

**CITY OF EAGLE LAKE  
PLANNING & ZONING COMMISSION MINUTES  
AUGUST 2, 2021**

**TIME: 5:00 P.M.**

**PLACE: Municipal Building**

**A. Call Meeting to Order.**

The City Planning & Zoning Commission met in a regular session and allowed public attendance via in-person and Zoom on the 2<sup>nd</sup> day of August 2021, with the following members present:

Members: Rudy Flores  
Roderick James  
Amy Maxwell  
Bobbe Nolan  
Ted Wimberley  
Mayor: Mary Parr  
City Manager: Melissa Landin  
City Secretary: Lina Ferguson

**B. Pledge of Allegiance.**

**C. Invocation.**

Mayor Parr delivered the invocation.

**D. Public Comments: Any person may comment on any subject, but Council must limit any discussion to placing the items on a future City Council agenda for discussion and/or action.** *(Comments made under this agenda item are limited to three (3) minutes per person. City Council members are excluded from public comments. This is in accordance with the Texas Open Meetings Act.)*

None.

**E. Consent Agenda**

*All the following items on the Consent Agenda are considered to be routine and will be enacted with one motion. There will be no separate discussion of these items unless requested by the Mayor or a Council Member, in which event the item will be removed from the Consent Agenda and considered separately.*

**1. Previous Minutes – April 8, 2021 Joint Planning and Zoning Commission/Board of Adjustment/City Council Workshop.**

Commission member Nolan made the motion to approve the minutes from the April 8, 2021, Planning and Zoning Commission/Board of Adjustment/City Council Workshop as presented. The motion was seconded by commission member Maxwell and it carried with all members voting AYE.

**F. Items for Discussion and Action**

**2. Introduction of Planning and Zoning Members.** - Melissa Landin, City Manager

Commission members, City Manager Landin and Mayor Parr introduced themselves and provided a brief personal background.

**3. Discussion and Action on Selecting a Chairperson for the Planning and Zoning Commission.** – Melissa Landin, City Manager

Commission member Maxwell nominated Ted Wimberley to serve as the chairperson for the Planning & Zoning Commission. The motion was seconded by commission member James and it passed with all members voting AYE.

**4. Discussion and Action on Request for Variance to Allow for Shared 30-Foot Access Easement and Utility Easement on Proposed Subdivision at Barlass Estates.** – Melissa Landin, City Manager

Commission Member Rudy Flores presented.

The City Council unanimously voted at the May 25, 2021, regular meeting to forward the variance request from Mr. Arthur Collins concerning 506-512 Westmoreland Avenue, otherwise known as Barlass Estates. Commission member Maxwell made the motion to discuss the variance request. Member Nolan seconded the motion and discussion was held. Mr. Aaron Hadley and Ms. Janelle Hadley, current tenants, were present and addressed the commission about their intentions of purchasing one of the properties. Ben Barlass, owner of the property, addressed the commission via zoom and provided an update on the improvements. Mr. Barlass advised that new gravel will be poured, new bottom siding installed and interior improvements made. Chairman Wimberly addressed the 30-foot access easement and utility easement that is required per City Ordinance. Public Works Director Victor Shimek reviewed the requirements for city inspections as required per the Code of Ordinances. City Attorney Art Pertile provided clarification on the requirements for the utility easement and proposed plat subdivision.

To subdivide the property, in accordance with the Subdivision Ordinance, it would also be subject to the city street standards. City Attorney Pertile recommended that the applicant withdraw the request to provide city administration time to review the requirements for the subdivision. Mr. Barlass withdrew the variance request to allow for shared 30-foot access easement and utility easement on proposed subdivision at Barlass Estates.

**5. Discussion and Action for Establishment of Bed and Breakfast Inns and AirBnBs, and/or Short-term Rentals in the City of Eagle Lake.** – Melissa Landin, City Manager

At the February 25, 2020, City council meeting, the city council requested that the Planning & Zoning Commission discuss options to possibly allow for short-term rentals, i.e., bed and breakfast inns and AirBnBs throughout the city. City Attorney Pertile reviewed the available options that are available and how the city can enforce regulations. The commission held discussion regarding various regulations, standards, the registration process and how to impose established regulations. Further information will be researched for review.

**6. Discussion and Action on Assembly Type of Building Use in the Downtown B-1 Zoning District.** – Melissa Landin, City Manager

At the June 9, 2020, City council meeting, the city council requested that the Planning & Zoning Commission review building uses in the downtown zoning district. As per the Code of Ordinances, churches are not allowed in the Downtown B-1 Zoning District. Discussion was held regarding the restrictions of assembly type of building use in the downtown district. City Attorney Pertile recommended to grandfather in any preexisting churches and regulate any new assemblies in that area. A downtown overlay could be included to regulate in the downtown district. A special overlay

could consist of limiting several blocks within that specific area. City Manager Landin and legal counsel will pursue options for the commission to further review.

- G. Future Agenda Items:** *List of additional agenda items to provide the City Manager for future Council meetings – without discussion and taking no action.*

Update on 30-foot easement, AirBnBs and assembly type building use.

**H. Adjournment.**

There being no further business on the meeting's agenda, Chairman Wimberley declared the meeting adjourned.

  
TED WIMBERLEY, CHAIRMAN

ATTEST:

  
LINA FERGUSON, CITY SECRETARY