SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, MARCH 3, 2015 - 7:00 PM

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY MARCH 3, 2015 AT 7:00 PM** IN THE SEABROOK CITY HALL COUNCIL CHAMBERS, 1700 FIRST STREET, SEABROOK, TEXAS, **TO DISCUSS, CONSIDER, AND IF APPROPRIATE, TAKE ACTION** WITH RESPECT TO THE ITEMS LISTED BELOW.

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR OTHER ACCOMMODATIONS OR INTERPRETIVE SERVICES, MUST BE MADE, 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (281) 291-5600 OR FAX (281) 291-5710 FOR FURTHER INFORMATION.

PLEDGE OF ALLEGIANCE

1.0 PRESENTATIONS

1.1 Presentation of a quarterly report on the activities of the Open Space and Trails Committee. (Burton)

1.2 Presentation on the Update for the Seabrook Police Department OSSI Software and new capabilities. (Wright)

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

At this time we would like to listen to any member of the audience on any subject matter, whether or not that item is on the agenda. All comments are limited to a maximum of four minutes for each speaker. In accordance with the Open Meetings Act, members may not discuss or take action on any item that has not been posted on the agenda. When your name is called, please come to the podium and state your name and address clearly into the microphone before making your comments. Thank you.

2.1 Mayor, City Council and/or members of the city staff may make announcements about city/community events. (Council)

3.0 SPECIFIC PUBLIC HEARING(S)

ATTACHMENT 1

3.1 Request for preliminary approval of El Mar Village Planned Unit Development, a townhouse community of approximately 18 units on approximately 2.1640 acres of land. (Applicant)

Applicant: Charles Anders, PO Box 1244, Friendswood, Texas 77549

Owner: Sunset Development, Inc., PO Box 798, Friendswood, Texas 77549

Legal Description: Res 1, 2 and 3, Block 5 in Miramar Subdivision, Section 3, Abstract 52, Ritson Morris Survey, Harris County Texas.

Location: This property is located immediately south of El Mar Lane and west of North Meyer in an R-1 (Single Family Detached) Zoning District.

ATTACHMENT 2

3.2 Proposed Ordinance No. 2015-04, "Specifying Uses Allowed in the Point Overlay District." (P&Z)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.15 "COMPREHENSIVE LAND USE REGULATION MATRIX," BY ADDING THE POINT OVERLAY DISTRICT (POD) AS A LAND USE DISTRICT; BY SPECIFYING USES BY RIGHT AND CONDITIONAL USES PERMITTED IN THE POD; AND BY PROVIDING CROSS REFERENCES IN SECTION 3.15 AND IN ARTICLE 4, "SPECIAL USE REGULATIONS", SECTION 4.15.04, "USES".

THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDES FOR SEVERABILITY; AND PROVIDES FOR AN EFFECTIVE DATE

ATTACHMENT 3

3.3 Proposed Ordinance No. 2015-05, "Readopting Curfew Regulations for Minors." (Wright)

AN ORDINANCE READOPTING THE CURRENT CURFEW REGULATIONS FOR MINORS CONTAINED IN THE SEABROOK CITY CODE, CHAPTER 44, SECTION 44-95 "CURFEW FOR MINORS" PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED $500 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

4.0 CONSENT AGENDA - Council will discuss, consider and if appropriate, take action on the items listed below.

All consent agenda items are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a council member, city manager, city attorney or city secretary so requests, in which event the item will be removed from the Consent Agenda and considered immediately following the Consent Agenda.

4.1 Approve reappointments of John Dolan and Sue Langgard as regular members of the

Board of Adjustment and Richard Nguyen as an alternate member, all with two-year terms expiring January 2017. (Council)

ATTACHMENT 4

4.2 Approve the Seabrook Municipal Court's cancellation of 281 delinquent citations from 1984 through 1998 as uncollectable. (Webbon)

ATTACHMENT 5

4.3 Approve the Seabrook Municipal Court's creation of a "Warrant Discount Program" (waiving a $50.00 fee for each warrant collected) for a period of time not to exceed four weeks each fiscal year. (Webbon)

ATTACHMENT 6

4.4 Approve an annual report certifying that the city does not racially profile as mandated by the State. (Wright)

4.5 Appoint Sue Harral as Election Judge and Mary Goeckler as Alternate Election Judge for the May 9, 2015 General and Special Elections and for the June 13, 2015 Runoff Election, if applicable. (Glaser)

ATTACHMENT 7

4.6 Approve the minutes of the regular City Council meeting on February 17, 2015. (Glaser)

ATTACHMENT 8

4.7 Consider approval of Resolution 2015- 05, "Opposing Senate Bill 343" (Royal)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, OPPOSING SENATE BILL 343 AND ANY OTHER LEGISLATION WHICH WOULD ERODE THE AUTHORITY OF A HOME RULE MUNICIPALITY; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

ATTACHMENT 9

4.8 Approve Resolution 2015-06, "Authorization for Acquisition/Exchange of Real Property for the Current City Public Works Yard Pursuant to Sealed Bid Proposal Addressed by Council on February 17, 2015." (Cook)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, AUTHORIZING PROCEEDING WITH THE SEALED BID RECEIVED FROM PACIFIC RIDGE DEVELOPMENT COMPANY, LLC FOR ACQUISITION/EXCHANGE OF CERTAIN REAL PROPERTY FOR THE CURRENT CITY PUBLIC WORKS YARD, (APPROXIMATELY 3.405 ACRES OUT OF THE RITSON MORRIS SURVEY, ABSTRACT 52, HARRIS COUNTY, TEXAS, GENERALLY LOCATED ON LAKESIDE DRIVE AND SH 146),

("PUBLIC WORKS PROPERTY"), TO BE CONVEYED IN EXCHANGE FOR THE BID PROPERTY CONSISTING OF A TRACT OF LAND CONTAINING APPROXIMATELY 8.071 ACRES SITUATED IN THE RITSON MORRIS SURVEY, A-52, HARRIS COUNTY, TEXAS, GENERALLY LOCATED ON LAKESIDE DRIVE WITH TERMINUS OF HUMBLE DRIVE ("EXCHANGE PROPERTY"); DETERMINING COMPLIANCE WITH APPLICABLE BIDDING PROCEDURE; FINDING THE PUBLIC NECESSITY FOR THE EXPENDITURE OF FUNDS, AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE NECESSARY DUE DILIGENCE FOR EVALUATION OF PROCEEDING WITH THE EXCHANGE AND ACQUISITION OF THE SUBJECT PROPERTIES PURSUANT TO THE BID RECEIVED, INCLUDING A LEASE BACK TO THE CITY FOR THE PUBLIC WORKS PROPERTY FOR A DEFINED TIME/TERMS; ALL SPECIFICALLY SUBJECT TO CITY COUNCIL APPROVAL, IN COMPLIANCE WITH ALL APPLICABLE LAWS, REGULATIONS AND CHARTER REQUIREMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBIC AS REQUIRED BY LAW.

ATTACHMENT 10

4.9 Consider approval of Resolution 2015-07, "Opposing a Revenue Cap." (Cook)

A RESOLUTION OF THE CITY OF SEABROOK TEXAS IN OPPOSITION TO A REVENUE CAP AND LEGISLATIVE INTERFERENCE WITH LOCAL SERVICES

ATTACHMENT 11

4.10 Approved proposed Resolution No. 2015-08, "Designating an Additional Location for the Display of Public Notices." (Glaser)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS DESINATING AN ADDITIONAL LOCATION ON CITY PROPRTY FOR PROVIDING COMPLETE COPIES OF OFFICIAL NOTICES WHEN THERE IS INSUFFICIENT SPACE ON THE OFFICIAL BULLETIN BOARD.

END OF CONSENT AGENDA

5.0 NEW BUSINESS - Council will discuss, consider and if appropriate, take action on the items listed below.

ATTACHMENT 12

5.1 Consider first and final reading of proposed Ordinance No. 2015-06, "Amendment to the FY 2013/14 Budget."

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2013 AND ENDING ON SEPTEMBER 30, 2014 FOR THE CITY OF SEABROOK.

ATTACHMENT 13

5.2 Consider request for preliminary approval of El Mar Village Planned Unit Development which consists of approximately 18 units on 2.1640 acres of land south of El Mar Lane and west of North Meyer. (Applicant)

ATTACHMENT 14

5.3 Consider first reading of proposed Ordinance No. 2015-04, "Specifying Uses Allowed in the Point Overlay District. (P&Z)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.15 "COMPREHENSIVE LAND USE REGULATION MATRIX," BY ADDING THE POINT OVERLAY DISTRICT (POD) AS A LAND USE DISTRICT; BY SPECIFYING USES BY RIGHT AND CONDITIONAL USES PERMITTED IN THE POD; AND BY PROVIDING CROSS REFERENCES IN SECTION 3.15 AND IN ARTICLE 4, "SPECIAL USE REGULATIONS", SECTION 4.15.04, "USES".

THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDES FOR SEVERABILITY; AND PROVIDES FOR AN EFFECTIVE DATE

ATTACHMENT 15

5.4 Consider first reading of proposed Ordinance No. 2015-05, "Readopting Curfew Regulations for Minors." (Wright)

AN ORDINANCE READOPTING THE CURRENT CURFEW REGULATIONS FOR MINORS CONTAINED IN THE SEABROOK CITY CODE, CHAPTER 44, SECTION 44-95 "CURFEW FOR MINORS" PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED $500 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; PROVIDING FOR SEVERABILITY AND PROVIDING FOR NOTICE.

ATTACHMENT 16

5.5 Consider approval of a proposal from CDWG for 16 new Panasonic Toughbooks laptops in the amount of $58,000.00 and a proposal from Emergency Vehicle Specialists (EVS) for docking station equipment in the amount of $16,597.58 for a total of $74,597.58 from General Fund reserves. CDWG and EVS are state approved and pre-bid vendors. (Wright)

6.0 ROUTINE BUSINESS - Council will discuss, consider and if appropriate, take action on the items listed below.

ATTACHMENT 17

6.1 Approve the Action Items Checklist which is attached and made a part of this agenda. (Council)

ATTACHMENT 18

6.2 Establish future meeting dates and agenda items. (Council)

THE CITY COUNCIL RESERVES THE RIGHT TO HEAR ANY OF THE ABOVE DESCRIBED AGENDA ITEMS THAT QUALIFY FOR AN EXECUTIVE SESSION IN AN EXECUTIVE SESSION BY PUBLICLY ANNOUNCING THE APPLICABLE SECTION NUMBER OF THE OPEN MEETINGS ACT, (CHAPTER 551 OF THE TEXAS GOVERNMENT CODE) THAT JUSTIFIES EXECUTIVE SESSION TREATMENT.

CERTIFICATE

I certify that this notice was posted on the bulletin board on or before Friday, February 27, 2015 and that this notice will remain posted until the meeting has ended.

_____

Michele Glaser, TRMC
City Secretary

CITY OF SEABROOK

AGENDA BRIEFING

Date of Meeting: March 3, 2015

Submitter/Requestor: Sean Landis **Date Submitted:** February 17, 2015

Presenter: Sean Landis

Description/Subject:

Request for preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community, consisting of approximately 18 units on approximately 2.1640 acres of land.

Applicant:

Sunset Development, Inc

Legal Description:

Reserves 1, 2 and 3, Block 5 in the Miramar Subdivision, Section 3, Abstract 52, of the Ritson Morris Survey, in Harris County, Texas.

This property is located immediately south of El Mar Lane and west of North Meyer. The property is located in the R-1 (Single Family Detached) zoning district.

Request:

Request for preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community, consisting of approximately 18 units on approximately 2.1640 acres of land.

Purpose/Need: Policy Issue☑ Administrative Issue ☐

The purpose of the preliminary Planned Unit Development (PUD) is to provide a flexible approach for development, allows a more flexible response to the market, encourage innovative mixed uses and site plan design.

Background/Issue (What prompted this need?)**:**

The applicant: Sunset Development Inc. is requesting the approval of a preliminary Planned Unit Development (PUD) "El Mar Village". The project will be a townhome community consisting of 18 individually platted and owned units to be constructed on 2.1640 acres.

The previous use of the property was a grandfathered apartment complex that was destroyed as a result of Hurricane Ike.

If approved, it is the wish of the applicant to begin construction of the development in 2015.

Impacted Parties (Expected/Notified)**:**

Recommended Action:

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission at their regular meeting on January 15, 2015 by a vote of 4-1-1.

- 4 Ayes (Caradec, DeHart, Hammann, and Miller)
- 1 Nay (Sharpe)
- 1 Abstained (Potts)

Attachments:

1. Exhibit A. Preliminary Planned Unit Development Plan, Titled: "El Mar Village.
2. Planning and Zoning Commission Official Report, dated January 15, 2015
3. Planning and Zoning Commission Minutes, dated January 15, 2015

Fiscal Impact:

Budgeted	___ Yes	___ No	Finance Officer Review:
Budget Amendment Required	___ Yes	___ No	
Future/Ongoing Impact	___ Yes	___ No	

Budget Dept/Line Item Number N/A

Funding Comments:

N/A

Where on the agenda should this item be placed?
(i.e. Public Hearing, New Business, Old Business, Consent Agenda, Executive Session, etc.)

Public Hearing & New Business

Suggested Motion:

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission at their regular meeting on January 15, 2015 by a vote of 4-1-1.

- 4 Ayes (Caradec, DeHart, Hammann, and Miller)
- 1 Nay (Sharpe)
- 1 Abstained (Potts)

City Manager Review:

- ○ Approved as submitted
- ○ Submitted for Council consideration without comment
- ○ Submitted for Council consideration with comments stated below:

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances.)

Sent to City Attorney for review _____ _____
(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Received and accepted by the City Secretary/Assistant _____ _____

Returned by the City Secretary/Assistant (If incomplete) _____ _____

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

Planned Unit Development Plan

El Mar Village

Seabrook, Texas

Owner/Developer

Sunset Development, Inc.

Preliminary Planned Unit Development Plan

4.10.06 PUD designation procedure:

1. Name, address and telephone number of the landowner:

Sunset Development
PO Box 798
Friendswood, TX 77549
(281)648-2425 Ext 14

Jon Skeele, President
Charles Anders, Development Coordinator

Acreage 2.1639

2. Date that the project is submitted to the planning and zoning commission:

December, 2014

3. The name of the proposed project:

El Mar Village

4. The names and addresses of the adjoining property owners within in 500 feet of the proposed

Supplied by City of Seabrook

5. A key map:

620L

6. All existing streets, drives, buildings, watercourses and bodies of water:

The site has been cleared of structures. The site was formerly an apartment project that was torn down. There are no watercourses or bodies of water on the site. See Exhibit A, Survey, for existing parking structures.

7. The location and size of existing utilities within or adjacent to the proposed project site

See Exhibit A, Survey

8. The proposed location, type and size of the following:
   (a) Buildings and structures;
   (b) Streets, drives, alleys, and curbs;

(c) Off-street parking areas with parking spaces individually drawn and counted;
(d) Sidewalks;
(e) Landscaping;
(f) Common open space and amenities sites;
(g) Site for solid waste containers; and
(h) Signs.

See Exhibit B, Neighborhood Color Rendering

4.10.07 Standards for PUD Development.

The previous use of the preliminary El Mar Village PUD site was an apartment complex (R-3, Apartments) and that has been removed. The current zoning district of the site is R-1 Single Family Detached Residential. The preliminary El Mar Village PUD plan is to create a PUD with a base district of R-3 Medium Density Residential, Townhouses, see Exhibit C, Standards for PUD Development.

4.10.08 Creation of a homeowner's association.

El Mar Village will be governed by a property owners association. The association will be set up by the developer for the benefit of the current and future property owners.

4.10.10 Development Schedule.

El Mar Village will begin development in 2015 and will be developed with the infrastructure improvements starting within 12 months of the final City Council PUD approval. The developer expects that construction of the infrastructure will be completed within 24 month of the final City Council PUD approval. Further, the developer expects all homes to be completed within 4th year from the start date. Current market demand would dictate a much faster production pace, but a conservative and prudent schedule is given above.

Architectural Plans.

Proposed architectural plans see Exhibit D, Color Front Elevation Rendering.

El Mar Village Planned Unit Development

Exhibit C, Standards for PUD Development

El Mar Village Planned Unit Development is intended to accommodate a select land-use activity permitted within the underlying R-3, Townhome zoning classification. The district is designed to enhance the special characteristics of Seabrook, the small town character and create a "unique" place. El Mar Village PUD will be served by public utilities, public streets and a private drive. El Mar Village PUD is intended for single family use of attached townhomes that provide a balanced and attractive neighborhood.

Townhouses:

1. *Density:* One dwelling unit per lot.
2. *Front yard:* All buildings must be set back from the street right-of-way lines a minimum depth of 20 feet.
3. *Rear yard:* Primary buildings must be set back at least 10 feet from the rear property line.
4. *Water-abutting yard: N/A*
5. *Side yard:* Not less than ten feet between blocks of attached units, street rights-of-way or any property outside the townhouse development.
6. *Lot size:* 3,000 sq. feet. Project area shall be not less than 12,000 sq. ft.
7. *Building area:* Not more than 60 percent of total site area shall be covered by building mass.
8. *Lot width:* Not less than 30 feet.
9. *Lot depth:* Not less than 100 feet.

The following regulations apply to townhouses,

3.05.03. Height: No building or structure shall exceed 40 feet in height above base flood elevation.

3.05.04. Accessory structures: Accessory structures shall not occupy a required front or corner side yard or project beyond the front building line of the principal structure on a site. Accessory structures shall be set back at least five feet from interior side and rear property lines. A minimum distance of not less than ten feet shall be maintained between the main structure and accessory structures for townhouses and apartments/condominiums. The total floor area of accessory structures more than 30 inches in height shall not exceed 40 percent of the area of the required rear yard. No accessory structures or other obstructions including decks, pools, paving, landscaping structure or trees and fountains may be erected on any easement.

3.05.05. Buffering and screening:

Townhouses this zoning district which adjoins or abuts any property classified in the R-LD, R-1, R-2, OS or MH zone shall provide the following:

1. A front, side or rear setback as applicable that is as deep or wide as the minimum setback requirement in such adjoining or abutting zoning districts, or 10 feet, whichever is greater. Parking, loading and storage are prohibited in these setbacks; and

2. A screen fence or wall along the common property line which shall be 100-percent impervious to sight and at least six feet in height. If this fence is visible to the public it shall be landscaped as

specified in article 5. Fencing is not required for properties which are separated by a street from any R-LD, R-1 or R-2 zone.

3.05.06. Outside display and storage:

1. No storage is permitted beyond the front building line.
2. No storage is permitted in required parking areas.

3.05.07. Animal control: No farm fowl or animals shall be kept within 100 feet of the property line; provided, however, that small domestic animals for school projects may be kept on the premises within 100 feet of the property line, if all terms and conditions of the school project exception as set out in the domestic animals ordinance are followed.

3.05.08. Parking: Parking shall be in accordance with article 5 of this ordinance. Please see the comprehensive off-street parking regulation matrix.

3.05.09. Landscaping: Shall be in accordance with landscaping requirements in article 5 of this ordinance.

3.05.10. Reserved.

3.05.11. Supplementary regulations:

A. Temporary structures for uses incidental to construction work on the premises which are removed upon completion or abandonment of construction work are allowed upon permit from the building official.

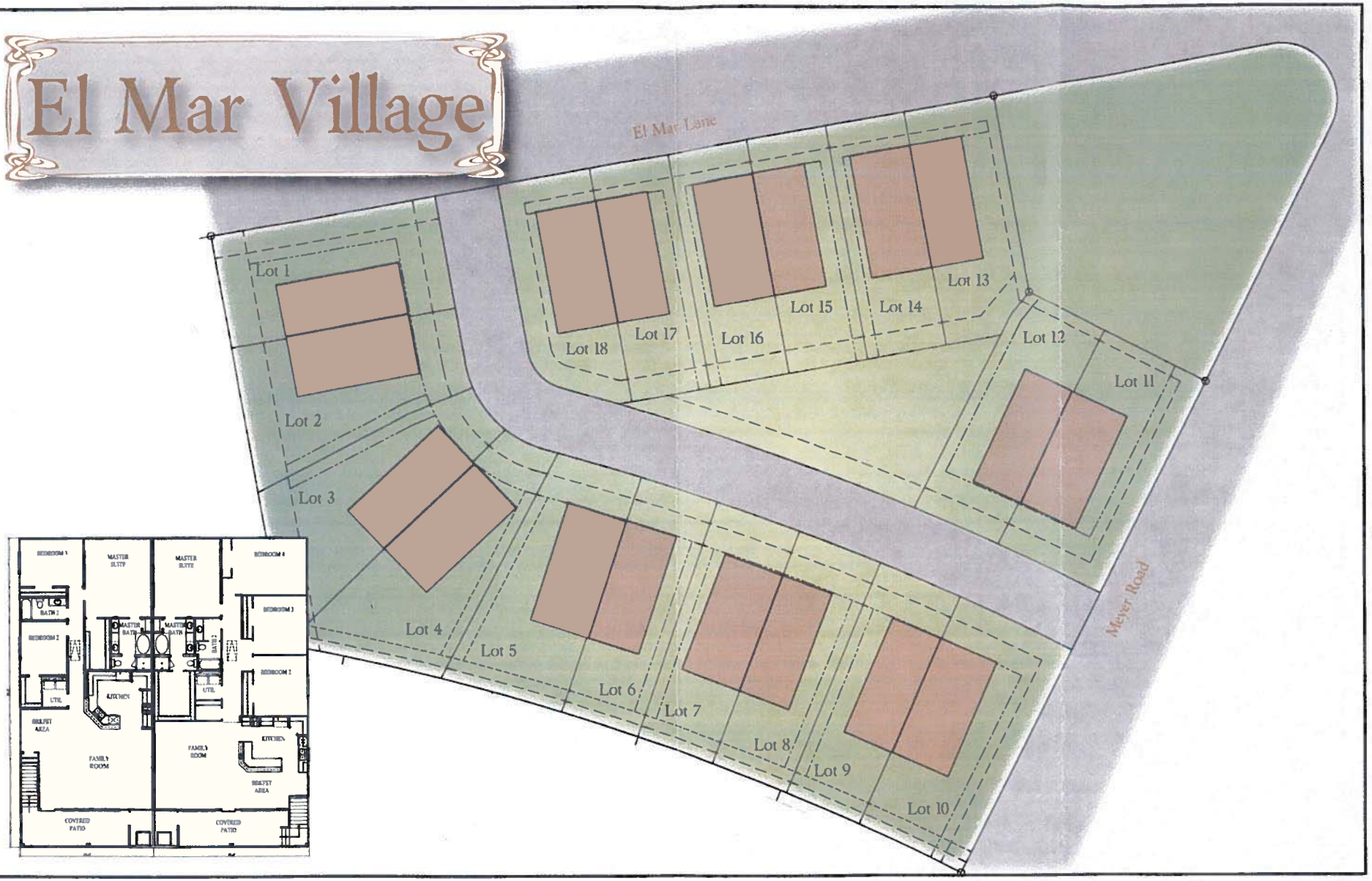
B. No temporary structures, including recreational vehicles, construction trailers or travel trailers, may be used for on-site dwelling purposes. Recreational vehicles included by not limited to boats, golf carts, small four wheel vehicles are allowed to be stored under the primary residential structure.

