

**NOTICE OF SPECIAL 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 SPECIAL MEETING ON:

MONDAY, JANUARY 16, 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 December 15, 2016 regular meeting minutes.
5. Discussion and action regarding a replat of "Lots 1-3, Block 44; Lots 1-6 Block 45; and Lot 5 Block 51, Padre Beach Section IV", "Lots 5-6, Block 52, Padre Beach Section V", "Lot 1, Blocks 51 & 52", "a part of Whiting Street closed by Ordinance No. 07-09 and Ordinance No. 16-20" and "a part of Amberjack Street closed by Ordinance No. 07-09" into "Lot 1".
6. Discussion and action on issuing a 90-day extension to the subdivision Lot 2A, Block 96, Padre Beach Subdivision, Section VII. (ACE Hardware)
7. Adjournment.

DATED THIS THE 13TH DAY OF JANUARY 2017



Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFIED THAT THE ABOVE NOTICE OF SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRENT 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 JANUARY 13, 2017 AT/OR BEFORE 10:00 A.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, JAY MITCHIM; ADA DESIGNATED RESPONSIBLE PARTY AT (956)761-8103

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

THURSDAY, DECEMBER 15, 2016

I. CALL TO ORDER

The Planning and Zoning Commission of the City of South Padre Island, Texas held a Regular Meeting on Thursday, December 15, 2016 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, Art Teniente, and Kimberly Dollar. Members with an excused absence were Robert Bujanos and Beth Vance.

City staff members present were Development Director Sungman Kim and Administrative Assistant Marta Martinez.

II. PLEDGE OF ALLEGIANCE

Chairman McNulty led the Pledge of Allegiance.

III. PUBLIC COMMENTS AND ANNOUNCEMENTS

None.

IV. APPROVAL OF THE NOVEMBER 17, 2016 REGULAR MEETING MINUTES.

Mr. McNulty announced the item and asked the Commission members if they had any corrections to the November 17, 2016 regular meeting minutes. Ms. Dollar made a motion, seconded by Mr. Olle to approve as submitted. Motion passed on a 4:0:1 vote. Mr. Teniente abstained.

V. PUBLIC HEARING REGARDING “LOTS 21, 22, AND 23, BLOCK 201, FIESTA ISLES, SECTION XII”, PROPOSIG TO REPLAT THEM INTO “LOTS 21A AND 23A”.

Mr. McNulty announced the item and asked for a staff report. Dr. Kim gave a brief summary regarding this agenda item. Mr. McNulty then opened the public hearing at 3:03 p.m. and asked if anyone from the public wished to speak in favor and/or against this agenda item. Hearing none, Mr. McNulty then closed the public hearing at 3:04 p.m.

VI. DISCUSSION AND ACTION REGARDING “LOTS 21, 22, AND 23, BLOCK 201, FIESTA ISLES, SECTION XII”, PROPOSIG TO REPLAT THEM INTO “LOTS 21A AND 23A”.

Mr. McNulty announced the item and asked the Commissioners for their comments/concerns regarding this matter. Mr. Teniente made a motion, seconded by Mr. Huffman to approve. Motion carried unanimously.

VII. DISCUSSION AND ACTION REZONING “LOTS 11 AND 13A, THE SHORES SUBDIVISION, MARINA VILLAGE PHASE, SECTION 2”, PROPOSING TO MERGE THEM INTO “LOT 11A”.

Mr. McNulty announced the item and asked for a staff report. Dr. Kim gave a brief summary regarding this agenda item. Ms. Dollar made a motion, seconded by Mr. Teniente to approve. Motion carried unanimously.

VIII. ADJOURNMENT

There being no further business, Mr. McNulty adjourned the meeting at 3:10 p.m.

