

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED that the Planning & Traffic Commission of the City of Freeport met on Tuesday, September 29, 2015 at 6:07 p.m. at the Freeport Police Department, Municipal Courtroom, 430 North Braazosport Boulevard, Texas for the purpose of considering the following agenda items:

Planning Commission: Edward T. Garcia – Chairman
Tobey Davenport
Royce McCoy
Lesa Girouard - absent
Eddie Virgil – absent

Staff: Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Chris Motley, Fire Marshal/Building Official
Dan Pennington, Police Chief

Visitors:

Open Meeting.

Edward T. Garcia called the meeting to order at 6:07 p.m.

Invocation.

Wallace Shaw offered the invocation.

Approval of the minutes for September 1, 2015, meeting.

On a motion by Tobey Davenport, seconded by Royce McCoy, with all present voting “Aye”, the Planning Commission approved the September 1, 2015 meeting.

Consider and discuss authorizing a 4 way Stop Sign at the intersection of Ave. A & Velasco Boulevard.

On a motion by Tobey Davenport, seconded by Royce McCoy, with all present voting "Aye", the Planning Commission recommended a 4 way Stop Sign at the intersection of Ave. A & Velasco Boulevard.

Consider and discuss Resolution No. 2015-2471 and setting a Joint Public Hearing with the City Council to consider amending the zoning ordinance to add regulations for a non-regulated nightclub.

Mr. Shaw read out from the Alcoholic Beverage Code; Section 105.06 Hours of Consumption.

"In an extended hours area, a person commits an offense if he consumes or possesses with intent to consume an alcoholic beverage in a public place at any time on Sunday between 2:15 a.m. and 12 noon and on any other day between 2:15 a.m. and 7:00 a.m".

He recommends Section 155.002 of the Code of Ordinances be amended and add the following definition: Non-Regulated Night Club; a night club that sponsors or permits any event or activity involving a alcohol which is not regulated gby the Texas Alcoholic Beverage Comission between the hours of 2:15 a.m. and 12:00 noon on Sunday and 2:15 a.m. and 7:00 a.m. on other days if such club has or is requied by the Code of Ordinances of the City to have any of the following: (1) a sound amplification permit, (2) a dance hall permit, or (3) a coin operated machine on which a tax is requied to be paid.

Also amending Section 155.023 of the Code of Ordinances to add a new divisions (P) and (Q) which shall read: "(P) No land or building in the City may be used as a Non-Regulated Night Club between the hours of 2:15 a.m. and 7:00 a.m. on other days".

"(Q)" Every certificate of occupany issued for any permises that could be used as a Non-Regulated Night Club shall provide that the Building Official and any Building Inspectors or Police Officer of the City shall have a right of entry to such premises during the hours mentioned in Division (P) of this section for the purpose of determining whether or not such premises is in fact being used as a Non-Regulated Night Club during any of the hours mentioned in Division (P) of this section and, if so, verbally notifying the occupants of such premises to immediately cease such use. The continued use of such premises by any occupant as a Non-Regulated Night Club during such hours after receiving such notice shall be a violation of the Zoning Ordinance and, upon conviction, shall be punished as proided in Section 155.999 if this code".

On a motion by Royce McCoy, seconded by Tobey Davenport, with all present voting "Aye", the Planning Commission approved setting a Joint Public Hearing to consider amending the zoning ordinance to add regulations for a non-regulated nightclub.

Consider and discuss requirements for minimum square footage for a residential home.

On a motion by Tobey Davenport to recommend a minimum of 1,200 square footage for a residential home, motion died for lack of second.

Adjourn.

Edward T. Garcia adjourned the meeting at 6:40 p.m.

Chairman Edward T. Garcia
City of Freeport, Texas

Delia Munoz, City Secretary
City of Freeport, Texas