

**CITY OF FREEPORT
PLANNING COMMISSION
Tuesday, February 28, 2012, 6:00 P.M.
Freeport Police Department, Municipal Court Room,
430 North Brazosport Boulevard
Freeport, Texas**

AGENDA

Edward Garcia, Chairman
Tobey Davenport
Jesse Aguilar, Jr.

Reuben Cuellar
Eddie Virgil

NOTICE is hereby given that the Planning Commission of the City of Freeport, Texas will meet in a regular meeting on **Tuesday, February 28, 2012 at 6:00 P.M.** at the Freeport Police Department Municipal Courtroom, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

1. Open Meeting.
2. Invocation.
3. Election of Vice-Chairman.
4. Approval of the Minutes for January 24, 2012.
5. Mr. Nat Hickey, Property Manager, to discuss the structure and functionality of the Historic District overlay.
6. Discuss/consider a proposed Marina District Zone.
7. Adjourn.

NOTE: ITEMS NOT NECESSARILY DISCUSSED IN THE ORDER THEY APPEAR ON THE AGENDA. THE PLANNING COMMISSION, AT ITS DISCRETION, MAY TAKE ACTION ON ANY OR ALL OF THE ITEMS LISTED.

I, Melissa Farmer, Building/Permit Department Secretary, City of Freeport, Texas, hereby certify that this Agenda was posted on the official bulletin board/glass door of City Hall facing the rear parking lot of the building with 24-hour access at 200 West 2nd Street, Freeport, Texas on or before Friday, February 24, 2012 at 5:00 P.M.



Melissa Farmer

Building/Permit Department

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, **Tuesday, January 24, 2012 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 - Absent
Eddie Virgil**

Staff: Kola Olayiwola
Melissa Farmer
Wallace Shaw
Deputy Fire Chief Chris Motley
Councilwoman, Michelle Kent

Guest:

Open Meeting.

Mr. Edward Garcia called meeting to order at 6:00 P.M.

Invocation.

Mr. Wallace Shaw opened the meeting with a prayer.

Approval of the Minutes for November 22, 2011 and the Minutes for the Joint Public Hearing on December 5, 2011.

Ms. Eddie Virgil moved to accept the minutes for November 22, 2011 and the Minutes for the Joint Public Hearing on December 5, 2012, seconded by Mr. Reuben Cuellar, unanimous vote for approval.

Discuss/consider amending Section 92 of the Code of Ordinances book adopting the 2009 International Fire Code and the 2009 Fire Code Appendix.

Mr. Tobey Davenport made motion to make a recommendation to the City Council to adopt the 2009 International Fire Code and the 2009 Fire Code Appendix, seconded by Ms. Eddie Virgil, unanimous vote for approval.

City Manager, Mr. Jeff Pynes to discuss information on the City Master Plan and coordinating workshops between the City Council and the Planning Commission.

Due to illness, Mr. Jeff Pynes was not present. The Item has been Re-Agended.

Building Official, Mr. Kola Olayiwola to update the Planning Commission Members on the demolition initiative of the City.

Mr. Kola Olayiwola showed the Members a PowerPoint presentation of occupied homes that the City had met with the owners to discuss fixing their homes. He stated that he wanted to keep the Members abreast of what was going on.

No action was taken on this Item.

Adjourn.

Mr. Tobey Davenport made a motion to adjourn, seconded by Mr. Rueben Cuellar, unanimous vote for approval. The meeting was adjourned at 6:30 P.M.

These minutes read and approved this _____ day of _____, 2012.

Edward Garcia, Chairman

The Case for an Historic District in the City of Freeport

Currently, Freeport has no zoning ordinances to prohibit the destruction of the downtown. An investor with enough money could easily buy up a whole block and bulldoze it to make way for a large-scale chain restaurant, for instance. While some may see this as progress, it is important to take into consideration the dangers inherent in this lack of foresight.

Progress is desirable, but Freeport encompasses many areas where the progressive architecture of new business can and should be built; however, it is important that we protect the historic fabric of the downtown area for the following reasons.

1. Stabilization of property values

While the argument is sometimes made that creation of a preservation district affects property values, no study has ever found that such a district causes a decline in property values. On the contrary, studies show that property values tend to stabilize and increase, sometimes dramatically, as a result of historic designation.

