



PLANNING & ZONING COMMISSION

**MINUTES OF A
SPECIAL & REGULAR MEETING
HELD MONDAY, MARCH 7, 2016
AT 7:00 PM**

**CITY HALL
COUNCIL CHAMBERS & 2ND FLOOR
CONFERENCE ROOM
910 S. FRIENDSWOOD DRIVE
FRIENDSWOOD, TEXAS**

Joint Public Hearing

1. The Joint Public Hearing was called to order at 7:07pm with the following people in attendance:

Chairman David O'Farrell	Commissioner Craig Lovell
Commissioner Sally Branson	Commissioner Rhonda Neel
Commissioner Tony Annan	Commissioner Rich Borghese
Aubrey Harbin, City Planner	Arnold Polanco, City Attorney
Becky Summers, Development Coordinator	

2. Receive comments from the public, both oral and written, regarding:

- a. Request to **vacate a 20-foot drainage easement located at 906 Murphy Lane**, A 20' by 172.18' tract of land (3443.6' sq.) being part of a 20' drainage easement to be abandoned, located within Lot 1B of Mattoesian Subdivision, a subdivision recorded in Volume 18, Page 694 of the Map Records of Galveston County, Texas

Harbin explained the request was for an existing lot that was seeking abandonment of their rear drainage easement. She said the Galveston County Consolidated Drainage District (GCCDD) had issued a letter of No Objection to the City.

Leonard Kobeski, on Murphy Ln, said the rear drainage ditch had been blocked during the recent new home construction and increased the water holding on his property.

Fernando Martinez, on Murphy Ln, stated he also has standing water since the construction. He said he had tried to purchase that lot but was told by GCCDD the ditch could not be relocated or removed. Martinez said he would not be opposed to the property installing some other type of drainage instead of using the rear ditch, though.

- b. Zone classification change request of 262.15 acres **from Single Family Residential (SFR) and Multi-Family Residential-Medium (MFR-M) to Planned Unit Development (PUD) (Friendswood Trails)** and 2.238 acres **from Multi-Family**

Residential-Medium Density (MFR-M) to Neighborhood Commercial (NC),
property commonly known as the old Sunmeadow Golf Course, being nine tracts of land situated in the William Henry Survey, A-84 & the Mary Sloan Survey, A-184 Galveston County, Texas, and the R.A. Magee Survey, A-349 & the H. Stevens Survey, A-595, Brazoria County, Texas

Harbin explained the zone change process and what a Planned Unit Development (PUD) was. She stated the applicant could not change to PUD zoning without presenting a specific plan for City Council consideration. She said a plan was approved in 2008 for a development called the Trails at Friendswood along with preliminary and final plats but the subdivision was never built. She explained the current zoning for the area consisted of Single Family Residential (SFR) and Multi-Family Residential-Medium (MFR-M).

Harbin then outlined the proposed development saying Staff had reviewed the conceptual plan for items such as density, phasing, drainage, layout, etc. She said the developer was requesting to reduce the right-of-way width in an effort to save some large trees on the property. Harbin explained the next step would be to plat the property which would require Planning & Zoning Commission approval plus Galveston County Consolidated Drainage District (GCCDD) approval. Harbin also stated the City had received a letter from Denbury, who owns pipelines and wells in the area, saying Denbury did not oppose the development.

Sel Thint/Everest Design Group, Harvey Dorian & Parke Patterson/developers said they had a lot of conversations with the Sunmeadow Home Owners Association and City staff. Patterson described the development as a mixed-use, being single family on the majority while retaining the commercial property along FM 528. He said they were proposing 31% remain open space including over 4 miles of trails promoting walkability. He said there would not be any back to back fences with the existing neighborhood but a trail system as a buffer instead.

Patterson stated Friendswood Trails would fall below the allowed density, encourage tree retention and use local professionals such as Pro-Surv and Everest Design Group. He explained the project would be completed in three phases over the course of 8-10 years. Patterson stated they were not seeking a MUD or special taxing, would implement deed restrictions and attempt to keep Home Owner Association fees as minimal as possible. Patterson also announced the horseshoe area in the middle of the existing Sunmeadow Subdivision would be left as green space and they would like to dedicate the land to another entity for a future park. Commissioner Borghese asked if there was a guarantee that area would be left as green space. Harbin answered the area would be designated as an open space reserve during platting.

