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

NOTE: One of 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, JUNE 9, 2015 10:00 A.M. AT THE MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS, 2ND FLOOR 4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TX

- Call to Order.
- Pledge of Allegiance.
- 3. Public Comments and Announcements: This is an opportunity for citizens to speak to Commissioners relating to agenda or non-agenda items. Speakers are required to address the Task Force at the podium and give their name before addressing their concerns. [Note: State law will not permit the Development Standards Review Task Force to discuss debate or consider items that are not on the agenda. Citizen Comments may be referred to City Staff or may be placed on the agenda of a future Development Standards Review Task Force meeting.]
- Approval of the May 12, 2015 Regular Meeting.
- 5. Discussion and action regarding a Special Development Plan for the Courtyard by Marriott. (7010 Padre Boulevard)
- Discussion and action regarding the designation of Lot 1, Block 1 Padre Island Inn Subdivision (aka Ocean Tower Property) into a District "PBN" Padre Boulevard North Character Zone.
- Adjournment.

DATED THIS THE 5TH DAY OF JUNE 2015.

Marta Martinez, Assistant City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFIED 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 CORRENT 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 JUNE 5, 2015 AT/OR BEFORE 2:30 P.M. AND REMAINED STED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

Marta Martinez, Assistant City Secretary

THIS 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)761-8103

DEVELOPMENT STANDARDS REVIEW TASK FORCE MEETING MINUTES MAY 12, 2015

1. Call to Order.

Gardner Treharne called the meeting to order at 10:00 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: Gardner Treharne, Gary Olle, and George Shelley. Members with excused absence were Joe Logan and Gabby Vanounou. Staff members present were: Sungman Kim, Development Director and Marta Martinez.

2. Pledge of Allegiance.

Gardner Treharne led those present in the Pledge of Allegiance.

3. Public Comments and Announcements.

None.

4. Approval of Minutes of the April 14, 2015 Regular Meeting.

Mr. Treharne announced the item from the agenda and asked the Task Force Members if they had any corrections to the April 14, 2015 regular Meeting Minutes. Mr. Shelley made a motion to approve as submitted. Mr. Olle seconded the motion. The motion carried unanimously.

5. <u>Discussion and action regarding a proposed Art in a Public Space.</u> (901 Padre Boulevard)

Mr. Treharne announced the item from the agenda and asked for a staff report. Dr. Kim gave a brief presentation regarding the proposed Art in a Public Space. Mr. Treharne then recognized Andy Hancock as the representative. Mr. Hancock stated that he is requesting to approval to place a boxed sand sculpture.

Mr. Treharne then opened it up for discussion by the Task Force. The Task Force expressed their comments/concerns regarding Art in a Public Space. After some discussion Mr. Olle made a motion to approve the boxed sand sculpture in a parking space in front of the monument sign. Mr. Shelley seconded the motion. The motion carried unanimously.

6. <u>Discussion and action regarding Table 5.1 'Schedule of Uses' in Subsection V of the Section 20-8.9 Appendix "Z" Padre Boulevard and Entertainment District Code.</u>

Mr. Treharne announced the item from the agenda and asked for a staff report. Dr. Kim gave a brief presentation regarding Table 5.1 'Schedule of Uses' in Subsection V of Section 20-8.9 Appendix "Z" Padre Boulevard and Entertainment District Code.

Mr. Treharne then opened it up for discussion by the Task Force. The Task Force expressed their comments/concerns regarding Table 5.1 'Schedule of Uses' in Subsection V of Section 20-8.9 Appendix "Z" Padre Boulevard and Entertainment District Code. After some discussion Mr. Olle made a motion to approve and send recommendation to the Planning and Zoning Commission. Mr. Shelley seconded the motion. The motion carried unanimously.

