



# PLANNING COMMISSION

## CITY OF BAY CITY

Thursday, October 15, 2020 at 5:30 PM  
COUNCIL CHAMBERS | 1901 5th Street

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

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## AGENDA

### CALL TO ORDER

### APPROVAL OF AGENDA

### APPROVAL OF MINUTES

1. Meeting minutes of September 17, 2020

### REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL:

- 2. Discuss, consider, and/or approve appointing a Chairman.**
- 3. Discuss, consider, and/or approve a variance to amend the plat to include a private utility at 2900 Nichols Road. Luis Mangana**
- 4. Planning Commission training.**  
Anne Marie Odefey

### 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, October 12, 2020 before 5:30 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](mailto:jthompson@cityofbaycity.org) for further information.

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Jeanna Thompson

*City Secretary*

**CITY OF BAY CITY**  
**MINUTES • SEPTEMBER 22, 2020**

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**COUNCIL  
CHAMBERS | 1901  
5th Street**

**Planning Commission Meeting**

**5:30 PM**

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**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**

Meeting called to order at 5:30 pm by City Manager, Shawna Burkhart.

**PRESENT**

- Erik Frankson
- Floyce Brown
- Joshua Fortenberry
- Jessica Russell
- Zeinab Ghais

**Also in attendance:**

- Robert K. Nelson, Mayor
- Shawna Burkhart, City Manager
- Barry Calhoun, Public Works Director
- Allysa Dibbern, Engineering Tech

**APPROVAL OF AGENDA**

Motion made by Jessica Russell to approve the agenda, Seconded by Joshua Fortenberry. Voting Yea: Erik Frankson, Floyce Brown, Joshua Fortenberry, Jessica Russell, Zeinab Ghais. Motion carried.

**REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL:****1. REVIEW CODE OF ORDINANCE, CHAPTER 78**

Shawna Burkhart, City Manager, facilitated the meeting. Ms. Burkhart provided copies of the Code of Ordinance Chapters 78 and 98, asking the commission to review for future referencing. Ms. Burkhart mentioned she is trying to get an individual in to provide training to the Commission.

**2. DISCUSS DOWNTOWN SQUARE PARKING**

Robert K. Nelson, Mayor, discussed the parking issues downtown and the concerns of citizens and shop owners.

**3. DISCUSS TRAFFIC CONTROL UPGRADES TO STATE HIGHWAY 35 IN BAY CITY.**

Mayor Nelson discussed the TxDOT proposal to add turn lanes and new signals on highway 35 and 60 downtown. There were concerns again from citizens and shop owners. City sent letter to TxDOT of new lights and turn lane on 60 only. TxDOT will come back with a plan.

**4. DISCUSS POTENTIAL HOUSING PROJECTS:**

**a) Behind McCoy's**

**b) Bruce Grover - Meadow Oaks**

**c) Arthur Milberger - Schulman Theater Area**

**d) Lynn & Associates - Various Locations**

Potential housing projects were discussed and the issues of getting developers to come to Bay City. Ms. Burkhart stated that there have been personnel changes and the City is interviewing for a new building official.

**ITEMS / COMMENTS FROM BOARD MEMBERS**

Mayor Nelson asked the board to also look at development to the South, West, and North. All development seems to be East. Mr. Frankson stated that the board has not had direction or definition of their role. He welcomes training to get clear defined roles.

Ms. Ghais added that S60 needs to clean up. Ms. Brown added that we have an ordinance on upkeep of business appearances.

Meeting schedules were discussed and next meeting positions will be selected as well as a variance to review.

**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.

No public comments.

### **ADJOURNMENT**

Motion made by Jessica Russell to adjourn, Seconded by Floyce Brown. Voting Yea: Erik Frankson, Floyce Brown, Joshua Fortenberry, Jessica Russell, Raihan Ghais. Meeting adjourned at 6:13 pm.

**PASSED AND APPROVED**, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
JEANNA THOMPSON

CITY SECRETARY

pd # 75  
10/8/2020

ITEM #3.



**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 \$25.00 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: 10-8-20

Name of Requestor (please print): Jose Luis Magaña

Address of Requestor: 2900 Nichols Ave Phone Number: 979 429-0703

Email Address: jose.luis16@yahoo.com

Address of subject property: 2900 Nichols Avenue

Legal description of subject property: \_\_\_\_\_

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

Sec. 22-296 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: To be granted

a Variance for waterwell and septic system.  
It would cost \$70,000 to have city utilities  
Property is located at 2900 Nichols Avenue.

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; and (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.

