

The Seabrook Planning and Zoning Commission met on Tuesday, June 19, 2014 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 HEARINGS

2.1 Request for approval of a Short-Form Plat for Seabrook Intermediate School.

Sean Landis gave a brief report. He stated that the applicant is requesting to subdivide the property into 1 Lot, 1 Block for the purpose of an educational development. The property is located within an R-1 (Single-Family Detached Residential) zoning districts. The applicant has not requested any variances to the Subdivision Ordinance. Staff has reviewed the Short-Form Final Plat, and finds it to be compliant with the City's Subdivision and Zoning Ordinances. Staff recommends that the commission approves the plat.

Mike DeHart asked if CCISD had given a reason for the plat.

Mr. Landis stated no, that he has not had any communication with the School District.

Janet Mayeaux, Dolphin Drive, asked if they had to give the city a reason when submitting a plat.

Chairman Potts stated that according to State Law, if the plat meets all of Seabrook's subdivision and zoning ordinances, by law P&Z is required to approve it.

Chairman Potts closed the Specific Public Hearing portion of the meeting at 7:05.

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

3.1 **Discussion, consideration, and possible action regarding the request for approval of a Short-Form Plat for Seabrook Intermediate School.**

Motion was made by Buddy Hammann and seconded by Rosebud Caradec

To approve the Short-Form Plat for Seabrook Intermediate School as presented.

Buddy Hammann stated that in a zoned community if an applicant meets all of the zoning and subdivision requirements, it is required by law that it be approved.

MOTION CARRIES BY UNANIMOUS CONSENT.

3.2 **Discussion, consideration, and possible action regarding repealing Section 8.07 Properties made non-conforming by right-of-way acquisition.**

Mr. Landis stated that on November 17, 2011, Staff brought before the Planning and Zoning Commission a request to add Section 8.07 Properties Made Nonconforming by Right-of-Way Acquisition, for consideration. The Commission voted unanimous to recommend approval and City Council concurred. The original intent of the ordinance was to provide relief to property owners required to provide land due to right-of-way acquisition. Staff has found that the language originally adopted could have the opposite effect.

He stated that as the State Highway 146 project nears, city staff fears Sec. 8.07 could impact negotiations between TX-Dot and the city's impacted businesses/property owners. The ordinance states: "Where a lot, tract or parcel is occupied by a lawful use or structure which is compliant with all associated regulations of the comprehensive zoning ordinance, and where the acquisition of right-of-way by eminent domain, dedication or purchase by a city, county, state or federal agency creates noncompliance of the use, structure or associated regulations of the comprehensive zoning ordinance such use, or structure shall be deemed a lawful use or structure in compliance with the associated zoning regulations". The ordinance provides grandfathering protection to the affected properties to include parking, landscaping, and setbacks. Staff's fear is that at the conclusion of the State Hwy 146 expansion the City may have multiple properties that may be constructed with reduced front setbacks, inadequate parking, and no landscaping buffer between the business and newly established Hwy 146 feeder roads. Staff is proposing to repeal Appendix A. Comprehensive Zoning, Article 8. Nonconformance, Section 8.07 Properties Made Nonconforming by Right-of-Way Acquisition.

Chairman Potts stated that the reason Section 8.07 was created was to provide relief to property owners along Repsdorph that were required to provide land due to right-of-way acquisition. He asked if by repealing Section 8.07, this would have an adverse affect on them.

Mr. Landis stated no, that they would be grandfathered.

Michael Sharpe asked if it would have an impact on anyone else in Seabrook.

Mr. Landis stated no.

3.3 Discussion, consideration, and possible action regarding changes to the Comprehensive Land Use Matrix.

Mr. Landis stated that City Staff recently have found errors within the zoning “Comprehensive Land Use Matrix” that require possible corrective action. It is staff’s request to present to the Commission the items of concern for discussion, consideration, and possible action.

He stated that in Appendix A, Comprehensive Zoning Ordinance, zones C-1, C-2, C-3, C-S, WAD, MMU and OS all have a section for Outside storage and display (B) that states: Plants and flowers may be displayed at all times. All other merchandise may be displayed during business hours only. He stated that in some uses this is in direct conflict with the matrix. Mr. Landis stated that this section should be removed from all of the commercial zoning districts.

4.0 APPROVAL OF MINUTES

4.1 Discussion, consideration and possible action concerning the minutes from the May 15, 2014 Planning & Zoning meeting.

Motion was made by Rosebud Caradec and seconded by Michael Sharpe

To approve the May 15, 2014 Planning & Zoning Commission minutes as written.

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

Abstained: Hammann and Lewis

MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.

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 P&Z meeting would be on July 17th, 2014 and the following would be discussed:

- Rezoning Request R-1 to R-2

- Land Use Matrix public hearing
- Repealing Sec. 8.07 Properties made nonconforming by right-of-way acquisition public hearing.
- Remove (B.) Outside Storage and Display from Subdivision Ordinance public hearing.

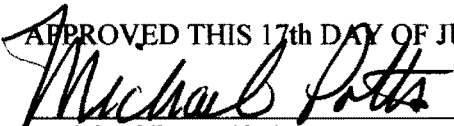
Motion was made by Buddy Hammann and seconded by Michael Sharpe

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 7:54 p.m.

APPROVED THIS 17th DAY OF JULY, 2014.


Michael Potts, Chairman


Alesia Hammock, Secretary