

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

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 19, 2019**  
3:00 PM 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 the Commission relating to agenda or non-agenda items. Speakers are required to address the Commission 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. Discussion and Action

- 4.1. Approve minutes of October 17, 2019 and November 21, 2019 regular meetings.
- 4.2. Discussion and action regarding the extension request for six (6) months for the Performance Guarantee of the Replat of "Lot 17, Block 92, Padre Beach Subdivision, Section VII".
- 4.3. Discussion and action regarding the one time extension request for the Performance Guarantee of the Replat of "Lots 1 – 4, Block 8, Padre Beach Subdivision, Section I".
- 4.4. Discussion and action regarding the one time extension request for the Performance Guarantee of the Replat of "Lots 26 & 27, Block 40, Padre Beach Subdivision, Section IV".

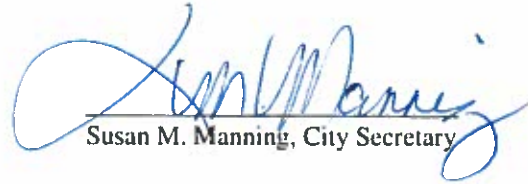
5. Adjourn

**NOTE:**

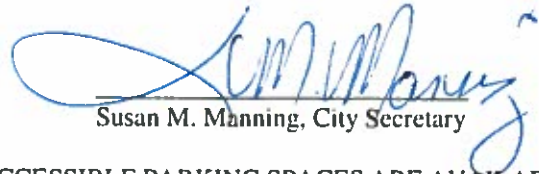
*One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.*

DATED THIS THE 12TH DAY OF DECEMBER 2019



  
Susan M. Manning, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF 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 **DECEMBER 12, 2019**, AT/OR BEFORE 5:00 PM AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

  
Susan M. Manning, 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.

**CITY OF SOUTH PADRE ISLAND  
PLANNING AND ZONING COMMISSION  
AGENDA REQUEST FORM**

**MEETING DATE:** December 19, 2019

**NAME & TITLE:** Marta Martinez

**DEPARTMENT:** Planning/Parks & Rec. Department

**ITEM**

Approve minutes of October 17, 2019 and November 21, 2019 regular meetings.

**ITEM BACKGROUND**

N/A

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

N/A

**LEGAL REVIEW**

Sent to Legal: No

Approved by Legal: No

**RECOMMENDATIONS/COMMENTS:**

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

**THURSDAY, OCTOBER 17, 2019**

**1. CALL TO ORDER**

The Planning and Zoning Commission of the City of South Padre Island, Texas held a Meeting on Thursday, October 17, 2019 at the Municipal Complex Building, 2<sup>nd</sup> Floor, 4601 Padre Boulevard, South Padre Island, Texas. Vice Chairman Gary Olle called the meeting to order at 3:00 p.m. A quorum was present: Commission Member Norris Fletcher, Howard Avery, and Gordon Garlock. Commission Members with an excused absence were Dina Rich, Art Teniente and David Zipp.

City staff members present were: Planning Director Aaron Hanley and Administrative Assistant Marta Martinez.

**2. PLEDGE OF ALLEGIANCE**

Vice Chairman Olle led the Pledge of Allegiance.

**3. PUBLIC COMMENTS AND ANNOUNCEMENTS.**

Public comments and announcements were given at this time.

**4. DISCUSSION AND ACTION.**

**4.1. APPROVE MINUTES OF JULY 18, 2019.**

Commissioner Fletcher made a motion, seconded by Commissioner Garlock to approve the regular meeting minutes for July 18, 2019 as submitted. Motion carried unanimously.

**4.2. DISCUSSION AND ACTION REGARDING THE ONE TIME EXTENSION REQUEST FOR THE PERFORMANCE GUARANTEE OF THE REPLAT OF “LOTS 8A, 8B, AND 8C, BLOCK 171, PADRE BEACH SUBDIVISION, SECTION XI”.**

After some discussion Commissioner Garlock made a motion, seconded by Commissioner Fletcher to approve the one time extension request for the Performance Guarantee of the replat of “Lots 8A, 8B, and 8C, Block 171, Padre Beach Subdivision, Section XI. Motion carried unanimously.

