



PLANNING & ZONING PACKET

November 6, 2023

PLANNING & ZONING COMMISSION AGENDA

Notice is hereby given that the Rockport Planning & Zoning Commission will hold a meeting on Tuesday, November 6, 2023, at 5:30 p.m. The meeting will be held in person at the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas. Members of the public can view the meeting via live stream at <https://www.youtube.com/@rockporttxgov>

Public participation is valued and citizens wishing to express their views on agenda items can electronically submit a citizen participation form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/BoardsCitizenParticipation> or scanning the QR code to the right. Using the same form, citizens can also provide written comments to the Community Planner by 4:00 p.m. on the day of the meeting. The Chair will read the comments and they will be summarized in the minutes of the meeting.



The matters to be discussed and acted upon are as follows:

Opening Agenda

1. Call meeting to order.

Regular Agenda

2. *Postponed – October 16, 2023:* Deliberate and act on approval of the Regular Meeting Minutes of September 18, 2023.
3. Deliberate and act on approval of the Regular Meeting Minutes of October 16, 2023.
4. Deliberate and act on possible cancellation of the Planning & Zoning Commission regular meeting of November 20, 2023.
5. Deliberate and act on the Planning & Zoning Commission 2024 meeting calendar.
6. Update on Planning & Zoning Commission vacancies.
7. Adjournment

Special Accommodations

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 729-2213, ext. 225 or FAX (361) 790-5966 or email citysec@cityofrockport.com for further information. Braille is not available. The City of Rockport reserves the right to convene into executive session under Government Code §§ 551.071-551.074 and 551.086.

In accordance with the requirements of Texas Government Code Section 551.127, a member of the governing body may participate in this meeting from a remote location. A quorum of the governing body as well as the presiding officer shall be physically present at the above posted location, which shall be open to the public. Those participating remotely shall be visible and audible to the public for all open portions of the meeting. A member of a governmental body who participates in a meeting remotely as provided by law, shall be counted as present at the meeting for all purposes.

Certification

I certify that the above notice of meeting was posted on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas on Tuesday, October 31, 2023, at 3:30 p.m. and on the City's website at www.rockporttx.gov. I further certify that the following News Media were properly notified of this meeting as stated above: *The Rockport Pilot* and *Corpus Christi Caller Times*.


Teresa Valdez, City Secretary

PLANNING & ZONING COMMISSION AGENDA
Regular Meeting: Monday, November 6, 2023

AGENDA ITEM: 2

Deliberate and act on approval of the Amended Minutes of September 18, 2023, postponed at the regular meeting of October 16, 2023.

SUBMITTED BY: Community Planner / Carey Dietrich

BACKGROUND: Approval of the Regular Meeting Minutes of September 18, 2023 was postponed pending clarification of a citizen's comments. Staff determined a correction was needed and have corrected the minutes to reflect the citizen's statement.

Please see the accompanying Amended Minutes of September 18, 2023 for detail information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends approval of the Amended Minutes of September 18, 2023, postponed at the regular meeting of October 16, 2023.

PLANNING AND ZONING COMMISSION MINUTES

On this the 18th day of September 2023, the Planning and Zoning Commission held a Meeting at 5:30 p.m., at Rockport Service Center, 2751 SH 35 Bypass, Rockport, Texas and notice of meeting giving time, date and subject having been posted as described in V.T.C.A., Government Code § 551.041.

Members Present

Ruth Davis – Chair
Kim Hesley – Secretary
Tom Blazek
Patty Impens
Ric Young

Members Absent

Warren Hassinger-Vice Chairman

Staff Members Present

Mike Donoho, Director
Carey Dietrich, Community Planner
Tommy Saucedo, IT
Belinda Garcia, Administrative Coordinator
Tara Doyle, Building & Development Technician
Danielle Hale, Council Liaison

Guest(s) Present

(12)

Open Meeting

1. Meeting called to order at 5:30 p.m.

Regular Meeting Open 5:30 pm.

