

MINUTES
Planning and Zoning Commission
February 8, 2021

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

A Regular Meeting of the Planning & Zoning Commission was held virtually via “Google Meet” on Monday, February 8, 2021. A notice of the meeting was posted 72 hours in advance in accordance with Section 551, of the Texas Government Code. A notice was also posted on the door of City Hall on the day of the meeting informing the public how to attend the virtual meeting. Present at the meeting were Chairperson Randall Freeze and Commissioners Richard “Sandy” Kubek, Lisa Barker, Elizabeth Dorris, Carol Salinas, Myron Schroeder, Rebecca Sparks, Rene Thakor and Herb Lancaster.

1. CALL TO ORDER

Chairperson Freeze verified that a quorum was present and called the meeting to order at 5:15 pm.

2. APPROVAL OF MINUTES

A motion was made by Commissioner Kubek to approve the November 9, 2020 regular Meeting minutes, seconded by Commissioner Barker, and the motion passed unanimously.

3. PUBLIC HEARINGS

3.1.1 Public hearing on Case No. 2012-17: A Street Renaming request by Bill Denton to change a portion of Oak Lane (County Road 1838) to Allen Samuels Way between North Avenue A and State Highway 35 Bypass, being approximately 403 feet stretch of road, in Aransas Pass, TX.

Chairperson Freeze declared the public hearing open. Osei Amo-Mensah, City Planner stated that notices were mailed and one letter came back with a negative comment. The negative comment from Phillip Dopson was read into record as follows: “Don’t know Bill Denton and don’t know Allen Samuels. Road affects more than dealership. Against name change!”

Mr. Mensah then introduced to the Commission Mr. Bill Denton who was present at the meeting. Mr. Denton stated that Allen Samuels has been in business since the early 1990’s and established a very community-focused business that remains so still to this day. He then stated that this honoring, if approved, would be done posthumously as Mr. Samuels passed away in April of last year.

Chairperson Freeze then asked if there were any questions for Mr. Denton. There being no questions, he then asked if there were any comments from the public to speak in favor of this item. Ms. Rosemary Vegas of the Aransas Pass Chamber of Commerce spoke in favor of the name change stating that Mr. Samuels was always a tremendous supporter of the Chamber, and she was absolutely in favor of this request. Chairperson Freeze then asked if there was anyone

present who wished to speak against this item. There being no one, Chairperson Freeze then closed the Public Hearing at 5:28 pm.

3.1.2 Consider and act on Case No. 2012-17: A Street Renaming request by Bill Denton to change a portion of Oak Lane (County Road 1838) to Allen Samuels Way between North Avenue A and State Highway 35 Bypass, being approximately 403 feet stretch of road, in Aransas Pass, TX.

Chairperson Freeze then asked for the disposition of the Commission. Commissioner Thaker made the motion to recommend approval of the name change, and the motion was seconded by Commissioner Kubek. Roll-call vote was taken and the motion passed unanimously to recommend approval to the City Council of the street name change.

3.2.1 Public hearing on Case 2012-18: A Street Renaming request initiated by City of Aransas Pass to change a portion of Allen Blvd to Bill Haines Way beginning at the intersection of Turnbough Avenue and Allen Blvd up to south of the Conn Harbor parking lot, being approximately 2,421.3 feet stretch of road, in Aransas Pass, TX.

Chairperson Freeze declared the public hearing open and asked Mr. Mensah if any comments were received by staff, and Mr. Mensah reported there were none. Chairperson Freeze then asked if there were any comments from the public present in favor of the item, and there were none. He then asked if there were any comments against the item. Doctor Bailey, a citizen present at the meeting, commented that he was against the street renaming. Another citizen present at the meeting, Karen Gayle, spoke against the street renaming as well. Karen Gayle stated that she is the daughter of Bill Allen for whom the street is currently named. She then read for the Commission a short, 3-minute synopsis of who her father was and why the street was named after him. She then commented on the possible confusion for people of a street changing names with no set landmark to signify that it was a different street or anything.

Chairperson Freeze then asked if there was anyone else present who wished to speak on this item. There being no one else, Chairperson Freeze then closed the public hearing.

3.2.2 Consider and act on Case 2012-18: A Street Renaming request initiated by City of Aransas Pass to change a portion of Allen Blvd to Bill Haines Way beginning at the intersection of Turnbough Avenue and Allen Blvd up to south of the Conn Harbor parking lot, being approximately 2,421.3 feet stretch of road, in Aransas Pass, TX.

Chairperson Freeze then asked for the disposition of the Commission. Commissioner Kubek made the motion to recommend denial of the street name change, and the motion was seconded by Commissioner Salinas. Roll-call vote was taken and the motion passed 7 to 1 in favor of recommending denial to the City Council of the street name change.

3.3.1 Public hearing on Case No. 2012-19: Jesus Hinojosa at 345 N. Atlantic St, Aransas Pass, requests a Conditional Use Permit to extend living in an RV until Harvey-related relief housing can be funded and built. The current zoning district is AG Agricultural.

Chairperson Freeze declared the public hearing open and asked Mr. Mensah if any comments were received by staff, and Mr. Mensah reported there were none. Mr. Mensah then discussed the case and the staff's concern that a time period of longer than 6 months might be needed

since there was no luck thus far in finding a non-profit with available resources at this time to help Mr. Hinojosa.

