

CITY of ROCKPORT, TEXAS



**PLANNING AND ZONING
PACKET**

JANUARY 18, 2021

PLANNING & ZONING COMMISSION AGENDA

Notice is hereby given that the Rockport Planning & Zoning Commission will hold a meeting on Monday, January 18, 2020, at 5:30 p.m. The meeting will be held using the video conferencing application ZOOM. **No in-person meeting will be conducted at the Rockport Service Center.** A temporary suspension of the Open Meetings Act to allow telephone or video conference public meeting has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. Video conferencing capabilities will be utilized to allow individuals to address the Planning & Zoning Commission. Members of the public are entitled to participate remotely via Zoom at <https://us02web.zoom.us/j/86130179019> or scan the QR code to the right.



SCAN ME

Due to the COVID-19 pandemic, the attorney general has said: “statutes that may be interpreted to require face-to-face interaction between members of the public and public officials are suspended; provided, however, that the governmental bodies must offer alternative methods of communicating with their public officials.” Public participation is valued and citizens wishing to express their views on agenda items can either 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.



SCAN ME

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

Opening Agenda

1. Call meeting to order.

Regular Agenda

2. Deliberate and act on approval of the regular meeting minutes of December 14, 2020.
3. Deliberate and act on a request to rezone property located at 309 West Market Street; also known as East 90 feet of Lots 9, 10, and 11, Block 153, Doughty and Mathis Division, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for retail and office space, currently zoned R-1 (1st Single Family Dwelling District).
4. Deliberate plan for future discussions on potential ordinance amendments to Chapter 118 “Zoning”.
5. Adjournment.

Special Accommodations

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 the City Secretary's office at (361) 729-2213 ext. 225 or fax (361) 790-5966 or e-mail citysec@cityofrockport.com for further information. Braille is not available.

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 Thursday, January 14, 2021, at 11:00 a.m. and on the City's website at www.cityofrockport.com. 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 MINUTES

On this the 14th day of December 2020, the Planning and Zoning Commission of the City of Rockport held a meeting at 5:30 p.m. The meeting was held using the video conferencing application ZOOM. No in-person meeting was held at the Rockport Service Center. A temporary suspension of the Open Meetings Act to allow telephone or video conference public meeting has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Members Present

Ruth Davis – Chair
Maynard Green – Vice Chairman
Diana Severino-Saxon – Secretary
Kim Hesley
Ric Young

Members Absent

Warren Hassinger – (EX)
Kent Howard – (EX)

Staff Members Present

Mike Donoho, Director Building and Development
Amanda Torres, Community Planner
Mary Bellinger, Assistant to Director
J D Villa – Liaison

Guest(s) Present

Seven (7)

Call to Order

1. Called meeting to order at approximately 5:30 p.m.
2. Deliberate and act on approval of the regular meeting minutes of November 16, 2020.

Chair Davis asked for a motion to accept the November 16, 2020 regular meeting minutes. Secretary Severino-Saxon moved to accept the November 16, 2020 minutes as presented. Member Hesley seconded the motion. All voted in favor.

3. Deliberate and act on a request to rezone property located at 607 South Church Street; also known as the south 35 feet of Lot 2, all of Lot 3, and the north half of Lot 4, Mathis Subdivision, City of Rockport, Aransas County, Texas; to R-2 (2nd Single Family Dwelling District) to preserve residential feel of neighborhood: currently zoned B-1 (General Business District).

Community Planner Amanda Torres spoke.

Applicant Josei Fayerso spoke.

After a brief discussion Chair Davis asked if there were any other questions or comments. Hearing none, Chair Davis asked for a motion.

MOTION:

Vice Chairman Green moved to accept the request to rezone property located at 607 South Church Street, R-2 (2nd Single Family Dwelling District). Member Young seconded the motion. With all members voting in favor and no one opposed - motion carried unanimously.

4. Deliberate and act on a request to rezone property located at 1123 West Market Street; also known as Lot 7 and Lots 16-20, Block 4, West Terrace Subdivision Unit 1, City of Rockport, Aransas County, Texas; to B-1 (General Business District) to bring land use into a conforming zoning district; Currently zoned R-1 (1st Single Family Dwelling District).

Property owner Floyd Clark spoke.
Community Planner Amanda Torres spoke.

After a brief discussion Chair Davis asked if there were any other questions or comments. Hearing none, Chair Davis asked for a motion.

MOTION:

Vice Chairman Green moved to accept the request to rezone property located at 1123 West Market Street, B-1 (General Business District). Secretary Severino-Saxon seconded the motion. With all members voting in favor and no one opposed - motion carried unanimously.

5. Deliberate and act on a request to rezone property located at 1711-1715 Sixteenth Street: also known as 10.57 acres embracing a portion of Tract 8, Lying west of Texas State Highway 35 relief route, and the east one-half of Tract 84, Block 250, Foor and Swickheimer Subdivision, City of Rockport, Aransas County, Texas; to B-1 (General Business District) to prepare property of commercial use, currently zoned R-1 (1st Single Family Dwelling District).

Property owner's representative Jim Paxton spoke.
Community Planner Amanda Torres spoke.

After a brief discussion Chair Davis asked if there were any other questions or comments. Hearing none, Chair Davis asked for a motion.

MOTION:

Member Hesley moved to accept the request to rezone property located at 1711-1715 Sixteenth Street, B-1 (General Business District). Vice Chairman Green seconded the motion. With all members voting in favor and no one opposed - motion carried unanimously.