**4.3 DISCUSSION AND ACTION REGARDING THE PROPOSED REPLAT OF “LOTS 1-4 AND 9-12, BLOCK 96, PADRE BEACH SUBDIVSION, SECTION VII” TO MERGE THEM INTO “LOT 1”.**

Agenda item was rescheduled for a future meeting.

**5. ADJOURNMENT**

There being no further discussion; Vice Chairman Olle adjourned the meeting at 3:09 p.m.

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Marta Martinez, Secretary

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Gary Olle, Vice Chairman

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

**THURSDAY, NOVEMBER 21, 2019**

**I. CALL TO ORDER**

The Planning and Zoning Commission of the City of South Padre Island, Texas held a Meeting on Thursday, November 21, 2019 at the Municipal Complex Building, 2<sup>nd</sup> Floor, 4601 Padre Boulevard, South Padre Island, Texas. Vice Chairman Gary Olle called the meeting to order at 3:00 p.m. A quorum was present: Commission Member Norris Fletcher, Howard Avery, Gordon Garlock, and Dina Rich. Commission Member with an excused absence were David Zipp and Art Teniente.

City staff members present were: Public Works Director Alex Sanchez and Parks and Recreation Manager Debbie Huffman.

**II. PLEDGE OF ALLEGIANCE**

Vice Chairman Olle led the Pledge of Allegiance.

**III. PUBLIC COMMENTS AND ANNOUNCEMENTS.**

Public comments and announcements were given at this time.

**IV. APPROVE MINUTES OF JULY 18, 2019 REGULAR MEETING.**

Commissioner Garlock made a motion, seconded by Commissioner Avery to approve the regular meeting minutes for July 18, 2019 as submitted. Motion carried unanimously.

**V. ELECTION OF CHAIRMAN.**

Commissioner Avery made a motion, seconded by Commissioner Garlock to nominate Gary Olle for Chairman. Motion carried unanimously.

**VI. DISCUSSION AND ACTION REGARDING THE PROPOSED REPLAT OF “LOT 26, BLOCK 171, PADRE BEACH SUBDIVISION, SECTION XI” TO CREATE TWO LOTS “LOTS 26A AND 26B”.**

Commissioner Fletcher made a motion, seconded by Commissioner Avery to approve the replat of “Lot 26, Block 171, Padre Beach Subdivision, Section XI” to merge them into two lots “Lots 26A and 26B”. Motion carried unanimously.

**VII. DISCUSSION AND ACTION REGARDING THE PROPOSED REPLAT OF “LOTS 16 AND 17, BLOCK 63, PADRE BEACH SUBDIVISION SECTION V” TO MERGE THEM INTO ONE LOT “LOT 16A”.**

Chairman Olle made a motion, seconded by Commissioner Fletcher to approve the replat of “Lots 16 and 17, Block 63, Padre Beach Subdivision, Section V” to merge them into one lot “Lot 16A”. Motion carried unanimously.

**VIII. DISCUSSION AND ACTION REGARDING THE PROPOSED REPLATE OF “LOTS 1-4 AND 9-12, BLOCK 96, PADRE BEACH SUBDIVISION, SECTION VII” TO MERGE THEM INTO ONE LOT “LOT 1”**

After some discussion Commissioner Garlock made a motion, seconded by Commissioner Avery to approve the replat of “Lots 1-4 & 9-12, Block 96 Padre Beach Subdivision, Section VII” to merge them into one lot “Lot 1”. Motion carried unanimously.

**IX. ADJOURNMENT**

There being no further discussion; Commissioner Garlock made a motion, seconded by Commissioner Fletcher to adjourn the meeting at 3:15 p.m.

