

**CITY OF FREEPORT
PLANNING COMMISSION
Tuesday, March 22, 2016, 6:00 P.M.
Freeport Police Department, Municipal Courtroom
430 North Brazosport Boulevard
Freeport, Texas**

AGENDA

Edward Garcia, Chairman
Cindy Cain
Royce McCoy

Lesla Girouard
Eddie Virgil

NOTICE is hereby given that the Planning Commission of the City of Freeport, Texas will meet in a regular meeting on **Tuesday, March 22, 2016 at 6:00 P.M.** at the Freeport Police Department, Municipal Courtroom, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

1. Open Meeting.
2. Invocation.
3. Approval of the Minutes for October 30 & November 2, 2015 meeting.
4. Consideration of erecting stop signs on North Ave. D between Quintana and McNeil.
5. Consideration of erecting stop signs on 8th Street and Magnolia, making it a 4 way stop sign intersection.
6. Consideration of approving a replat of Lots 1 & 2, Block 5, Velasco Townsite, being a replat of 0.1492 acres being lots 1 and 2, Block 5 of Velasco Townsite, according to the map or plat thereof recorded in volume 32, Page 14 of the deed records of Brazoria County, Texas being the same lots conveyed to Patrick L. & Mary Bel Garcia recorded in County Clerks file No. 2013-038059 of the official records of Brazoria County, Texas.
7. Adjourn.

NOTE: ITEMS NOT NECESSARILY DISCUSSED IN THE ORDER THEY APPEAR ON THE AGENDA. THE PLANNING COMMISSION, AT ITS DISCRETION, MAY TAKE ACTION ON ANY OR ALL OF THE ITEMS LISTED.

I, Delia Munoz, City Secretary, City of Freeport, Texas, hereby certify that this Agenda was posted on the official bulletin board/glass door of City Hall facing the rear parking lot of the building with 24-hour access at 200 West 2nd Street, Freeport, Texas on or before Friday, March 18, 2016 at 5:00 P.M.

**Delia Munoz, City Secretary
City of Freeport, Texas**

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Planning Commission & Traffic Commission of the City of Freeport met Friday, October 30, 2015 at 2:00 p.m. at Freeport Police Department, Municipal Courtroom, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

Planning Commission: Edward T. Garcia – Chairman
Cindy Cain - Absent
Royce McCoy
Lesa Girouard
Eddie Virgil

Staff: Jeff Pynes, City Manager
Delia Munoz, City Secretary

Visitors: Simon Virgil

Open Meeting.

Edward T. Garcia called the meeting to order at 2:00 p.m.

Consideration of approving the Minutes of October 19, 2015.

On a motion by Eddie Virgil, seconded by Royce McCoy, with all present voting “Aye”, the Planning Commission approved the October 19, 2015 minutes with the correction of changing Reverend to Deacon Williams.

Discuss and consider recommending to City Council to erect a yellow caution light(s) on the North & South ends of the median crossing Velasco Bridge.

On a motion by Liza Girouard, seconded by Royce McCoy, with all present voting “Aye” the Planners unanimously approved to recommend to City Council to erect a yellow caution light(s) on the North & South ends of the median crossing Velasco Bridge.

Discuss and consider recommending to City Council to amend the truck route.

On a motion by Royce McCoy, seconded by Eddie Virgil, with all present voting "Aye", the Planning Commission approved to recommend to City Council to amend the truck route.

Work Session:

A. Discussion by City Manager Jeff Pynes regarding truck route in the City.

Mr. Pynes updated the Planners on a proposed formal agreement with Port Freeport on unsafe roadway issues. The proposal is to route commercial Port traffic off FM 1495 down 5th Street to Terminal Street, then left on Terminal to Second Street and then right on Second Street to the intended Port Freeport designated entrance, a lesser impact to the residential population. The temporary permission of the re-route is for a period of 24 months and may be reconsidered based on conditions that pose further unsafe roadway conditions.

Adjourn.

On a motion by Royce McCoy, seconded by Lesa Girouard, with all present voting "Aye", Edward Garcia adjourned the meeting at 6:15 p.m.

Chairman Edward T. Garcia
City of Freeport, Texas

City Secretary, Delia Munoz
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Planning & Traffic Commission and the City Council of the City of Freeport met for a Joint Public Hearing on Monday, November 2, 2015 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council:

Mayor Norma Moreno Garcia
Councilman Larry L. McDonald – Absent
Councilman Fred Bolton
Councilwoman Sandra Loeza
Councilwoman Sandra Barbree

Planning Commission:

Edward T. Garcia
Cindy Cain
Royce McCoy
Lesa Girouard
Eddie Virgil

Staff:

Jeff Pynes, City Manager
Gilbert Arispe, Assistant City Attorney
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Dan Pennington, Police Chief
Bob Welch, Finance Director
Jennifer Hawkins, EDC

Visitors:

Scott Bounds	Brian Bagley
Beatriz Gonzalez	Denise Harper
Bobby Bass	Annette Sanford
Eric Hayes	Lila Diehl
Troy Brimage	Jerry Masters
Roddy Mohler	Manny Rollerson
Jim Pirrung	Jay Garcia
Richard Rangel	Sam Reyna
Lila Loyd	Melanie Oldham
Jerry Meeks	Raul Ramirez
Moby Burrige	Evelyn Burrige
Ricardo Loeza	Julie Swain

Open Meeting.