Marta Martinez, Secretary

Patrick McNulty, Chairman

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: January 16, 2017

ITEM: 5

TO: Planning and Zoning Commission

FROM: Sungman Kim, Director of Development Services

ITEM DESCRIPTION:

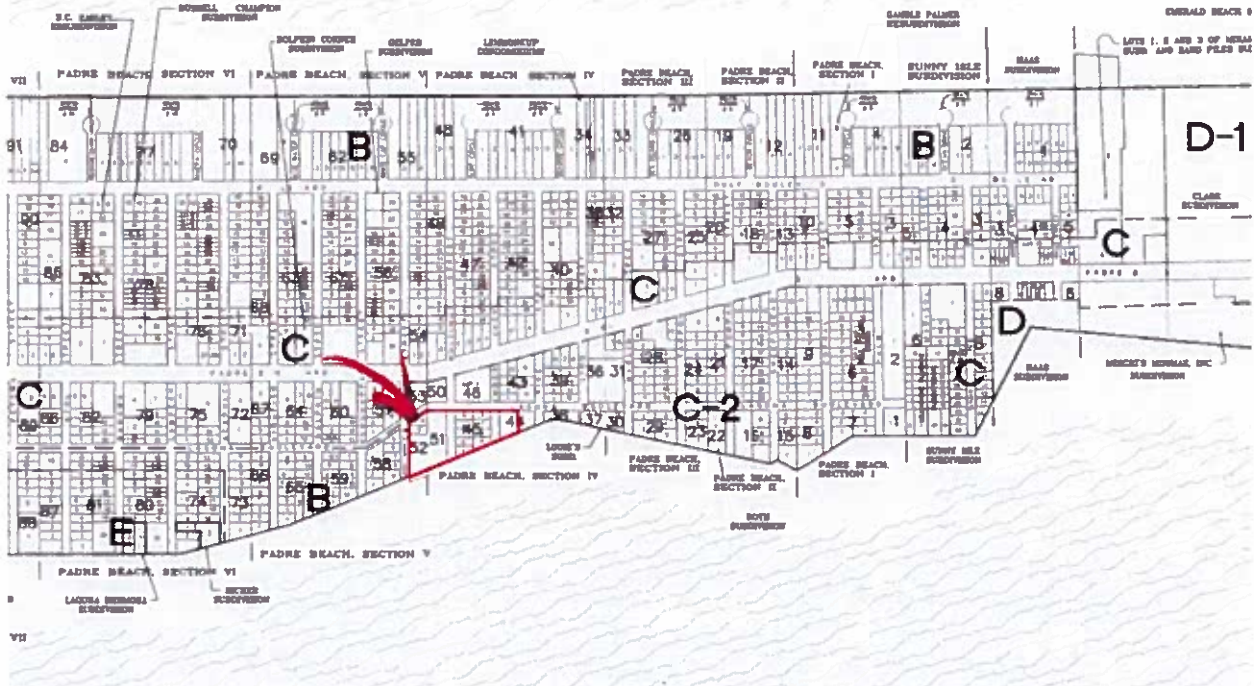
Discussion and action regarding a replat of “Lots 1-3, Block 44; Lots 1-6 Block 45; and Lot 5 Block 51, Padre Beach Section IV”, “Lots 5-6, Block 52, Padre Beach Section V”, “Lot 1, Blocks 51 & 52”, “a part of Whiting Street closed by Ordinance No. 07-09 and Ordinance No. 16-20” and “a part of Amberjack Street closed by Ordinance No. 07-09” into “Lot 1”.

