

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

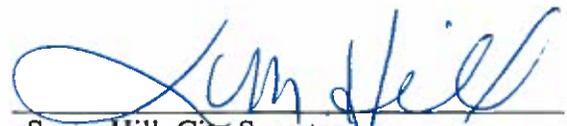
NOTE: One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.

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

**THURSDAY, DECEMBER 21, 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 September 21, 2017 regular meeting minutes.
5. Discussion and action on issuing a 90-day extension to the subdivision Lots 1 - 16 Block 1, Sandbar Estates. (*Sandbar Properties, Inc.*)
6. Discussion and action regarding an extension for the guarantee check for the proposed sidewalk improvements located at Lot 1A Skipjack Bayfront Subdivision.
7. Adjournment.

DATED THIS THE 15TH DAY OF DECEMBER 2017



Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CURRENT 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 DECEMBER 15, 2017 AT/OR BEFORE 5:00 P.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

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

THURSDAY, SEPTEMBER 21, 2017

I. CALL TO ORDER

The Planning and Zoning Commission of the City of South Padre Island, Texas held a Regular Meeting on Thursday, September 21, 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, and Kimberly Dollar. Member with an excused absence was Art Teniente

City staff members present were: City Manager Susan Guthrie, Assistant City Manager Darla Jones, Interim City Attorney Alan T. Ozuna, Police Chief Randy Smith, Development Director Sungman Kim and Administrative Assistant Marta Martinez. Also present was Council Member Alita Bagley.

II. PLEDGE OF ALLEGIANCE

Chairman McNulty led the Pledge of Allegiance.

III. PUBLIC COMMENTS AND ANNOUNCEMENTS

At this time, with no objections from the Commissioners, Chairman McNulty moved Items VII, VIII, and IX behind Item IV.

IV. APPROVAL OF THE JULY 20, 2017 REGULAR MEETING MINUTES.

Commissioner Member Dollar made a motion, seconded by Commissioner Member Fletcher to approve the regular Meeting Minutes as submitted. Motion carried on a unanimous vote.

V. PUBLIC HEARING AND DISCUSSION/ACTION REGARDING THE DESIGNATION OF CERTAIN BEACH AND SUBMERGED LAND AREAS – EAST OF BLOCK 20, PADRE BEACH ESTATES SUBDIVISION (LA QUINTA INN & SUITES), CONTRAN SUBDIVISION LOT 2 (CLAYTON’S BEACH BAR), EAST TRACT 17, PADRE BEACH ESTATE SUBDIVISION (CLAYTON’S FISHING PIER), AND EAST TRACT 16, PADRE BEACH ESTATE SUBDIVISION (MARRIOTT, COURT YARD) – FROM DISTRICT “B” MULTI-FAMILY DWELLING, APARTMENT, MOTEL, HOTEL, CONDOMINIUM, TOWNHOUSE DISTRICT TO DISTRICT “PBN” PADRE BOULEVARD NORTH CHARACTER ZONE.

At 3:28 p.m., Chairman McNulty opened the Public Hearing.

Proponents: Clayton Brashear
Robert Nixon
Cain Mahan
Arnie Creinin
Tara Rios
Billy Schrank

Opponents: Chuck Costanza
Mike Gonzalez
Gerald Geletzka

Chairman McNulty closed the Public Hearing at 4:10 p.m.

After much discussion Commissioner Member Dollar made a motion, seconded by Commissioner Member Fletcher to deny the rezoning. The motion failed on a 2:3:1 vote. Commissioner Member Bujanos made a motion, seconded by Commissioner Member Huffman to approve the rezoning, which passed on a 3:2:1 vote. Commissioner Dollar and Fletcher voting in opposition and Chairman McNulty abstained.

VI. PUBLIC HEARING AND DISCUSSION/ACTION REGARDING A SPECIFIC USE PERMIT FOR A PRIVATE (COMMERCIAL) FISHING PIER AT EAST TRACT 17, PADRE BEACH ESTATE SUBDIVISION AND SUBMERGED LANDS BELONG TO THE TEXAS GENERAL LAND OFFICE.

At 4:32 p.m., Chairman McNulty opened the Public Hearing.

Proponents: Clayton Brashear
Obie Salinas
Robert Nixon

Opponents: None

Chairman McNulty closed the Public Hearing at 4:38 p.m.

After much discussion, Commissioner Member Dollar made a motion to recommend the City Council approve the specific use permit with all conditions drafted by the staff, DSRTF and the Fire Department. The Commissioner also wanted to make sure that the specific use permit would only be effective after the entire surrounding area of the proposed fishing pier is annexed into the City. Motion was seconded by Commissioner Member Olle, which passed on a 3:0:1 vote with Chairman McNulty abstaining.

