



PLANNING AND ZONING COMMISSION AGENDA

Regular Meeting
Tuesday, March 12, 2013
7:00 p.m.
City Hall - Council Chamber
Daniel P. Moore Community Center Complex
1900 Billy G. Webb Drive
Portland, Texas

1. **CALL TO ORDER:** CHAIRPERSON WORST
2. **MINUTES:** THE PLANNING AND ZONING COMMISSION WILL CONSIDER APPROVING THE MINUTES OF ITS JANUARY 8, 2013 REGULAR MEETING - CHAIRPERSON WORST
3. **PUBLIC HEARING – REZONING REQUEST:** THE PLANNING AND ZONING COMMISSION WILL CONDUCT A PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING A REQUEST BY PALM LAND INVESTMENTS, INC. VIA SOUTHSIDE VENTURES, LLP TO REZONE 34.00 ACRES OF UNPLATTED PROPERTY (THE REMAINDER OF TRACT 1 AS RECORDED IN FILE #547750, RURAL PUBLIC RECORDS OF SAN PATRICIO COUNTY) FROM R-6 SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-7 SINGLE-FAMILY RESIDENTIAL DISTRICT – CHAIRPERSON WORST, DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT, AS WELL AS REPRESENTATIVES OF SOUTHSIDE VENTURES, LLP
4. **REZONING REQUEST:** THE PLANNING AND ZONING COMMISSION WILL CONSIDER A REQUEST BY PALM LAND INVESTMENTS, INC. VIA SOUTHSIDE VENTURES, LLP TO REZONE 34.00 ACRES OF UNPLATTED PROPERTY (THE REMAINDER OF TRACT 1 AS RECORDED IN FILE #547750, RURAL PUBLIC RECORDS OF SAN PATRICIO COUNTY) FROM R-6 SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-7 SINGLE-FAMILY

RESIDENTIAL DISTRICT – DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

5. **SUBDIVISION PRELIMINARY PLAT:** THE PLANNING AND ZONING COMMISSION WILL CONSIDER THE PRELIMINARY PLAT OF BAY LANDING SUBDIVISION – DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

6. **ADJOURNMENT:** CHAIRPERSON WORST

RULES OF PARTICIPATION FOR ATTENDEES

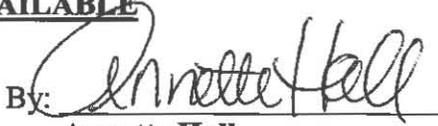
- a. Persons who wish to speak must fill out and turn in a speaker card before the meeting is convened (The Chairperson will notify you when it's your turn speak and direct you to the podium).
- b. Persons who wish to speak must identify themselves and their places of residence.
- c. All comments, requests and proposals must be presented to or through the Chairperson.
- d. Persons who wish to speak will be given 4 minutes to do so. The Chairperson may permit persons to speak more than once if he/she believes doing so will improve the planning process and facilitate deliberation.

NOTICE OF ASSISTANCE

If you plan to attend this public meeting and you have a disability that requires special arrangements to be made, please contact City Secretary Annette Hall at 361-777-4513 or annette.hall@portlandtx.com in advance of the meeting. Reasonable accommodations will be made to facilitate your participation. The City Hall is wheelchair accessible and specially marked parking spaces are located in front of its entrance. Special seating will be provided in the Council Chambers during the meeting.

BRAILLE IS NOT AVAILABLE

Posted: March 8, 2013 by 5 p.m.
City Hall

By: 
Annette Hall
City Secretary

MINUTES

PLANNING AND ZONING COMMISSION

January 8, 2013 REGULAR MEETING

The Planning and Zoning Commission conducted a January 8, 2013 Regular Meeting in the Council Chambers of City Hall (1900 Billy G. Webb) that began at 7:00 p.m. It did so in compliance with requirements of the Texas Open Meetings Act, City of Portland City Charter and Unified Development Ordinance. The following persons were in attendance:

MEMBERS PRESENT

David Worst (Chairman)
Pete Stricker
Marcus Naiser
Coco Wendland
Craig Forsythe
John Rooney
Theresa Nix

STAFF PRESENT

Mike Tanner (City Manager)
Randy Wright (Assistant City Manager)
Brian DeLatte (Director of Public Works and Development)
Kyle Schreckenbach (Assistant Director of Public Works)
Michel Weaver (Assistant to the City Manager)

OTHERS PRESENT

Bill Cocks (Northshore Properties, LLC)

1. CALL TO ORDER: CHAIRMAN DAVID WORST

Chairman Worst called the meeting to order at 7:00 p.m.

2. MINUTES: CONSIDERATION WILL BE GIVEN TO THE MINUTES OF THE AUGUST 14, 2012 AND DECEMBER 18, 2012 REGULAR MEETINGS.

Chairman Worst stated that the minutes from the August 14, 2012 and December 18, 2012 Regular Meetings will be reviewed and approved separately.