DISCUSSION:

The Ownership

1. The lots belong to Skipjack Properties, LLC according to the Special Warranty Deed dated July 03, 2015.

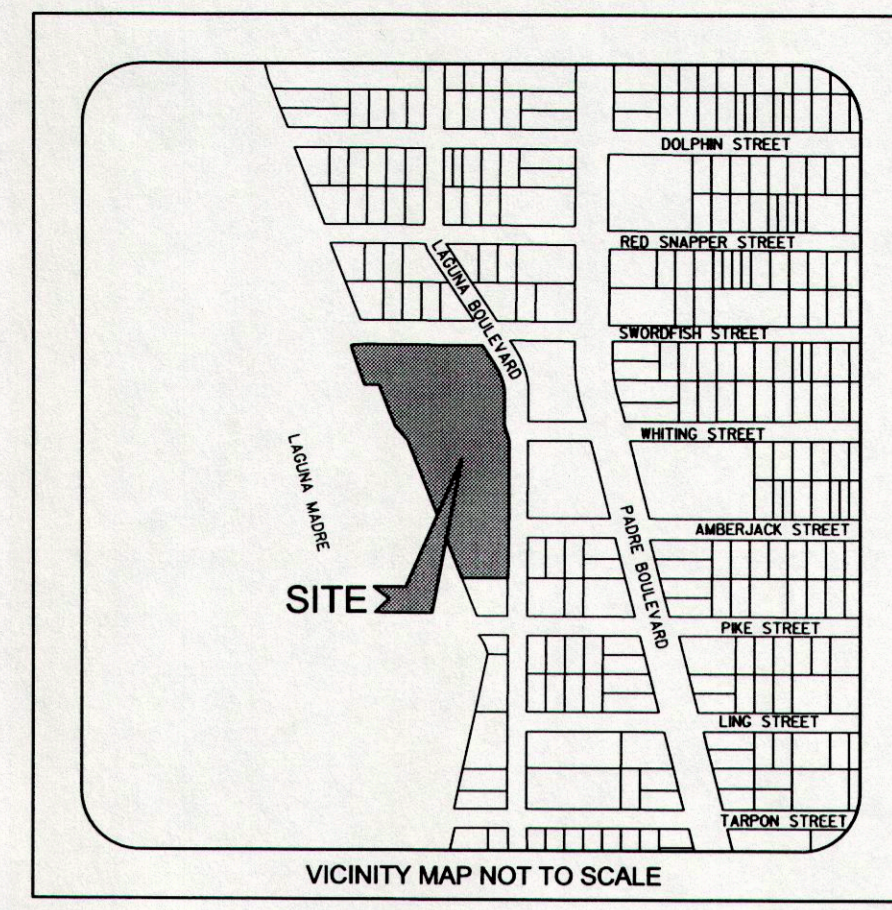
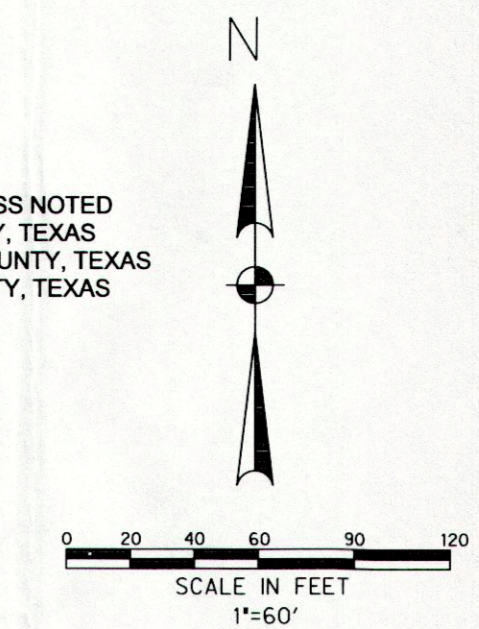
Location



