

**NOTICE OF SPECIAL MEETING
CITY OF SOUTH PADRE ISLAND
PLANNING AND ZONING COMMISSION**

NOTE: One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.

NOTICE IS HEREBY GIVEN THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, WILL HOLD A SPECIAL MEETING ON:

**THURSDAY, JUNE 22, 2017
3:00 P.M. AT THE MUNICIPAL BUILDING,
CITY COUNCIL CHAMBERS, 2ND FLOOR
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS**

1. Call to Order.
2. Pledge of Allegiance.
3. **Public Comments and Announcements:** *This is an opportunity for citizens to speak to Commissioners relating to agenda or non-agenda items. Speakers are required to address Commissioners at the podium and give their name before addressing their concerns. [Note: State law will not permit the Planning and Zoning Commission to discuss debate or consider items that are not on the agenda. Citizen Comments may be referred to City Staff or may be placed on the agenda of a future Planning and Zoning Commission meeting]*
4. Approval of the April 18, 2016 special meeting minutes.
5. Discussion and action on a vacation of previously recorded plat of "Lots 13A and 13B, Block 195, Fiesta Isles Subdivision" in District "E" (Low Density Residential – Single Family and Townhouse Dwelling District) and returning to the original lot (Lot 13, Block 195, Fiesta Isles Subdivision).
6. Discussion and action regarding a one-time renewal of the performance guarantee for plat of Lots 13A and 13B, Block 195, Fiesta Isles Subdivision.
7. Adjournment.


DATED THIS THE 16TH DAY OF JUNE 2017



Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFIED THAT THE ABOVE NOTICE OF SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRECT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON JUNE 16, 2017 AT/OR BEFORE 10:40 A.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.





Susan Hill, City Secretary

THIS FACILITY IS WHEELCHAIR ACCESSIBLE, AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT BUILDING OFFICIAL, DAVID TRAVIS; ADA DESIGNATED RESPONSIBLE PARTY AT (956)761-8103

**SPECIAL MEETING MINUTES
CITY OF SOUTH PADRE ISLAND
PLANNING AND ZONING COMMISSION SPECIAL MEETING**

TUESDAY, APRIL 18, 2017

I. CALL TO ORDER

The Planning and Zoning Commission of the City of South Padre Island, Texas held a Special Meeting on Tuesday, April 18, 2017 at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island, Texas. Chairman Patrick McNulty called the meeting to order at 3:00 p.m. A quorum was present: Commission Member Gary Olle, Chris Huffman, Norris Fletcher, Robert Bujanos, Art Teniente, and Kimberly Dollar.

City staff members present were Assistant City Manager Darla Jones, Development Director Sungman Kim, and Administrative Assistant Marta Martinez.

II. PLEDGE OF ALLEGIANCE

Chairman McNulty led the Pledge of Allegiance.

III. PUBLIC COMMENTS AND ANNOUNCEMENTS

Mr. McNulty welcomed Norris Fletcher as the newest member of the Planning and Zoning Commission.

IV. ELECTION OF CHAIRMAN AND VICE CHARIMAN.

Mr. McNulty announced the item and asked the Commission members if anyone would like to replace him as Chairman and/or Mr. Huffman as Vice Chairman, Hearing none Mr. Teniente made a motion, seconded by Mr. Bujanos to continue having Mr. McNulty as Chairman and Mr. Huffman as Vice Chairman. Motion carried unanimously.

V. APPROVAL OF THE JANUARY 16, 2017 REGULAR MEETING MINUTES.

Ms. Dollar made a motion, seconded by Mr. Olle to approve as submitted. Motion passed on a 4:0:3 vote. Mr. Bujanos, Mr. Teniente, and Mr. Fletcher abstained.

VI. DISCUSSION AND ACTION REGARDING THE PROPOSED REPLAT OF "LOT 1, BLOCK 163, PADRE BEACH, SECTION XI" TO SPLIT THE LAND INTO "LOTS 1A AND 1B".

Mr. McNulty announced the item and asked for a staff report. Dr. Kim gave a brief summary regarding this agenda item. Mr. McNulty then asked the Commissioners for their comments/concerns regarding this matter. Ms. Dollar made a motion, seconded by Mr. Bujanos to approve the replat. Motion carried unanimously.