  
Requestor Signature

Matagorda CAD

Property Search Results > 12441 BALLESTEROS SARA ELENA  
MAGNANA for Year 2020

Tax Year: 2020

Property

Account

Property ID: 12441      Legal Description: AB 0045, E HALL, ACRES 1.97, REPLAT - RESERVE A  
 Geographic ID: 0045-0000-014400      Zoning: 3  
 Type: Real      Agent Code:  
 Property Use Code:  
 Property Use Description:

Location

Address: 2900 NICHOLS ROAD      Mapsco:  
 BAY CITY, TX 77414  
 Neighborhood: BAY CITY SEC 1 ABS LAND, MISC      Map ID: 133V  
 Neighborhood CD: B1

Owner

Name: BALLESTEROS SARA ELENA MAGNANA      Owner ID: 214798  
 Mailing Address: 3202 SPARKS ROAD      % Ownership: 100.0000000000%  
 BAY CITY, TX 77414

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$3,940	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$41,620	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$45,560	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$45,560	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$45,560	

Taxing Jurisdiction

Owner: BALLESTEROS SARA ELENA MAGNANA  
 % Ownership: 100.0000000000%  
 Total Value: \$45,560

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
10	MATAGORDA COUNTY	0.422230	\$45,560	\$45,560	\$192.37
20	BAY CITY ISD	1.431400	\$45,560	\$45,560	\$652.14
30	CITY OF BAY CITY	0.655000	\$45,560	\$45,560	\$298.41

40	PORT OF BAY CITY	0.056280	\$45,560	\$45,560	\$25.64	ITEM #3.
50	CONS & RECL DISTRICT	0.008310	\$45,560	\$45,560	\$3.79	
52	COASTAL PLAINS GROUNDWATER DIST	0.004650	\$45,560	\$45,560	\$2.12	
61	DRAINAGE DISTRICT #1	0.042010	\$45,560	\$45,560	\$19.14	
90	MATAGORDA CO HOSPITAL DISTRICT	0.318150	\$45,560	\$45,560	\$144.95	
CAD	County Appraisal District	0.000000	\$45,560	\$45,560	\$0.00	
<b>Total Tax Rate:</b>		<b>2.938030</b>				
				<b>Taxes w/Current Exemptions:</b>	<b>\$1,338.56</b>	
				<b>Taxes w/o Exemptions:</b>	<b>\$1,338.57</b>	

**Improvement / Building**

<b>Improvement #1:</b>	<b>COMMERCIAL</b>	<b>State Code:</b>	<b>F1</b>	<b>Living Area:</b>	<b>sqft</b>	<b>Value: \$3,940</b>
<b>Type</b>	<b>Description</b>	<b>Class CD</b>	<b>Exterior Wall</b>	<b>Year Built</b>	<b>SQFT</b>	
PFM	PFM BLDG	PFMS-A		2019	1500.0	

**Land**

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	20F1009	NICHOLS - 7TH ST SOUTH	1.9700	85813.20	0.00	0.00	\$41,620	\$0

**Roll Value History**

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2021	N/A	N/A	N/A	N/A	N/A	N/A
2020	\$3,940	\$41,620	0	45,560	\$0	\$45,560
2019	\$0	\$41,820	0	41,820	\$0	\$41,820
2018	\$0	\$41,820	0	41,820	\$0	\$41,820
2017	\$0	\$41,820	0	41,820	\$0	\$41,820
2016	\$0	\$41,820	0	41,820	\$0	\$41,820
2015	\$0	\$41,820	0	41,820	\$0	\$41,820
2014	\$0	\$41,820	0	41,820	\$0	\$41,820
2013	\$0	\$41,820	0	41,820	\$0	\$41,820
2012	\$0	\$41,820	0	41,820	\$0	\$41,820
2011	\$1,000	\$41,820	0	42,820	\$0	\$42,820
2010	\$1,000	\$41,820	0	42,820	\$0	\$42,820
2009	\$1,000	\$41,820	0	42,820	\$0	\$42,820
2008	\$1,000	\$41,820	0	42,820	\$0	\$42,820
2007	\$1,000	\$30,000	0	31,000	\$0	\$31,000

**Deed History - (Last 3 Deed Transactions)**

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	12/22/2015	WD	WARRANTY DEED	MAGANA JOSE LUIS	BALLESTEROS SARA ELENA MAGNANA			2015-7265
2	2/7/2012	WD	WARRANTY DEED	HUITT LOLA ANN ESTLINBAUM	MAGANA JOSE LUIS			120823
3	8/15/2011	GWD	GWD	ESTLINBAUM CLYDE	HUITT LOLA ANN ESTLINBAUM			114556