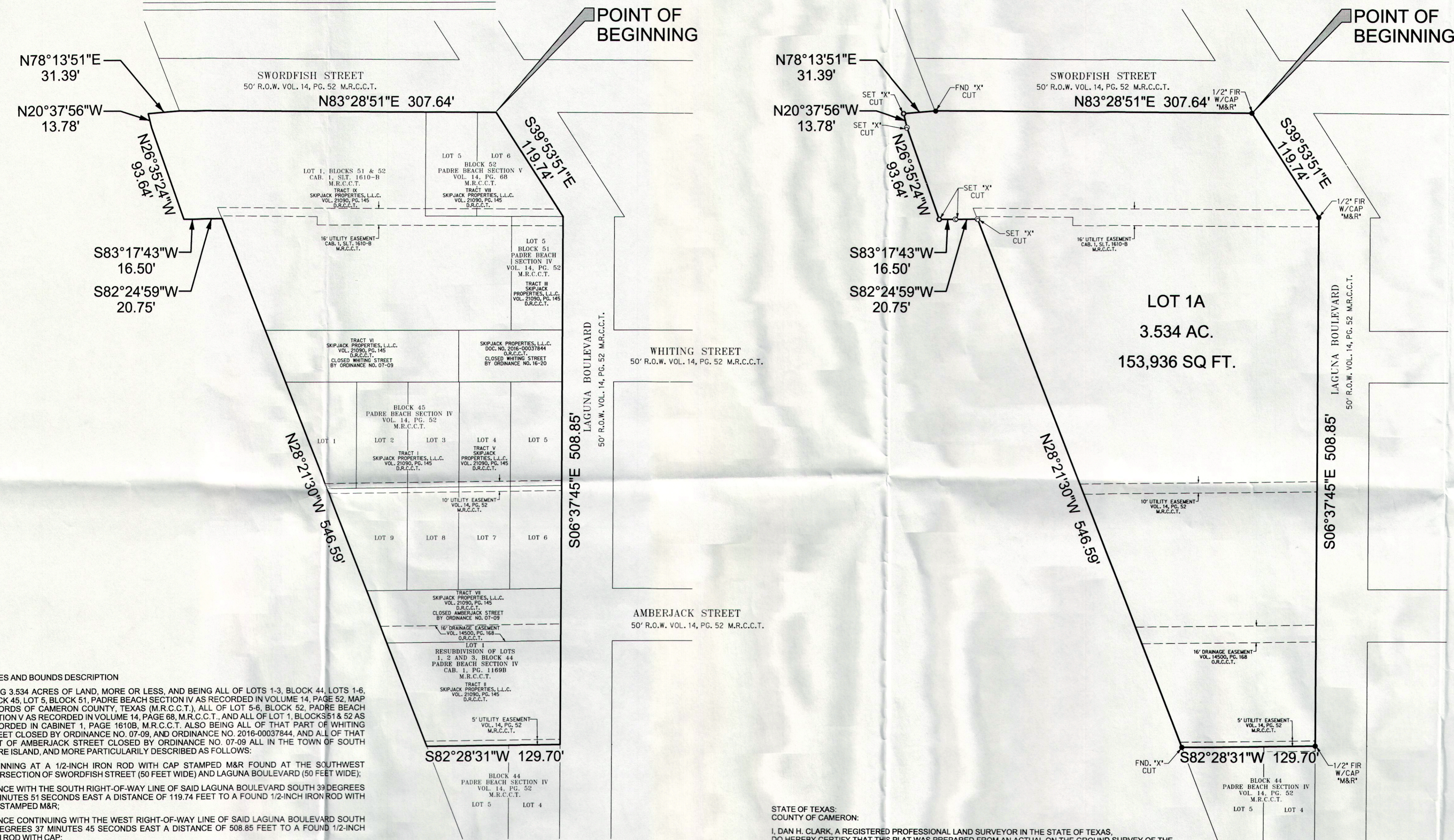
2. The lots are surrounded by Laguna Madre, Swordfish Street, Laguna Boulevard, and Lots 4 & 5, Block 44.