\_\_\_\_\_  
Marta Martinez, Secretary

\_\_\_\_\_  
Gary Olle, Chairman

**CITY OF SOUTH PADRE ISLAND  
PLANNING AND ZONING COMMISSION  
AGENDA REQUEST FORM**

**MEETING DATE:** December 19, 2019

**NAME & TITLE:** Aaron Hanely, Planning Director

**DEPARTMENT:** Planning/Parks & Rec. Department

**ITEM**

Discussion and action regarding the extension request for six (6) months for the Performance Guarantee of the Replat of "Lot 17, Block 92, Padre Beach Subdivision, Section VII".

**ITEM BACKGROUND**

December 19, 2018, the Planning and Zoning Commission approved a replat of "Lots 17A & 17B, Block 92 Padre Beach Subdivision, Section VII" to merge them into "Lot 17".

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

N/A

**LEGAL REVIEW**

Sent to Legal: No

Approved by Legal: No

**RECOMMENDATIONS/COMMENTS:**



**PLANNING & ZONING COMMISSION  
AGENDA REQUEST FORM**

**DISCUSSION:**

**Item: 4.2**

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**The Ownership**

1. The lots belong to Guillermo F. Gallo and Jennifer Anne Rice Gallo by warranty deed dated May 15, 2018.

**The Requirements**

1. Sec.23-15 Performance Guarantee.

(D) *Release of Guarantee.*

- (1) *Term.* The term of the performance guarantee shall not exceed one (1) year.
- (2) *Inspection.* Before the subdivider's obligation to the City of South Padre Island is terminated, all required improvements shall be constructed under the observation and inspection of the inspecting agency, and shall either be accepted for maintenance by the City Council (or respective agency) in the instance of public improvements, or given final approval by the City Council on recommendation by the Director of Public Works in the instance of private improvements.

(3) *Procedure for the Release of Performance Guarantee.*

- (f) If, at the end of the one (1) year period, all of the improvements reflected by the final engineering plans have not been completed:
  1. The subdivider may submit a one time renewal of the performance guarantee (a limit of one renewal only), which has been recalculated in order to allow for inflation, a period not to exceed one (1) additional year; or
  2. The surety shall perform on the guarantee and directly remit to the City the amount of the guarantee. It shall be the responsibility of the surety to perform on such guarantee regardless of the expiration of the guarantee and regardless of whether or not the City reminds the surety of such contract termination.

The City will contract the completion of the work reflected by the final engineering plans approved the by the City. Any amount not utilized to complete the outstanding work will be returned to the subdivider once the work has been accepted by the City.

All costs incurred by the City in contracting for completion of the work will come from the performance guarantee.

3. The subdivider may vacate the plat by replatting back to the original configuration prior to the plat in question.

<b>PLANNING &amp; ZONING COMMISSION</b> <b>AGENDA REQUEST FORM</b>
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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.

**Staff Recommendation**

Staff recommends approval of extension for six (6) months.

**COMMISSION ACTION:**

MOTION:

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BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

Dina	Avery	Fletcher	Zipp	Olle	Teniente	Garlock
Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



Marta Martinez &lt;mmartinez@myspi.org&gt;

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**Expired Guarantee Check - Lot 17 Block 92**

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**Patrick McNulty** <patrick@willisdevelopment.com>  
**To:** Alfredo Hernandez <fred@aghconsultants.com>  
**Cc:** Marta Martinez <MMartinez@myspi.org>

Mon, Dec 2, 2019 at 2:50 PM

Please extend guarantee for 6 months

Patrick J. McNulty  
Willis Development, LLC  
5813 Padre Blvd  
South Padre Island, Texas 78597  
956.572.3191 fax 844.572.3192  
[patrick@willisdevelopment.com](mailto:patrick@willisdevelopment.com)  
[www.willisdevelopment.com](http://www.willisdevelopment.com)

Texas law requires all real estate licensees to give the following information about brokerage service to prospective sellers, tenants, buyers and landlords.