C. Eaves shall be permitted to encroach no more than 18 inches upon any setback.

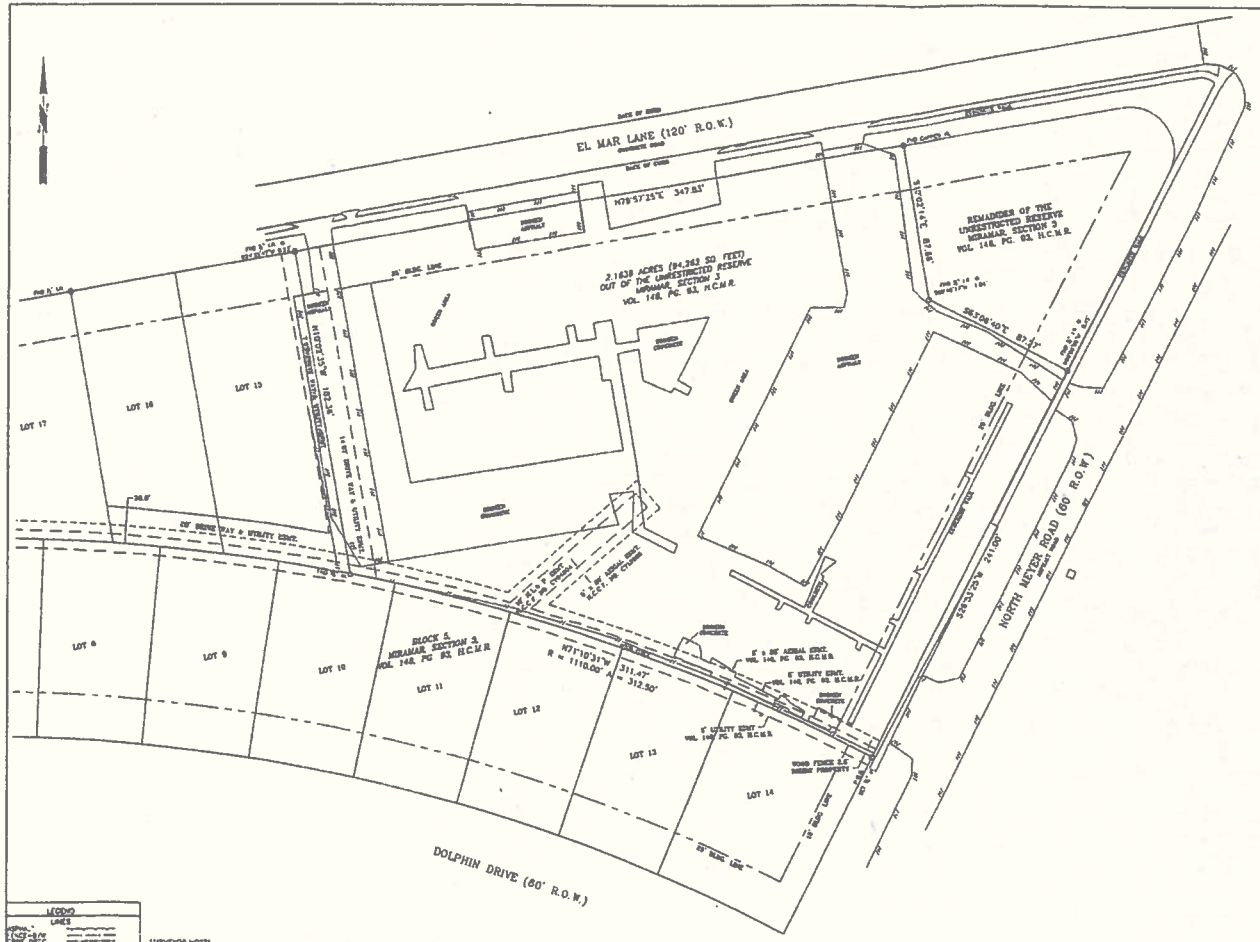
Uses permitted within the El Mar Village PUD will be Townhomes. The below is the Building Variance Matrix for the underlying R-3, Townhome and the El Mar Village PUD.

	Section 3.05. - R-3 Medium Density Residential District, C. Townhomes	EL Mar PUD
1. Density	One dwelling unit per lot	One dwelling unit per lot
2. Front Yard	20 Feet	15 Feet
3. Rear Yard	15 Feet	15 Feet
4. Water-abutting yard		N/A
5. Side Yard	10 Feet between buildings	10 Feet between buildings
6. Lot Size	3,000 Square feet	3,000 Square feet
7. Building Area	60% Building/Lot Coverage	
8. Lot Width	Not less than 30 feet	Not less than 30 Feet
9. Lot Depth	Not less than 100 feet	Not less than 100 feet
3.05.03 Height	Not to exceed 40 feet in height	Not to exceed 40 feet above Base Flood Elevation
3.05.05 Buffering	Min set back or 30 feet	10 Feet
3.05.05 Screening	6 Feet impervious fence	6 Feet impervious fence
Recreational Vehicles Storage	N/A	Allowed under residential structure

El Mar Village



"EXHIBIT A"



Purchaser: Sunset Development Inc

BEING a 2.1639 acre tract (94,262 Sq. Ft.) of land situated in the Elkan Morris Survey, Abstract 52, Harris County, Texas, and being out of and a part of the Unrestricted Reserve, in Block 5, of Miramar, Section Three, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 148, Page 83 of the Map Records of Harris County, Texas, and being that same tract of land conveyed to Sunbelt Investments 3, as described as Tract 1, in Harris County Clerk's File No. M024071, said 2.1639 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a capped iron rod set for the most southerly corner of the tract herein described, same being the most southerly corner of said Unrestricted Reserve and being in the west right of way line of North Meyer Road (60' R.O.W.);

THENCE in a northwesterly direction along and with a curve to the left having a having a radius of 1110.00', an arc distance of 312.30' (chord bearing N71°10'31"W 311.47') to a ½" iron rod found for the southwest corner of the tract herein described, same being the southwest corner of said Unrestricted Reserve and also being the most southerly corner of Lot 15, of said Miramar Section Three;

THENCE N19°49'29"E along and with the west line of said Lot 15, same being the west line of said Miramar Section Three, a distance of 182.36' to a ½" iron rod found for the northwest corner of the tract herein described, same being the northwest corner of said Unrestricted Reserve, and being in the south right of way line of El Mar Lane (120' R.O.W.);

THENCE N78°57'25"E along and with the south right of way line of said El Mar Lane, a distance of 347.83' to a capped iron rod found for the most northerly east corner of the tract herein described;

THENCE S10°58'14"E, a distance of 87.06' to a point for an interior corner of the tract herein described, from which a ½" iron rod was found at S89°45'17"E 1.01';

THENCE S63°06'40"E, a distance of 87.32' to a point for the most easterly north corner of the tract herein described, from which a ½" iron rod was found at N89°05'56"W 0.45', and said point being in the west right of way line of said North Meyer Road;

THENCE S26°33'25"E along and with the west right of way line of said North Meyer Road, a distance of 241.06' to the POINT OF BEGINNING of the tract herein described.

TABLE OF EXCEPTIONS

	The following matters and all terms of the documents creating or offering evidence of the matters (We must need certain "J" items this an explain)	SURVEYOR COMMENT
10		
A	Rights of Parties in possession (OWNER POLICY ONLY)	As shown on survey
B	Intentionally deleted	
C	Intentionally deleted	
D	All leases, grants, exceptions or reservations of coal, gas, oil and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed on Schedule B or not. There may be leases.	Unable to Plot. Surveyor has no opinion
E	Utility easement 5 feet in width along the South property lines, as shown by the recorded plat of said subdivision.	As shown on survey
F	An unidentified easement, adjoining the above 5 foot utility easement 5 feet wide from a plane 23 feet above the ground upward, as set forth and defined by instrument(s) filed for record under Harris County Clerk's File No(s.) C712586, Electric distribution and communication lines easement 12 feet wide as granted to Houston Lighting and Power Company, its successor(s) and assigns under Harris County Clerk's File No(s.) C734804 and defined by electric metered Service	As shown on survey
G	Utility easement and variable 14.22 feet in width along the West property	As shown on survey
H	Plat(s) as shown by the recorded 5' x 5' and 5 Easement, Building set back line 25 feet in width along the easterly property, more as shown by the recorded plat of said subdivision	As shown on survey
I	All oil, gas and other minerals, royalties, bonuses, rentals and all other rights in connection with same, of all kind and nature, and reversionary rights, and the effect of any failure to comply with the terms thereof, and any adverse claim based upon the assertion that some or all of such rights, title or interest has or have terminated by reason of non-use, abandonment or otherwise, which are not listed in Schedule B, as set forth in instrument filed for record under Clerk's File No. Page 434, of	As shown on survey
J	Mineral(s), Deed	Affects entire tract
K	Any rights of adjacent owners and/or rights of tenants in possession.	Surveyor has no opinion
L	Intentionally deleted	
M	Subject to the terms thereof as shown per survey prepared by Robert D Ellis, R.P.L.S. No. 4006, a Ellis Surveying Services Dated July 7, 2014, Broken concrete encroachment over N.L. & P. easement C734804	As shown on survey
N		

LEGEND

LINES

SYMBOLS

ABBREVIATIONS

SURVEYOR NOTES

1. Coordinates based on NAD83 (CORS96) Texas State Plane Coordinate System, South Central Zone.
2. Bearings referenced to Grid North, Texas State Plane Coordinate System NAD83, Texas South Central Zone
3. This is an aboveground survey. The underground utilities, if shown, are based on information provided by various utility companies and/or above ground markers, and these locations should be considered approximate. There may be additional underground hazards not shown on this drawing, prior to any excavation the owner/contractor must contact Texas One-Call (1-800-345-4545) to mark onsite underground utilities/hazards.
4. Surveyor has made no investigation or independent search for easements of record encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
5. This survey does not provide a determination of opinion concerning the location or existence of wetlands, floodplains, toxic or hazardous waste areas, subsidence, subsurface and environmental conditions or geological issues. No statement is made concerning the suitability of the subject tract for any intended use, purpose or development.
6. The word "certify" or "certificate" as shown and used hereon denotes an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
7. Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject tract: easements, building setback lines; restrictive covenants, subdivision restrictions; zoning or other land-use regulations; Agreements; Lease Agreements, and ownership title evidence
8. Any declaration made hereon or herein is made to the original purchaser of the survey. It is not transferable to additional institutions or subsequent owners.

To: Sunset Development Inc., Texas American Title Company, and Jon Dixon or Margie Shanks.

I, the undersigned, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this map or plat and the survey it which it was based were made on the ground of the property legally described hereon and is made in compliance to the standards and specifications of a T.S.P.S. Category 1A, Condition II, Survey

Robert D Ellis
Tx. Reg No. 4006

STATE OF TEXAS — ROBERT D. ELLIS — 4006 — REGISTERED PROFESSIONAL LAND SURVEYOR

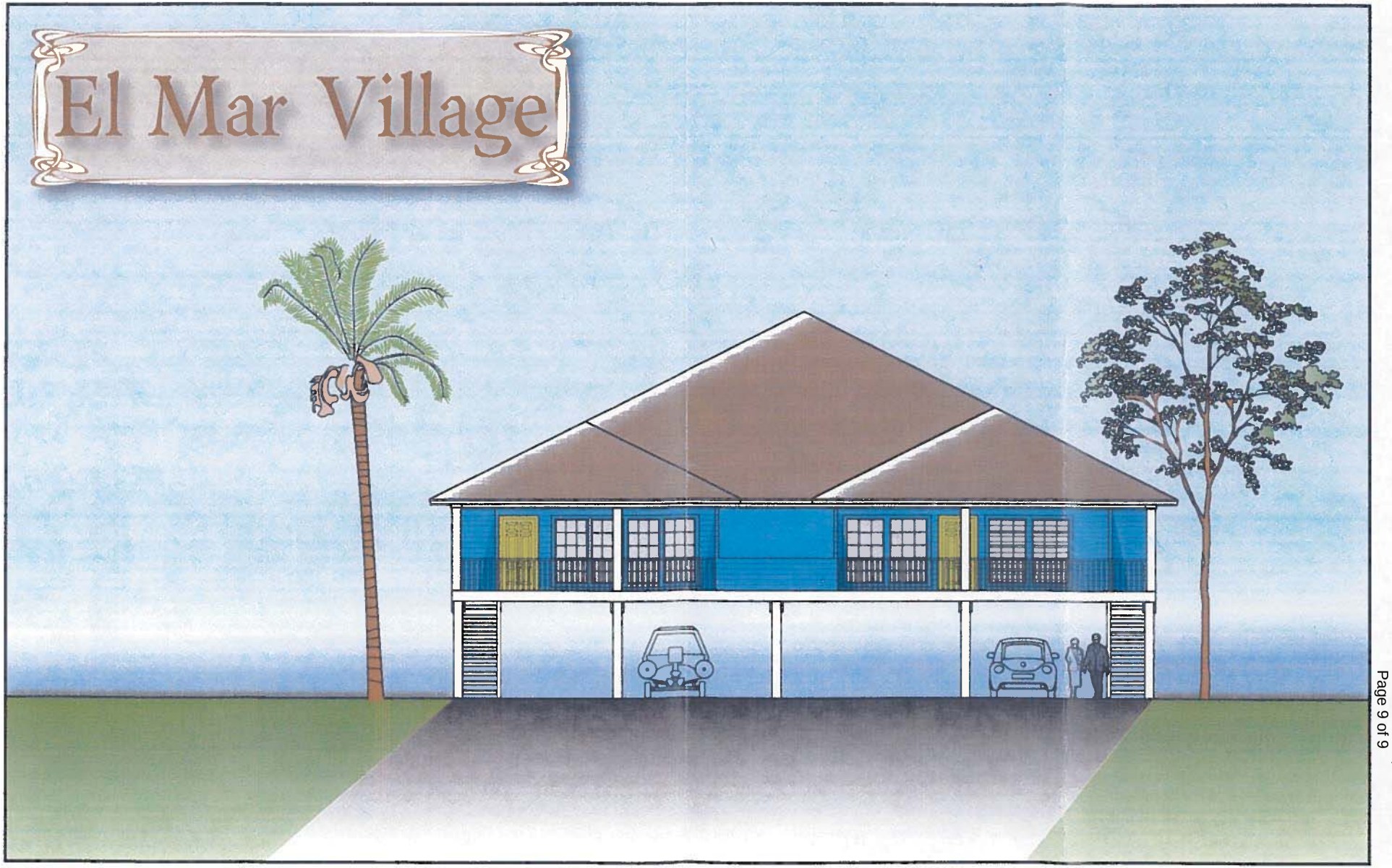
REV. NO.	DATE	COMMENT
C	07-08-14	CHANGED TO CATEGORY 1A
B	07-07-14	FSA
A	07-02-14	FOR REVIEW

DATE: 07-08-14
SCALE: 1" = 30'
TEXAS AMERICAN TITLE
GF NO. 7800-14-1085
ABSTRACT NO. 0052 ROBINSON

Ellis Surveying Services
P.O. Box 1000 Texas City, TX 77592
T: (409) 935-3701 Fax: (409) 935-3705
Texas Registration No. 10043400

SURVEY OF
A 2.1639 acre tract (94,262 Sq. Ft.) of land situated in the Elkan Morris Survey, Abstract 52, Harris County, Texas, and being out of and a part of the Unrestricted Reserve, in Block 5, of Miramar, Section Three

0 30 60
SCALE: 1" = 30'


El Mar Village

Planning & Zoning Commission
OFFICIAL REPORT

The Planning and Zoning Commission of the City of Seabrook met on January 15, 2015 to hold a meeting to consider:

Request for preliminary approval of El Mar Village Planned Unit Development, a Townhome Community.

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL X **APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW)** ☐ **DENIAL** ☐ by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on January 15, 2015, as designated below and as certified by the signature of the Chairman. **This document is not valid unless signed by the Chairman/Presiding Commissioner.**

VOTE:	AYE	NAY	ABSTAINED	ABSENT	INITIAL
Rosebud Caradec	RC				RC
Mike DeHart	MD				MD
Buddy Hammann					
Bolivar Lewis				X	
Dodie Miller	DM				DM
Michael Potts			X		MP
Michael Sharpe	MDS MDS	MDS			MDS

Michael Potts, Chairman
Planning & Zoning Commission

ATTEST:
Alesia L. Hammock
Secretary

The Seabrook Planning and Zoning Commission met on Thursday, January 15, 2015 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 (Excused Absence)	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 preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community, consisting of approximately 18 units on approximately 2.1640 acres of land.

Commissioner Hammann requested that the email received on January 13, 2015 by the City Secretary's office from Pete Braccio concerning his objection to this request be entered into the minutes as Attachment A.

John Skeele, President of Bayway Homes and Sunset Development, stated that the property has been vacant for a number of years. He stated that the recent flood map changes will require 16 ft. elevation. Mr. Skeele stated that they want to build a little community with a street and houses facing each other. He stated that they wanted to build something that would keep to the scale of the area.

Mike DeHart asked what the square feet of the homes would be.

Mr. Skeele stated that they would be 1,800 sq. ft. of livable space and 1,800 sq. ft. for parking and a social area.

Mr. DeHart asked if the parking area would have any architectural screening.

Mr. Skeele stated that there would be screening between townhomes.

Charles Anders, Friendswood, Texas stated that by using applying for the planned unit development, the City retains total control of what is built.

Janet Mayeaux, Dolphin Drive, stated that the project backed up to her home. She asked how many houses are going to be built and if they are rental or for sale. She stated that this project would tremendously impact her privacy and her view of the skyline. Ms.Mayeaux stated that her

taxes would go up and her property value would go down. She was also concerned about drainage, noise and light issues.

Dick Rogan, Sandpiper, stated he is against Planned Unit Developments. He also stated that he was against the decision to take out minimum acreage from the PUD Ordinance.

Mr. Skeele stated that the townhomes would be for sale. They would be single family homes. He stated that there would be fences around each of the homes and the balconies would face the front of the houses. He stated that it would be no different than having a two story home behind her property. Mr. Skeele stated that they would be putting in a new fence between the project and the neighboring properties.

Mr. DeHart asked if there would be buffering between the project and the neighboring homes.

Mr. Skeele stated that even though the ordinance does not require buffering, they would be willing to plant trees to add a buffer.

Michael Sharpe stated that the PUD Document referenced the R-3 zoning district, Section 3.05.3 Height: No building or structure shall exceed 40 feet in height above the base flood elevation. He asked what the base flood elevation was at that grade.

Mr. Landis stated it was currently an AE 12 flood zone, but on the preliminary maps it was changing to an AE 15 flood zone. He stated that the ground elevation in that area is approximately 8 to 10. Mr. Landis stated that the R-1 zoning district has the same requirement.

2. 2 Discussion, consideration, and possible action regarding "Uses" permitted by right and by conditional use within "The Point Overlay District".

Mr. Landis stated that the current zoning designation for the Point Overlay District is MMU (Marine Oriented Mixed Use District). The zoning district description allows for uses such as marinas, ship-yards, heavy boat repair and wholesale seafood sales. The uses described above all could be considered very intensive uses that do not fit within the city's long term plans to redevelop the area as an entertainment district. He stated that as a result, it is staff's recommendation that the Planning and Zoning Commission consider adding a line item titled Point Overlay District "POD" to the Zoning Land Use Matrix with a foot note referencing back to section 4.15.04 and changing Sec. 4.10. – Planned unit developments section 4.15.04. Uses to:

4.15.04. Uses: Land uses permitted by right and by conditional use shall be governed by ~~the underlying zoning district (see~~ section 3.15, "Comprehensive land use regulation matrix" POD District.

Chairman Potts closed the Specific Public Hearing portion of the meeting at 7:32.

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 preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community.

Motion was made by Dodie Miller and seconded by Mike DeHart

To approve the request for preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community.

Rosebud Caradec asked what the difference was between townhomes and duplexes.

Mr. Landis stated that the property will be platted into 18 individual lots with one townhome per lot and they will be sold. A duplex is on a single piece of property and is usually owned by a single person.