Development Standards Review Task Force Minutes May 12, 2015 Page 2 of 2

7.	Ad	iourn	ment	t.

	to discuss, Mr. Treharne adjourned the meeting at 10:40
a.m.	
Marta Martinez, Secretary	Gardner Treharne, Chairman

MEETING DATE: June 9, 2015 ITEM: 5

TO: Development Standards Review Task Force

FROM: Sungman Kim, Director of Development Services

ITEM DESCRIPTION:

Discussion and action regarding a Special Development Plan for the Courtyard by Marriott.

DISCUSSION:

According to the Padre Boulevard and Entertainment District Code, Special Development Plans can be applied for the City's review when the plan requires major modifications from the code:

3.2.5 Special Development Plans: A request for a modification to any of the standards of this Code other than Minor Modifications or Design Exceptions shall be reviewed and processed as Special Development Plans shall follow the process for a zoning change in Chapter 20-18 of the City of South Padre Island Code of Ordinances. Special Development Plans (SDPs) are intended to allow applicants development flexibility to address specific market opportunities and/or contexts. An application for a Special Development Plan may only be considered by the City Council (CC) after the DSRTF and the Planning and Zoning Commission (P&Z) have made a recommendation. The City Manager or designee shall review, make recommendations on any SDPs, and shall forward all SDP applications to the DSRTF and the P&Z. In evaluating an SDP, CC may consider the extent to which the application meets any of the following:

- (i) the goals, intent, and vision for Padre Boulevard and Entertainment District;
- (ii) provides an alternative "Master Plan" approach by consolidating multiple properties to create a predictable, market responsive development for the area;
- (iii) fits the adjoining context by providing appropriate transitions;
- (iv)provides public benefits such as usable civic and open spaces, livable streets, structured and shared parking, and linkages to transit;
- (v) does not hinder future opportunities for higher intensity development.

The Application

The applicant is proposing a development of the Courtyard by Marriott on a 4.22-acre (approx. 1310 x 141 feet) property. It will consist of a 5-story building with 170 rooms; 5 bay meeting rooms; a parking with 139 spaces (128 spaces required at 0.75 per room rate) including 6 accessible spaces; a Porte Corchre in the front; and an outdoor pool area by the Gulf of Mexico.

Major Modifications from the Code

While meeting the 0' side setback requirements, the plan wants to deviate from the building frontage (10'-75' front setback) requirements so that the hotel can have a parking space in the

frontage and leisure areas in the back by the ocean. There are fire accesses both from the North (Clayton's parking) and the South (Tiki parking lot).

Evaluation

- (i) Goals, Intent and Vision
 - a. Goals (Subsection 1.2): The goals of the PBED Code are to promote and provide a more functional and attractive community through the use of recognized principles of urban design and allow property owners flexibility in land use, while prescribing a higher level of detail in building design and form.
 - The applicant will provide a higher level of detail in building design.
 However, the applicant will need an adjustment to the building form and location due to practical needs in separation of parking from visitors, for the hotel development.
 - b. Intent (Subsection 6.5.1): The Padre Boulevard North Zone building form and development standards are intended to provide for more flexible, market based development vision that balances pedestrian orientation with auto-oriented development. Development standards in this district are intended to focus on establishing specific criteria under which developers could propose alternative and unique standards to implement a more market-responsive project.
 - The hotel use would be a flexible, market based development. Sidewalks
 will be provided for pedestrian uses and parking that can be shared with
 the neighbors such as Sea Turtle and Native Plant Center will be provided.
 The applicant is proposing alternative and unique standards to implement
 a more market-responsive project.
 - c. Vision (Subsection 6.5.1): Generally, this district may accommodate a wide range of commercial (retail, entertainment, restaurant and office), lodging, and residential uses. Given the availability of undeveloped land along this section of the Boulevard, there is more flexibility within this Character Zone for applicants to propose alternative development options in lieu of meeting the standards established in this zone.
 - This zone (Padre Boulevard North) allows more flexible developments and encourages applicants to propose alternative development options in lieu of meeting the standards established in this zone.
- (ii) An Alternative "Master Plan" Approach
 - The applicant proposes a site plan for a 4.22-acre property. Although the plan
 does not consolidate multiple properties, it is a large lot development with a
 sound development plan.
- (iii) Adjoining Development Context
 - Similar development pattern exists to the North.
 - Birding Center located in the Northwest also provides front parking and access.