Mrs. Nix made a motion to accept the minutes of the August 14, 2012 Regular Meeting and Mr. Stricker seconded the motion.

The motion passed unanimously (7-0).

Mr. Rooney made a motion to accept the minutes of the December 18, 2012 Regular Meeting and Craig Forsythe seconded the motion.

The motion passed (6-0) with Coco Wendland abstaining.

3. **COMPREHENSIVE PLAN AND UNIFIED DEVELOPMENT ORDINANCE UPDATE: THE PLANNING AND ZONING COMMISSION WILL CONSIDER APPROVING A RECOMMENDATION TO THE CITY COUNCIL CONCERNING THE COMPREHENSIVE PLAN AND UNIFIED DEVELOPMENT ORDINANCE UPDATE - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT**

A JOINT CITY COUNCIL-PLANNING AND ZONING COMMISSION PUBLIC HEARING CONCERNING THE COMPREHENSIVE PLAN AND UNIFIED DEVELOPMENT ORDINANCE UPDATE WAS CONDUCTED ON DECEMBER 18, 2012 IN COMPLIANCE WITH APPLICABLE LAW

Brian DeLatte, Director of Public Works and Development explained that revising the Comprehensive Plan and Unified Development Ordinance has been about an 18 month process. The revised Comprehensive Plan and Unified Development Ordinance were presented at a Joint City Council-Planning and Zoning Commission Public Hearing on December 18, 2012 for public comment.

There was one public comment during the Public Hearing from Daryl Genzer with NorthShore Country Club.

Mr. Genzer did request the proposed definition of a Country Club to read as follows:

An establishment with recreational facilities for its members and invited guests, including accessory uses and structures such as a club house, locker room, pro shop, and golf course of at least 9 holes of regulation size.

It was determined at the Joint Meeting that the definition would be reviewed by the Planning and Zoning Commission with the revised Comprehensive Plan and Unified Development Ordinance on January 8, 2013.

Mr. DeLatte explained to the Planning and Zoning Commission that they could approve one of three possible definitions of a country club. The original Unified Development Ordinance definition, the one the consultant included in the revised Unified Development Ordinance, or the proposed definition by Mr. Genzer of NorthShore Country Club.

After some discussion on which definition was appropriate the Planning and Zoning Commission determined the definition in the revised Unified Development Ordinance, provided by the Consulting City Planner, would remain "as is". The definition could be reviewed by the Zoning Board of Adjustments if an applicant so desired.

Mr. Naiser made a motion to recommend to City Council the adoption of the updated Comprehensive Plan and Unified Development Ordinance as presented on December 18, 2012. Ms. Nix seconded the motion.

The motion passed unanimously (7-0).

4. **SUBDIVISION PRELIMINARY PLAT: THE PLANNING AND ZONING COMMISSION WILL CONSIDER THE PRELIMINARY PLAT OF NORTSHORE UNIT 6C – DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT**

Brian DeLatte, Director of Public Works and Development, presented to the Planning and Zoning Commission the following for consideration

A preliminary plat for Northshore Unit 6C was submitted on December 10, 2012 (Applicant: WC Cocke; Engineer: J. Schwarz & Associates, Inc.).

Location and General Description: Northshore Unit 6C is generally located west of Northshore Unit 6B, north of Mannar Estates, and on the north side of Northshore Blvd. The 9.184 acre tract is proposed to be subdivided into 40 lots, along with a 60 foot drainage easement. The tract is currently undeveloped.

Lot Layout and District Regulations: The zoning for the tract is R-7 Single Family. The preliminary plat proposes 40 lots generally exceeding the district's dimensional standards (60 foot minimum lot width, 25/5/15 front/side/rear setbacks, 6000 sf minimum lots).

Access: The proposed street designs generally comply with the Comprehensive Plan and Unified Development Ordinance Section 607. The pavement is a 30 foot back to back section centered in the 50 foot right of way. The intersection of Palmer and Northshore is appropriately situated with respect to the existing median and adjacent driveways on Northshore.

Utilities: Water service for this unit is proposed to loop from Northshore Blvd. to the existing stub on Palmer Drive. Fire hydrant spacing and alignments is acceptable to the Fire Department. Sanitary sewer service will connect into the existing manhole north of Northshore Unit 6B. This connection routing as shown will need to be refined during the final design phase to avoid the diagonal crossing of the proposed drainage ditch.