2. Deliberate and act on approval for the regular meeting minutes of September 5, 2023.

MOTION: Member Blazek motion to approve minutes for September 5, 2023. Member Impens seconded the motion. **Motion passed unanimously.**

3. Deliberate and act on a Major Subdivision Conceptual Plan/Preliminary Plat submitted by Hamed Mostaghassi and Hossein Mostaghassi., for development of 431 lots single-family residential and 3 commercial lots subdivision to be known as Lakeway Estates, property located at 3250-3330 State Highway 35 Bypass, otherwise known as JW Paup Survey ABC 179, 152.582 acres & 6.887 acres, City of Rockport, Aransas County, Texas.

Allen Byers representing Lakeway Estates presented the Conceptual Plan.

Dan Conner, Tom Bennet, Donna Bennet, Adelaide Marlette, Robert Dalton, Jason Johns expressed concerns about the drainage and traffic.

Patrick Kane (Read by Chairperson Davis) was concerned that taxpayers should not be responsible for the cost of extension of public utilities to benefit new development.

MOTION: Member Impens made a motion to approve the Conceptual Plan. Chairperson Davis seconded the motion. Chairperson Davis called for a Vote:

Member Impens – Aye

Member Blazek – Aye

Member Hesley – Nay

Chairperson Davis – Aye

- 4. Discussion regarding the Impact Fee Study and responsibilities of the Advisory Committee.

Community Planner, Carey Dietrich described for the Commission the duties and responsibilities that will be expected of Board Members who may be appointed by City Council to the Advisory Committee regarding the Impact Fee Study being conducted by Freese & Nichols. No appointments have been made at this time; however, it is standard for the P&Z Commission to fill that role.

Council Liaison Danielle Hale reiterated the duties of the Advisory Committee and the length of time the Advisory Committee will have to commit to.

- 5. Adjournment 6:31 pm.
Member Blazek made a motion to adjourn the meeting. Member Young seconded the motion.
Motion passed unanimously.

Prepared by:

Approved by:

Belinda Garcia, Assistant to Director

Ruth Davis, Chair

Kim Hesley, Secretary

PLANNING & ZONING COMMISSION AGENDA
Regular Meeting: Monday, November 6, 2023

AGENDA ITEM: 3

Deliberate and act on approval of the Regular meeting minutes of October 16, 2023.

SUBMITTED BY: Community Planner / Carey Dietrich

BACKGROUND: The Regular Meeting Minutes of October 16, 2023 as prepared by staff are presented for your review.

Please see the accompanying Minutes of October 16, 2023 for detail information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends approval of the Regular meeting minutes of October 16, 2023.

PLANNING AND ZONING COMMISSION MINUTES

On this the 16th day of October 2023, the Planning and Zoning Commission held a Meeting at 5:30 p.m., at Rockport Service Center, 2751 SH 35 Bypass, Rockport, Texas and notice of meeting giving time, date and subject having been posted as described in V.T.C.A., Government Code § 551.041.

Members Present

Members Absent

Ruth Davis – Chair
Warren Hassinger-Vice Chairman
Kim Hesley – Secretary
Tom Blazek
Patty Impens
Ric Young

Staff Members Present

Mike Donoho, Director
Carey Dietrich, Community Planner
Bob Argetsinger, IT
Belinda Garcia, Administrative Coordinator
Tara Doyle, Building & Development Technician
Danielle Hale, Council Liaison

Guest(s) Present

(5) Five

Open Meeting

1. Meeting called to order at 5:30 p.m.

Public Hearing

Open 5:30 pm.

2. Conduct a Public Hearing to consider a request to rezone property located at 1875 State Highway 35 Bypass; also known as S1558 Domasco Subdivision, Block 1, Lot 1 and part of Lot 2, being 1.4965 acres, City of Rockport, Aransas County, Texas, to B-1 (General Business District) to comply with current use of property; currently zoned R-1 (1st Single Family Dwelling District).

