

The City of Liberty

Planning and Zoning Commission

Meeting Agenda

Wednesday, July 22, 2020

12:00 PM

City Hall - Liberty Center

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Commission Member Kim Anderson	☐	☐	☐	
Commission Member Ryan Daniel	☐	☐	☐	
Commission Member Emily Cook	☐	☐	☐	
Commission Member Rick Jenner	☐	☐	☐	
President Tyler Jackson	☐	☐	☐	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

III. CONSENT AGENDA

A. Minutes Approval

1. Planning and Zoning Commission - Regular Meeting - Jun 18, 2020 12:15 PM

IV. REGULAR AGENDA

A. Regular Session

1. Consider a request to abandon the Plymouth Street Right-of-Way

V. ADJOURN

A. Motion to Adjourn

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 17th day of July, 2020 at 12:00 AM. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

Dianne Tidwell, City Secretary

NOTICE

In compliance with the Americans with Disabilities Act, the City of Liberty will provide reasonable accommodation for persons attending and/or participating in this meeting. To better serve you, requests must be made at least 24 hours prior to the meeting. Contact the City at 936-336-3684 or by Fax at 936-336-9846. The building is wheelchair accessible, with parking available, on the west side of the building.

I certify that the attached Notice and Agenda of items to be considered by the Planning and Zoning Commission was removed by me from the bulletin board at the City Hall on the _____ day of _____, 2020.

The City of Liberty

Planning and Zoning Commission

Meeting Minutes

Thursday, June 18, 2020

12:15 PM

City Hall - Liberty Center

I. CALL TO ORDER

The meeting was called to order at 12:35 PM by Assistant City Manager Chris Jarmon

Attendee Name	Title	Status	Arrived
Kim Anderson	Commission Member	Present	
Ryan Daniel	Commission Member	Present	
Emily Cook	Commission Member	Present	
Rick Jenner	Commission Member	Present	
Tyler Jackson	Commission Member	Present	
Tom Warner	City Manager	Present	
Chris Jarmon	Assistant City Manager	Present	
Dianne Tidwell	City Secretary	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Asst. City Manager Chris Jarmon welcomed those individuals participating through the Zoom Meeting platform.

III. CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kim Anderson, Commission Member
SECONDER:	Ryan Daniel, Commission Member
AYES:	Anderson, Daniel, Cook, Jenner, Jackson

A. Minutes Approval

- Planning and Zoning Commission - Regular Meeting - Apr 29, 2020 12:00 PM

A motion was made by Commission Member Anderson, Second by Commission Member Daniel to approve the minutes of the P&Z meeting of April 29, 2020. Motion passed 5-0.

IV. REGULAR AGENDA

A. Regular Session

- Consider the Appointment of a President for the Planning and Zoning Commission.

A motion was made by Commission Member Anderson, seconded by Commission Member Ryan Daniel, to appoint Commission Member Tyler Jackson as President of the Planning & Zoning Commission. Motion passed 5-0.

Minutes Acceptance: Minutes of Jun 18, 2020 12:15 PM (Minutes Approval)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kim Anderson, Commission Member
SECONDER:	Ryan Daniel, Commission Member
AYES:	Anderson, Daniel, Cook, Jenner, Jackson

2. Consider Approval of a parking variance for Hankins Development, LLC.
- Mr. Hankins commented on why variance is being requested. A motion was made by Commission Member Anderson, seconded by Commission Member Jenner, to approve the parking variance for Hankins Development, LLC. Motion passes 5-0

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kim Anderson, Commission Member
SECONDER:	Rick Jenner, Commission Member
AYES:	Anderson, Daniel, Cook, Jenner, Jackson

V. ADJOURN

A motion was made by Commission Member Anderson, seconded by Commission Member Jenner to adjourn the meeting at 12:51 p.m. The motion passed 5-0

Tyler Jackson, President



P&Z ACTION (ID # 4844)

DOC ID: 4844

Subject: Right-of-Way Abandonment

Background: Brandon K. Smith is requesting the city abandon an approximately 59' x 330' portion of Plymouth Street, located near the intersection of Jefferson at Chrysler. Mr. Smith states that the abandonment will allow him to provide parking and driveway space for future commercial development.

Upon review by staff, it was determined that the city has electrical facilities in this section of Right-of-Way, but an easement would meet the city's access needs.

Funding Source: n/a

Staff Recommendation: Approval of the abandonment with the following conditions: 1) city retains an electrical easement; 2) applicant submits a survey sealed by a licensed surveyor prior to City Council approval.