6. Deliberate and act on a Final Plat submitted by Elsley, LLC for development of a single-family dwelling development subdivision to be known as The Villages at Logan's Crossing P.U.D., Unit 1, located at 3090-3098 State Highway 35 Bypass.

Property owner Kevin Jamison spoke.
Community Planner Amanda Torres spoke.

After a brief discussion Chair Davis asked if there were any other questions or comments. Hearing none, Chair Davis asked for a motion.

MOTION:

Secretary Severino-Saxon moved to accept the Final Plat for The Villages at Logan's Crossing P.U.D., located at 3090-3098 State Highway 35 Bypass. Member Young seconded the motion. With all members voting in favor and no one opposed - motion carried unanimously.

7. Deliberate and act on a Final Plat submitted by Kontiki Beach Resort Partner, LP for development of a single-family dwelling development subdivision in the ETJ (extraterritorial jurisdiction) to be known as Fulton Beach Landings, Unit 1, located at 2261 N. Fulton Beach Road.

Property owner's representative Brandi Karl spoke.
Community Planner Amanda Torres spoke.

After a brief discussion Chair Davis asked if there were any other questions or comments. Hearing none, Chair Davis asked for a motion.

MOTION:

Member Young moved to accept the Final Plat for Fulton Beach Landings, Unit 1, located at 2261 N. Fulton Beach Road. Member Hesley seconded the motion. With all members voting in favor and no one opposed - motion carried unanimously.

Adjournment

There being no further business, Chair Davis adjourned the meeting at approximately 6: 05 p.m.

Prepared By:

Mary Bellinger, Assistant to Director

Approved By:

Ruth Davis, Chair

Diana Severino-Saxon, Secretary

PLANNING & ZONING AGENDA
Regular Meeting: Monday, January 18, 2021

AGENDA ITEM: 3

Deliberate and act on a request to rezone property located at 309 West Market Street; also known as East 90 feet of Lots 9, 10, and 11, Block 153, Doughty and Mathis Division, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for retail and office space, currently zoned R-1 (1st Single Family Dwelling District).

SUBMITTED BY: Community Planner Amanda Torres

APPROVED FOR AGENDA:

BACKGROUND: Property owner HHSO Property/Harper Gerhardt has submitted an application seeking a request to rezone located at 309 West Market Street; also known as East 90 feet of Lots 9, 10, and 11, Block 153, Doughty and Mathis Division, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for retail and office space, currently zoned R-1 (1st Single Family Dwelling District).

The property in question was annexed by the City of Rockport in 2017. Because this property was incorporated into the city as part of an annexation, this and surrounding properties were designated as R-1 (1st Single Family Dwelling District) in accordance to the City's zoning policy for newly annexed territory (City of Rockport Code of Ordinances, Chapter 118 Zoning, Article 5 Newly Annexed Territory). The 2011 Future Land Use Map indicated the south side of Market Street as residential. However, existing land uses along this stretch are commercial.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, December 12, 2020 edition and mailed out to twenty property owners within a 200-foot radius of the property. Two letters against the request have been received. A Joint Public Hearing was held on Tuesday, January 12. Two comments against the request were read into the record.

Please see the accompanying zoning change request application and Section 118-15 of Code of Ordinances for detail information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends that Planning & Zoning Commission recommend approval to City Council of the request to rezone property located at 309 West Market Street; also known as East 90 feet of Lots 9, 10, and 11, Block 153, Doughty and Mathis Division, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for retail and office space, currently zoned R-1 (1st Single Family Dwelling District).

STAFF REPORT

Building & Development Services | Amanda Torres, Community Planner
 2751 SH 35 Bypass, Rockport, TX 78362
 Phone: (361) 790-1125, x. 226 | Email: communityplanner@cityofrockport.com



PROPERTY ADDRESS/LOCATION
 309 W Market

APPLICANT/PROPERTY OWNER
 HHSG Property/Harper Gerhardt

PUBLIC HEARING DATE
 Tuesday, January 12, 2021

P&Z DATE
 Monday, January 18, 2021

CITY COUNCIL DATE(S)
 1st Reading - Tuesday, January 26, 2021
 2nd Reading - Tuesday, February 9, 2021

BRIEF SUMMARY OF REQUEST

Property owner HHSG Property/Harper Gerhardt has submitted an application seeking a request to rezone located at 309 West Market Street; also known as East 90 feet of Lots 9, 10, and 11, Block 153, Doughty and Mathis Division, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for retail and office space, currently zoned R-1 (1st Single Family Dwelling District). The property was annexed and therefore currently zoned R-1 (1st Single Family Residential District) due to annexation that was previously done.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, December 12, 2020 edition and mailed out to twenty property owners within a 200-foot radius of the property. Two letters against the request has been received. A Joint Public Hearing was held on Tuesday, January 12. Two comments against the request were read into the record.



MAP SOURCE: Pictometry

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-1 1 st Single Family Dwelling District	Undeveloped	North: R-1 1 st Single-Family Dwelling, businesses, undeveloped South: R-1 1 st Single-Family Dwelling, businesses, business East: R-1 1 st Single-Family Dwelling, businesses West: R-1 1 st Single-Family Dwelling, businesses	None requested	0.3099 acres

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

COMPATIBILITY with the ZONING ORDINANCE & FUTURE LAND USE MAP

Any future development will meet all setback requirements of the B-1 General Business District if approved.

The 2011 Future Land Use Map indicated the south side of Market Street as residential. However, existing land uses along this stretch have been commercial.

