

The building is located in Padre Boulevard Central Zone that accommodates commercial on any floor and careful consideration of auto-oriented site elements, such as drive-through, surface parking and service areas. Residential uses are permitted on upper floors and ground floors along east-west street frontage. Considerations should be given to the fact that the area is mainly dedicated for commercial uses.

<b>DEVELOPMENT STANDARDS REVIEW TASK FORCE AGENDA REQUEST FORM</b>
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Urban form has been defined by five (5) elements (Kevin Lynch): (1) paths, (2) edges, (3) districts, (4) nodes, and (5) landmarks. Existing Fire Station No. 1 has become a landmark due to the building style, mass, and the colors and helps reforming a node in the area. While in the node, it is estimated that the proposed accent color will not adversely impact the area. Rather, it may help reforming a node in the area by adding its visual definition to the impacts of the existing fire station.

## **SWOT ANALYSIS**

**Strength:** It helps forming an urban node at the junction of Padre Blvd and West Retama Street. This urban node provides landmarks to visitors and helps people's way-finding.

**Weakness:** The urban node has a low potential to become a huge recreational destination since the major building (Fire Station No. 1) is for institutional.

**Opportunities:** By providing visual definition to the area, the node may encourage non-residential developers to build their facilities in the area.

**Threats:** This should not become a future guidepost in abusing colors in the area. We need to revise existing color palette to make it more sense.

## **RECOMMENDATION**

Staff recommends the DSRTF approve the usage of the proposed orange color as an accent to the building. Should there be concerns of the Chroma, additional tree plantings (Green color) in the frontage will lessen the impacts and such plantings could be a condition to the approval if the DSRTF desires.

# SOUTH PADRE ISLAND DSRTF

FEBRUARY 11,  
2014





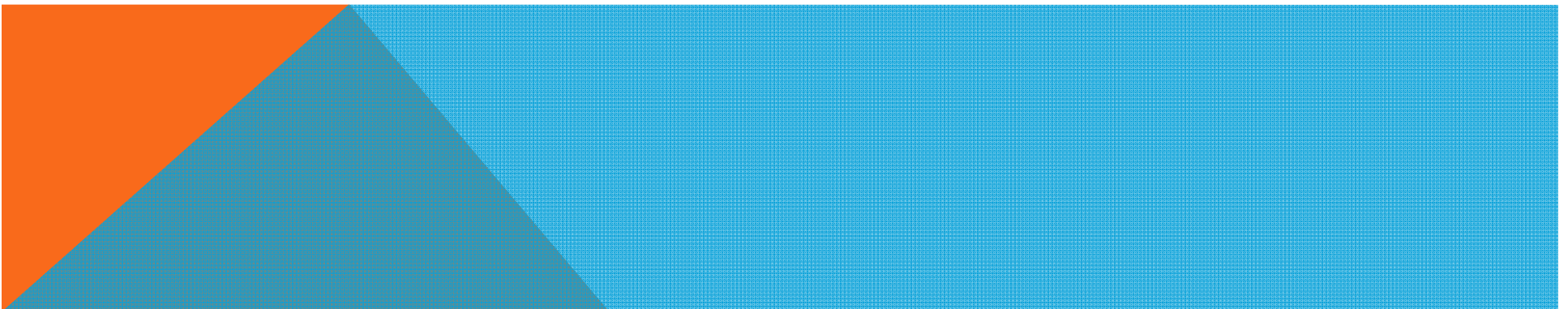
# A VARIANCE ON ACCENT COLORS

- On January 27, 2014, Andy Doss, Field Enhancements Director with Whataburger, applied for a variance on accent colors changing the existing beige earth-tone into corporate orange color.



# BACKGROUND HISTORY

- Corporate/Franchise color issue was discussed earlier at the Planning & Zoning Commission on June 28, 2013, which motion passed 4 to 1, and at the City Council on July 17, 2013, which motion failed 3 to 3.
- The color palette issue will be discussed further with the Ad-hoc Committee created by the DSRTF.



