



PLANNING AND ZONING COMMISSION AGENDA

Regular Meeting

Tuesday, April 9, 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 MARCH 12, 2013 REGULAR MEETING - CHAIRPERSON WORST
3. **SUBDIVISION PLAT:** THE PLANNING AND ZONING COMMISSION WILL CONSIDER A PRELIMINARY PLAT WAIVER AND FINAL PLAT OF NORTH SHORE UNIT 6A, BLOCK 1, LOT 13 - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT
4. **ADJOURNMENT:** CHAIRPERSON WORST

RULES OF PARTICIPATION FOR ATTENDEES

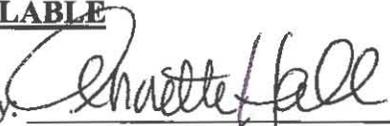
- a. Persons who wish to speak must fill out and turn in a speaker card before the meeting is convened (The Chairperson will notify you when it's your turn speak and direct you to the podium).
- b. Persons who wish to speak must identify themselves and their places of residence.
- c. All comments, requests 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: April 4, 2013 by 5 p.m.
City Hall

By: 
Annette Hall
City Secretary

MINUTES

PLANNING AND ZONING COMMISSION

March 12, 2013 REGULAR MEETING

The Planning and Zoning Commission conducted a March 12, 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

Marcus Naiser (Vice Chairman)
Coco Wendland
Craig Forsythe
John Rooney
Pete Stricker

MEMBERS ABSENT

David Worst (Chairman)
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

Craig Thompson (Naismith Engineering)

1. CALL TO ORDER: VICE CHAIRMAN MARCUS NAISER

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

2. MINUTES: CONSIDERATION WILL BE GIVEN TO THE MINUTES OF THE JANUARY 8, 2013 REGULAR MEETING.

Mr. Forsythe made a motion to accept the minutes of the January 8, 2013 Regular Meeting. Mr. Stricker seconded the motion and the Commission voted to accept the minutes.

The motion passed (4-0) with Chairman David Works, Theresa Nix, and John Rooney absent.

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

Vice Chairman Marcus Naiser called the Public Hearing at 7:01 p.m.

Brian DeLatte, Director of Public Works and Development, presented the Commission the following request:

Palm Land Investments, Inc. via Southside Ventures, LLP has submitted a request 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.

Mr. DeLatte stated that this fits within the recently updated and City Council approved Comprehensive Plan and Unified Development Ordinance.

Mr. DeLatte articulated that there were no comments from the surrounding residents who were sent notice as required by law.

Mr. Craig Thompson from Naismith Engineering was available for questions regarding the rezoning request.

The Public Hearing was closed by Vice Chairman Marcus Naiser at 7:06 p.m.

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

A motion was made by Mr. Craig Forsythe, and seconded by Mrs. Coco Wendland to recommend to City Council 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.

The motion passed unanimously 5-0 with Chairman David Worst and Theresa Nix absent.

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

Brian DeLatte, Director of Public Works and Development, presented the Commission the following request:

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

A motion was made by Mr. John Rooney, and seconded by Mr. Pete Stricker to recommend to City Council the approval of 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

The motion passed unanimously 5-0 with Chairman David Worst and Theresa Nix absent.

5. **ADJOURNMENT:** VICE CHAIRMAN MARCUS NAISER

Chairman Worst adjourned the meeting at 7:14 p.m.

APPROVED:

David Worst, Chairman

ATTEST:

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

REGULAR MEETING AGENDA BILL

AGENDA ITEM: **SUBDIVISION PLAT:** THE PLANNING AND ZONING COMMISSION WILL CONSIDER A PRELIMINARY PLAT WAIVER AND FINAL PLAT OF NORTH SHORE UNIT 6A, BLOCK 1, LOT 13 - DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT

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

DATE: April 9, 2013

DATE SUBMITTED: April 2, 2013

ATTACHMENTS: Final Plat

SUMMARY STATEMENT: The following final plat was submitted to the City of Portland on March 21, 2013:

Plat: Lot 13 of Northshore Unit 6A, Block 1
Applicant: Bill Cocke
Surveyor: John Howard Surveying Company

Location and General Description: The proposed lot is generally located in the 2000 block of US Highway 181. The 9.64 acre lot shares its northern lot line with Wal-Mart. The eastern lot line is the North Northshore Ditch easement. The south lot line is adjacent to the approximately 35.0 acre remainder of Block 1. The western lot line is shared with Lots 6 and 7 of Block 1. The plat is being prepared in anticipation of a land transaction.

