

The Seabrook Planning and Zoning Commission met on Thursday, June 20, 2013 in regular session at Seabrook City Hall, 1700 First Street, Seabrook, Texas to consider and if appropriate, take action on the agenda items listed below:

THOSE PRESENT WERE:

MICHAEL POTTS	CHAIRMAN
BUDDY HAMMANN	VICE CHAIRMAN
ROSEBUD CARADEC	MEMBER
MIKE DEHART	MEMBER
DODIE MILLER	MEMBER
MICHAEL SHARPE	MEMBER
BOLIVAR LEWIS	MEMBER
SEAN LANDIS	DIRECTOR OF COMMUNITY DEVELOPMENT
ALESIA HAMMOCK	SECRETARY

Chairman Potts called the meeting to order at 7:00 p.m. and stated there was a quorum present.

1.0 ROUTINE PUBLIC HEARING AND ANNOUNCEMENTS - None

2.0 SPECIFIC PUBLIC HEARING

2.1 Request for approval of a Short-form Plat for Caldwell Special Subdivision.

Applicant: Mark Caldwell, Seabrook, Texas

Owner: Ashley Caldwell, Seabrook, Texas

Property: 1318 N. Meyer Avenue, Seabrook, Texas 77586

Location: This property is located immediately east of N. Meyer. The property is located in the OS (Old Seabrook) zoning district.

Request: The applicant is requesting approval of a Short-form plat consisting of 2 lots.

Sean Landis stated that the applicant is requesting to subdivide the property into two 0.17 Acre Lots (7,424 SQ.FT.). Mr. Landis stated that at a hearing on May 8, 2013 held before the Board of Adjustments, a variance was granted to Section 4.12 Appendix A. Article 3, Section 3.12.02 (B) 2 (F) – Comprehensive Zoning. Section 4.12 Appendix A. Article 3, Section 3.12.02 (B) 2 (F) establishes a minimum lot width of 50'. The Board found that a hardship exists and granted a 1 foot variance to the 50' lot width requirement. He stated that Staff has reviewed the Short-form plat, and finds it to be compliant with the City's Subdivision and Zoning Ordinances. Staff recommends that the commission approves the short-form plat.

Chairman Potts stated that he was going to take the agenda out of order and go to New Business 3.1.

3.1 Discussion, consideration and possible action concerning the request for approval of a Short-form Plat for Caldwell Special Subdivision.

Motion was made by Buddy Hammann and seconded by Michael Sharpe

To approve the Short-form Plat for Caldwell Special Subdivision as presented by staff.

MOTION CARRIES BY UNANIMOUS CONSENT.

Chairman Potts stated that he would take 4.0, Approval of Minutes out, of order.

4.0 APPROVAL OF MINUTES

4.1 Discussion, consideration and possible action concerning the minutes from the May 16, 2013 meeting.

Motion was made by Rosebud Caradec and seconded by Dodie Miller

To approved the minutes from the May 16, 2013 meeting as written.

Ayes: Caradec, DeHart, Lewis, Miller, Potts, and Sharpe

Nays: None

Abstained: Hammann

2.0 SPECIFIC PUBLIC HEARING

2.2 Review proposed text changes to Appendix A. Comprehensive Zoning, Article 6 "Sign Standards".

Sean Landis stated that City Council has requested that the Planning and Zoning Commission review the Comprehensive Zoning Ordinance, Article 6, Signs, for possible modification. He stated that the two sections that they identified are: Article 6, Section 6.04.02(C) Temporary Grand Opening Signs and Article 6, Section 6.04.02(D) Temporary Special Sales Signs.

Mr. Landis stated that he called neighboring communities and these two ordinances are very close to what they have.

Mr. Landis stated that Article 6, Section 6.04.02(C) Temporary Grand Opening Signs states:

Temporary grand opening signage: Wall signs to advertise grand opening celebrations for individual businesses shall be allowed for a period not to exceed 30 days.

(1) Maximum size not to exceed 32 square feet per sign and may be in the form of a banner.

(2) May not project above roofline except buildings with parapet walls.

