



PLANNING AND ZONING COMMISSION AGENDA

NOTICE OF MEETING

Regular Meeting
Tuesday, November 14, 2023
6:00 p.m.
City Hall - Council Chamber
Daniel P. Moore Community Center Complex
1900 Billy G. Webb Drive
Portland, Texas

Citizens may watch the meeting live online at <http://www.portlandtx.gov/418/Media-Center>. Citizens may also comment on items appearing on the agenda online at <http://www.portlandtx.gov/418/Media-Center> and/or submit comments or questions for the Planning and Zoning Commission to annette.hall@portlandtx.gov to be considered by the Planning and Zoning Commission, all comments must be received one (1) hour prior to the meeting.

1. **CALL TO ORDER:** CHAIRPERSON FORSYTHE
2. **ROLL CALL:** CITY SECRETARY
3. **PLANNING AND ZONING COMMISSIONERS' COMMENTS CONCERNING ITEMS OF COMMUNITY INTEREST THAT MAY BE DISCUSSED:**

Members of the Planning and Zoning may present reports regarding items of community interest, provided no action is taken or discussed. Items of community interest include the following:

- Expressions of thanks, congratulations, or condolence
- Information regarding holiday schedules
- Honorary recognition of city officials, employees, or other citizens
- Reminders about upcoming events sponsored by the city or another entity that is scheduled to be attended by a city official or city employee
- Announcements of imminent threats to the public health and safety of the city

4. **CITY MANAGER'S REPORT:**

The City Manager may present announcements, comments, and updates on City operations and projects.

5. PUBLIC COMMENT - AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE PLANNING AND ZONING COMMISSION:

This meeting will be live-streamed at www.portlandtx.gov/418/Media-Center.

Public testimony and public hearing input for Public Comment and all items on the agenda should be provided in written format and presented to the City Secretary prior to the start of each meeting of the Planning and Zoning Commission. Written comments on agenda items may also be submitted through the City's Speak-Up website at www.portlandtx.gov/418/Media-Center one (1) hour prior to the meeting.

Written public testimony will be provided to members of the Planning and Zoning Commission prior to voting on measures for that meeting and included in the meeting record. Written and oral testimony as described shall serve as public testimony pursuant to Texas Government Code 551.007 for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference.

Persons wishing to speak must fill out a speaker request card prior to the meeting. You will be notified when it is your turn to speak. Speakers will be given four (4) minutes to speak.

6. ELECTIONS OF OFFICERS: THE PLANNING AND ZONING COMMISSION WILL ELECT A CHAIRPERSON AND VICE-CHAIRPERSON – CHAIRPERSON FORSYTHE

7. MINUTES: THE PLANNING AND ZONING COMMISSION WILL CONSIDER APPROVAL OF THE MINUTES OF ITS OCTOBER 10, 2023 REGULAR MEETING —CHAIRPERSON

8. PLAT CONDITIONS AMENDMENT: THE PLANNING AND ZONING COMMISSION WILL CONSIDER AMENDING THE FINAL PLAT APPROVAL CONDITIONS FOR FOX LANDING PHASE 2 – DIRECTOR OF DEVELOPMENT SERVICES – DIRECTOR OF DEVELOPMENT SERVICES

9. ADJOURNMENT: CHAIRPERSON FORSYTHE

Posted: November 10, 2023, by 5:00 p.m.

Portland City Hall

Electronically at www.portlandtx.gov

By: *Annette Hall*

Annette Hall

City Secretary

MINUTES

PLANNING AND ZONING COMMISSION

OCTOBER 10, 2023 REGULAR MEETING

The Planning and Zoning Commission conducted its October 10, 2023, Regular Meeting in the Council Chambers of City Hall (1900 Billy G. Webb Dr.) that began at 6:27 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:

COMMISSIONERS PRESENT

Craig Forsythe (Chairperson)
Leticia Kanmore (Vice-Chairperson)
Jerry Browning
Brad Sarchet
Romy Brewer
Sage Nicol
Lauren Cargill

EXECUTIVE STAFF PRESENT

Randy Wright, City Manager
Brian DeLatte, Deputy City Manager
Annette Hall, City Secretary
Sarah Munoz, Director of Development Services
Brandon Lemon, Accounting Assistant
Dude Landrum, IT Technician
Tristen Raine, IT Technician

1. CALL TO ORDER: CHAIRPERSON FORSYTHE

Chairman Forsythe called the meeting to order at 6:00 p.m.

2. ROLL CALL: CITY SECRETARY

City Secretary Annette Hall called the roll and announced that a quorum was present.