VII. PUBLIC HEARING AND DISCUSSION/ACTION REGARDING THE PROPOSED REPLAT OF “LOTS 17 AND 18, BLOCK 74, PADRE BEACH, SECTION VI” TO SUBDIVIDE THEM INTO “LOTS 17A, 17B, 18A AND 18B”.

At 3:03 p.m., Chairman McNulty opened the Public Hearing.

Proponents: None

Opponents: None

Chairman McNulty closed the Public Hearing at 3:04 p.m.

Commissioner Member Dollar made a motion to deny the replat. The motion died due to a lack of second. Commissioner Member Olle made a motion, seconded by Commissioner Member Fletcher to approve the replat of Lots 17A, 17B, 18A, and 18B Block 74 Padre Beach, Section VI, which passed on a 5 to 1 vote with Commissioner Member Dollar voting in opposition.

VIII. DISCUSSION AND ACTION REGARDING THE PROPOSED REPLAT OF “LOTS 1-6, 33-38, BLOCK 97, PADRE BEACH SECTION VII” TO MERGE THEM INTO “LOT 1A”.

Commissioner Member Dollar made a motion, seconded by Commissioner Member Fletcher to approve the replat of Lot 1A Block 97 Padre Beach, Section VII, which carried unanimously.

IX. DISCUSSION AND ACTION REGARDING THE PROPOSED REPLAT OF “LOTS 11 AND 12, BLOCK 75, PADRE BEACH, SECTION VI” TO MERGE THEM INTO “LOT 11A”.

Chairman McNulty made a motion, seconded by Commissioner Member Dollar to table this agenda item until the next meet and have staff make sure it falls within the statutory requirements. The motion carried unanimously.

X. ADJOURNMENT

There being no further business, Chairman McNulty adjourned the meeting at 4:51 p.m.

Marta Martinez, Secretary

Patrick McNulty, Chairman



Sandbar Properties, Inc.
Attention: Paul Earnhart, President
P.O. Box 3226
South Padre Island, TX 78597

November 29, 2016

Re: Lots 1 – 16 Block 1 Sandbar Estates.

Dear Mr. Earnhart,

The Planning and Zoning Commission reviewed the Plat for a subdivision replat at their regular meeting on November 17, 2016. Your request to replat Sandbar Estates into sixteen (16) lots: Lots 1 – 16 Block 1 Sandbar Estates, was approved by the Commission with one year extension in addition to the sixty (60) days original effective dates (Section 23.12 (D) (5) of the City's Code of Ordinances) expires on January 16, 2018 after this date if not recorded it becomes null and voided.

The Cameron County Engineer must sign off on the plat prior to recordation at the Cameron County Courthouse. The County Engineer is located at 3310 S. Hwy 77 in San Benito, Texas 78586 (they can be reached at (956) 247-3518; 3519), and the Cameron County Courthouse is located at 964 E. Harrison, also in Brownsville (544-0815).

Once recorded, you will need to return a mylar copy and a paper copy of the recorded subdivision plat, which bears the Cameron County Clerk's signature, seal and notion as to the plat book and page, as well as a digital AutoCAD.dwg file of the plat to the Public Works Department before any additional building permits will be issued for these lot.

Should you have any further questions, please contact our office Monday through Friday from 8:00 a.m. to 5:00 p.m.

Sincerely,

CITY OF SOUTH PADRE ISLAND

Sungman Kim
Development Director

C: Coym, Rehmet & Gutierrez Engineering, L.P.
File

"A Certified Retirement Community"

Development Department • 4601 Padre Boulevard • South Padre Island, Texas 78597

Office • 956.761.8113 • Fax 956.761.3898

TO: PLANNING & ZONING COMMISSIONERS

FROM: PAUL EARNHART, PRESIDENT
SANDBAR PROPERTIES, INC.

DATE: DEC. 15, 2017

SUBJECT: SANDBAR ESTATES LOTS 1-16, PHASE I APPROVAL
EXTENSION FROM JAN. 16, 2018 TO JUNE 16, 2018

PAUL EARNHART TEL: 850-273-2288

EMAIL: americanlandco@aol.com

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: December 21, 2017

ITEM: 6

TO: Planning and Zoning Commission

FROM: Development Department

ITEM DESCRIPTION:

Discussion and action regarding an extension for the guarantee check for the proposed sidewalk improvements located at Lot 1A Skipjack Bayfront Subdivision.

DISCUSSION:

- The Guarantee Check (\$ 29,150.00) dated January 12, 2017 was accepted by the City on January 12, 2017.

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:

January 16, 2017: The plat was approved.

January 19, 2017: 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).

Staff Recommendation:

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