Drainage: The applicant has noted that the property lies within FEMA FIRM Zone "C". The minimum finished floor elevations of the lots are specified to be elevated above the adjacent flood elevations. Finished floor elevations will be based on adjacent curb elevations in conformance with City codes. The drainage ditch on the north side of the property is being dedicated as part of this subdivision to provide an easement for the Broadway/Northshore Boulevard Outfall System. Staff recommends the recordation of this easement as a condition of this preliminary plat approval.

Comments and Conclusion: This preliminary plat was reviewed by City staff and the City's Consulting Utilities Engineer and found to be in conformance with the Unified Development Ordinance and City of Portland regulations.

Mr. Naiser made a motion that approves the preliminary subdivision plat of NorthShore Unit 6C. Mrs. Wendland seconded the motion and the Commission voted to approve the final subdivision plat of NorthShore Unit 6C.

The motion passed unanimously 7-0.

5. **DEVELOPMENT UPDATE:** THE CITY COUNCIL WILL DISCUSS A MULTITUDE OF DEVELOPMENT ACTIVITIES, PROJECTS AND RELATED ISSUES FOLLOWING A STAFF UPDATE - CITY MANAGER AS WELL AS DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

Brian DeLatte, Director of Public Works and Development, presented to the Planning and Zoning Commission the following development update:

New Single Family Residential Permits are doing better the first quarter FY2013 than the first quarter of FY 2012 with 20 permits already issued.

Current Development

Subdivisions under construction

- Westwood Unit 3-B (22 Lots)
- Bay Ridge Unit 10 (34 Lots)
- Bay Ridge Unit 11 (84 Lots)

Recently Completed Commercial Projects

- Sun Loans (Esplanade)
- Bliss Nails (Esplanade)
- Durable Medical Equipment (908 Commerce)
- Lilly Pad Accessories (822 Market)
- Do It All Handyman (920 Austin)
- Direct General Insurance (1600 Wildcat)
- Capital Search Network (1105A Railroad)
- Taekwando (Esplanade)
- Macareno Signs (705 Moore Avenue)

Projects Under Construction

- Labcorp (Esplanade)
- Al Willeford Chevrolet remodel
- Donut Palace (1306 Wildcat Drive)
- Spanky's Liquor Store (Esplanade)
- Sally's Beauty Supply
- Mattress Firm (Esplanade)
- Spare Closet (200 West Broadway)
- Office remodel of Physical Therapy office

Closed Businesses

- Wendy's
- Quizno's

Potential Projects

- 65,000 sf big box
- 130,000 sf big box
- National chain full service restaurant

Mike Tanner, City Manager discussed sales tax and Hotel/Motel tax being up and that water sales are up despite drought rationing. Mr. Tanner discussed the need for future subdivision development to meet the guidelines and requirements of the Adopted Revised Comprehensive Plan and Unified Development Ordinance. Mr. Tanner also discussed that City Staff is working on economic development initiatives and an economic development policy for the future.

6. **ADJOURNMENT:** CHAIRMAN DAVID WORST

Chairman Worst adjourned the meeting at 7:27 p.m.

APPROVED:

David Worst, Chairman

ATTEST:

Brian DeLatte, P.E.
Director of Public Works and Development

REGULAR MEETING AGENDA BILL

PUBLIC HEARING – REZONING REQUEST: THE PLANNING AND ZONING COMMISSION WILL CONDUCT A PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING A REQUEST BY PALM LAND INVESTMENTS, INC. VIA SOUTHSIDE VENTURES, LLP TO REZONE 34.00 ACRES OF UNPLATTED PROPERTY (THE REMAINDER OF TRACT 1 AS RECORDED IN FILE #547750, RURAL PUBLIC RECORDS OF SAN PATRICIO COUNTY) FROM R-6 SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-7 SINGLE-FAMILY RESIDENTIAL DISTRICT – CHAIRPERSON WORST, DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT, AS WELL AS REPRESENTATIVES OF SOUTHSIDE VENTURES, LLP

REZONING REQUEST: THE PLANNING AND ZONING COMMISSION WILL CONSIDER A REQUEST BY PALM LAND INVESTMENTS, INC. VIA SOUTHSIDE VENTURES, LLP TO REZONE 34.00 ACRES OF UNPLATTED PROPERTY (THE REMAINDER OF TRACT 1 AS RECORDED IN FILE #547750, RURAL PUBLIC RECORDS OF SAN PATRICIO COUNTY) FROM R-6 SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-7 SINGLE-FAMILY RESIDENTIAL DISTRICT – DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

SUBMITTED BY: Brian DeLatte, Director of Public Works and Development

DATE: March 12, 2013

DATE SUBMITTED: March 7, 2013

ATTACHMENTS: Existing Conditions Aerial Photo
Legal Description
Existing Zoning Map
Figure 25 of the Comprehensive Plan (Recommended Single Family Densities)
Notice of Public Hearings

SUMMARY STATEMENT: A zoning change application was submitted to the City of Portland on February 12, 2013, for the following property:

Property Location: Generally located at the southwest corner of Akins Drive and Lang Road

Legal Description: Remainder of Tract 1 as recorded in File #547750, Rural Public Records of San Patricio County

Applicant/Owner: Palm Land Investments, Inc. via Southside Ventures, LLP

Engineer/Surveyor: Naismith Engineering

Zoning Request

The applicant has submitted a zoning request to rezone the property from R-6 Single-Family Residential District (minimum 7,000 square foot lots) to R-7 Single-Family Residential District (minimum 6,000 square foot lots).

