

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
MARCH 10, 2022 7:00 P.M.
COUNCIL CHAMBERS
12002 HWY. 6, SANTA FE, TEXAS**

MINUTES

With the Office of the Mayor vacant and the absence of the Mayor Pro Tem, in accordance with Section 3.04 of the City Charter, Councilmember O'Brien was elected to act for this particular meeting in the place of the Mayor or the Mayor Pro Tem.

The meeting was called to order at 7:00 p.m. by Councilmember O'Brien.

Roll Call:	Present:	Councilmember Brandon Noto Councilmember Fidencio Leija Councilmember Jason O'Brien
	Absent:	Mayor Pro-tem Bill Pittman, excused Councilmember Melanie Collins, excused

The Invocation was given by Cody Hudspeth from Arcadia First Baptist Church and the pledge to the U.S. Flag and to the Texas Flag was led by Councilmember Fidencio Leija.

Business:

1. Consideration and possible action: Public hearing and first reading of an ordinance of the City of Santa Fe, Texas regarding zoning change request ZC 22-02, amending Ordinance No. 02-03, commonly known as the City of Santa Fe Unified Development Code, or the Santa Fe Zoning Ordinance, 2002 Edition, the official zoning map adopted under Section 3.08, by changing the zoning classification from Agricultural residential (AR) to Highway Commercial (HC) for approximately 2.58 acres, on a vacant lot fronting FM 646 South near 25th Street, Property ID 608530: Legal Description D&D Brothers Sub Rplt (2015) Abst 49 Lot 1 2.5866 Acres, Santa Fe, Galveston County, Texas

Community Services Director Stacey Baker introduced the item, noting that the applicant, Derrick Thurmond, was present at the meeting. Ms. Baker gave a brief history of the property's zoning, which was zoned as Highway Commercial (HC) until 2014, when the then-owner successfully applied for the property to be rezoned to Agricultural Residential (AR). That rezoning request was granted to allow for a housing development that ultimately was never undertaken.

At its most recent meeting, the Planning and Zoning Commission considered the application for rezoning this property back to Highway Commercial (HC) so that it may be used for a commercial storage facility. Following its consideration, the Commission recommended that City Council refuse the request to rezone. Ms. Baker explained that the Commission wanted to see proposed site plans for the storage facility before approving the request. Citizen comments during the Planning and Zoning Commission's meeting included concerns that the proposed future usage of the property would cause noise and drainage issues. Following a brief discussion, it was the consensus of Council that more time was needed to properly evaluate the request.

Motion by Councilmember Leija, seconded by Councilmember O'Brien to postpone this item until the next Council meeting. The motion passed the roll call vote unanimously.

2. Consideration and possible action: Public hearing and first reading of an ordinance of the City of Santa Fe, Texas regarding zoning change request ZC 22-03, amending Ordinance No. 02-03, commonly known as the City of Santa Fe Unified Development Code, or the Santa Fe Zoning Ordinance, 2002 Edition, the official zoning map adopted under Section 3.08, by changing the zoning classification from Agricultural residential (AR) to Highway Commercial (HC) for approximately 2.58 acres, on a vacant lot fronting FM 646 South near 25th Street, Property ID 608531: Legal Description D&D Brothers Sub Rpl (2015) Abst 49 Lot 2 2.5866 Acres, Santa Fe, Galveston County, Texas

Councilmember O'Brien opened the public hearing at 7:08 p.m., and Council agreed that this public hearing would serve for both Item 1 and Item 2 on this agenda.

Community Services Director Stacey Baker introduced the item, which is adjacent to and has the same history as the property discussed under Item 1. The applicant, Derrick Thurmond, addressed Council. He said that he had purchased both properties in 2019, with the assumption that they were both zoned for commercial usage, to build an air-conditioned storage facility. The current residential zoning of the properties is a roadblock to his desired usage of his properties, he said, and serves to unnecessarily limit growth in Santa Fe.

Council discussed the zoning of adjacent and nearby properties, which are all either Highway Commercial (HC) or Neighborhood Commercial (NC), and the differences between those two types of commercial zones.

Councilmember O'Brien closed the public hearing at 7:11 p.m.

In response to a question from Council regarding the Planning and Zoning Commission's concerns with the proposed rezoning, Commission Member Tim Clark, who was present at the meeting, explained the issue. Mr. Clark said that there are several zoning designations nearby – east of the property is Agricultural Residential (AR), south is Highway Commercial (HC), and north is Manufactured Housing (MH). He explained that allowing the rezoning request means that the City loses control of what can go on the property, so to maintain control of development in the city limits, the Commission believes that the City should condition approval of the rezoning request upon applicants' compliance with additional requirements. Councilmember Noto remarked that under the City's current sunset clause, the 2014 rezoning would have automatically reverted to Highway Commercial (HC) anyway, making this request and discussion unnecessary.

Motion by Councilmember Leija, seconded by Councilmember O'Brien to postpone this item until the next Council meeting. The motion passed the roll call vote unanimously.

3. Consideration and possible action: First reading of an Ordinance approving the Mulberry Farms Public Improvement District Preliminary Service and Assessment Plan, including a proposed Assessment Roll; directing the filing of the proposed assessment roll with the City Secretary; calling for mailing and publication of a notice of a public hearing to consider an Ordinance levying assessments on property located within the District; and ordaining certain matters in connection therewith

Finance Director Rudy Zepeda introduced the item to Council and said that the bond underwriter was present at the meeting. He explained that approval of this item does not commit the City to selling the bonds. Attorney Jay Juarez addressed Council and outlined the legal process for the Public Improvement District (PID). If this item is approved by Council, the actual actions for the PID will occur during the Council meeting on March 24, 2022. The bond underwriter, Robert Rivera, explained that today's action will allow the public to examine the potential sale, and that this is the approval necessary to take it to the market.

Motion by Councilmember Noto, seconded by Councilmember Leija to approve and adopt the Ordinance as presented, on first and final reading. The motion passed the roll call vote unanimously.

4. Consideration and possible action: Adoption of a Resolution approving and authorizing the distribution of a Preliminary Limited Offering Memorandum for the City of Santa Fe, Texas Special Assessment Revenue Bonds, Series 2022 (Mulberry Farms Public Improvement District); and resolving other matters incident and related thereto

Finance Director Rudy Zepeda said that the City's bond advisors request that this Resolution be approved to allow the project to go forward.


Motion by Councilmember Leija, seconded by Councilmember O'Brien to adopt the Resolution as presented. The motion passed the roll call vote unanimously.

At this time, Matt Bell of 2502 Avenue E½ requested to make a public comment. Mr. Bell said that at the intersection of FM 1764 and Bruce Hall Road is a sign indicating that a convenience store is coming to that property soon. He asked if he had missed a notice for the public hearing on the development and noted that 1764 has 22 houses and 8 businesses on it. Community Services Director Stacey Baker said that the City of Santa Fe has not received any information or application for the development, and agreed to discuss the matter with Mr. Bell after the meeting.

Council announced that Dayspring Church will celebrate its 75th anniversary tomorrow, and wished Santa Fe 4H members good luck during the Houston Livestock Show.

Motion by Councilmember Leija, seconded by Councilmember Noto to adjourn. The motion passed and the meeting adjourned at 7:28 p.m.

ATTEST:



Alun W. Thomas, City Secretary



BILL PITTMAN, MAYOR PRO-TEM