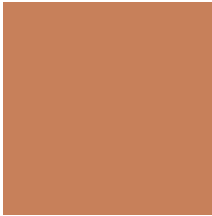


# COLOR ISSUE

- Proposed Color



- Similar Color Hues in the Palette



SW 6347



SW6375



SW7701

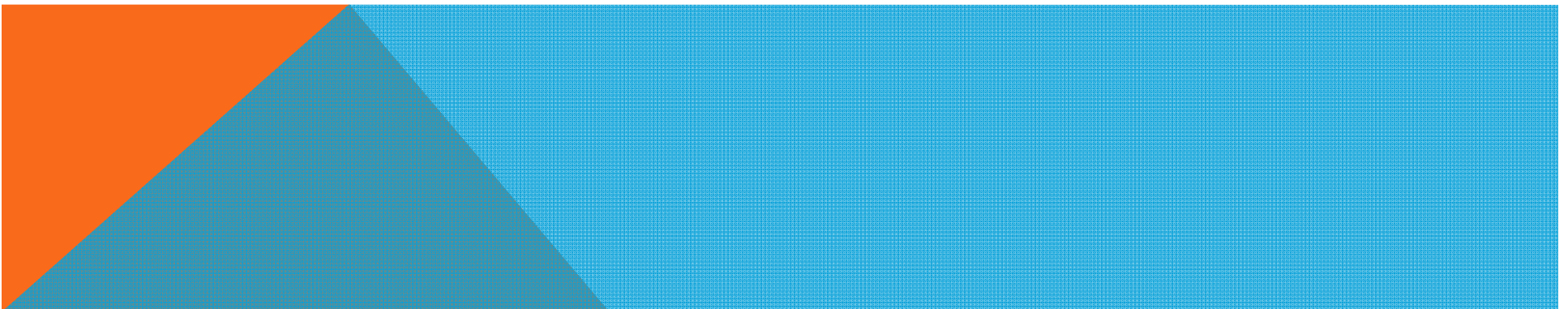


SW7708



SW7703

- How much changes in Value and Chroma the DSRTF would allow?



# ROOF COLOR (?)

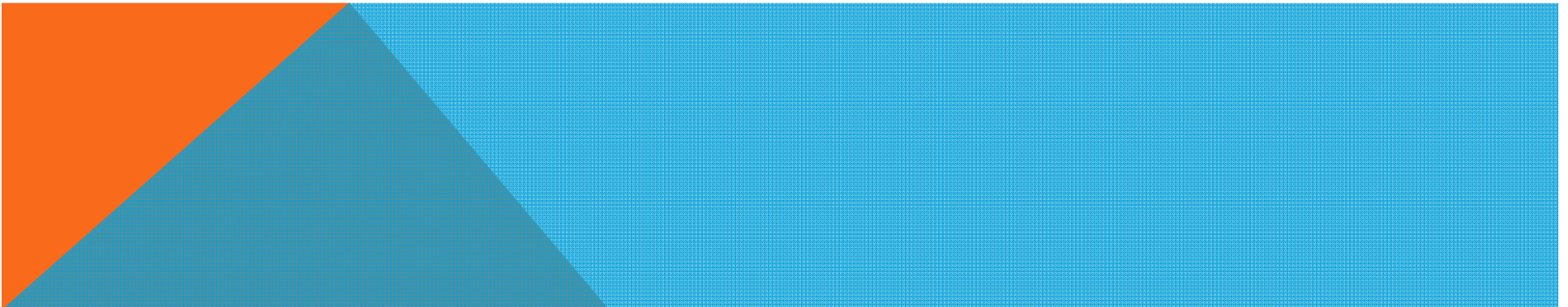
Although roofing materials are defined in the Form-Based Code 8.3.1(iv), it seems that the city has not established color palette for roofs:

- The color palette shows three (3) main categories: (1) Body/Wall, (2) Shutters & Doors, Window, Wainscot, Trim, and (3) Accent/Fascia, Soffit.
- Sherwin-Williams palette shows no reference to roof colors:



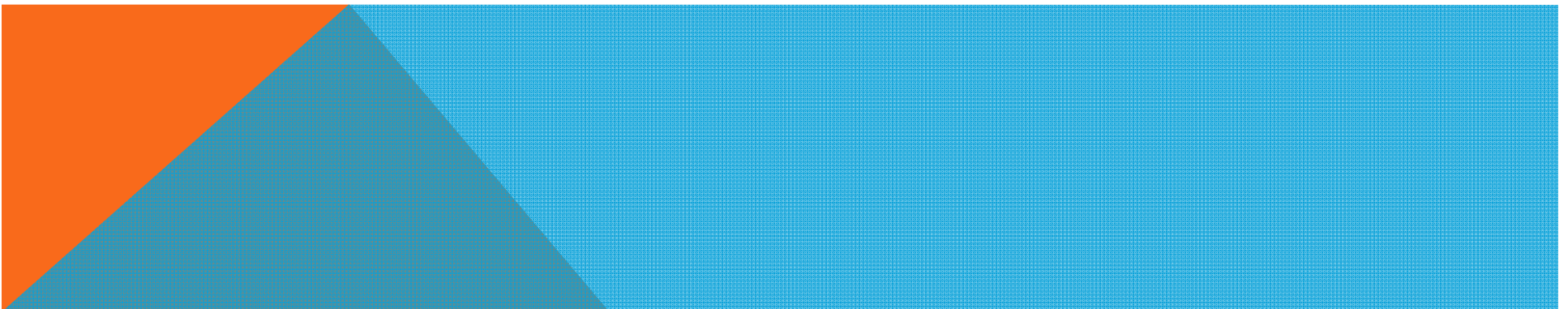
# LOCATION ANALYSIS

- Considerations should be given to the fact that Padre Boulevard Central Zone is mainly dedicated for commercial uses.
- Urban form has been defined by five (5) elements (Kevin Lynch): (1) paths, (2) edges, (3) districts, (4) nodes, and (5) landmarks.
  - Existing Fire Station No. 1 has become a landmark due to the building style, mass, and the colors and helps reforming a node in the area.
  - While in the node, it is estimated that the proposed accent color will not adversely impact the area.
  - Rather, it may help reforming a node in the area by adding its visual definition to the impacts of the existing fire station.



# SWOT ANALYSIS

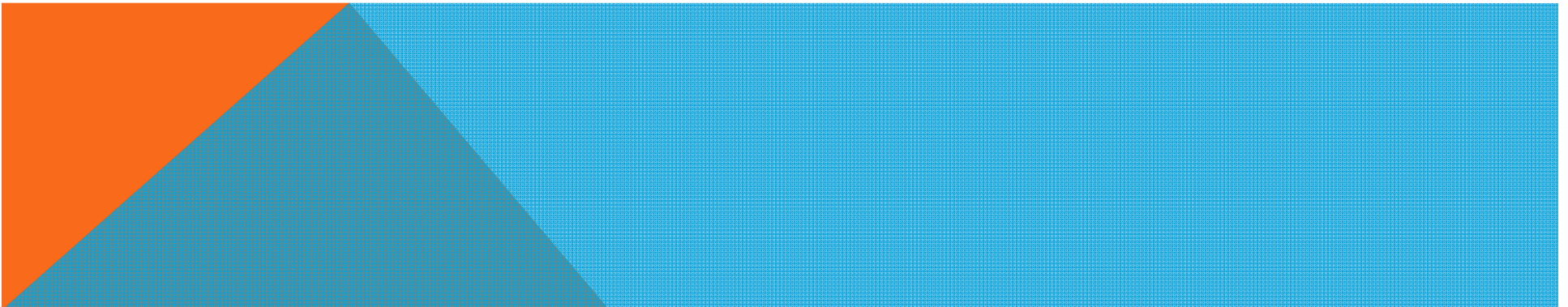
- **Strength:** It helps forming an urban node at the junction of Padre Blvd and Retama Street. This urban node provides landmarks to visitors and helps people's way-finding.
- **Weakness:** The urban node has a low potential to become a huge recreational destination since the major building (Fire Station No. 1) is for institutional.
- **Opportunities:** By providing visual definition to the area, the node may encourage non-residential developers to build their facilities in the area.
- **Threats:** This should not become a future guidepost in abusing colors in the area. We need to revise existing color palette to make it more sense.





# STAFF RECOMMENDATION

- Staff recommends the DSRTF approve the usage of the proposed orange color as an accent to the building.
- Should there be concerns of the Chroma, additional tree plantings (Green color) in the frontage will lessen the impacts and such plantings could be a condition to the approval if the DSRTF desires.





## CITY OF SOUTH PADRE ISLAND

### Development Standards Review Task Force Application

Meeting date on the 2<sup>nd</sup> Tuesday of every month.

To be considered a complete application this form must be COMPLETELY filled out and ten (10) copies of the form and supporting documentation must be submitted two (2) weeks before the meeting date. \$250 application fee per variance request.