Close 5:33 pm.

Regular Agenda

Open 5:33 pm.

3. Deliberate and act on approval of the regular meeting minutes of September 18, 2023.

Carey Dietrich spoke and read a comment from Patrick Kane who stated his comments in the minutes of September 18, 2023 were incorrect and would like them to be corrected.

MOTION: Vice -Chair Hassinger motion to postpone approval of the minutes of September 18, 2023 until it is determined corrections are necessary and said corrections are made. Member Impens seconded the motion. **Motion passed unanimously.**

4. Deliberate and act on a request to rezone property located at 1875 State Highway 35 Bypass; also known as S1558 Domasco Subdivision, Block 1, Lot 1 and part of Lot 2, being 1.4965 acres, City of Rockport, Aransas County, Texas, to B-1 (General Business District) to comply with current use of property; currently zone R-1 (1st Single Family Dwelling District).

Carey Dietrich spoke and read a comment from Patrick Kane who stated he did not believe the citizens should be charged a fee to rezone property to be compliant with current use after annexation procedures designated the property zoning R1 (1st Single Family Dwelling District).

MOTION: Secretary Hesley made a motion to recommend approval to council. Vice-Chair Hassinger seconded the motion. **Motion passed unanimously.**

5. Deliberate and act on a request to amend the Final Plat of property located at 1802 FM 2165; also known as Pearl Street Square being 10.34446 acres out of A179 J W Paup Survey, City of Rockport, Aransas County, Texas.

Elizabeth Brundrett spoke, Carey Dietrich spoke.

MOTION: Member Young made a motion to approve the Final Plat. Member Blazek seconded the motion. **Motion passed unanimously.**

6. Adjournment 5:42 pm.

Vice- Chair Hassinger made a motion to adjourn the meeting. Secretary Hesley seconded the motion. **Motion passed unanimously.**

Prepared by:

Approved by:

Belinda Garcia, Assistant to Director

Ruth Davis, Chair

Kim Hesley, Secretary

PLANNING & ZONING COMMISSION AGENDA
Regular Meeting: Monday, November 6, 2023

AGENDA ITEM: 4

Discussion, consideration, and action regarding the Planning & Zoning Commission regular meeting of November 20, 2023.

SUBMITTED BY: Community Planner / Carey Dietrich

BACKGROUND: When reviewing the Planning & Zoning Commission 2023 Calendar at the regular meeting of November 14, 2022, the Commission stated they would like to reserve judgement to cancel until such time we could determine if there was a need for the meeting. The November 20, 2023 meeting date is the week of Thanksgiving and staff is concerned there will not be a quorum for a meeting.

Please see the accompanying 2023 P&Z Calendar for the month of November for detail information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends the Commission re-schedule or cancel the Planning & Zoning Commission regular meeting of November 20, 2023.

PLANNING & ZONING COMMISSION AGENDA
Regular Meeting: Monday, November 6, 2023

AGENDA ITEM: 5

Discussion, consideration, and action regarding the Planning & Zoning Commission 2024 Calendar with meetings restricted by holidays or other foreseen events.

SUBMITTED BY: Community Planner / Carey Dietrich

BACKGROUND: The 2024 P&Z Calendar of events has some meeting dates that coincide with City Holidays: January 1, 2024 is a City Holiday for New Years Day, January 15, 2024 is a City Holiday for Martin Luther King Day, September 2, 2024 is a City Holiday for Labor Day.

Please see the accompanying 2024 P&Z Calendar for detail information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends review of the Planning & Zoning Commission 2024 Calendar with meetings restricted by holidays or other foreseen events to make decisions about rescheduling or cancelling meetings in conflict.