Utilities: Adequate water and sewer currently serves the site, therefore no offsite utility easements are needed. An on-site utility easement is being proposed to accommodate a future waterline loop through the site due to the depth of the lot. Final construction plans of this waterline will be submitted during the building permit process.

Access: The access to the lot from US Highway 181 is via two common access easements. The northern access easement is the 67-foot shared easement with Wal-Mart adjacent to Chili's. The southern access easement is the 60-foot easement adjacent to the Prosperity Bank. Both easements are sufficient to accommodate a 9.64 acre development.

Drainage: Drainage of the site will be through private drainage systems to the North Northshore Ditch. The City of Portland and the San Patricio County Drainage District have determined that capacity of the North Northshore Ditch is not sufficient to adequately convey increased runoff from development of Northshore Unit 6A. In order to increase the capacity of the system, a diversion ditch will be constructed by the City of Portland to connect the North Northshore Ditch to the Broadway Ditch. This work is part of the capital improvements for the

Broadway/Northshore Boulevard Outfall System. An impact fee of \$139,625.76 will be assessed for this lot prior to plat recordation. Easements are required between Broadway Blvd. and the North Northshore Ditch. Staff recommends that the dedication of the drainage and construction easements is a requirement of the recordation of this plat.

Comments and Conclusion: Dedicating easements would typically trigger the preliminary plat process. Since the proposed lot is already served by existing utility and drainage easements, staff recommends a waiver of the preliminary plat. The plat was reviewed and found to be in conformance with the Unified Development Ordinance and City of Portland regulations. Staff recommends approval of the plat subject to the dedication of the off-site drainage easements.

- RECOMMENDATION:** Adopt a motion waiving preliminary plat requirements and approving the final subdivision plat of Northshore Unit 6A, Block 1, Lot 13, subject to:
- (1) compliance with all City of Portland ordinances, rules, and regulations
 - (2) recordation the required off-site drainage and construction easements
 - (3) payment of all platting fees, filing fees, review fees, and impact fees

SAN PATRICIO COUNTY, TEXAS

A PLAT OF

LOT 13, BLOCK 1, NORTH SHORE UNIT 6A

BEING A FINAL PLAT OF LOT 13, BLOCK 1 OF NORTH SHORE UNIT 6A, BEING 9.64 ACRES OUT OF A 35.05 ACRE TRACT CONVEYED FROM NORTHSHORE PROPERTIES, INC. & NORTHSHORE TEN, INC. TO NORTHSHORE PROPERTIES VI, LLC BY DEED RECORDED IN CLERK'S FILE NO. 536456 OF SAN PATRICIO COUNTY, TEXAS.

THE OWNER HEREBY DEDICATE TO THE PUBLIC THE STREET RIGHTS AS NOTED ON THIS PLAT, AND UNLESS OTHERWISE SPECIFIED TO THE PUBLIC THE UTILITY EASEMENTS DESTINATED AS "UTILITY EASEMENT" OR "DRAINAGE EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING AND OPERATING WATER, GAS, ELECTRIC, CABLE TELEVISION, TELEPHONE AND CABLE TELEVISION LINES, AND TRANSMISSION LINES, POWER LINES, AND OTHER UTILITIES, AND TO CONVEY TO THE PUBLIC THE RIGHTS OF THE UTILITY EASEMENTS FOR THE USES AND PURPOSES APPLICABLE.

THE OWNER HEREBY RESERVE WITH THE RIGHT TO CONDUCT AND MAINTAIN OPERATE, REPAIR, REPLACE AND RELAY WATER, SEWER AND SANITARY SEWER LINES WITH ACCESS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF RELAYING WATER AND/OR SEWER TO THE AREA INCLUDED IN THE PLAT.