Rezoning Approval Criteria

Section 318 of the UDO outlines the following criteria for which the Planning and Zoning Commission and City Council shall base approval of zoning requests. Naismith Engineering, Inc., has provided a response for each criterion:

1. Compatible with Plans and Policies. Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning and Zoning Commission or City Council.

Naismith comment: The rezoning is compatible with the newly adopted Future Use/Comprehensive Plan shown to us by the City Engineer.

Staff comment: Staff concurs—the rezoning request is consistent with the newly-adopted Future Land Use Plan in the Comprehensive Plan. Figure 25 (Recommended Single Family Densities) show minimum 6,000 square foot residences in this area.

2. Consistent with this Ordinance. Whether and the extent to which the proposed amendment would conflict with any portion of this Ordinance.

Naismith comment: The rezoning application is consistent with the UDO.

Staff comment: Staff concurs.

3. Compatible with Surrounding Area. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.

Naismith comment: The proposed zoning change is a less dense than the development adjacent to the western boundary of this property. Other adjacent lands are either vacant or for public use, such as Andrews Elementary School and a municipal park. Nearby zoning does have a mix of multiple family districts (R-20) or single-family residential (R-6). We feel that this Zoning Change represents an appropriate single-family transition area.

Staff comment: Staff concurs—This R-7 zoning provides a transition from the R-6 zoning on Walker/Dell/Espana and the R-8 zoning in Westwood.

4. Changed Conditions. Whether and the extent to which there are changed conditions that require an amendment.

Naismith comment: N/A

Staff comment: There are not any changed conditions that require an amendment.

5. Effect on Natural Environment. Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.

Naismith comment: We feel that this Zoning Change will not adversely affect the Natural Environment as compared to the existing Zoning District.

Staff comment: Staff concurs.

6. Community Need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.

Naismith comment: We do feel that the developer is responding to the need for single-family housing on this area that corresponds to the Future Use/Comprehensive Plan.

Staff comment: Staff concurs.

7. Development Patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.

Naismith comment: This amendment will result in a logical and orderly pattern of urban development in the community as evident by the recent passage of the Future Use/Comprehensive Plan that prescribed this density and use.

Staff comment: Staff concurs.

Adjacent Property Notification

There are 15 adjacent properties within 200 feet of the subject lot. Property owners were notified by mail, postmarked February 28, 2013, of Public Hearings at the Planning and Zoning Commission and City Council meetings. Notice was also posted in the Coastal Bend Herald.

There have been no comments on the proposed application as of 11:00am on March 7, 2013.

Hearing and Recommendation by Planning and Zoning Commission

In accordance with UDO Section 318, the Planning and Zoning Commission shall, after required

notice, conduct a public hearing on each request for an amendment of the Official Zoning Map or text of this Ordinance. At the public hearing, the Planning and Zoning Commission shall consider the application, comments and recommendations of City staff, other relevant support materials and public testimony given at the public hearing.

After the close of the public hearing, the Planning and Zoning Commission shall recommend that the City Council approve, approve with modifications, or deny the proposed amendment based on the criteria set forth above. A tie vote by the Planning and Zoning Commission on any proposed amendment to the Official Zoning Map or the text of this Ordinance shall be forwarded without recommendation to the City Council.

Comments and Conclusion

The applicant has demonstrated that the proposed rezoning is consistent with the City's Comprehensive Plan, Future Land Use Plan, and Unified Development Ordinance. Rezoning this tract to R-7 provides an appropriate transition between the adjacent R-6 and R-8 zoning districts. Staff recommends that the Planning and Zoning Commission recommend approval of the zoning request to the City Council.

RECOMMENDATION: Conduct the public hearing and deliberate the request by Palm Land Investments, Inc. via Southside Ventures, LLP to rezone 34.00 acres, as shown as the Remainder of Tract 1 as recorded in File #547750, Rural Public Records of San Patricio County, from from R-6 Single-Family Residential District to R-7 Single-Family Residential District.