Mr. DeHart stated that he would like it to be mandatory for the screening between the project and surrounding properties.

Ayes: Caradec, DeHart, Hammann, and Miller
Nays: Sharpe
Abstained: Potts

3.2 Discussion, consideration, and possible action regarding "Uses" permitted by right and by conditional use within "The Point Overlay District".

Motion was made by Mike DeHart and seconded by Dodie Miller

To approve the changes to the "Uses" permitted by right and by conditional use within "The Point Overlay District" as presented.

Ayes: Caradec, DeHart, Hammann, Miller, and Sharpe
Nays: None
Abstained: Potts

4.0 APPROVAL OF MINUTES

4.1 Discussion, consideration and possible action concerning the minutes from the November 20, 2014 Planning & Zoning meeting.

Motion was made by Buddy Hammann and seconded by Rosebud Caradec

To approve the minutes from the November 20, 2014 Planning & Zoning meeting as presented.

Ayes: Caradec, Dehart, Hammann, and Miller
Nays: None
Abstained: Potts and Sharpe

MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.

4.2 Discussion, consideration and possible action concerning the minutes from the January 6, 2015 Planning & Zoning meeting.

Motion was made by Buddy Hammann and seconded by Rosebud Caradec

To approve the minutes from the January 6, 2015 Planning & Zoning meeting as presented.

Ayes: Caradec, Dehart, Hammann, Miller, and Sharpe
Nays: None
Abstained: Potts

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 they would meet on February 17, 2015 for the joint public hearing with City Council to discuss the Final Senior Living PUD.

Chairman Potts stated that they would meet on February 19, 2015 to discuss:

P&Z planning aspects
Vacant commercial property

Motion was made by Buddy Hammann and seconded by Dodie Miller

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 7:73 p.m.

APPROVED THIS 19TH DAY OF FEBRUARY 2015.

Michael Potts, Chairman

Alesia Hammock, Secretary

OF SEABROOK

AGENDA BRIEFING

Date of Meeting: 03/03/2015

Submitter/Requestor: City of Seabrook **Date Submitted:** February 17, 2015

Presenter: Sean Landis

Description/Subject:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.15 "COMPREHENSIVE LAND USE REGULATION MATRIX," BY ADDING THE POINT OVERLAY DISTRICT (POD) AS A LAND USE DISTRICT; BY SPECIFYING USES BY RIGHT AND CONDITIONAL USES PERMITTED IN THE POD; AND BY PROVIDING CROSS REFERENCES IN SECTION 3.15 AND IN ARTICLE 4, "SPECIAL USE REGULATIONS", SECTION 4.15.04, "USES".

Purpose/Need: Policy Issue☑ Administrative Issue ☐

The current zoning designation for the Point Overlay District is MMU (Marine Oriented Mixed Use District). The zoning district description allows for uses such as marinas, ship-yards, heavy boat repair and wholesale seafood sales. The uses described above all could be considered very intensive uses that do not fit within the city's long term plans to redevelop the area as an entertainment district.

As a result, it is the Planning and Zoning Commissions recommendation that City Council consider adding the Point Overlay District "POD" to the Zoning Land Use Matrix as a Land Use District, specify uses by right and conditional use as shown in Exhibit A, and provide the text change required to cross reference Section 3.15 and Article IV, "Special Use Regulations", Section 4.15.04, "Uses".

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission at their regular meeting on January 15, 2015 by a 4-1 vote.

- Ayes (Caradec, DeHart, Hammann, Miller, and Sharpe)
- Abstained (Potts)

Background/Issue (What prompted this need?)**:**

Impacted Parties (Expected/Notified)**:**

Owners of property located within the Point Overlay District

Recommended Action:

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission at their regular meeting on January 15, 2015 by a 4-1 vote.

- Ayes (Caradec, DeHart, Hammann, Miller, and Sharpe)
- Abstained (Potts)

Attachments :(Please list description of attachments and number of pages in each attachment)

Ordinance 2015-04 "Specifying Uses Allowed in the Point Overly District"
Planning and Zoning Commissions January 15, 2015 Official Report
Planning and Zoning Commissions January 15, 2015 Meeting Minutes

Fiscal Impact: Budgeted ___ Yes ___No Finance Officer Review:
Budget Amendment required ___ Yes ___No
Future/Ongoing Impact ___ Yes ___No _____

Budget Dept/Line Item Number _____

Funding Comments:

Where on the agenda should this item be placed?
(i.e. Public Hearing, New Business, Old Business, Consent Agenda, Executive Session, etc.)

New Business

Suggested Motion:

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission at their regular meeting on January 15, 2015 by a 4-1 vote.

- Ayes (Caradec, DeHart, Hammann, Miller, and Sharpe)
- Abstained (Potts)

City Manager Review:

- ○ Approved as submitted
- ○ Submitted for Council consideration without comment
- ○ Submitted for Council consideration with comments stated below:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances.)

Sent to City Attorney for review _____ _____
(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Received and accepted by the City Secretary/Assistant _____ _____

Returned by the City Secretary/Assistant (If incomplete) _____ _____

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

Planning & Zoning Commission
OFFICIAL REPORT

The Planning and Zoning Commission of the City of Seabrook met on January 15, 2015 to hold a meeting to consider:

Request for amendments to the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 4, "Special Use Regulations", Section 4.15. The point overlay district regulations in the following area: 4.15.04. Uses

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL ☒ **APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW)** ☐ **DENIAL** ☐ by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on January 15, 2015, as designated below and as certified by the signature of the Chairman. **This document is not valid unless signed by the Chairman/Presiding Commissioner.**

VOTE:	AYE	NAY	ABSTAINED	ABSENT	INITIAL
Rosebud Caradec					
Mike DeHart	X				
Buddy Hammann					
Bolivar Lewis	✓			X	
Dodie Miller					
Michael Potts			X		
Michael Sharpe	MDS		X MDS		MDS

Michael Potts, Chairman
Planning & Zoning Commission

ATTEST:
Alesia L. Hammock
Secretary

ORDINANCE NO. 2015 -04
SPECIFYING USES ALLOWED IN THE POINT OVERLAY DISTRICT

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.15 "COMPREHENSIVE LAND USE REGULATION MATRIX," BY ADDING THE POINT OVERLAY DISTRICT (POD) AS A LAND USE DISTRICT; BY SPECIFYING USES BY RIGHT AND CONDITIONAL USES PERMITTED IN THE POD; AND BY PROVIDING CROSS REFERENCES IN SECTION 3.15 AND IN ARTICLE 4, "SPECIAL USE REGULATIONS", SECTION 4.15.04, "USES".

THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDES FOR SEVERABILITY; AND PROVIDES FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Seabrook is continually reviewing the provisions of the City Code of Ordinances relating to land use and other circumstances which generally impact the health, safety and well-being of residents, citizens and inhabitants; and

WHEREAS, the Planning and Zoning Commission of the City of Seabrook has conducted a public hearing, received input from staff and is of the opinion and has issued its final report that the amendments hereto are necessary for the public safety, health and welfare and for protection of the residents; and

WHEREAS, the City Council and the Planning and Zoning Commission of the City of Seabrook have studied the present provisions of the Code of Ordinances of the City of Seabrook and have determined the need to update the provisions relative to permitted land uses; and

WHEREAS, all public notices have been posted, published and all required hearings on this matter have been held in accordance with the Comprehensive Zoning Ordinance and law; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

SECTION 1. FINDINGS OF FACT.

That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. AMENDMENT TO THE CODE, APPENDIX A, ARTICLE 3.

The Code of the City of Seabrook, Appendix A, "Comprehensive Zoning", Article 3, "Establishment of Zoning Districts and Associated Uses", Section 3.15, "Comprehensive Land Use Matrix", Table 3-A is hereby amended as shown in Exhibit A, which is made a part of this Ordinance.

SECTION 3. AMENDMENT TO THE CODE, APPENDIX A, ARTICLE 4,

The Code of the City of Seabrook, Appendix A, "Comprehensive Zoning", Article 4, "Special Use Regulations" is amended at Section 4.15.04 as follows.

4.15.04. Uses: Land uses permitted by right and by conditional use shall be governed by [~~the underlying zoning district (see s~~] **S**ection 3.15, "Comprehensive land use regulation matrix" **POD District.**

SECTION 4. INCORPORATION INTO THE CODE, PENALTY CLAUSE.

This Ordinance is hereby incorporated and made a part of the Seabrook City Code. Violation of this ordinance is subject to the penalty section of said Code and Ordinance, Section 1-15 "General Penalty and 11.06, "Criminal Enforcement" which provides that any person who shall violate any provision of this Ordinance shall be deemed guilty of an offense and, upon conviction, shall be fined in an amount not to exceed $2,000.00. Each day of violation shall constitute a separate offense.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

SECTION 6. SEVERABILITY.

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 7. NOTICE.

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 3rd day of March, 2015.

PASSED AND APPROVED on second and final reading this 17th day of March, 2015.

BY: _____
Glenn R, Royal, Mayor

ATTEST:

By: _____
Michele L. Glaser, TRMC
City Secretary

APPROVED AS TO FORM:

_____
Steven L. Weathered
City Attorney

Sec. 3.15 Comprehensive land use regulation matrix.

TABLE 3-A

Uses Permitted by Right and Conditional Uses [1]

X = Use by right. C = Conditional use permit required. PUD = Planned unit development. * = Active sales office required.

Land Use Activity	R-LD	R-1	R-2	R-3	C-1	C-2	C-3	C-S	WAD	MMU	POD[2]	OS	MH	LI
Residential Uses														
Apartments				X										
Assisted Living Facilities				X	C	C								
Cluster housing			X	X								X		
Condominium				X					C	C				
Duplex				X								X		
Group homes	X	X	X	X										
Manufactured home / manufactured home park													X	
Single-family detached residence	X	X	X	X								X	X	
Townhouse				X						C				
Zero lot line homes			X	X										
Non-Residential Uses														
Accessory building/uses (all uses must be allowed per the zone)	X	X	X	X	X	X	X	X	X	X	**X**	X	X	X
Alterations, clothing					X	X	X	X	X	X		X		X
Ambulance service						X	X	X						X
Animal training schools						X	X	X						X
Appliance dealers / rental						X	X	X	X	X		X		X
Auction house						C	X					X		X
Auto body repair / painting							X							X
Auto dealers							X							X
Auto repair/detailing						X	X	X						X
Auto rental & leasing						X	X	X	C	C				X
Auto wrecker service							X							X
Bakers, wholesale							X							X
Banks or financial services					X	X	X	X	X	C		C		X
Banquet hall					C	X	X	X	X	C		C		
Barbers / beauty salons /day spa					X	X	X	X	X	X	**X**	X		X
Bars						C	C		C	C	**C**			C
Bed & breakfast				C	X	X	X	X	X	X	**X**	X		X
Bingo parlor						C	C		C	C				C
Boat engine repair & service						C	X	X	C	X				X

Land Use Activity	R-LD	R-1	R-2	R-3	C-1	C-2	C-3	C-S	WAD	MMU	POD[2]	OS	MH	LI
Boat hull repair & construction						C	X	C	C	X				X
Boat rental								X	X	X	**X**	X		X
Boat sales						C	X	X	X	X		C*		X
Bowling alleys						C	X			C				X
Cabinet makers & millwork shops					X	X	X	X	C	X		X		X
Candy & confection, wholesale							X							X
Caterers					X	X	X	X	X	X		X		X
Cellular communications tower							C							X
Cemetery or mausoleum	C	C	C	C	C	C	C							X
Charter boat-service					C				X	X	**X**			
Child day care center					C	X	X					X		X
Child day care family home				C	C							X		
Church / place of worship	X	X	X	X	X	X	X	X	X	X	**X**	X	X	X
Cigar lounge						X	X	X	X	X	**X**			X
Cigar & tobacco shop						X	X	X	X	X	**X**			X
Civic club						C	C	C	C	C		C		C
Commercial automobile parking lot / garage						C	X				**X**			X
Computer sales & service					X	X	X	X	X	X		X		X
Contractors (with outside storage)							X			C		C		X
Contractors (without outside storage)						X	X			X		X		X
Convenience stores (without fuel pumps)					C	X	X	X	X	X		X		X
Copy & duplicating services					X	X	X	X	X	X		X		X
Dancehalls						C	C		C	C	**C**			X
Dance instruction					X	X	X	X	X	X		X		X
Delivery services						X	X	X		X	**X**			X
Dinner theatre						X	X		X	X		X		X
Domestic animal training schools						X	X	X						X
Dry cleaners (pickup only)					X	X	X	X	X	X		X		X
Electrical equipment & supplies, wholesale						C	X							X
Electronics manufacturer														X
Exterminators & pest control						X	X	X						X
Farm	X													X
Fish & seafood, retail					C	X	X	X	X	X	**X**	C		X
Fish & seafood, wholesale						C	X		X	X				X
Fraternal organizations						C	C		C					C
Funeral home / mortuary					C	X	X							X
Game rooms & billiard parlors						C	C		C	C	**C**			C
Gasoline service stations / convenience stores						X	X							X
Glass sales, tinting & replacement						X	X	X						X

Land Use Activity	R-LD	R-1	R-2	R-3	C-1	C-2	C-3	C-S	WAD	MMU	POD[2]	OS	MH	LI
Golf course/country club	C	C	X	X										X
Greenhouse						X	X							X
Gunsmiths						X	X	X	X	X		X		X
Health club					C	X	X		X	X		C		X
Heavy machinery sales							X							X
High rise (all uses within must be allowed per the zone)									X	C	**C**	C		
Hospice	C					X	X							X
Hospital						X	X							X
Hotels & motels (with full service restaurant)						X	X		X	X	**X**			X
Hotels & motels (without full service restaurant)						C	C		C	C	**C**			C
Janitorial services & supplies						X	X	X						X
Kennel, outdoor							X							X
Laundry, self-service						X	X	X	C	C				X
Limousine service					X	X	X	X	C					X
Machine shops & welding							X	X						X
Mailbox rentals					X	X	X	X	C	X		X		X
Mailing service , bulk					X	X	X	X	X	X		X		X
Manufacturing														X
Marina									X	X	**X**	C		
Medical emergency clinics (w/ambulance)										X				X
Medical equipment and supplies						X	X	X		X				X
Medical laboratories					C	X	X	X						X
Monastery or convent	C			C		C	C							C
Motion picture theatre						X	X		C					X
Motorcycle sales & repair						C	X	X						X
Museums					C	C	X		X	X	**X**	X		X
Nurseries					X	X	X	X				X		X
Nursing homes	C			X	C	C								X
Office, professional					X	X	X	X	X	X	**X**	X		X
Open air market (all uses must be allowed per the zone)												C		
Pawnbrokers						X	X	X						X
Personal care home (assisted living)				X	X	X	X					C		X
Pet shops (Indoor kennels only)					X	X	X	X	X	X		X		X
Printers							X	X						X
Private clubs (as per TABC)						C	C		C	C	**C**			C
Private schools					X	X	X			X		X		X
Public use (governmental)	X	X	X	X	X	X	X	X	X	X	**X**	X	X	X
Pumps, industrial sales and service							X							X
Quick lube/oil change						X	X	X						X

Land Use Activity	R-LD	R-1	R-2	R-3	C-1	C-2	C-3	C-S	WAD	MMU	POD[2]	OS	MH	LI
Radio/television transmission tower (commercial)										C				X
Recreational vehicle park														C
Recreational vehicle sales, rental & repair							X							X
Recycling center														C
Rental service store (no heavy equipment)						X	X	X						X
Rental, trucks & heavy equipment							X							X
Restaurant equipment & supplies						X	X	X						X
Restaurants					C	X	X	X	X	X	**X**	X		X
Retail, heavy						X	X	X	X	X				X
Retail, light					X	X	X	X	X	X	**X**	X		X
Sailmakers					X	X	X	X	X	X		X		X
Sexually oriented business														X
Shipyard									X	X				X
Signs, manufacturing							X	X						
Skating rinks						C	X			X				X
Small engine repair						X	X	X						X
Smoke & head shop							X							X
Sports and recreational arenas										C				X
Stables	C													X
Storage, auto; inside							X							X
Storage, auto; outside							C							
Storage, boat; inside							X	X	X	X				X
Storage, boat; outside							X			X				X
Swimming pool & spa sales & supplies					C	X	X	X	C					X
Tele-video production						X	X	X	X	X				X
Theatre					C	X	X		X	X	**X**			X
Tire dealers and service						X	X	X						X
Trucking company														X
Upholstery shop					C	X	X	X	X	X		X		X
Veterinarians & animal hospitals (no outside kennels)					C	X	X	X	X	X				X
Veterinarians (with outside kennels)							X							X
Warehouse														X
Warehouses, offices & mini							X			X				X
Woodwork shops						X	X	X	X	X		X		X
Yacht/sailing club									X	X		X		

[1] A property is prohibited from having an accessory use/structure without the presence of a principal use/structure.

[2] Please reference Seabrook Code of Ordinances, Appendix A, Comprehensive Zoning, Section 4.15. The Point Overlay District Regulations, 4.15.04. Uses.

Land Use Activity	R-LD	R-1	R-2	R-3	C-1	C-2	C-3	C-S	WAD	MMU	POD[2]	OS	MH	LI

The Seabrook Planning and Zoning Commission met on Thursday, January 15, 2015 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 (Excused Absence)	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 preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community, consisting of approximately 18 units on approximately 2.1640 acres of land.

Commissioner Hammann requested that the email received on January 13, 2015 by the City Secretary's office from Pete Braccio concerning his objection to this request be entered into the minutes as Attachment A.

John Skeele, President of Bayway Homes and Sunset Development, stated that the property has been vacant for a number of years. He stated that the recent flood map changes will require 16 ft. elevation. Mr. Skeele stated that they want to build a little community with a street and houses facing each other. He stated that they wanted to build something that would keep to the scale of the area.

Mike DeHart asked what the square feet of the homes would be.

Mr. Skeele stated that they would be 1,800 sq. ft. of livable space and 1,800 sq. ft. for parking and a social area.

Mr. DeHart asked if the parking area would have any architectural screening.

Mr. Skeele stated that there would be screening between townhomes.

Charles Anders, Friendswood, Texas stated that by using applying for the planned unit development, the City retains total control of what is built.

Janet Mayeaux, Dolphin Drive, stated that the project backed up to her home. She asked how many houses are going to be built and if they are rental or for sale. She stated that this project would tremendously impact her privacy and her view of the skyline. Ms.Mayeaux stated that her

taxes would go up and her property value would go down. She was also concerned about drainage, noise and light issues.

Dick Rogan, Sandpiper, stated he is against Planned Unit Developments. He also stated that he was against the decision to take out minimum acreage from the PUD Ordinance.

Mr. Skeele stated that the townhomes would be for sale. They would be single family homes. He stated that there would be fences around each of the homes and the balconies would face the front of the houses. He stated that it would be no different than having a two story home behind her property. Mr. Skeele stated that they would be putting in a new fence between the project and the neighboring properties.

Mr. DeHart asked if there would be buffering between the project and the neighboring homes.

Mr. Skeele stated that even though the ordinance does not require buffering, they would be willing to plant trees to add a buffer.

Michael Sharpe stated that the PUD Document referenced the R-3 zoning district, Section 3.05.3 Height: No building or structure shall exceed 40 feet in height above the base flood elevation. He asked what the base flood elevation was at that grade.

Mr. Landis stated it was currently an AE 12 flood zone, but on the preliminary maps it was changing to an AE 15 flood zone. He stated that the ground elevation in that area is approximately 8 to 10. Mr. Landis stated that the R-1 zoning district has the same requirement.

2. 2 Discussion, consideration, and possible action regarding "Uses" permitted by right and by conditional use within "The Point Overlay District".

Mr. Landis stated that the current zoning designation for the Point Overlay District is MMU (Marine Oriented Mixed Use District). The zoning district description allows for uses such as marinas, ship-yards, heavy boat repair and wholesale seafood sales. The uses described above all could be considered very intensive uses that do not fit within the city's long term plans to redevelop the area as an entertainment district. He stated that as a result, it is staff's recommendation that the Planning and Zoning Commission consider adding a line item titled Point Overlay District "POD" to the Zoning Land Use Matrix with a foot note referencing back to section 4.15.04 and changing Sec. 4.10. – Planned unit developments section 4.15.04. Uses to:

4.15.04. Uses: Land uses permitted by right and by conditional use shall be governed by ~~the underlying zoning district (see~~ section 3.15, "Comprehensive land use regulation matrix" POD District.

Chairman Potts closed the Specific Public Hearing portion of the meeting at 7:32.

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 preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community.

Motion was made by Dodie Miller and seconded by Mike DeHart

To approve the request for preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community.

Rosebud Caradec asked what the difference was between townhomes and duplexes.

Mr. Landis stated that the property will be platted into 18 individual lots with one townhome per lot and they will be sold. A duplex is on a single piece of property and is usually owned by a single person.

Mr. DeHart stated that he would like it to be mandatory for the screening between the project and surrounding properties.

Ayes: Caradec, DeHart, Hammann, and Miller
Nays: Sharpe
Abstained: Potts

3.2 Discussion, consideration, and possible action regarding "Uses" permitted by right and by conditional use within "The Point Overlay District".

Motion was made by Mike DeHart and seconded by Dodie Miller

To approve the changes to the "Uses" permitted by right and by conditional use within "The Point Overlay District" as presented.

Ayes: Caradec, DeHart, Hammann, Miller, and Sharpe
Nays: None
Abstained: Potts

4.0 APPROVAL OF MINUTES

4.1 Discussion, consideration and possible action concerning the minutes from the November 20, 2014 Planning & Zoning meeting.

