



PLANNING COMMISSION

CITY OF BAY CITY

Thursday, July 28, 2022 at 5:00 AM
COUNCIL CHAMBERS | 1901 5th Street

Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.

AGENDA

CALL TO ORDER

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [1.](#) Meeting Minutes of April 21, 2022

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL:

- [2.](#) Discuss, consider, and/or approve a variance to City Code of Ordinance, Chapter 98 "Subdivisions", Section 98-100 "Building Lines" of a proposed replat of Lots 3-6 of Block 67 of Layton Moore's Subdivision of Moore Park (1913 and 1915 Park Ave) with variance to building lines. Alyssa Dibbern, City Engineering Tech/Genard Campos
- [3.](#) Discuss upcoming/preliminary developments: TIRZ #1, TIRZ #1a, TIRZ #2, TIRZ #4, and Grace Street 55 acres. Alyssa Dibbern, City Engineering Tech

ITEMS / COMMENTS FROM BOARD MEMBERS

PUBLIC COMMENTS

State Law prohibits any deliberation of or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in response to the inquiry; recite an existing policy; or request staff places the item on an agenda for a subsequent meeting.

ADJOURNMENT

CERTIFICATION OF NOTICE

This is to certify that the above notice of a Special Called Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on **Monday, July 25, 2022 before 5:00 p.m.** Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.

AGENDA NOTICES:

Bay City Planning Commission:

The Bay City Planning Commission serves as an advisory body to City Council and the Mayor. Therefore, although the Board does not fall under the purview of the Texas Open Meetings Act, its meetings shall be open to members of the public.

Attendance by Other Elected or Appointed Officials:

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

The facility is wheelchair accessible and accessible parking spaces available. Request for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary's Office at 979-245-5311 or email, jthompson@cityofbaycity.org for further information.

Jeanna Thompson

City Secretary

CITY OF BAY CITY

MINUTES • APRIL 21, 2022

**COUNCIL
CHAMBERS | 1901
5th Street**

Planning Commission Meeting

5:00 PM

**1901 5TH STREET
BAY CITY TX, 77414**



Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.

CALL TO ORDER

Joshua Fortenberry was selected to preside and called the meeting to order at 5:02 pm. Quorum certified.

PRESENT

Commissioner Erik Frankson
Commissioner Joshua Fortenberry
Commissioner Marion Garcia
Commissioner Carolyn Barclay

ABSENT

Chairperson Jessica Russell
Commissioner Zeinab Ghais
Commissioner Raihan Khondker

APPROVAL OF AGENDA

Motion made by Commissioner Frankson to approve the agenda, Seconded by Commissioner Garcia. Voting Yea: Commissioner Frankson, Commissioner Fortenberry, Commissioner Garcia, Commissioner Barclay. Motion carried.

APPROVAL OF MINUTES

1. Meeting minutes of September 21, 2021

Motion made by Commissioner Frankson to approve the minutes of September 21, 2021, Seconded by Commissioner Garcia. Voting Yea: Commissioner Frankson, Commissioner Fortenberry, Commissioner Garcia, Commissioner Barclay. Motion carried.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL:**2. Discuss, consider, and/or approve a variance to City Code of Ordinance, Chapter 98 "Subdivisions", Section 98-98 "Lots" of a proposed plat of a 1.03 Acre Subdivision described in General Warranty Deed recorded in file no. 2021-6196 of the M.C.O.R. Elesa Hall League, Abstract No. 45 with variance to Lot 1 and 2. Alyssa Dibbern, Engineering Tech**

Variance to lot size to allow city access easement was presented by Alyssa Dibbern, Engineering Tech.

Motion made by Commissioner Frankson to approve the variance to lot size, Seconded by Commissioner Barclay. Voting Yea: Commissioner Frankson, Commissioner Fortenberry, Commissioner Garcia, Commissioner Barclay. Motion carried.

