

**PLANNING & ZONING COMMISSION MINUTES
FEBRUARY 8, 2016**

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

On this the 8th day of February, 2016 the Planning and Zoning Commission convened in a Regular Called Meeting being open to the Public at the special meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum:

<u>PRESENT:</u>	RANDALL FREEZE	CHAIRPERSON
	RICHARD (Sandy) KUBEK	VICE CHAIRPERSON
	LISA BARKER	COMMISSIONER
	ELIZABETH DORRIS	COMMISSIONER
	PAT FENTON	COMMISSIONER
	SHIRLEY GALLAGHER	COMMISSIONER
	CAROL SALINAS	COMMISSIONER
	KATHLEEN SWEATT	COMMISSIONER

<u>ABSENT:</u>	DAN MOORE	COMMISSIONER
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<u>STAFF PRESENT:</u>	Miguel S. Saldaña, AICP	Development Services Director
	Amanda Torres	Planner

OTHERS PRESENT:

I. CALL TO ORDER

Chairperson Freeze opened the meeting at 5:15 p.m. and stated there was a quorum with Commissioner Moore absent.

II. APPROVAL OF MINUTES

A. Regular Called Meetings of December 14, 2015 and January 11, 2016

Commissioner Barker made a motion to approve the minutes as written for both the December 14, 2015 and January 11, 2016 regular called meetings. Vice Chairperson Kubek seconded the motion and the motion carried with Commissioner Moore absent.

III. PUBLIC HEARING AGENDA ITEMS – Discussion and Possible Action

A. PLATS

a. **1601001-P01 (Public Notice Plat)**

NELSON PARK SUBDIVISION, UNIT 1 LOTS 1, 2, 3, & 37, BLOCK 1 (FINAL – 4.798 ACRES)

Located at W. Nelson

b. **1602002-NP01 (Non-Public Notice Plat)**

FRICKS FIRST ADDITION, LOT 8-R, BLOCK 4 (FINAL – 1.036 ACRES)

Located east of Highland Avenue and south of S. Commercial (State Highway 361).

Chairman Freeze opened the public hearing for both plats at 5:17 p.m. Director Saldaña explained that both plats met subdivision regulations and that staff recommended approval. Developer Neill Amsler explained that he had presented the preliminary plat for Nelson Park before. Director Saldaña added that final changes to public improvements were reflected on this plat. Chairman Freeze closed the public hearing at 5:21 p.m.

Commissioner Sweatt made a motion to approve both presented plats. Commissioner Dorris seconded the motion and the motion carried with Commissioner Moore absent.

B. TEXT AMENDMENT

- a. Amend Zoning Ordinance, Part III, Sections 11-R16, 11-R10, 11-R7A, 11-D, 11-A2, 11-A3, 11-NS, 11-SC, 11-GB, 11-CA, and 11-HC, by removing reference to minimum floor area and minimum masonry requirements.

This item was tabled at the January 11, 2016 meeting and must be untabled before considering.

Commissioner Salinas made a motion to untable this item. Vice Chairperson Kubek seconded the motion and the motion carried with Commissioner Moore absent.

Chairman Freeze opened the public hearing at 5:23 p.m. Director Saldaña addressed issues of concern that were brought up at the last meeting, including the definition of masonry. This does not include fiber-cement/hardyboard. T1-11 is also an allowed siding per the Building Code. Compressed board is not allowed. Staff recommended approval as written.

Vice Chairperson Kubek asked why the item was being discussed. Director Saldaña explained that the masonry and square footage requirements could be seen as exclusionary. Similar ordinances have been struck down by the courts. Vice Chairperson Kubek commented that he felt that removing the requirements would not improve the community. Commissioner Sweatt disagreed, saying that it would be a legal issue.

Charles Anderson commented that 1,600 square foot living areas were fine for working people but not retired people. He said that he would like to see places where people can buy small houses.

Helen Nagel commented that the size of the house had nothing to do with it "looking shack-y." She also had environmental concerns about the living footprint.

Neill Amsler commented that he had always considered hardyboard as masonry. He said that the city should allow for affordable housing.

Chairman Freeze closed the public hearing at 6:01 p.m.

Vice Chairperson Kubek made a motion to have separate votes on the masonry and square footage requirements. Commissioner Salinas seconded the motion and the motion carried with Commissioner Moore absent.

Vice Chairperson Kubek made a motion to accept the staff recommendation to remove the masonry requirement. Commissioner Sweatt seconded the motion. Commissioner votes are as follows:

Elizabeth Dorris	NO	Pat Fenton	YES
Sandy Kubek	NO	Kathleen Sweatt	YES
Shirley Gallagher	NO	Carol Salinas	YES
Randall Freeze	NO		
Lisa Barker	NO		

The motion failed.

Commissioner Barker made a motion to leave the masonry requirements as is but adding that no less than 50% of the front exterior wall of the structure should be masonry or fiber-cement material. Vice Chairperson Kubek seconded the motion and the motion carried with Commissioner Sweatt voting nay and Commissioner Moore absent.

Vice Chairperson Kubek made a motion to recommend denial of the proposed amendment and leave intact. Commissioner Dorris seconded the motion.

Commissioner Barker commented that she would like to see reducing the square footage requirements. The commission discussed suitable square footages.

Vice Chairperson Kubek amended his motion to leave current wording of the square footage the same with the exception of changing the square footage requirement of the R-16 district to a minimum of 1,600 square foot regardless of the structure and changing the R-10 and Duplex district requirements to be reduced to 1,000 square foot to coincide with the R-7A district requirements. Commissioner Fenton seconded the motion and the motion carried with Commissioner Sweatt voting nay and Commissioner Moore absent.

IV. DIRECTOR'S REPORT

Nothing to report.

V. ITEMS TO BE SCHEDULED ON NEXT AGENDA

Director Saldaña mentioned three items to be scheduled on future agendas:

- Revision of the mobile home ordinance: The zoning ordinance was amended but it did not include R7-B still allows manufactured homes as a conditional use
- Cottage Overlay District
- Harbor Heights Preliminary Plat

VI. ADJOURNMENT OF MEETING

Vice Chairperson Kubek made a motion to adjourn. Commissioner Dorris seconded the motion and the motion carried with Commissioner Moore absent.

The meeting was adjourned at 6:26 p.m.



Randall Freeze, Chairperson

ATTEST



Miguel S. Saldaña, A.I.C.P
Planning & Zoning Commission Secretary