Motion was made by Buddy Hammann and seconded by Rosebud Caradec

To approve the minutes from the November 20, 2014 Planning & Zoning meeting as presented.

Ayes: Caradec, Dehart, Hammann, and Miller
Nays: None
Abstained: Potts and Sharpe

MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.

4.2 Discussion, consideration and possible action concerning the minutes from the January 6, 2015 Planning & Zoning meeting.

Motion was made by Buddy Hammann and seconded by Rosebud Caradec

To approve the minutes from the January 6, 2015 Planning & Zoning meeting as presented.

Ayes: Caradec, Dehart, Hammann, Miller, and Sharpe
Nays: None
Abstained: Potts

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 they would meet on February 17, 2015 for the joint public hearing with City Council to discuss the Final Senior Living PUD.

Chairman Potts stated that they would meet on February 19, 2015 to discuss:

P&Z planning aspects
Vacant commercial property

Motion was made by Buddy Hammann and seconded by Dodie Miller

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 7:73 p.m.

APPROVED THIS 19TH DAY OF FEBRUARY 2015.

Michael Potts, Chairman

Alesia Hammock, Secretary

ORDINANCE NO. 2015-05
READOPTING CURFEW REGULATIONS FOR MINORS

AN ORDINANCE READOPTING THE CURRENT CURFEW REGULATIONS FOR MINORS CONTAINED IN THE SEABROOK CITY CODE, CHAPTER 44, SECTION 44-95 "CURFEW FOR MINORS" PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED $500 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

* * * *

WHEREAS, the City of Seabrook has had a curfew ordinance for many years; and

WHEREAS, state law requires that such ordinances be renewed at least once every three (3) years; and

WHEREAS, Seabrook last approved its curfew ordinance, No. 2012-08 on March 6, 2012, (Prior Ordinance); and

WHEREAS, Seabrook wishes to maintain a curfew for minors; and

WHEREAS, the Chief of Police has not recommended any changes to the current curfew regulations; and

WHEREAS, as a result of the public hearings and subject meetings the City Council of Seabrook did review the Prior Ordinance as to its affect on the community and on the problems said Ordinance was intended to remedy and determined that the substance of such Ordinance should be reinitiated and continued in the Seabrook Code of Ordinances; and

WHEREAS, the City Council finds and determines that in the best interests of the health, safety and welfare of all residents, curfew regulations are necessary; and

WHEREAS**,** the City Council of the City of Seabrook finds and determines that there remains a significant community need for curfew regulations in that without such regulations there is a substantial likelihood of increased juvenile arrests and/or incidents resulting from unsupervised juvenile activities; and

WHEREAS, all requirements have been met and the required public hearings have been scheduled and held before the City Council; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEABROOK, STATE OF, TEXAS:

SECTION 1. FINDINGS

That the City Council of the City of Seabrook adopts the preceding preamble paragraphs as if repeated verbatim herein and find them as matters of fact. The City Council of the City of Seabrook finds and determines that there is a continuing need for a juvenile curfew and that without such regulations there is a substantial likelihood of increased juvenile arrests and/or incidents resulting from unsupervised juvenile activities and that accordingly the existing juvenile curfew ordinance should be extended and readopted in accordance with Section 370.002 of the Texas Local Government Code as provided hereafter.

SECTION 2. READOPTION OF CURFEW REGULATIONS FOR MINORS.

The Seabrook City Code, Chapter 44, "Law Enforcement and Offenses", Article III. "Offenses", Division 2. "Minors", Section 44-95 "Curfew for Minors" is hereby reaffirmed and readopted without any changes. A copy of this section of the Code, as shown on Exhibit A, is made a part of this ordinance.

SECTION 3. PENALTY CLAUSE.

Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not more than Five Hundred Dollars ($500.00) per offense or as otherwise provided by law.

SECTION 4. SEVERABILITY.

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 5. NOTICE.

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 3rd day of March 2015.

PASSED, APPROVED AND ADOPTED on second and final reading this17th day of March 2015.

By:_____
Glenn R. Royal, Mayor

ATTEST:

By: _____
Michele L. Glaser, TRMC
City Secretary

APPROVED AS TO FORM:

By: _____
Steven L. Weathered, City Attorney

Ordinance No. 2015-05
Exhibit A

EXCERPT FROM CODE OF THE CITY OF SEABROOK
CHAPTER 44. Law Enforcement and Offenses
Article III. Offenses
Division 2. Minors
Section 44-95 Curfew for minors.

Sec. 44-95. - Curfew hours for minors.

(a) *Definitions.* The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Curfew hours means:

(1) 10:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. of the following day, so long as the next day after such Sunday, Monday, Tuesday, Wednesday, or Thursday is not an official school holiday observed by the Clear Creek Independent School District, in which event the curfew shall not commence until 12:01 a.m. on the official holiday; and

(2) 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday or official school holiday observed by the Clear Creek Independent School District.

Emergency means an unforeseen combination of circumstances or the resulting state that calls for immediate action. This term includes but is not limited to a fire, a natural disaster, an automobile accident or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Establishment means any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian means:

(1) A person who, under court order, is the guardian of the person of a minor; or

(2) A public or private agency with whom a minor has been placed by a court.

Minor means any person under 17 years of age.

Operator means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent means a person who is:

(1) A natural parent, adoptive parent, stepparent, or adult relative within the third degree of consanguinity of a minor;

(2) At least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

Public place means any place to which the public or a substantial group of the public has access and includes, but is not limited to streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

Remain means to:

(1) Linger or stay; or

(2) Fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.

Serious bodily injury means bodily injury that creates a substantial risk of death or that causes death serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(b) *Offenses.*

(1) A minor commits an offense if he or she remains in any public place or on the premises of any establishment within the city during curfew hours.

(2) A parent or guardian of a minor commits an offense if he or she knowingly permits or by insufficient control allows the minor to remain in any public place or on the premises of any establishment within the city during curfew hours.

(3) The owner, operator, or any employee of an establishment commits an offense if he or she knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

(c) *Defenses.*

(1) It is a defense to prosecution under subsection (b) of this section that the minor was:

a. Accompanied by the minor's parent or guardian;

b. On an errand at the direction of the minor's parent or guardian, without any detour or stop;

c. In a motor vehicle involved in interstate travel;

d. Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;

e. Involved in an emergency;

f. On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;

g. Attending an official school, religious, or other recreational activity supervised by adults and sponsored by a civic organization or another similar entity, that takes responsibility for the minor; or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by a civic organization, or another similar entity, that takes responsibility for the minor;

h. Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or

i. Married or had been married or had disabilities of minority removed in accordance with V.T.C.A., Family Code § 31.001 et seq.

(2) It is a defense to prosecution under subsection (b)(3) of this section that the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

(d) *Enforcement.* Before taking any enforcement action under this section, a police officer shall ask the apparent offender's age and reason for being in the public place.

(e) *Penalty.*

(1) A person who violates a provision of this section is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed $500.00.

(2) When required by V.T.C.A., Family Code § 51.08, the municipal court shall waive original jurisdiction over a minor who violates subsection (b)(1) of this section and shall refer the minor to juvenile court.

(Code 1976, § 18-8; Code 1996, § 42-4; Ord. No. 97-10, 6-17-1997; Ord. No. 99-06, § 1, 5-4-1999; Ord. No. 2001-23, § 1, 9-18-2001; Ord. No. 2001-22, § 1, 8-7-2001; Ord. No. 2006-03, § 2, 4-4-2006; Ord. No. 2009-04, § 1, 3-17-2009; Ord. No. 2012-08, § 2, 3-6-2012)

State law reference— Children taken into custody for violation of curfew, V.T.C.A., Family Code § 52.028 et seq.

ITEM FOR CONSIDERATION ON CITY COUNCIL CONSENT AGENDA FOR NEXT AVAILABLE COUNCIL MEETING

Date: February 23, 2015

From: Carolyn Webbon, Judge - Seabrook Municipal Court

CONSENT AGENDA:

1. Approve the Seabrook Municipal Court's cancellation of 281 delinquent citations (from 1984 through 1998) as uncollectable.

BACKGROUND SUMMARY

CONSENT AGENDA ITEM #1. While reviewing files for transfer to the new collection law firm (which contract began in January, 2015), 281 old citations (from 1984 through 1998) were discovered by the Court Administrator as being still active in our Incode database. These citations should not have been active. A previous Court Order, signed by Judge Pirtle in 2011, dismissed all open citations prior to January 1, 2006. After further investigation (by pulling files from storage), it was determined that few of these citations may still be collectible. Additionally, the time and effort required to research these citations would greatly exceed any amount that may be collected due to their age and small amount.

ITEM FOR CONSIDERATION ON CITY COUNCIL CONSENT AGENDA FOR NEXT AVAILABLE COUNCIL MEETING

Date: February 23, 2015

From: Carolyn Webbon, Judge - Seabrook Municipal Court

CONSENT AGENDA:

2. Approve the Seabrook Municipal Court's creation of a "warrant discount program" (waiving a $50 fee for each warrant collected), for a period of time not to exceed four weeks each fiscal year.

BACKGROUND SUMMARY

CONSENT AGENDA ITEM #2. For the past few years a great program for increasing collections in municipal courts across the State of Texas has been a "warrant amnesty program". These amnesty programs are conducted by many individual cities (Houston, College Station, El Paso, Bellaire, to name just a few). The proposed program for Seabrook would allow persons with outstanding warrants in Seabrook to appear in Court or at the Court Department and pay their warrant, without fear of being arrested, and receive a discount of $50 on each warrant. This program would only be available for a maximum of 4 weeks per fiscal year, and could be made known to the public through the use of the City's website, postcard mailings, collection law firm phone bank, and utilization of the City's blackboard calling system. Police involvement in this program is not required. Please note: the term "warrant discount" would be used and not "warrant amnesty" as the term amnesty means "to pardon" and is inaccurate.

Seabrook, TX PD | CONFIDENTIAL | 1/1/2014 - 12/31/2014

Racial Profile Tier 1 HB3389

PLEASE NOTE: The official form does not allow for Other and Unknown in the Race or Ethnicity boxes on the TCLEOSE website. Please contact TCLEOSE for instructions on how to resolve these issues for 2012. This report only includes traffic stops resulting in a citation, traffic stops resulting in a citation with an arrest, traffic stops resulting in a warning with an arrest and field interviews that resulted in an arrest.

Number of Motor Vehicle Stops	
1134	Citations only
2	Arrest only
257	Citations and Arrests
4. 1393	Total

Race or Ethnicity	
105	African
25	Asian
1061	Caucasian
194	Hispanic
0	Middle Eastern
8	Native American
0	**Other**
0	**Unknown**
11. 1393	Total

Race or Ethnicity known prior to stop?	
84	Yes
1309	No
14. 1393	Total

Search conducted?	
206	Yes
1187	No
17. 1393	Total

Was search consented?	
27	Yes
179	No
20. 206	Total

Powered by: brazos technology

The City Council of the City of Seabrook met in regular session on Tuesday, February 17, 2015 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

GLENN ROYAL	MAYOR
ROBERT LLORENTE	COUNCIL PLACE NO. 1
MIKE GIANGROSSO	COUNCIL PLACE NO. 2
GARY JOHNSON	MAYOR PRO TEM & COUNCIL PLACE 3
MELISSA BOTKIN	COUNCIL PLACE NO. 4
THOM KOLUPSKI	COUNCIL PLACE NO. 5
O.J. MILLER	COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	ASSISTANT CITY MANAGER
STEVEN L. WEATHERED	CITY ATTORNEY
MEREDITH BRANT	ASSISTANT CITY SECRETARY

Mayor Royal called the meeting to order at 7:00 p.m. and led the audience in the United States and Texas Pledges of Allegiance.

1.0 PRESENTATIONS

1.1 Present an update of the Seabrook Strategic Plan. (Cook)

City Manager Gayle Cook gave an update on the Strategic Plan which included highlights of each section: Economic Development, Communication, Governance, and Organizational Development.

Councilor Kolupski asked to go into executive session to consult with the City Attorney concerning the economic development update.

EXECUTIVE SESSION

At 7:14 p.m., Mayor Royal announced that the Council would meet in Executive Session pursuant to the Open Meetings Act, Chapter 551, Government Code and Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.071, Consultation with Attorney.

OPEN MEETING

At 7:18 p.m., Mayor Royal reconvened the meeting in Open Session and announced that no action had been taken.

Ms. Cook completed the update.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

There were none.

2.1 Mayor, City Council and/or members of the city staff may make announcements about city/community events. (Council)

Councilor Giangrosso announced the following:

- February 27 is the last day for filing for a place on the ballot in the May election.
- Lucky Trails Marathon is March 14 and 15
- The Trash Bash is March 28.

Mayor Royal requested that Item 7.1 under Executive Session be taken out of order and addressed at this time.

7.0 EXECUTIVE SESSION

At 7:29 p.m., Mayor Royal announced that the City Council will now hold a closed executive meeting pursuant to the provisions of the open meetings Act, Chapter 551, Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072, Real Property.

Section 551.072

7.1 Discuss the purchase, exchange, lease, or exchange of real property in closed session due to potential detrimental effect on City in negotiations with third party if conducted in open session, as provided by Section 551.072 of the Texas Government Code. (Cook)

8.0 OPEN MEETING

At 7:42 p.m., Mayor Royal reconvened the City Council meeting in open session and stated that the item had been discussed, but no action had been taken.

3.0 BID AWARDS

3.1 Consider and approve the exchange of property owned by Pacific Ridge Development Company, LLC consisting of 8.071 acres of property out of Ritson Morris Survey, Abstract 52 for city owned property consisting of 3.405 acres out of the Ritson Morris Survey, Abstract 52, Harris County (Public Works Yard) and authorize the City Attorney to draft an Ordinance or Resolution outlining the terms/conditions of the exchange. (Cook)

Motion was made by Councilor Llorente and seconded by Councilor Miller

To task staff and the city attorney with creating a resolution outlining the terms/conditions of the exchange and to proceed with due diligence.

MOTION CARRIED BY UNANIMIOUS CONSENT.

4.0 CONSENT AGENDA

4.1 Approve application for parade permit and waiver of fee for the Bayside Area Little League Opening Day Parade on March 28 from 7:00 a.m. to 10:00 a.m. (Applicant)

4.2 Approve a special event permits and temporary signs for Keels & Wheels Concours d' Elegance at Lakewood Yacht Club on May 2 and 3, 2015 from 10:00 a.m. to 5:00 p.m. contingent upon submission of the required certificate of insurance. (Applicant)

4.3 Consider approval of policies and procedures to administer the Chapter 380 Economic Development Program to attract and retain high quality development and jobs. This policy was approved by the Economic Development Corporation on March 14, 2013. (EDC)

4.4 Approve Investment Report for first quarter 2014/15 as required by Public Funds Investment Act. (Lab)

4.5 Approve proposed Resolution No. 2015-04, "Updating Water and Wastewater Utility Rates." (Lab)

A RESOLUTION UPDATING WATER AND WASTEWATER UTILITY RATES AND DEPOSITS EFFECTIVE WITH THE FEBRUARY 15-MARCH 15, 2015 BILLING CYCLE FOR THE CITY OF SEABROOK. THIS RESOLUTION REPLACES RESOLUTION NO. 2011-13 WHICH WAS APPROVED ON JULY 19, 2011.

4.6 Accept the street, drainage and utilities for Towers Boulevard. (Chairez)

4.7 Approve the January 2015 Building Department Report. (Landis)

4.8 Approve the minutes of the February 3, 2015 special City Council meeting, (Glaser)

4.9 Approve minutes of the February 3, 2015 regular City Council Meeting. (Glaser)

Motion was made by Councilor Johnson and seconded by Councilor Giangrosso

To approve the Consent Agenda

MOTION CARRIED BY UNANIMOUS CONSENT

END OF CONSENT AGENDA

5.0 NEW BUSINESS

5.1 Consider first and final reading of proposed Ordinance No. 2015-03, "Budget Amendments for FY 2013/14." (Lab)

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2013 AND ENDING ON SEPTEMBER 30, 2014 FOR THE CITY OF SEABROOK.

Ms. Cook stated that this is a housekeeping item generally required on an annual basis.

Motion was made by Councilor Giangrosso and seconded by Councilor Botkin

To approve Ordinance No. 2015-02 on first and final reading with the reading of the caption serving as the reading of the ordinance.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.2 Consider appointment of councilmember(s) to attend the BAHEP Aerospace Advocacy trip to Austin on March 2 and 3 and to Washington, D. C. on May 19-22, 2015. (Council)

Motion was made by Councilor Botkin and seconded by Councilor Johnson

To appoint Councilors Kolupski and Miller to attend the Aerospace Advocacy trip to Austin and to appoint Councilor Llorente to attend the trip to Washington, D.C.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.0 ROUTINE BUSINESS

6.1 Approve the Action Items Checklist which is attached and made a part of this agenda. (Council)

Ms. Cook gave an update on the status of the bond-funded projects. Mayor Royal recommended that rather than “bond updates” the item should read “project updates.”

Ms. Cook recommended adding periodic updates for the Comprehensive Master Plan.

Motion was made by Councilor Kolupski and seconded by Councilor Johnson

To approve the action items checklist with the noted changes.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.2 Establish future meeting dates and agenda items. (Council)

March 3 is the next regular City Council meeting. On March 17 there will be a joint meeting with Planning & Zoning beginning at 6:00 p.m. to be followed by the regular meeting at 7:00 p.m.

Ms. Cook proposed that council and staff meet on April 10 for an all day strategic planning session.

Upon motion the meeting was adjourned at 7:59 p.m.

APPROVED BY THE SEABROOK CITY COUNCIL ON THE 3RD DAY OF MARCH, 2015.

_____
Glenn Royal, Mayor

_____
Meredith Brant, TRMC
Assistant City Secretary

CITY OF SEABROOK
RESOLUTION NO. 2015-05
OPPOSING SENATE BILL 343 ERODING THE AUTHORITY OF HOME RULE CITIES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, OPPOSING SENATE BILL 343 AND ANY OTHER LEGISLATION WHICH WOULD ERODE THE AUTHORITY OF A HOME RULE MUNICIPALITY; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, in 1868 a federal judge named Dillon issued a ruling that cities can do only what their state government expressly authorizes them to do; and

WHEREAS, after that federal court decision, the people of Texas decided centralized government is not the way to go and, in 1912, adopted a constitutional amendment affirming Texas' commitment to local decision making; and

WHEREAS, the Texas Constitution, in Article XI, Section 5, authorizes cities over 5,000 population to adopt by election a home rule charter, which charter grants the citizens of that city the power of self-government; and

WHEREAS, the City of Seabrook adopted its Home Rule Charter in 1980; and

WHEREAS, Senate Bill 343, filed by Senator Don Huffines during this the 84th Texas Legislative Session, would totally upend the relationship between Texas cities and state government by causing Texas to revert to the rule created in Dillon's 1868 federal court decision and would require City of Seabrook voters and local elected officials to get the Texas state legislature's permission to enact any local ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

Section 1. The City Council of the City of Seabrook strongly opposes Senate Bill 343 and any legislation that would erode the authority of a home rule municipality.

Section 2. The City Council of the City of Seabrook officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 3. This Resolution shall be effective upon its passage and approval.

PASSED AND APPROVED this 3rd day of May 2015.

CITY OF SEABROOK, TEXAS

By: _____
Glenn R. Royal, Mayor

ATTEST:

_____
Michele L. Glaser, TRMC
City Secretary

APPROVED AS TO FORM:

_____
Steven L. Weathered
City Attorney

By: Huffines S.B. No. 343

A BILL TO BE ENTITLED

AN ACT relating to the conformity of local law with state law.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.Chapter 1, Local Government Code, is amended by adding Section 1.006 to read as follows:

Sec.1.006. CONFORMITY WITH STATE LAW. (a) Where the state has passed a general statute or rule regulating a subject, a local government shall restrict its jurisdiction and the passage of its ordinances, rules, and regulations to and in conformity with the state statute or rule on the same subject, unless the local government is otherwise expressly authorized by statute.

(b) Unless expressly authorized by state statute, a local government shall not implement an ordinance, rule, or regulation that conflicts with or is more stringent than a state statute or rule regardless of when the state statute or rule takes effect.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

CITY OF SEABROOK

AGENDA BRIEFING

Date of Meeting: TUESDAY, MARCH 3, 2015

Submitter/Requestor: Cook **Date Submitted: 2/23/2015 12:08:35 PM**

Presenter: Cook

Description/Subject:

Consider approval of Resolution 2015-06 , Authorization for Acquisition/Exchange of Real Property for the current City Public Works Yard Pursuant to sealed bid proposal

Purpose/Need: NA

Background/Issue(What prompted this need):

On February 17, 2015, City Council approved a bid from Pacific Ridge for the exchange of real property. The following Resolution will direct the City Manager to proceed with due diligence actions to further complete the transaction.