PROPERTY HISTORY

Compatibility with the planned development (or other controlling documents); traffic/parking; public works/utilities; engineering/flood plain/soil; building code/fire or design

The property is not within the Special Flood Hazard Area. Commercial plans including parking, drainage, building design, etc. will need to conform to the approved zoning district, if zoning is approved.

The property in question was annexed by the City of Rockport in 2017. Because this property was incorporated into the city as part of an annexation, this and surrounding properties were designated as R-1 (1st Single Family Dwelling District) in accordance to the City's zoning policy for newly annexed territory (City of Rockport Code of Ordinances, Chapter 118 Zoning, Article 5 Newly Annexed Territory).

ATTACHMENTS
 (CIRCLE)

SUBMITTED PLANS

**PUBLIC HEARING PETITION/
 APPLICATION FORM**

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

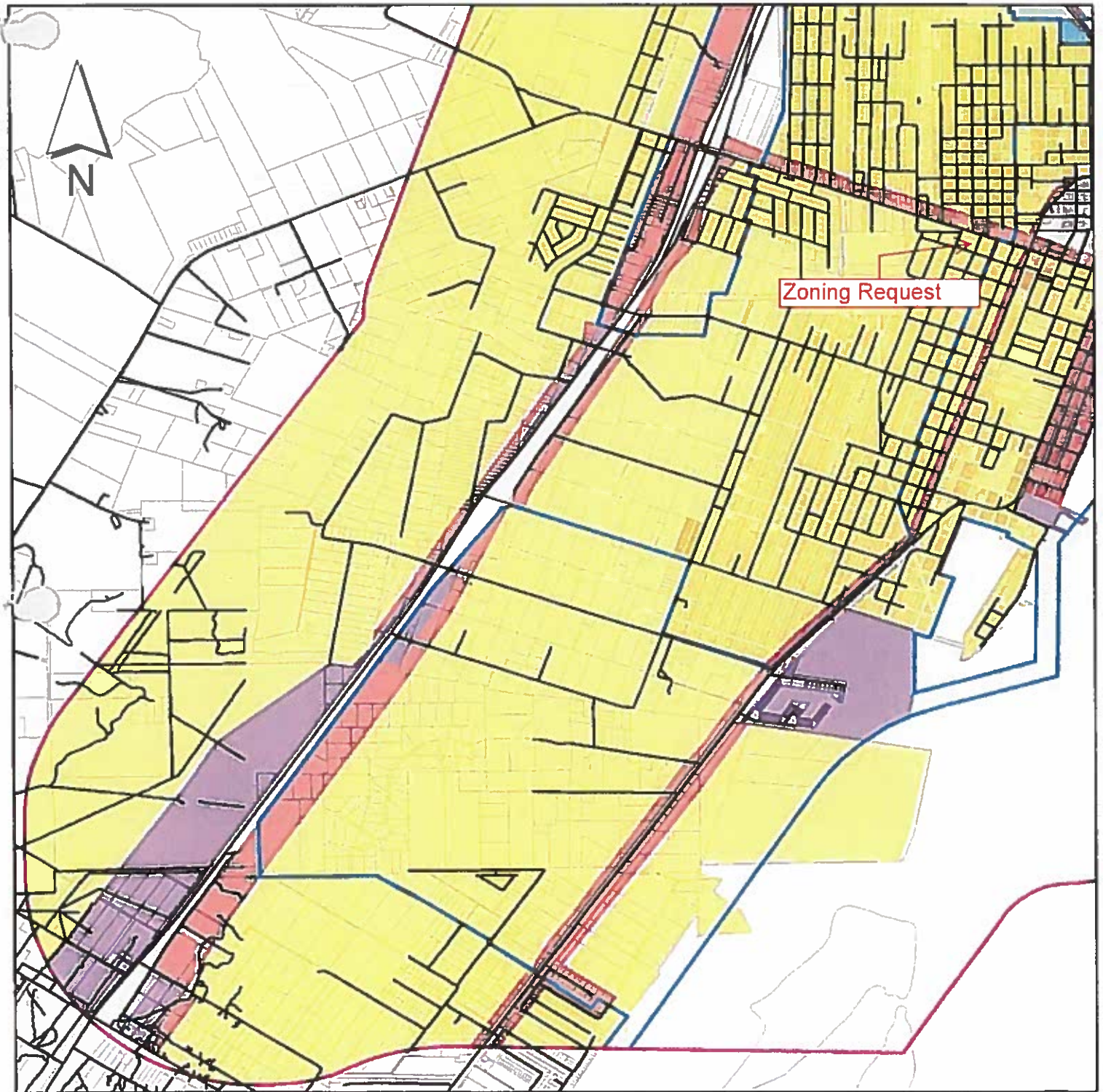
OTHER (DESCRIBE)







City of Rockport, Texas Study Area Future Land Use Map: Exhibit A



Legend

- | | | |
|----------------------|--------------------------|-----------------------|
| Rockport ETJ | Commercial/Business | Parks and Green Space |
| Rockport City Limits | Industrial | Public |
| Roads | Low Density Residential | Aransas Parcels |
| | Multi-family Residential | |

Article I. Zoning Ordinance*

Sec. 118-15. B-1 General Business District.