- NOTES:
1. BASIS OF BEARING BEING THE ST THE BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH ZONE (4205). ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.
 2. BY SCALING THE SURVEYED TRACT ONTO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NO. 480118001D, EFFECTIVE DATE MARCH 9, 1999, THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE "AE", SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD; BASE FLOOD ELEVATIONS DETERMINED (ELEV).
 3. THIS LOT IS ZONED "BF" BAYFRONT CHARACTER DISTRICT, PER CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND.
 4. ZONE "BF" SETBACKS PER SECTION 20-8.1 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND.
 5. PER SECTION 23.14(F), A DEVELOPER SHALL INSTALL A SIDEWALK ON A PUBLIC STREET RIGHT-OF-WAY WHICH IS ONE (1) FOOT FROM THE FRONT LOT LINE. SIDEWALK SHALL BE A MINIMUM OF EIGHT (8) FEET IN BUSINESS AREAS AND, PER SECTION 23.15, A PERFORMANCE GUARANTEE SHALL BE SUBMITTED TO THE CITY.

- LEGEND
- FIR - FOUND IRON ROD
 - - SET MONUMENT
 - W/CAP - WITH CAP STAMPED "HALL" UNLESS NOTED
 - M.R.C.C.T. - MAP RECORDS, CAMERON COUNTY, TEXAS
 - O.R.C.C.T. - OFFICIAL RECORDS, CAMERON COUNTY, TEXAS
 - D.R.C.C.T. - DEED RECORDS, CAMERON COUNTY, TEXAS
 - VOL. - VOLUME
 - PG. - PAGE
 - CAB. - CABINET



PROPERTY PRIOR TO REPLAT



METES AND BOUNDS DESCRIPTION

BEING 3.534 ACRES OF LAND, MORE OR LESS, AND BEING ALL OF LOTS 1-3, BLOCK 44, LOTS 1-6, BLOCK 45, LOT 5, BLOCK 51, PADRE BEACH SECTION IV AS RECORDED IN VOLUME 14, PAGE 52, MAP RECORDS OF CAMERON COUNTY, TEXAS (M.R.C.C.T.), ALL OF LOT 5-6, BLOCK 52, PADRE BEACH SECTION V AS RECORDED IN VOLUME 14, PAGE 68, M.R.C.C.T., AND ALL OF LOT 1, BLOCKS 51 & 52 AS RECORDED IN CABINET 1, PAGE 1610B, M.R.C.C.T., ALSO BEING ALL OF THAT PART OF WHITING STREET CLOSED BY ORDINANCE NO. 07-09, AND ORDINANCE NO. 2016-00037844, AND ALL OF THAT PART OF AMBERJACK STREET CLOSED BY ORDINANCE NO. 07-09 ALL IN THE TOWN OF SOUTH PADRE ISLAND, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD WITH CAP STAMPED M&R FOUND AT THE SOUTHWEST INTERSECTION OF SWORDFISH STREET (50 FEET WIDE) AND LAGUNA BOULEVARD (50 FEET WIDE);

THENCE WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID LAGUNA BOULEVARD SOUTH 39 DEGREES 53 MINUTES 51 SECONDS EAST A DISTANCE OF 119.74 FEET TO A FOUND 1/2-INCH IRON ROD WITH CAP STAMPED M&R;

THENCE CONTINUING WITH THE WEST RIGHT-OF-WAY LINE OF SAID LAGUNA BOULEVARD SOUTH 06 DEGREES 37 MINUTES 45 SECONDS EAST A DISTANCE OF 508.85 FEET TO A FOUND 1/2-INCH IRON ROD WITH CAP;

THENCE LEAVING THE WEST RIGHT-OF-WAY LINE OF SAID LAGUNA BOULEVARD SOUTH 82 DEGREES 28 MINUTES 31 SECONDS WEST A DISTANCE OF 129.70 FEET TO A FOUND X-CUT;

THENCE NORTH 28 DEGREES 21 MINUTES 30 SECONDS WEST A DISTANCE OF 546.59 FEET TO A SET X-CUT;

THENCE SOUTH 82 DEGREES 24 MINUTES 59 SECONDS WEST A DISTANCE OF 20.75 FEET TO A SET X-CUT;

THENCE SOUTH 83 DEGREES 17 MINUTES 43 SECONDS WEST A DISTANCE OF 16.50 FEET TO A SET X-CUT;

