

MINUTES

Planning and Zoning Commission
September 10, 2019

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

A Regular Meeting of the Planning and Zoning Commission was held on Tuesday, September 10, 2019 in the Aransas Pass City Hall, 600 W. Cleveland Blvd., Aransas Pass, Texas. A notice of the meeting was posted 72 hours in advance in accordance with Section 551, of the Texas Government Code. Vice Chairman Richard “Sandy” Kubek, Lisa Barker, Carol Salinas, Myron Schroeder, and Rene Thakor were present; Chairman Randall Freeze, Commissioners Elizabeth Dorris, Rebecca Sparks and Kathleen Sweatt were absent.

I. CALL TO ORDER

Vice Chairman Kubek verified that a quorum was present and called the meeting to order at 5:15 pm.

II. APPROVAL OF MINUTES

A motion was made by Board Member Salinas to approve the June 10, 2019 Meeting Minutes with a correction to the spelling of Myron Schroeder, seconded by Commissioner Schroeder, and the motion carried; Barker abstained.

III. PUBLIC HEARINGS

3.I. Case No. 0910-11

- 1. Public Hearing to amend Part II, Section 10, -200 Schedule of Uses by adding car rental businesses to 10-213 Motor Vehicle Uses and Related Uses and amending numbering.

Vice Chairman Kubek read the item and declared the public hearing open. Brenda Joyas, City Planner stated the current ordinance requires that Auto Rental businesses apply for a Conditional Use Permit, and the purpose of this amendment is to add Auto Rental businesses to the Use Table as an allowed use under Section 10-213.

Commissioner Schroeder asked if there was a fee associated with a Conditional Use Permit, and Ms. Joyas responded that is correct. She then stated that the plan is to implement a Business License which would have an annual fee.

There being no further questions, Vice Chairman Kubek declared the public hearing closed.

2. Consider and Act on recommending an Ordinance to amend Part II, Section 10, -200 Schedule of Uses by adding car rental businesses to 10-213 Motor Vehicle Uses and Related Uses and amending numbering.

A motion was made by Commissioner Barker to approve Item 3.I.2, seconded by Commissioner Thakor, and the motion carried.

3.II. Case No. 0910-12

1. Public Hearing to present an Ordinance to allow for comprehensive addressing processes that will simplify the addressing of new homes and businesses.

Vice Chairman Kubek read the item and declared the public hearing open. Ms. Joyas stated that the current ordinance has some missing components in matching to the County's block addressing, and the proposed amendment is more comprehensive, consistent with the county's system, and is a step-by-step process.

Commissioner Schroeder asked if this applied only for new built homes, and Ms. Joyas responded that is correct.

There being no further comments, Vice Chairman Kubek declared the public hearing closed.

2. Consider and Act on recommending an Ordinance to allow for comprehensive addressing processes that will simplify the addressing of new homes and businesses.

A motion was made by Commissioner Salinas to approve Item 3.II.2, seconded by Commissioner Barker, and the motion carried.

3.III Case No. 0910-13

1. Public hearing to present an Ordinance to allow the City Planner or City Manager Designee to approve plats that are up to one (1) foot in variance from the required lot size.

Vice Chairman Kubek read the item and declared the public hearing open. Ms. Joyas stated that this amendment would allow the City Planner, City Manager or designee to approve plats that are up to one (1) foot in variance from the required lot size.

There being no further comments, Vice Chairman Kubek declared the public hearing closed.

2. Consider and Act on recommending an Ordinance to allow City Planner or City Manager Designee to approve plats that are up to one (1) foot in variance from the required lot size.

A motion was made by Commissioner Barker to approve Item 3.III.2, seconded by Commissioner Salinas, and the motion carried.

3.IV Case No. 0910-14

1. Public hearing on an Ordinance to allow the General land Office (GLO) built homes to waive zoning requirements such as lot square footage, setbacks, and minimum home square footage due to "No Changes Allowed" by General Land Office. Only builders appointed by the GLO and set approved designs by the GLO will have waived zoning requirements listed above to expedite reconstruction due to Hurricane Harvey.

Vice Chairman Kubek read the item and declared the public hearing open. Ms. Joyas stated that federal funding is coming into the area through the General Land Office (GLO), and have selected GrantWorks as their Administrator for the qualification process. Ms. Joyas stated that GLO has selected seven (7) builders and approximately eleven (11) designs for these homes; adding that the GLO does not change the designs and if the home does not fit the lot size or meet the minimum requirement, the request will be forwarded to Planning and Zoning Commission, followed by City Council for approval.

Ms. Joyas stated that she has created a blanket ordinance to address future disasters so that homes can be built immediately once funding is approved, and not delay the process, and further explained the guidelines and zoning changes for a period of five (5) years from the declaration of the Governor. Ms. Joyas stated that staff recommends approval of the proposed ordinance

Commissioner Schroeder asked when the zoning codes are reviewed does it still require approval by the City Council, or will it be all inclusive or case by case, and Ms. Joyas responded all inclusive, adding that some of the issues with homes currently being built are lot size, home size, and setbacks. Commissioner Salinas asked if this pertains for setbacks, such as 6 foot side requirements, and Ms. Joyas responded that is correct. Ms. Joyas stated the purpose of this Ordinance is to cover the City for future disasters, and the Resolution includes details on the requirements for a particular disaster.

