



PLANNING & ZONING PACKET

March 6, 2023

PLANNING & ZONING COMMISSION AGENDA

Notice is hereby given that the Rockport Planning & Zoning Commission will hold a meeting on Monday, March 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. Deliberate and act on approval of the regular meeting minutes of February 20, 2023.
3. Deliberate and act on a Replat submitted by property owners Sam and Javanda Bernal, located at 1605 & 1607 Jenkins Street; also known as Denver Heights, Block 28, pt of Lots 4, 5, 6, 7, 8, and all of Lots 9 and 10, City of Rockport, Aransas County, Texas.
4. Deliberate and act on a Replat submitted by property owner Kyle Alston, located at 500 & 522 East King Street; also known as Lots 4-R and 5, Block 1, Simon Oaks, City of Rockport, Aransas County, Texas.
5. Discussion, consideration, and action regarding the process for conducting public hearings as per Section 118-26 of the Rockport Code of Ordinances.
6. 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. 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 March 3, 2023, at 2:30 p.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*.

Carey Dietrich

Carey Dietrich,
Asst Director Building & Development
Community Planner

PLANNING AND ZONING COMMISSION MINUTES

On this the 20th day of February 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
Warren Hassinger – Vice Chairman
Tom Blazek
Patty Impens
Kim Hesley – Secretary
Ric Young

Members Absent

W. Kent Howard

Staff Members Present

Mike Donoho, Director
Tommy Saucedo, IT
Belinda Garcia, Administrative Coordinator

Guest(s) Present

Zero (0)

Open Meeting

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

Regular Agenda

2. Deliberate and act on approval for the regular meeting minutes of January 16, 2023.
Chair Davis asked for a motion to approve the January 16, 2023, meeting minutes.

MOTION

Vice-Chair Warren moved to approve January 16, 2023; minutes as presented. Member Hesley Second the motion. All voted in favor, motion carried.

3. Deliberate and act on a Replat submitted by property owner Manuel Estrada, located at 1704-1712 Highway 35 South; also known as Manning, Block 108, Lots 1-3 & 9-11, City of Rockport, Aransas County, Texas, according to the plat recorded in Volume 1. Page 7, Plat Records of Aransas County, Texas, and 0.069 acres of 20-foot-wide alley, closed and abandoned between Lots 1-3 and 9-11, Block 108, by the City of Rockport under Ordinance No. 1809.

After brief discussion Chair Davis asked if there were any other questions or comments? Hearing none, Chair Davis asked for a motion. Vice-Chair Hassinger asked about the Comprehensive Plan. Mike Donoho spoke.

MOTION: Vice-Chair Hassinger moved to recommend for approve of the Replat. Member Tom Blazek second the motion. All in Favor, Motion Passed

5 Adjournment 5:35 pm

Prepared by:

Belinda Garcia, Assistant to Director

Approved by:

Ruth Davis, Chair

Kim Hesley, Secretary

Planning & Zoning AGENDA
Regular Meeting: Monday, March 6, 2023

AGENDA ITEM: 2

Deliberate and act on a Final Plat submitted by property owners Sam and Javanda Bernal, located at 1605 & 1607 Jenkins Street; also known as Denver Heights, Block 28, pt of Lots 4, 5, 6, 7, 8, and all of Lots 9 and 10, City of Rockport, Aransas County, Texas.

SUBMITTED BY: Carey Dietrich - Asst. Director Building & Development /Community Planner

BACKGROUND: Property Owners Sam and Javanda Bernal desire to replat the properties located at 1605 & 1607 Jenkins St, from several individual lots into one lot and to be known as Lot 1, Block 1, Elegancia Salon in order to have space for an addition to the existing structure. This replat involves more than 4 Lots and requires P&Z approval as per Sec 90-21(a)(2)a:

(2) Administrative plat: A plat in which: a. A minor plat involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of public facilities.

The Final Plat was reviewed by staff and determined to be Administratively complete.

RECOMMENDATION: Staff recommends approval of Final Plat submitted by property owners Sam and Javanda Bernal, located at 1605 & 1607 Jenkins Street; also known as Denver Heights, Block 28, pt of Lots 4, 5, 6, 7, 8, and all of Lots 9 and 10, City of Rockport, Aransas County, Texas



Plat Application & Checklist

Building & Development Services Department

This application requests the information and documentation required to review and approve a subdivision or plat as per Chapter 90: Subdivisions and Platting of the City of Rockport Code of Ordinances (available at www.cityofrockport.com/200/Ordinances-Resolutions).

CATEGORIZATION:

CLASSIFICATION OF PLAT: ☐ Administrative ☒ Minor Subdivision ☐ Major Subdivision

A Major Subdivision requires a Concept Plan and review of a Preliminary Plat prior to the application and review of a Final Plat. A Minor Subdivision or a Re-plat may require a Concept Plan depending on the magnitude or complexity of the subdivision.

TYPE OF PLAT TO BE REVIEWED: ☐ Concept Plan & Preliminary Plat ☐ Final Plat ☒ Re-plat

GENERAL INFORMATION:

Address: 1605 & 1607 JENKINS ACAD Property ID: 58096, 17407

Subdivision: DENVER HEIGHTS Block: 28 Lot: SEE BELOW

Other Legal Description: PT OF LOTS 4, 5, 6, 7, 8 & ALL OF LOTS 9 & 10

PROPERTY OWNER OF RECORD:

Name: SAM & JOVANDA BERNAL

Company: _____

Mailing Address: 421 OLYMPIC DR, RKPT, TX 78382

Phone: 361.648.7199

Email: BATMADUS@GMAIL.COM

ENGINEER/PLANNER/SURVEYOR:

Name: J. L. BRUNDRETT, JR, PE, RPLS

Company: GRIFFITH & BRUNDRETT SURVEYING & ENGINEERING, INC.

Mailing Address: P. O. BOX 2322
ROCKPORT, TX 78381

Phone: 361.729.6479

Email: JERRYB@GBSURVEYOR.COM

BACKGROUND

Project Name: LOT 1, BLOCK 1, ELEGANCIA SALON

- Present Zoning District: B-1 Are you requesting a zoning change? ☐ YES ☒ NO
- If yes, which Zoning District is requested? _____
- Do all proposed lots have access to existing public streets? ☒ YES ☐ NO
- Do any of the proposed lots require the extension of public facilities such as: right of ways, easements, water, sewer, etc.? ☐ YES ☒ NO
- Is the existing lot in compliance with the Storm Drainage Master Plan? ☒ YES ☐ NO

EXISTING PROPERTY CONTAINS: (Be specific on all that are applicable)

Land Use:	Number of Lots or Units	Acres of Use/Contents of Each Lot	Square Footage of Building Space
Undeveloped	1	0.083 ACRES	
Single Family			
Garden/Patio/ Zero-lot line			
Duplex			
Townhomes			
Multi-family			
Manufactured Housing			
Hotel/Motel			
Condo Regime			
Office			
Restaurant			
Commercial/Retail	5	0.2788 ACRES	
Warehouse/Showroom			
Industrial			
RV Park/ Pads			
Public Facilities: (Schools, Churches, etc.)			
Park/ Open Spaces			
Trees over 6" in diameter			
Wetlands / Other Environmentally Sensitive Natural Infrastructure			
Special Flood Hazard Zone			
Other:			
Public/ Private Street R.O.W			
TOTAL	6	0.361 ACRES	

Please describe below any other information unique or pertinent to the platting of the property.