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:
(Please list description of attachments and number of pages in each attachment)
Resolution

Fiscal Impact:	Budgeted	Yes	Finance Review:	Officer
	Budget Amendment Required	Yes		
	Future/Ongoing Impact	Yes		
	Budget Dept/Line Item Number			

Funding Comments:

Where on the agenda should this item be placed?
Consent Agenda

Suggested Motion:

Agenda Language:

Approve Resolution 2015-06, "Authorization for Acquisition/Exchange of Real Property for the Current City Public Works Yard Pursuant to Sealed Bid Proposal Addressed by Council on February 17, 2015." (Cook)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, AUTHORIZING PROCEEDING WITH THE SEALED BID RECEIVED FROM PACIFIC RIDGE DEVELOPMENT COMPANY, LLC FOR ACQUISITION/EXCHANGE OF CERTAIN REAL PROPERTY FOR THE CURRENT CITY PUBLIC WORKS YARD, (APPROXIMATELY 3.405 ACRES OUT OF THE RITSON MORRIS SURVEY, ABSTRACT 52, HARRIS COUNTY, TEXAS, GENERALLY LOCATED ON LAKESIDE DRIVE AND SH 146), ("PUBLIC WORKS PROPERTY"), TO BE CONVEYED IN EXCHANGE FOR THE BID PROPERTY CONSISTING OF A TRACT OF LAND CONTAINING APPROXIMATELY 8.071 ACRES SITUATED IN THE RITSON MORRIS SURVEY, A-52, HARRIS COUNTY, TEXAS, GENERALLY LOCATED ON LAKESIDE DRIVE WITH TERMINUS OF HUMBLE DRIVE ("EXCHANGE PROPERTY"); DETERMINING COMPLIANCE WITH APPLICABLE BIDDING PROCEDURE; FINDING THE PUBLIC NECESSITY FOR THE EXPENDITURE OF FUNDS, AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE NECESSARY DUE DILIGENCE FOR EVALUATION OF PROCEEDING WITH THE EXCHANGE AND ACQUISITION OF THE SUBJECT PROPERTIES PURSUANT TO THE BID RECEIVED, INCLUDING A LEASE BACK TO THE CITY FOR THE PUBLIC WORKS PROPERTY FOR A DEFINED TIME/TERMS; ALL SPECIFICALLY SUBJECT TO CITY COUNCIL APPROVAL, IN COMPLIANCE WITH ALL APPLICABLE LAWS, REGULATIONS AND CHARTER REQUIREMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBIC AS REQUIRED BY LAW.

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

CITY OF SEABROOK
RESOLUTION 2015-06

AUTHORIZATION FOR ACQUISITION/EXCHANGE OF REAL PROPERTY FOR THE CURRENT CITY PUBLIC WORKS YARD PURSUANT TO SEALED BID PROPOSAL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, AUTHORIZING PROCEEDING WITH THE SEALED BID RECEIVED FROM PACIFIC RIDGE DEVELOPMENT COMPANY, LLC FOR ACQUISITION/EXCHANGE OF CERTAIN REAL PROPERTY FOR THE CURRENT CITY PUBLIC WORKS YARD, (APPROXIMATELY 3.405 ACRES OUT OF THE RITSON MORRIS SURVEY, ABSTRACT 52, HARRIS COUNTY, TEXAS, GENERALLY LOCATED ON LAKESIDE DRIVE AND SH 146), ("PUBLIC WORKS PROPERTY"), TO BE CONVEYED IN EXCHANGE FOR THE BID PROPERTY CONSISTING OF A TRACT OF LAND CONTAINING APPROXIMATELY 8.071 ACRES SITUATED IN THE RITSON MORRIS SURVEY, A-52, HARRIS COUNTY, TEXAS, GENERALLY LOCATED ON LAKESIDE DRIVE WITH TERMINUS OF HUMBLE DRIVE ("EXCHANGE PROPERTY"); DETERMINING COMPLIANCE WITH APPLICABLE BIDDING PROCEDURE; FINDING THE PUBLIC NECESSITY FOR THE EXPENDITURE OF FUNDS, AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE NECESSARY DUE DILIGENCE FOR EVALUATION OF PROCEEDING WITH THE EXCHANGE AND ACQUISITION OF THE SUBJECT PROPERTIES PURSUANT TO THE BID RECEIVED, INCLUDING A LEASE BACK TO THE CITY FOR THE PUBLIC WORKS PROPERTY FOR A DEFINED TIME/TERMS; ALL SPECIFICALLY SUBJECT TO CITY COUNCIL APPROVAL, IN COMPLIANCE WITH ALL APPLICABLE LAWS, REGULATIONS AND CHARTER REQUIREMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Seabrook has considered the need to exchange the current Public Works Yard property (approximately 3.405 acres out of the Ritson Morris Survey, Abstract 52, Harris County, Texas, generally located on Lakeside Dive and State Highway 146), (the "Public Works Property"), for suitable property in close proximity for an exchange; and

WHEREAS, previously, the City, after approval of the City Council of the City of Seabrook, pursuant to Section 272 of the Texas Local Government Code, did publish on two separate dates in a newspaper of general circulation in Harris County, Texas, where the Public Works Yard is located, a notice that included a description of the Public Works Property, its location, and the procedure by which sealed bids to exchange the property may be submitted; and

WHEREAS, the City Council of the City of Seabrook at a meeting on February 17,

2015, considered the bid submitted by Pacific Ridge Development Company, LLC, (the "Bid") wherein exchange property of approximately 8.071 acres situated in the Ritson Morris Survey, A-52, Harris County, Texas, generally located on Lakeside Drive with terminus of Humble Drive, ("the Exchange Property") with offer of a lease back of the City Property under general terms was addressed; and

WHEREAS, the City Council, for better evaluation of the bid, has determined to authorize the City Manager of the City of Seabrook, Texas to proceed with due diligence for determination of proceeding with the subject exchange of the Public Works Property for the Exchange Property, (with lease back of the Public Works Property for relocation of City assets for a definite time/term), including the authorization of the expenditure of funds to obtain, as determined necessary, a legal survey, a title commitment, related appraisal(s) and such other due diligence determined necessary to proceed with the subject bid for the property exchange, and to report back to City Council for authorization to proceed with the subject Exchange; and

WHEREAS, it is the specific intent of the City Council of the City of Seabrook to comply with all legal requirements for the Bid and acquisition/exchange of the subject properties, specifically including the Seabrook Charter; and

WHEREAS, the City Council of the City of Seabrook finds and determines that providing authorization to the City Manager to immediately expend funds for the associated due diligence as provided herein is now appropriate;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

Section 1. That the City Council of Seabrook hereby officially finds and determines that the meeting at which this Resolution is passed is open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required. The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

Section 2. A public purpose and necessity exits for the City of Seabrook to expend funds for proceeding with the due diligence determined necessary for further evaluation of City Council for exchange of the Public Works Property for the Exchange Property.

Section 3. The City Manager is hereby immediately authorized to expend funds for due diligence determined necessary for further evaluation by City Council for evaluation of the Bid for proceeding with the subject Exchange.

PASSED AND APPROVED this 3rd day of March 2015.

Glenn Royal, Mayor

ATTEST:

Michele L. Glaser, TRMC
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered
City Attorney

CITY OF SEABROOK
RESOLUTION NO. 2015-07
OPPOSING REVENUE CAP LEGISLATION

A RESOLUTION OF THE CITY OF SEABROOK TEXAS IN OPPOSITION TO A REVENUE CAP AND LEGISLATIVE INTERFERENCE WITH LOCAL SERVICES

WHEREAS, bills have been introduced to cap the amount of property tax revenue cities can collect each year in a misguided effort to reduce the property tax burden on homeowners and businesses; and

WHEREAS, currently, if a Texas city increases property tax collections by more than eight percent over the previous year, voters can petition for an election to roll back the increase; and

WHEREAS, bills have been introduced to replace that eight percent "rollback rate" with a hard cap of four percent and require mandatory elections on an increases over four percent – all with the false claim that this would provide property tax relief; and

WHEREAS, according to the state comptroller's latest survey of property tax rates in 1,002 cities in Texas, 67 percent of cities raised their property taxes by less than four percent from 2012 to 2013 and 37 percent of cities actually reduced their property taxes; and

WHEREAS, that means property owners in at least 669 Texas cites would have seen no reduction in their city property taxes if the four percent cap had been in effect; and

WHEREAS, while the savings to individual taxpayers are very small or even non-existent, a four percent cap could represent a loss in vital city services; and

WHEREAS, cities collect just 16 percent of the property taxes levied in Texas and most of the property taxes paid by Texans (55 percent) go to school districts; and

WHEREAS, according to the comptroller's report, the total amount of property taxes collected by cities rose by 3.61 percent between 2012 and 2013, while school district tax collections rose by more than twice that rate or 7.72 percent; and

WHEREAS, school property taxes have been rising because the legislature continues to reduce the state's share of funding for schools, which forces districts to get more revenue from property taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

1. That all of the above recitals are true and correct.

2. That the City Council of the City of Seabrook is OPPOSED to the legislative imposition of a revenue cap and legislative interference with local services; and

3. That imposing a revenue cap on cities: (a) does not provide meaningful tax relief; (b) robs cities of the ability to meet local needs; and (c) diverts attention from the real cause of higher property taxes, which is the legislature's failure to address the problem of school funding.

PASSED, APPROVED AND ADOPTED THIS 3RD DAY OF MARCH 2015.

CITY OF SEABROOK, TEXAS

_____
Glenn R. Royal, Mayor

ATTEST:

_____
Michele L. Glaser, TRMC
City Secretary

CITY OF SEABROOK
RESOLUTION NO. 2015-08
DESIGNATING AN ADDITIONAL LOCATION FOR DISPLAY OF PUBLIC NOTICES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, DESIGNATING AN ADDITIONAL LOCATION ON CITY PROPERTY FOR PROVIDING COMPLETE COPIES OF PUBLIC NOTICES WHEN THERE IS INSUFFICIENT SPACE ON THE OFFICIAL BULLETIN BOARD.

WHEREAS, the Local Government Code § 9.004 requires a substantial copy of proposed charter amendments to be posted in the notice of election; and

WHEREAS, the required Election Notice must be posted in multiple languages; and

WHEREAS, Texas Election Code § 4.003 provides that notice of an election shall be posted on the bulletin board used for posting notices of the meeting of the governing body of the political subdivision; and

WHEREAS, the City of Seabrook Code of Ordinances § 2-53 provides posting of notices shall be posted on the city's bulletin board; and

WHEREAS, the City Council finds that the city bulletin board does not provide adequate space to post a complete copy of proposed charter amendments contained in the Election Notice; and

WHEREAS, this situation may also arise when posting a Notice of a Bond Election; and

WHEREAS, the City Council deems in necessary to designate a second location for to accommodate overflow postings of notices.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

Section 1. That the facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

Section 2. The Seabrook City Council hereby designates the Kiosk located on the front porch of city hall, a location available to the public 24 hours per day, as an additional location for providing complete copies of the Election Notice when there is a lack of adequate space on the main bulletin board.

Section 3. The abbreviated notice posted on the bulletin board must contain a statement that complete copies of the notice are available to the public in the alternative location.

PASSED, APPROVED, AND ADOPTED on the 3rd day of March, 2015.

By:_____
Glenn R. Royal, Mayor

ATTEST:

_____
Michele L. Glaser, TRMC
City Secretary

CITY OF SEABROOK
ORDINANCE NO. 2015-06
AMENDMENT TO FY 2013/14 BUDGET

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2013 AND ENDING ON SEPTEMBER 30, 2014 FOR THE CITY OF SEABROOK.

WHEREAS, the City of Seabrook adopted the 2013-2014 Operating budget by Ordinance No. 2013-19 and,

WHEREAS, the City of Seabrook adopted the 2013-2014 EDC budget by Ordinance No. 2013-18 and,

WHEREAS, various actions have occurred in 2013 and 2014 subsequent to the adoption of said budget requiring formal appropriations; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

THAT, the 2013-14 Adopted Budget for the City of Seabrook for the period October 1, 2013 through September 30, 2014 is hereby amended as shown and described in Exhibit A which is hereby, attached and made a part of this Ordinance.

AND IT IS SO ORDERED.

PASSED, APPROVED, AND ADOPTED ON FIRST AND FINAL READING THIS THE 3rd DAY OF MARCH, 2015.

_____
GLENN R. ROYAL, MAYOR

ATTEST:

_____
MICHELE L. GLASER, TRMC
CITY SECRETARY

Ordinance No. 2015-06 'Exhibit A'

PROPOSED AMENDMENTS TO CITY OF SEABROOK 2013-14 BUDGET

March 3, 2015

GENERAL FUND	Account No	Line Item	Original Budget	1st Amendment	2nd Amendment	Revised Budget	Unaudited Actual
Transfer from EDC to EDA for Waterfront proj	707-9903	Transfer to other funds	0	(422,614.00)	(99,600.00)	(522,214.00)	(522,168.00)
CDBG/TDRA/GLO	130-8250	Grant proceeds	1,757,742.00	(451,487.00)	102,000.00	1,408,255.00	1,407,856.00
GLO exp	130-6051	Street improvements	1,757,742.00	(1,087,422.00)	102,000.00	772,320.00	771,921.00
Transfer to EDA from EDC	720-9903	Transfer from other fund	0.00	422,614.00	99,600.00	522,214.00	522,168.00
EDA grant exp	720-6116	Street Improv	1,643,517.00	(415,000.00)	99,600.00	1,328,117.00	1,328,071.00

CITY OF SEABROOK

AGENDA BRIEFING

Date of Meeting: March 3, 2015

Submitter/Requestor: Sean Landis **Date Submitted:** February 17, 2015

Presenter: Sean Landis

Description/Subject:

Request for preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community, consisting of approximately 18 units on approximately 2.1640 acres of land.

Applicant:

Sunset Development, Inc

Legal Description:

Reserves 1, 2 and 3, Block 5 in the Miramar Subdivision, Section 3, Abstract 52, of the Ritson Morris Survey, in Harris County, Texas.

This property is located immediately south of El Mar Lane and west of North Meyer. The property is located in the R-1 (Single Family Detached) zoning district.

Request:

Request for preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community, consisting of approximately 18 units on approximately 2.1640 acres of land.

Purpose/Need: Policy Issue☑ Administrative Issue ☐

The purpose of the preliminary Planned Unit Development (PUD) is to provide a flexible approach for development, allows a more flexible response to the market, encourage innovative mixed uses and site plan design.

Background/Issue (What prompted this need?)**:**

The applicant: Sunset Development Inc. is requesting the approval of a preliminary Planned Unit Development (PUD) “El Mar Village”. The project will be a townhome community consisting of 18 individually platted and owned units to be constructed on 2.1640 acres.

The previous use of the property was a grandfathered apartment complex that was destroyed as a result of Hurricane Ike.

If approved, it is the wish of the applicant to begin construction of the development in 2015.

Impacted Parties (Expected/Notified)**:**

Recommended Action:

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission at their regular meeting on January 15, 2015 by a vote of 4-1-1.

- 4 Ayes (Caradec, DeHart, Hammann, and Miller)
- 1 Nay (Sharpe)
- 1 Abstained (Potts)

Attachments:

1. Exhibit A. Preliminary Planned Unit Development Plan, Titled: "El Mar Village.
2. Planning and Zoning Commission Official Report, dated January 15, 2015
3. Planning and Zoning Commission Minutes, dated January 15, 2015

Fiscal Impact:

Budgeted	___ Yes	___ No	Finance Officer Review:
Budget Amendment Required	___ Yes	___ No	
Future/Ongoing Impact	___ Yes	___ No	

Budget Dept/Line Item Number N/A

Funding Comments:

N/A

Where on the agenda should this item be placed?
(i.e. Public Hearing, New Business, Old Business, Consent Agenda, Executive Session, etc.)

Public Hearing & New Business

Suggested Motion:

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission at their regular meeting on January 15, 2015 by a vote of 4-1-1.

- 4 Ayes (Caradec, DeHart, Hammann, and Miller)
- 1 Nay (Sharpe)
- 1 Abstained (Potts)

City Manager Review:

- ○ Approved as submitted
- ○ Submitted for Council consideration without comment
- ○ Submitted for Council consideration with comments stated below:

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances.)

Sent to City Attorney for review _____ _____
(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Received and accepted by the City Secretary/Assistant _____ _____

Returned by the City Secretary/Assistant (If incomplete) _____ _____

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

Planning & Zoning Commission
OFFICIAL REPORT

The Planning and Zoning Commission of the City of Seabrook met on January 15, 2015 to hold a meeting to consider:

Request for preliminary approval of El Mar Village Planned Unit Development, a Townhome Community.

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL X **APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW)** ☐ **DENIAL** ☐ by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on January 15, 2015, as designated below and as certified by the signature of the Chairman. **This document is not valid unless signed by the Chairman/Presiding Commissioner.**

VOTE:	AYE	NAY	ABSTAINED	ABSENT	INITIAL
Rosebud Caradec	RC				RC
Mike DeHart	MD				MD
Buddy Hammann					
Bolivar Lewis				X	
Dodie Miller	DM				DM
Michael Potts			X		MP
Michael Sharpe	MDS	MDS			MDS

MDS

Michael Potts, Chairman
Planning & Zoning Commission

ATTEST:
Alesia L. Hammock
Alesia L. Hammock
Secretary

Planned Unit Development Plan

El Mar Village

Seabrook, Texas

Owner/Developer

Sunset Development, Inc.

Preliminary Planned Unit Development Plan

4.10.06 PUD designation procedure:

1. Name, address and telephone number of the landowner:

Sunset Development
PO Box 798
Friendswood, TX 77549
(281)648-2425 Ext 14

Jon Skeele, President
Charles Anders, Development Coordinator

Acreage 2.1639

2. Date that the project is submitted to the planning and zoning commission:

December, 2014

3. The name of the proposed project:

El Mar Village

4. The names and addresses of the adjoining property owners within in 500 feet of the proposed

Supplied by City of Seabrook

5. A key map:

620L

6. All existing streets, drives, buildings, watercourses and bodies of water:

The site has been cleared of structures. The site was formerly an apartment project that was torn down. There are no watercourses or bodies of water on the site. See Exhibit A, Survey, for existing parking structures.

7. The location and size of existing utilities within or adjacent to the proposed project site

See Exhibit A, Survey

8. The proposed location, type and size of the following:
   (a) Buildings and structures;
   (b) Streets, drives, alleys, and curbs;

(c) Off-street parking areas with parking spaces individually drawn and counted;
(d) Sidewalks;
(e) Landscaping;
(f) Common open space and amenities sites;
(g) Site for solid waste containers; and
(h) Signs.

See Exhibit B, Neighborhood Color Rendering

4.10.07 Standards for PUD Development.

The previous use of the preliminary El Mar Village PUD site was an apartment complex (R-3, Apartments) and that has been removed. The current zoning district of the site is R-1 Single Family Detached Residential. The preliminary El Mar Village PUD plan is to create a PUD with a base district of R-3 Medium Density Residential, Townhouses, see Exhibit C, Standards for PUD Development.

4.10.08 Creation of a homeowner's association.

El Mar Village will be governed by a property owners association. The association will be set up by the developer for the benefit of the current and future property owners.

4.10.10 Development Schedule.

El Mar Village will begin development in 2015 and will be developed with the infrastructure improvements starting within 12 months of the final City Council PUD approval. The developer expects that construction of the infrastructure will be completed within 24 month of the final City Council PUD approval. Further, the developer expects all homes to be completed within 4th year from the start date. Current market demand would dictate a much faster production pace, but a conservative and prudent schedule is given above.

Architectural Plans.

Proposed architectural plans see Exhibit D, Color Front Elevation Rendering.

El Mar Village Planned Unit Development

Exhibit C, Standards for PUD Development

El Mar Village Planned Unit Development is intended to accommodate a select land-use activity permitted within the underlying R-3, Townhome zoning classification. The district is designed to enhance the special characteristics of Seabrook, the small town character and create a "unique" place. El Mar Village PUD will be served by public utilities, public streets and a private drive. El Mar Village PUD is intended for single family use of attached townhomes that provide a balanced and attractive neighborhood.

Townhouses:

1. *Density:* One dwelling unit per lot.
2. *Front yard:* All buildings must be set back from the street right-of-way lines a minimum depth of 20 feet.
3. *Rear yard:* Primary buildings must be set back at least 10 feet from the rear property line.
4. *Water-abutting yard: N/A*
5. *Side yard:* Not less than ten feet between blocks of attached units, street rights-of-way or any property outside the townhouse development.
6. *Lot size:* 3,000 sq. feet. Project area shall be not less than 12,000 sq. ft.
7. *Building area:* Not more than 60 percent of total site area shall be covered by building mass.
8. *Lot width:* Not less than 30 feet.
9. *Lot depth:* Not less than 100 feet.

The following regulations apply to townhouses,

3.05.03. Height: No building or structure shall exceed 40 feet in height above base flood elevation.

3.05.04. Accessory structures: Accessory structures shall not occupy a required front or corner side yard or project beyond the front building line of the principal structure on a site. Accessory structures shall be set back at least five feet from interior side and rear property lines. A minimum distance of not less than ten feet shall be maintained between the main structure and accessory structures for townhouses and apartments/condominiums. The total floor area of accessory structures more than 30 inches in height shall not exceed 40 percent of the area of the required rear yard. No accessory structures or other obstructions including decks, pools, paving, landscaping structure or trees and fountains may be erected on any easement.

3.05.05. Buffering and screening:

Townhouses this zoning district which adjoins or abuts any property classified in the R-LD, R-1, R-2, OS or MH zone shall provide the following:

1. A front, side or rear setback as applicable that is as deep or wide as the minimum setback requirement in such adjoining or abutting zoning districts, or 10 feet, whichever is greater. Parking, loading and storage are prohibited in these setbacks; and

2. A screen fence or wall along the common property line which shall be 100-percent impervious to sight and at least six feet in height. If this fence is visible to the public it shall be landscaped as

specified in article 5. Fencing is not required for properties which are separated by a street from any R-LD, R-1 or R-2 zone.

3.05.06. Outside display and storage:

1. No storage is permitted beyond the front building line.
2. No storage is permitted in required parking areas.

3.05.07. Animal control: No farm fowl or animals shall be kept within 100 feet of the property line; provided, however, that small domestic animals for school projects may be kept on the premises within 100 feet of the property line, if all terms and conditions of the school project exception as set out in the domestic animals ordinance are followed.