- (iv) Public Benefits
 - This would provide shared parking to the Sea Turtle, Birding Center and a future Native Plant Center, and also would provide increased tourists to the area.
- (v) Promoting Future Opportunities for Higher Intensity Development
 - This would not hinder future opportunities for higher intensity development.
 In fact, this development would encourage more visitors to the area, inducing a development pressure.

Staff Recommendation

While the Padre Boulevard and Entertainment District Code requires to locate a building in the front and parking spaces in the back, some of the uses like hotels, resorts, and/or recreational facilities would need separation of parking spaces from activity areas.

Staff recommends approval of the proposed Special Development Plan developing the Courtyard by Marriott.

Applicant & Owner Information

In filling out this form, please note that the term Owner/ Ce-Applicant is used to denote that the owner of the subject property is considered to be a party to this application and that the owner has authorized its submission, even when the primary applicant is not the current legal owner of the subject property. Applications for Site Plans within the Padre Boulovard and Entertakement District will be reviewed for compliance with the Padre Boulovard Entertakement District (PBED) Code. City Staff will most within 15 days of the receipt of a complete application forward their recommendation to the City Monager for final action. A pre-application meeting with the Development Services Director is encouraged for appropriate information on the process and materials to be submitted for review. Please rafer to the Padre Boulevard and Entertakement District Form-Based Code User Guide for information on the application for an averview of the typical application process for development within the PBED.

Applicant		
Hershal Patel		
7010 Padre Blvd		-
South Padre Island	TX State	78597 Zlp Code
		ivehms.com
Day Telaphone	E-mall	
Owner / Co-Applicant		
Hershal Patel	-	354
7010 Padre Blvd		
South Padre Island	TX	78597
City	State	Zip Code
713-826-3078 her	shal@pers	pectivehms.c
Day Telephone	E-molf	
Application prepared b	y (ir differen	Trom oppicant
itreel Address		
	State	Zip Code
Diy		
	E-mail	
Day Telephone Initialing Use of Building/Property	E-mail	

(Please type or print name below signature)

Lot and Block Number or Tract Number

Street Address

City of	South Pad	re Island,	Texas
www.my	yspi.org		

Padre Boulevard and Entertainment District Site Plan Application

Site Plan Drawing Architectural Drawings

Submit copy of drawings that Illustrates the items in the following list. A site plan must be submitted for all new construction projects, including building additions and for open space projects, parking areas, site landscaping and screening projects. Exterior rehabilitation and renovation projects, facade maintenance and interior only projects with no exterior features added do not require the submission or a site plan, but do require submission of building plans, architectural elevations and renderings as needed to demonstrate compliance with the Building Design and Architectural Style Standards.

- U Title black containing the name of the project, type of application, name and address of the applicant, plan preparer and owner and a written and graphic scale.
- U Site plan showing all existing and proposed building locations, dimensioned parking areas if applicable, access locations, easements and any other features existing or to be placed on the property.
- U Location of the subject property including delinection of Character Zones, Street Designation along all its street frontages and special frontage requirements (if any).
- When subdivision of land is required, the layout of proposed blocks, lots, streets, easements, alleys, and trails, if any, consistent with this ordinance and other ordinances and plans, as applicable.
- All proposed uses on the property and/or buildings. For buildings with mixed uses, indicate all uses within entire building (on all floors).
- Compliance with the building form and development standards for the Character Zone in which the property is located (refer to User Guide for applicability of the PBED Code).
- Li Distances, by dimension, of buildings to property lines and existing or proposed parking facilities (include parking layout).
- Building plans, architectural elevations and renderings of proposed building(s) and proposed renovations of existing building(s) including demonstration of compliance with Section VIII Building Design Standards and Section IX Architectural Style Standards.
- Any other information that may be reasonably necessary to review and determine whether the proposed project complies with PBED Code.
- Refer to attachments for additional information.