PROPOSED SUBDIVISION/PLATS CONTAIN: (Be specific on all that are applicable)

Land Use:	Number of Lots or Units	Acres of Use/Contents of Each Lot	Square Footage of Building Space
Undeveloped			
Single Family			
Garden/Patio/ Zero-lot line			
Duplex			
Townhomes			
Multi-family			
Manufactured Housing			
Hotel/Motel			
Condo Regime			
Office			
Restaurant			
Commercial/Retail	1	0.361 ACRES	
Warehouse/Showroom			
Industrial			
RV Park/ Pads (only through approved CUP)			
Public Facilities: (Schools, Churches, etc.)			
Park/ Open Spaces			
Preserve for Wetlands / Environmentally Sensitive Natural Infrastructure			
Special Flood Hazard Zone			
Other:			
Public/ Private Street R.O.W			
TOTAL	1	0.361 ACRES	

REQUIRED PLAT COPIES & RECORDING PROCEDURES

- 1. Preliminary Plat: Two (2) copies of the preliminary plat drawn to a scale of not less than 1" = 100' plus ten (10) reduced copies (no smaller than 11"x17"). An electronic copy is requested but not required. Request a Concept Plan Checklist. This additional information and documentation should be submitted along with the Application & Preliminary Plat. A site plan or survey should be submitted showing any encroachments and improvements, existing and/or planned.
 - 2. Final Plat/Re-plat: One (1) original "Vellum", plus three (3) full size copies, and one (1) 11"x17' reduced copy. May require a prior Concept Plan. An electronic copy is requested but not required.
 - 3. Administrative Plats/ Minor Re-Plats: Only a final plat required. Submit in accordance with 2 above. An electronic copy is requested but not required.
- After official approval, the applicant's surveyor is responsible for coordinating the recording of all Final Plats and Re-plats at the Aransas County Court House and must then submit one (1) signed full scale Mylar and one (1) print for the City files.

FINAL PLAT/RE-PLAT CHECKLIST:

Pursuant to the City of Rockport Platting & Subdivision Ordinance the following items are required to be shown on the plat or submitted with the plat for consideration. Please use the boxes at the left to verify the completeness of the information submitted.

INDICATE IF ON PLAT:				CITY REVIEW:	
YES	NO	N/A	1. BASIC INFORMATION	YES	NO
X			A. Subdivision/ Project Name		
X			B. Name & Address of Owner		
X			C. Title: "Final Plat" / "Re-plat" / "Preliminary Plat"		
X			D. Name & Address of Responsible Surveyor, Engineer, Planner Responsible for Design		
X			E. Date		
X			F. Scale		
X			G. North Arrow		
X			H. Small Scale Location Map		
X			I. Names of Adjacent Subdivisions		

INDICATE IF ON PLAT:				CITY REVIEW:	
YES	NO	N/A	2. SURVEYING	YES	NO
X			A. Boundary Survey of Plat (Bearing & Distances)		
X			B. Reference to Original Survey or Previous Subdivision		
X			C. Monuments Shown on Plat		
X			D. Monuments Set in Field		
X			E. Legal Description of Subdivision Outer Boundary		

INDICATE IF ON PLAT:				CITY REVIEW:	
YES	NO	N/A	3. INTERIOR DETAILS	YES	NO
X			A. Dimension & Location of All Lots, Streets, Easements, Parks, etc.		
X			B. Name of Streets (New & Old)		
X			C. Lot & Block Numbers		
X			D. Location, Names, Widths of approved Streets, Alleys & Easements, All Right of Ways		
X			E. Detail Curve Information		
X			F. Building Lines, Exterior & Interior		
		X	G. Existing Natural Features, Watercourses & Other Physical Features		
X			H. Zoning District Designation		
		X	I. Tree Plan (Showing Significant Trees in Proposed R-O-W)		
		X	J. Flood Hazard Areas		

INDICATE IF ON PLAT:

CITY REVIEW:

YES	NO	N/A	4. CERTIFICATION	YES	NO
X			A. Licensed Surveyor's Signature Plate		
X			B. Planning & Zoning Commission Signature Plate		
X			C. Owner's Signature(s) Plate		
X			D. Lien Holder(s) or Others' Signature Plate		
		X	E. City Engineer Signature Plate		
X			F. Aransas County Clerk Signature Plate		

INDICATE IF ON PLAT:

CITY REVIEW:

YES	NO	N/A	5. TAXES	YES	NO
X			A. Certificate of All Past & Current Taxes Paid on Property Being Platted		

INDICATE IF ON PLAT:

CITY REVIEW:

YES	NO	N/A	6. LEGAL STIPULATIONS	YES	NO
		X	A. Copy of All Deed Restrictions Pertaining to the Subject Property		
		X	B. Copy of Condominium Regime		
X			C. Copy of Warranty Deed		

NOTE: 2 Sets of Construction Plans showing the following should be submitted:

- A. Utility Distribution System(s) (Off-site & On-site)
- B. Streets, Sidewalks & Drive Approaches & Dimensions
- C. Drainage Plan (off-site & On-site)
- D. Topographic Map
- E. Flood Hazard Map

FILING FEE: (Make check payable to the City of Rockport)

Preliminary Plat - \$100.00 Final Plat - \$100.00 + \$10.00 per acre Minor Plat/Re-plat - \$100.00

- Submit application and filing fee to the Department of Building & Development, Rockport Service Center, 2751 SH 35 Bypass, Rockport, TX 78382.

SIGNED



(Owner or Developer)

FOR CITY USE

Received By _____	Date _____	Fees Paid \$ _____
Submitted information () accepted () rejected By: _____		
If rejected, reasons why: _____		
Receipt No. _____		

CONCEPT PLAN PROCEDURE:

Subdivision: The division, re-division or combination of land(s) into one or more lots or tracts, except as may be excluded herein or by state law.

- Any plat for a new subdivision which is not an Administrative Plat or a Minor Re-plat may require the following:
 - a. Concept Plan & Preliminary Plat: This is a working dialogue to address issues of magnitude and complexity. A Site Plan along with a Preliminary Plat are required.
 - b. Final Plat
- City staff shall make determination as to the need of a Concept Plan based on the magnitude and complexity of the plat. Small subdivisions may only require a final plat.
- Concept Plan Review staff will schedule a meeting with applicant in order to render written comments.
 - Public Works, Parks, Public Utilities, Building & Development Services and Police Department may contribute comments.
 - 10 days after completed review, staff will send applicant written comments and recommendations.
 - Applicant then shall prepare necessary changes, prepare final plat, and submit final plat for formal review by Planning and Zoning Commission.
- After 6 months the Concept Plan is considered null and void unless a request for an additional one time 6 month extension is made.
- The Concept Plan can be amended during this time at no additional charge.
- The Concept Plan should accompany the plat when submitted for formal and final review.