3.05.08. Parking: Parking shall be in accordance with article 5 of this ordinance. Please see the comprehensive off-street parking regulation matrix.

3.05.09. Landscaping: Shall be in accordance with landscaping requirements in article 5 of this ordinance.

3.05.10. Reserved.

3.05.11. Supplementary regulations:

A. Temporary structures for uses incidental to construction work on the premises which are removed upon completion or abandonment of construction work are allowed upon permit from the building official.

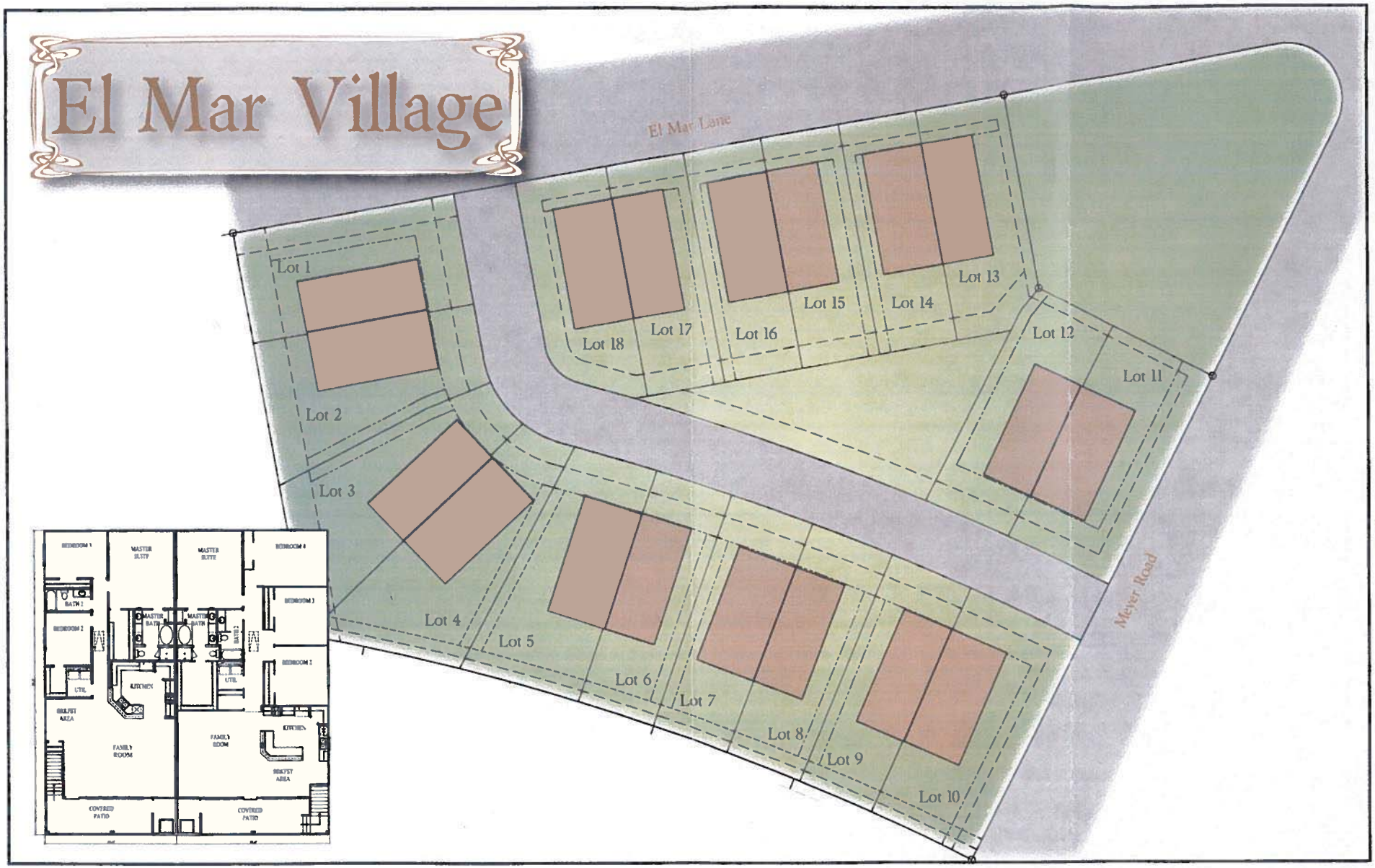
B. No temporary structures, including recreational vehicles, construction trailers or travel trailers, may be used for on-site dwelling purposes. Recreational vehicles included by not limited to boats, golf carts, small four wheel vehicles are allowed to be stored under the primary residential structure.

C. Eaves shall be permitted to encroach no more than 18 inches upon any setback.

Uses permitted within the El Mar Village PUD will be Townhomes. The below is the Building Variance Matrix for the underlying R-3, Townhome and the El Mar Village PUD.

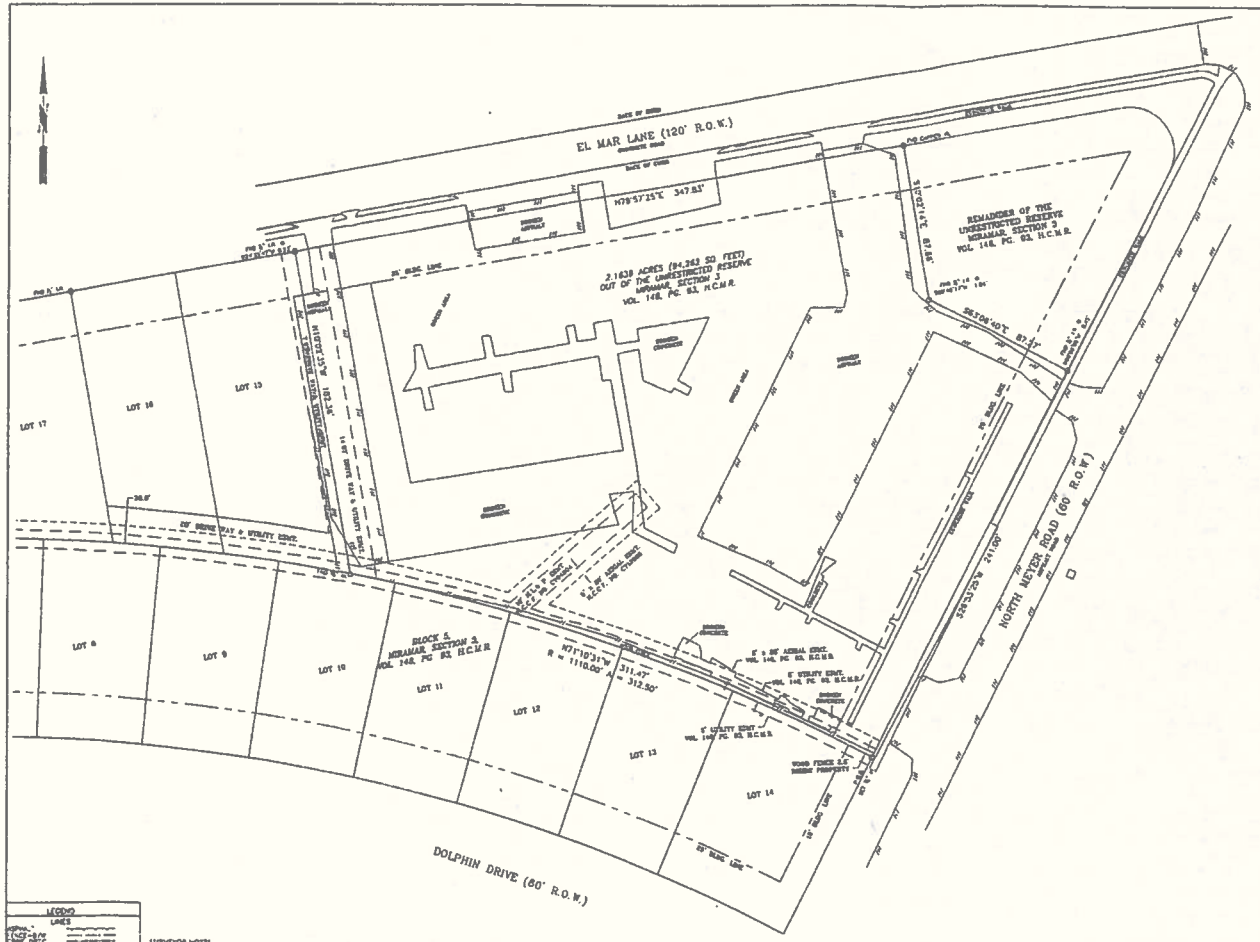
	Section 3.05. - R-3 Medium Density Residential District, C. Townhomes	EL Mar PUD
1. Density	One dwelling unit per lot	One dwelling unit per lot
2. Front Yard	20 Feet	15 Feet
3. Rear Yard	15 Feet	15 Feet
4. Water-abutting yard		N/A
5. Side Yard	10 Feet between buildings	10 Feet between buildings
6. Lot Size	3,000 Square feet	3,000 Square feet
7. Building Area	60% Building/Lot Coverage	
8. Lot Width	Not less than 30 feet	Not less than 30 Feet
9. Lot Depth	Not less than 100 feet	Not less than 100 feet
3.05.03 Height	Not to exceed 40 feet in height	Not to exceed 40 feet above Base Flood Elevation
3.05.05 Buffering	Min set back or 30 feet	10 Feet
3.05.05 Screening	6 Feet impervious fence	6 Feet impervious fence
Recreational Vehicles Storage	N/A	Allowed under residential structure

El Mar Village



Attachment 13, Item # 5.2
Page 7 of 9

"EXHIBIT A"



Purchaser: Sunset Development Inc

BEING a 2.1639 acre tract (94,262 Sq. Ft.) of land situated in the Elkan Morris Survey, Abstract 52, Harris County, Texas, and being out of and a part of the Unrestricted Reserve, in Block 5, of Miramar, Section Three, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 148, Page 83 of the Map Records of Harris County, Texas, and being that same tract of land conveyed to Sunbelt Investments 3, as described as Tract 1, in Harris County Clerk's File No. M024071, said 2.1639 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a capped iron rod set for the most southerly corner of the tract herein described, same being the most southerly corner of said Unrestricted Reserve and being in the west right of way line of North Meyer Road (60' R.O.W.);

THENCE in a northwesterly direction along and with a curve to the left having a bearing a radius of 1110.00', an arc distance of 312.30' (chord bearing N71°10'31" W 311.47') to a ½" iron rod found for the southwest corner of the tract herein described, same being the southwest corner of said Unrestricted Reserve and also being the most southerly corner of Lot 15, of said Miramar Section Three;

THENCE N19°02'35"E along and with the west line of said Lot 15, same being the west line of said Miramar Section Three, a distance of 182.36' to a ½" iron rod found for the northwest corner of the tract herein described, same being the northwest corner of said Unrestricted Reserve, and being in the south right of way line of El Mar Lane (120' R.O.W.);

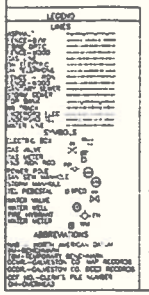
THENCE N78°57'25"E along and with the south right of way line of said El Mar Lane, a distance of 347.83' to a capped iron rod found for the most northerly east corner of the tract herein described;

THENCE S10°58'14"E, a distance of 87.06' to a point for an interior corner of the tract herein described, from which a ½" iron rod was found at S89°45'17"E 1.01';

THENCE S26°08'40"E, a distance of 87.32' to a point for the most easterly north corner of the tract herein described, from which a ½" iron rod was found at N68°05'56"W 0.45', and said point being in the west right of way line of said North Meyer Road;

THENCE S28°53'25"E along and with the west right of way line of said North Meyer Road, a distance of 241.06' to the POINT OF BEGINNING of the tract herein described.

TABLE OF EXCEPTIONS		SURVEYOR COMMENT
	The following matters and all terms of the documents creating or offering evidence of the matters (We must read each one & plot on survey)	
10		
A	Rights of Parties in possession (OWNER POLICY ONLY)	As shown on survey
B	Intentionally deleted	
C	Intentionally deleted	
D	All leases, grants, exceptions or reservations of coal, gas, oil and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed on Schedule B or not. There may be leases.	Unable to Plat. Surveyor has no opinion
E	Utility easement 5 feet in width along the South property lines, as shown by the recorded plat of said subdivision.	As shown on survey
F	An unidentified easement, adjoining the above 5 foot utility easement 5 feet wide from a plane 23 feet above the ground upward, as set forth and defined by instrument(s) filed for record under Harris County Clerk's File No(s.) C712586, Electric distribution and communication lines easement 10 feet wide as granted to Houston Lighting and Power Company in instrument(s) filed for record under Harris County Clerk's File No(s.) C734804 and defined by electric electrical fixtures	As shown on survey
G	Utility easement one overlay 14.22 feet in width along the West property	As shown on survey
H	Street 6.66 shown by the recorded 6' of land Easement. Building set back line 25 feet in width along the easterly property, more as shown by the recorded plat of Lot's subdivision	As shown on survey
I	All oil, gas and other minerals, together with all other rights in connection with same, as set forth in instrument filed for record under County Clerk's File No.	As shown on survey
J	Page 484, of	Affects entire tract
K	Mineral(s), Deed	
L	Any rights of ingress and or egress appurtenant with rights of tenants in possession.	Surveyor has no opinion
M	Intentionally deleted	
N	Subject to the terms) as shown per survey prepared by Robert D Ellis, R.P.L.S. No 4006, a Ellis Surveying Services Dated July 7, 2014. Broken concrete encroachment over N.L. & P. easement C734804	As shown on survey



SURVEYOR NOTES

1. Coordinates based on NAD83 (CORS96) Texas State Plane Coordinate System, South Central Zone.
2. Bearings referenced to Grid North, Texas State Plane Coordinate System NAD83, Texas South Central Zone
3. This is an aboveground survey. The underground utilities, if shown, are based on information provided by various utility companies and/or above ground markers, and these locations should be considered approximate. There may be additional underground hazards not shown on this drawing, prior to any excavation the owner/contractor must contact Texas One-Call (1-800-345-4545) to mark onsite underground utilities/hazards.
4. Surveyor has made no investigation or independent search for easements of record encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
5. This survey does not provide a determination of species concerning the location or existence of wetlands, facilities, toxic or hazardous waste areas, subsurface and environmental conditions or geological issues. No statement is made concerning the suitability of the subject tract for any intended use, purpose or development.
6. The word "certify" or "certificate" as shown and used hereon denotes an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
7. Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject tract: easements, building setback lines; restrictive covenants, subdivision restrictions; zoning or other land-use regulations; Agreements; Lease Agreements, and ownership title evidence
8. Any declaration made hereon or herein is made to the original purchaser of the survey & is not transferable to additional institutions or subsequent owners

To Sunset Development Inc., Texas American Title Company, and Jon Dixon or Margie Shanks.

I, the undersigned, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this map or plat and the survey it which it was based were made on the ground of the property legally described hereon and is made in compliance to the standards and specifications of a T.S.P.S. Category 1A, Condition II, Survey

Robert D Ellis
Tx. Reg No. 4006

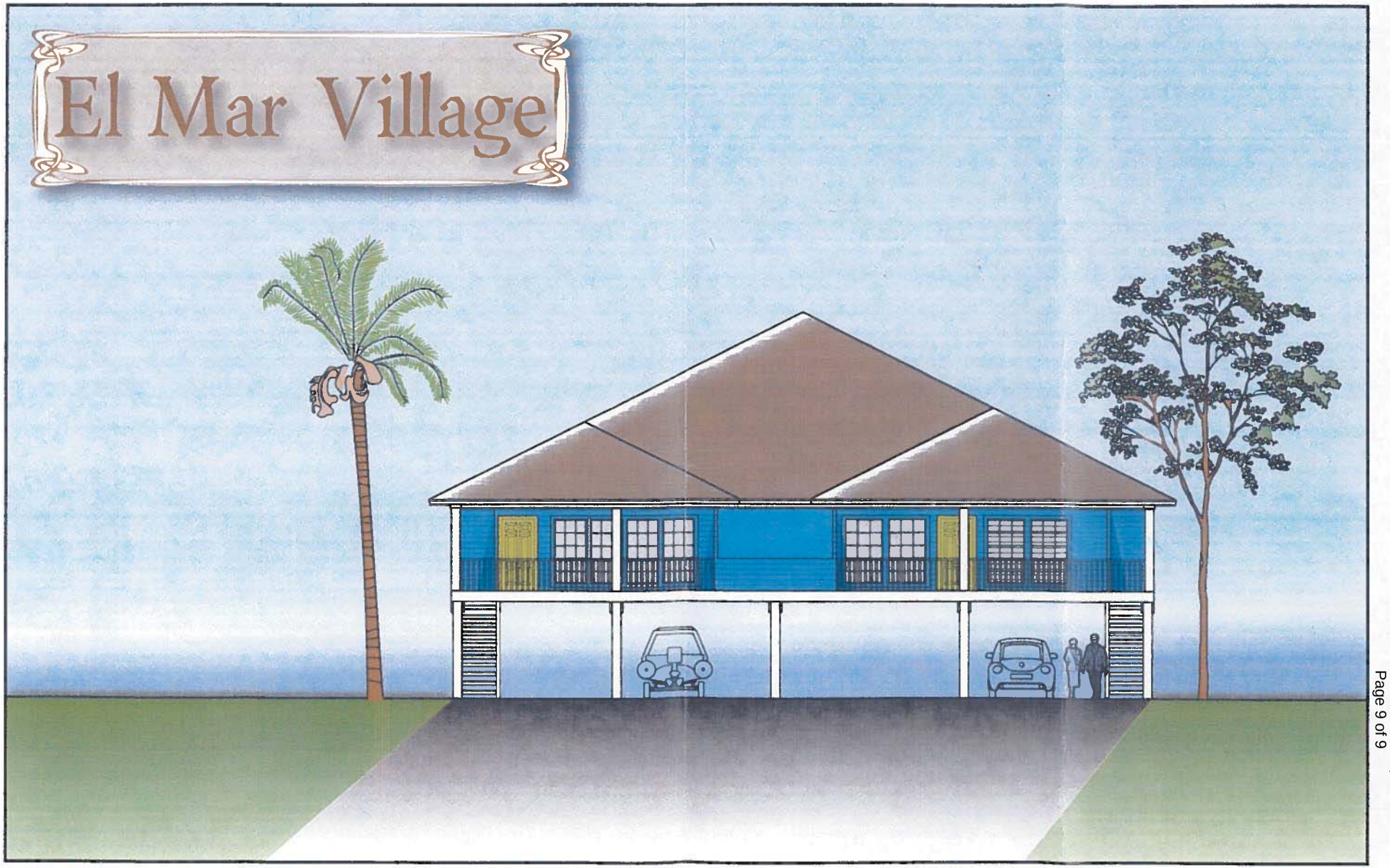
REV. NO.	DATE	COMMENT
C	07-08-14	CHANGED TO CATEGORY 1A
B	02-07-14	F&A
A	02-02-14	FOR REVIEW

DATE: 07-08-14
SCALE: 1" = 30'
TEXAS AMERICAN TITLE
GF NO. 7800-14-1685
ABSENT NO. 2325 BOWSER

Ellis Surveying Services
2414 Commerce Street, Kilgore, Texas 75662
Texas Co., FL 77541
T-1 (409) 933-3701 Fax (409) 933 3705
Texas Registration No. 10013400

0 30 60
SCALE: 1" = 30'

SURVEY OF
A 2.1639 acre tract (94,262 Sq. Ft.) of land situated in the Elkan Morris Survey, Abstract 52, Harris County, Texas, and being out of and a part of the Unrestricted Reserve, in Block 5, of Miramar, Section Three


El Mar Village

The Seabrook Planning and Zoning Commission met on Thursday, January 15, 2015 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 (Excused Absence)	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 preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community, consisting of approximately 18 units on approximately 2.1640 acres of land.

Commissioner Hammann requested that the email received on January 13, 2015 by the City Secretary's office from Pete Braccio concerning his objection to this request be entered into the minutes as Attachment A.

John Skeele, President of Bayway Homes and Sunset Development, stated that the property has been vacant for a number of years. He stated that the recent flood map changes will require 16 ft. elevation. Mr. Skeele stated that they want to build a little community with a street and houses facing each other. He stated that they wanted to build something that would keep to the scale of the area.

Mike DeHart asked what the square feet of the homes would be.

Mr. Skeele stated that they would be 1,800 sq. ft. of livable space and 1,800 sq. ft. for parking and a social area.

Mr. DeHart asked if the parking area would have any architectural screening.

Mr. Skeele stated that there would be screening between townhomes.

Charles Anders, Friendswood, Texas stated that by using applying for the planned unit development, the City retains total control of what is built.

Janet Mayeaux, Dolphin Drive, stated that the project backed up to her home. She asked how many houses are going to be built and if they are rental or for sale. She stated that this project would tremendously impact her privacy and her view of the skyline. Ms.Mayeaux stated that her

taxes would go up and her property value would go down. She was also concerned about drainage, noise and light issues.

Dick Rogan, Sandpiper, stated he is against Planned Unit Developments. He also stated that he was against the decision to take out minimum acreage from the PUD Ordinance.

Mr. Skeele stated that the townhomes would be for sale. They would be single family homes. He stated that there would be fences around each of the homes and the balconies would face the front of the houses. He stated that it would be no different than having a two story home behind her property. Mr. Skeele stated that they would be putting in a new fence between the project and the neighboring properties.

Mr. DeHart asked if there would be buffering between the project and the neighboring homes.

Mr. Skeele stated that even though the ordinance does not require buffering, they would be willing to plant trees to add a buffer.

Michael Sharpe stated that the PUD Document referenced the R-3 zoning district, Section 3.05.3 Height: No building or structure shall exceed 40 feet in height above the base flood elevation. He asked what the base flood elevation was at that grade.