Councilman Rockey asked if the developer had contacted the school district. Mr. Patterson answered they had not. Rockey said he needed input from the school district before he would be willing to vote on the project.

Councilman Enochs said Council had been pushing really hard for 90' lots. Patterson stated this plan, even with smaller lots, would be less dense than if they developed the whole property with 90' lots. He said they took a cue from the West Ranch development which has several lot sizes and price points.

Councilman Hill said this sounded like the same sales pitch as West Ranch and at least Friendswood Trails was not seeking a management district. He said Council had turned away two builders recently for not meeting the minimum lot size requirement of 90'. Councilman Scott said he also wanted 90' lots saying the larger lots bring value to a neighborhood.

Councilman Gustafson said he appreciated the developer not asking for a management district and understood this was a difficult piece of property to make work. He said the change from multi-family to 55' lots would be an upgrade and that he would be open-minded. Gustafson asked what price point the houses would be in. Patterson said the smallest lots would start around \$375,000.

Mayor Holland asked what size lots were in the Sunmeadow Subdivision. Harbin answered that the existing subdivision had mainly 75' lots. Chairman O'Farrell mentioned larger lots would take longer to build and sell allowing the school district more time to prepare.

Ralph Blough, on W. Castle Harbour Dr., spoke regarding the development saying he understood the eventuality of development. He then said Dorado Drive and Windsong Lane did not meet current city code for street paving. He said he had been told new subdivisions do not intersect with other streets but felt that was untrue citing Falcon Ridge and Eagle Lakes subdivisions as examples.

Marcus Rives, on Bridle Path Lane, spoke in opposition of the development saying a PUD was being proposed to avoid meeting the city's minimum lot sizes. He said the development would lead to higher traffic and an additional stop light. Rives said the city won awards because it was the best place to live and it did not stack homes in. He said the developer showed up without speaking with the school district, they were not meeting city code and were asking for deviations.

Betsy Fleming, Sunmeadow resident, said she moved to the neighborhood in 1987 with an expectation of green space. She said adding houses would destroy the sky and no longer be a haven for animals. Betsy also said the traffic would increase, drainage issues would worsen and home values would go down.

Pat Kepka, on Pecan Valley Court, was concerned with the impact on the subdivision's drainage system as well as the school district. She said doubling the residents with only two exits would be a security concern.

Dan Hall, on Palmer Drive, was concerned with flooding and traffic if the development moved forward.

George Butler, on St. Cloud Drive, stated he was an original owner and the school issue needed to be addressed. He also showed concern over the increase in traffic and work load on emergency services.

Diane Hecht, on Windsong Lane, said she spoke to Council 16 years ago regarding not allowing the use of Windsong Lane as an emergency access. She said she was told Windsong would not be utilized as an emergency access road and that she would never have to come back to Council on that issue. She said the school and Green Event Center already cause issues on Windsong Lane and that there were no sidewalks for pedestrians.

Bryce Blackmon, on Palmer Drive, said he had never flooded and was concerned with the new impact on drainage. He said the school was already busting at the seams, too. Blackmon said he was not opposed to homes being built but did not agree with either 55' lots or apartments.

Harbin clarified for the public and Council that apartments were not being proposed in the Planned Unit Development for Friendswood Trails.

P. Jacobs, at 18 Windsong Lane, said he also had a concern with traffic cutting through and said the drainage district already has a lot of dump trucks using Windsong to access the creek. He said 18-wheelers routinely get stuck and did not understand how a fire truck would use the road for emergency access. He mentioned the area residents already use the creek as a trail system and ride horses back there. He said the proposed development is a huge area for wildlife and that the developer is only planning to save trees along the gated section of the development.

Mary Morales, on W. Castle Harbour Drive, said she has lived there since 1999 and has always had a water pressure problem. She stated the new development would worsen the water pressure.

