

**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, FEBRUARY 9, 2016  
10:00 A.M. AT THE MUNICIPAL BUILDING,  
CITY COUNCIL CHAMBERS, 2<sup>ND</sup> FLOOR  
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TX**

1. Call to Order.
2. Pledge of Allegiance.
3. Election of Chairman and Vice-Chairman.
4. **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.]*
5. Approval of the December 1, 2015 Regular Meeting Minutes.
6. Discussion and action on proposed sign variance for the Las Velas Village.
7. Discussion and action on proposed graphic on the southern wall of the POWC building.
8. Discussion and action on proposed Ordinance adding umbrella signs.
9. Adjournment.

DATED THIS THE 5<sup>TH</sup> DAY OF FEBRUARY 2016.



Susan Hill, 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 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 5, 2016 AT/OR BEFORE 1:30 P.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.



Susan Hill, 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  
DECEMBER 1, 2015**

**1. Call to Order.**

Gabby Vanounou 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: Gabby Vanounou, Gary Olle, and George Shelley. Member with an excused absence was Gardner Treharne. Staff members present were: Darla Jones, Assistant City Manager, Sungman Kim, Development Director, and Marta Martinez.

**2. Pledge of Allegiance.**

Gabby Vanounou led those present in the Pledge of Allegiance.

**3. Public Comments and Announcements.**

None.

**4. Approval of the November 10, 2015 Regular Meeting Minutes.**

Task Force Member Shelley made a motion, seconded by Task Force Member Olle to approve the November 10, 2015 regular Meeting Minutes. Motion carried unanimously.

**5. A workshop with recommendations on amending Chapter 15 Signs.**

Dr. Kim, Development Director gave a brief presentation of the amendments to Chapter 15 Signs Ordinance. The Task Force Members expressed their comments/concerns regarding this matter. After some recommended changes to the amended Chapter 15 Signs the Task Force Members suggest staff bring back for final review. No action was taken.

**6. Transportation Plan Workshop: Padre Boulevard Sidewalk and Median Modifications.**

Dr. Kim, Development Director gave a brief presentation regarding the Padre Boulevard Sidewalk and Median Modifications. The Task Force Members expressed their comments/concerns regarding this matter. After some discussion the Task Force Members suggest staff bring back document after City Council makes final changes for review. No action was taken.

**7. Adjournment.**

There being no further business, Mr. Olle made a motion, seconded by Mr. Vanounou meeting was adjourned at 11:06 a.m.

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Marta Martinez, Secretary

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Gabby Vanounou, Vice Chairman

**DEVELOPMENT STANDARDS REVIEW  
TASK FORCE  
AGENDA REQUEST FORM**

**MEETING DATE:** February 9, 2016

**ITEM:** 6

**TO:** Development Standards Review Task Force

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

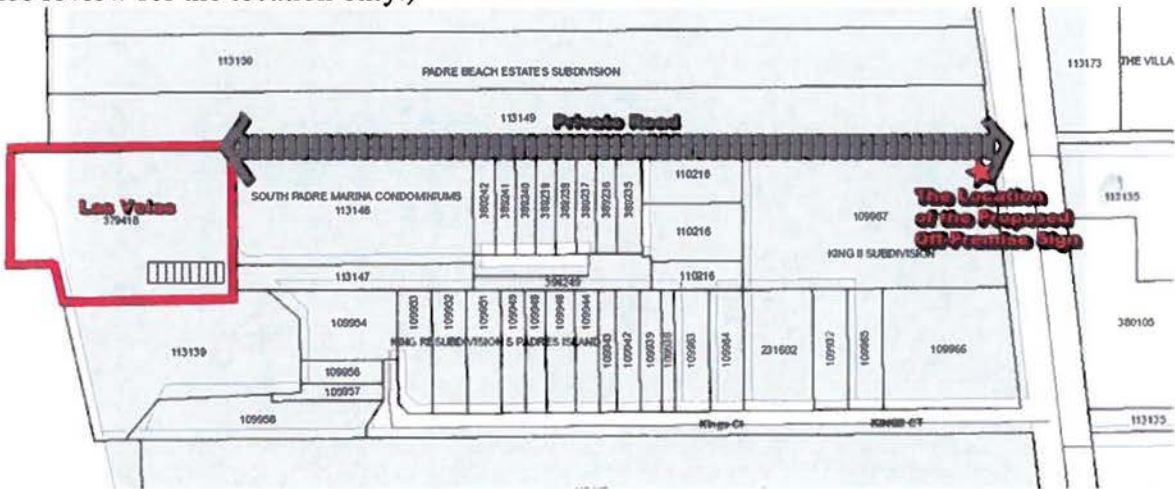
**ITEM DESCRIPTION:**  
Discussion and action on proposed sign variance for the Las Velas Village.