JAN 2024

SUN	TUE	WED	THU	FRI	SAT
31	MON New Year's Day P & Z meeting 01 Week 1/Day 1	02 Day 02	03 Day 03	04 Day 04	05 Day 05
07 Week 2/Day 07	08 Day 08	09 Day 09	10 Day 10	11 Day 11	12 Day 12
14 Week 3/Day 14	City Holiday Martin Luther King Day P & Z meeting 15 Day 15	16 Day 16	17 Day 17	18 Day 18	19 Day 19
21 Week 4/Day 21	22 Day 22	23 Day 23	24 Day 24	25 Day 25	26 Day 26
28 Week 5/Day 28	29 Day 29	30 Day 30	31 Day 31	01 Day 32	02 Day 33

NOTES

FEB 2024

SUN	MON	TUE	WED	THU	FRI	SAT
28 Week 5/Day 28	29 Day 29	30 Day 30	31 Day 31	01 Day 32	02 Day 33	03 Day 34
04 Week 6/Day 35	P & Z Meeting 05 Day 36	06 Day 37	07 Day 38	08 Day 39	Cutoff for March 4th P&Z PH 09 Day 40	10 Day 41
11 Week 7/Day 42	12 Day 43	Council 13 Day 44	14 Day 45	15 Day 46	16 Day 47	17 Day 48
18 Week 8/Day 49	P & Z Meeting 19 Day 50	20 Day 51	21 Day 52	22 Day 53	Cutoff for March 18th P&Z PH 23 Day 54	24 Day 55
25 Week 9/Day 56	26 Day 57	Council 27 Day 58	28 Day 59	29 Day 60	01 Day 61	02 Day 62

NOTES

MAR

2024

SUN	MON	TUE	WED	THU	FRI	SAT
25 Week 9/Day 56	26 Day 57	27 Day 58	28 Day 59	29 Day 60	01 Day 61	02 Day 62
03 Week 10/Day 63	P & Z Meeting 04 Day 64	05 Day 65	06 Day 66	07 Day 67	Cutoff for April 1st P&Z PH 08 Day 68	09 Day 69
10 Week 11/Day 70	11 Day 71	Council 12 Day 72	13 Day 73	14 Day 74	15 Day 75	16 Day 76
17 Week 12/Day 77	P & Z Meeting 18 Day 78	19 Day 79	20 Day 80	21 Day 81	Cutoff for April 15th P&Z PH 22 Day 82	23 Day 83
24 Week 13/Day 84	25 Day 85	Council 26 Day 86	27 Day 87	28 Day 88	Good Friday Holiday 29 Day 89	30 Day 90
31 Week 14/Day 91	01 Day 92	02 Day 93	03 Day 94	04 Day 95	05 Day 96	06 Day 97

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APR 2024

SUN	MON	TUE	WED	THU	FRI	SAT
	P & Z Meeting					
31 Week 14/Day 91	01 Day 92	02 Day 93	03 Day 94	04 Day 95	05 Day 96	06 Day 97
		Council			Cutoff for May 6th P&Z PH	
07 Week 15/Day 98	08 Day 99	09 Day 100	10 Day 101	11 Day 102	12 Day 103	13 Day 104
	P & Z Meeting					
14 Week 16/Day 105	15 Day 106	16 Day 107	17 Day 108	18 Day 109	19 Day 110	20 Day 111
		Council			Cutoff for May 20th P&Z PH	
21 Week 17/Day 112	22 Day 113	23 Day 114	24 Day 115	25 Day 116	26 Day 117	27 Day 118
28 Week 18/Day 119	29 Day 120	30 Day 121	01 Day 122	02 Day 123	03 Day 124	04 Day 125
		NOTES				

MAY 2024

SUN	MON	TUE	WED	THU	FRI	SAT
28 Week 18/Day 119	29 Day 120	30 Day 121	01 Day 122	02 Day 123	03 Day 124	04 Day 125
	P & Z Meeting				Cutoff for June 3rd P&Z PH	
05 Week 19/Day 126	06 Day 127	07 Day 128	08 Day 129	09 Day 130	10 Day 131	11 Day 132
		Council				
12 Week 20/Day 133	13 Day 134	14 Day 135	15 Day 136	16 Day 137	17 Day 138	18 Day 139
	P & Z Meeting				Cutoff for June 17th P&Z PH	
19 Week 21/Day 140	20 Day 141	21 Day 142	22 Day 143	23 Day 144	24 Day 145	25 Day 146
	City Holiday Memorial Day	Council				
26 Week 22/Day 147	27 Day 148	28 Day 149	29 Day 150	30 Day 151	31 Day 152	01 Day 153

