

Minutes
Planning and Zoning Meeting
May 11, 2015

On this 11th day of May, 2015, at 7:00 p.m., the Planning and Zoning Commission convened in a Regular Meeting, and the same being opened to the public at their regular meeting place; thereof, at City Hall, 303 S. Teel Drive, Devine, Texas. Notice of said meeting having been prescribed in Chapter 551, Government Code, and Vernon's Texas Codes, Annotated, and the following members thereof, being present, namely:

Doug Wilkins, Chairman
Onis Wiemers, Secretary
Darrell Murdock
Rick Maxwell
Jim Lawler
Mike Herring

Absent being Commissioner Ed Dougherty; thus, constituting a quorum.

Personnel present: William Herring, Mayor; and Darrell Rawlings, Code Compliance Officer.

Others present: Fred Morales, Devine, Texas, 78016.

Commissioner Wilkins called the meeting to order at 7:00 p.m.

The first order of business was to discuss and consider approval of Minutes from meeting on April 27th, 2015.

The Planning & Zoning Commissioners reviewed the minutes.

Motion made by Commissioner Herring, seconded by Commissioner Maxwell to approve the minutes from the meeting on April 27th, 2015.

Ayes	--	Six
Nays	--	None
Absent	--	One -- Commissioner Dougherty

Motion carried.

The second order of business was a Public Hearing: Discuss and consider the Preliminary Report for a request made by Fred Morales on behalf of Devine Swim Club, Inc. to change the zoning classification of property at 1088 East Malone Drive, which is described as 0.773 Acres in A0551 J. Igonnet Heirs Survey 501 (R62469), from Class A. Single-Family Residence District to Class E. Apartment (Multiple-Family Residence) District which is proposed to include any or all properties described as follows: 1088 East Malone Drive.

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Commissioner Wilkins opened the Public Hearing at 7:02 p.m.

Commissioner Wilkins read the Preliminary Report which consisted of a portion of the minutes from the Planning and Zoning meeting on April 27th, 2015 as follows:

"The second order of business was to discuss request made by Fred Morales on behalf of Devine Swim Club, Inc. to change the zoning classification of property at 1088 East Malone Drive, which is described as 0.773 Acres in A0551 J. Igonnet Heirs Survey 501 (R62469), from Class A. Single-Family Residence District to Class E. Apartment (Multiple-Family Residence) District which is proposed to include any or all properties described as follows: 1088 East Malone Drive.

"Mr. Fred Morales was present at the meeting to speak in favor of the requested zoning change. No one else present spoke in favor of or in opposition to the granting of the requested zoning change.

"Commissioner Wilkins asked Mr. Fred Morales to explain why he was requesting the zoning change and any plans that he had for the property at 1088 East Malone Drive.

"Commissioner Wiemers asked Darrell Rawlings, Code Compliance Officer, if there had been any contact from citizens in favor of or in opposition to the requested zoning change. Mr. Rawlings stated that notices were mailed to all property owners within 200-feet of the property and a notice was first published in the Devine News on April 22, 2015, but he stated that as of the date and time of the meeting, no contact had been received from any citizens regarding the proposed zoning change.

"It was discussed that the purpose of this meeting was to discuss the requested zoning change and create a "Preliminary Report" for a Public Hearing to be held before the Planning & Zoning Commission at a meeting at 7:00 p.m. on Monday, May 11th, 2015 and that following this Public Hearing, the Planning and Zoning Commission would create a "Final Report" to present to City Council for a Public Hearing and final decision on Tuesday, May 19th, 2015.

"Mr. Fred Morales explained to the Commissioners that he and his shareholders have been thinking about how they can repurpose their investment and make some use out of it. They concluded that they can remove the swimming pool and in that same footprint, build six 1,000 square foot efficiency apartment units which would complement the golf course. They would utilize all of the landscaping, fencing, irrigation, and everything that they've invested in; the only thing they would lose would be the pool itself. He stated that the apartments would be designed primarily for single people just starting out on their own or older citizens who were currently living in a large house and may want to downsize their utility and maintenance costs. He explained that if people moved into the efficiency apartments to downsize, this would hopefully make some housing available to families who need more space. He stated that he and the owners intended to have gated access to the apartments and provide gates on the parking lot side and the Golf Course side for the tenants and their guests and that he hoped some of the tenants would be golfers who would bring some business to the Golf Course. Mr. Morales stated that this use of the property would be more functional for the structure that they have in their corporation.