**DISCUSSION:**

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**Issue**

The applicant is proposing to build a temporary off-premise project development sign at the southwest quadrant of the intersection between Padre Boulevard and a private road. (This is a variance review for the location only.)



**The Legal Base**

Sec.15-5 Certain Signs Prohibited.  
(D) Off-Premise signs.

Sec.15-14 Appeals and Variances

Any person aggrieved by any decision of the City Manager or his designee in the administration of this Chapter may appeal such decision to the Development Standards Review Task Force. The Development Standards Review Task Force shall:

- (B) Grant variances from the strict enforcement of the requirements of this Chapter due to special conditions, a literal enforcement of this Chapter would result in unnecessary hardship, and so that the spirit of Chapter 15 is observed and substantial justice is done.

## Legal History

The efforts to regulate signs within the City had started in 1975 via Ordinance No. 34, and such efforts had gone through sign moratorium during 1992 and finally Off-Premise signs were prohibited on November 18, 1992 by Ordinance No. 34F. Then non-conforming signs were registered to the City per Ordinance No. 34I, which made a basis for Ordinance No. 04-05 that removed all non-conforming signs by June 1, 2005.

## The Hardship

1. The Las Velas Village development is located at the dead end, approx. 1,316 feet west from the intersection between Padre Boulevard and a private road;
2. The only access to the site would be through the private road. Therefore, there is no public traffic who would notice the project development sign at the site; and
3. The view to the site has been blocked by the South Padre Marina Condominium Building.



## City Attorney's Interpretation

*"Because this chapter is not based on zoning statutes (Chapter 211 LGC), Sec 15-14 has detail provisions on the power of the DSRTaskForce, one of which is to grant variances from the requirements of Chapter 15. The decision can be appealed to the City Council. Yes, they can get a variance from any of the provisions of Chapter 15."* (Quoted from the email dated January 29, 2016 from Mr. Paul Cunningham)

### **Staff Recommendation**

Staff recommends DSRTF issue the variance due to the unnecessary hardship.

(On the other hand, any consideration of future Ordinance revision related to off-premise signs are NOT recommended. The City went through decades of efforts to clean-up the signs and we should respect the efforts.)

## Project Development Sign for Las Velas Village.

The Developer of the Las Velas Village Condominium is requesting a variance / permit to place a Temporary Off Premise Project Development Sign to be located on the Northeast Corner of 6309 Padre Blvd., but just South of the Private Road Leading to the Landfall Towers Condominium, Marina SPI a Town Home / Garden Home Community, The South Padre Marina Condominium and then lastly The Las Velas Village, a condominium project which is now under construction.

The sign will be constructed of wood and stainless steel hardware, a V-shaped (double sided) 4 ft. x 8 ft. horizontal sign.


The Las Velas Village is approximately 1200 feet west of the intersection of the Private Road at Padre Blvd.

Bayfront Condominiums  
Starting at  
**\$360,000**

**6101 Padre Boulevard** →

**Troy Giles (956) 551-2040**  
Realty & Management **956-761-2040**

Another project by Paez Development Group (956) 761-2727 - 011 52 (81) 8363-3737





CITY OF SOUTH PADRE ISLAND

Development Standards Review Task Force Application

Meeting date on the 2nd 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): 6309 PADRE Boulevard

Legal Description (Lot/Block/Subdivision): KING II Subdivision Lot 2

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

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

I hereby request the following from the Development Standards Review Task Force:

To INSTALL A DEVELOPMENT SIGN AT THE REQUESTED LOCATION FOR A PRIVATE, GATED RESIDENTIAL COMMUNITY.