Mr. Landis asked if the 30 day time limitation too restrictive and recommended that the following language found in Article 6, Section 6.04.02(D) Temporary Special Sales Signs be added: Wind-driven signs in the form of pennants, flags (other than official flags), ribbons, streamers, spinners, or other similar devices shall be considered temporary grand opening signs for the purpose of this ordinance, subject to the limitations contained herein.

Mr. Landis stated that Article 6, Section 6.04.02(D) Temporary Special Sales Signs states:

- D. Temporary special sales signs: Temporary special sales signs shall comply with the following:
- (1) Limited to one 14 continuous-day period per quarter.
 - (2) The banner shall not exceed 32 square feet.
 - (3) Shall be attached to a building and may not project above the roofline or parapet of the building.
 - (4) Wind-driven signs in the form of pennants, flags (other than official flags), ribbons, streamers, spinners, or other similar devices shall be considered temporary special sales signs for the purpose of this ordinance, subject to the limitations contained herein.

Mr. Landis asked if the 14 day per quarter time limitation too restrictive. He stated that it is very hard for staff to enforce this type of signage because you do not have to have a permit. Mr. Landis stated that staff would support deleting the time restrictions for both sign ordinances and enforcing the sections that state that they have to be maintained and in good shape. He suggested staff communicated with the business owners to let them know what they are or not allowed to do.

Rosebud Caradec asked if the City had any form of communication with the businesses like they do with the citizens with emails and letters.

Mr. Landis stated that there is a community newsletter that goes out via email and the Economic Development Director (EDC) meets with the business community once a quarter at the "Morning Brew." He stated that he planned to do some educational outreach.

Michael Sharpe stated that if you do not have some time limits on both temporary grand opening and special sales signs then it will no longer be "temporary" and as long as they are maintained, they could be there forever.

Bolivar Lewis asked if the temporary grand opening signs were permitted.

Mr. Landis stated no.

Dodie Miller asked if anyone had the authority to enforce the sign ordinance for signs that are not maintained or signs that are up past the time limits.

Mr. Landis stated that the code enforcement officer has that authority; usually a notice will be given first.

Chairman Potts stated that the temporary grand opening signs should be changed from 30 days to 60 days and the language found in Article 6, Section 6.04.02(D) Temporary Special Sales Signs for wind-driven signs be added.

2.3 Review proposed text changes to Appendix A. Comprehensive Zoning, Article 4. Special Use Regulations, Section 4.10. Planned Unit Developments.

Mr. Landis stated that he did a comprehensive review of this ordinance and found items that need to be changed. He stated that there were some items that had to be submitted to both City Council and Planning & Zoning and there were some that just had to be submitted to Planning & Zoning. Mr. Landis stated that after discussing the PUD zoning changes with City Council, he felt that they believe this should be a joint effort and one group should not be deciding all of it.

Section 4.10.06 PUD designation procedures

B. Submission of a final PUD plan: Before a building permit may be issued or before any development action on a proposed PUD may begin, the landowner shall submit a final plan to the planning and zoning commission. The submission may be for all of the land included within a proposed PUD site or for a part of the site. The submission shall include all of the information prescribed in subsection A., above, and shall additionally include specifications, covenants, easements, conditions, bonds, or other information required by the commission.

Mr. Landis stated that he recommended adding "and city council for final approval" after "planning and zoning commission. He stated that the process to approve a PUD is a lot like a preliminary plat. The applicant will submit preliminary PUD document that will have to be approved by Planning & Zoning and City Council, but once you get to final approval only P&Z has to approve it. Mr. Landis stated that if City Council is involved with the preliminary part, they will want to be involved in the oversight of the final also.

Mr. Landis stated that PUD's could be very big projects with multiple variances and allowances, like a master plan.

Buddy Hammann stated that the way it is worded, it implies that there has to be a joint meeting. He stated that it should state "and then city council for final approval."

Mr. Landis stated that he would change that. He stated that he would recommend joint public hearings and meetings, this way both parties could hear the others opinions.

Chairman Potts stated that the last sentence should read "required by the commission and city council."

4.10.10. Development schedule:

Prior to the issuance of any building permits, a construction schedule must be submitted to and approved by the planning and zoning commission. The schedule shall include a detailed timeframe in which street, utility and building construction shall be completed. The owner/developer of the PUD is to appear before the planning and zoning commission on no less than a quarterly basis until completion of the project.