15.1 *Use Regulations.* The purpose of this district is to provide suitable locations for a wide variety of business and mercantile uses. In addition to the previous listed uses in R-1 through R-7 districts, land and premises may be used for:

1. Restaurants, cafes, food catering services.
2. Offices, banks, libraries, museums, etc.
3. Service stations, car washes, laundromats.
4. Malls, shopping centers, retail stores.
5. Shops (butcher shops, shoe shops, shell shops, etc., including pawn shops that have been licensed to transact business by the Consumer Credit Commissioner under Chapter 371, Finance Code).
6. Grocery stores, convenience stores, markets.
7. Retail markets (seafood/meat) and bait stands.
8. Entertainment facilities (theaters, bowling alleys, pool halls, clubs and lounges, etc).
9. Sales, service and repair shops (radio, television, shoe repair, tool repair and rental, lawn mower repair, auto and boat repair shops, etc).
10. Personal service shops (beauty salons, barber shops, tailoring and dressmaking shops, etc).
11. Storage buildings, auto storage yards.
12. Animal hospitals, boarding kennels and grooming shops.
13. Mortuaries and funeral homes.
14. Agricultural services, greenhouses and landscaping services.
15. Outdoor welding, fabricating operations, by CUP.
16. Permanent or long term (more than 30 days) public entertainment facilities or uses, by CUP. Such uses may include, but not be limited to, amusement parks, carnivals, circuses, marine life shows, dance/theatrical productions and natatoriums.
17. Fish houses, seafood processing plants, by CUP.
18. Adult entertainment, by CUP.

15.2 *Area and Yard Regulations.*

15.2.1 *Area of the Lot.* None required for non-dwelling uses. For dwelling uses, See [section 118-20] Table 20.

15.2.2 *Width of the Lot.* The minimum width of the lot shall be fifty (50) feet. See [\[section 118-20\]](#) Table 20.

15.2.3 *Area of the Building.* For a primary use structure, the minimum floor area shall be five hundred (500) square feet. See [\[section 118-20\]](#) Table 20.

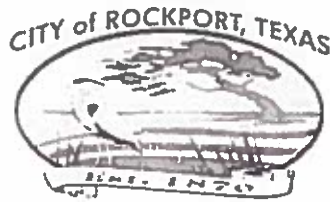
15.2.4 *Yard Area and Building Setbacks.* See [\[section 118-20\]](#) Table 20

15.3 *Height of the Building.* No building shall exceed forty five (45) feet in height. See Article 3 [\[section 118-3\]](#) Definitions and Article 20 [\[section 118-20\]](#).

15.4 *Parking Regulations.* Parking regulations for permitted uses as contained in Article 21 [\[section 118-21\]](#).

15.5 *Accessory Use Regulations.* Accessory uses, which are auxiliary or incidental to the primary use of a building or premises, as contained in Article 22 [\[section 118-22\]](#).

(Ord. No. 1027, art. 15, 4-9-96)



**CITY OF ROCKPORT
ZONING AND LAND DEVELOPMENT APPLICATION**

INSTRUCTION: Please fill out completely. If more space is needed, attach additional pages. Please print or use typewriter.

- A. REQUESTING: Rezoning ☒ Conditional Permit ☐
Planned Unit Development (P.U.D.) by Conditional Permit ☐
- B. ADDRESS AND LOCATION OF PROPERTY 309 W. MARKET ST, ROCKPORT, TX 78382
- C. CURRENT ZONING OF PROPERTY: R1
- D. PRESENT USE OF PROPERTY: NONE - EMPTY LOT
- E. ZONING DISTRICT REQUESTED: B1
- F. CONDITIONAL USE REQUESTED: _____
- G. LEGAL DESCRIPTION: (Fill in the one that applies)
- Lot or Tract 90' Lot 9, 10, 11 Block No 153
 - Tract DOUGHERTY & MATHES DIVISION of the ARANSAS COUNTY Survey as per metes and bounds (field notes attached)
 - If other, attach copy of survey or legal description from the Records of Aransas County or Appraisal District.
- H. NAME OF PROPOSED DEVELOPMENT (if applicable) _____
- I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): 13,500 Sq Ft
- J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT:
(Please be specific)
PLEASE SEE ATTACHED -

K. OWNER'S NAME: (Please print) HHS6 PROPERTY / HAROLD GEORGE
ADDRESS: 36 BAHAMA ST. NORTH
CITY, STATE, ZIP CODE: ROCKPORT, TX 78382
PHONE NO 713-498-8883

L. REPRESENTATIVE: (If Other Than Owner) _____
ADDRESS: _____
CITY, STATE, ZIP CODE: _____
PHONE NO _____

NOTE: Do you have property owner's permission for this request?
YES _____ NO _____

M. FILING FEE:

REZONING	\$150.00 + \$10.00 PER ACRE
PLANNED UNIT DEVELOPMENT	\$200.00 + \$10.00 PER ACRE
P.U.D. REVISION	\$200.00 + \$10.00 PER ACRE
CONDITIONAL PERMIT	\$150.00 + \$10.00 PER ACRE

(Make check payable to the City of Rockport)

- Submit application and filing fee to the Department of Building & Development, City of Rockport; 2751 S.H. 35 Bypass, Rockport, Texas 78382.

Signed: 
(Owner or Representative)

(FOR CITY USE)

Received by: _____ Date: _____ Fees Paid: \$ _____

Submitted Information (____ accepted) (____ rejected) by: _____

If rejected, reasons why: _____

Receipt No. _____

MERMAID RANCH
502 S Austin St.
Rockport, Texas 78382

Phone: 361-450-5002
Email: MermaidRanch@peoplepc.com

Request for Rezoning

11/20/2020

Mermaid Ranch Costal Décor and HHSG Property would like to request a zoning change for the property located at 309 W Market Street, Rockport, Texas 78382. From R1 to B1. Harper and Susan Gerhardt are the owners of HHSG Property and Mermaid Ranch. We would like to build a building for an addition storefront for Mermaid Ranch to display large furnishing and furniture that will not fit in our current store located at 502 S. Austin Street. In addition we also need a space for several office rooms and additional space to assembly products, build display pieces, store inventory, itemize and tag inventory, and a variety of other activities and we cannot do with our current limited space.