**LEGAL DESCRIPTION
34.00 ACRE TRACT
SAN PATRICIO COUNTY, TEXAS**

EXHIBIT "A"

BEING a 34.00 acre tract or parcel of land being the remainder of Tract One in Block "C", Geo. H. Paul Co.'s Subdivision of the Coleman Fulton Pasture Co.'s Lands, as recorded in Document No. 547750 of the Real Property Records of San Patricio County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8" iron rod found for a corner of said Tract One, and being the northeast corner of a 1.168 acre tract of land being part of the remainder of said Tract One and being on the northwesterly Right-of-Way line of Akins Drive, **THENCE** South 30°01'06" West, with the common line of said 1.168 acre tract and Akins Drive, a distance of 177.02 feet to a set 5/8 inch diameter by 24 inch long iron rod with red plastic cap stamped "NAISMITH ENG. C.C., TX" (herein after called 5/8" iron rod set), for the **POINT OF BEGINNING**;

THENCE South 30°01'06" West, with the northwesterly Right-of-Way line of Akins Drive, a distance of 583.71 feet to a 5/8" iron rod set for a corner of the herein described tract and the beginning of a tangent curve to the right having a central angle of 85°51'24", a radius of 550.00 feet and a chord bearing and distance of South 72°56'48" West, 749.19 feet;

THENCE in a southwesterly direction with said curve to the right, same being the northwesterly Right-of-Way line of Akins Drive, an arc distance of 824.16 feet to a 5/8" iron rod set for corner;

THENCE North 64°07'31" West, with the northwest line of said Akins Drive, a distance of 169.18 feet to 5/8" iron rod set, same being the beginning of a tangent curve to the left having a central angle of 47°49'56", a radius of 650.00 feet and a chord bearing and distance of North 88°02'29" West, 527.02 feet;

THENCE in a southwesterly direction with said curve to the left, same being the north Right-of-Way line of Akins Drive, an arc distance of 542.64 feet to a 5/8" iron rod set at the intersection of the north line of said Akins Drive with the east Right-of-Way line of Moore Avenue;

THENCE North 00°20'49" West, with the east Right-of-Way line of Moore Avenue, a distance of 35.05 feet to a 5/8" iron rod set for corner;

THENCE South 89°55'57" West, a distance of 40.00 feet to a 5/8" iron rod found on the east line of a 0.486 acre tract of land as described in Volume 394, Pages 110-112, Real Property Records of San Patricio County, Texas, for the southwest corner of the herein described tract;

THENCE North 00°20'49" West, a distance of 940.69 feet to 5/8" iron rod set for a corner of the herein described tract, same being the southwest corner of a 1.093 acre tract of land as described in File Number 582864, of the Real Property Records of San Patricio County, Texas;

THENCE North 89°47'03" East, with the south line of said 1.093 acre tract, a distance of 284.23 feet to a 5/8" iron rod set for corner;

THENCE North 00°26'20" West, with the east line of said 1.093 acre tract and a west line of herein described tract, a distance of 151.64 feet to a 5/8" iron rod found for the southwest corner of a called 9.61 acre tract as recorded in Volume 468, Pages 24-27, Real Property Records of San Patricio County, Texas, and a northwest corner of the herein described tract;

THENCE South 60°04'50" East, with the south line of said called 9.61 acre tract, at a distance of 585.08 feet, pass a 5/8" iron rod found for the south corner of said 9.61 acre tract same being the southwest corner of a called 5 acre tract, as recorded in File Number 605117, Real Property Records of San Patricio County, Texas, continue with the south line of said 5 acre tract for a total distance of 1003.94 feet to a 5/8" iron rod set for corner;

THENCE North 29°52'47" East, with the southeast line of said called 5 acre tract, and a northwest line of the herein described tract, a distance of 520.17 feet to a 5/8" iron rod set on the southwest Right-of-Way line of Lang Road, same being the southwest line of Tract 1 as recorded in File Number 605116, Real Property Records of San Patricio County, Texas;

THENCE South 60°06'11" East, with the southwest Right-of-Way line of Lang Road, same being the southwest line of said Tract 1 as recorded in File Number 605116, and being the north line of the herein described tract, a distance of 270.00 feet to a 5/8" iron rod set for a corner of the herein described tract, same being the northwest corner of said 1.168 acre tract;

THENCE South 29°52'47" West, with the common line of said 1.168 acre tract and the herein described tract, a distance of 226.23 feet to a 5/8" iron rod set for corner;

THENCE South 60°06'11" East, with the southwest line of said 1.168 acre tract, a distance of 230.00 feet to the **POINT OF BEGINNING** and containing 1,481,207 square feet or 34.00 acres of land.