3. Report and update on open requests for land use: Battery Energy Storage Facility (BESS), Popeyes, Palm Village Boat Storage, Other past minor plats.

Alyssa Dibbern, Engineering Tech, provided an update on various upcoming projects. Commissioners had concerns with fire hazards and environmental hazards in regards to the battery storage facility. Ms. Dibbern stated that she would reach out to BESS with the commissioners concerns and provide BESS response to the commissioners.

4. Upcoming Developments - Preliminary: TIRZ #1, TIRZ #1a, TIRZ #2, and TIRZ #4

Shawna Burkhart, City Manager, gave an update on the TIRZ developments, stating that the TIRZ #3 has already sold 3 lots.

ITEMS / COMMENTS FROM BOARD MEMBERS

There were no items or comments from the board members.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Motion made by Commissioner Frankson to adjourn, Seconded by Commissioner Barclay. Voting Yea: Commissioner Frankson, Commissioner Fortenberry, Commissioner Garcia, Commissioner Barclay. Motion carried and the meeting adjourned at 5:26 pm.

PASSED AND APPROVED, this ____ day of _____, 2022.

JESSICA RUSSELL

CHAIRMAN



July 18, 2022

Planning Commission
1901 Fifth Street
Bay City, Texas. 77414

Reference: Variance for zero-lot line at: 1913 Park & 1915 Park

Dear Planning Commissioners,

A variance is being requested by Genaro Campos for a residence on Park Avenue. The residence is being divided into 2 separate living spaces; to become a duplex type of residence. **The firewall has already been installed but has not passed inspection.** Like Oak Manor Four-plex's, the firewall creates a zero-lot line that will be the property line.

Bay City Municipal Code:

Sec. 98-100. - Building lines.

- (a) Building lines shall be at least 15 feet on the front of all lots, ten feet on side of corner lots, and five feet on side of interior lots. Lots adjacent to major thoroughfares shall have a minimum 35-foot front building line when lots are facing or a minimum 20-foot side building line when lots are siding on thoroughfares.

Sec. 98-6. - Variances.

(a) The planning commission shall hear all requests for a variance from the provisions of this chapter. The planning commission may authorize a variance from this chapter when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the planning commission shall prescribe any condition or conditions that it deems necessary or desirable considering the public interest; in making the findings required in subsection (b), the variance committee shall take into consideration the following:

- (1) The nature of the proposed use of the land involved and existing uses of land in the vicinity;
- (2) The number of persons who will reside or work in the proposed subdivision;
- (3) The probable effect of such variances upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity; and
- (4) Any and all other facts the variance committee may deem relevant.

Background:

The purpose of lot setback requirements is to lessen congestion and overcrowding of lots; to provide access within the lot for general circulation and maintenance of the buildings located thereon; and to provide access in the case of fire or another emergency.

- 1) The firewall creates a zero-lot line that will be the property line.
- 2) The residence will become a duplex type of residence.

Recommendations:

Approve Variance on the need to correct firewall. Owner will receive Variance only after he has passed inspection.

Respectfully,

Daniel Shook, Fire Marshal
City of Bay City
979-318-7130



**CITY OF BAY CITY
VARIANCE REQUEST**

1901 5th Street
Bay City, TX 77414
(979) 245-5311
(979) 323-1681 fax

All requests for a variance shall be filed with the City Secretary. Each request shall be accompanied by a \$75.00 filing fee, a drawing/illustration depicting the property affected by the request, and any additional supplemental documentation that you want the Variance Committee to consider. **Incomplete requests will not be accepted.**

Date: 7/6/22
Name of Requestor (please print): GERARDO CAMPOS
Address of Requestor: 2023 BARGONETTI ROAD Phone Number: 713-885-4458
SUGARLAND, TX Email Address: GERARDOCAMPO11@GMAIL.COM

Address of subject property: 1915 PARK
Legal description of subject property: LOTS 3-6 B 67 MOORE'S PARK ANON

Section(s) of the City's Code of Ordinances from which the variance is being sought:

Sec. 98-100 of the Code of Ordinances
Sec. _____ of the Code of Ordinances
Sec. _____ of the Code of Ordinances

In detail, please state the reason for the request: _____
RESIDENCE IS BEING DIVIDED INTO 2 SEPARATE LIVING
SPACES. FIREWALL HAS BEEN INSTALLED TO CITY REQUIREMENTS.
WILL BECOME A DUPLEX TYPE RESIDENCE.