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JUN 2024

SUN	MON	TUE	WED	THU	FRI	SAT
26 Week 22/Day 147	27 Day 148	28 Day 149	29 Day 150	30 Day 151	31 Day 152	01 Day 153
	P & Z Meeting				Cutoff for July 1st P&Z PH	
02 Week 23/Day 154	03 Day 155	04 Day 156	05 Day 157	06 Day 158	07 Day 159	08 Day 160
		Council				
09 Week 24/Day 161	10 Day 162	11 Day 163	12 Day 164	13 Day 165	14 Day 166	15 Day 167
	P & Z Meeting				Cutoff for July 15th P&Z PH	
16 Week 25/Day 168	17 Day 169	18 Day 170	19 Day 171	20 Day 172	21 Day 173	22 Day 174
		Council				
23 Week 26/Day 175	24 Day 176	25 Day 177	26 Day 178	27 Day 179	28 Day 180	29 Day 181
30 Week 27/Day 182	01 Day 183	02 Day 184	03 Day 185	04 Day 186	05 Day 187	06 Day 188

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JUL 2024

SUN	MON	TUE	WED	THU	FRI	SAT
	P & Z Meeting			City Holiday 4th of July		
30 Week 27/Day 182	01 Day 183	02 Day 184	03 Day 185	04 Day 186	05 Day 187	06 Day 188
		Council			Cutoff for Aug 5th P&Z PH	
07 Week 28/Day 189	08 Day 190	09 Day 191	10 Day 192	11 Day 193	12 Day 194	13 Day 195
	P & Z Meeting					
14 Week 29/Day 196	15 Day 197	16 Day 198	17 Day 199	18 Day 200	19 Day 201	20 Day 202
		Council			Cutoff for Aug 19th P&Z PH	
21 Week 30/Day 203	22 Day 204	23 Day 205	24 Day 206	25 Day 207	26 Day 208	27 Day 209
28 Week 31/Day 210	29 Day 211	30 Day 212	31 Day 213	01 Day 214	02 Day 215	03 Day 216

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AUG 2024

SUN	MON	TUE	WED	THU	FRI	SAT
28 Week 31/Day 210	29 Day 211	30 Day 212	31 Day 213	01 Day 214	02 Day 215	03 Day 216
04 Week 32/Day 217	P & Z Meeting 05 Day 218	06 Day 219	07 Day 220	08 Day 221	Cutoff for Sept 2nd P&Z PH 09 Day 222	10 Day 223
11 Week 33/Day 224	12 Day 225	Council 13 Day 226	14 Day 227	15 Day 228	16 Day 229	17 Day 230
18 Week 34/Day 231	P & Z Meeting 19 Day 232	20 Day 233	21 Day 234	22 Day 235	Cutoff for Sept 16th P&Z PH 23 Day 236	24 Day 237
25 Week 35/Day 238	26 Day 239	Council 27 Day 240	28 Day 241	29 Day 242	30 Day 243	31 Day 244

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SEP 2024

SUN	MON	TUE	WED	THU	FRI	SAT
01 Week 36/Day 245	City Holiday Labor Day P & Z Meeting 02 Day 246	03 Day 247	04 Day 248	05 Day 249	Cutoff for Oct 7th P&Z PH 06 Day 250	07 Day 251
08 Week 37/Day 252	09 Day 253	Council 10 Day 254	11 Day 255	12 Day 256	13 Day 257	14 Day 258
15 Week 38/Day 259	P & Z Meeting 16 Day 260	17 Day 261	18 Day 262	19 Day 263	Cutoff for Oct 21st P&Z PH 20 Day 264	21 Day 265
22 Week 39/Day 266	23 Day 267	Council 24 Day 268	25 Day 269	26 Day 270	27 Day 271	28 Day 272
29 Week 40/Day 273	30 Day 274	01 Day 275	02 Day 276	03 Day 277	04 Day 278	05 Day 279