VII. ADJOURNMENT

There being no further business, Mr. McNulty adjourned the meeting at 3:08 p.m.

Marta Martinez, Secretary

Patrick McNulty, Chairman

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: June 15, 2017

ITEM: 5

TO: Planning and Zoning Commission

FROM: Sungman Kim, Director of Development Services

ITEM DESCRIPTION:

Discussion and action on a vacation of previously recorded plat of “Lots 13A and 13B, Block 195, Fiesta Isles Subdivision” in District “E” (Low Density Residential – Single Family and Townhouse Dwelling District) and returning to the original lot (Lot 13, Block 195, Fiesta Isles Subdivision).

DISCUSSION:

Location



Timeline:

May 19, 2016: The plat was approved.

May 23, 2016: The plat was recorded at the Cameron County.

Dan Patel
341-4696

B. PLAT VACATION PROCEDURES

The procedures for review and approval of plat vacation applications are summarized below:

STEP 1: COMPLETENESS CHECK

The formal application must be submitted to the Department of Development Services. No appointment is necessary. Staff reviews the application and pertinent information to determine if all required administrative items have been submitted. Staff then forwards it to the team, which determines whether the technical items needed for review have been submitted.

An application for completeness check must include:

- Plat Vacation Application Form (see attached);
- Plat Attributes Survey (see attached);
- Vacating of Plat Form with all required signatures and notaries (see attached);
- Laguna Madre Water District's Certification (see attached);
- Current Tax Certificate(s) for lot(s) or plat to be vacated (see attached).
- Current Title Report or Attorney's Title Opinion showing ownership of lot(s) or plat to be vacated;
- Eight folded copies of plat to be vacated (or plat containing lot(s) to be vacated);
- A short statement as to the reason that vacation is being requested; and
- \$500.00 application fee (check, cash, money order or credit card);

STEP 2: UPDATE INTO COMPLIANCE

If it is determined that the application does not comply with applicable regulations after the initial review, the applicant must file an update in order to bring it into compliance.

STEP 3: PLAT VACATION APPROVAL AND RECORDATION

Once all requirements have been met, the staff will notify the applicant that the plat vacation can either be approved administratively or scheduled for Planning and Zoning Commission approval if necessary. If Commission approval is necessary, the staff will inform you of the date and time of the public hearing. In addition, if the subdivision is located in Cameron County in the City of South Padre Island's Extraterritorial Jurisdiction, County Commissioners Court approval may also be required after the Planning and Zoning Commission approves the vacation.

After approval, you will be required to submit the vacation documents for recording with the Cameron County Clerk's Office at:

964 E. Harrison Street
Second Floor Administration Bldg.
P.O. Box 2178
Brownsville, TX 78520

PLAT VACATION APPLICATION FORM

FILING DATE: _____

NAME AND LOCATION

PHYSICAL ADDRESS: _____

SUBDIVISION NAME: PIESTA ISLES, SUBDIVISION

SUBDIVISION LEGAL DESCRIPTIONS: (Current) PADRE BEACH, SEC X III

City of SOUTH PADRE ISLAND, TX
Volume 17, Page 43 Lot 13A & 13B Bk 195

JURISDICTION (CHECK ONE) CITY: _____ ETJ: _____

DOES THIS SITE CURRENTLY HAVE ANY OF THE FOLLOWING: ELECTRIC METER _____, WATER TAP , or WASTEWATER .

IS A REPLAT OR RESUBDIVISION APPLICATION BEING SUBMITTED CONCURRENTLY FOR THE LOT(S) BEING VACATED? YES _____ NO .