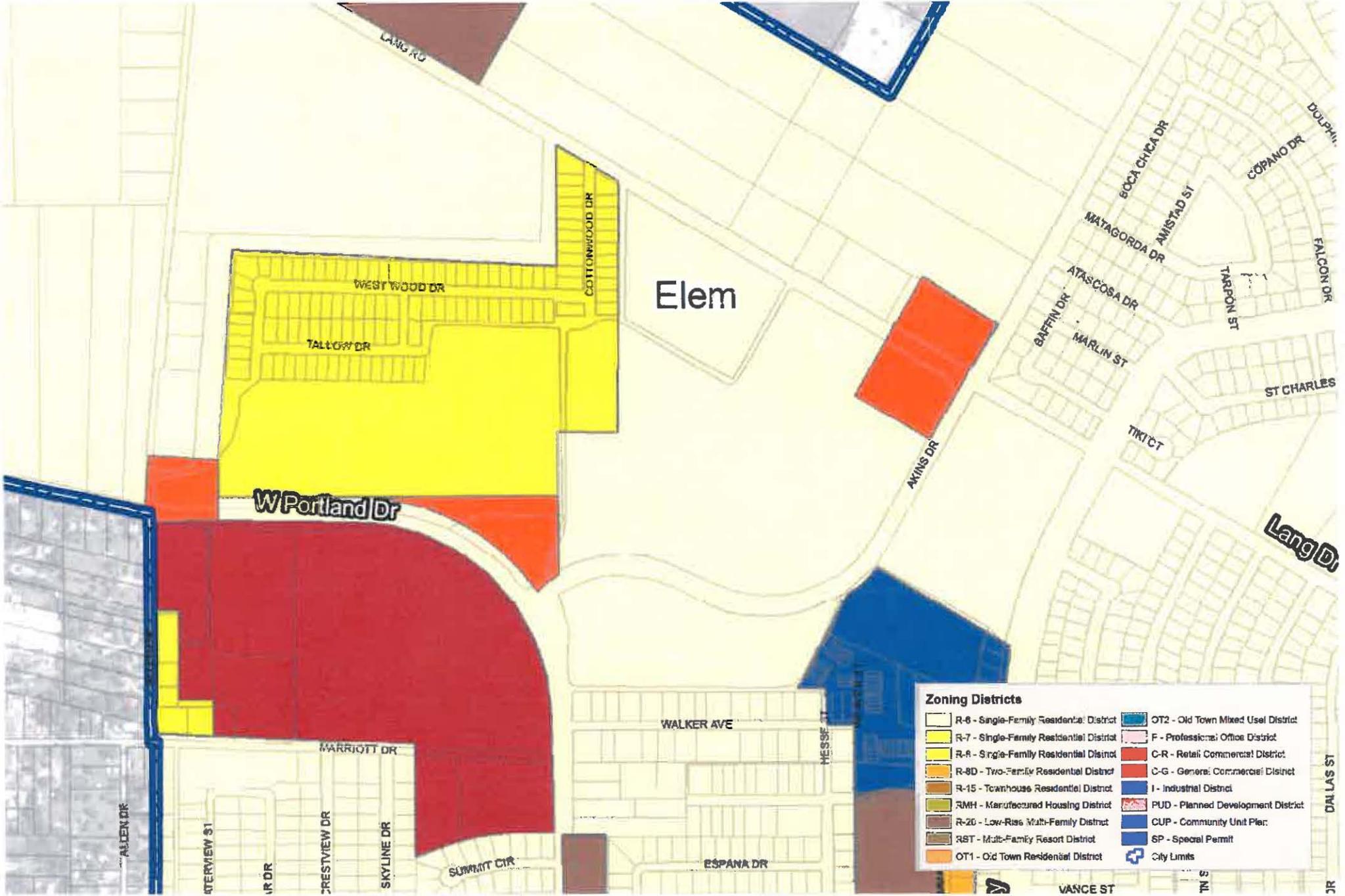
NOTE: ALL BEARINGS ARE GRID BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM FOR THE LAMBERT SOUTH ZONE NAD 1983 (CORS 96) EPOCH 2002.

Stacey King Mora

**Stacey King Mora, RPLS
Registered Professional Land Surveyor
Texas Registration No. 6166
Naismith Engineering, Inc.
TBPE F#355 TBPLS F# 100395-00**