COUNTY OF SAN PATRICIO

1. WILLIAM C. COOKE, PRESIDENT OF NORTH SHORE PROPERTIES VI, LLC, OWNER OF THE PROPERTY SUBDIVIDED IN THIS MAP OF NORTH SHORE UNIT 6A SUBDIVISION, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND BEING SAID NORTH SHORE UNIT 6A, BLOCK 1, LOT 13, WILLIAM C. COOKE, CLERK OF SAN PATRICIO COUNTY, TEXAS AND ON BEHALF OF SAID NORTH SHORE PROPERTIES VI, LLC DEDICATED TO THE PUBLIC USE, AS SUCH ALL OF THE EASEMENTS SHOWN HEREON FOREVER.

THIS THE ____ DAY OF _____, 2013.

WILLIAM C. COOKE, PRESIDENT

COUNTY OF SAN PATRICIO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED WILLIAM C. COOKE KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO ME IN THIS CERTIFICATE OF AUTHENTICATION, HEREBY CERTIFYING THAT IT HOLDS ALIEN ON BEHALF OF SAID NORTH SHORE PROPERTIES VI, LLC, AS SHOWN ON THE FOREGOING MAP AND IT APPROVES THE SUBDIVISION AND DEDICATION FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

THIS THE ____ DAY OF _____, 2013.

NOTARY PUBLIC

STATE OF TEXAS

COUNTY OF SAN PATRICIO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN SET FORTH.

THIS THE ____ DAY OF _____, 2013.

TITLE: _____

COUNTY OF SAN PATRICIO

STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN SET FORTH.

THIS THE ____ DAY OF _____, 2013.

NOTARY PUBLIC

STATE OF TEXAS

COUNTY OF SAN PATRICIO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN SET FORTH.

THIS THE ____ DAY OF _____, 2013.