CONCEPT PLAN/PRELIMINARY PLAT CHECKLIST:

The Preliminary Plat: Preliminary plats shall be drawn to a convenient scale of not less than 100 feet to an inch and shall show the following information (either on the plat or supporting document) for the area to be platted and all land within 200 feet of the outer boundary of the subdivision:

- (1) Proposed Name: The proposed name of the subdivision shall not duplicate the name of any plat previously recorded within Aransas County.
- (2) Project Ownership: Name and address of legal owner(s), lien holder(s), if any, or agents of same, and:
 - a. Any encumbrances, including but not limited to verification of payment of property taxes and existing covenants on the property, if any; and
 - b. Any other contiguous holdings.
- (3) Adjacent Ownership: Names and current deed recordings for adjacent property owners.
- (4) Professional Firms: Name, address and telephone number of the professional person(s) responsible for subdivision design, for the design of public improvements, surveys and any environmental reports.
- (5) Title Block: Graphic and numerical scale, north arrow and date.
- (6) Description: Legal description of the subdivision outer boundary.
- (7) Vegetation: Location of any trees larger than six inches in diameter at breast height (DBH) which would be located in proposed rights-of-way.
- (8) Topography: The plat map shall show elevations at two-foot intervals unless elevations are relatively level, in which case elevations shall be shown at intervals consistent with good engineering practice. Should heavy ground cover be a problem, major irregularities such as streams, gullies, or marshes shall be shown.
- (9) Utilities-Existing: Location and sizes of existing sewers, water mains, gas pipelines, culverts and other underground structures within the tract and immediately adjacent thereto; including electrical utilities.
- (10) Utilities-Proposed: Proposals for connection with electric, gas and telephone systems, public water and sewage systems, or alternative means of providing sanitary sewage disposal if the city grants a waiver under state law. Appropriate covenants, easements and other restrictions shall be shown.
- (11) Storm-water Management Plan: Preliminary provisions for collecting and discharging surface water drainage. (Refer to the city's master drainage plan.)
- (12) Flood Zone: The location of any flood zones as depicted on the FEMA Flood Hazard Map.
- (13) Lots: Location, dimensions and areas of all proposed lots.

- (14) Building Line: All front and side street building setback lines based upon current zoning applications. (A typical lot plan is acceptable.)
- (15) Recreational and Public Uses: The approximate location, dimensions and area of all parcels of land proposed to be set aside for private or public recreation use (park) or other public use. Land to be dedicated to the city shall be so indicated. (Refer to section 90-58 for parkland dedication procedures.)
- (16) Common Areas: Any proposed open spaces intended as common areas, but not public spaces under public ownership. Maintenance of these areas shall be the responsibility of a homeowners association.
- (17) Phasing: If the plat is to be developed in phases, such phasing shall be shown.
- (18) Vicinity map: General location map showing the proposed platted area relative to the community.
- (19) Land use: Indication of the proposed use of any lot other than a single-family detached lot, e.g. multifamily, commercial, office, etc.
- (20) Block and Lot Numbers: Blocks shall be consecutively numbered or lettered in order. All lots in each block shall be consecutively numbered.

HELPFUL DEFINITIONS:

Sec. 90-21. Classification of plats.

(a) Plats are hereby classified as follows:

- (1) *Subdivision plat*: A plat for new subdivision development which is not an administrative plat or a re-plat as defined under paragraphs (2) and (3) below, and will require the following:
- (2) *Administrative plat*: A plat in which:
 - a. Adjustments to platted lots are needed that meet the criteria for amending plats described by sections 212.0065 and 212.016, Local Government Code (L.G.C.), 2000 edition;
 - b. A minor plat involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of public facilities (section 212.0065, L.G.C., 2000 edition); or
 - c. A re-plat under section 212.0145 that does not require the creation of any new street or the extension of municipal facilities.

Administrative plats may be processed administratively "in-house" under procedures as outlined under section 90-33, Administrative procedure, of this chapter, and only a final plat may be required.

- (3) *Re-plat*: A plat in which changes to existing plat(s) are needed to reconfigure or create lots, including building setback lines, which may or may not impact public improvements and do not meet the requirements for "Amending Plats" as addressed in section 212.016, L.G.C., 2000 edition. Public hearings required per section 212.014 and section 212.015, L.G.C., 2000 edition. Only a final plat may be required.

Owner Certification

State of Texas
County of Aransas

SAM M. BERNAL

JOVANDA C. BERNAL

does hereby certify that I (we) are the owner(s) of the lands embraced within the boundaries of the foregoing plat and that that I (we) have had said land surveyed and platted as shown hereon; that easements as shown are dedicated to the public use for the installation, operation and use of public utilities; and that this map was made for the purpose of description and dedication.

This the 13TH day of FEBRUARY, A.D., 2023.

SAM M. BERNAL

JOVANDA C. BERNAL

State of Texas
County of Aransas

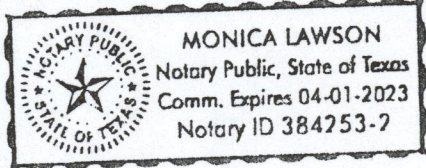
This instrument was acknowledged before me by:

SAM M. BERNAL

JOVANDA C. BERNAL

This the 13TH day of FEBRUARY, A.D., 2023.

Notary Public in and for the State of Texas



Lienholder Certification

State of Texas
County of Aransas

PROSPERITY BANK

does hereby certify that I (we) are the holder(s) of a lien on the lands embraced within the boundaries of the foregoing plat, and that I (we) do accept and approve said plat for all purposes and considerations.

This the 13TH day of February, A.D., 2023.

Patricia Lizzano, Pres
Print Name & Title

Patricia Lizzano
Signature

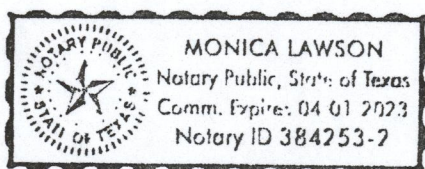
State of Texas
County of Aransas

This instrument was acknowledged before me by:

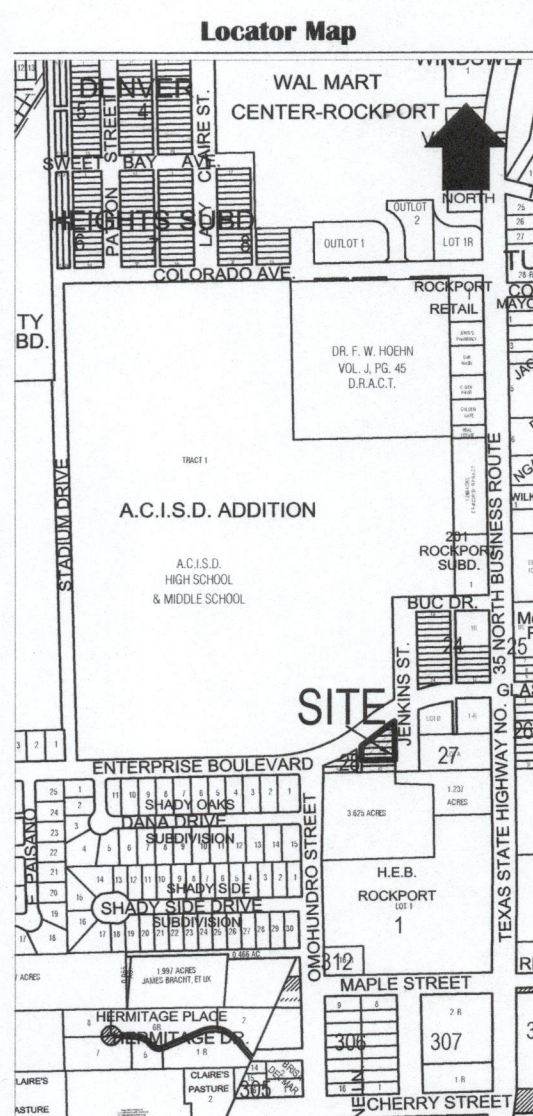
PATRICIA LIZZANO

This the 13TH day of FEBRUARY, A.D., 2023.

Notary Public in and for the State of Texas



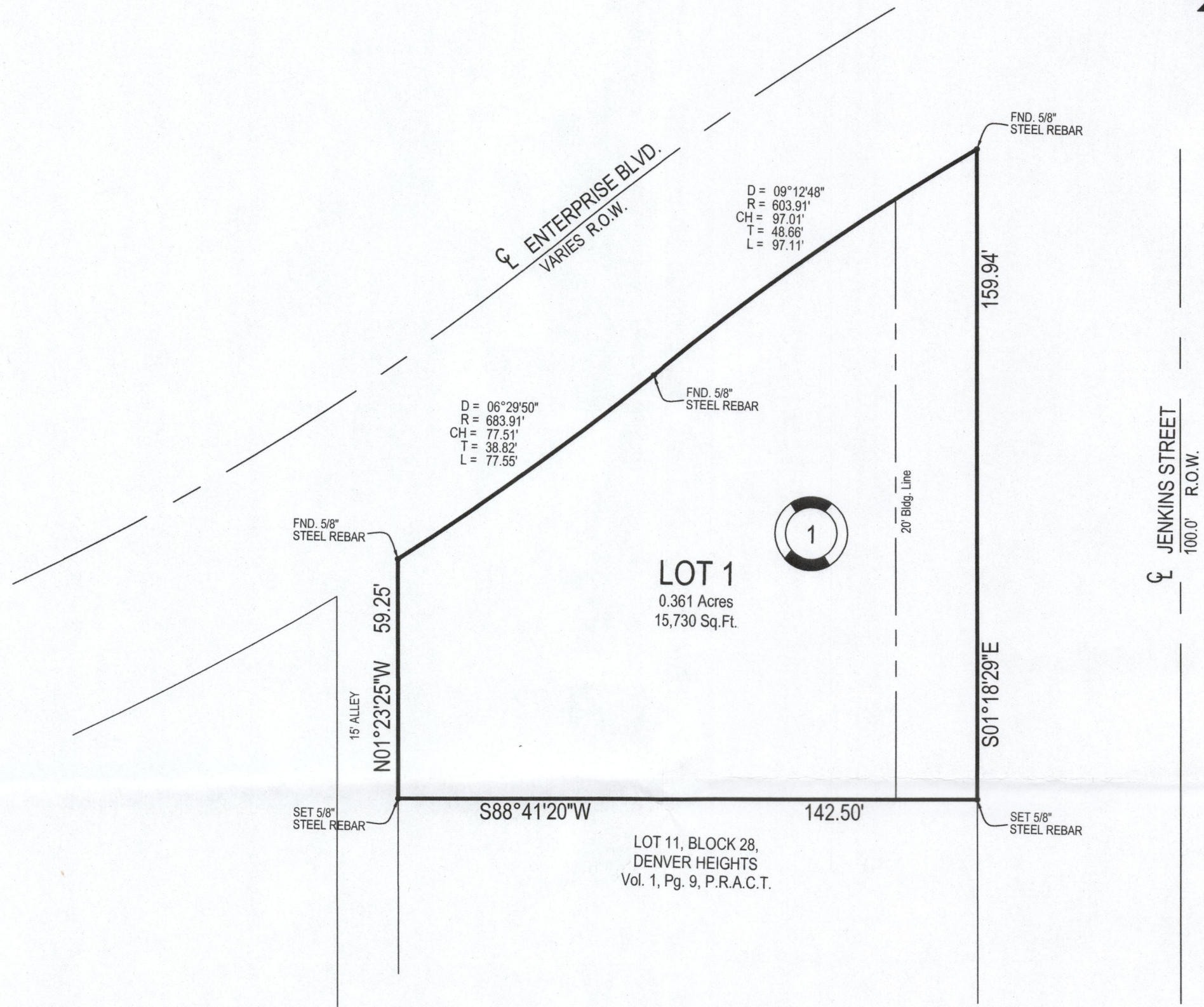
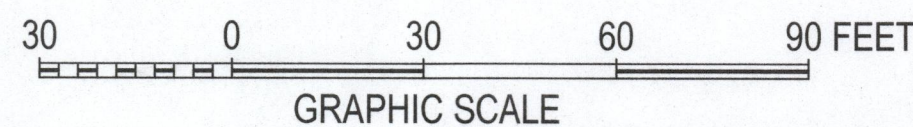
FILE NAME: REPLATS/ROCKPORT/ELEGANCIA SALON, LOT 1, BLOCK 1



Final Plat of:
**LOT 1, BLOCK 1,
ELEGANCIA SALON**
CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS,
BEING A REPLAT OF 0.361 ACRES OF LAND EMBRACING FRACTIONAL LOTS 4-8, AND ALL OF LOTS 9 AND 10,
BLOCK 28, DENVER HEIGHTS, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, ACCORDING TO THE PLAT
RECORDED IN VOLUME 1, PAGE 9, PLAT RECORDS OF ARANSAS COUNTY, TEXAS.

SCALE 1" = 30'

APRIL 27, 2022

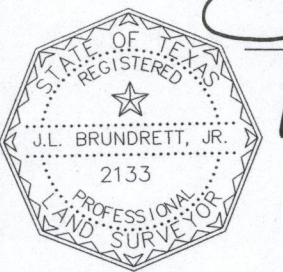


Surveyor Certification

State of Texas
County of Aransas

I, J.L. Brundrett, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the foregoing plat was prepared from surveys made on the ground under my direction and supervision and is true and correct, and that I have been engaged to set all lot and block corners and reference points and complete such operations without delay.

This the 27 day of April, A.D., 2022.