\*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: Roy Development - Robert KING

OWNER MAILING ADDRESS: PO Box 32381

CITY, STATE, ZIP: South PADRE ISLAND, TX 78597

PHONE NUMBER: 519-737-1159 (E-mail address) RKING@unique-tool.com

Signature of Property Owner (required)

Date

APPLICANT: Troy Giles on Behalf of LAS VEGAS SPI, LLC

APPLICANT MAILING ADDRESS: 5813 PADRE Boulevard

CITY, STATE, ZIP: South PADRE ISLAND, TEXAS 78597

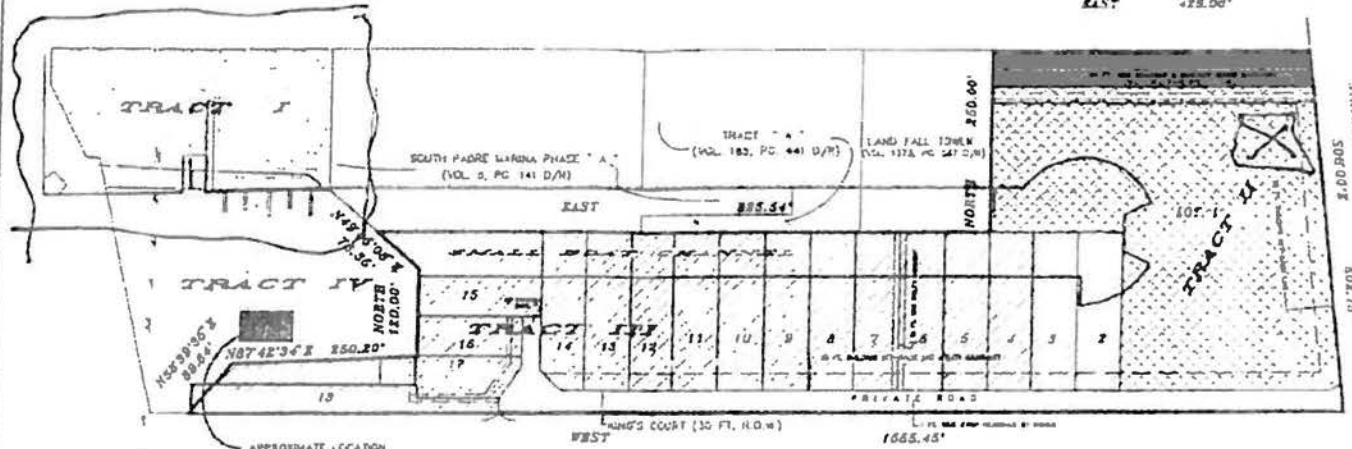
PHONE NUMBER: 956-557-2040 (E-mail address) TROY@TROYGILESREALTY.COM

Signature of Applicant (if different from owner)

Date

*Handwritten:* P. 51

LOT 6  
PADRE BEACH ESTATES SUBDIVISION  
(VOL. 14, PAGE 61, MAP RECORDS.)



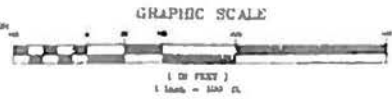
STATE PLATE (NO. 1) 100 (100 FT. R.O.S.)  
S06°00'E 508.15'

APPROXIMATE LOCATION OF COTTAGE

7.09 ACRES ±

SOUTH PADRE MARINA CHANNEL  
(5.2 ACRES ±)

*Handwritten:* SIGN LOCATION



NOTES:  
1. THIS TRACT LIES IN THE "A" ZONE OF THE 1954-1955 REVISIONS AND IS SUBJECT TO THE 1954-1955 REVISIONS.  
2. THE 1954-1955 REVISIONS ARE THE 1/4" = 1" PLAN FOR THE TRACT FROM THE 1954-1955 REVISIONS.