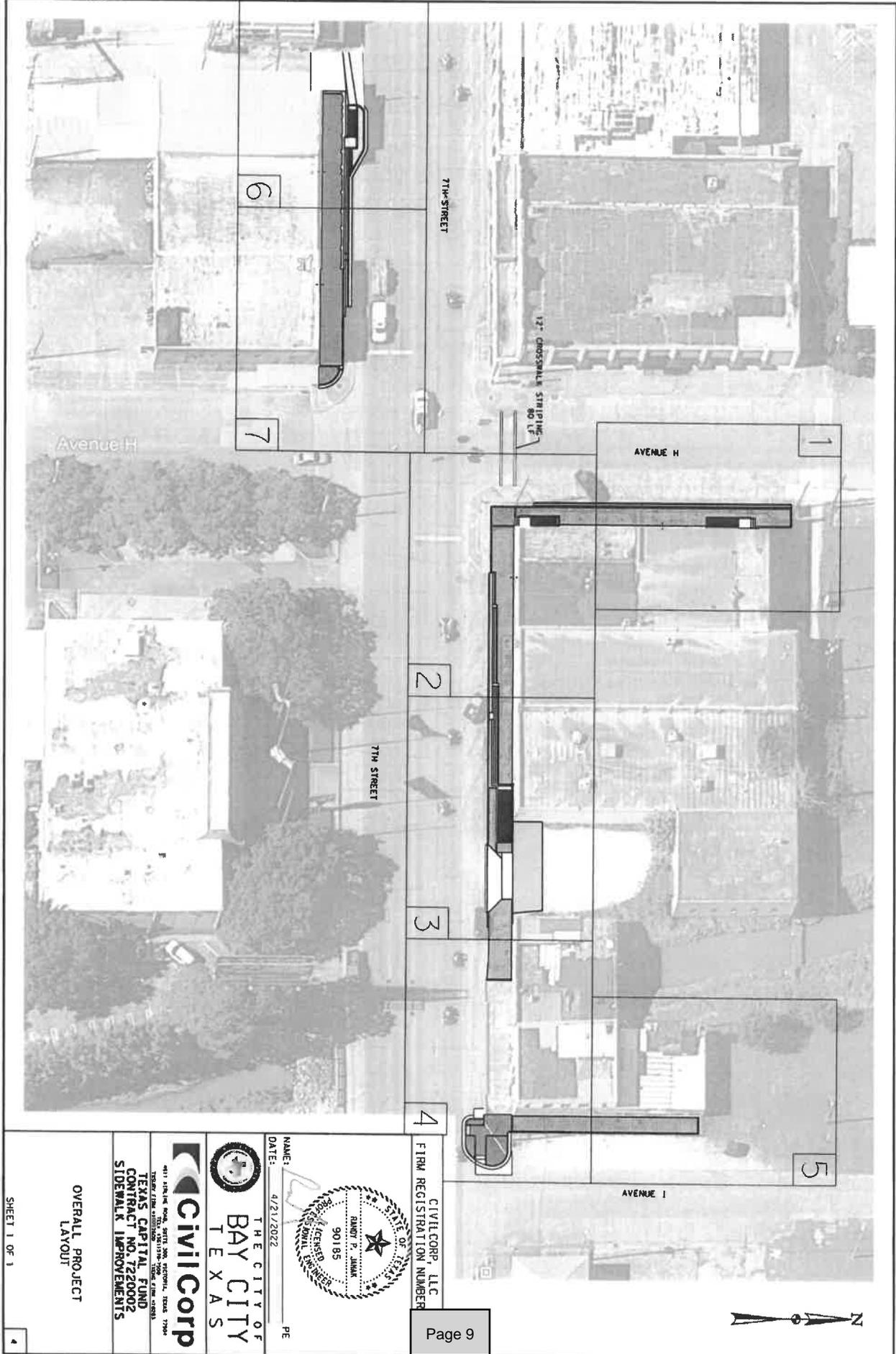
The Variance Committee will consider variance requests from the following:

- (a) Ch. 22 (Buildings and Building Regulations)
- (b) Ch. 46 (Flood Damage Prevention)
- (c) Ch. 54 (Mobile Homes, etc.)
- (d) Ch. 78 (Off Street Parking (Angle Parking)
- (e) Ch. 94 (Streets, Sidewalks and Other Public Places)
- (f) Ch. 98, Sec. 98-122 – Subdivision Streets
- (g) Ch. 110, Sec. 110-178 (Traffic and Vehicles (Angle Parking)).

Otherwise, the Planning Commission will consider the variance request.

Decisions of the Variance and Planning Committees shall be filed with the City Secretary's Office and promptly reported to the requestor. All decisions may be appealed to the City Council.

Gerardo Campos Requestor Signature
Gerardo Campos



CIVIL CORP, LLC
FIRM REGISTRATION NUMBER



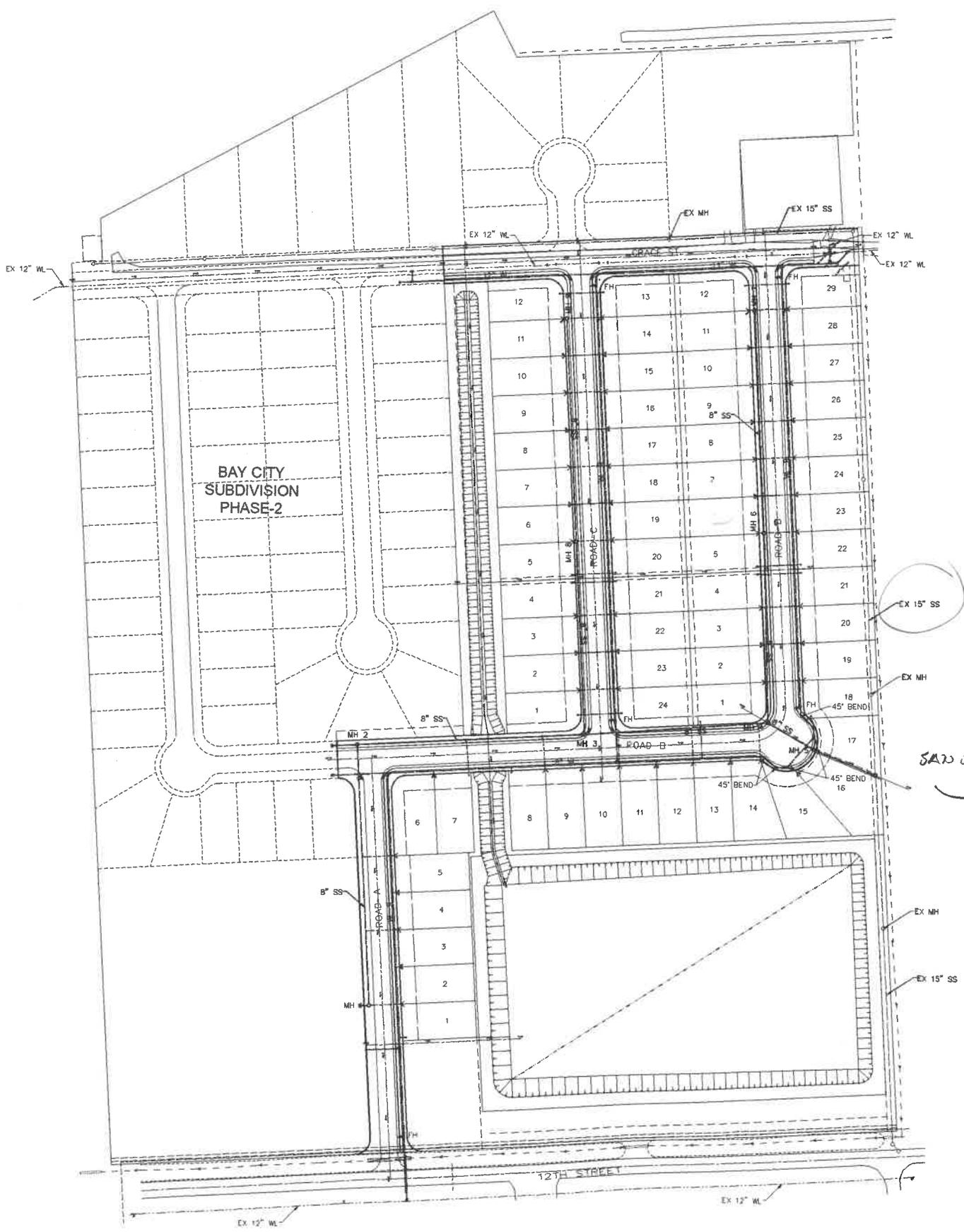
NAME: RANDY P. JINNAH
DATE: 4/21/2022
PIE