Donna Johnson, GrantWorks further explained the purpose of the Ordinance and Resolution being presented. She stated that GLO approved and paid for nine (9) house plans, and they vary based on house size, and explained that if there is a lot and the house does not fit there is no assistance. Ms. Johnson then explained that the GLO paid for the house plan designs and federal monies cannot be used to pay for the same service twice and will not re-pay to have new house plans designed to fit the lot. Ms. Johnson stated that the homes being built under this program are

being placed in the footprint of the old house, and if the old home did not meet the setbacks, the new home being built will not meet the setbacks. She further stated the mandate from Commissioner Bush if that these homes needs to be fortified so that when the next storm comes these homes will sustain the disaster.

Commssioner Barker commented that there are nine (9) floor plans that have been pre-selected and asked the size of the smallest and largest floor plan, and Ms. Johnson responded the smallest home is about 1,200 and the largest is 1,548 a 4-bedroom home. Vice Chairman Kubek asked if these new homes are covering the same footprint as the original home, and Ms. Johnson respond the new home will be in the same place but there are different setbacks because it is considered new construction.

Commissioner Thakor asked how many homes are being built and how many will require setbacks, and Ms. Johnson responded approximately 400 new homes are being built in the Coastal Bend area and 50% are in Aransas County and in regards to setbacks about 30%. Commissioner Barker asked how are the other communities handling this issues, and Ms. Johnson responded that Aransas Pass is the only community where this has been an issue. Commissioner Barker asked the difference in setbacks that the City will be allowing, and Ms. Joyas responded approximately five (5) feet depending on the size of the lot.

In response to a question from Commissioner Barker, Ms. Joyas stated that the Resolution establishes the process when a Disaster occurs for streamlining purposes, and the details in the Ordinance for each disaster will be approved by the city council. Ms. Johnson stated that if the homeowner does not get a variance from the City, they do not receive assistance. Ms. Johnson further stated that with these new homes being built, they will meet and exceed code, increase the tax base, and built to withstand a disaster.

In response to a question from Commissioner Barker, Ms. Johnson responded that homeowners with GLO homes will enter into a Promissory Note with the GLO that they will not sell their home, not use for collateral, keep current with taxes, and keep insurance on the home for a three-year period; and being a recipient of federal dollars, at the next storm if they do not have the home insured they will not be eligible for federal dollars. Commissioner Salinas stated that it be clear that these stipulations are only for GLO homes.

There being no further comments, Vice Chairman Kubek declared the public hearing closed.

2. Consider and Act on recommending an Ordinance to allow the General land office (GLO) built homes to waive zoning requirements such as lot square footage, setbacks, and minimum home square footage due to "No Changes Allowed" by General Land Office. Only builders appointed by the GLO and set approved designs by the GLO will be waived zoning requirements listed above to expedite reconstruction due to Hurricane Harvey.

Vice Chairman Kubek read the item and after discussion, agreed to change to apply to catastrophic events instead of Hurricane Harvey.

A motion was made by Commissioner Schroeder to approve Item 3.IV.2, seconded by Commissioner Thakor, and the motion carried.

3.V. Case No. 0910-15

1. Public hearing on an Ordinance to change side setbacks in residential districts on corner lots from twenty (20) feet to ten (10) feet.

Vice Chairman Kubek read the item and declared the public hearing open. Ms. Joyas explained that the 20 foot corner side setback removes too much property hindering homes to be built on small lots.

There being no further comments, Vice Chairman Kubek qwadeclared the public hearing closed.

2. Consider and Act on recommending an Ordinance to change side setbacks in residential districts on corner lots from twenty (20) feet to ten (10) feet.

A motion was made by Commissioner Thakor to approve Item 3.V.2, seconded by Commissioner Barker, and the motion carried.

IV. ITEMS TO BE SCHEDULED ON NEXT AGENDA:

4.I. NEW ORDINANCES

1. ~~Shae Structures for General Business Districts~~
2. ~~City Planner to approve Lot Size up to one (1) foot in difference to required size~~

4.II TEXT AMENDMENTS:

1. ~~Comprehensive Addressing Process~~

Ms. Joyas stated that these items are being removed from the agenda.

Vice Chairman Kubek requested that a discussion on minimum square footage requirements for the commercial downtown area be added on the next agenda.

V. DIRECTOR'S REPORT:

5.I. Recent City Council Action pertaining to Planning and Zoning Commission

Mr. Edwards stated that the City Council designated a Non-Voting Member to serve on the Planning and Zoning Commission and appointed Carrie Scruggs to serve on this board.

VI. ADJOURNMENT OF MEETING

There being no further business, Vice-Chairman Kubek declared the meeting adjourned at 6:15 pm.

Randall Freeze, Chairman

Approved on: _____