#### SITE LOCATION FOR REQUEST:

Physical Address (Street Name & Number): 3509 Padre Blvd., South Padre Island Texas 78597

Legal Description (Lot/Block/Subdivision): Lot 3, Block 89, P. Beach, Sect VII

Is this property part of a shopping center (i.e. one tenant of many?) | YES / ☒ NO

Linear footage of any walls facing a street: N/A

I hereby request the following from the Development Standards Review Task Force: Please see attached slides and supporting documents.

**\*SIGNS & STRUCTURES:** person pulling sign permit is required to have a \$10,000 license and permit bond made out to the City of South Padre Island.

PROPERTY OWNER: Tex Burger, LLC

OWNER MAILING ADDRESS: 940 Emmett Avenue, Ste 200

CITY, STATE, ZIP: Belmont CA, 94002

PHONE NUMBER: 415-227-2149 (E-mail address) Chris.damian@villageprop.com

Signature of Property Owner (required)

Date

APPLICANT: Andy Doss

APPLICANT MAILING ADDRESS: 300 Concord Plaza Drive

CITY, STATE, ZIP: San Antonio, Texas, 78216

PHONE NUMBER: 210-476-6354 (E-mail address) adoss@wbhq.com

Signature of Applicant (if different from owner)

Date





SINCE



1950

January 27, 2014

TO: Development Standards Review Task Force, City of South Padre Island, Texas

FROM: Andy Doss

SUBJECT: Application for Variance to Padre Boulevard & Entertainment District Color Palette Requirement

Dear Sir/ Ma'am,

Whataburger Restaurants, LLC established itself in your community in 1988 and we strive to maintain ourselves as good corporate citizens. As part of this we periodically assess the condition of existing facilities to identify reinvestment opportunities to ensure our facility maintains standards aligned with your growing city and the business requirements of Whataburger Restaurants, LLC.

At this time we respectfully request a variance to the Padre Boulevard & Entertainment District color palette in order to complete the remaining portion of an exterior brand reimage on the facility located at 3509 Padre Blvd.

Whataburger Restaurants, LLC has updated the building façade by painting with earth tone colors on the main area of the building. Whataburger additionally would like to update the facility to align with the Whataburger corporate branding by accenting with Whataburger orange, our primary corporate color, trim work along the roof line and sides of the building. Utilizing the orange color not only provides consistency to our brand and the familiar image to our customers and your citizens, but also ties the trim work on the building to the existing orange and white roof panels.

We truly appreciate and respect the intent of the Padre Boulevard & Entertainment District Ordinance, but feel that by not using Whataburger Branded colors, we're not aligned with our heritage and our customers' requests to show more of our heritage is not honored.

We appreciate your consideration in this matter and look forward to meeting with you.

I can be contacted at 210-476-6354 or [adoss@wbhq.com](mailto:adoss@wbhq.com). My mailing address is:

Whataburger Restaurants, LLC  
PO Box 791990  
San Antonio, TX 78216  
Attn: Andy Doss

Respectfully,

Andy Doss  
Director, Field Enhancements  
Whataburger Restaurants LLC

# Whataburger Padre Boulevard Store Reimage



# Overview of Whataburger Reimage Program



- Create a warm & inviting façade
- Update and improve exterior appearance of facility
- Remove the blue, gray, and white color scheme
  - Introduce beige color scheme and utilize corporate color of orange as trim and accent color



## Padre Boulevard Previous Facility Image



## Padre Boulevard Existing Facility Image





# Padre Boulevard Proposed Facility Image







# Conclusion

- Improved overall appearance of facility
- Alignment with Padre Boulevard and Entertainment District intent
- Focused on warm, inviting, pedestrian friendly facility



**PAINT SPECIFICATIONS**

**WHATABURGER**

**PPG INDUSTRIES, INC.**

## Exterior Remodel

### A. Exterior Fascia/Down Spouts/Gutters

1. Primer: One coat PPG Seal Grip Acrylic Universal Primer 17-921
2. Finish: Minimum One coat PPG Pitt-Tech Int/Ext High Gloss DTM Enamel #90-377 series.
3. Color: Whataburger Orange
4. Formula: Gallon; G-8Y, AUO-4Y. 5Gallon; G-40Y, AUO-20Y.

