

**MINUTES
PLANNING COMMISSION
CITY OF NASSAU BAY
MAY 7, 2013
6:00 PM**

MEMBERS OF PLANNING COMMISSION PRESENT: Chairman Roscoe Lee and Commissioners Don Johnson, Kirk Walker, John Nugent, and Arlene Phillips.

MEMBERS OF PLANNING COMMISSION ABSENT: Commissioners Louis Nguyen and Miguel Zamora.

OTHER CITY OFFICIALS PRESENT: Community Development Director Mary Chambers, Building Official Larry Boles, and Planning Commission Secretary Kathy George.

Also in attendance was Gary Mitchell, Vice President of Kendig Keast Collaborative.

PRESIDING: Roscoe Lee.

CALL TO ORDER AND ROLL CALL OF MEMBERS

Chairman Lee called the meeting to order at 6:00 pm.

Mr. Lee announced a quorum of the Commission was present.

APPROVAL OF MINUTES

The minutes of regular meeting of April 2, 2013 were presented for approval. It was moved by Commissioner Johnson, seconded by Commissioner Walker, that the minutes be approved.

Motion passed 5 – 0.

With regards to the minutes, Chairman Lee noted that the building code changes, which were discussed at the 2 April 2013 Planning Commission meeting, were not discussed at the 8 April City Council meeting. Since the 2 April Planning Commission meeting, some new developments arose.

PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

Building Official Larry Boles explained that City Attorney Dick Gregg found that the state legislature enacted an ordinance which precludes Texas government entities from requiring the requirement in the 2012 Building Code, which requires fire sprinkler systems in single-family and dual-family residences. At the 2 April Planning Commission meeting, several Commissioners expressed concern with this aspect of the building code. Mr. Boles indicated that, at the 13 May 2013 City Council meeting, City staff will recommend that the 2012 Building Code be adopted without the requirement for fire sprinklers in single-family and dual-family residences, while retaining the requirement for multi-family residences. In addition, staff will recommend not accepting the requirement, which allows wood shingle roofs.

Presentation by Gary Mitchell of Kendig Keast Regarding the Final Proposed Changes to the Nassau Bay City Code, Appendix A, Zoning.

Mr. Gary Mitchell of Kendig Keast Collaborative provided a presentation which highlighted the changes in the proposed changes to the Nassau Bay Zoning Ordinance. He noted that the focus of the zoning ordinance changes was to streamline administrative procedures; introduce a single commercial zone, C, to replace the current SC-1, SC-2, and LR zones; introduce an urban zone, U; defining and modifying parking and loading requirements; adding landscaping requirements; and modifying the site/building design standards. These modifications were intended to encourage redevelopment in the commercial area; diversify the City's tax base; renew the renewal of the City's infrastructure; enhance community facilities; and improve image and aesthetics.

Public Hearing on the above Proposed Changes to the City's Zoning Ordinance.

Chairman Lee then opened the public hearing and noted that the development of the zoning changes has been an extensive process, which was accomplished over eight workshops. He confirmed that the changes were intended to make the ordinances friendlier for developers, while assuring that the quality of life desired by residents is maintained. We will not attempt to go into the details of the 82 pages of ordinance changes at this public hearing. Copies of the proposed ordinance changes are available from the City for the public.

The Planning Commission went through a list of questions/comments, which were developed by Chairman Lee and items which were highlighted by Mr. Mitchell. It was agreed that a Specific Use Permit (SUP) went with a location and is a form of rezoning. There is no explicit requirement for a transfer of the SUP to a like user. It was noted that the City could revoke an SUP if it has not been used for more than six months. An SUP could also be revoked if the use of the location has changed.

The time limits for Planning Commission actions on procedures such as site plan review have been removed. These limits proved to be onerous in the past.

With respect to the Landscape Development Requirement, Chairman Lee noted that the Planning Commission originally proposed to require developers to install street trees. However, since the trees would be installed in public property, we decided to not add this requirement. At a recent NASA Area Management District meeting, Chairman Lee noted that he reported on this Planning Commission decision. S. Darcy/Marsh Darcy responded that the installation of street trees is within the purview of the Management District and they could apply for grants for the purchase and installation of street trees.

Chairman Lee asked for comments from the audience. Mr. Joe Murdock of 18306 Cape Bahamas asked for details on the plans for rezoning any residential districts. He specifically asked about whether the Nassau Bay Marina was a candidate for rezoning to a commercial district. Chairman Lee said that the City has no plans to rezone any residential district to a commercial district. Mr. Mitchell showed the current zoning map and said that the only zoning changes would be to change the SC-1, SC-2, and LR districts to C.

Planning Commission's Recommendations to City Council on Changes to the City's Zoning Ordinance

The future schedule of activities was discussed. It was agreed that, since the current zoning districts of SC-1, SC-2, and LR will be deleted in the updated ordinance, a new zoning map, which is consistent with the new commercial districts, is required.

There being no further discussion from the public or Planning Commission, Commission Nugent moved that the Planning Commission recommend that the City Council adopt the proposed ordinance changes. Commissioner Walker seconded the motion.

Motion passed 5 – 0.

ADJOURNMENT

There being no further discussion, the meeting adjourned at 6:54 pm.

Minutes approved as submitted and/or corrected this ___ day of _____, A.D., 2013.

CITY OF NASSAU BAY, TEXAS

Roscoe Lee
Planning Commission Chairman

ATTEST:

Kathy George
Planning Commission Secretary