REGISTERED PROFESSIONAL LAND SURVEYOR

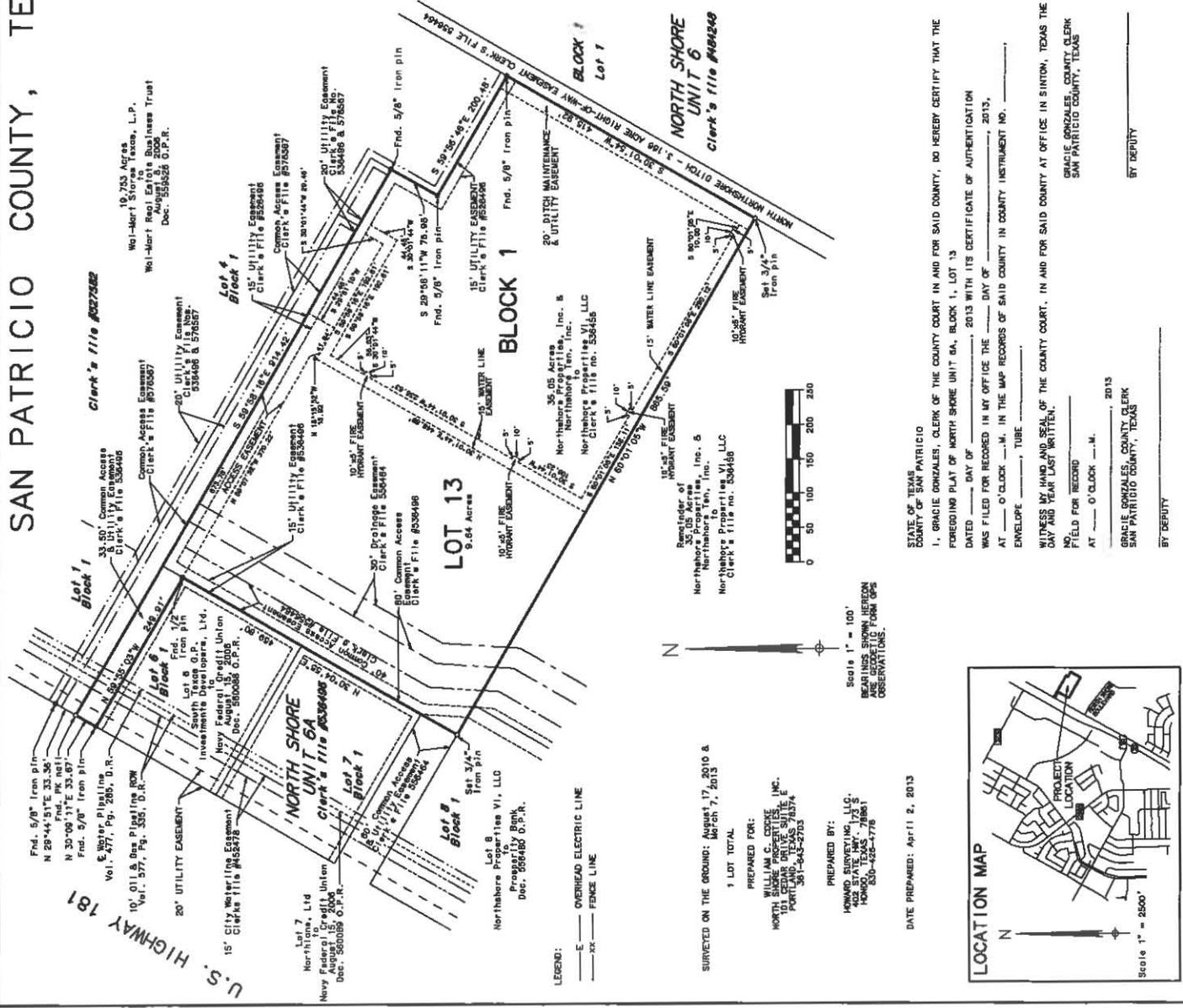
COUNTY OF SAN PATRICIO

STATE OF TEXAS

THIS FINAL PLAT OF NORTH SHORE UNIT 6A, BLOCK 1, LOT 13 WAS APPROVED BY THE CITY PLANNING AND ZONING DEPARTMENT AND WILL BE FILED WITH THE COUNTY CLERK WITHIN SIX (6) MONTHS HEREAFTER.

THIS THE ____ DAY OF _____, 2013.

CHAIRMAN

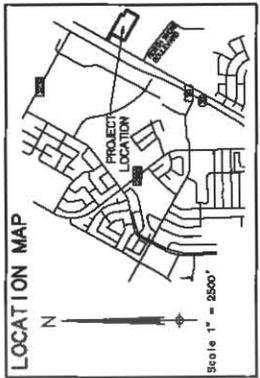


STATE OF TEXAS
 COUNTY OF SAN PATRICIO

I, GRACIE GONZALES, CLERK OF THE COUNTY COURT IN AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING PLAT OF NORTH SHORE UNIT 6A, BLOCK 1, LOT 13
 DATED ____ DAY OF _____, 2013 WITH ITS CERTIFICATE OF AUTHENTICATION
 WAS FILED FOR RECORD IN MY OFFICE THE ____ DAY OF _____, 2013,
 AT ____ O'CLOCK ____ M. IN THE MAP RECORDS OF SAID COUNTY IN COUNTY INSTRUMENT NO. _____
 ENVELOPE _____, TUBE _____.

WITNESS MY HAND AND SEAL OF THE COUNTY COURT, IN AND FOR SAID COUNTY AT OFFICE IN SINTON, TEXAS THE DAY AND YEAR LAST WRITTEN.
 FILED FOR RECORD
 AT ____ O'CLOCK ____ M. _____, 2013
 GRACIE GONZALES, COUNTY CLERK
 SAN PATRICIO COUNTY, TEXAS

BY DEPUTY _____



DATE PREPARED: April 2, 2013

SURVEYED ON THE GROUND: August 17, 2010 & March 7, 2013

1 LOT TOTAL
 PREPARED FOR:
 WILLIAM C. COOKE
 NORTH SHORE PROPERTIES, INC.
 403 STATE AVE., 1735 S
 HOUSTON, TEXAS 77054
 281-643-2703

PREPARED BY:
 HOWARD SURVEYING, LLC
 403 STATE AVE., 1735 S
 HOUSTON, TEXAS 77054
 281-643-2778

Scale 1" = 100'
 BEARING SURVEY TECHNIQUE
 AND USUALLY TO FOUR DECIMAL
 OBSERVATIONS.

U.S. HIGHWAY 181