Description of Proposed Use/ Activity

In the space below or on an attached sheet, describe clearly and accurately the proposed use, activity, work, etc.

Marriott Courtyard Hotel. 5 stories. 170 guest rooms 139 cars (6 accessible)

outdoor pool

5 bay meeting facility

EXISTING CONC RETAINING WALL NEW CONC RETAINING WALL RETAINING WALL EAST 1305.4' ± PAVERSTYP D PAVERS TYP <u>, 00000 , , , </u> COURTYARD by Marriott 5 STORIES 170 ROOMS
139 CARS (6 ACCESSIBLE)
OUTDOOR POOL
5 BAY MTG ROOM POOL 2,951 SF PAVERS TYP NEW CONC RETAINING WALL _____ OVERALL SITE PLAN

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

ARCHITECTRUAL S' MODEL OUTDOOR POOL

FILE NAME:
ISSUE DATE: 1-27-15
REVISION #: GEN 5
GENERATION: GEN 5
DECOR: FACETS GUESTFOOM / 1

B050

MEETING DATE: June 9, 2015 ITEM: 6

TO: Development Standards Review Task Force

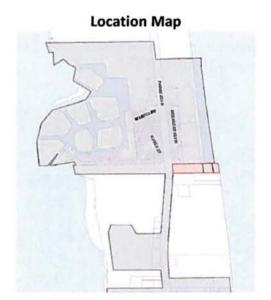
FROM: Sungman Kim, Development Director

SPONSOR / ORIGINATOR: Staff

ITEM DESCRIPTION:

Discussion and action regarding the designation of Lot 1, Block 1 Padre Island Inn Subdivision (aka Ocean Tower Property) into a District "PBN" Padre Boulevard North Character Zone.

DISCUSSION:



Backgruond:

Zoning Ordinance Sec.20-5.1 Initial Zoning for Annexed Lands

Property owners have the opportunity to negotiate with the City to determine appropriate zoning of annexed land prior to annexation through discussions with the Planning and Zoning Commission, which will provide its recommendation to the City Council. In such case, the property annexed into the City of South Padre Island shall be zoned as stated within the City's Annexation Plan for the designated area effective the date of annexation. However, if negotiations of zoning do not take place prior to annexation, property annexed into the City of South Padre Island shall be zoned "A" Residential, Single Family District effective concurrently with the date of official annexation. This temporary zoning classification shall remain in effect until a change therein is approved by the City Council. Within 180 days after

the date of official annexation, the Planning and Zoning Commission shall review and provide specific zoning recommendations to the City Council as to the appropriate zoning for such annexed area.

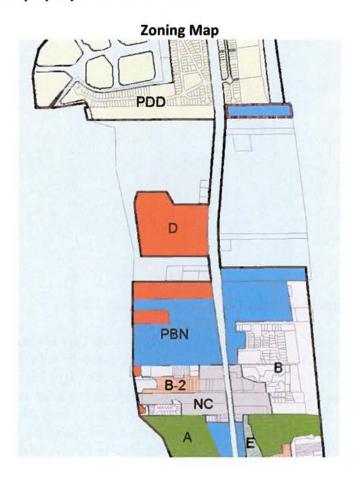
Zoning Ordinance Sec.20-18(B)

Submission of changes to the Development Standards Review Task Force. Any proposed changes/revisions/amendments to the Form Based Code (Padre Boulevard and Entertainment District Code) shall be reviewed by the Development Standards Review Task Force prior to being submitted to the Planning and Zoning Commission. <u>The Development Standards Review Task Force shall make recommendations to the Planning and Zoning Commission</u>.

The Request:

The subject lots have been annexed to the City since March 4, 2015 by Ordinance No. 15-02. Staff sent two (2) letters (dated April 8 and 30) to Resaca Investment Ltd., the owners of the property, to discuss and negotiate about the future designation of the zoning, but did not received any response from them so far.