PROPERTY OWNED BY  
ROY DEVELOPMENT GROUP



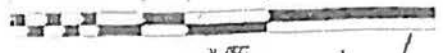


Project Area

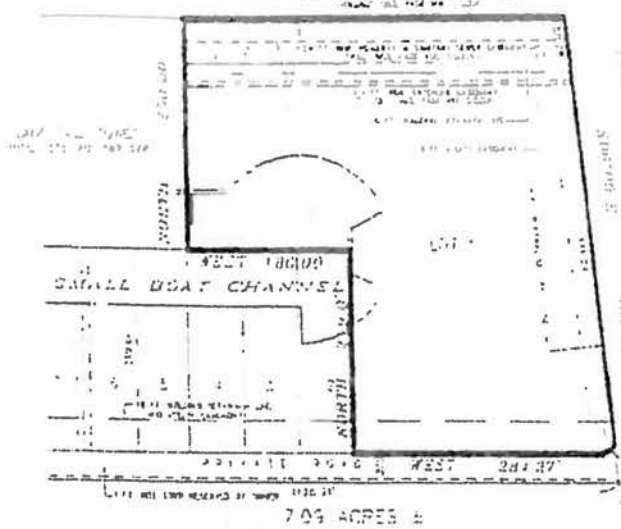
Project Sign Location



EAST 129.76



4 of 6

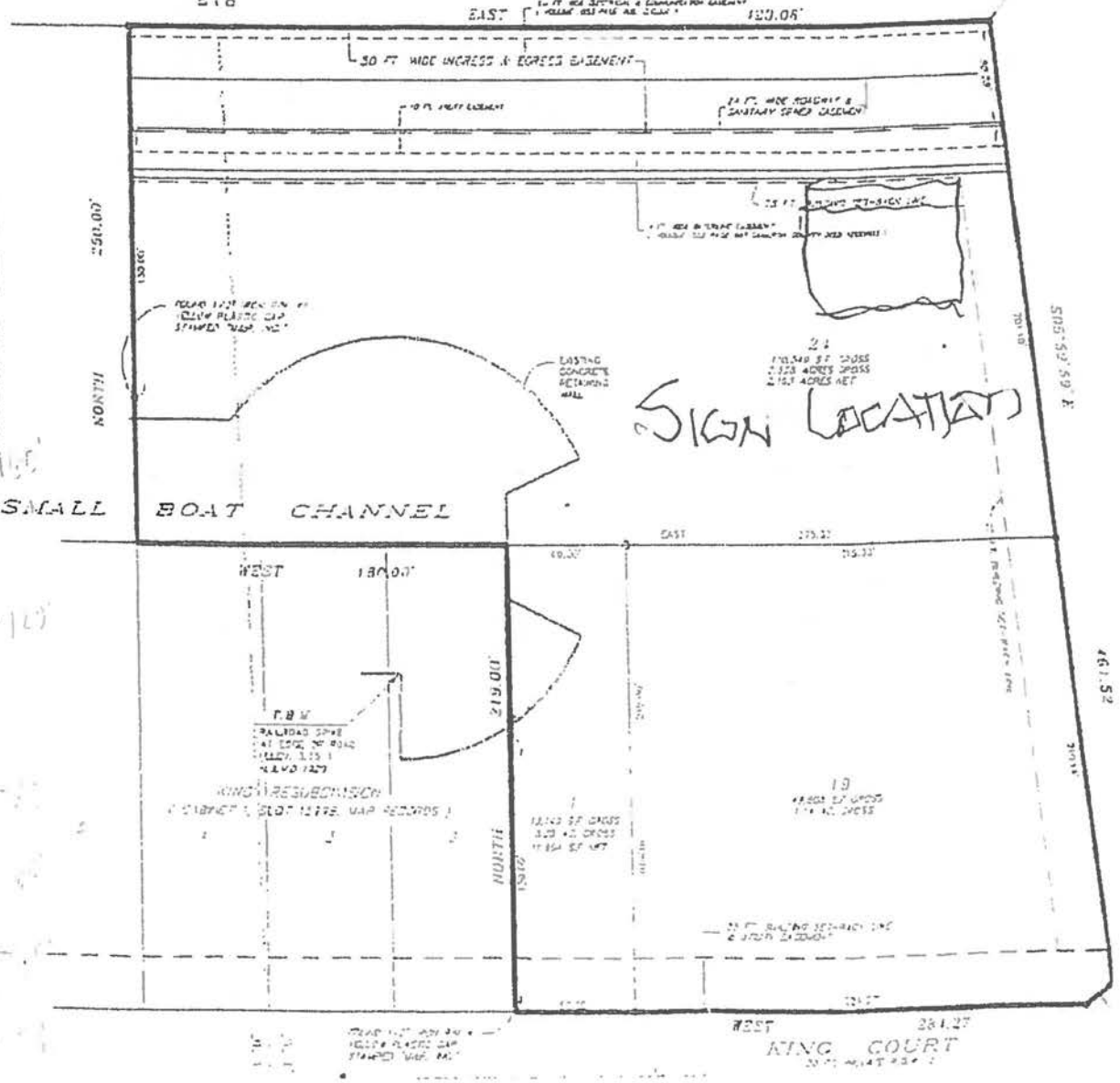


- NOTES**
1. THIS TRACT IS SUBJECT TO THE 1911 ACT AND THE 1913 ACT.
  2. THE TRACT IS SUBJECT TO THE 1911 ACT AND THE 1913 ACT.
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  10. THE TRACT IS SUBJECT TO THE 1911 ACT AND THE 1913 ACT.