2. Preservation is not a set of restrictions, but rather protections.

Historic designation gives investors confidence that their investment will not be damaged by nearby development that may be out-of-scale, overbearing or inappropriate. If you buy a quaint seaside home for its small town charm, you don't want a Sonic or a parking garage going in next door. A preservation district protects property owners from the fear that such incursions will take place in their neighborhood. This works as well for business owners as for residents. The mom and pop restaurant can offer personal warmth that is lacking in a chain establishment. There is no reason that a chain establishment—which will invariably cater to a different clientele—cannot be successfully located in a new building a block or two outside the district.

3. Historic preservation is the ultimate recycling tool

The cost of disposing of demolition materials, much of which may be tainted with lead, asbestos and other potentially toxic substances, is an increasing problem. Transportation costs, disposal costs and taxes to fund future landfills are increasing rapidly. Strategies to contain these substances during renovation within the structures themselves eliminate both the need to dispose of structural debris, and the need to dispose of hazardous waste. Therefore, preservation works to help the environment and mitigates the costs of disposal of these materials.

4. Once it's gone, it's gone forever.

Décor that attempts to recreate an ambience of antiquity seldom succeeds in capturing the true feel of an older building. Materials and workmanship in new construction are often far below the standards of earlier eras. Many newer buildings lack the human scale of older construction as well. You may often hear

Structure and Function of the Overlay District

- A) This proposal envisions a Preservation Overlay District overseen by a committee composed of members of the Planning and Zoning commission, the Main Street Board, and the Historic Commission. This ensures checks and balances on what can be allowed within the district.
- B) The committee will be comprised of two members from each of the volunteer boards mentioned above and two at-large members who have demonstrated a knowledge and understanding of historic preservation issues and or economic development. Because of the resources available through the Texas Historical Commission, the National Trust for Historic Preservation and the Texas Main Street Program, the Main Street Director will serve as city liaison to the committee. In the event of tie votes, the Main Street Director, as city liaison, will cast the deciding vote.
- C) The goal of the committee will be to retain, as much as possible, the authentic nature of Freeport's historic neighborhoods. To achieve this end, the committee will reference the National Park Service guidelines for renovation of historic properties. The committee will make these guidelines available to building owners who wish to renovate, and will compile a list of contractors whose work has proven compatible with National Park Service guidelines.
- D) Building and business owners who propose changes to the exterior finishes of their buildings will be required to submit plans to the commission for review. Review will take place within one month of submission and not longer than three months after submission. The Preservation Overlay District ordinance will contain provisions to encourage building owners to maintain their property in order to avoid "demolition by neglect".
- E) The committee will recognize that not all buildings in the designated area are salvageable. To that end, the commission will also be responsible for reviewing infill plans before any new construction takes place. New construction should conform to old in size, scale, façade materials and streetfront rhythm and should complement existing structures as closely as possible. The goal will be to allow compatible infill without creating a false sense of antiquity in new construction.
- F) The committee will advise the city council on its decisions, but the city council will retain the right to overrule the decisions of the committee.

NEW MARINA ORDINANCE

First, Section 155.002 of the Code of Ordinances would be amended to add, in its alphabetical sequence, the following definition:

“ MARINA. A dock or basin providing secure moorings for pleasure boats and often offering supply, repair, and other facilities.

“MARINA RELATED BUSINESS. Any business which primarily provides goods and services to any customer of any marina located in the W-4 Marina Zoning.”

Second, a new Section 155.048 would be added to the Code of Ordinance which would read as follows:

“SECTION 155.048 – W-4 MARINA DISTRICT

This district includes all of the land within the City which is located within the following boundary:

Starting at the intersection of the North ROW line of West Second Street and its intersection with the East ROW line of Cherry Street North to the Northern ROW line of the Freeport Townsite Levee through East to the extension of the Eastern property line of Western Seafood then North along that line to the centerline of the Old Brazos River Channel follow the centerline of the Channel East to the extension of the Western property line of Trico Shrimp Company and South along that line to the West ROW line of Spruce Street to its intersection with the North ROW line of East Second Street then west along that line to the beginning.

- (A) Minimum requirements for lot area, width and setback shall be the same as provided elsewhere within the zoning ordinance for the particular use or uses specified in the W-4 District.**
- (B) See Section 155.023 for supplementary district regulations, exceptions and parking requirements applying to the W-4 District.**
- (C) See Section 155.060 (D) and (E) for temporary use permits that may be granted by the Board of Adjustments and specific use permits that may be recommended by the City Planning Commission within the W-4 District under certain circumstances and conditions.**

(D) Permitted uses.