IF YES, INCLUDE THE NAME OF PROPOSED PLAT: _____

OWNER INFORMATION

OWNER NAME: D HANSUKH. R. PATEL TELEPHONE NO. (956) 341 4696

STREET ADDRESS: 5907 HAVANA

CITY, STATE AND ZIP SOUTH PADRE ISLAND, TEXAS 78597

EMAIL: DRSAVITA at AOL. Com

AGENT INFORMATION

NAME: _____ TELEPHONE NO. (____) _____

STREET ADDRESS: _____

CITY, STATE AND ZIP _____

EMAIL: _____

PLAT ATTRIBUTES

DO THE LOT(S) BEING VACATED RECIEVE UTILITY SERVICE? YES / NO

SPECIFIC SERVICES AND UTILITY PROVIDER(S): WATER: NO

WASTEWATER: NO ELECTRIC: NO

HAS ANY DEVELOPMENT OCCURRED ON THE LOT(S) BEING VACATED? YES / NO

SPECIFY TYPE OF DEVELOPMENT: N/A

HAS A LETTER OF CREDIT BEEN POSTED FOR THE LOT(S) BEING VACATED? YES / NO

WAS A RIGHT-OF-WAY DEDICATED BY THE PLAT? YES / NO

SPECIFY IMPROVEMENTS FOR WHICH THE LETTER OF CREDIT WAS POSTED:

HAVE THESE IMPROVEMENTS BEEN COMPLETED? YES / NO N/A

HAS THE LETTER OF CREDIT BEEN RELEASED? YES / NO N/A

IF YES PLEASE GIVE DATE: _____

VACATING OF PLAT

Subdivision Plat Name: _____

As owner(s) of the LOT 13A, LOT 13B Replat, a subdivision plat recorded in the map records of Cameron County, Texas in Cabinet _____, Pages _____, Slot _____, we by this instrument declare the subdivision plat vacated. At this time we are still the owners of all the lots and no improvements have been made within the limits of the subdivision as of this day. We will inform the regulatory agencies that approved the plat that this plat has been vacated.

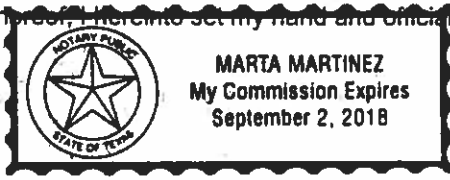
Owners:

Signature Dhansukh R Patel DR Patel
Print Name _____

THE STATE OF TEXAS
COUNTY OF CAMERON

On this 16 day of May, 2017, before me personally appeared Dhansukh Rambhai, known to me to be the individual described in and who executed the foregoing instrument and who duly acknowledged to me that they executed the same for the purpose therein contained.

In witness whereof, I hereinto set my hand and official seal.



[Signature]
Notary Public in and for Cameron County
& For the State of Texas
My Commission Expires: Sept. 2, 2018

THE STATE OF TEXAS
COUNTY OF CAMERON

On this ____ day of _____, 20____, before me personally appeared _____, known to me to be the individual described in and who executed the foregoing instrument and who duly acknowledged to me that they executed the same for the purpose therein contained.

In witness whereof, I hereinto set my hand and official seal.

Notary Public in and for Cameron County
& For the State of Texas
My Commission Expires: _____

THE STATE OF TEXAS
COUNTY OF CAMERON

On this ____ day of _____, 20____, before me personally appeared _____, known to me to be the individual described in and who executed the foregoing instrument and who duly acknowledged to me that they executed the same for the purpose therein contained.

In witness whereof, I hereinto set my hand and official seal.

Notary Public in and for Cameron County
& For the State of Texas
My Commission Expires: _____

NOTARY STATEMENT REQUIRED FOR EACH SIGNATURE UNLESS ALL OR SOME OWNERS SIGN BEFORE THE SAME NOTARY. THE DATE OF EACH INDIVIDUAL NOTARY CERTIFICATE MUST MATCH THE DATE THAT APPEARS OPPOSITE THE OWNER'S SIGNATURE IN THE BODY OF THE DOCUMENT.

LAGUNA MADRE WATER DISTRICT'S CERTIFICATION

After the total cancellation of the subdivision Lot ^{13B} 13A Block 195
the subject property has existing water and sewer facilities that are in compliance with the Texas Water Code Section 16.343, as amended and may be developed under the original plat.