**WADING PLAT**

PACIFIC BEACH ESTATES VOLUME 14, PAGE 51 MAP RECORDS

1. 1911 ACT AND THE 1913 ACT



**SIGN LOCATION**

21  
170,540 SQ. FEET  
3.22 ACRES GROSS  
2.15 ACRES NET

19  
18,000 SQ. FEET  
0.41 ACRES GROSS  
0.34 ACRES NET

**WADING COURT**

SIGN TYPE	MAX. No. SIGNS PER LOT	MAX. AREA OF SIGN	MAX. HEIGHT	SETBACK
4) Nameplate Sign	1 per tenant	2 sq ft.		15 ft from ROW & PL
5) Window Sign <i>Ord 04-03; 3/17/04</i> Prohibited after Feb 1, 2012 Ord 10-02	4 As per Table 15-3A & 15-3B	32 sq. ft. per sign		No closer than 6 inches from glass of window or door
6) Business Information Sign	1 Per Business	9 sq. ft. & no portion of the sign more than 5 ft. from the entrance,		
<b>High Rise Buildings</b>				
1) Monument Double-Faced	1 sign per lot*	72 sq. ft. per face	16 ft from average grade	15 ft from ROW & PL
2) Awning & Wall Signs	1 sign per lot	10% of the wall plane surface area, or 250 sq. ft., whichever is less.	Height of the wall	15 ft from ROW & PL
<b>Traffic Control Signs located on Private Property</b>				
	Comply with state standards	2 sq. ft.	8 ft. from average grade	
<b>Political Signs</b>				
		No greater than 36 sq. ft.	No greater than 8 ft tall	
<b>Temporary Signage</b>				
1) Future Project Development Signs (issued prior to construction of project)	1 per Development (not allowed in addition to Project Dev. Sign)	32 sq. ft.	8 ft from average grade	15 ft from side property line
2) Project Development Signs (Issued during construction of project)	1 per Development (not allowed w/ Future Project Dev. Sign)	32 sq. ft.	8 ft from average grade	15 ft from side property line
3) Freestanding Real Estate Signs, For Sale, For Lease	1 per lot	Sites with less than 1 acre = max of 6 sq. ft.	3 ft. from average grade	15 ft from ROW & PL
		Sites > 1 acre and < 5 acres = max of 16 sq. ft.	8 ft from average grade	15 ft from ROW & PL
		Sites 5+ acres = max of 32 sq. ft.	8 ft. from average grade	15 ft from ROW & PL

**DEVELOPMENT STANDARDS REVIEW  
TASK FORCE  
AGENDA REQUEST FORM**

**MEETING DATE:** February 9, 2016

**ITEM:** 7

**TO:** Development Standards Review Task Force

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

**ITEM DESCRIPTION:**

Discussion and action on proposed graphic on the southern wall of the POWC building.

**DISCUSSION:**

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The building is located on the southwestern quadrant of the intersection between Padre Blvd and Amberjack Street.

**The Legal Base**

Chapter 15 Signs

Sec.15-2(4.1) Art in Public Spaces: Art located in places easily seen by the public but which has no direct commercial connection to the structure or location in which this art is located.

Reviewed and approved by the Development Standards Review Task Force on a case by case basis.

(13.1) Commercial Art: Art on commercially-used structures which draws attention from the ROW and which identifies or advertises a product or business. Since this type of art is intentionally located and chosen to draw attention to the store and/or store products, the square footage of the art will be counted towards maximum signage area requirements.

**City Attorney's Interpretation**

“Direct commercial connection” is interpreted to refer to items such as special symbols, trademarks, logos, names, locations, hours of operation, etc. To be considered “art” it should not include any wording or symbols that would cause a commercial connection.

For example, if an owner of a book store wanted to place a sculpture of a child reading a book on their commercial property, it would be considered art. If the owner of the book store added the phrase “buy books here” or the name of the store, we would consider it signage.

**Staff Recommendation**

Considering the City Attorney's interpretation, staff believe that the proposed graphic could be categorized into a form of “art in public space”.