-
- CLERK'S FILE
DEED RECORDS
MAP RECORDS
- WEST MARKET STREET
- NO FENCE POST
ON CORNER
- S 70°00'00" E 80.00'
- WEST 10' OF LOT 9
- WEST 90' OF EAST 100' OF LOT 9
- NO 3, 1/2" L.A.
- EAST 10' OF LOT 9
- BLOCK 153
0.3099 ACRES
(13,500 SQ. FT.)
- WEST 90' OF EAST 100' OF LOT 10
- WEST 50' OF LOT 10
- GEORGE THOMPSON
C.F. NO. 359956
- N 20°00'00" E
- WEST 50' OF LOT 11
- WEST 90' OF EAST 100' OF LOT 11
- N 70°00'00" W 80.00'
- LOT 12
GEORGE THOMPSON
C.F. NO. 359956
- S 20°00'00" W
- STEPHEN J. WELSH
C.F. NO. 258651
- EAST 10' OF LOT 10
- EAST 10' OF LOT 10
- NO FENCE POST
ON CORNER

NOTES:

1. DEARING BASIS IS THE SOUTH R.O.W. LINE OF WEST MARKET STREET BEING SOUTH 70 DEGREES 00 MINUTES 00 SECONDS EAST
2. SURVEYOR DID NOT ABSTRACT PROPERTY. SURVEY BASED ON LEGAL DESCRIPTIONS RECORDED IN A.C.F. NO. 0000377121.
3. NOTHING IN THIS SURVEY IS INTENDED TO EXPRESS AN OPINION REGARDING OWNERSHIP OF TITLE OR RIGHTS.
4. THE WORD CERTIFY IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL JUDGMENT BY THE SURVEYOR WHICH IS BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF
5. SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY
6. THE RIGHTS AND OPINIONS OF LANDCO, L.P. REFLECTED HEREON ARE UNPUBLISHED, CONFIDENTIAL AND INTENDING FOR THE USE OF THE MEMBERS OF THE FIRM FOR WHOM THIS WORK WAS PREPARED. IT IS UNDERSTOOD THAT THE USE OF, RELIANCE ON, OR REPRODUCTION OF SAME, IN WHOLE OR IN PART, BY OTHERS WITHOUT THE EXPRESS WRITTEN CONSENT OF LANDCO, L.P. IS PROHIBITED AND WITHOUT SUCH EXPRESS OR IMPLIED LANDCO, L.P. SHALL BE HELD HARMLESS FROM ANY AND ALL DAMAGES AND LOSSES SUFFERED BY SUCH UNAUTHORIZED USE, RELIANCE OR REPRODUCTION. COPYRIGHT 2020, ALL RIGHTS RESERVED.
7. THIS SURVEY WAS FORWARDED WITHOUT THE BENEFIT OF A TITLE REPORT CERTAIN EASEMENTS AND/OR BUILDING LINES MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCOVERED BY A FULL AND ACCURATE TITLE SEARCH. THIS SURVEY WAS DONE WITHOUT BENEFIT OF A TITLE SEARCH. THE SURVEYOR DOES NOT OBTAIN A TITLE COMMITMENT BEFORE DESIGN OR CONSTRUCTION COMMENCES.

PROPERTY LIES WITHIN FLOOD ZONE X, ACCORDING TO F.I.R.M. MAP NO. 4807C 9340G, DATE 02-17-2018, BY GRAPHING PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.

BEFORE ANY DEVELOPMENT PLANNING, DESIGN, OR CONSTRUCTION IS STARTED, THE COMMUNITY, CITY AND COUNTY IN WHICH SUBJECT TRACT EXISTS SHOULD BE CONTACTED SAID ENTITIES MAY IMPOSE LARGER FLOOD PLAIN AND FLOODWAY AREAS THAN SHOWN BY F.I.R.M. MAPS THAT WILL AFFECT DEVELOPMENT

ADDRESS: 30 WEST MARKET STREET
CITY: ROCKPORT, TEXAS ZIP: 78362
PURCHASER:

JOB NO: 20-8394R/2070-20 DATE: 11-13-20 SCALE: 1"=30'-00"

SURVEY OF

EAST 90 FEET OF LOTS 9, 10 AND 11, IN BLOCK 153,
DOUGHTY AND MATHIS DIVISION, ARANSAS COUNTY, TEXAS
ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME E,
PAGE 272-273, DEED RECORDS, ARANSAS COUNTY, TEXAS.

SURVEYORS CERTIFICATION

I hereby certify that this survey was made on the ground and that this plat correctly represents the facts found at the time of survey showing any improvements, town legal descriptions supplied by client. There are no encroachments apparent on the ground, except as shown. This survey is only certified for boundary and this transaction only. Surveyor did not abstract property, easements, building lines, etc. shown as is identified by:

GF N/A Rf N/A



LANDCO, L.P.