Edward T. Garcia called the meeting to order at 6:05 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Moreno Garcia led the Pledge of Allegiance.

Joint Public Hearing: The City Council of the City of Freeport, and the Planning Commission of said City will conduct a Joint Public Hearing to consider proposed amendment to the Comprehensive Zoning Ordinance of said City, codified as Chapter 155 of the Code of Ordinances of said City, amending said ordinances to include definitions of a public place and a non-regulated night club and a prohibitions of the use of any land in the City as such a club between 2:15 a.m. and 12:00 noon on Sunday and between 2:15 a.m. and 7:00 a.m. on other days and related provisions regarding the contents certificates of occupancy for such clubs, the rights of entry by the Building Official, any Building Inspector and any police officer, their rights and duties upon entering and the obligations of all occupants at that time.

There being a quorum with the Planning Commission and the City Council , Chairman Edward T. Garcia opened the Joint Public Hearing at 6:05 p.m. to consider proposed amendment to the Comprehensive Zoning Ordinance of said City, codified as Chapter 155 of the Code of Ordinances of said City, amending said ordinances to include definitions of a public place and a non-regulated night club and a prohibitions of the use of any land in the City as such a club between 2:15 a.m. and 12:00 noon on Sunday and between 2:15 a.m. and 7:00 a.m. on other days and related provisions regarding the contents certificates of occupancy for such clubs, the rights of entry by the Building Official, any Building Inspector and any police officer, their rights and duties upon entering and the obligations of all occupants at that time.

Chairman Edward T. Garcia asked for comments from audience and staff.

Chief Pennington updated Council with 22 incidents from 127 W. 2nd Street. Reports of gunshots fired, underage drinking, marijuana, trash outside the club, DWI, street sign ruined, assaults, public intoxication, large group of people gathering outside.

There being no more comments, Chairman Edward T. Garcia closed the Joint Public Hearing at 6:12 p.m. Mayor Garcia thanked the Planning Commission.

Make a recommendation to the City Council whether or to declare declaring the use of any land within the City as a Non-regulated Night Club, as defined in this ordinance, between 2:15 a.m. and 12:00 noon on Sunday between 2:15 a.m. and 7:00 a.m. on any other day to be a public nuisance to be abated as provided in this ordinance; amending Section 10.05(B) and 155.002 of the Code of Ordinances of said City to provide definitions; amending 155.023 of said Code of Ordinances to add thereto a new definition (P) prohibiting the use of any land or building in the City as a Non-Regulated Night Club between 2:15 A.M. and 12:00 noon on Sunday and between 2:15 A.M. and 7:00 A.M. on any other day; amending section 155.023 of said code to add thereto new division (O) requiring every certificate of occupancy issued for any premises which could be used as a

Non-Regulated Night Club shall state that the Building Official, any building inspector or police officer of the City shall have the right of entry to such premises during the hours mentioned in Division (P) for the purpose of determining whether or not such premises is in fact being used as a Non Regulated Night Club during such hours and, if so to verbally notify the occupants of such premises to immediately cease such use and providing that the continued use of such premises by any occupant for such propose after receiving such notice shall constitute a violation of the zoning ordinance of the city; ratifying and confirming all actions previously taken by the Planning Commission of said City or the City Council, or both.

On a motion by Royce McCoy, seconded by Lesa Girouard, with all present voting "Aye", the Planners unanimously approved to amend amending said ordinances to include definitions of a public place and a non-regulated night club and a prohibitions of the use of any land in the City as such a club between 2:15 a.m. and 12:00 noon on Sunday and between 2:15 a.m. and 7:00 a.m. on other days and related provisions regarding the contents certificates of occupancy for such clubs, the rights of entry by the Building Official, any Building Inspector and any police officer, their rights and duties upon entering and the obligations of all occupants at that time.

There being no more comments, Chairman Edward T. Garcia closed the Joint Public Hearing at 6:12 p.m. Mayor Norma M. Garcia thanked the Planning Commission.