Date: December 19, 2012



Elem

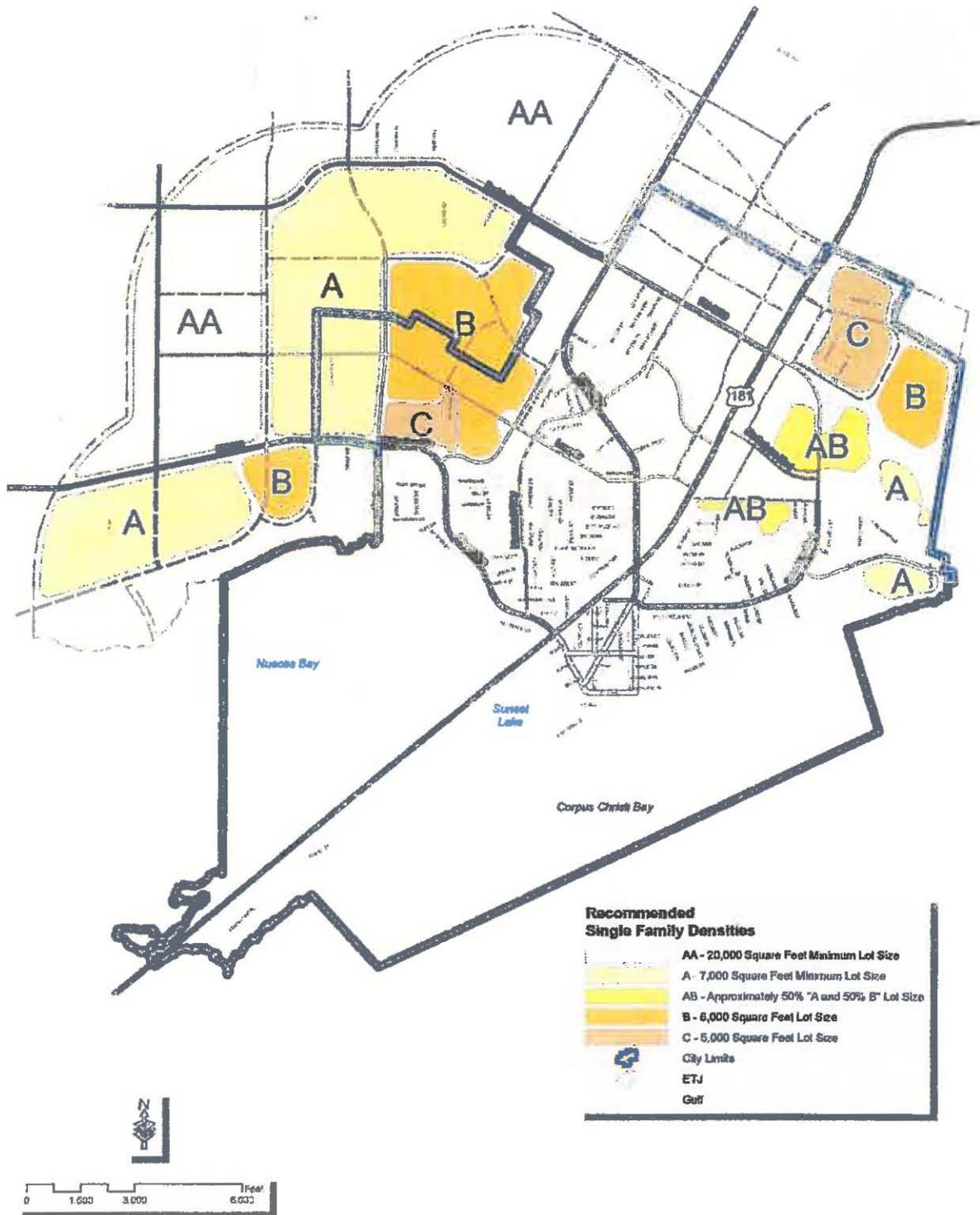
W Portland Dr

WALKER AVE

Lang Dr

Zoning Districts	
	R-6 - Single-Family Residential District
	R-7 - Single-Family Residential District
	R-8 - Single-Family Residential District
	R-8D - Two-Family Residential District
	R-15 - Townhouse Residential District
	RMH - Manufactured Housing District
	R-20 - Low-Rise Multi-Family District
	RST - Multi-Family Resort District
	OT1 - Old Town Residential District
	OT2 - Old Town Mixed Use District
	F - Professional Office District
	C-R - Retail Commercial District
	C-G - General Commercial District
	I - Industrial District
	PUD - Planned Development District
	CUP - Community Unit Plan
	SP - Special Permit
	City Limits

Figure 25. Recommended Single Family Densities





NOTICE OF PUBLIC HEARINGS

Notice is hereby given that Public Hearings will be held before the Planning and Zoning Commission of the City of Portland on March 12, 2013 (Tuesday) and the City Council of the City of Portland on March 19, 2013 (Tuesday) in the Council Chamber of the City Hall (1900 Billy G. Webb Drive - Daniel P. Moore Community Center Complex) at 7:00 p.m. on each date to solicit comments from citizens and other interested parties concerning a proposed rezoning of 34.00 acres of unplatted property at the southwest corner of Akins Drive and Lang Road (Remainder of Tract 1 as recorded in File #547750, Rural Public Records of San Patricio County). The current zoning is R-6 Single Family Residential (minimum 7,000 square foot lots) and the proposed zoning is R-7 Single Family Residential (minimum 6,000 square foot lots). A map of the proposed zoning change is located at <http://www.portlandtx.com/index.aspx?nid=102>

Any questions concerning this matter should be directed to Brian DeLatte, Director of Public Works and Development, at (361) 777-4601 or brian.delatte@portlandtx.com.