11281 BUCKINGHAM, BLVD. SUITE 100, PINESTON, TEXAS 77662
OFFICE (281) 666-1282 FAX (281) 666-1282
INFO@LANDCOSTSERVICES.COM
Copyright 2020 Landco, L.P.
Form Number: 10044300

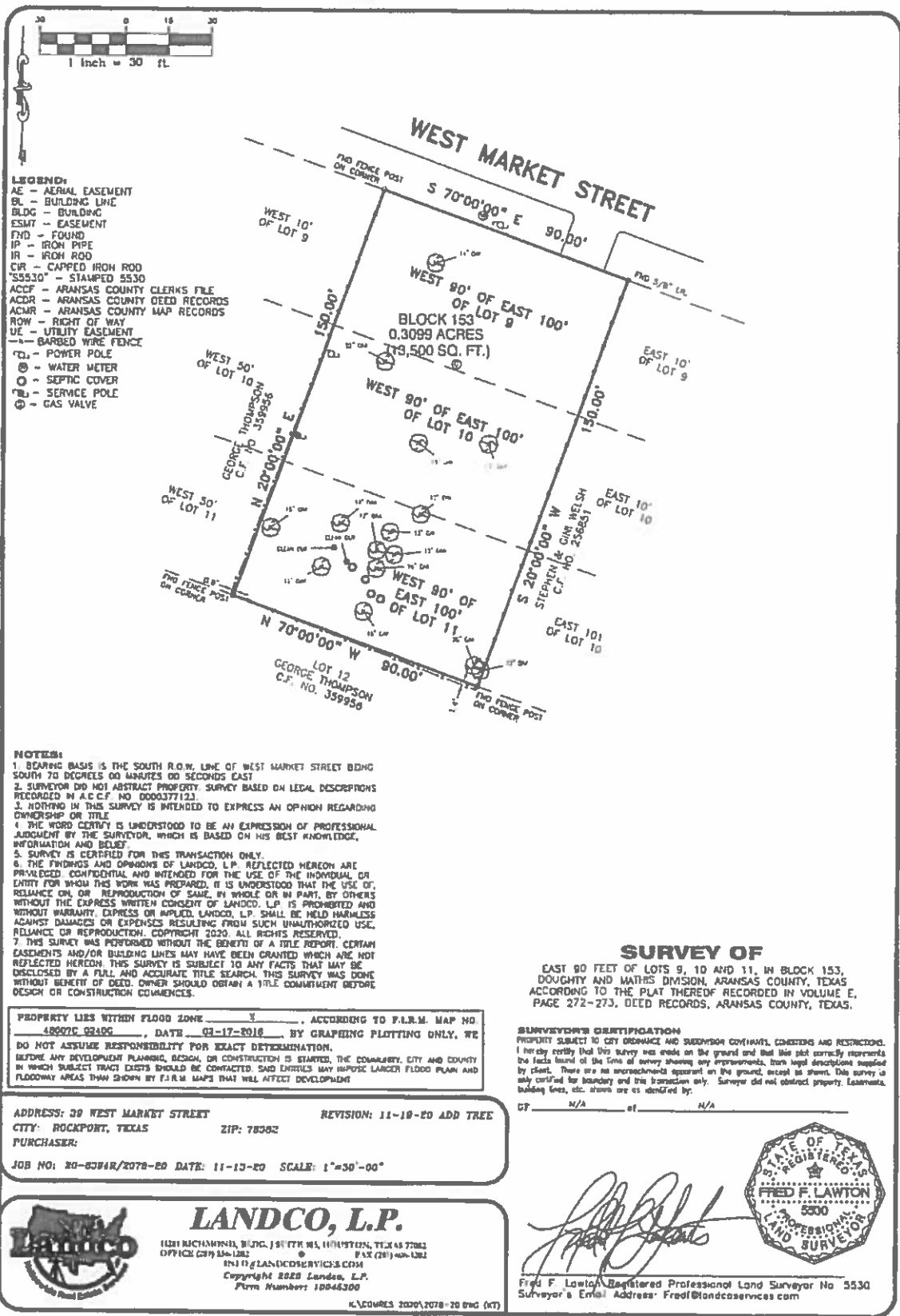
K:\CCW\EC 2070\2070-20 BWC (KT)

Fred Galt



Fred F. Lawton Registered Professional Land Surveyor No. 5530
Surveyor's Email Address: Fred@landcoservices.com

JOB NO: 2078-20



- LEGEND:**
- AE - AERIAL EASEMENT
 - BL - BUILDING LINE
 - BLDG - BUILDING
 - ESMT - EASEMENT
 - FND - FOUND
 - IP - IRON PIPE
 - IR - IRON ROD
 - CIR - CAPPED IRON ROD
 - SS530 - STAMPED 5530
 - ACCF - ARKANSAS COUNTY CLERKS FILE
 - ACDR - ARKANSAS COUNTY DEED RECORDS
 - ACMR - ARKANSAS COUNTY MAP RECORDS
 - ROW - RIGHT OF WAY
 - UE - UTILITY EASEMENT
 - BARBED WIRE FENCE
 - POWER POLE
 - WATER METER
 - SEPTIC COVER
 - SERVICE POLE
 - GAS VALVE

NOTES:

1. BEARING BASIS IS THE SOUTH R.O.W. LINE OF WEST MARKET STREET BEING SOUTH 70 DEGREES 00 MINUTES 00 SECONDS EAST.
2. SURVEYOR DID NOT ABSTRACT PROPERTY. SURVEY BASED ON LEGAL DESCRIPTIONS RECORDED IN A.C.C.F. NO. 0000377123.
3. NOTHING IN THIS SURVEY IS INTENDED TO EXPRESS AN OPINION REGARDING OWNERSHIP OR TITLE.
4. THE WORD CERTIFY IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL JUDGMENT BY THE SURVEYOR, WHICH IS BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF.
5. SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY.
6. THE FINDINGS AND OPINIONS OF LANDCO, L.P. REFLECTED HEREON ARE PROVIDED CONFIDENTIAL AND INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY FOR WHOM THIS WORK WAS PREPARED. IT IS UNDERSTOOD THAT THE USE OF, RELIANCE ON, OR REPRODUCTION OF SAME, IN WHOLE OR IN PART, BY OTHERS WITHOUT THE EXPRESS WRITTEN CONSENT OF LANDCO, L.P. IS PROHIBITED AND WITHOUT LIABILITY, EXPRESS OR IMPLIED, LANDCO, L.P. SHALL BE HELD HARMLESS AGAINST DAMAGES OR EXPENSES RESULTING FROM SUCH UNAUTHORIZED USE, RELIANCE OR REPRODUCTION. COPYRIGHT 2020. ALL RIGHTS RESERVED.
7. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. CERTAIN EASEMENTS AND/OR BUILDING LINES MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH. THIS SURVEY WAS DONE WITHOUT BENEFIT OF DEED. OWNER SHOULD OBTAIN A TITLE COMMITMENT BEFORE DESIGN OR CONSTRUCTION COMMENCES.

PROPERTY LIES WITHIN FLOOD ZONE _____, ACCORDING TO F.I.R.M. MAP NO. 48070C 02400, DATE 03-17-2018, BY GRAPHING PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.

BEFORE ANY DEVELOPMENT PLANNING, DESIGN, OR CONSTRUCTION IS STARTED, THE COMMUNITY, CITY AND COUNTY IN WHICH SUBJECT TRACT EXISTS SHOULD BE CONTACTED. SAID ENTITIES MAY HAVE LARGER FLOOD PLAIN AND FLOODWAY AREAS THAN SHOWN BY F.I.R.M. MAPS THAT WILL AFFECT DEVELOPMENT.

ADDRESS: 38 WEST MARKET STREET
CITY: ROCKPORT, TEXAS
PURCHASER:
REVISION: 11-19-20 ADD TREE
ZIP: 78382
JOB NO: 20-0384R/2078-20 DATE: 11-13-20 SCALE: 1"=30'-00"

SURVEY OF
EAST 90 FEET OF LOTS 9, 10 AND 11, IN BLOCK 153, DOUGHTY AND MATHEWS DIVISION, ARKANSAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME E, PAGE 272-273, DEED RECORDS, ARKANSAS COUNTY, TEXAS.

SURVEYORS CERTIFICATION
PROPERTY SUBJECT TO CITY ORDINANCE AND SUPERVISOR CONSENT, COVENANTS AND RESTRICTIONS. I hereby certify that this survey was made on the ground and that this plat correctly represents the facts found at the time of survey showing any improvements, from legal descriptions supplied by client. There are no encroachments apparent on the ground, except as shown. This survey is only certified for boundary and this transaction only. Surveyor did not abstract property. Easements, building lines, etc. shown are as indicated by:

DT _____ of _____

LANDCO, L.P.
(1321 RICHMOND, BLDG. 1) 5177R HWY. 111, HUNTER, TEXAS 77342
OFFICE (281) 534-1282 FAX (281) 444-1282
info@landcoservices.com
Copyright 2020 Landco, L.P.
Form Number: 10044300
K:\COURSES 2020\2078-20 DWG (MT)

FRED F. LAWTON
REGISTERED PROFESSIONAL LAND SURVEYOR
5530
FRED F. LAWTON, Registered Professional Land Surveyor No. 5530
Surveyor's Email Address: Fred@landcoservices.com



JOINT PUBLIC HEARING Rockport City Council and Planning & Zoning Commission

NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, January 12, 2020, at 6:30 p.m., to consider a request to rezone property located at 309 West Market Street; also known as East 90 feet of Lots 9, 10, and 11, Block 153, Doughty and Mathis Division, City of Rockport, Aransas County, Texas; to B-1 (General Business District) for retail and office space, currently zoned R-1 (1st Single Family Dwelling District).

The meeting will be held using the video conferencing application ZOOM. **No in-person meeting will be conducted at the Rockport Service Center.** A temporary suspension of the Open Meetings Act to allow telephone or video conference public meeting has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. Video conferencing capabilities will be utilized to allow individuals to address the Planning & Zoning Commission and City Council. Email comments may also be submitted to communityplanner@cityofrockport.com by 3:00 p.m. the day of the meeting. Members of the public are entitled to participate remotely via Zoom at <https://us02web.zoom.us/j/87919756753> or scan the QR code to the right.



SCAN ME

Due to the COVID-19 pandemic, the attorney general has said: "statutes that may be interpreted to require face-to-face interaction between members of the public and public officials are suspended; provided, however, that the governmental bodies must offer alternative methods of communicating with their public officials." Public participation is valued and citizens wishing to express their views on any topic or agenda item can either electronically submit a citizen participation form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation> or scanning the QR code to the right. Using the same form, citizens can also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The Mayor will read the comments and they will be summarized in the minutes of the meeting.



SCAN ME

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125.

POSTED the 8th day of December 2020 at 4:30 p.m., on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and on the website www.cityofrockport.com.

PUBLISHED in *The Rockport Pilot* in the Saturday, December 12, 2020, Edition, in accordance with the City of Rockport Code of Ordinances.