J.L. BRUNDRETT, JR.
R.P.L.S.
Reg. No. 2133

Planning & Zoning Commission

State of Texas
County of Aransas

This plat of the herein described property is approved for filing of record in Aransas County, Texas, by the Planning and Zoning Commission of Rockport, Texas, in accordance with the Land Subdivision Ordinance of Rockport, Texas, and Vernon's Ann Civ. Statute, Article 974A.

This the _____ day of _____, A.D. 202__.

Chair

Secretary

Firm Name and Address

Griffith & Brundrett
Surveying & Engineering, Inc.

411 S. Pearl St., P.O. Box 2322
Rockport, Texas 78381

361-729-6479
361-729-7933
jbrundrett@gsurveyor.com
www.gsbrundrett.com

TBPELS FIRM NO. F-414

Flood Data

This is to certify that I have consulted the Federal Flood Hazard Map dated 2-17-16, and found that the property described herein is not located in a "Special Flood Hazard Area."

Flood Zone *X*, Base Elevation N/A

Panel No. 0245G

Community No. 485504

This information is based on scaling the location of this survey on the above referenced map and is intended to be used to determine insurance rates only and not identify specific flooding conditions.

SUBJECT TO CHANGE BY FEMA.

Notes

- 5/8" Steel Rebars found or set at all property corners unless otherwise shown. All set 5/8" steel rebar capped with "Griffith & Brundrett."
- Deed bearing along the West R.O.W. line of Jenkins Street, used for directional control.
- Total platted area contains 0.361 acres or 15,730 square feet of land.
- Property falls within City Limits and must comply with all city codes, regulations and set backs.

County Clerk's Certification

State of Texas
County of Aransas

I, Misty Kimbrough, Clerk of the County Court in and for Aransas County, Texas, do hereby certify that the foregoing instrument of writing dated the _____ day of _____, A.D. 2023,

with its certificate of authentication was filed for record in my office the _____ day of _____, A.D. 2023,

at _____ o'clock _____ m. and duly recorded the _____ day of _____, A.D. 2023, at _____ o'clock _____ in the Plat Records of Aransas County,

Texas in Volume _____, Page _____.

Witness my hand and seal of the County Court, in and for Aransas County, Texas, at office in Rockport, Texas, the day and year last written above.

MISTY KIMBROUGH

By: _____ Deputy

Clerk's File No. _____

Planning & Zoning AGENDA
Regular Meeting: Monday, March 6, 2023

AGENDA ITEM: 4

Deliberate and act on a Final Plat submitted by property owner Kyle Alston, located at 500 & 522 East King Street; also known as Lots 4-R and 5, Block 1, Simon Oaks, City of Rockport, Aransas County, Texas.

SUBMITTED BY: Carey Dietrich - Asst. Director Building & Development /Community Planner

BACKGROUND: Property owner Kyle Alston submitted a replat for Lots 4-R and 5, Block 1, Simon Oaks which is four (4) Lots; however, due to the fact these have been replatted previously, staff felt it best for P&Z to review.

The Final Plat was reviewed by staff and determined to be Administratively complete.

RECOMMENDATION: Staff recommends approval of the Final Plat submitted by property owner Kyle Alston, located at 500 & 522 East King Street; also known as Lots 4-R and 5, Block 1, Simon Oaks, City of Rockport, Aransas County, Texas.



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CLASSIFICATION OF PLAT: ☐ Administrative ☒ Minor Subdivision ☐ Major Subdivision

A Major Subdivision requires a Concept Plan and review of a Preliminary Plat prior to the application and review of a Final Plat. A Minor Subdivision or a Re-plat may require a Concept Plan depending on the magnitude or complexity of the subdivision.

TYPE OF PLAT TO BE REVIEWED: ☐ Concept Plan & Preliminary Plat ☐ Final Plat ☒ Re-plat

GENERAL INFORMATION:

Address: 500 & 522 E KING STREET ACAD Property ID: 8823703 & 18632

Subdivision: SIMON OAKS Block: 1 Lot: 4-R & 5

Other Legal Description: _____

PROPERTY OWNER OF RECORD:

Name: KYLE ALSTON

Company: _____

Mailing Address: 403 TRAYLOR BLVD, ROCKPORT, TX

Phone: 512.659.4754

Email: KYLE@TIDEWATERTEXAS.COM

ENGINEER/PLANNER/SURVEYOR:

Name: J. L. BRUNDRETT, JR, PE, RPLS

Company: GRIFFITH & BRUNDRETT SURVEYING & ENGINEERING, INC.

Mailing Address: P. O. BOX 2322
ROCKPORT, TX 78381

Phone: 361.729.6479

Email: JERRYB@GBSURVEYOR.COM

BACKGROUND

Project Name: LOTS 4-RR, 27, 28 & 29, BLOCK 1, SIMON OAKS

- Present Zoning District: R-2 Are you requesting a zoning change? ☐ YES ☒ NO
- If yes, which Zoning District is requested? _____
- Do all proposed lots have access to existing public streets? ☒ YES ☐ NO
- Do any of the proposed lots require the extension of public facilities such as: right of ways, easements, water, sewer, etc.? ☐ YES ☒ NO
- Is the existing lot in compliance with the Storm Drainage Master Plan? ☒ YES ☐ NO

EXISTING PROPERTY CONTAINS: (Be specific on all that are applicable)

Land Use:	Number of Lots or Units	Acres of Use/Contents of Each Lot	Square Footage of Building Space
Undeveloped	2	4.38 ACRES	
Single Family			
Garden/Patio/ Zero-lot line			
Duplex			
Townhomes			
Multi-family			
Manufactured Housing			
Hotel/Motel			
Condo Regime			
Office			
Restaurant			
Commercial/Retail			
Warehouse/Showroom			
Industrial			
RV Park/ Pads			
Public Facilities: (Schools, Churches, etc.)			
Park/ Open Spaces			
Trees over 6" in diameter			
Wetlands / Other Environmentally Sensitive Natural Infrastructure			
Special Flood Hazard Zone			
Other:			
Public/ Private Street R.O.W			
TOTAL	2	4.38 ACRES	

Please describe below any other information unique or pertinent to the platting of the property.

PROPOSED SUBDIVISION/PLATS CONTAIN: (Be specific on all that are applicable)

Land Use:	Number of Lots or Units	Acres of Use/Contents of Each Lot	Square Footage of Building Space
Undeveloped	4	4.38 ACRES	
Single Family			
Garden/Patio/ Zero-lot line			
Duplex			
Townhomes			
Multi-family			
Manufactured Housing			
Hotel/Motel			
Condo Regime			
Office			
Restaurant			
Commercial/Retail			
Warehouse/Showroom			
Industrial			
RV Park/ Pads (only through approved CUP)			
Public Facilities: (Schools, Churches, etc.)			
Park/ Open Spaces			
Preserve for Wetlands / Environmentally Sensitive Natural Infrastructure			
Special Flood Hazard Zone			
Other:			
Public/ Private Street R.O.W			
TOTAL	4	4.38 ACRES	

REQUIRED PLAT COPIES & RECORDING PROCEDURES

- 1. Preliminary Plat: Two (2) copies of the preliminary plat drawn to a scale of not less than 1" = 100' plus ten (10) reduced copies (no smaller than 11"x17"). An electronic copy is requested but not required. Request a Concept Plan Checklist. This additional information and documentation should be submitted along with the Application & Preliminary Plat. A site plan or survey should be submitted showing any encroachments and improvements, existing and/or planned.
- 2. Final Plat/Re-plat: One (1) original "Vellum", plus three (3) full size copies, and one (1) 11"x17" reduced copy. May require a prior Concept Plan. An electronic copy is requested but not required.
- 3. Administrative Plats/ Minor Re-Plats: Only a final plat required. Submit in accordance with 2 above. An electronic copy is requested but not required.
- After official approval, the applicant's surveyor is responsible for coordinating the recording of all Final Plats and Re-plats at the Aransas County Court House and must then submit one (1) signed full scale Mylar and one (1) print for the City files.