### 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): 2605 Padre Blvd

Legal Description (Lot/Block/Subdivision): Lot 1 Block 46

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

Linear footage of any walls facing a street: 61.1'

I hereby request the following from the Development Standards Review Task Force: \_\_\_\_\_

Approval for public art

**\*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: Skipjack Properties, L.L.C.

OWNER MAILING ADDRESS: 1900 N Akard St

CITY, STATE, ZIP: Dallas, TX 75201

PHONE NUMBER: 214 978 8761 (E-mail address) twatson@huntcontractors.com

Todd Watson \_\_\_\_\_  
Signature of Property Owner (required) Date  
*Authorized Agent*

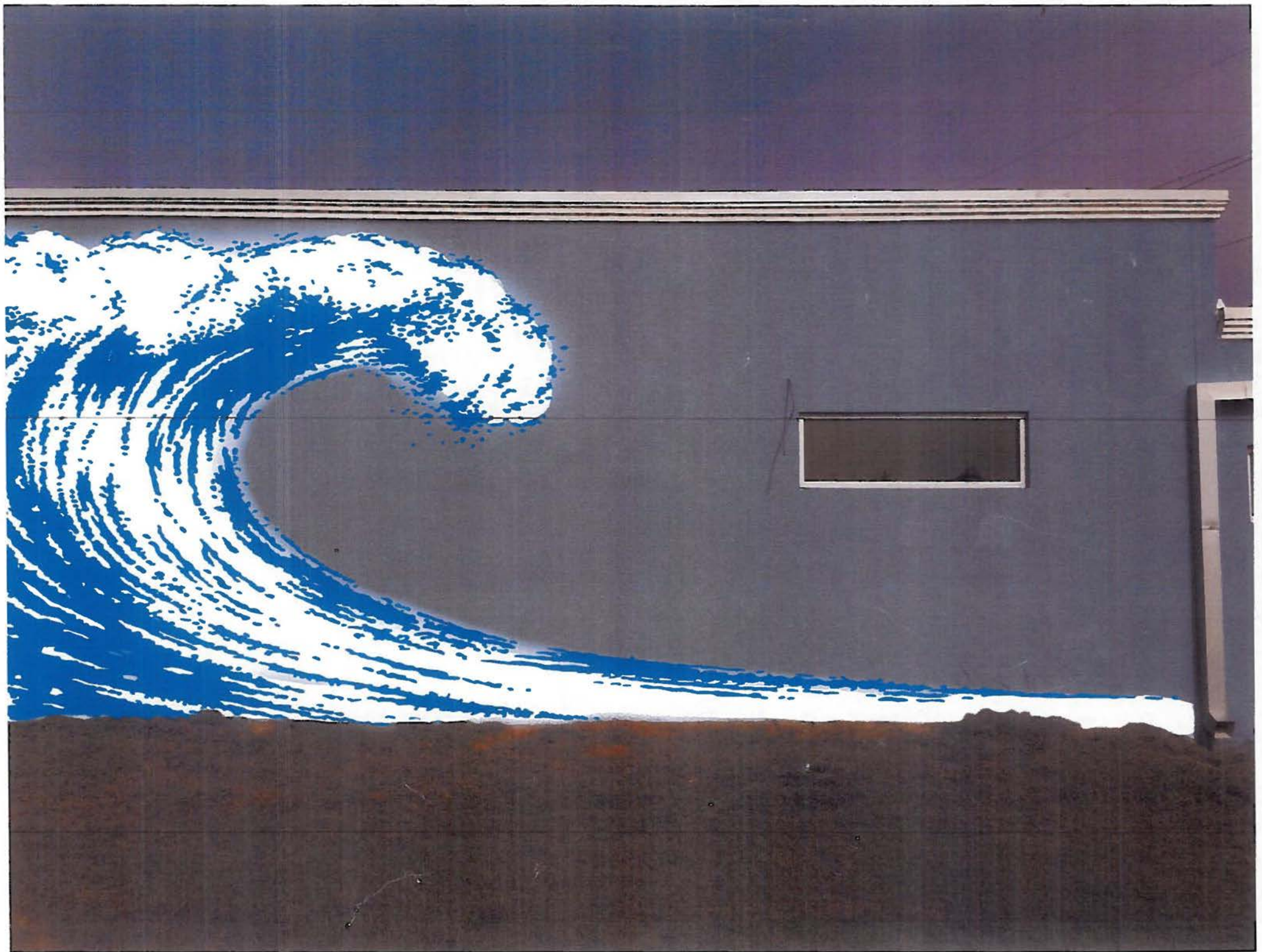
APPLICANT: Jess Alford

APPLICANT MAILING ADDRESS: 2200 Padre Blvd

CITY, STATE, ZIP: South Padre Island, TX

PHONE NUMBER: 956-433-9083 (E-mail address) jessalford@wac.com

Jess Alford \_\_\_\_\_  
Signature of Applicant (if different from owner) Date  
2-1-2016