CARLOS GALVAN
GENERAL MANAGER
LAGUNA MADRE WATER DISTRICT

5-15-17
DATE

PHYSICAL ADDRESS: 5907 PADRE BLVD, SFE TEXAS 78017
SUBDIVISION NAME: PIESTA ISLES SUBDIVISION
SUBDIVISION LEGAL DESCRIPTIONS: (Current) LOT 13A AND LOT 13B
BLK 195, PIESTA ISLES SUBDIVISION

CURRENT TAX CERTIFICATE

STATE OF TEXAS
COUNTY OF CAMERON

The undersigned hereby certifies that all Ad Valorem taxes owed to all of the taxing units represented by the undersigned are currently paid in full for the area inside the boundaries of above subdivision, depicted hereon

Witness my hand on this the _____ day of _____, 20____.

APPROVED:

TONY YZAGUIRRE, JR
ASSESSOR AND COLLECTOR OF TAXES, CAMERON COUNTY, TEXAS

APPROVED:

ASSESSOR-COLLECTOR OF TAXES
POINT ISABEL INDEPENDENT SCHOOL DISTRICT TAX OFFICE

DATE

CAMERON COUNTY TAX OFFICE

Tony Yzaguirre, Jr Tax Assessor Collector

964 E. Harrison

Brownsville TX 78520

(956) 544-0800

ACCOUNT NUMBER: 67/1600/1950/0130/00

PROPERTY OWNER:

PROPERTY DESCRIPTION:

PATEL DHANSUKH R
PO BOX 3696
SOUTH PADRE ISLAND, TX 78597-3696

LOT 13 BLK 195 FIESTA ISLES SUBDIV
ISION (VOL 17 PG 43 MRCC)

CAUSE # ACRES .2431 MIN# .000000000000 TYPE
BANKRUPTCY # USER CODES

THIS IS TO CERTIFY THAT AFTER A CAREFUL CHECK OF THE TAX RECORDS OF THIS OFFICE
THE FOLLOWING DELINQUENT TAXES, PENALTIES, AND INTERESTS ARE DUE AS OF:
DESCRIBED PROPERTY OF THE FOLLOWING TAX UNIT(S):

Table with 5 columns: YEAR, ENTITY, BASE TAX, P & I, COLLECTION FEES TOTAL. Rows include 2016 POINT ISABEL ISD, SOUTH TEXAS ISD, CTY SO PADRE ISLAND, CAMERON COUNTY, LAGUNA M WATER DIST, TX SHMOST COLLEGE.

TOTAL SEQUENCE 0 * ALL PAID *

TOTAL TAX: * ALL PAID *
UNPAID FEES: * NONE *
INTEREST ON FEES: * NONE *
COMMISSION: * NONE *
TOTAL DUE ==> * ALL PAID *

TAXES PAID FOR YEAR 2016 \$4,336.57

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2016 EXCEPT FOR UNPAID
YEARS LISTED ABOVE.

THE ABOVE DESCRIBED PROPERTY MAY BE SUBJECT TO SPECIAL VALUATION BASED ON ITS
USE, AND ADDITIONAL ROLLBACK TAXES MAY BE DUE. (SECTION 23.55, STATE PROPERTY
TAX CODE.)

THE ISSUANCE OF THIS CERTIFICATE DOES NOT PRECLUDE A SUBSEQUENT SUPPLEMENTAL
ASSESSMENT ON THE PROPERTIES ABOVE BY THE APPRAISAL DISTRICT AND DOES NOT
REFLECT WHETHER OR NOT THE TAXPAYER OWES COURT COST IN ANY DELINQUENT TAX COLLEC
TION LAWSUITS (WHICH MUST BE CHECKED WITH THE COLLECTION ATTORNEYS).
PURSUANT TO *31.08 OF THE PROPERTY TAX CODE, THERE IS A FEE ON ALL TAX
CERTIFICATES.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 05/15/2017

Fee Paid: \$10.00

Tony Yzaguirre Jr.
Tax Assessor & Collector

By: [Signature] DEPUTY

%% T A X R E C E I P T %%

RECEIPT NO: 917381

CAMERON COUNTY TAX OFFICE

Tony Yzaguirre, Jr Tax Assessor Collector

964 E. Harrison

Brownsville TX 78520

(956) 544-0800

BATCH NO: 17135VI

EFFECTIVE DATE PAID: 05/15/2017

ACCOUNT NUM: 67/1600/1950/0130/00

REC'D BY: VIC

PROC DATE: 05/15/2017

REF#: 6255990

PROC TYPE: PST

PROC TIME: 13:41:37

DESC: LOT 13 BLK 195 FIESTA ISLES SUBDIVISION (VOL 17 PG 43 MRCC)