Any use permitted in R-1, R-2, R-2A, R-3, C-1, W-1 or W-1R

AND;

Bait Store

Clothing

Convenience Store

Eating Establishment (Restaurant), Closed or Open

Food or Grocery Store (Retail)

Hotel

Ice (Manufacture or Vending)

Jewelry

Laundry – Pickup or self service

Lounges – Serving alcoholic beverages

Offices – Any Type

Physical culture & Health Studies

Post Office

Sporting Goods Store

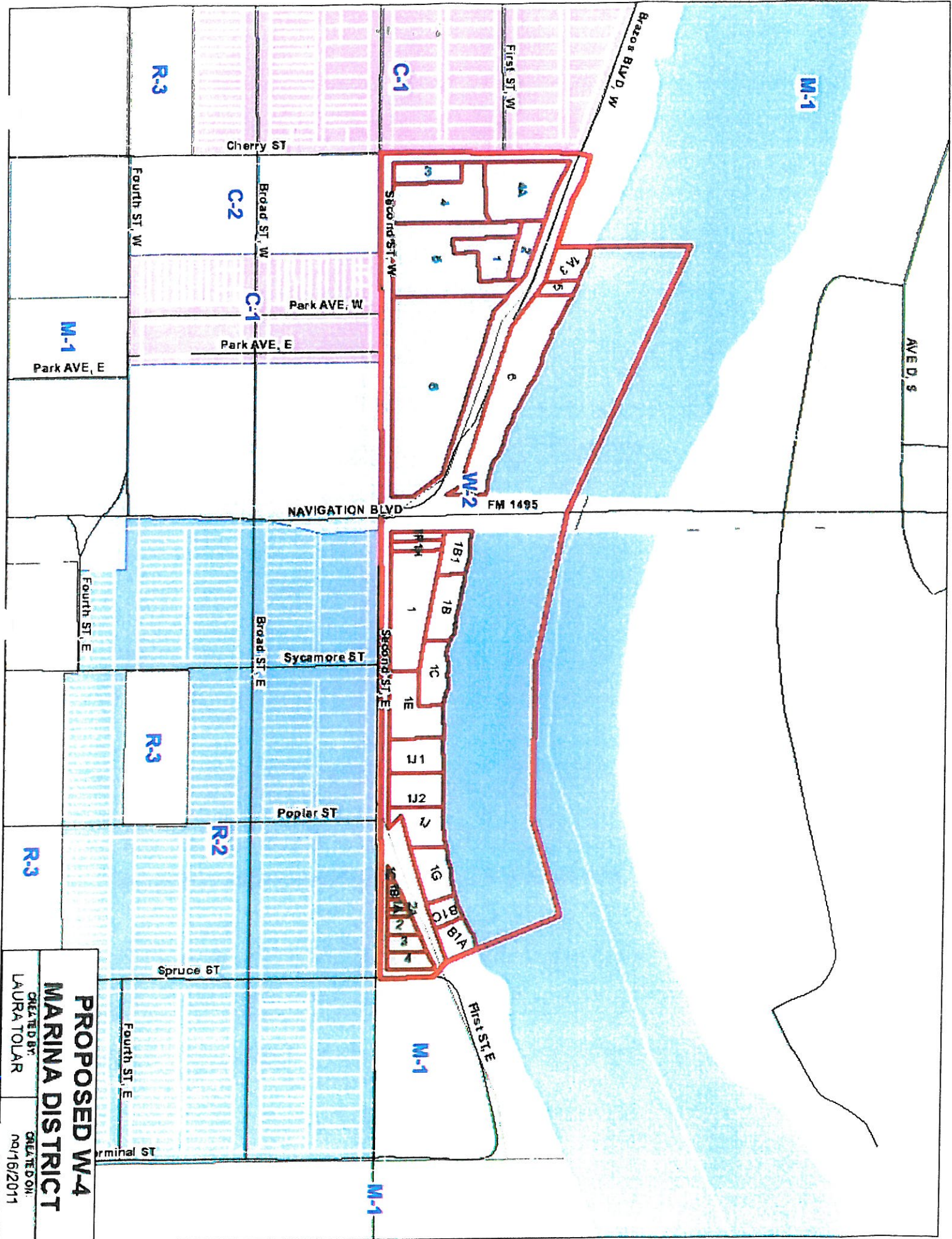
Taxidermist

Toy Store

All others by Specific-Use Permit.

(E) Parking Requirements and site plans as provided elsewhere in the zoning ordinance for the particular use or uses specified in W-4.

(F) Building Height – In Marina W-4 District, building height shall be allowed up to 100 ft., plus additional height of 1-ft. for every 4 ft. setback from yard line.



**PROPOSED W-4
MARINA DISTRICT**

CREATED BY:
LAURA TOLAR

CREATED ON:
04/16/2011