THENCE NORTH 26 DEGREES 35 MINUTES 24 SECONDS WEST A DISTANCE OF 93.64 FEET TO A SET X-CUT;

THENCE NORTH 20 DEGREES 37 MINUTES 56 SECONDS WEST A DISTANCE OF 13.78 FEET TO A SET X-CUT;

THENCE NORTH 78 DEGREES 13 MINUTES 51 SECONDS EAST A DISTANCE OF 31.39 FEET TO A FOUND X-CUT IN THE SOUTH RIGHT-OF-WAY LINE OF SAID SWORDFISH STREET;

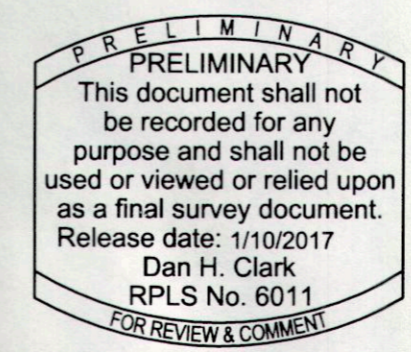
THENCE WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID SWORDFISH STREET NORTH 83 DEGREES 28 MINUTES 51 SECONDS EAST A DISTANCE OF 307.64 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.534 ACRES (153,936 SQUARE FEET) OF LAND.

STATE OF TEXAS,
COUNTY OF CAMERON:

I, DAN H. CLARK, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL ON THE GROUND SURVEY OF THE PROPERTY MADE UNDER MY DIRECTION.

PRELIMINARY This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

DAN H. CLARK
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6011



STATE OF TEXAS,
COUNTY OF CAMERON:

I, RAUL GARCIA, JR., A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

PRELIMINARY This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

RAUL GARCIA, JR.
LICENSED PROFESSIONAL ENGINEER
P.E. REGISTRATION NO. 94855

STATE OF TEXAS
COUNTY OF CAMERON

I, THE UNDERSIGNED, PAUL J. CURTIN, MEMBER OF "SKIPJACK PROPERTIES, LLC", OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS "SKIPJACK BAYFRONT SUBDIVISION", WITHIN THE CITY OF SOUTH PADRE ISLAND OR ITS ETJ, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATED TO THE APPROPRIATE PUBLIC OR PRIVATE ENTITY FOR THE BENEFIT OF THE PUBLIC OR PRIVATE ENTITY FOR THE BENEFIT OF THE PUBLIC OR PRIVATE LAND OWNERS, ALL STREETS, ALLEYS PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OR CONSIDERATION THEREIN EXPRESSED.

PAUL J. CURTIN
SKIPJACK PROPERTIES, LLC.

STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, PAUL J. CURTIN, AUTHORIZED REPRESENTATIVE OF SKIPJACK PROPERTIES, LLC, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF ____ 2016.

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED <NAME>, PRESIDENT OF <BANK>, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF ____ 2016.

STATE OF TEXAS
COUNTY OF CAMERON

THE UNDERSIGNED HEREBY CERTIFIES THAT ALL AD VALOREM TAXES OWED TO ALL OF THE TAXING UNITS, REPRESENTED BY THE UNDERSIGNED ARE CURRENTLY PAID IN FULL FOR THE AREA INSIDE THE BOUNDARIES OF "LOT XXX, BLOCK XXX, SUBDIVISION," DEPICTED HEREON.

APPROVED: _____
TONY YZAGUIRRE, JR.
ASSESSOR AND COLLECTOR OF TAXES, CAMERON COUNTY, TEXAS.
ASSESSOR AND COLLECTOR OF TAXES, POINT ISABEL INDEPENDENT SCHOOL DISTRICT

LAGUNA MADRE WATER DISTRICT'S CERTIFICATION

THE SUBJECT PROPERTY, AS SHOWN ON THIS PLAT, HAS EXISTING WATER AND SEWER FACILITIES THAT ARE IN COMPLIANCE WITH THE TEXAS WATER CODE SECTION 16.343, AS AMENDED.