NAME: PATEL DHANSUKH R

PO BOX 3696

SOUTH PADRE ISLAND, TX 78597-3696

ACRES: 0.243

YEAR	ENTITY	TYPE	BASE TAX	P & I	COLL FEE	TOTAL AMT	REFERENCE
2016	CERTFEE		FEE: CERTIFICATE FEE			10.00	1

ACCT TAX DUE BEFORE PYMT 0.00 TOTAL APPLIED 10.00

ACCT TAX DUE AFTER PYMT *PAID IN FULL* TOTAL TENDERED 10.00

CK #: CASH PYMT TYPE: CA PAID BY PATEL DHANSUK

YEAR	ENTITY	CODE & DESCRIPTION	NET TAXABLE VALUE	TAX RATE
------	--------	--------------------	-------------------	----------

PLEASE CHECK RECEIPTS IMMEDIATELY THE RECEIPTS WILL BE CONSIDERED CORRECT IF NOT REPORTED WITHIN 24 HOURS TO THE TAX ASSESSOR.

PAID MAY 15 2017 CAMERON COUNTY TAX OFFICE DEPUTY

APPROVAL OF PLAT VACATION

BE IT KNOWN, that on the ____ day of _____, 20____, the Planning and Zoning Commission of the City of South Padre Island, at its regular meeting, did approve the vacation of the subdivision known as _____, as recorded in Cabinet _____, Pages _____, Slot _____, Cameron County Plat Records, upon application therefore by all of the owners of all of the lots in said subdivision.

APPROVED by the Planning and Zoning Commission of the City of South Padre Island, this _____ day of _____, 20_____.

PLANNING AND ZONING COMMISSION CHAIR

PUBLIC WORKS DIRECTOR

THE STATE OF TEXAS
COUNTY OF CAMERON

On this ____ day of _____, 20____, before me personally appeared _____, known to me to be the individual described in and who executed the foregoing instrument and who duly acknowledged to me that they executed the same for the purpose therein contained.

In witness whereof, I hereinto set my hand and official seal.

Notary Public in and for Cameron County
& For the State of Texas
My Commission Expires: _____

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: June 15, 2017

ITEM: 6

TO: Planning and Zoning Commission

FROM: Sungman Kim, Director of Development Services

ITEM DESCRIPTION:

Discussion and action regarding a one-time renewal of the performance guarantee for plat of Lots 13A and 13B, Block 195, Fiesta Isles Subdivision

DISCUSSION:

This item is related to the vacation of the recorded plat of “Lots 13A and 13B, Block 195, Fiesta Isles Subdivision” and, upon the approval of the vacation of the plat, this item will be withdrawn. **This item will only be discussed only if the vacation of the plat is denied.**

Sec.23.15 (D) (3) (f) 3: The subdivider may vacate the plat by replatting back to the original configuration prior to the plat in question. If the subdivider elects to vacate the plat after the performance period has expired, they shall immediately remit 100% of the performance guarantee to the City. *This will be returned to the subdivider only after the plat has been successfully vacated. If the subdivider has not completed the vacation of the plat within six (6) months of the end of the last performance guarantee period, the total amount of the performance guarantee shall be forfeited to the City* to allow completion of the work reflected by the final engineering plans approved by the City. Any amount not utilized to complete the outstanding work (including contracting expenses) will be returned to the subdivider once the work has been accepted by the City.

Timeline:

May 19, 2016: The plat was approved.

May 23, 2016: The plat was recorded at the Cameron County.

The term of the performance guarantee shall not exceed one (1) year (Sec.23.15 (D) (1)).

At the end of the one (1) year period, the subdivider may submit a one-time renewal of the performance guarantee, a period not to exceed one (1) additional year. (Sec.23.15 (D) (3) (f) 1.).

Mr. Dan Patel, the owner, submitted the request for a renewal of the performance guarantee on May 16, 2017.

Staff Recommendation:

Staff recommends the Planning & Zoning Commission approve the renewal of the performance guarantee.