3. The Joint Public Hearing adjourned at 8:13pm.

Regular Meeting - (2nd Floor Conference Room)

1. The Regular Meeting was called to order at 8:17pm with the same people in attendance minus the City Attorney.
2. Communication from the public/committee liaisons
(To comply with the provisions of the Open Meetings Act, the Commission may not deliberate on subjects discussed under this agenda item. However, the Commission may direct such subjects to be placed on a later regular Commission agenda for discussion and/or possible action.)

None

3. Consent Agenda
 - A. Approval of the minutes for the meeting held:
 - 1) **February 18, 2016**

Motion to approve: Branson

Second: Borghese

Vote: 6 to 0 (unanimous)

Motion Carried

Annan had emailed minor corrections to City Staff which had since been addressed.

4. Consideration and possible action regarding Request to **vacate a 20-foot drainage easement located at 906 Murphy Lane**, A 20' by 172.18' tract of land (3443.6' sq.) being part of a 20' drainage easement to be abandoned, located within Lot 1B of

Matoesian Subdivision, a subdivision recorded in Volume 18, Page 694 of the Map Records of Galveston County, Texas

Motion to approve: Branson

Second: Lovell

Vote: 0 to 6

Motion Failed

*Agenda item #5 was discussed first.

Mr. Kobeski drew a diagram of the lots at and around 906 Murphy Ln along with their drainage issues. He said the contractor blocked the ditch during construction and that he notified the contractor of standing water. Kobeski said the lot in question drains to the front and the back.

Lovell questioned the lot should drain to the front. Harbin explained front drainage was the usual method and O'Farrell said it depends on the lot. O'Farrell suggested the neighbors contact the drainage district with their concerns.

Patrick Donart/City Engineer and Public Works Director said the property owner has purchased regional detention and believed the conveyance of water to be the issue.

O'Farrell told the neighboring owners they had a right not to be drained on and said the drainage district needed to be aware of the issue.

Neel stated the drainage was bad today and vacating the drainage easement would only worsen the problem. Borghese stated they did not have both sides of the story. O'Farrell said denying the request would get the developer's attention and may lead to the drainage being fixed.

Mrs. Kobeski stated the developer did not even attend the request and the surrounding residents should not have had to deal with the meeting.

Lovell said there may be more than one issue and mentioned the possibility of the neighbors needing to improve drainage on their properties as well.

Annan said the applicant's absence was noted.

5. Consideration and possible action regarding the zone classification change request of 262.15 acres from **Single Family Residential (SFR)** and **Multi-Family Residential-Medium (MFR-M)** to **Planned Unit Development (PUD) (Friendswood Trails)** and 2.238 acres from **Multi-Family Residential-Medium Density (MFR-M)** to **Neighborhood Commercial (NC)**, property commonly known as the old Sunmeadow Golf Course, being nine tracts of land situated in the William Henry Survey, A-84 & the Mary Sloan Survey, A-184 Galveston County, Texas, and the R.A. Magee Survey, A-349 & the H. Stevens Survey, A-595, Brazoria County, Texas

Motion to Table: Branson

Second: Lovell

Vote: 6 to 0 (unanimous)

Borghese stated he needed more facts and felt the drainage was a big concern for residents.

Neel asked if the current zoning was left in place, could the developer build more units than his proposed PUD. Parke Patterson answered the current zoning would allow more than 700 units while his proposal was for 477 lots. O'Farrell said the current zoning at 90' lots would be wall to wall homes and Patterson said the amenities would have to be removed to accomplish all 90' lots. O'Farrell asked what it would take to keep 90' lots as well as the amenities. Sel Thint/Everest Design Group said they could fit roughly 360 ninety-foot lots along with the amenities. Patterson explained the PUD would allow for different products at different price points. He feared building only one product would limit the success of the development. He mentioned West Ranch was wildly successful with various products and amenities starting around \$390,000.

Lovell asked staff for a history of subdivisions with 90' lot sizes, other than West Ranch. Harbin said West Ranch ranges from 55' lots up to estate sized lots of 120'. Patterson said the Friendswood Trails PUD would be less dense than West Ranch.

William Grace, on Fairway Drive, said 55' lots devalue the property. He also said there is a pipeline through the area that had not been addressed.

Harbin mentioned again to the crowd that apartments were not part of the application being discussed.