The staff therefore independently studied about the area, surrounding the annexed property, and recommending to zone the property as a District "PBN".



Compatibility Analysis:

Given the current land use pattern, no conflict is anticipated. There are multi-story condominiums, within the mixed-use PDD, exist to the north and other sides are all natural areas that can be used for buffers. It therefore is estimated that a District "PBN", which allows mixed-use multi-story building, would be appropriate for the site.

North	Shores PDD	
East	Gulf of Mexico	
South	County Park	
West	Wetlands in Shores PDD	

The Shores



Consistency with the Comprehensive Plan:

The following is the Mission Statement of the City of South Padre Island:

South Padre Island is a unique, friendly seaside resort community that values its residents and tourists, preserves and protects the natural environment, and provides for quality sustainable growth and development that is highly diverse and responsive to changing economic conditions.

While meeting the Mission Statement, this would also be consistent with the Comprehensive Plan Chapter IV. Growth & Infrastructure.

Goal 1:The City shall ensure orderly growth, with the anticipated infrastructure and facility needs, in a fiscally responsible manner.

STAFF RECOMMENDATIONS / COMMENTS:

Staff recommends the Development Standards Review Task Force approve the proposed zoning designation of District "PBN" for the newly annexed property.

ORDINANCE NO. 15-

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING THE ZONING DISTRICT MAP OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, BY DESIGNATING LOT ONE (1), BLOCK ONE (1), PADRE ISLAND INN SUBDIVISION AS PBN (PADRE BOULEVARD NORTH CHARACTER ZONE); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF UP TO TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH VIOLATION; PROVIDING FOR THE EFFECTIVE DATE; AND AUTHORIZING PUBLICATION IN CAPTION FORM.

WHEREAS, the City Council of South Padre Island annexed Lot One (1), Block One (1), Padre Island Inn Subdivision on March 4, 2015 by Ordinance No. 15-02;

WHEREAS, the City of South Padre Island has heretofore adopted Chapter 20 (Zoning) of the Code of Ordinances and subsequently adopted Section 20-5 District Map to designate the "Zoning District Map";

WHEREAS, the City of South Padre Island and its Planning and Zoning Commission have complied with the requirements of Chapter 9 Home-Rule Municipality, Subtitle A Types of Municipalities, Title 2 Organization of Municipal Government of Local Government Code, in considering the proposed zoning designation to the newly annexed property; and

WHEREAS, The City has complied with the requirements of Sec. 20-18 of the Code of Ordinances (Zoning) to amend Chapter 20;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:

Section 1. That the Zoning District Map of the City of South Padre Island, Texas, be and the same is hereby designated as follows:

LOT ONE (1), BLOCK ONE (1), PADRE ISLAND INN SUBDIVISION, a Subdivision in the Town of South Padre Island, Cameron County, Texas according to the map or plat thereof recorded in Volume 28, Page 12, Map Records of Cameron County, Texas.

Be and the same is hereby designated and assigned the zoning designation of PBN (Padre Boulevard North Character Zone) as this allowed use is defined in the Chapter 20 (Zoning) of the Code of the City of South Padre Island, Texas.

Also identified on the Zoning District Map that is attached as Exhibit "A".

Section 2. This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 3. Any violation of the above mentioned section of Chapter 20 of the Code of Ordinances of the City of South Padre Island may be punished by a fine not to exceed two thousand Dollars (\$2000.00) for each offense of for each day such offense shall continue and the penalty provisions of Sections of Section 21-2 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

Section 4. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

Section 5. This Ordinance shall become effective when published in caption form.

SUSAN HILL, CITY SECRETARY

PASSED, APPROVED AND ADOPTED on First Reading, the _____ day of _____ 2015.

PASSED, APPROVED AND ADOPTED on Second Reading, the _____ day of _____ 2015.

ATTEST:

CITY OF SOUTH PADRE ISLAND, TEXAS

BHARAT R. PATEL, MAYOR