CITY OF ROCKPORT, TEXAS


Teresa Valdez, City Secretary



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CITY OF ROCKPORT, TEXAS

/s/ Teresa Valdez, City Secretary

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: Edgar L Chandler
Address: 115 South Verne P.O. Box 594 City/State: Rockport TX 78382
() IN FAVOR ☒ IN OPPOSITION Phone: 361 789 7655

REASON:

Two small for business
No parking space
No Easement for
Ally

Edgar L Chandler
Signature
See map on reverse side.



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Printed Name: Stephen & Gini Welsh

Address: 305 West Market St.

City/State: Rockport, Tx. 78382

() IN FAVOR ☒ IN OPPOSITION

Phone: 361-756-1966

REASON:

Steve Welsh Gini Welsh
Signature

See map on reverse side.



Citizen Participation Form

Rockport City Council

Citizens are encouraged to watch City Council meetings online rather than in person due to concerns related to the spread of COVID-19. Citizens wishing to address the City Council may submit comments on any topic or agenda item electronically by utilizing this Citizen Participation Form. All form must be received by 4:00 p.m. on the date of the meeting and will be provided for the record.

Date of meeting:

First Name:

Last Name:

Address:

City:

State:

Zip:

If you wish to be contacted please provide the following:

Phone Number:

Email Address:

Company/Organization represented, if any:

Residence:

☒ Inside City Limits

☐ Outside City Limits

Speaker Status:

☐ Speaker

☒ Non-Speaker

Type of Participation:

☐ Citizens to be heard

☒ Specific Agenda Item

Representing

Applicant?

☐ Yes ☒ No

Agenda Item to be addressed:

(If not speaking under Citizens to be heard.)

If Applicable

☐ In Support

☒ In Opposition

Statement to be read into record:

I am very concerned with the rezoning application agenda item #11. The property proposed is in direct line behind my property and the utmost concerns are noise, devaluation of property value and security on this block. I oppose agenda item 11 rezoning.

(Statements are limited to 2,000 Characters.)

 Receive an email copy of this form.

Email Address:

AlnhInd@sbcglobal.net

This field is not part of the form submission.



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Speaker Status:

☐ Speaker

☒ Non-Speaker

Type of Participation:

☐ Citizens to be heard

☒ Specific Agenda Item

Representing

Applicant?

☐ Yes ☒ No

Agenda Item to be addressed:

(If not speaking under Citizens to be heard.)

If Applicable

☐ In Support

☒ In Opposition

Statement to be read into record:

I am in opposition of the rezone stated in agenda item 11 because the proposed usage does not fit the size of the land. The two commercial businesses on that same block are corner properties and utilize city right of way as parking and this would not be the case on this small lot. In addition, converting this to a commercial overflow type storage location would bring about additional noise via larger truck traffic and increase potential hazards exiting the property or worse cause large trucks to block the street because they cannot fit in the property. 18 wheeler traffic is already a problem in this area as they circle the block through the residential neighborhood to either approach for a drop off or depart after. With the amount of young children that play outside in this area, it would only increase risk to them if commercial traffic was to become greater.

In my humble opinion this is not a fitting option for rezoning at this time.

(Statements are limited to 2,000 Characters.)

 Receive an email copy of this form.

Email Address:

Keithallen4mayor2020@gmail.com

This field is not part of the form submission.

PLANNING & ZONING AGENDA
Regular Meeting: Monday, January 18, 2020

AGENDA ITEM: 4

Deliberate on potential ordinance amendments to Chapter 118 “Zoning”.

SUBMITTED BY: Community Planner Amanda Torres
Administrative Coordinator Mary Bellinger

BACKGROUND: Although the Comprehensive Plan has not yet been adopted, staff has been reviewing the zoning ordinance in light of Section 118-4.2.10 that states:

“This ordinance shall be reviewed on an annual basis by the Planning & Zoning Commission and city staff or legal and technical compliance with local, state and federal laws, with the intent to include sound zoning concepts and practices. Furthermore, this ordinance shall be thoroughly reviewed and completely reorganized, if necessary, at least every five (5) years. Such reorganization shall reflect compliance with the master plan, local, state, and federal laws and other laws and regulations governing zoning within the City of Rockport.”

Staff plans to present potential items for amendment to the Planning & Zoning Commission as workshop/discussion items in upcoming meetings. Here are a few items that we will want to review with you all:

RV Park Regulations:

The City currently has a moratorium on all new RV Park development. This section of the ordinance needs to be revised considering sound zoning concepts and practices as well as wishes from the community that were identified during the Comprehensive Plan process.

New Commercial Zoning District:

As you can recall from previous zoning requests considered, there are many instances where adjacent property owners have been concerned about certain land uses allowed by a zoning district, primarily in the General Business district. Many of the concerns have to do with nuisances from noise, lighting, and traffic. Staff is working on a concept that would bring higher-nuisance land uses into a new zoning district.

Mobile Food Vending:

Food trucks are becoming an increasingly popular business concept. However, this type of land use is not clearly defined and regulated in any of the City’s ordinance currently. Staff has worked on a version to included into the zoning ordinance, and it may require additional review from Aransas County Environmental Health.

Use Table:

Other jurisdictions have land use tables included in their zoning ordinance to clearly defined what land use can be done in what zoning district. Staff thinks this would be a great addition to our zoning ordinance

There may be other minor revisions not yet listed that staff would bring to Planning & Zoning Commission for discussion. Discussion does not equal action, but we want to utilize P&Z to brainstorm and make them aware of potential ordinance changes. Amendments will follow the same procedure as a zoning case – notification, public hearing, P&Z recommendation, and decision by City Council.

RECOMMENDATION: No action required. Discussion only.