Mr. Landis stated it was currently an AE 12 flood zone, but on the preliminary maps it was changing to an AE 15 flood zone. He stated that the ground elevation in that area is approximately 8 to 10. Mr. Landis stated that the R-1 zoning district has the same requirement.

2. 2 Discussion, consideration, and possible action regarding "Uses" permitted by right and by conditional use within "The Point Overlay District".

Mr. Landis stated that the current zoning designation for the Point Overlay District is MMU (Marine Oriented Mixed Use District). The zoning district description allows for uses such as marinas, ship-yards, heavy boat repair and wholesale seafood sales. The uses described above all could be considered very intensive uses that do not fit within the city's long term plans to redevelop the area as an entertainment district. He stated that as a result, it is staff's recommendation that the Planning and Zoning Commission consider adding a line item titled Point Overlay District "POD" to the Zoning Land Use Matrix with a foot note referencing back to section 4.15.04 and changing Sec. 4.10. – Planned unit developments section 4.15.04. Uses to:

4.15.04. Uses: Land uses permitted by right and by conditional use shall be governed by ~~the underlying zoning district (see~~ section 3.15, "Comprehensive land use regulation matrix" POD District.

Chairman Potts closed the Specific Public Hearing portion of the meeting at 7:32.

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 preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community.

Motion was made by Dodie Miller and seconded by Mike DeHart

To approve the request for preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community.

Rosebud Caradec asked what the difference was between townhomes and duplexes.

Mr. Landis stated that the property will be platted into 18 individual lots with one townhome per lot and they will be sold. A duplex is on a single piece of property and is usually owned by a single person.

Mr. DeHart stated that he would like it to be mandatory for the screening between the project and surrounding properties.

Ayes: Caradec, DeHart, Hammann, and Miller
Nays: Sharpe
Abstained: Potts

3.2 Discussion, consideration, and possible action regarding "Uses" permitted by right and by conditional use within "The Point Overlay District".

Motion was made by Mike DeHart and seconded by Dodie Miller

To approve the changes to the "Uses" permitted by right and by conditional use within "The Point Overlay District" as presented.

Ayes: Caradec, DeHart, Hammann, Miller, and Sharpe
Nays: None
Abstained: Potts

4.0 APPROVAL OF MINUTES

4.1 Discussion, consideration and possible action concerning the minutes from the November 20, 2014 Planning & Zoning meeting.

Motion was made by Buddy Hammann and seconded by Rosebud Caradec

To approve the minutes from the November 20, 2014 Planning & Zoning meeting as presented.

Ayes: Caradec, Dehart, Hammann, and Miller
Nays: None
Abstained: Potts and Sharpe

MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.

4.2 Discussion, consideration and possible action concerning the minutes from the January 6, 2015 Planning & Zoning meeting.

Motion was made by Buddy Hammann and seconded by Rosebud Caradec

To approve the minutes from the January 6, 2015 Planning & Zoning meeting as presented.

Ayes: Caradec, Dehart, Hammann, Miller, and Sharpe
Nays: None
Abstained: Potts

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 they would meet on February 17, 2015 for the joint public hearing with City Council to discuss the Final Senior Living PUD.

Chairman Potts stated that they would meet on February 19, 2015 to discuss:

P&Z planning aspects
Vacant commercial property

Motion was made by Buddy Hammann and seconded by Dodie Miller

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 7:73 p.m.

APPROVED THIS 19TH DAY OF FEBRUARY 2015.

Michael Potts, Chairman

Alesia Hammock, Secretary

OF SEABROOK

AGENDA BRIEFING

Date of Meeting: 03/03/2015

Submitter/Requestor: City of Seabrook **Date Submitted:** February 17, 2015

Presenter: Sean Landis

Description/Subject:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.15 "COMPREHENSIVE LAND USE REGULATION MATRIX," BY ADDING THE POINT OVERLAY DISTRICT (POD) AS A LAND USE DISTRICT; BY SPECIFYING USES BY RIGHT AND CONDITIONAL USES PERMITTED IN THE POD; AND BY PROVIDING CROSS REFERENCES IN SECTION 3.15 AND IN ARTICLE 4, "SPECIAL USE REGULATIONS", SECTION 4.15.04, "USES".

Purpose/Need: Policy Issue☑ Administrative Issue ☐

The current zoning designation for the Point Overlay District is MMU (Marine Oriented Mixed Use District). The zoning district description allows for uses such as marinas, ship-yards, heavy boat repair and wholesale seafood sales. The uses described above all could be considered very intensive uses that do not fit within the city's long term plans to redevelop the area as an entertainment district.

As a result, it is the Planning and Zoning Commissions recommendation that City Council consider adding the Point Overlay District "POD" to the Zoning Land Use Matrix as a Land Use District, specify uses by right and conditional use as shown in Exhibit A, and provide the text change required to cross reference Section 3.15 and Article IV, "Special Use Regulations", Section 4.15.04, "Uses".

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission at their regular meeting on January 15, 2015 by a 4-1 vote.

- Ayes (Caradec, DeHart, Hammann, Miller, and Sharpe)
- Abstained (Potts)

Background/Issue (What prompted this need?)**:**

Impacted Parties (Expected/Notified)**:**

Owners of property located within the Point Overlay District

Recommended Action:

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission at their regular meeting on January 15, 2015 by a 4-1 vote.

- Ayes (Caradec, DeHart, Hammann, Miller, and Sharpe)
- Abstained (Potts)

Attachments :(Please list description of attachments and number of pages in each attachment)

Ordinance 2015-04 "Specifying Uses Allowed in the Point Overly District"
Planning and Zoning Commissions January 15, 2015 Official Report
Planning and Zoning Commissions January 15, 2015 Meeting Minutes

Fiscal Impact: Budgeted ___ Yes ___No Finance Officer Review:
Budget Amendment required ___ Yes ___No
Future/Ongoing Impact ___ Yes ___No _____

Budget Dept/Line Item Number _____

Funding Comments:

Where on the agenda should this item be placed?

(i.e. Public Hearing, New Business, Old Business, Consent Agenda, Executive Session, etc.)

New Business

Suggested Motion:

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission at their regular meeting on January 15, 2015 by a 4-1 vote.

- Ayes (Caradec, DeHart, Hammann, Miller, and Sharpe)
- Abstained (Potts)

City Manager Review:

- ○ Approved as submitted
- ○ Submitted for Council consideration without comment
- ○ Submitted for Council consideration with comments stated below:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances.)

Sent to City Attorney for review _____ _____
(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Received and accepted by the City Secretary/Assistant _____ _____

Returned by the City Secretary/Assistant (If incomplete) _____ _____

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

Planning & Zoning Commission
OFFICIAL REPORT

The Planning and Zoning Commission of the City of Seabrook met on January 15, 2015 to hold a meeting to consider:

Request for amendments to the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 4, "Special Use Regulations", Section 4.15. The point overlay district regulations in the following area: 4.15.04. Uses

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL ☒ **APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW)** ☐ **DENIAL** ☐ by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on January 15, 2015, as designated below and as certified by the signature of the Chairman. **This document is not valid unless signed by the Chairman/Presiding Commissioner.**

VOTE:	AYE	NAY	ABSTAINED	ABSENT	INITIAL
Rosebud Caradec	✓				✓
Mike DeHart	X				✓
Buddy Hammann	↘				↘
Bolivar Lewis	✓			X	✓
Dodie Miller	✓				✓
Michael Potts			X		✓
Michael Sharpe	MDS		X MDS		MDS

Michael Potts, Chairman
Planning & Zoning Commission

ATTEST:
Alesia L. Hammock
Secretary

ORDINANCE NO. 2015 -04
SPECIFYING USES ALLOWED IN THE POINT OVERLAY DISTRICT

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.15 "COMPREHENSIVE LAND USE REGULATION MATRIX," BY ADDING THE POINT OVERLAY DISTRICT (POD) AS A LAND USE DISTRICT; BY SPECIFYING USES BY RIGHT AND CONDITIONAL USES PERMITTED IN THE POD; AND BY PROVIDING CROSS REFERENCES IN SECTION 3.15 AND IN ARTICLE 4, "SPECIAL USE REGULATIONS", SECTION 4.15.04, "USES".

THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDES FOR SEVERABILITY; AND PROVIDES FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Seabrook is continually reviewing the provisions of the City Code of Ordinances relating to land use and other circumstances which generally impact the health, safety and well-being of residents, citizens and inhabitants; and

WHEREAS, the Planning and Zoning Commission of the City of Seabrook has conducted a public hearing, received input from staff and is of the opinion and has issued its final report that the amendments hereto are necessary for the public safety, health and welfare and for protection of the residents; and

WHEREAS, the City Council and the Planning and Zoning Commission of the City of Seabrook have studied the present provisions of the Code of Ordinances of the City of Seabrook and have determined the need to update the provisions relative to permitted land uses; and

WHEREAS, all public notices have been posted, published and all required hearings on this matter have been held in accordance with the Comprehensive Zoning Ordinance and law; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

SECTION 1. FINDINGS OF FACT.

That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. AMENDMENT TO THE CODE, APPENDIX A, ARTICLE 3.

The Code of the City of Seabrook, Appendix A, "Comprehensive Zoning", Article 3, "Establishment of Zoning Districts and Associated Uses", Section 3.15, "Comprehensive Land Use Matrix", Table 3-A is hereby amended as shown in Exhibit A, which is made a part of this Ordinance.

SECTION 3. AMENDMENT TO THE CODE, APPENDIX A, ARTICLE 4,

The Code of the City of Seabrook, Appendix A, "Comprehensive Zoning", Article 4, "Special Use Regulations" is amended at Section 4.15.04 as follows.

4.15.04. Uses: Land uses permitted by right and by conditional use shall be governed by [~~the underlying zoning district (see s~~] **S**ection 3.15, "Comprehensive land use regulation matrix" **POD District.**

SECTION 4. INCORPORATION INTO THE CODE, PENALTY CLAUSE.

This Ordinance is hereby incorporated and made a part of the Seabrook City Code. Violation of this ordinance is subject to the penalty section of said Code and Ordinance, Section 1-15 "General Penalty and 11.06, "Criminal Enforcement" which provides that any person who shall violate any provision of this Ordinance shall be deemed guilty of an offense and, upon conviction, shall be fined in an amount not to exceed $2,000.00. Each day of violation shall constitute a separate offense.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

SECTION 6. SEVERABILITY.

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 7. NOTICE.

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 3rd day of March, 2015.

PASSED AND APPROVED on second and final reading this 17th day of March, 2015.

BY: _____
Glenn R, Royal, Mayor

ATTEST:

By: _____
Michele L. Glaser, TRMC
City Secretary

APPROVED AS TO FORM:

_____
Steven L. Weathered
City Attorney

Sec. 3.15 Comprehensive land use regulation matrix.

TABLE 3-A

Uses Permitted by Right and Conditional Uses [1]

X = Use by right. C = Conditional use permit required. PUD = Planned unit development. * = Active sales office required.

Land Use Activity	R-LD	R-1	R-2	R-3	C-1	C-2	C-3	C-S	WAD	MMU	POD[2]	OS	MH	LI
Residential Uses														
Apartments				X										
Assisted Living Facilities				X	C	C								
Cluster housing			X	X								X		
Condominium				X					C	C				
Duplex				X								X		
Group homes	X	X	X	X										
Manufactured home / manufactured home park													X	
Single-family detached residence	X	X	X	X								X	X	
Townhouse				X						C				
Zero lot line homes			X	X										
Non-Residential Uses														
Accessory building/uses (all uses must be allowed per the zone)	X	X	X	X	X	X	X	X	X	X	**X**	X	X	X
Alterations, clothing					X	X	X	X	X	X		X		X
Ambulance service						X	X	X						X
Animal training schools						X	X	X						X
Appliance dealers / rental						X	X	X	X	X		X		X
Auction house						C	X					X		X
Auto body repair / painting							X							X
Auto dealers							X							X
Auto repair/detailing						X	X	X						X
Auto rental & leasing						X	X	X	C	C				X
Auto wrecker service							X							X
Bakers, wholesale							X							X
Banks or financial services					X	X	X	X	X	C		C		X
Banquet hall					C	X	X	X	X	C		C		
Barbers / beauty salons /day spa					X	X	X	X	X	X	**X**	X		X
Bars						C	C		C	C	**C**			C
Bed & breakfast				C	X	X	X	X	X	X	**X**	X		X
Bingo parlor						C	C		C	C				C
Boat engine repair & service						C	X	X	C	X				X

Land Use Activity	R-LD	R-1	R-2	R-3	C-1	C-2	C-3	C-S	WAD	MMU	POD[2]	OS	MH	LI
Boat hull repair & construction						C	X	C	C	X				X
Boat rental								X	X	X	**X**	X		X
Boat sales						C	X	X	X	X		C*		X
Bowling alleys						C	X			C				X
Cabinet makers & millwork shops					X	X	X	X	C	X		X		X
Candy & confection, wholesale							X							X
Caterers					X	X	X	X	X	X		X		X
Cellular communications tower							C							X
Cemetery or mausoleum	C	C	C	C	C	C	C							X
Charter boat-service					C				X	X	**X**			
Child day care center					C	X	X					X		X
Child day care family home				C	C							X		
Church / place of worship	X	X	X	X	X	X	X	X	X	X	**X**	X	X	X
Cigar lounge						X	X	X	X	X	**X**			X
Cigar & tobacco shop						X	X	X	X	X	**X**			X
Civic club						C	C	C	C	C		C		C
Commercial automobile parking lot / garage						C	X				**X**			X
Computer sales & service					X	X	X	X	X	X		X		X
Contractors (with outside storage)							X			C		C		X
Contractors (without outside storage)						X	X			X		X		X
Convenience stores (without fuel pumps)					C	X	X	X	X	X		X		X
Copy & duplicating services					X	X	X	X	X	X		X		X
Dancehalls						C	C		C	C	**C**			X
Dance instruction					X	X	X	X	X	X		X		X
Delivery services						X	X	X		X	**X**			X
Dinner theatre						X	X		X	X		X		X
Domestic animal training schools						X	X	X						X
Dry cleaners (pickup only)					X	X	X	X	X	X		X		X
Electrical equipment & supplies, wholesale						C	X							X
Electronics manufacturer														X
Exterminators & pest control						X	X	X						X
Farm	X													X
Fish & seafood, retail					C	X	X	X	X	X	**X**	C		X
Fish & seafood, wholesale						C	X		X	X				X
Fraternal organizations						C	C		C					C
Funeral home / mortuary					C	X	X							X
Game rooms & billiard parlors						C	C		C	C	**C**			C
Gasoline service stations / convenience stores						X	X							X
Glass sales, tinting & replacement						X	X	X						X

Land Use Activity	R-LD	R-1	R-2	R-3	C-1	C-2	C-3	C-S	WAD	MMU	POD[2]	OS	MH	LI
Golf course/country club	C	C	X	X										X
Greenhouse						X	X							X
Gunsmiths						X	X	X	X	X		X		X
Health club					C	X	X		X	X		C		X
Heavy machinery sales							X							X
High rise (all uses within must be allowed per the zone)									X	C	**C**	C		
Hospice	C					X	X							X
Hospital						X	X							X
Hotels & motels (with full service restaurant)						X	X		X	X	**X**			X
Hotels & motels (without full service restaurant)						C	C		C	C	**C**			C
Janitorial services & supplies						X	X	X						X
Kennel, outdoor							X							X
Laundry, self-service						X	X	X	C	C				X
Limousine service					X	X	X	X	C					X
Machine shops & welding							X	X						X
Mailbox rentals					X	X	X	X	C	X		X		X
Mailing service , bulk					X	X	X	X	X	X		X		X
Manufacturing														X
Marina									X	X	**X**	C		
Medical emergency clinics (w/ambulance)										X				X
Medical equipment and supplies						X	X	X		X				X
Medical laboratories					C	X	X	X						X
Monastery or convent	C			C		C	C							C
Motion picture theatre						X	X		C					X
Motorcycle sales & repair						C	X	X						X
Museums					C	C	X		X	X	**X**	X		X
Nurseries					X	X	X	X				X		X
Nursing homes	C			X	C	C								X
Office, professional					X	X	X	X	X	X	**X**	X		X
Open air market (all uses must be allowed per the zone)												C		
Pawnbrokers						X	X	X						X
Personal care home (assisted living)				X	X	X	X					C		X
Pet shops (Indoor kennels only)					X	X	X	X	X	X		X		X
Printers							X	X						X
Private clubs (as per TABC)						C	C		C	C	**C**			C
Private schools					X	X	X			X		X		X
Public use (governmental)	X	X	X	X	X	X	X	X	X	X	**X**	X	X	X
Pumps, industrial sales and service							X							X
Quick lube/oil change						X	X	X						X

Land Use Activity	R-LD	R-1	R-2	R-3	C-1	C-2	C-3	C-S	WAD	MMU	POD[2]	OS	MH	LI
Radio/television transmission tower (commercial)										C				X
Recreational vehicle park														C
Recreational vehicle sales, rental & repair							X							X
Recycling center														C
Rental service store (no heavy equipment)						X	X	X						X
Rental, trucks & heavy equipment							X							X
Restaurant equipment & supplies						X	X	X						X
Restaurants					C	X	X	X	X	X	**X**	X		X
Retail, heavy						X	X	X	X	X				X
Retail, light					X	X	X	X	X	X	**X**	X		X
Sailmakers					X	X	X	X	X	X		X		X
Sexually oriented business														X
Shipyard									X	X				X
Signs, manufacturing							X	X						
Skating rinks						C	X			X				X
Small engine repair						X	X	X						X
Smoke & head shop							X							X
Sports and recreational arenas										C				X
Stables	C													X
Storage, auto; inside							X							X
Storage, auto; outside							C							
Storage, boat; inside							X	X	X	X				X
Storage, boat; outside							X			X				X
Swimming pool & spa sales & supplies					C	X	X	X	C					X
Tele-video production						X	X	X	X	X				X
Theatre					C	X	X		X	X	**X**			X
Tire dealers and service						X	X	X						X
Trucking company														X
Upholstery shop					C	X	X	X	X	X		X		X
Veterinarians & animal hospitals (no outside kennels)					C	X	X	X	X	X				X
Veterinarians (with outside kennels)							X							X
Warehouse														X
Warehouses, offices & mini							X			X				X
Woodwork shops						X	X	X	X	X		X		X
Yacht/sailing club									X	X		X		

[1] A property is prohibited from having an accessory use/structure without the presence of a principal use/structure.

[2] Please reference Seabrook Code of Ordinances, Appendix A, Comprehensive Zoning, Section 4.15. The Point Overlay District Regulations, 4.15.04. Uses.

Land Use Activity	R-LD	R-1	R-2	R-3	C-1	C-2	C-3	C-S	WAD	MMU	POD[2]	OS	MH	LI

The Seabrook Planning and Zoning Commission met on Thursday, January 15, 2015 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 (Excused Absence)	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 preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community, consisting of approximately 18 units on approximately 2.1640 acres of land.

Commissioner Hammann requested that the email received on January 13, 2015 by the City Secretary's office from Pete Braccio concerning his objection to this request be entered into the minutes as Attachment A.

John Skeele, President of Bayway Homes and Sunset Development, stated that the property has been vacant for a number of years. He stated that the recent flood map changes will require 16 ft. elevation. Mr. Skeele stated that they want to build a little community with a street and houses facing each other. He stated that they wanted to build something that would keep to the scale of the area.

Mike DeHart asked what the square feet of the homes would be.

Mr. Skeele stated that they would be 1,800 sq. ft. of livable space and 1,800 sq. ft. for parking and a social area.

Mr. DeHart asked if the parking area would have any architectural screening.

Mr. Skeele stated that there would be screening between townhomes.

Charles Anders, Friendswood, Texas stated that by using applying for the planned unit development, the City retains total control of what is built.

Janet Mayeaux, Dolphin Drive, stated that the project backed up to her home. She asked how many houses are going to be built and if they are rental or for sale. She stated that this project would tremendously impact her privacy and her view of the skyline. Ms.Mayeaux stated that her

taxes would go up and her property value would go down. She was also concerned about drainage, noise and light issues.

Dick Rogan, Sandpiper, stated he is against Planned Unit Developments. He also stated that he was against the decision to take out minimum acreage from the PUD Ordinance.

Mr. Skeele stated that the townhomes would be for sale. They would be single family homes. He stated that there would be fences around each of the homes and the balconies would face the front of the houses. He stated that it would be no different than having a two story home behind her property. Mr. Skeele stated that they would be putting in a new fence between the project and the neighboring properties.

Mr. DeHart asked if there would be buffering between the project and the neighboring homes.

Mr. Skeele stated that even though the ordinance does not require buffering, they would be willing to plant trees to add a buffer.

Michael Sharpe stated that the PUD Document referenced the R-3 zoning district, Section 3.05.3 Height: No building or structure shall exceed 40 feet in height above the base flood elevation. He asked what the base flood elevation was at that grade.

Mr. Landis stated it was currently an AE 12 flood zone, but on the preliminary maps it was changing to an AE 15 flood zone. He stated that the ground elevation in that area is approximately 8 to 10. Mr. Landis stated that the R-1 zoning district has the same requirement.

2. 2 Discussion, consideration, and possible action regarding "Uses" permitted by right and by conditional use within "The Point Overlay District".