Diane Hecht, resident, said West Ranch was denied using Playa Drive as an emergency access road. She was concerned with water draining into the creek and impacting lower elevated homes.

Lea Jones, resident, asked if the PUD could change. Harbin answered that a PUD was an ordinance tied to a specific plan. She said the PUD could only change 25% but could not increase the number of lots or traffic. Harbin explained a PUD was used for flexible planning and each one was different.

Everest Wood, on Everett Drive, said the biggest issue for residents was drainage. He asked what the plan was. Thint explained the drainage plan was designed to meet requirements set forth by the Galveston County Consolidated Drainage District (GCCDD), the City of Friendswood and FEMA. He said the new development was not allowed to impact neighboring properties. Thint explained how detention ponds and restrictors functioned.

O'Farrell reminded the public that zoning and property use was currently being discussed. He said things such as drainage would be vetted more thoroughly at a later date. He advised the residents they could speak with GCCDD about their drainage concerns.

Bryce wanted clarification on whether apartments and townhomes could be built as part of this PUD. Harbin explained the PUD proposal was for Single Family detached homes. Bryce asked what would happen to the home prices if the market crashed again. O'Farrell stated that home values and prices could not be controlled.

James Bosworth, on W. Castle Harbour Drive, said West Ranch did not feed through another neighborhood but this proposed development would go right through Sunmeadow Subdivision, which did not have adequate streets. Harbin stated the Sunmeadow Subdivision met current codes in regards to streets and paving.

O'Farrell asked the developer if they could use only the street that does not tie into Sunmeadow. Patterson answered that two points of egress were required per the Fire Code. Bosworth said his home would become surrounded by streets. Patterson said they tried to impact as few residents as possible when designing Friendswood Trails.

O'Farrell said the Commission had only heard negative comments from the public and asked if anyone had anything positive to say. Patterson stated the new development would be self-sufficient with taxes and be a beautiful mixed use plan.

Marcus Rives, resident, asked the developer if he had any examples of subdivisions being reverse-engineered to fit around existing subdivisions. Patterson answered that Cinco Ranch has been adding sections for over 30 years and the Woodlands had been doing it for more than 40 years.

Commissioner Annan asked if there were any plans for the commercial portion of the property. Patterson said, at this point, there was zero plan for the commercial. He stated he did not want homes to back up straight along FM 528. Patterson ended saying there was no rush on the commercial portion.

6. Consideration and possible action regarding the **Partial Replat of Amending Plat of 518-528 Subdivision & of the Final Plat of Park 518 Reserve "B" Replat and Addition** being a Replat of all of Reserve "B" of the Amending Plat of 518-528 Subdivision as recorded under plat record 2003A, Map No. 107 of the Galveston County Map Records & All of Restricted Reserve "D" of the Final Plat of Park 518 Reserve "B" Replat and Addition as recorded under Plat Record 2006A, Map No. 189 of the Map Records of Galveston County Texas situated in the Sarah McKissick or J.R. Williams League, Abstract 151, Galveston County, Texas

Motion to approve: Branson

Second: Neel

Vote: 6 to 0 (unanimous)

Harbin explained this was a partial replat of two separate commercial plats.

Jonathan Kagan/Owner drew a diagram of his lots and the surrounding lots. He said he used to own all the lots and had sold off pieces over the years. He had bought back a piece from the Christian Bros. Automotive and had been trying to sell/market the lot. Kagan said he received a call from the City that the lot did not meet the minimum requirements and this replat was to bring the lot into compliance.

7. Consideration and possible action regarding future Planning and Zoning Commission meeting dates

Harbin stated the next regular meeting would be held Thursday, March 17th.

8. Communications from the Commission

Lovell said, at the last CEDC meeting, it was discussed to support the Permitted Use Table changes and cooperate with the Friends of Downtown Friendswood Association (FDFA).

Branson said the FDFA Music Fest went fantastic.

9. Reports

A. Council Liaison – not present

B. Staff – None

10. The meeting was adjourned at 9:25pm.

These minutes respectfully submitted by:

Becky Summers

Becky Summers
Development Coordinator/P&Z Secretary