



PLANNING AND ZONING COMMISSION AGENDA

NOTICE OF MEETING

Regular Meeting
Tuesday, January 9, 2024
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 NOVEMBER 14, 2023 REGULAR MEETING –CHAIRPERSON
8. **PLAT APPROVAL EXTENSION:** THE PLANNING AND ZONING COMMISSION WILL CONSIDER GRANTING A FINAL PLAT APPROVAL EXTENSION FOR HARBOR BAY ESTATES UNIT 1 – DIRECTOR OF DEVELOPMENT SERVICES – DIRECTOR OF DEVELOPMENT SERVICES
9. **ADJOURNMENT:** CHAIRPERSON FORSYTHE

Posted: January 5, 2024 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

NOVEMBER 14, 2023 REGULAR MEETING

The Planning and Zoning Commission conducted its November 10, 2023, Regular Meeting in the Council Chambers of City Hall (1900 Billy G. Webb Dr.) that began at 6:00 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:

COMMISSIONERS PRESENT

Vice-Chairperon Leticia Kanmore
Commissioner Jerry Browning
Commissioner Brad Sarchet
Commissioner Lauren Cargill

COMMISSIONERS ABSENT

Chairperson Craig Forsythe
Commissioner Romy Brewer
Commissioner Sage Nicol

EXECUTIVE STAFF PRESENT

Randy Wright, City Manager
Brian DeLatte, Deputy City Manager
Annette Hall, City Secretary
Sarah Munoz, Director of Development Services
Hal George, City Attorney
Brandon Lemon, Accounting Assistant
Drew Schell, IT Technician
Taylor Converse, IT Technician

1. **CALL TO ORDER:** CHAIRPERSON FORSYTHE

Vice-Chairperson Kanmore 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:

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- Announcements of imminent threats to the public health and safety of the city

There were no comments made by the Planning and Zoning Commissioners.

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 Broadway Blvd Expansion project and the Public Works Citizen Collection Center.

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

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

Commissioner Browning made a motion to table this item for discussion at the next meeting, seconded by Commissioner Sarchet.

The motion passed with the following vote:

For:	5	Vice-Chairperson Kanmore, Commissioner Browning, Commissioner Sarchet, Commissioner Brewer, Commissioner Nicol, and Commissioner Cargill
Against:	0	
Abstain:	0	
Absent:	3	Chairperson Forsythe, Commissioner Brewer, and Commissioner Nicol

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

Commissioner Sarchet made the motion to approve the minutes of the October 10, 2023, regular meeting as presented, seconded by Commissioner Browning.

The motion passed by acclamation.

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

Director of Development Services Sarah Munoz presented the following information:

In August 2022, the final plat of Phase 2 of the Fox Landing Subdivision was approved. Fox Landing is located at the southeast corner of Stark & Lang. A condition of approval required the payment of a proportional assessment for roadway and traffic impacts on Stark Road. An outside consultant prepared an assessment using accepted means in the industry for the impact on Stark Road by the development. This proportionate assessment was for the impact on the street only.

Since the initial proposal of the subdivision, the City of Portland has adopted an Impact Fee Ordinance. The ordinance assesses the proportionate impact on water, wastewater, and drainage in addition to the impact on streets which can now be assessed on this project.

The City Attorney and City staff agree with the applicant's request to amend the original plat condition to assess impact fees for Fox Landing Phase 2.

All building permits issued after November 1, 2022, are subject to the collection of Impact Fees.

Commissioner Sarchet made the motion to repeal and replace 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

Seconded by Commissioner Cargill.

The motion passed with the following vote:

For:	5	Vice-Chairperson Kanmore, Commissioner Browning, Commissioner Sarchet, Commissioner Brewer, Commissioner Nicol, and Commissioner Cargill
Against:	0	
Abstain:	0	
Absent:	3	Chairperson Forsythe, Commissioner Brewer and Commissioner Nicol

9. ADJOURNMENT: CHAIRPERSON FORSYTHE

Chairperson Forsythe adjourned the meeting at 6:05 p.m.

APPROVED:

Chairperson, Craig Forsythe

ATTEST:

City Secretary, Annette Hall



AGENDA TITLE **PLAT APPROVAL EXTENSION:** THE PLANNING AND ZONING COMMISSION WILL CONSIDER GRANTING A FINAL PLAT APPROVAL EXTENSION FOR HARBOR BAY ESTATES UNIT 1 – DIRECTOR OF DEVELOPMENT SERVICES

MEETING DATE 1/9/2024

DEPARTMENT Development Services

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

EXECUTIVE SUMMARY

Maria Alejandra Ibarra (Antares Land Development, LLC) has requested a final plat approval extension for the Harbor Bay Estates Unit 1. The Unified Development Ordinance requires construction to commence within one year of the final plat approval. An extension of this requirement was granted on two prior occasions. Additional extensions of this deadline can be approved at the discretion of the Planning and Zoning Commission.

PRIOR ACTIONS OR REVIEWS

- June 8, 2021 – The Planning and Zoning Commission approved the final plat of Harbor Bay Unit 1
- June 14, 2022 – The Planning and Zoning Commission approved a final plat expiration date of December 8, 2022.
- January 10, 2023 - The Planning and Zoning Commission approved a final plat expiration date of June 8, 2023.
- July 18, 2023 - The Planning and Zoning Commission approved a final plat expiration date of December 8, 2023.

DETAILS / STAFF ANALYSIS

City Staff recommends granting the extension to allow the developer time to secure additional funding for the project. The UDO allows the Planning and Zoning Commission the ability to grant a six-month extension.

ATTACHMENTS

- Letter Request

RECOMMENDED ACTION

Motion to extend the final plat expiration for Harbor Bay Estates Unit 1 to June 8, 2024.

ANTARES LAND DEVELOPMENT LLC

5525 S Staples St, Suite B-2, Corpus Christi TX 78411

December 5th, 2023

Ms. Sarah Muñoz, P.E.
Director, Development
Services
601 Moore Avenue
Portland, Texas 78374
(361) 777-4559

Ms. Muñoz,

I hope this letter finds you well. We would like to kindly request an extension on the plat for the subdivision Harbor Bay Estates Unit 1 located off Lang Rd, Portland TX. Unfortunately, we have not been able to secure financing that would make the project move forward. A continued increase in interest rates and prices on materials has delayed the progress.

We would appreciate your time and consideration to this request.

Should you have any questions or need any additional information, please do not hesitate to contact me at (210) 889-9994 or via email at ccibproperties@gmail.com.

Sincerely,



Maria Alejandra Ibarra
Managing Member