ABANDONMENT APPLICATION

City of Liberty Community Development Department

1829 Sam Houston, Liberty, Texas 77575

Phone: 936-336-3684 | Fax: 936-334-0949

APPLICATION OF ABANDONMENT FOR

☐ Utility Easement (UE)

☒ Right-of-Way (ROW)
PLYMOUTH ST.

APPLICANT INFORMATION

Name: BRANDON KYLE SMITH / STEPHANIE JANEL SMITH

Company Name: _____

Address: 102 REGENCY DR.

Telephone: (436) 334-5243 Email: brandonkyle73@yahoo.com

OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Name: _____

Company Name: _____

Address: _____

Telephone: _____ Email: _____

PROPERTY DESCRIPTION

Address: PROPERTY ID #239722

Subdivision: TROTTI Tract _____

Block No. A OR Plat _____

Lot No. 1-3, 7-9 Survey _____

REQUIREMENTS

1. Applicant must attach a letter stating the reasons for the abandonment (**EXHIBIT A**).
2. Applicant must receive written approval from the city's Building Official and Public Works Director (**EXHIBIT B**).
3. For unplatted property, applicant must attach a signed, sealed and dated metes and bounds description of the area proposed for abandonment (**EXHIBIT C**).
4. For platted property, applicant must attached a copy of the plat showing the lot block, subdivision and recording information (**EXHIBIT D**).
5. Applicant must attach the consent to such abandonment of all the abutting/impacted property owners (**EXHIBIT E**).

Attachment: EXHIBIT A - Plymouth Abandonment (4844 : Plymouth St. ROW Abandonment)

NOTICE AND SIGNATURE

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true and correct. The applicant will hold the City of Liberty harmless, and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such abandonment.


Signature

06/29/2020
Date

Updated 06-26-2020

Attachment: EXHIBIT A - Plymouth Abandonment (4844 : Plymouth St. ROW Abandonment)

EXHIBIT A

Please attach a letter stating why the right-of-way/easement should be abandoned.

June 14, 2020

Brandon K Smith
102 Regency Dr.
Liberty, TX 77575

City of Liberty
1829 Sam Houston St.
Liberty, TX 77575

To Whom It May Concern:

I am writing concerning the city easement of Plymouth Street that is adjacent to my property #239722 off Jefferson St. I am asking if the city would consider abandoning this easement and deeding the property to the adjacent owners, as there is not currently an accessible roadway. This would benefit me by providing parking and driveway space for future commercial property. In addition, it would add the easement to the tax roll, which would, in turn, benefit the City of Liberty. Thank you for your consideration in this matter.

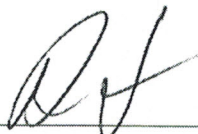
Best Regards,


Brandon K Smith

Attachment: EXHIBIT A - Plymouth Abandonment (4844 : Plymouth St. ROW Abandonment)

EXHIBIT B

The undersigned, City staff of the City of Liberty, certify that they have carefully considered the Application for Abandonment of the public right-of-way/easement referred to above from the standpoint of the City of Liberty ordinances and with respect to present and future needs of the City of Liberty and see no objection to the requested abandonment from the City's standpoint.



Public Works Director
City of Liberty

*Comment: City must retain
Electrical Easement.*



Building Official
City of Liberty

Attachment: EXHIBIT A - Plymouth Abandonment (4844 : Plymouth St. ROW Abandonment)

EXHIBIT C

Attached is a sealed copy of the metes and bounds description of the public right-of-way/easement situated in _____ Addition/Subdivision to the City of Liberty, Liberty County, Texas, sought to be abandoned. The metes and bounds description must be prepared by a Registered Public Surveyor.

Not Applicable as property is platted.