<http://www.trec.state.tx.us/pdf/contracts/op-k.pdf>

Attention: THIS E-MAIL IS INTENDED ONLY FOR THE INDIVIDUAL TO WHOM IT IS ADDRESSED. IT CONTAINS INFORMATION THAT MAY BE CONFIDENTIAL UNDER LAW. IF YOU ARE NOT THE INTENDED RECIPIENT OR AGENT RESPONSIBLE FOR DELIVERING THIS MESSAGE, DO NOT READ, COPY OR DISTRIBUTE THIS INFORMATION. IF YOU RECEIVED THIS E-MAIL IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY PHONE 956.572.3191

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**From:** Alfredo Hernandez <[fred@aghconsultants.com](mailto:fred@aghconsultants.com)>  
**Sent:** Monday, December 2, 2019 5:45:24 PM  
**To:** Patrick McNulty <[patrick@willisdevelopment.com](mailto:patrick@willisdevelopment.com)>  
**Cc:** 'Marta Martinez' <[MMartinez@MySPI.org](mailto:MMartinez@MySPI.org)>  
**Subject:** FW: Expired Guarantee Check - Lot 17 Block 92

[Quoted text hidden]

**CITY OF SOUTH PADRE ISLAND  
PLANNING AND ZONING COMMISSION  
AGENDA REQUEST FORM**

**MEETING DATE:** December 19, 2019

**NAME & TITLE:** Aaron Hanely, Planning Director

**DEPARTMENT:** Planning/Parks & Rec. Department

**ITEM**

Discussion and action regarding the one time extension request for the Performance Guarantee of the Replat of "Lots 1 - 4, Block 8, Padre Beach Subdivision, Section I".

**ITEM BACKGROUND**

December 19, 2018, the Planning and Zoning Commission approved a replat of "Lots 1 - 5, Block 8, Padre Beach Subdivision, Section I" to reconfigure them into "Lots 1 - 4, Block 8, Padre Beach Subdivision, Section I".

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

N/A

**LEGAL REVIEW**

Sent to Legal: No

Approved by Legal: No

**RECOMMENDATIONS/COMMENTS:**

**PLANNING & ZONING COMMISSION  
AGENDA REQUEST FORM**

**DISCUSSION:**

**Item: 4.3**

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**The Ownership**

1. The lots belong to 200 West Corral, LLC – Ronald Weisfeld.

**The Requirements**

1. Sec.23-15 Performance Guarantee.

(D) *Release of Guarantee.*

- (1) *Term.* The term of the performance guarantee shall not exceed one (1) year.
- (2) *Inspection.* Before the subdivider's obligation to the City of South Padre Island is terminated, all required improvements shall be constructed under the observation and inspection of the inspecting agency, and shall either be accepted for maintenance by the City Council (or respective agency) in the instance of public improvements, or given final approval by the City Council on recommendation by the Director of Public Works in the instance of private improvements.
- (3) *Procedure for the Release of Performance Guarantee.*
  - (f) If, at the end of the one (1) year period, all of the improvements reflected by the final engineering plans have not been completed:
    1. The subdivider may submit a one time renewal of the performance guarantee (a limit of one renewal only), which has been recalculated in order to allow for inflation, a period not to exceed one (1) additional year; or
    2. The surety shall perform on the guarantee and directly remit to the City the amount of the guarantee. It shall be the responsibility of the surety to perform on such guarantee regardless of the expiration of the guarantee and regardless of whether or not the City reminds the surety of such contract termination.

The City will contract the completion of the work reflected by the final engineering plans approved the by the City. Any amount not utilized to complete the outstanding work will be returned to the subdivider once the work has been accepted by the City.

All costs incurred by the City in contracting for completion of the work will come from the performance guarantee.

3. The subdivider may vacate the plat by replatting back to the original configuration prior to the plat in question.

<b>PLANNING &amp; ZONING COMMISSION</b> <b>AGENDA REQUEST FORM</b>
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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.

**Staff Recommendation**

Staff recommends approval of one time extension of one (1) additional year.

**COMMISSION ACTION:**

MOTION:

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BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

Dina	Avery	Fletcher	Zipp	Olle	Teniente	Garlock
Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



Marta Martinez <mmartinez@myspi.org>

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## Extension to bond for sidewalks

1 message

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Ronald Weisfeld <rweisfeld@hotmail.com>

Mon, Dec 2, 2019 at 3:30 PM

To: "mmartinez@myspi.org" <mmartinez@myspi.org>

I request a one year extension for the sidewalk requirement per the replatt of lots 1-4 block 8 padre beach aka [200 West Corral](#).

