

COUNTY OF BRAZORIA)(

CITY OF FREEPORT)(

BE IT REMEMBERED that the Planning and Traffic Commission of the City of Freeport, Texas met in a regular meeting on, **Thursday, July 31st, 2014 at 6:00 P.M.** at the Police Department Conference Room, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

Planning Commission:

**Edward Garcia – Chairman
Reuben Cuellar
Tobey Davenport
Jesse Aguilar, Jr.
Eddie Virgil**

Staff: Kola Olayiwola, Building & Code Official
Wallace Shaw, City Attorney

Guests: Nicole Mireles
Gary Woodring
Lisa Girouard
Troy Brimage
Sabrina Brimage
Jason Travis
Simon Virgil

Open Meeting.

Mr. Edward Garcia called the meeting to order at 6:05 P.M.

Invocation.

Mr. Wallace Shaw opened the meeting with a prayer.

Approval of the Minutes for July 22, 2014.

Ms. Eddie Virgil moved to accept the Minutes for July 22, 2014, seconded by Mr. Jesse Aguilar, Jr., unanimous vote for approval.

Consideration of approving and signing a replat on the Old Brazos River Retreat a Subdivision of a 0.764 acre tract out of tract 4 of the City of Freeport as recorded in County Clerk's File No. 12-057412 of the Brazoria County Official Records in the Stephen F. Austin Survey. Abstract 32 & 33, Brazoria County, Texas.

The Building Official, Mr. Kola Olayiwola, was asked by the Chairman for Staff recommendation on the requested re-plat. He explained that, going by the Zoning Designation of W-2 for the area to be re-

platted, then, the requested re-plat meets the City regulations since each of the lots to be re-platted are over the minimum required lot area of 2,500 SF.

Mr. Wallace Shaw, City Attorney, also oriented the P&Z Commissioners on the applicable City ordinance, Section 155.041 W-2 District, Waterfront- Light and associated Plat Approval Process, Section 154.51. He concluded by referencing the Local Government Code (212.005) Approval by Municipality Required, and cautioned the Commissioners that, they have to render a decision within 30-days of the application or the plat/re-plat will be considered "Approved."

The entire P&Z Commissioners showed concern and have reservations on the R-3 supplemental requirement for Residential Development in W-2 District. Mr. Tobey Davenport, requested that, this conflicting doctrine be revised or deleted from the W-2 District Regulations. Additionally, he gave personal apology for being the Mayor at the time the ambiguous ordinance was drafted.

The Applicant Mr. Gary Woodring explained his dilemma to the Commissioners that, if the re-plat is not approved, the Bank will not close on the loan for his house and he will not be able to move in.

On a move by Mr. Davenport and a 2nd from Mr. Aguiar. Jr., the re-plat was unanimously approved.

Adjourn.

The meeting was adjourned at 6:40 P.M.

These minutes read and approved this _____ day of _____, 2014.

Edward Garcia, Chairman