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OCT 2024

SUN	MON	TUE	WED	THU	FRI	SAT
29 Week 40/Day 273	30 Day 274	01 Day 275	02 Day 276	03 Day 277	04 Day 278	05 Day 279
06 Week 41/Day 280	P & Z Meeting 07 Day 281	Council 08 Day 282	09 Day 283	10 Day 284	Cutoff for Nov 4th P&Z PH 11 Day 285	12 Day 286
13 Week 42/Day 287	14 Day 288	15 Day 289	16 Day 290	17 Day 291	18 Day 292	19 Day 293
20 Week 43/Day 294	P & Z Meeting 21 Day 295	Council 22 Day 296	23 Day 297	24 Day 298	Cutoff for Nov 18th P&Z PH 25 Day 299	26 Day 300
27 Week 44/Day 301	28 Day 302	29 Day 303	30 Day 304	31 Day 305	01 Day 306	02 Day 307
		NOTES				

NOV 2024

SUN	MON	TUE	WED	THU	FRI	SAT
27 Week 44/Day 301	28 Day 302	29 Day 303	30 Day 304	31 Day 305	01 Day 306	02 Day 307
	P & Z Meeting				Cutoff for Dec 2nd P&Z PH	
03 Week 45/Day 308	04 Day 309	05 Day 310	06 Day 311	07 Day 312	08 Day 313	09 Day 314
	City Holiday Veteran's Day	Council				
10 Week 46/Day 315	11 Day 316	12 Day 317	13 Day 318	14 Day 319	15 Day 320	16 Day 321
	P & Z Meeting				Cutoff for Dec 16th P&Z PH	
17 Week 47/Day 322	18 Day 323	19 Day 324	20 Day 325	21 Day 326	22 Day 327	23 Day 328
		Council		City Holiday Thanksgiving	City Holiday Thanksgiving	
24 Week 48/Day 329	25 Day 330	26 Day 331	27 Day 332	28 Day 333	29 Day 334	30 Day 335
		NOTES				

DEC 2024

SUN	MON	TUE	WED	THU	FRI	SAT
	P & Z Meeting					
01 Week 49/Day 336	02 Day 337	03 Day 338	04 Day 339	05 Day 340	06 Day 341	07 Day 342
		Council			Cutoff for Jan 6th, 2025 P&Z PH	
08 Week 50/Day 343	09 Day 344	10 Day 345	11 Day 346	12 Day 347	13 Day 348	14 Day 349
	P & Z Meeting					
15 Week 51/Day 350	16 Day 351	17 Day 352	18 Day 353	19 Day 354	20 Day 355	21 Day 356
		City Holiday Christmas Eve	City Holiday Christmas		Cutoff for Jan 20th, 2025 P&Z PH	
22 Week 52/Day 357	23 Day 358	Council 24 Day 359	25 Day 360	26 Day 361	27 Day 362	28 Day 363
		City Holiday New Year's Eve				
29 Week 53/Day 364	30 Day 365	31 Day 366				

NOTES

PLANNING & ZONING COMMISSION AGENDA
Regular Meeting: Monday, November 6, 2023

AGENDA ITEM: 6

Discussion regarding vacancies on the Planning & Zoning Commission Board.

SUBMITTED BY: Community Planner / Carey Dietrich

BACKGROUND: There are currently two vacancies on the Planning & Zoning Commission Board which need to be filled. Mr. Kemp's position became vacant in September 2023 and Patti Impens has moved outside city limits.

FISCAL ANALYSIS: N/A

RECOMMENDATION: No recommendation – discussion only