FINAL PLAT/RE-PLAT CHECKLIST:

Pursuant to the City of Rockport Platting & Subdivision Ordinance the following items are required to be shown on the plat or submitted with the plat for consideration. Please use the boxes at the left to verify the completeness of the information submitted.

INDICATE IF ON PLAT:				CITY REVIEW:	
YES	NO	N/A	1. BASIC INFORMATION	YES	NO
X			A. Subdivision/ Project Name		
X			B. Name & Address of Owner		
X			C. Title: "Final Plat" / "Re-plat" / "Preliminary Plat"		
X			D. Name & Address of Responsible Surveyor, Engineer, Planner Responsible for Design		
X			E. Date		
X			F. Scale		
X			G. North Arrow		
X			H. Small Scale Location Map		
X			I. Names of Adjacent Subdivisions		

INDICATE IF ON PLAT:				CITY REVIEW:	
YES	NO	N/A	2. SURVEYING	YES	NO
X			A. Boundary Survey of Plat (Bearing & Distances)		
X			B. Reference to Original Survey or Previous Subdivision		
X			C. Monuments Shown on Plat		
X			D. Monuments Set in Field		
X			E. Legal Description of Subdivision Outer Boundary		

INDICATE IF ON PLAT:				CITY REVIEW:	
YES	NO	N/A	3. INTERIOR DETAILS	YES	NO
X			A. Dimension & Location of All Lots, Streets, Easements, Parks, etc.		
X			B. Name of Streets (New & Old)		
X			C. Lot & Block Numbers		
X			D. Location, Names, Widths of approved Streets, Alleys & Easements, All Right of Ways		
		X	E. Detail Curve Information		
X			F. Building Lines, Exterior & Interior		
		X	G. Existing Natural Features, Watercourses & Other Physical Features		
X			H. Zoning District Designation		
		X	I. Tree Plan (Showing Significant Trees in Proposed R-O-W)		
		X	J. Flood Hazard Areas		

INDICATE IF ON PLAT:

CITY REVIEW:

YES	NO	N/A	4. CERTIFICATION	YES	NO
X			A. Licensed Surveyor's Signature Plate		
X			B. Planning & Zoning Commission Signature Plate		
X			C. Owner's Signature(s) Plate		
X			D. Lien Holder(s) or Others' Signature Plate		
		X	E. City Engineer Signature Plate		
X			F. Aransas County Clerk Signature Plate		

INDICATE IF ON PLAT:

CITY REVIEW:

YES	NO	N/A	5. TAXES	YES	NO
X			A. Certificate of All Past & Current Taxes Paid on Property Being Platted		

INDICATE IF ON PLAT:

CITY REVIEW:

YES	NO	N/A	6. LEGAL STIPULATIONS	YES	NO
		X	A. Copy of All Deed Restrictions Pertaining to the Subject Property		
		X	B. Copy of Condominium Regime		
X			C. Copy of Warranty Deed		

NOTE: 2 Sets of Construction Plans showing the following should be submitted:

- A. Utility Distribution System(s) (Off-site & On-site)
- B. Streets, Sidewalks & Drive Approaches & Dimensions
- C. Drainage Plan (off-site & On-site)
- D. Topographic Map
- E. Flood Hazard Map

FILING FEE: (Make check payable to the City of Rockport)

Preliminary Plat - \$100.00 Final Plat - \$100.00 + \$10.00 per acre Minor Plat/Re-plat - \$100.00

- Submit application and filing fee to the Department of Building & Development, Rockport Service Center, 2751 SH 35 Bypass, Rockport, TX 78382.

SIGNED

(Owner or Developer)

FOR CITY USE

Received By _____ Date _____ Fees Paid \$ _____

Submitted information () accepted () rejected By: _____

If rejected, reasons why: _____

Receipt No. _____

CONCEPT PLAN PROCEDURE:

Subdivision: The division, re-division or combination of land(s) into one or more lots or tracts, except as may be excluded herein or by state law.

- Any plat for a new subdivision which is not an Administrative Plat or a Minor Re-plat may require the following:
 - a. Concept Plan & Preliminary Plat: This is a working dialogue to address issues of magnitude and complexity. A Site Plan along with a Preliminary Plat are required.
 - b. Final Plat
- City staff shall make determination as to the need of a Concept Plan based on the magnitude and complexity of the plat. Small subdivisions may only require a final plat.
- Concept Plan Review staff will schedule a meeting with applicant in order to render written comments.
 - Public Works, Parks, Public Utilities, Building & Development Services and Police Department may contribute comments.
 - 10 days after completed review, staff will send applicant written comments and recommendations.
 - Applicant then shall prepare necessary changes, prepare final plat, and submit final plat for formal review by Planning and Zoning Commission.
- After 6 months the Concept Plan is considered null and void unless a request for an additional one time 6 month extension is made.
- The Concept Plan can be amended during this time at no additional charge.
- The Concept Plan should accompany the plat when submitted for formal and final review.

CONCEPT PLAN/PRELIMINARY PLAT CHECKLIST:

The Preliminary Plat: Preliminary plats shall be drawn to a convenient scale of not less than 100 feet to an inch and shall show the following information (either on the plat or supporting document) for the area to be platted and all land within 200 feet of the outer boundary of the subdivision:

- (1) Proposed Name: The proposed name of the subdivision shall not duplicate the name of any plat previously recorded within Aransas County.
- (2) Project Ownership: Name and address of legal owner(s), lien holder(s), if any, or agents of same, and:
 - a. Any encumbrances, including but not limited to verification of payment of property taxes and existing covenants on the property, if any; and
 - b. Any other contiguous holdings.
- (3) Adjacent Ownership: Names and current deed recordings for adjacent property owners.
- (4) Professional Firms: Name, address and telephone number of the professional person(s) responsible for subdivision design, for the design of public improvements, surveys and any environmental reports.
- (5) Title Block: Graphic and numerical scale, north arrow and date.
- (6) Description: Legal description of the subdivision outer boundary.
- (7) Vegetation: Location of any trees larger than six inches in diameter at breast height (DBH) which would be located in proposed rights-of-way.
- (8) Topography: The plat map shall show elevations at two-foot intervals unless elevations are relatively level, in which case elevations shall be shown at intervals consistent with good engineering practice. Should heavy ground cover be a problem, major irregularities such as streams, gullies, or marshes shall be shown.
- (9) Utilities-Existing: Location and sizes of existing sewers, water mains, gas pipelines, culverts and other underground structures within the tract and immediately adjacent thereto; including electrical utilities.
- (10) Utilities-Proposed: Proposals for connection with electric, gas and telephone systems, public water and sewage systems, or alternative means of providing sanitary sewage disposal if the city grants a waiver under state law. Appropriate covenants, easements and other restrictions shall be shown.
- (11) Storm-water Management Plan: Preliminary provisions for collecting and discharging surface water drainage. (Refer to the city's master drainage plan.)
- (12) Flood Zone: The location of any flood zones as depicted on the FEMA Flood Hazard Map.
- (13) Lots: Location, dimensions and areas of all proposed lots.

