

# JOINT PLANNING & ZONING BOARD OF COMMISSIONERS & CITY COUNCIL SPECIAL MEETING

Tuesday, March 19, 2024 at 5:00 PM

City Hall, 102 W. Ashley Wilson Rd, Sweeny, Texas

## MINUTES

BE IT KNOWN that the Planning and Zoning Board of Commissioners and the City Council of the City of Sweeny met in **Special Session** on **Tuesday, March 19, 2024 at 5:00 PM.** at City Hall, 102 W. Ashley Wilson Rd, Sweeny, Texas with the following agenda.

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### CALL TO ORDER/ROLL CALL; CITY COUNCIL

Mayor Hopkins called the meeting to order at 5:07 P.M.

Reese Cook, Brian Brooks, and John Rambo were in attendance for the City Council. Mark Morgan Jr. and Tim Pettigrew were absent.

### CALL TO ORDER/ROLL CALL; P & Z BOC

Shaun Massey, Stephen Nance, Cerrington Massey, and Jenny Massey were in attendance for the Planning and Zoning Board of Commissioners.

### PUBLIC HEARINGS AND ACTION ITEMS

1. 402 & 404 Pecan Street rezone request from Single Family to Multi-Residential R4

Mayor Hopkins opened the Public Hearing at 5:07 P.M. for 402 & 404 Pecan Street rezone request from Single Family to Multi-Residential R4 asking for anyone wishing to make comment to approach the podium. Mayor Hopkins closed the Public Hearing at 5:08 P.M.

### REGULAR AGENDA

2. Discussion and possible action on requested rezone of 402 & 404 Pecan Street to R4 Multi-family Residential

City Manager stated this is a request to rezone from single family residential to multi-family residential. The property owner is requesting a rezone to 402 & 404 Pecan Street and if rezoned, there will be additional variances requested, and replat required. There is a structure already started that is spanning the two properties of 402 & 404 Pecan. No opposing comments have been received by City staff from the public. Staff is required to send out letters to all neighboring properties within 200 feet of the property lines of the requested rezone. The requestor, Bill Worrell, was in attendance.

*Jenny Massey of the Planning and Zoning Board of Commissioners made the recommendation for 402 & 404 Pecan Street to rezone from a R2 single family to multi-residential R4. Stephen Nance seconded. All were in favor. Motion of recommendation carried.*

*Reese Cook of the City Council moved to approve the Board of Commissioner's recommendation that the property of 402 & 404 Pecan Street be rezoned to a multifamily residence, R4, as per Section 110-71 of the Zoning Ordinance, exhibit A, pending required variance approvals and replat required to follow. John Rambo seconded. All in favor. Motion carried.*

3. Discussion and possible action to variance requests to the Zoning Ordinance Section 110, Exhibit A; 402 & 404 Pecan Street

City Manager stated the variances requested are required to comply to the newly established zone of R4 requirements to include yard setbacks and other requirements. Discussion ensued about the structure that is already constructed spanning two properties (402 & 404 Pecan). Councilman Brooks voiced his concern with granting the variances requested after work has already commenced. The construction was stopped due to not having the required permitting and zoning allowances. After meeting with Worrell and seeing his intention to have several different housing units onsite, staff felt multi-family is the best approach. Worrell met with City staff and is working to bring the property into compliance. Discussion about being mindful of precedence was noted as a concern, as we have to treat everyone equally when

granting variances. Mr. Worrell, owner, stated the intended use was for a storm shelter originally. He knows he broke the rules, but the project was not supposed to have happened as quickly as it did. Worrell stated the windstorm engineer has been in contact during the construction. He knows he encroached on the setback requirements and stated he owns a majority of the property in the area. He has also talked to the neighboring commercial property owners abutting the rear of the property. He has installed a gutter system to help alleviate the drainage problem and mitigate it to the city storm drains to help the commercial property abutting the rear of the property. City Manager stated we do offer pre development meetings prior to construction to help alleviate these types of issues and help property owners move forward. Board of Commissioners, Stephan Nance, questioned what will happen to the structure if the variances are not granted and the City says no? How do we keep others from doing the same? City Manager stated that if the variances are not granted, the City would send a letter requesting the structure be removed at the property owners expense. Mayor Hopkins asked if the structure could be moved to meet the required setbacks? Mr. Worrell stated it would be very hard to have it moved. The different zones were discussed of the surrounding properties and the process of amending the zoning ordinances already adopted.

*BOC recommendations are not required for variances.*

*John Rambo of the City Council moved to approve the variances requested to the Zoning Ordinance Section 110, Exhibit A, for 402 & 404 Pecan Street.*

*Motion died for lack of second.*

4. Discussion and possible action to establish a Mixed Use Zone within the Zoning Ordinance, Section 110, Exhibit A

Kaydi Smith, City Secretary, stated at the November meeting, Council directed staff to move forward with establishing a mixed use zone. This proposed encompasses Businesses, Commercial, and Light Industrial usage within the usage allowances. The Business Industrial Mixed Use Zone would prohibit residential development. This amendment is for a proposed future rezone at the Industrial Park. Both the Planning and Zoning Board of Commissioners and the City Council discussed the proposed zone and zoning allowances within the proposed zone.

*BOC recommendations are not required for ordinance adoption and/or amendments.*

*Reese Cook of the City Council moved to amend Section 110 of the City's Code of Ordinances, adding a business light industrial mixed use zone within Exhibit A. John Rambo seconded.*

*Reese Cook and John Rambo approved. Brian Brooks opposed. Motion carried.*

## **ADJOURN REGULAR SESSION**

Mayor Hopkins adjourned the joint regular session at 5:46 PM.

### *Staff present:*

City Manager, Lindsay Koskiniemi

Police Chief, Brad Caudle

Director of Public Works, Terrance Bell

Finance Director / Personnel Services, Karla Wilson

City Secretary/ Developmental Services, Kaydi Smith

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Kaydi Smith - City Secretary