REGULAR MEETING AGENDA BILL

AGENDA ITEM: SUBDIVISION PRELIMINARY PLAT: THE PLANNING AND ZONING COMMISSION WILL CONSIDER THE PRELIMINARY PLAT OF BAY LANDING SUBDIVISION – DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

SUBMITTED BY: Brian DeLatte, Director of Public Works and Development

DATE: March 12, 2013

DATE SUBMITTED: March 7, 2013

ATTACHMENTS: Bay Landing Preliminary Plat
Bay Landing Stormwater Quality Management Plan

SUMMARY STATEMENT: A preliminary plat application was submitted to the City of Portland on February 12, 2013, for the following property:

<u>Property Location:</u>	Generally located at the southwest corner of Akins Drive and Lang Road
<u>Legal Description:</u>	Remainder of Tract 1 as recorded in File #547750, Rural Public Records of San Patricio County
<u>Applicant/Owner:</u>	Palm Land Investments, Inc. via Southside Ventures, LLP
<u>Engineer/Surveyor:</u>	Naismith Engineering

Location and General Description: Bay Landing is generally bounded by Lang Road, Akins Drive, Westwood Subdivision, and WC Andrews Elementary. The property is 34.00 acres and is undeveloped.

Lot Layout and District Regulations: The proposed zoning for the tract is R-7 Single-Family Residential District. This preliminary plat, if approved by the Planning and Zoning Commission, is contingent on the zoning change request to be approved by City Council at its March 19 and April 2, 2013, meetings.

The preliminary plat proposes 145 single-family lots and two non-buildable lots generally exceeding the district's dimensional standards (60 foot minimum lot width, 25/5/15 front/side/rear setbacks, 6000 sf minimum lots). The average lot size proposed is approximately 7,778 sf. The preliminary plat shows three phases of construction, with units of 61 lots, 52 lots, and 32 lots.

Access: The proposed street designs generally comply with the Comprehensive Plan and Unified Development Ordinance Section 607. The pavement is a 30 foot back to back section centered in the 50 foot right of way. The development has three access points—Akins Drive, Lang Road, and Cottonwood Drive. Staff has determined that these access points are appropriate and meet

the requirements of the UDO.

There is currently no connection between the proposed Bay Landing units and the Westwood units via Cottonwood Drive. Westwood Owners, LLC, and Palm Land Investments, Inc. have entered into an agreement for the sale of the 1.093 acre tract to make this connection. Approval of this preliminary plat is recommended to be contingent on the acquisition of this property. No final plats should be approved until this acquisition is completed.

Utilities: Water service for this unit is proposed to loop through the property and connect to the Westwood units via Cottonwood Drive. An adjustment of the proposed fire hydrant location on Cottonwood Drive will be required for the final plat. The Fire Department and the Consulting City Utilities Engineer have reviewed the waterline layout and found it to be acceptable. The wastewater collection system for the property is proposed to flow to Cottonwood Drive to the lift station adjacent to Bridge Pointe Landing. The lift station at Bridge Pointe Landing requires upgrades to meet the increased flow. The approval of this preliminary plat is recommended to be contingent on the upgrades to the lift station as determined by the Consulting City Utility Engineer. No final plats should be approved until this upgrade is completed.

Drainage: The applicant has noted that the property lies within FEMA FIRM Zone "C". Finished floor elevations will be based on adjacent curb elevations in conformance with City codes. The property is proposed to drain to the Lang/Doyle Outfall through the Cottonwood Drive storm drain line. The San Patricio County Drainage District engineer has reviewed the plans and found them to be acceptable.

Pipelines: There are multiple pipelines bisecting the property. Appropriate 30-foot building lines have been shown on lots adjacent to the pipelines. Similar configurations are used in Bay Ridge and the applicant's engineer has certified that the Railroad Commission of Texas guidelines are being utilized.

Comments and Conclusion: The following entities have reviewed the plat and find no objections other than those listed above:

City of Portland Fire Department
Consulting City Utilities Engineer
San Patricio County Drainage District
City Engineer/Public Works Department

RECOMMENDATION: Adopt a motion that approves the preliminary plat of Bay Landing, subject to the following conditions:

- (1) approval of the zoning request by City Council,
- (2) purchase of the 1.093 acre tract, and
- (3) upgrades to the Bridge Pointe Landing lift station as determined by the Consulting City Utilities Engineer