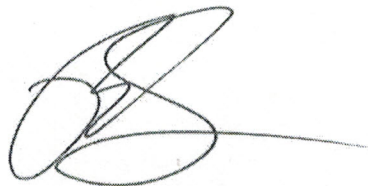
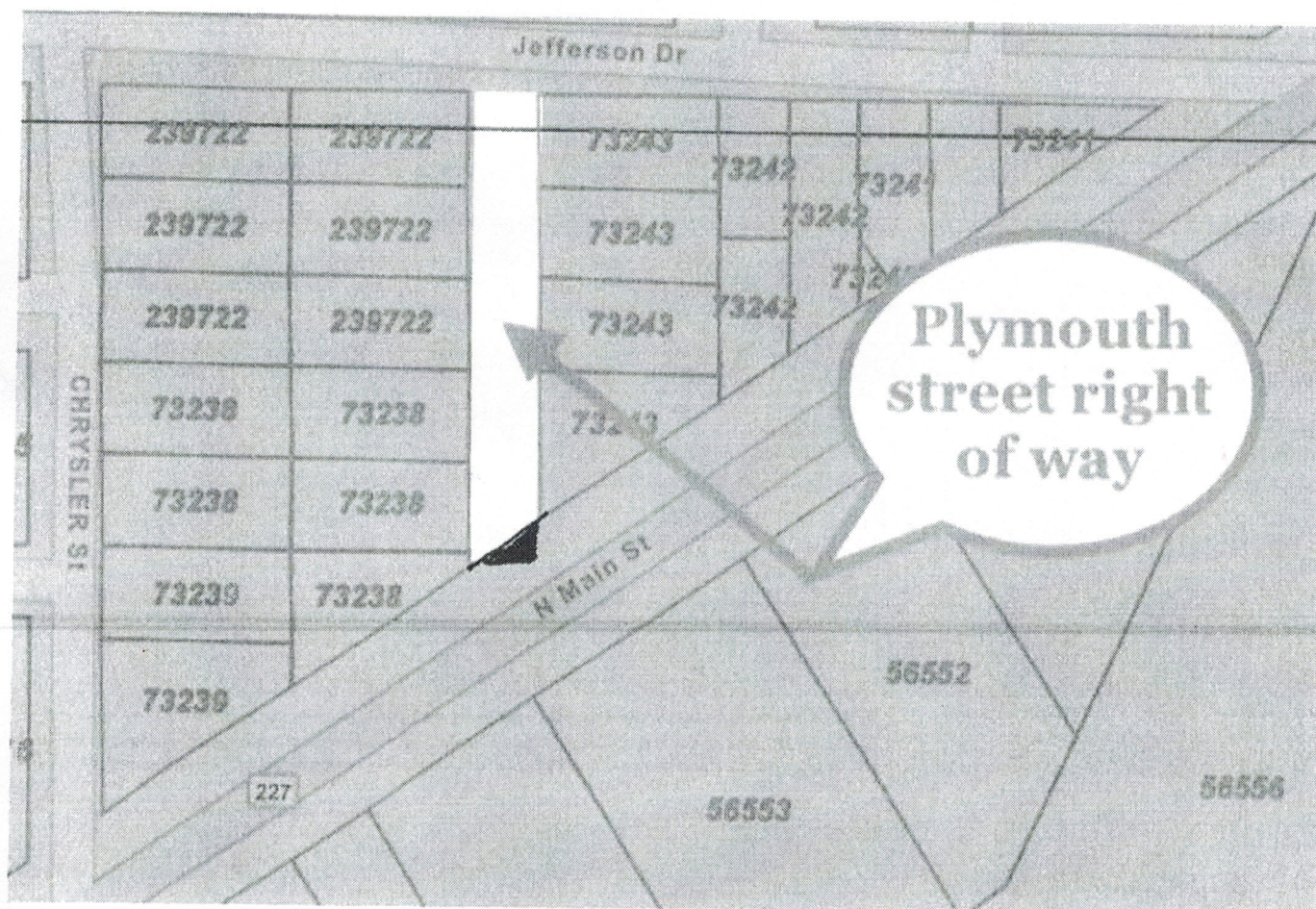
A handwritten signature in black ink, consisting of a stylized, cursive 'B' followed by a horizontal line extending to the right.