3. PLANNING AND ZONING COMMISSIONERS COMMENTS CONCERNING ITEMS OF COMMUNITY INTEREST THAT MAY BE DISCUSSED:

Members of the Planning and Zoning may present reports regarding items of community interest, provided no action is taken or discussed. Items of community interest include the following:

- Expressions of thanks, congratulations, or condolence
- Information regarding holiday schedules
- Honorary recognition of city officials, employees, or other citizens
- Reminders about upcoming events sponsored by the city or another entity that is scheduled to be attended by a city official or city employee
- Announcements of imminent threats to the public health and safety of the city

The Planning and Zoning Commissioners welcomed newly appointed Commissioner Lauren Cargill.

4. CITY MANAGER’S REPORT:

The City Manager may present announcements, comments, and updates on City operations and projects.

- City Manager Randy Wright gave an update on the Public Works citizen drop-off station and the Broadway Expansion project.

5. PUBLIC COMMENT - AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE PLANNING AND ZONING COMMISSION:

This meeting will be live-streamed at www.portlandtx.com/418/Media-Center.

Public testimony and public hearing input for Public Comment and all items on the agenda should be provided in written format and presented to the City Secretary prior to the start of each meeting of the Planning and Zoning Commission. Written comments on agenda items may also be submitted through the City’s Speak-Up website at www.portlandtx.com/418/Media-Center one (1) hour prior to the meeting.

Written public testimony will be provided to members of Planning and Zoning Commission prior to voting on measures for that meeting and included in the meeting record. Written and oral testimony as described shall serve as public testimony pursuant to Texas Government

Code 551.007 for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference.

Persons wishing to speak must fill out a speaker request card prior to the meeting. You will be notified when it is your turn to speak. Speakers will be given four (4) minutes to speak.

City Secretary Annette Hall announced that no public comments were received.

6. MINUTES: THE PLANNING AND ZONING COMMISSION WILL CONSIDER APPROVAL OF THE MINUTES OF ITS SEPTEMBER 12, 2023 REGULAR MEETING —CHAIRPERSON FORSYTHE

Vice-chairperson Kanmore made the motion to approve the minutes of the September 12, 2023, regular meeting as presented, seconded by Commissioner Brewer.

The motion passed with the following vote:

For:	7	Chairperson Forsythe, Vice-Chairperson Kanmore, Commissioner Browning, Commissioner Sarchet, Commissioner Brewer, Commissioner Nicol, and Commissioner Cargill
Against:	0	
Abstain:	0	
Absent:	0	

7. SUBDIVISION FINAL PLAT: THE PLANNING AND ZONING COMMISSION WILL CONSIDER THE FINAL PLAT OF DAVID ESTATES UNIT 4 – DIRECTOR OF DEVELOPMENT SERVICES

Director of Development Services Sarah Munoz presented the following information:

The preliminary plat of David Estates identified approximately 133 acres of the David Estates subdivision. David Estates is located near Stark and Floreke Rd. and north of Bridge Pointe Landing Apartments. The property was rezoned in 2019 and includes a mixture of R-6, R-7, and R-8 single-family residential zoning. Unit 4 for your consideration this evening is zoned entirely R-8 and contains 140 lots.

Access for this unit will be provided through the newly constructed Florke Rd. and internal streets. As you may recall, the developer entered into a Development Agreement for this subdivision to construct the streets utilizing roller-compacted concrete.

Water service will ultimately connect to the City's water system near Lang and Stark and near the Bridge Point lift station.

Wastewater will ultimately connect to the Bridge Point lift station through offsite extensions and easements. Unit 4 will be similar to previous units as it will ultimately drain into a new ditch adjacent to the Reserve at West Portland Development.

Staff recommends approval of this plat subject to the following conditions:

- A. Compliance with all City of Portland ordinances, rules and regulations
- B. Payment of Engineering construction plans
- C. Payment of all platting, and review and inspection fees
- D. Extension of offsite street, utilities, and drainage improvements at the developer's sole expense

The applicant is present and is available for questions.

Commissioner Brewer made a motion to approve the final plat of David Estates Unit 4. subject to the following conditions:

- A. Compliance with all City of Portland ordinances, rules and regulations
- B. Payment of all platting and review fees
- C. Payment of all platting, and review and inspection fees
- D. Extension of offsite street, utilities, and drainage improvements at the developer's sole expense

Seconded by Vice-chairperson Kanmore.