401 JEROME ROAD, SUITE 300, WICHITA, TEXAS 76794
TEL: 620-275-1179 FAX: 620-275-1178
WWW.CIVILCORP.COM

TEXAS CAPITAL FUND
CONTRACT NO. 7220002
SIDEWALK IMPROVEMENTS

OVERALL PROJECT
LAYOUT



DESIGNED	DBR
DRAWN	LETS/BB
CHECKED	
DATE	

B & L
BAKER & LAWSON, INC.
 ENGINEERS • PLANNERS • SURVEYORS
 300 E. CEDAR ST. ANGLETON, TEXAS 77516
 PHONE: 978-649-6581 FAX: 978-649-4689
 REG. NO. F-825



The seal appearing on this document was
 Page 10
 Date: _____

OWNER:
SOUTHEAST TEXAS HOUSING FINANCE CORPORATION
 11111 SOUTH SAM HOUSTON PARKWAY EAST
 HOUSTON, TEXAS 77089
 PHONE: (281) 484-4663

SCALE:
 PLAN: 1" = 100'
 PROFILE:
 HORIZONTAL: _____
 VERTICAL: _____

DESIGNED	DBR
DRAWN	LET'S/BB
CHECKED	
DATE	

B&L
BAKER & LAWSON, INC.
 ENGINEERS - PLANNERS - SURVEYORS
 300 E. CEDAR ST. ARLINGTON, TEXAS 77010
 PHONE: 972-444-0001 FAX: 972-444-4000
 REG. NO. P-225