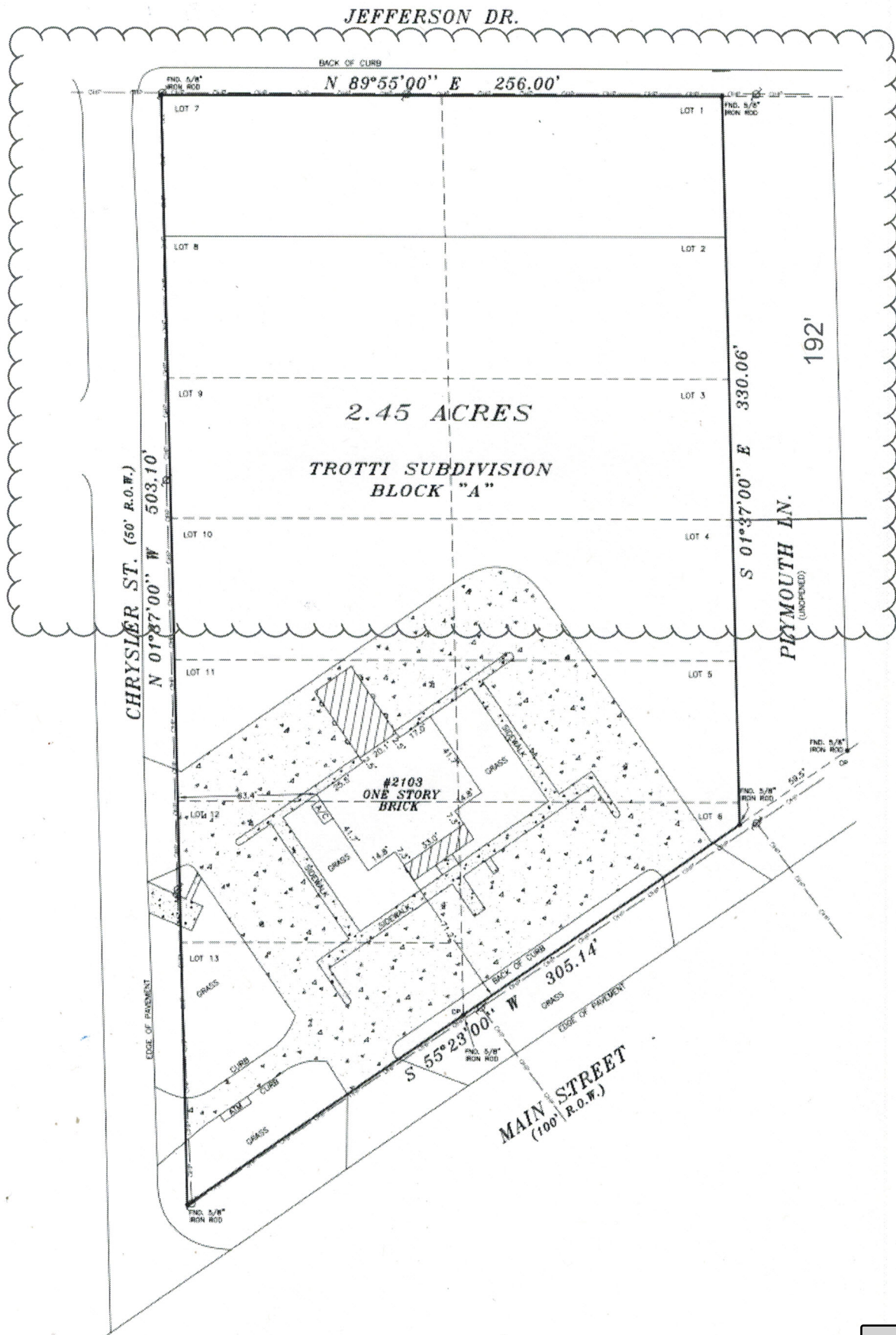
EXHIBIT D

Attached is a copy of a plat or detailed sketch of the public right-of-way/easement sought to be abandoned in the above-mentioned application, showing the surrounding area to the nearest streets in all directions, abutting lots, the block or blocks in which the portion of the public right-of-way/easement sought to be vacated is situated, and the addition or subdivision in which the portion of the public right-of-way/easement sought to be abandoned is situated.



Modified from Liberty CAD Interactive map

06/29/2020



Attachment: EXHIBIT A - Plymouth Abandonment (4844 : Plymouth St. ROW Abandonment)

EXHIBIT E

The undersigned owners of property abutting upon that portion of the public right-of-way/easement named and described in the Application for Abandonment of a Public Right-of-Way/Easement referred to above, do hereby CONSENT to such abandonment.

Property Owner Name (Printed): BRANDON K. SMITH, STEPHANIE J. SMITH

Address: Property ID # 239722

Lot: 1-3, 7-9 Block: A Addition: Trotti

Signature: [Signature] Date: 06/29/2020

Property Owner Name (Printed): SWAIM BRENTS & ASSOCIATES

Address: Property ID # 73243, 2804 Jefferson Dr Liberty, TX 77575

Lot: 7-10 Block: B Addition: Trotti

Signature: [Signature] Date: 7/2/2020

Property Owner Name (Printed): BANK OF THE TRINITY / TEXAS FIRST BANK
ID #

Address: Property 73238, 2103 North Main Street Liberty, TX 77575

Lot: 4-6, 10, 11 Block: A Addition: Trotti

Signature: [Signature] Date: 7/2/2020
Timothy ROBRLEN

Property Owner Name (Printed): _____

Address: _____

Lot: _____ Block: _____ Addition: _____

Signature: _____ Date: _____

Note: Attach as many copies of this sheet as necessary

Attachment: EXHIBIT A - Plymouth Abandonment (4844 : Plymouth St. ROW Abandonment)