- (14) Building Line: All front and side street building setback lines based upon current zoning applications. (A typical lot plan is acceptable.)
- (15) Recreational and Public Uses: The approximate location, dimensions and area of all parcels of land proposed to be set aside for private or public recreation use (park) or other public use. Land to be dedicated to the city shall be so indicated. (Refer to section 90-58 for parkland dedication procedures.)
- (16) Common Areas: Any proposed open spaces intended as common areas, but not public spaces under public ownership. Maintenance of these areas shall be the responsibility of a homeowners association.
- (17) Phasing: If the plat is to be developed in phases, such phasing shall be shown.
- (18) Vicinity map: General location map showing the proposed platted area relative to the community.
- (19) Land use: Indication of the proposed use of any lot other than a single-family detached lot, e.g. multifamily, commercial, office, etc.
- (20) Block and Lot Numbers: Blocks shall be consecutively numbered or lettered in order. All lots in each block shall be consecutively numbered.

HELPFUL DEFINITIONS:

Sec. 90-21. Classification of plats.

(a) Plats are hereby classified as follows:

(1) *Subdivision plat*: A plat for new subdivision development which is not an administrative plat or a re-plat as defined under paragraphs (2) and (3) below, and will require the following:

(2) *Administrative plat*: A plat in which:

- a. Adjustments to platted lots are needed that meet the criteria for amending plats described by sections 212.0065 and 212.016, Local Government Code (L.G.C.), 2000 edition;
- b. A minor plat involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of public facilities (section 212.0065, L.G.C., 2000 edition); or
- c. A re-plat under section 212.0145 that does not require the creation of any new street or the extension of municipal facilities.

Administrative plats may be processed administratively "in-house" under procedures as outlined under section 90-33, Administrative procedure, of this chapter, and only a final plat may be required.

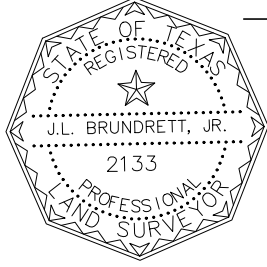
(3) *Re-plat*: A plat in which changes to existing plat(s) are needed to reconfigure or create lots, including building setback lines, which may or may not impact public improvements and do not meet the requirements for "Amending Plats" as addressed in section 212.016, L.G.C., 2000 edition. Public hearings required per section 212.014 and section 212.015, L.G.C., 2000 edition. Only a final plat may be required.

Surveyor Certification

State of Texas
County of Aransas

I, J.L. Brundrett, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the foregoing plat was prepared from surveys made on the ground under my direction and supervision and is true and correct, and that I have been engaged to set all lot and block corners and reference points and complete such operations without delay.

This the ____ day of _____, A.D., 2023.



J.L. BRUNDRETT, JR.
R.P.L.S.
Reg. No. 2133

Owner Certification

State of Texas
County of Aransas

KYLE ALSTON

does hereby certify that I (we) are the owner(s) of the lands embraced within the boundaries of the foregoing plat and that that I (we) have had said land surveyed and platted as shown hereon; that easements as shown are dedicated to the public use for the installation, operation and use of public utilities; and that this map was made for the purpose of description and dedication.

This the ____ day of _____, A.D., 2023.

KYLE ALSTON

State of Texas
County of Aransas

This instrument was acknowledged before me by:

KYLE ALSTON

This the ____ day of _____, A.D., 2023.

Notary Public in and for the State of Texas

Lienholder Certification

State of Texas
County of Aransas

PROSPERITY BANK

does hereby certify that I (we) are the holder(s) of a lien on the lands embraced within the boundaries of the foregoing plat, and that I (we) do accept and approve said plat for all purposes and considerations.

This the ____ day of _____, A.D., 2023.