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"The Commissioners held discussion regarding the need for more housing, especially affordable ones. Commissioner Herring stated that there were already apartments across the street from the property at 1088 East Malone Drive and didn't see a problem with the zoning change. All Commissioners present agreed that and it would complement the neighborhood and Golf Course. When the commissioners asked Mr. Morales if he intended to add-on to the project or build more apartments in the future if he had enough room, his response was a flat "no;" he said that he was not in that business, and they are just trying to repurpose a bad investment. He informed the Commissioners that the plan is to demolish and cover the pool regardless of the change in the zoning classification because it's a liability that they don't want to have.

"According to Darrell Rawlings, Code Compliance Officer, no variances were being sought at this time and the construction of the apartments would be required to meet all permitting and code requirements. Mr. Rawlings reminded the Commissioners that when the city revised the comprehensive plan a few years ago, a section of land in this area of the City, which includes this property and the Golf Course Club House, it allowed for zoning changes up to and including a Class F. Neighborhood Shopping Center District to allow for gift stores, dine-in restaurants, retail stores and similar uses. He explained that the Class E. zoning classification was more restrictive than the Class F. zoning classification and would be consistent with the Comprehensive Plan.

"Mr. Morales informed the Commissioners that they are doing a study on repurposing the pool house into storage units for the apartments, and they also plan to repurpose the parking lot. He stated that their studies indicated that there would be enough parking available for eight units, but that they were only going to be building six units. The consensus of the Commissioners present was that they were in favor of the zoning change and Mr. Morales' plans for the property.

"No action was taken. All Zoning Commissioners were in favor of the zoning classification change from Class A. Single-Family Residence District to Class E. Apartment (Multiple-Family Residence) District and that these minutes serve as the Preliminary Report in favor of the zoning classification change for a Public Hearing to be held on May 11th, 2015 and following that Public Hearing, the Planning and Zoning Commission would create a "Final Report" to present to City Council for a Public Hearing and final decision on Tuesday, May 19th, 2015."

Commissioner Wilkins opened the floor to public comment.

No one present spoke regarding the Preliminary Report for the proposed zoning change.

Motion made by Commissioner Lawler, seconded by Commissioner Wiemers to close the Public Hearing at 7:10 p.m.

Ayes	--	Six
Nays	--	None
Absent	--	One – Commissioner Dougherty

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The third order of business was to discuss and consider creating a Final Report and making a recommendation to City Council regarding a request made by Fred Morales on behalf of Devine Swim Club, Inc. to change the zoning classification of property at 1088 East Malone Drive, which is described as 0.773 Acres in A0551 J. Igonnet Heirs Survey 501 (R62469), from Class A. Single-Family Residence District to Class E. Apartment (Multiple-Family Residence) District which is proposed to include any or all properties described as follows: 1088 East Malone Drive.

Commissioners held a brief discussion regarding any changes to the Preliminary Report as read. The Commissioners present agreed that there were no changes necessary and all Commissioners were in favor of the proposed zoning change from Class A. Single-Family Residence District to Class E. Apartment (Multiple-Family Residence) District which is proposed to include any or all properties described as follows: 1088 East Malone Drive.

Motion made by Commissioner Wiemers, seconded by Commissioner Herring to make the Preliminary Report, as read, the Final Report to present to City Council and recommend that the City Council approve the request made by Fred Morales on behalf of Devine Swim Club, Inc. to change the zoning classification of property at 1088 East Malone Drive, which is described as 0.773 Acres in A0551 J. Igonnet Heirs Survey 501 (R62469), from Class A. Single-Family Residence District to Class E. Apartment (Multiple-Family Residence) District which is proposed to include any or all properties described as follows: 1088 East Malone Drive.

Ayes	--	Six
Nays	--	None
Absent	--	One – Commissioner Dougherty

Motion Carried.

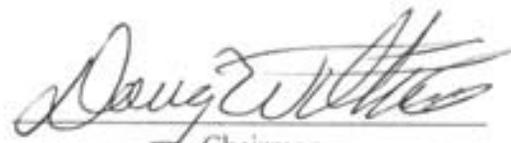
There being no further business to come before the Planning and Zoning Commission, Commissioner Wilkins called for a motion to adjourn the meeting.

Motion made by Commissioner Wiemers, seconded by Commissioner Maxwell to adjourn the meeting.

Ayes	--	Six
Nays	--	None
Absent	--	One – Commissioner Dougherty

Motion Carried.


Secretary


Chairman