DATE _____

CARLOS J. GALVAN, JR. - GENERAL MANAGER
LAGUNA MADRE WATER DISTRICT

STATE OF TEXAS
COUNTY OF CAMERON

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, THIS THE ____ DAY OF ____ 2016.

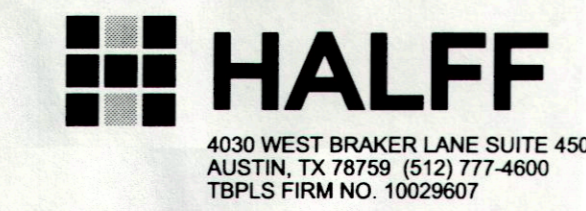
PLANNING AND ZONING COMMISSION CHAIR _____ PUBLIC WORKS DIRECTOR _____

STATE OF TEXAS
COUNTY OF CAMERON

I, SYLVIA GARZA-PEREZ, COUNTY CLERK OF CAMERON COUNTY, CERTIFY THAT THE PLAT BEARING THIS CERTIFICATE WAS FILED AND DULY RECORDED ON THE ____ DAY OF ____ 2016 AT ____ O'CLOCK ____ M IN THE MAP RECORDS OF CAMERON COUNTY, TEXAS DEPUTY DOCUMENT NO. _____ BY: _____

PRELIMINARY PLAT OF
SKIPJACK BAYFRONT SUBDIVISION

BEING A RE-PLAT OF LOTS 1-3, BLOCK 44, LOTS 1-6, BLOCK 45, LOT 5, BLOCK 51, PADRE BEACH SECTION IV AS RECORDED IN VOLUME 14, PAGE 52, MAP RECORDS OF CAMERON COUNTY, TEXAS (M.R.C.C.T.), ALL OF LOT 5-6, BLOCK 52, PADRE BEACH SECTION V AS RECORDED IN VOLUME 14, PAGE 68, M.R.C.C.T., AND ALL OF LOT 1, BLOCKS 51 & 52 AS RECORDED IN CABINET 1, PAGE 1610B, M.R.C.C.T. ALSO BEING ALL OF THAT PART OF WHITING STREET CLOSED BY ORDINANCE NO. 07-09, AND ORDINANCE NO. 16-20, AND ALL OF THAT PART OF AMBERJACK STREET CLOSED BY ORDINANCE NO. 07-09



**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: January 16, 2017

ITEM: 6

TO: Planning and Zoning Commission

FROM: Sungman Kim, Director of Development Services

ITEM DESCRIPTION:

Discussion and action on issuing a 90-day extension to the subdivision Lot 2A, Block 96, Padre Beach Subdivision, Section VII. (ACE Hardware)

DISCUSSION:

BACKGROUNDS

November 17, 2016, the Planning and Zoning Commission approved a replat of "Lots 2 and 3, Block 96, Padre Beach Subdivision, Section VII", merging into "Lot 2A".

On December 7, 2016, the City Council denied the proposed rezoning for the ACE Hardware development.

Since then, the owners have been thinking of ways to develop the ACE Hardware and asked the City to extend the period of validity for the approved replat, while requesting the City Council revisit the rezoning case.

CODE SECTION

Sec.23.12 (5) Period of Validity. Approval of the record plat shall be effective for a period of sixty (60) calendar days following the date of Commission approval, at the end of which time, recording of the record plat with the County Clerk's Office must have been completed. If any record plat is not filed within this time period, the record plat shall be null and void and the applicant shall be required to resubmit a new plat for approval subject to all zoning and subdivision regulations in effect at the time of resubmission. At the request of the applicant, and upon cause shown, the Planning and Zoning Commission may extend the approval of the record plat not to exceed one (1) year beyond this expiration date.

STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission extend the period of validity for additional 90 days.