Ronald Weisfeld  
P.O. Box 600002  
Dallas, Tx 75360  
214-336-9450 mobile

**CITY OF SOUTH PADRE ISLAND  
PLANNING AND ZONING COMMISSION  
AGENDA REQUEST FORM**

**MEETING DATE:** December 19, 2019

**NAME & TITLE:** Aaron Hanely, Planning Director

**DEPARTMENT:** Planning/Parks & Rec. Department

**ITEM**

Discussion and action regarding the one time extension request for the Performance Guarantee of the Replat of "Lots 26 & 27, Block 40, Padre Beach Subdivision, Section IV".

**ITEM BACKGROUND**

December 19, 2018, the Planning and Zoning Commission approved a replat of "Lot 26, Block 40 Padre Beach Subdivision, Section IV" to subdivide them into "Lots 26 & 27".

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

N/A

**LEGAL REVIEW**

Sent to Legal: No

Approved by Legal: No

**RECOMMENDATIONS/COMMENTS:**



**PLANNING & ZONING COMMISSION  
AGENDA REQUEST FORM**

**DISCUSSION:**

**Item: 4.4**

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**The Ownership**

1. The lots belong to Abel Hernandez, Jr., Iradier A. Hernandez, and Rodolfo David Gallegos by warranty deed dated September 17, 2018.

**The Requirements**

1. Sec.23-15 Performance Guarantee.

(D) *Release of Guarantee.*

- (1) *Term.* The term of the performance guarantee shall not exceed one (1) year.
- (2) *Inspection.* Before the subdivider's obligation to the City of South Padre Island is terminated, all required improvements shall be constructed under the observation and inspection of the inspecting agency, and shall either be accepted for maintenance by the City Council (or respective agency) in the instance of public improvements, or given final approval by the City Council on recommendation by the Director of Public Works in the instance of private improvements.

(3) *Procedure for the Release of Performance Guarantee.*

- (f) If, at the end of the one (1) year period, all of the improvements reflected by the final engineering plans have not been completed:
  1. The subdivider may submit a one time renewal of the performance guarantee (a limit of one renewal only), which has been recalculated in order to allow for inflation, a period not to exceed one (1) additional year; or
  2. The surety shall perform on the guarantee and directly remit to the City the amount of the guarantee. It shall be the responsibility of the surety to perform on such guarantee regardless of the expiration of the guarantee and regardless of whether or not the City reminds the surety of such contract termination.

The City will contract the completion of the work reflected by the final engineering plans approved the by the City. Any amount not utilized to complete the outstanding work will be returned to the subdivider once the work has been accepted by the City.

All costs incurred by the City in contracting for completion of the work will come from the performance guarantee.

3. The subdivider may vacate the plat by replatting back to the original configuration prior to the plat in question.

<b>PLANNING &amp; ZONING COMMISSION</b> <b>AGENDA REQUEST FORM</b>
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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.

**Staff Recommendation**

Staff recommends approval of one time extension of one (1) additional year.

**COMMISSION ACTION:**

MOTION:

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BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

Dina	Avery	Fletcher	Zipp	Olle	Teniente	Garlock
Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



Marta Martinez <mmartinez@myspi.org>

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## Expire sidewalk check Lots 26 & 27 Block 40

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Abel Hernandez <abel\_hernandez11@hotmail.com>

Thu, Dec 5, 2019 at 9:16 AM

To: Marta Martinez <mmartinez@myspi.org>

Good morning I will like to request a extension for my bond, I greatly appreciate your time and your help.

Shaddai Const.  
Abel Hernandez  
(956)9296167

Sent from my iPhone

On Dec 5, 2019, at 9:02 AM, Marta Martinez <mmartinez@myspi.org> wrote:

[Quoted text hidden]

The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.