Chairperson Freeze then asked if Mr. Hinojosa wished to speak. Mr. Hinojosa spoke of the septic system needing fixing and that he was willing to rent a portable toilet to temporarily address that issue. He said that he had City water and electric but no City gas. He said that he doesn't want to move to an RV park because he doesn't want neighbors and that he wants to stay on his own property. Commissioner Kubek asked Mr. Hinojosa what he has done in the last 4 years to alleviate this issue. Planning Technician Laura Harris offered the explanation that Mr. Hinojosa was not aware that he was breaking any ordinance until code enforcement came to him in November 2020 and told him he needed to come in and talk to Planning & Zoning. Commissioner Salinas commented that she thought a year was a long time to extend to him in those conditions. Commissioner Kubek commented that the condition of the property was concerning to him. Mr. Hinojosa told the Commission that he was cleaning it up but that it was a lot to clean up from the hurricane and it was taking him a long time.

Chairperson Freeze then asked if there was anyone else from the public who wished to speak on this item. There being no one, he then closed the public hearing at 6:15 pm.

3.3.2 Consider and act on Case No. 2012-19: Jesus Hinojosa at 345 N. Atlantic St, Aransas Pass, requests a Conditional Use Permit to extend living in an RV until Harvey-related relief housing can be funded and built. The current zoning district is AG Agricultural.

Chairperson Freeze asked for the disposition of the Commission. Commissioner Dorris made a motion to recommend denial of the request. Commissioner Barker seconded the motion. Chairperson Freeze then asked for any further discussion or questions. Commissioner Sparks asked how realistic staff thought the timeframe was, given all the issues needing to be addressed. She then commented that she thought it was unrealistic. Mr. Mensah responded that realistically it would probably take more than a year. Commissioner Kubek then asked if there could at least be some progress in a year's time. Mr. Mensah responded that in 6 months' time, we might expect that the clean-up should be near finished and the site readied for development; then after a year, some funding might be secured and perhaps some construction could be at least started. He also mentioned that if this request was denied then it would mean that Mr. Hinojosa would have to leave the premises and would perhaps have no place else to go.

Chairperson Freeze then asked if there was any further discussion on this item. There being none, he then asked for a roll-call vote on the motion to recommend denial of this item. The Commission voted 5 to 3 in favor of recommending denial of Mr. Hinojosa's request.

3.4.1 Public hearing on Case No. 2012-20: a request for a Conditional Use Permit by Roxanne Ramos, owner of the property at 843 N. McCampbell Street (Block 456, Lots 3 and 4), to allow a trailer to be placed onto Lot 3 so that her father may care for her grandparents. The current zoning district is R-7A Single Family Dwelling.

Chairperson Freeze called the public hearing open and asked if staff received any comments on this item. Mr. Mensah responded that there were none. He then summarized the staff report for the Commission. Chairperson Freeze asked if there were any questions for staff. Commissioner Sparks asked about a timeframe. Mr. Mensah responded that it would be hard to say but would likely be coming up for review of renewal and the determination of the timeframe would come from the Commission. Commissioner Dorris then asked about clarification of whether it was a

manufactured home or an RV. Roxanne and her father both clarified that it would be an RV. Mr. Ramos then summarized the need and the request. Commissioners Kubek and Dorris asked about a timeframe. Mr. Ramos responded that he had no idea of the timeframe. Ms. Ramos then stated that her grandparents were very elderly.

Chairperson Freeze then asked if there were any more questions for staff or the Ramos'. He then asked if there was anyone from the public that would like to speak on this item. There being no one, Chairperson Freeze then closed the public hearing.

3.4.2 Consider and act on Case No. 2012-20: a request for a Conditional Use Permit by Roxanne Ramos, owner of the property at 843 N. McCampbell Street (Block 456, Lots 3 and 4), to allow a trailer to be placed onto Lot 3 so that her father may care for her grandparents.

Chairperson Freeze asked for the disposition of the Commission. Commissioner Kubek motioned to recommend approval for a one-year Conditional Use Permit. Commissioner Schroeder seconded the motion. A roll-call vote was taken and the motion carried with a 5 to 2 vote with Commissioner Thaker absent from the call at the time of the vote.

4. DISCUSSION ITEM(S):

4.1 Zoning Ordinance Section 11-MH and 11A-RV Districts

Mr. Mensah summarized for the commission that the MH section of the Zoning Ordinance will have to be changed as we work to separate and create an RV section. He then informed the Commission that the City has entered into an agreement with Texas A&M's Texas Community Watershed Partners (TCWP) to study the issues surrounding this and to edit and develop these two sections in the Zoning Ordinance. A team has been formed and the Planning & Zoning staff has been meeting twice a month with the TCWP. At some point in the process, it is recommended that the Planning & Zoning Commission and perhaps some local developers become involved. He then summarized what the team has been discussing to-date. He then suggested that Commissioners can reach out to Planning Technician Laura Harris if they are interested in getting involved.

5. COMPREHENSIVE PLAN REVIEW:

None at this time

6. ITEMS TO BE SCHEDULED ON NEXT AGENDA:

6.1 Case No. 2103-01: A request for a Conditional Use Permit to live in an RV situated on the property located at 860 S. McCampbell Street.

Mr. Mensah informed the Commission that this is a situation where someone is living in an RV on the property of a friend in the R-7A district after they sold their home. They received a summons from Code Enforcement to come talk to Planning & Zoning. So they came in and submitted an application for a Conditional Use Permit.

6.2 Street Renaming 99-Year Clause

Commissioner Kubek mentioned that he would like to have placed on the next agenda a discussion item about the editing the street renaming procedures ordinance to include a 99-year clause. That might address some of this issues involved.

7. DIRECTOR'S REPORT:

Mr. Mensah reported to the Commission that Case No. 2006-04 CUP Renewal, which was approved in June of 2020, was no longer needed and that the RV has been removed.

8. ADJOURNMENT:

There being no further business to come before the board, Commissioner Dorris made the motion to adjourn, Commissioner Barker seconded the motion, and Chairman Freeze declared the meeting adjourned at 6:45 pm.

Randall Freeze, Chairperson

Approved on: _____