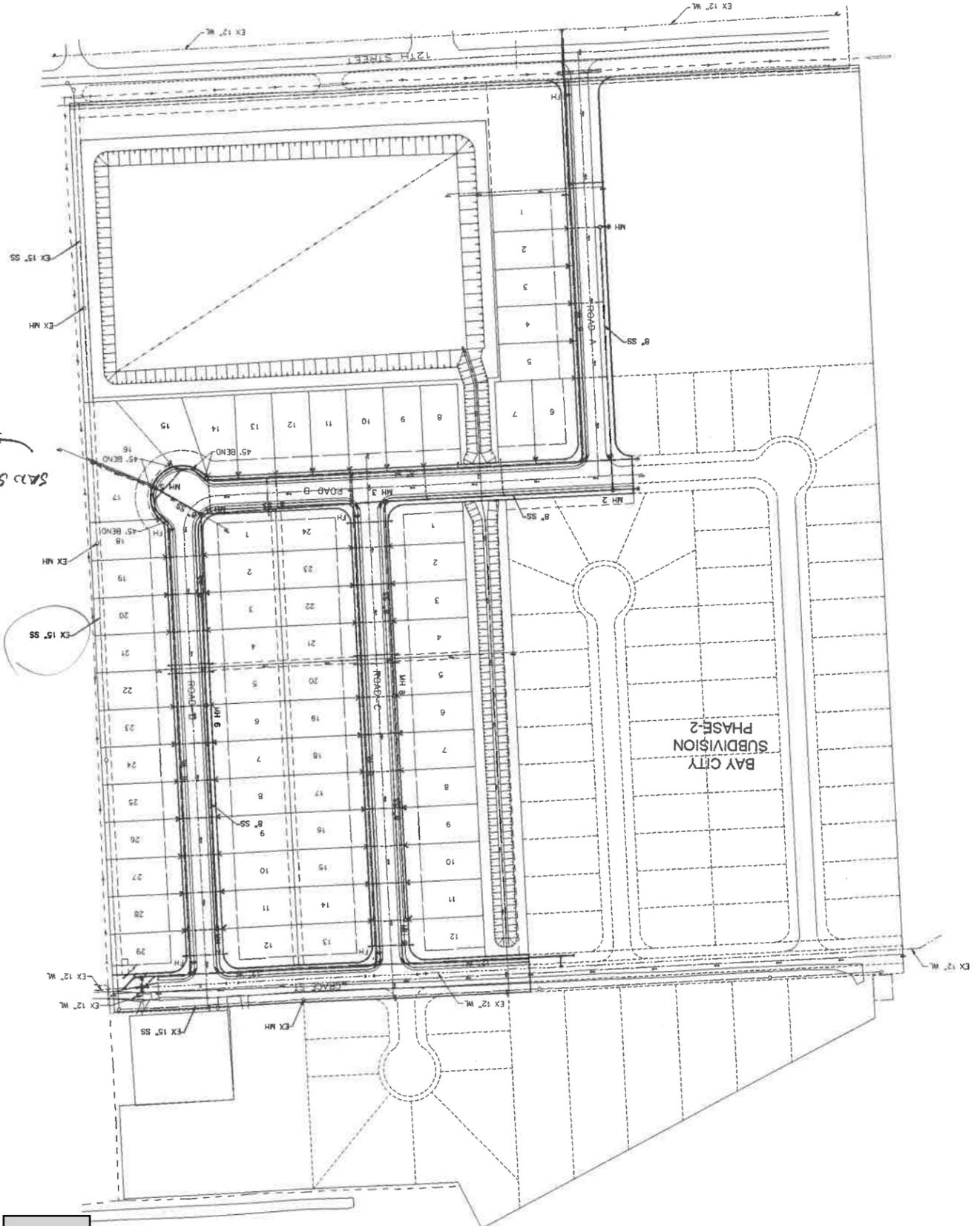
The seal appearing on this document was authorized by Douglas B. Roessler P.E. 56739
 Date: _____

SOUTHEAST TEXAS HOUSING FINANCE CORPORATION
 11111 SOUTH SAM HOUSTON PARKWAY EAST HOUSTON, TEXAS 77089
 OWNER:
 PHONE: (281) 484-4663

SCALE: _____
 PLAN: 1" = 100'
 PROFILE: _____
 HORIZONTAL: _____
 VERTICAL: _____

BAY CITY SUBDIVISION PHASE-1
 GRADING, PAVING, DRAINAGE & UTILITIES

PROJECT NO. 11016_11016_ML_SAN.dwg
6
 WATER AND SANITARY SEWER LAYOUT
 SHEET 6 OF 38 SHEETS



SANITARY FALL