The motion passed with the following vote:

For:	7	Chairperson Forsythe, Vice-Chairperson Kanmore, Commissioner Browning, Commissioner Sarchet, Commissioner Brewer, Commissioner Nicol, and Commissioner Cargill
Against:	0	
Abstain:	0	
Absent:	0	

8. **SUBDIVISION REPLAT:** THE PLANNING AND ZONING COMMISSION WILL CONSIDER THE FINAL (REPLAT) OF PART OF LOT 3, ALL OF LOT 4, PART OF LOT 5 AND ONE-HALF OF LAWRENCE STREET RIGHT-OF-WAY IN THE C. T. COX SUBDIVISION, M. I. MCLEAN SURVEY, ABSTRACT NO. 203, CITY OF PORTLAND, SAN PATRICIO COUNTY, TEXAS – DIRECTOR OF DEVELOPMENT SERVICES

Director of Development Services Sarah Munoz presented the following information:

The applicants (Mike Murphy) at 1007 Moore are proposing to combine fractions of lots and previously purchased rights-of-way to construct a pet resort.

This plat is located in the Old Town 2 zoning district. The applicants have also provided Civil site plans for review and the show proposed access to the site from Broadway Avenue. The site has access to water service along Broadway with a new fire hydrant along Broadway proposed by the applicant. Waste water will be accessed through an existing easement on the property. The property will drain through an existing drainage system to the adjacent concrete-lined ditch.

Staff recommends approval of this plat subject to the following conditions:

- A. Compliance with all City of Portland ordinances, rules and regulations
- B. Payment of all platting, review fees, and impact fees

The applicant (Mike Murphy) is present to answer questions.

Commissioner Nicol made the motion to approve the final (Replat) of part of Lot 3, all of Lot 4, part of Lot 5, and one-half of Lawrence Street right-of-way in the C. T. Cox Subdivision, M. I. Mclean Survey, Abstract No. 203, City of Portland, San Patricio County, Texas with the following conditions:

Seconded by Commissioner Sarchet.

The motion passed with the following vote:

For:	7	Chairperson Forsythe, Vice-Chairperson Kanmore, Commissioner Browning, Commissioner Sarchet, Commissioner Brewer, Commissioner Holmstrom, and Commissioner Nicol
Against:	0	
Abstain:	0	
Absent:	0	

9. ADJOURNMENT: CHAIRPERSON FORSYTHE

Chairperson Forsythe adjourned the meeting at 6:10 p.m.

APPROVED:

Chairperson, Craig Forsythe

ATTEST:

City Secretary, Annette Hall



AGENDA TITLE **PLAT CONDITIONS AMENDMENT**

THE PLANNING AND ZONING COMMISSION WILL CONSIDER AMENDING
THE FINAL PLAT APPROVAL CONDITIONS FOR FOX LANDING PHASE 2 –
DIRECTOR OF DEVELOPMENT SERVICES

MEETING DATE 11/14/2023

DEPARTMENT Development Services

SUBMITTED BY Sarah Munoz, P.E., Director of Development Services

EXECUTIVE SUMMARY

Southside Ventures, LP has requested an amendment to the terms of the final plat conditions for the Fox Landing Phase 2 subdivision that was approved on August 9, 2022. The current plat approval conditions require the payment of a proportional assessment for roadway and traffic improvements on Stark Road. The proposed amendment assesses impact fees per individual building permit in lieu of the payment of proportional assessment of roadway and traffic improvements on Stark Road. The City Attorney has reviewed the proposed changes and recommends approval.

PRIOR ACTIONS OR REVIEWS

- August 8, 2023 – The Planning and Zoning Commission approved the six-month plat extension of Fox Landing Phase 2.
- August 9, 2022 – The Planning and Zoning Commission approved the final plat of Fox Landing Subdivision Phase 2.
- June 19, 2018 – The City Council rezoned approximately 38 acres from R-6 to R-8 for the project.
- December 11, 2018 – The Planning and Zoning Commission approved the preliminary plat for the project.
- February 12, 2019 – The Planning and Zoning Commission approved the final plat of Unit 1

DETAILS / STAFF ANALYSIS

The original plat approval occurred prior to the City's implementation of its impact fee program. The developer has requested to utilize the impact fee program rather than the proportional assessment methodology. While the impact fee program assesses a lower amount than the

proportional assessment methodology, the applicant could choose to allow the plat approval to expire, resubmit the plat for approval, and then be subject to the impact fee program. Accordingly, City Staff recommends amending the final plat conditions of Fox Landing Phase 2.

ATTACHMENTS

- None.
-

RECOMMENDED ACTION

Adopt a motion that repeals and replaces the final plat approval conditions of Fox Landing Phase 2 originally adopted on August 9, 2022, as follows:

1. Compliance with all City of Portland ordinances, rules, and regulations.
2. Payment of all platting fees, review fees, park dedication fees, and roadway, water, wastewater, and drainage impact fees.