Print Name & Title

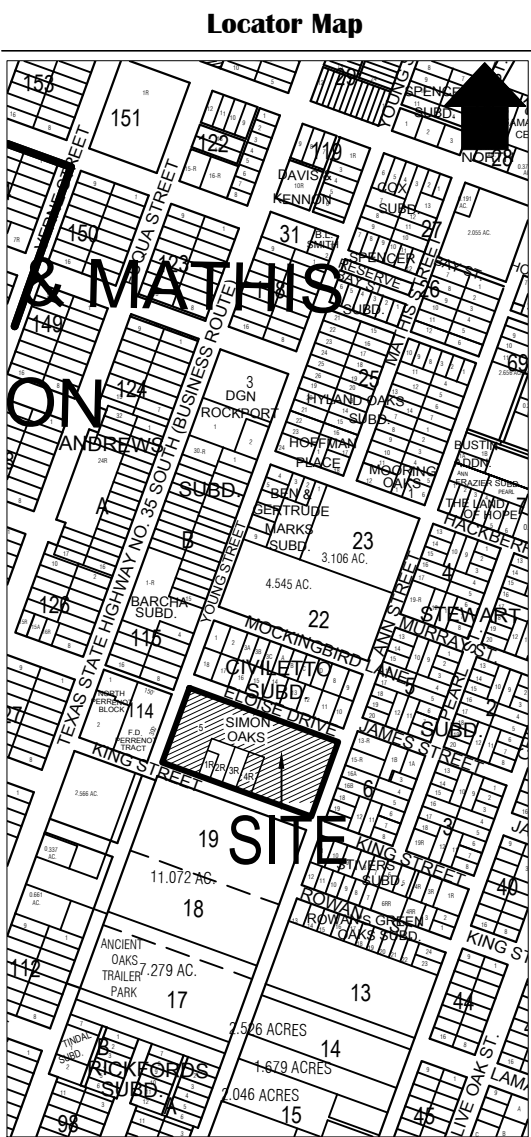
Signature

State of Texas
County of Aransas

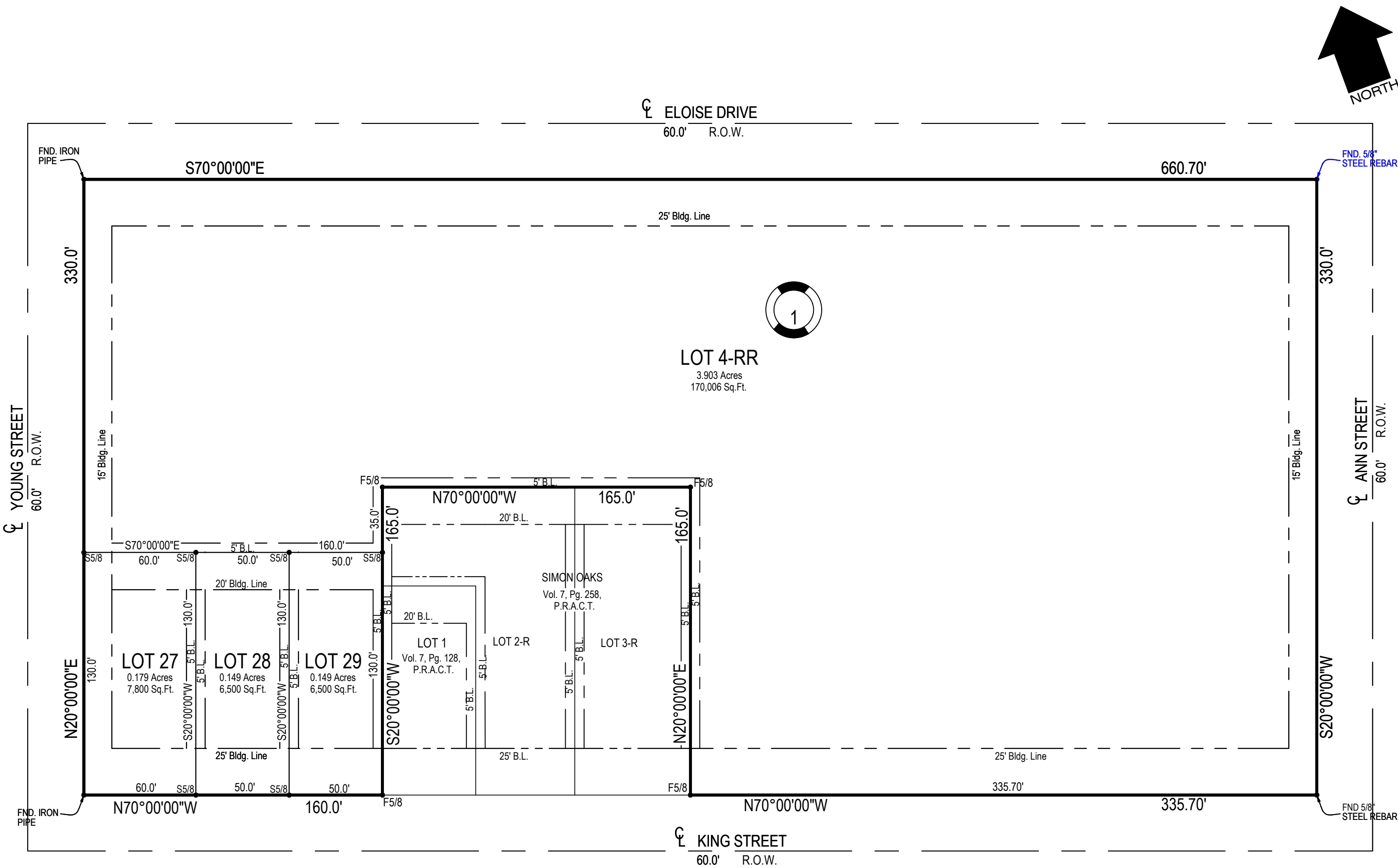
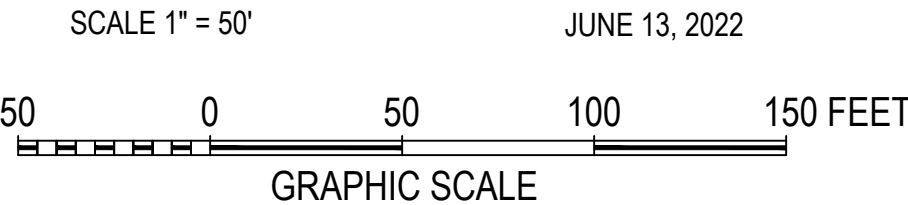
This instrument was acknowledged before me by:

This the ____ day of _____, A.D., 2023.

Notary Public in and for the State of Texas



FINAL PLAT OF:
LOTS 4-RR, 27, 28 & 29, BLOCK 1,
SIMON OAKS
CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS,
BEING A REPLAT OF LOTS 4-R AND 5, BLOCK 1, SIMON OAKS,
CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS,
ACCORDING TO THE PLAT RECORDED IN VOLUME 7, PAGE 258,
PLAT RECORDS OF ARANSAS COUNTY, TEXAS.



Planning & Zoning Commission

State of Texas
County of Aransas

This plat of the herein described property is approved for filing of record in Aransas County, Texas, by the Planning and Zoning Commission of Rockport, Texas, in accordance with the Land Subdivision Ordinance of Rockport, Texas, and Vernon's Ann Civ. Statute, Article 974A.

This the ____ day of _____, A.D. 2023.

Chair

Secretary

Firm Name and Address



Griffith & Brundrett
Surveying & Engineering, Inc.

411 S. Pearl St., P.O. Box 2322
Rockport, Texas 78381
Phone: 361-729-6479
Fax: 361-729-7933
Email: jerryb@gsurveyor.com
Website: www.gsurveyor.com

TBPELS FIRM NO. F-414

Flood Data

This is to certify that I have consulted the Federal Flood Hazard Map dated 2-17-16, and found that the property described herein is ____ (or) is not X located in a "Special Flood Hazard Area."

Flood Zone "X", Base Elevation N/A.

Panel No. 0245G,

Community No. 485504.

This information is based on scaling the location of this survey on the above referenced map and is intended to be used to determine insurance rates only and not identify specific flooding conditions.

SUBJECT TO CHANGE BY FEMA.

Notes

1) 5/8" Steel Rebars found or set at all property corners unless otherwise shown. All set 5/8" steel rebar capped with "Griffith & Brundrett."

2) Plat bearing of along the North R.O.W. line of King Street, used for directional control.

3) Total platted area contains 4.380 acres or 190,806 square feet of land.

4) Property falls within City Limits and must comply with all city codes, regulations and set backs.

County Clerk's Certification

State of Texas
County of Aransas

I, Misty Kimbrough, Clerk of the County Court in and for Aransas County, Texas, do hereby certify that the foregoing instrument of writing dated the ____ day of _____, A.D. 2023, with its certificate of authentication was filed for record in my office the ____ day of _____, A.D. 2023 at ____ o'clock ____ m. and duly recorded the ____ day of _____, A.D. 2023, at ____ o'clock ____ m. in the Plat Records of Aransas County, Texas in Volume _____, Page _____.

Witness my hand and seal of the County Court, in and for Aransas County, Texas, at office in Rockport, Texas, the day and year last written above.

Misty Kimbrough

By: Deputy

Clerk's File No. _____