

MINUTES
RICHWOOD CITY COUNCIL
Special Meeting, Monday, April 22, 2013
215 Halbert
Richwood, TX 77531
7:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Clint Kocurek, Mayor and presiding officer.

II. ROLL CALL OF COUNCIL MEMBERS

Roll call showed the following members present:

Clint Kocurek, Mayor and presiding officer
Roy Welch, Council, Position #1
John Pitts, Council, Position #2
Jarrod Beaty, Council, Position #3
Morgan Laird, Council, Position #4
Donna Lacy, Council, Position #5

A quorum was declared. Others present included Glenn Patton, City Administrator, Karen B. Schrom, City Secretary, Brad Caudle, Police Chief, Jason Cordoba, City Attorney, Robert Rathbun, Jennifer Beaty, Danny Wiggs, Sara Harris, John Harris, Misty Wiggs, Patrick Deskews, Patricia Guthrie, Jake Battistini, Douglas Patton, John Stanford, Jr., Teresa Arrambide, Jesus Plata, Marie Plata, L. Pena, O. Ontiveros, K. Story, Adam Sierra, and Mark Guthrie.

III. DISCUSSION AND ACTION ITEMS

A. Public Hearing - Variance request for Specific Use permit to locate a church at 1402 N. Hwy. 288B

Mayor Kocurek explained to those present that the public hearing was for Jesus Plata who applied for a specific use permit to locate a church at 1402 N. Highway 288B. Under our current ordinance, the property located at 1402 N. Highway 288B is zoned commercial. Churches are considered conditional use which is not specified to be located in commercial zoning. With that being said, the reason for the public hearing is part of the process of requesting a specific use permit. We hold a public hearing as we are tonight to allow both the requester of the permit to speak on behalf of their organization as well as the citizens of Richwood.

With that said, Mayor Kocurek opened the public hearing at 7:01 p.m.

He then asked Mr. Plata to tell the Council and the citizens present a little bit about their organization and what attracted them to Richwood.

Mr. Oberlin Ontiveros stated he was a member of the church and spoke on behalf of the church. They want to make a difference. They currently are housed in a building in Clute and have been there for 3 years. They were looking for a permanent home when they found the building

Richwood City Council
Special Meeting, April 22, 2013

on the property in question. The pastor looked at it and they liked it. Their plan is to get people involved and make things better. He stated that the pastor doesn't speak English and he will act as the interpreter.

AS TRANSLATED BY MR. ONTIVEROS AS MR. PLATA DOES NOT SPEAK ENGLISH WELL: Jesus Plata, Pastor, thanked everyone for being here and considering their application for the permit. He is currently the pastor for churches in Houston, West Columbia, Clute and Bellaire. God changed his life 25 years ago and he wants to make a difference in the lives of others. He and his wife both work with young people, especially in helping them save their marriages. He wants to work with those who have troubled lives and no religion and preach the word of God. The building they are in currently is small which is why they bought the property in question.

John Stanford was the first to speak. He stated that he represented the Patton estate which has property next door. He wanted more information such as the denomination, the hours the church will be in operation, and parking requirements. Will they be parking on the grass or on a hard surface? Is the building up to code? He is neither for nor against the church but wanted his questions answered.

Mr. Cordoba, City Attorney, explained that the denomination and hours were incidental to the application and the public hearing and the denomination could not be considered for the purposes of the application. Mr. Glenn Patton, City Administrator, explained to those present that the parking and building will be brought up to code before a certificate of occupancy would be issued and they can't occupy the building without that certificate of occupancy.

Bob Rathbun stated that he was not opposed to churches but he felt too much commercial property was wasted on things that didn't bring in tax revenue. There are better areas in town for a church.

Danny Wiggs stated he was against having a church in this area due to the loss of tax revenue. He feels we need businesses in commercial areas and agrees with Mr. Rathbun that there are better areas in town for this church.

Teresa Arrambide stated she was the owner of the Just For Kids Learning Center next door. She agreed with the residents who spoke before her. When she was looking for a place to open her day care, she looked at the building and realized how small it was. She feels that if they want to expand, they should look for a much bigger building.

Mr. Ontiveros explained they planned on adding a 40x60 addition to the current building.

Patricia Guthrie stated she was not opposed to the church but agreed with Mr. Rathbun and Mr. Wiggs that it should not be located in a commercial area.

Sarah Harris stated she'd lived in Richwood all her life and would like to see tax revenues come in.

Mayor Kocurek requested if any other wished to speak and no one responded.

Richwood City Council
Special Meeting, April 22, 2013

Mr. Cordoba addressed council and explained that traditionally attorneys, including his firm, advise their clients involved in commercial real estate purchases to confer with the city authorities before purchasing property to determine the applicable codes because each city is different. It appears that in this process, this was not done. The permitted uses in C-1 are the same as in B-1 and additionally retail or wholesale use, lumber and brick yards, metals supply distribution, cabinet and sheet metal shops. B-1 uses are office buildings, studio retail shops, service shops, auto supply shops, banks, beauty shops, bakeries, billiard halls, cafeterias, dry cleaning establishments, carpet sales, theaters, restaurants, laundry establishments, motels, hotels and grocery stores. He advised the Council to consider the language in the zoning ordinance when determining whether to grant or deny the application. Zoning is a plan to help the city move forward. The Brazosport area is growing rapidly with all the capital projects being planned by local industry in the area and the zoning plan will help Richwood to continue to grow.

Mayor Kocurek stated that Richwood invested a great deal of time and money into the comprehensive plan that was developed for us by Texas A&M. We are trying to look forward to the future and implement the Comprehensive Plan. This is all in an effort to help guide the City so that we can be successful and, most importantly, look out for all the citizens of Richwood.

With no one else who wished to speak, Mayor Kocurek closed the public hearing at 7:22 p.m.

B. Variance request for Specific Use permit to locate a church at 1402 N. Hwy 288B

On motion by Councilman Welch, seconded by Councilman Pitts, with all members present voting aye, the variance request for the specific use permit to locate a church at 1402 N. Hwy. 288B was denied.

IV. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 7:23 p.m.

APPROVED BY A MAJORITY VOTE OF COUNCIL ON MAY 13, 2013.

Clint Kocurek, Mayor

ATTEST:

Karen B. Schrom, City Secretary