**DEVELOPMENT STANDARDS REVIEW  
TASK FORCE  
AGENDA REQUEST FORM**

**MEETING DATE:** February 9, 2016

**ITEM:** 8

**TO:** Development Standards Review Task Force

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

**ITEM DESCRIPTION:**

Discussion and action on proposed Ordinance adding umbrella signs.

**DISCUSSION:**

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At their meeting on December 1, 2015, DSRTF had a workshop with recommendations on amending Chapter 15 Signs, and subsequently requested staff provide draft Ordinance adding umbrella signs for their review.

**Staff Recommendation**

Attached, please find the draft Ordinance and approve its' transmittal to the City Council for approval and adoption.

ORDINANCE NO. 16-

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING SECTION 15-2 OF CHAPTER 15 SIGNS BY ADDING THE DEFINITION OF 'UMBRELLA SIGN' WITH ITS STANDARDS; ADDING THE DEFINITIONS OF 'SUSPENDED SIGN', 'PARASITE SIGN' AND 'UMBRELLA' FOR EASIER UNDERSTANDING AND PRACTICAL APPLICATION OF SECTION 15; UPDATING THE SUBSEQUENT NUMBERING IN THE SECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF FIVE HUNDRED DOLLARS (\$500.00) FOR ANY VIOLATION; PROVIDING FOR SEVERABILITY; AND AUTHORIZING PUBLICATION IN CAPTION FORM.

WHEREAS, the City of South Padre Island has heretofore adopted Chapter 15 (Signs) of the Code of Ordinances;

WHEREAS, the City Council finds that the Chapter 15 of the Code of Ordinance does not cover a specific case related to umbrella signs; and

WHEREAS, it is the City Council's intent to encourage business growth and stimulate strong customer relationships through a better usage of signs.

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

**Section 1.** Definitions of "Parasite Sign", "Suspended Sign", "Umbrella", and "Umbrella Sign" are hereby added to Section 15-2 of the Chapter 15 Sign Ordinance and stated to read as follows:

(49) PARASITE SIGN. Any sign not exempted by the sign code, for which no permit has been issued, and which is hung from, attached to, or added onto an existing sign.

(70) SUSPENDED SIGN. A sign, other than a parasite sign, that is suspended from and supported by the underside of an awning, a marquee, a fascia, an umbrella, or a building overhang.

(73) UMBRELLA. A device, often round or square in shape that is supported by a center pole that provides shade or protection. For purposes of this article, any device, structure, canopy, etc. that is handheld, or that is totally or partially enclosed, or that projects from or is connected to a building shall not be deemed to be an umbrella.

(74) UMBRELLA SIGN. A sign that is painted, installed, or otherwise applied to or located directly on an umbrella at an establishment. The sign, which is a combination of letter and/or logo, height is limited to 8 inches. Signage may only be displayed on the flap



of the umbrella that is maximum 8 feet in diameter and 8 feet in height. Umbrella that is larger than the size limit shall not have any signs on it. The copy on an umbrella sign is limited to the name and/or logo of a single appurtenant business establishment. For purposes of this article, signs that are suspended from umbrellas (suspended signs) shall not be considered to be umbrella signs.

**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 15 of the Code of Ordinances of the City of South Padre Island may be punished by a fine not to exceed five Hundred Dollars (\$500.00) for each offense of for each day such offense shall continue and the penalty provisions of Sections of Section 21-1 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 6.** This Ordinance shall become effective when published in caption form.

PASSED, APPROVED AND ADOPTED on First Reading, the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

PASSED, APPROVED AND ADOPTED on Second Reading, the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**ATTEST:**

**CITY OF SOUTH PADRE ISLAND,  
TEXAS**

\_\_\_\_\_  
SUSAN HILL, CITY SECRETARY

\_\_\_\_\_  
BHARAT R. PATEL, MAYOR