



MEETING MINUTES

Date and Time: April 20, 2017 at 5:15pm

MEMBERS PRESENT:

Greg Spears
Mary Anne Wyatt
Philip Johns
Julia Welder
John Hyak
James Johnson
Bruce Woods
Jill Trevino
Member Absent:
Michael Atkinson

STAFF PRESENT:

Development Services:

Julie Fulgham, Asst. Director Development Services
Will Charles, Planner
Lila Foster, Planning Technician

City Manager's Office:

John Kaminski, Assistant City Manager

City Attorney's Office:

Allison Marek

A: CALL TO ORDER

April 20, 2017 – Regular Meeting 5:15pm

B: APPROVAL OF MEETING MINUTES

March 16, 2017 – Regular Meeting

Motion to accept the minutes was made by Mr. Woods, seconded by Mr. Johns, Motion passed unanimously

C: CITIZEN COMMUNICATION -None

D: DEVELOPMENT REVIEWS/FORMAL ACTION – Will Charles

1. **Salem Crossing, Phase 1** – Final Plat Extension; 50 lots on a 31.06 acre tract of land situated in the S.A. & M.G. RR Company Survey, Abstract No. 324, Victoria County, Texas; 49 Single Family (R-1) lots and 1 Open Space lot (P); Rex Horst, Salem Crossing Ltd. (Owner); CivilCorp, LLC (Agent).

The subject property is a 31.026 acre tract of land located at Zac Lentz Parkway (Loop 463) and Salem Rd. The property is further described as being a 31.026 acre tract of land situated in the S.A. & M.G. RR company survey, Abstract No. 324, Victoria County, Texas, said 31.026 acres being a portion of a 103.265 acre tract of land conveyed from A. Sklar Company, Inc. to Salem Crossing, LTD. A portion of the subject property is located in a special flood hazard area.

This is the first phase of a three phase development. This phase contains forty-nine (49) Single Family Residential lots and one (1) drainage ROW and public access easement lot. Access to the subdivision in this phase will be provided via Zac Lentz Parkway

The final plat for Salem Crossing, Phase 1 was approved by Planning Commission at the September 18, 2014 meeting. Construction is nearing completion for the public improvements. The estimate for completing the public improvements is one month depending on the weather.

Planning Staff recommends approval of an extension to the recording requirements for the Final Plat for two additional years finding conditions in the area have remain unchanged and infrastructure construction is almost completed.

Mr. Hyak asked how long they had before the initial plat expires? Mr. Charles stated that they have 2 years during which they are to complete public improvements. The plat can not be filed until the public improvements are in place and approved.

Mr. Hyak asked if they had an indefinite time to complete these and Ms. Fulgham explained that you have 2 years to file the plat so generally the infrastructure needs to be completed during that two year period. Staff does recommend the extension since there has not be any substantial changes to the area and public improvements are almost complete.

Ms. Trevino asked about the drainage easement and if it was based on the FEMA floodplain maps that will be accepted in the near future but was not sure if any of the lots were in the current accepted map.

Mr. Randy Janak Civil Corp 4611 E. Airline Victoria, TX 77904

The flood plain shown on the plat is from the current effective Flood Plain map. After further discussion it was agreed that there is a floodway map and perhaps they were looking at different websites.

Mr. Hyak asked why the letter for the extension was just submitted on April 11, 2017. To which Mr. Janak stated it was simply an oversight. Construction has been going on for quite some time. We have had our final inspection with the City and are addressing some minor punch list items. We are very close to completion.

Mr. Hyak asked if anybody had a problem with the 7 month delay on the renewal. Mr. Woods stated that we do not have a penalty system in place. Ms. Fulgham explained that this is not like a preliminary plat where you are in the planning stages, this is a final plat and it meets all the regulations and there have been no substantial changes. Mr. Woods stated that he assumed in planning there was a tickler file to remind the developer that the expiration is coming up. Ms Fulgham explained that it is up to the applicant to file for the extension, it is their development, and if they choose to stop work and abandon the construction and abandon the project that is their choice and it would not have come back to Planning Commission. Mr. Woods stated that the plat had expired and work was still continuing.

Mr. Kaminski stepped in to say that as long as the developer is actively investing and constructing infrastructure in the subdivision why do we care when it gets completed and filed. It is his money, his development, if he can't sell lots until the construction is done and the plat is filed that is not our problem. That two year window is there in case they get an approved plat and the developer sits on it and doesn't do anything. If you get two years down the road and the developer hasn't done any construction then we are in a different boat. We will go back and look at it like we would a preliminary plat to see if anything has changed? Because here we have the opportunity to say Wait, things have changed and you will need to go back to square one and start over. That is not where we are on this development. It just took a long time to build the subdivision, but that is not our dollar. Those improvements will be dedicated to the city and we will inspect them and be sure we approve them before we accept them.

Motion to approve the extension was made by Ms. Wyatt and seconded by Ms. Welder. Motion was approved unanimously.

2. **Tuscany Subdivision, Section 1B, Phase 1** – Final Plat Extension; 36 lots on an 8.6 acre tract of land situated in the S.A. & M.G. RR Company Survey, Abstract No. 322, Victoria County, Texas; 32 Patio Home Lots (R-3); 4 Single Family Lots (R-1) and 1 Open Space Lot (P); Ball Airport Road Development Corporation (Owner); CivilCorp, LLC (Agent).

Tuscany Section 1B Phase 1 is a proposed final plat of 8.6 acres. The subject property is located at the southwest corner of the intersection of Ball Airport and Northside Roads. The owner wishes to plat the property into thirty-seven (37) Patio Home Residential (R-3) lots within four blocks. Access to the development will be provided via Ball Airport Road. Fifteen feet (15') of additional right-of-way for Northside Road is also dedicated to the public with the recordation of this final plat.

The final plat for Tuscany Section 1B - Phase 1 was approved by Planning Commission at the June 19, 2014 meeting. Construction is currently in progress on the public improvements and nearing completion. The estimated time to complete the public improvements is one month depending on the weather. An extension of two-years would be a standard extension length as it is the amount of time allotted for a new final plat to be filed.

Planning Staff recommends approval of an extension to the recording requirements for the Final Plat for an additional year finding conditions in the area have remain unchanged and infrastructure construction is almost completed.

Motion to accept the extension was made by Ms. Trevino and seconded by Ms. Welder. Motion passed unanimously.

- E: OTHER BUSINESS**
Development Services Monthly Development Report – Will Charles
- F: ITEMS FROM PLANNING COMMISSIONERS**
None
- G: ADJOURNMENT**
Time 5:29pm

APPROVED: _____
Greg Spears, Chairperson
Victoria Planning Commission

APPROVED: _____
James Johnson, Secretary
Victoria Planning Commission