Adjourn

Chairman Edward T. Garcia
City of Freeport, Texas

City Secretary Delia Munoz
City of Freeport, Texas

STATE OF TEXAS - COUNTY OF BRAZORIA

I, PATRICK L. GARZA, OWNER OF THE PROPERTY DESCRIBED IN BLOCK 5, OF VELASCO TOWNSITE, BRAZORIA COUNTY, PROPERTY ACCORDING TO THE LINES, LOTS, BUILDING LINE RIGHT-OF-WAY SHOWN HEREON, AND DESIGNATE SAID SUB-BLOCK 5, OF VELASCO TOWNSITE, BRAZORIA COUNTY, TO BE PUBLIC USE ALL STREETS FOR THEIR USE FOREVER, AND TO OCCASIONED BY THE ESTABLISHING OF GRADES AS APPROVED BY THE ALTERATION OF THE SURFACE OF ANY CONFORM TO SUCH GRADES, AND DO HEREBY BIND MYSELF TO WARRANT AND DEFEND THE TITLE OF THE LAND SO DEDICATED TO THE STATE OF TEXAS.

Patrick L. Garza
PATRICK L. GARZA

STATE OF TEXAS - COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBS AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 1st

Diana M. Vargas
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES 3-14-2017

STATE OF TEXAS - COUNTY OF BRAZORIA

I, MARY BEL GARZA, OWNER OF THE PROPERTY DESCRIBED IN BLOCK 5, OF VELASCO TOWNSITE, BRAZORIA COUNTY, PROPERTY ACCORDING TO THE LINES, LOTS, BUILDING LINE RIGHT-OF-WAY SHOWN HEREON, AND DESIGNATE SAID SUB-BLOCK 5, OF VELASCO TOWNSITE, BRAZORIA COUNTY, TO BE PUBLIC USE ALL STREETS FOR THEIR USE FOREVER, AND TO OCCASIONED BY THE ESTABLISHING OF GRADES AS APPROVED BY THE ALTERATION OF THE SURFACE OF ANY CONFORM TO SUCH GRADES, AND DO HEREBY BIND MYSELF TO WARRANT AND DEFEND THE TITLE OF THE LAND SO DEDICATED TO THE STATE OF TEXAS.

Mary Bel Garza
MARY BEL GARZA

STATE OF TEXAS - COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBS AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 1st

Diana M. Vargas
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES 3-14-2017

STATE OF TEXAS - COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBS AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME THEREIN EXPRESSED.



OWNERS: PATRICK LEONARDO & MARY BEL GARZA
8 SOUTH AVENUE D
FREEPORT, TX 77554

STATE OF TEXAS
COUNTY OF BRAZORIA

MARCH 1, 2016.

I, GEORGE K. LAINE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I HAVE PLATTED THE ABOVE SUBDIVISION REFLAT FROM AN ACTUAL SURVEY MADE ON THE GROUND, AND ALL LOTS ARE PROPERLY MARKED WITH 1/2" IRON RODS MARKED WITH A CAP LABELED "PINPOINT KPLS 6086", AND THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE UNDER MY SUPERVISION.

CINDY CAIN, CHAIRPERSON

LESA GIROUARD, CHAIRPERSON

ITM REGISTRATION NO. 0150200
**Surveying & Mapping
INT LLC**

4, Lake Jackson, Tx 77566
-3373 Fax (979) 299-3307

EMENTS WITHIN THE BOUNDARIES OF

WAYS SHALL BE KEPT CLEAR OF
INGS AND OTHER OBSTRUCTIONS TO THE
IMAGE FACILITY.

1. "X" AND IS NOT WITHIN THE 100 YEAR
HAZARD MAP OF BRAZORIA COUNTY.
2. 0780, SUFFEX "I", BASE N/A. DATED:
19 SHOULD CONSULT WITH THE LOCAL
T BEFORE COMMENCING
ED FLOOR ELEVATION.

4 DEPTH MARKED WITH A PLASTIC CAP
OTHERWISE LABELED 7/5 FOUND.

5 TWO LOTS INTO ONE TRACTS.

6 RECORDED PLAT OF VELASCO
P.R.B.C. BEING - N 56° 56' 00" W.

300 DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT OR

THE BOUNDARIES OF THIS SUBDIVISION ARE
THE FACILITIES DESCRIBED IN THIS PLAT.

100 IN THIS SUBDIVISION ARE ADEQUATE FOR
IMAGE DISTRICT MINIMUM REQUIREMENTS (10 YEAR

MENTS HAVE BEEN DETERMINED BY THE VELASCO

ONSIBILITY FOR CONSTRUCTION, OPERATION OR
AGE FACILITIES.

15 RESPONSIBLE FOR FLOOD PLAIN ADMINISTRATION
ENT PERMITS.

D ON THE DOCUMENTATION SUBMITTED FOR REVIEW AND A
Y THE TEXAS PROFESSIONAL ENGINEER. THE DISTRICT'S REVIEW
A SUBSTITUTION OF THE OVERALL RESPONSIBILITY AND/OR
ING THE PLAN OR PLAT HEREIN, THEIR OR ITS PRINCIPALS OR