Building permits shall be secured for the PUD project no later than six months after approval by the city council. The city council may grant one six-month extension upon majority vote.

Completion of the project shall occur no later than 24 months after approval except as may be extended by the majority vote.

Mr. Landis stated that what he is recommending is that you add city council after "approved by the planning and zoning commission", change quarterly to annual, and delete all of the time limitations. He stated that you could not possible construct a PUD in 24 months. Mr. Landis stated that with the top paragraph and the changes that they are talking about, you are establishing the schedule.

4.10.11. Dissolution of the PUD:

Should the PUD project fail to meet the schedule listed above as approved by the planning and zoning commission, the PUD shall automatically dissolve and the land shall return to the zoning that existed immediately prior to the PUD, without further action by the city council.

Mr. Landis stated that he recommended adding "approved by the planning and zoning commission and city council", delete "without further action by the city council" because it is not necessary, and delete "listed above" because those items are what he is requesting to be deleted.

Chairman Potts asked how the action to dissolve the PUD be initiated.

Mr. Landis stated if that did not meet the schedule that had been approved, that would initiate it.

Ms. Caradec asked if there was any way they could expand their timeframe.

Mr. Landis stated that when they meet with Planning & Zoning and City Council on an annual basis they could request any changes to the schedule.

Ms. Caradec stated that "the PUD shall automatically dissolve and the land shall return to the zoning that existed immediately prior to the PUD, without further action by the city council" should be deleted.

Mr. Landis stated that he would make changes to the section and bring it back to P&Z.

Chairman Potts stated that to dissolve a PUD, should be initiated by a notice from staff.

Ms. Caradec stated that there would have to be some remediation possibilities.

Mr. Sharpe stated that once you have established an approved schedule and you are going to require annual updates from the builder, if they need to extend the schedule out they would have to get approval from Planning & Zoning and City Council.

Mr. Landis stated that if anyone makes changes to the original document it would have to be approved by Planning & Zoning and City Council. He stated that he could review the section with the city attorney and make the appropriate changes.

Chairman Potts stated that he thought semi-annual updates would be better than annual updates.

Mr. Landis stated that when a PUD is submitted, he suggest that P&Z require them to implement their time schedule within the document, which makes it enforceable. He stated that they might not need to change the ordinance language very much, because they could implement the requirements as part of the document.

Chairman Potts closed the specific public hearing portion of the meeting.

3.0 NEW BUSINESS – The Commission will discuss, consider, and if appropriate, take action on the items listed below.

3.2 Discussion, consideration and possible action concerning the request to review proposed text changes to Appendix A. Comprehensive Zoning, Article 6 "Sign Standards".

Motion was made by Mike DeHart and seconded by Rosebud Caradec

To add "wind driven signs" language to Section 6.04.02 C Temporary Grand Opening Signs and to not change "30 day" time limit to "60 days".

MOTION CARRIES BY UNANIMOUS CONSENT.

3.3 Discussion, consideration and possible action concerning the request to review proposed text changes to Appendix A. Comprehensive Zoning, Article 4. Special Use Regulations, Section 4.10. Planned Unit Developments.

Motion was made by Buddy Hammann and seconded by Bolivar Lewis

To instruct staff to make recommended changes and bring back to the next meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

5.0 ROUTINE BUSINESS

5.1 Discussion and Consideration of the Community Development Activity Summary.

Sean Landis gave a brief report.

5.2 Report from the Director of Planning and Community Development on the status of a list of actions taken by Planning & Zoning and sent to City Council for its action or review.

Sean Landis gave a brief report.

5.3 Discussion with staff and P&Z Commission to establish future agenda items and meeting dates.

Chairman Potts stated that the next meeting will be on July 18, 2013 and the following will be discussed:

- Rezoning Request C-2 to LI
- PUD Ordinance
- Area Planning

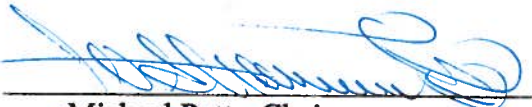
Motion was made by Buddy Hammann and seconded by Michael Sharpe

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 8:14 p.m.

APPROVED THIS 18th DAY OF JULY, 2013.


Michael Potts, Chairman


Alesia Hammock, Secretary

Buddy Hammon V. Chair