Mr. Landis stated that the current zoning designation for the Point Overlay District is MMU (Marine Oriented Mixed Use District). The zoning district description allows for uses such as marinas, ship-yards, heavy boat repair and wholesale seafood sales. The uses described above all could be considered very intensive uses that do not fit within the city's long term plans to redevelop the area as an entertainment district. He stated that as a result, it is staff's recommendation that the Planning and Zoning Commission consider adding a line item titled Point Overlay District "POD" to the Zoning Land Use Matrix with a foot note referencing back to section 4.15.04 and changing Sec. 4.10. – Planned unit developments section 4.15.04. Uses to:

4.15.04. Uses: Land uses permitted by right and by conditional use shall be governed by ~~the underlying zoning district (see~~ section 3.15, "Comprehensive land use regulation matrix" POD District.

Chairman Potts closed the Specific Public Hearing portion of the meeting at 7:32.

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 preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community.

Motion was made by Dodie Miller and seconded by Mike DeHart

To approve the request for preliminary approval of a Planned Unit Development (PUD) to create El Mar Village, a Townhome Community.

Rosebud Caradec asked what the difference was between townhomes and duplexes.

Mr. Landis stated that the property will be platted into 18 individual lots with one townhome per lot and they will be sold. A duplex is on a single piece of property and is usually owned by a single person.

Mr. DeHart stated that he would like it to be mandatory for the screening between the project and surrounding properties.

Ayes: Caradec, DeHart, Hammann, and Miller
Nays: Sharpe
Abstained: Potts

3.2 Discussion, consideration, and possible action regarding "Uses" permitted by right and by conditional use within "The Point Overlay District".

Motion was made by Mike DeHart and seconded by Dodie Miller

To approve the changes to the "Uses" permitted by right and by conditional use within "The Point Overlay District" as presented.

Ayes: Caradec, DeHart, Hammann, Miller, and Sharpe
Nays: None
Abstained: Potts

4.0 APPROVAL OF MINUTES

4.1 Discussion, consideration and possible action concerning the minutes from the November 20, 2014 Planning & Zoning meeting.

Motion was made by Buddy Hammann and seconded by Rosebud Caradec

To approve the minutes from the November 20, 2014 Planning & Zoning meeting as presented.

Ayes: Caradec, Dehart, Hammann, and Miller
Nays: None
Abstained: Potts and Sharpe

MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.

4.2 Discussion, consideration and possible action concerning the minutes from the January 6, 2015 Planning & Zoning meeting.

Motion was made by Buddy Hammann and seconded by Rosebud Caradec

To approve the minutes from the January 6, 2015 Planning & Zoning meeting as presented.

Ayes: Caradec, Dehart, Hammann, Miller, and Sharpe
Nays: None
Abstained: Potts

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 they would meet on February 17, 2015 for the joint public hearing with City Council to discuss the Final Senior Living PUD.

Chairman Potts stated that they would meet on February 19, 2015 to discuss:

P&Z planning aspects
Vacant commercial property

Motion was made by Buddy Hammann and seconded by Dodie Miller

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 7:73 p.m.

APPROVED THIS 19TH DAY OF FEBRUARY 2015.

Michael Potts, Chairman

Alesia Hammock, Secretary

ORDINANCE NO. 2015-05
READOPTING CURFEW REGULATIONS FOR MINORS

AN ORDINANCE READOPTING THE CURRENT CURFEW REGULATIONS FOR MINORS CONTAINED IN THE SEABROOK CITY CODE, CHAPTER 44, SECTION 44-95 "CURFEW FOR MINORS" PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED $500 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

* * * *

WHEREAS, the City of Seabrook has had a curfew ordinance for many years; and

WHEREAS, state law requires that such ordinances be renewed at least once every three (3) years; and

WHEREAS, Seabrook last approved its curfew ordinance, No. 2012-08 on March 6, 2012, (Prior Ordinance); and

WHEREAS, Seabrook wishes to maintain a curfew for minors; and

WHEREAS, the Chief of Police has not recommended any changes to the current curfew regulations; and

WHEREAS, as a result of the public hearings and subject meetings the City Council of Seabrook did review the Prior Ordinance as to its affect on the community and on the problems said Ordinance was intended to remedy and determined that the substance of such Ordinance should be reinitiated and continued in the Seabrook Code of Ordinances; and

WHEREAS, the City Council finds and determines that in the best interests of the health, safety and welfare of all residents, curfew regulations are necessary; and

WHEREAS**,** the City Council of the City of Seabrook finds and determines that there remains a significant community need for curfew regulations in that without such regulations there is a substantial likelihood of increased juvenile arrests and/or incidents resulting from unsupervised juvenile activities; and

WHEREAS, all requirements have been met and the required public hearings have been scheduled and held before the City Council; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEABROOK, STATE OF, TEXAS:

SECTION 1. FINDINGS

That the City Council of the City of Seabrook adopts the preceding preamble paragraphs as if repeated verbatim herein and find them as matters of fact. The City Council of the City of Seabrook finds and determines that there is a continuing need for a juvenile curfew and that without such regulations there is a substantial likelihood of increased juvenile arrests and/or incidents resulting from unsupervised juvenile activities and that accordingly the existing juvenile curfew ordinance should be extended and readopted in accordance with Section 370.002 of the Texas Local Government Code as provided hereafter.

SECTION 2. READOPTION OF CURFEW REGULATIONS FOR MINORS.

The Seabrook City Code, Chapter 44, "Law Enforcement and Offenses", Article III. "Offenses", Division 2. "Minors", Section 44-95 "Curfew for Minors" is hereby reaffirmed and readopted without any changes. A copy of this section of the Code, as shown on Exhibit A, is made a part of this ordinance.

SECTION 3. PENALTY CLAUSE.

Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not more than Five Hundred Dollars ($500.00) per offense or as otherwise provided by law.

SECTION 4. SEVERABILITY.

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 5. NOTICE.

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 3rd day of March 2015.

PASSED, APPROVED AND ADOPTED on second and final reading this17th day of March 2015.

By:_____
Glenn R. Royal, Mayor

ATTEST:

By: _____
Michele L. Glaser, TRMC
City Secretary

APPROVED AS TO FORM:

By: _____
Steven L. Weathered, City Attorney

Ordinance No. 2015-05
Exhibit A

EXCERPT FROM CODE OF THE CITY OF SEABROOK
CHAPTER 44. Law Enforcement and Offenses
Article III. Offenses
Division 2. Minors
Section 44-95 Curfew for minors.

Sec. 44-95. - Curfew hours for minors.

(a) *Definitions.* The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Curfew hours means:

(1) 10:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. of the following day, so long as the next day after such Sunday, Monday, Tuesday, Wednesday, or Thursday is not an official school holiday observed by the Clear Creek Independent School District, in which event the curfew shall not commence until 12:01 a.m. on the official holiday; and

(2) 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday or official school holiday observed by the Clear Creek Independent School District.

Emergency means an unforeseen combination of circumstances or the resulting state that calls for immediate action. This term includes but is not limited to a fire, a natural disaster, an automobile accident or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Establishment means any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian means:

(1) A person who, under court order, is the guardian of the person of a minor; or

(2) A public or private agency with whom a minor has been placed by a court.

Minor means any person under 17 years of age.

Operator means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent means a person who is:

(1) A natural parent, adoptive parent, stepparent, or adult relative within the third degree of consanguinity of a minor;

(2) At least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

Public place means any place to which the public or a substantial group of the public has access and includes, but is not limited to streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

Remain means to:

(1) Linger or stay; or

(2) Fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.

Ordinance No. 2015-05
Exhibit A

Serious bodily injury means bodily injury that creates a substantial risk of death or that causes death serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(b) *Offenses.*

(1) A minor commits an offense if he or she remains in any public place or on the premises of any establishment within the city during curfew hours.

(2) A parent or guardian of a minor commits an offense if he or she knowingly permits or by insufficient control allows the minor to remain in any public place or on the premises of any establishment within the city during curfew hours.

(3) The owner, operator, or any employee of an establishment commits an offense if he or she knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

(c) *Defenses.*

(1) It is a defense to prosecution under subsection (b) of this section that the minor was:

a. Accompanied by the minor's parent or guardian;

b. On an errand at the direction of the minor's parent or guardian, without any detour or stop;

c. In a motor vehicle involved in interstate travel;

d. Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;

e. Involved in an emergency;

f. On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;

g. Attending an official school, religious, or other recreational activity supervised by adults and sponsored by a civic organization or another similar entity, that takes responsibility for the minor; or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by a civic organization, or another similar entity, that takes responsibility for the minor;

h. Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or

i. Married or had been married or had disabilities of minority removed in accordance with V.T.C.A., Family Code § 31.001 et seq.

(2) It is a defense to prosecution under subsection (b)(3) of this section that the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

(d) *Enforcement.* Before taking any enforcement action under this section, a police officer shall ask the apparent offender's age and reason for being in the public place.

(e) *Penalty.*

(1) A person who violates a provision of this section is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed $500.00.

(2) When required by V.T.C.A., Family Code § 51.08, the municipal court shall waive original jurisdiction over a minor who violates subsection (b)(1) of this section and shall refer the minor to juvenile court.

(Code 1976, § 18-8; Code 1996, § 42-4; Ord. No. 97-10, 6-17-1997; Ord. No. 99-06, § 1, 5-4-1999; Ord. No. 2001-23, § 1, 9-18-2001; Ord. No. 2001-22, § 1, 8-7-2001; Ord. No. 2006-03, § 2, 4-4-2006; Ord. No. 2009-04, § 1, 3-17-2009; Ord. No. 2012-08, § 2, 3-6-2012)

State law reference— Children taken into custody for violation of curfew, V.T.C.A., Family Code § 52.028 et seq.

CITY OF SEABROOK

AGENDA BRIEFING

Date of Meeting: TUESDAY, MARCH 3, 2015

Submitter/Requestor: Szakacs/Wright **Date Submitted: 2/23/2015 11:11:00 AM**

Presenter: Szakacs

Description/Subject:

Consider approval of a proposal from CDWG for 16 new Panasonic Toughbooks laptops in the amount of $58,000.00 and a proposal from Emergency Vehicle Specialists (EVS) for docking station equipment in the amount of $16,597.58 for a total of $74,597.58 from General Fund reserves. CDWG and EVS are state approved and pre-bid vendors.

Purpose/Need: Administration Issue

Background/Issue(What prompted this need):

Current laptops are 7 to 8 years old. We purchased the current laptops used a couple of years ago from another agency that was upgrading their laptops. They have served us well with Windows XP, but as XP was abandoned, we had to upgrade them to Windows 7. After the operating system upgrade we lost some critical functionality on them, and they are really struggling to run our new software.

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:
(Please list description of attachments and number of pages in each attachment)
CDWG Proposal
EVS Proposal
Existing PD Laptops and Mounting Equipment

Fiscal Impact: Budgeted No Finance Officer Review:

Budget Amendment Required	Yes
Future/Ongoing Impact	No

Budget Dept/Line Item Number

Funding Comments:

Where on the agenda should this item be placed?
New Business

Suggested Motion:

Approve the proposals from CDWG in the amount of $58,000.00 and EVS in the amount of $16,597.58 for Police laptops and docking equipment with funds coming from the General Fund reserves.

Agenda Language:

Consider approval of a proposal from CDWG for 16 new Panasonic Toughbooks laptops in the amount of $58,000.00 and a proposal from Emergency Vehicle Specialists (EVS) for docking station equipment in the amount of $16,597.58 for a total of $74,597.58 from General Fund reserves. CDWG and EVS are state approved and pre-bid vendors. (Wright)

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

CDW·G

CDWG.com | 800.594.4239

OE400SPS

SALES QUOTATION

QUOTE NO.	ACCOUNT NO.	DATE
FVWM567	5273166	1/19/2015

BILL TO:
CITY OF SEABROOK
1700 1ST ST

Accounts Payable
SEABROOK , TX 77586-3540

Customer Phone #281.291.5600

SHIP TO:
CITY OF SEABROOK
Attention To: GEORGE SZAKACS
1700 1ST ST

SEABROOK , TX 77586-3540
Contact: GEORGE
SZAKACS 281.291.5738

Customer P.O. # PAN TB QUOTE

ACCOUNT MANAGER	SHIPPING METHOD	TERMS	EXEMPTION CERTIFICATE
SARA LAMACCHIA 877.536.5393	FEDEX Ground	Net 30 Days-Govt State/Local	STATE

QTY	ITEM NO.	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
16	3571918	PAN TB I5-3340M 500GB 4GB W7/W8P Mfg#: CF-31WBLSXLM Contract: National IPA Technology Solutions 130733	3,625.00	58,000.00
		SUBTOTAL		58,000.00
		FREIGHT		0.00
		TAX		0.00

US Currency

TOTAL 58,000.00

Please remit payment to:
CDW Government
75 Remittance Drive
Suite 1515
Chicago, IL 60675-1515

CDW Government
230 North Milwaukee Ave.
Vernon Hills, IL 60061

Fax: 312.752.3582

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at
http://www.cdwg.com/content/terms-conditions/product-sales.aspx
For more information, contact a CDW account manager.

Quote

a division of ...

Siddons Martin Emergency Group
1443A Aldine Bender Rd Houston, TX 77032
P: 281.219.1920 F: 281.219.2560

Date	Quote #
1/26/2015	EVSQ3091

Quote is valid for 30 days.

Bill to	Ship To
Seabrook Police Department 1400 Cook Seabrook, TX 77586	

Quoted prices do not include freight unless otherwise specified

P.O. No.	Terms	Due Date	Rep	Project
	Net 30	2/25/2015	PI	EVS

Qty	Item	Description	Cost	Total
1	EVS-PKG-PSM-208	2004-2014 Ford F150 Premium Passenger Side Mount Package	428.53	428.53
14	EVS-DS-PAN-111	Docking Station: Panasonic Toughbook 30/31 - NO ANTENNA PASS THRU	542.20	7,590.80
13	EVS-C-MD-102	ACTION ADAPTER PLATE WITH TILT AND SWIVEL	214.91	2,793.83
13	EVS-C-HDM-204	8.5" Heavy Duty Telescoping Pole, Side Mount, Short Handle	115.34	1,499.42
1	S&H	Shipping and Handling Charges	85.00	85.00
14	EVS-LABOR	Labor to install above listed equipment : Includes a 5 year LABOR WARRANTY. WORK WILL BE DONE AT CUSTOMERS LOCATION-ON SITE.	300.00	4,200.00

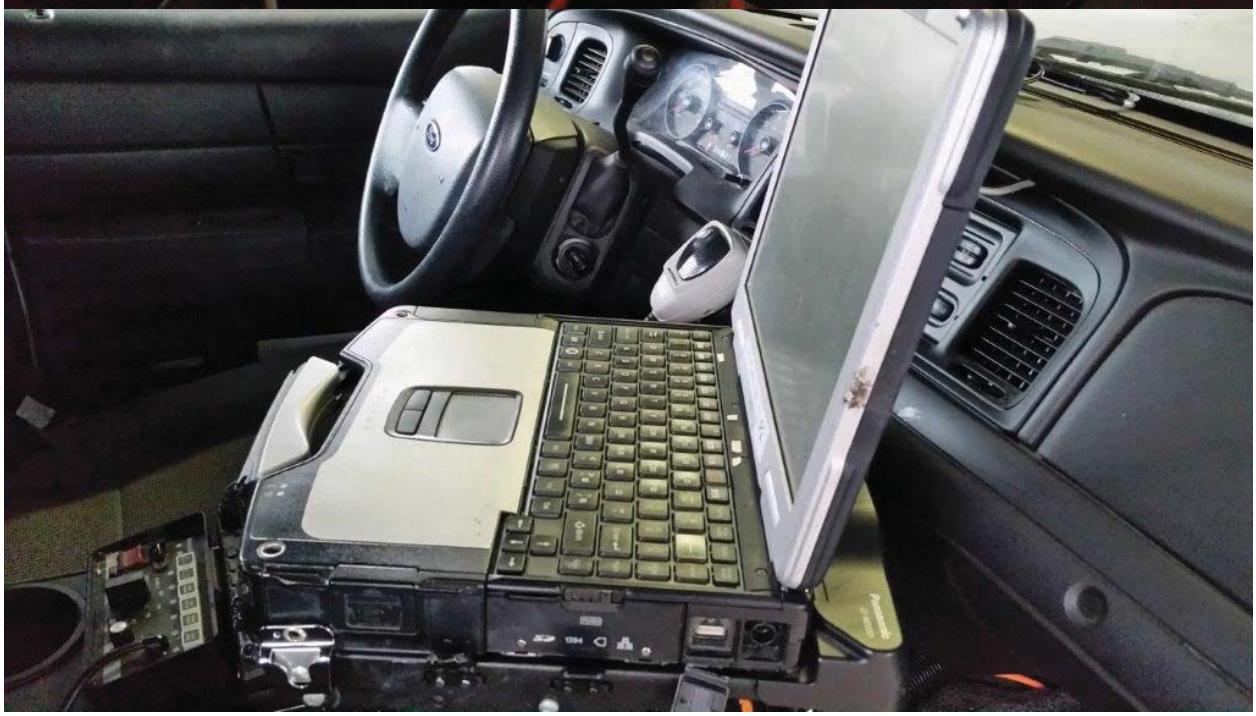
For any questions regarding this estimate please contact
Petra Ibarra or Glenn Schimcek at 281.219.1920
petra@siddons-martin.com or glenn.schimcek@siddons-martin.com
Thank you for choosing EVS.
Please visit our website at www.siddons-martin.com

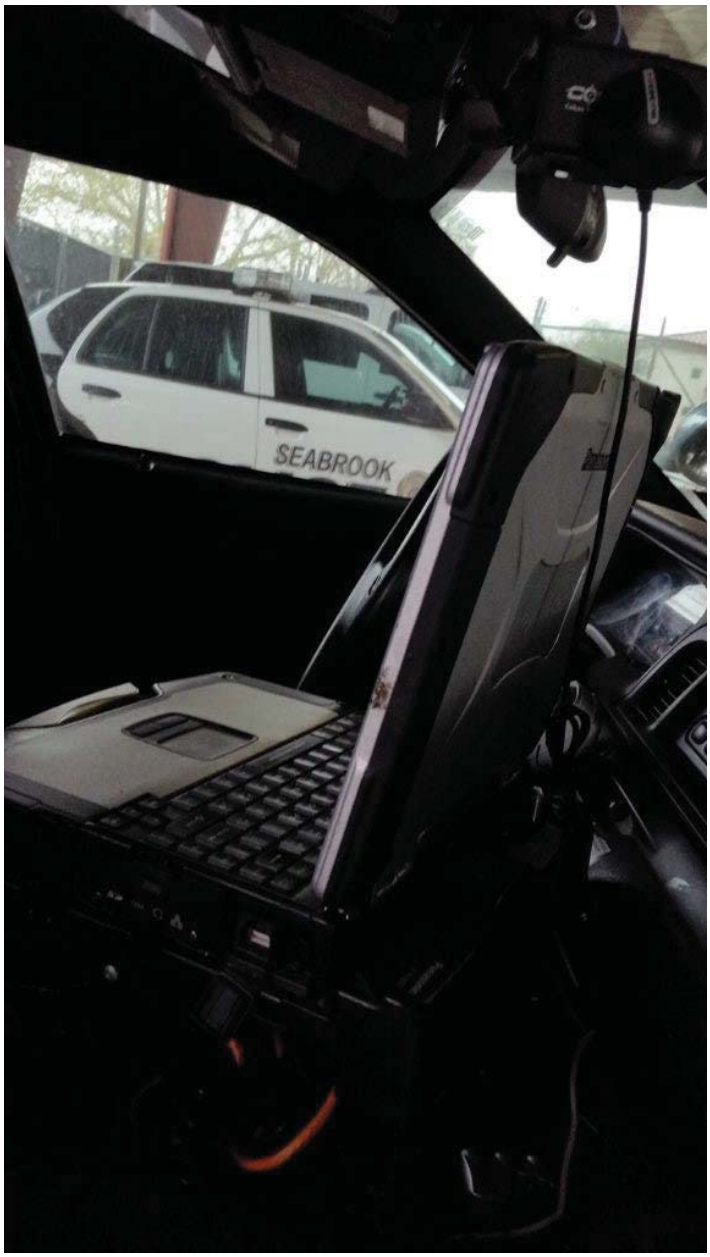
Subtotal	$16,597.58
Sales Tax (8.25%)	$0.00
Total	$16,597.58

Seabrook Police Department

Existing PD Laptops and Mounting Equipment

OSSI TERM ID 7402
P2




SEABROOK

ACTION ITEM CHECK LIST STATUS

#		STATUS	DATE ASSIGNED	NEXT REVIEW DATE	PROPOSED CLOSURE DATE	RESPONSIBLE ORGANIZATION	City Council RESPONSIBILITY	PLANNING OBJECTIVE #	AGENDA ITEM NUMBER	DESCRIPTION OF ACTION ITEM	STATUS AND DATE
23		OPEN/IN WORK	11/4/2014			Mayor/ City Mgr.			5.1	Provide periodic updates on TxDOT's progress to improve/widen SH 146.	
30		OPEN/IN WORK	11/18/2014			Staff			4.2	Provide periodic updates of Strategic Plan	
31		OPEN/IN WORK	12/2/2014			Staff			6.1	Mystic Village traffic issues and traffic count	Traffic plan is being considered on a staff level.
32		OPEN/IN WORK	2/17/2015			Staff			6.1	Provide periodic project updates	

March 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	*2*	*3* **Council 7 pm**	*4*	*5* **Open Space 5pm.**	*6*	*7*
8	*9*	*10*	*11*	*12* **EDC**	*13*	*14* **Lucky Trail Marathon**
15 **Lucky Trail Marathon**	*16*	*17* **Joint PZ & Council 6 p.m.** **Council 7pm**	*18*	*19* **P&Z** **HCMCA**	*20*	*21*
22	*23*	*24*	*25*	*26*	*27*	*28* **Little League Parade**
29	*30*	*31*				