



# PLANNING & ZONING COMMISSION

MINUTES OF A  
REGULAR MEETING & WORK SESSION  
HELD THURSDAY, SEPTEMBER 3, 2015  
AT 7:00 PM

CITY HALL  
COUNCIL CHAMBERS & 2<sup>ND</sup> FLOOR  
CONFERENCE ROOM  
910 S. FRIENDSWOOD DRIVE  
FRIENDSWOOD, TEXAS

## Public Hearing

1. The Public Hearing was left open at last meeting and reconvened at 7:02 pm with the following people in attendance:

Chairman David O'Farrell  
Commissioner Rhonda Neel  
Commissioner Craig Lovell  
Commissioner Rich Borghese  
Aubrey Harbin, City Planner  
Becky Summers, Development Coordinator

Vice Chairman Arthur Triplette  
Commissioner Tony Annan  
Commissioner Sally Branson  
Arnold Polanco, City Attorney  
Nick Haby, Planning Manager

2. Receive comments both oral and written regarding the **Partial Replat of Lot 1 Oak Creek Forest** being a Replat of Lot 1 and Restricted Reserve A, Oak Creek Forest a Subdivision Plat recorded at Plat Record 2006A, Map Number 28, G.C.M.R. J.T. Perry and E.M. Austin League, A-20 City of Friendswood, Galveston County, Texas

Robert Peel, neighbor, stated there is currently a drainage problem in that area and he feels an additional house being built would worsen the problem.

3. The public hearing adjourned at 7:04pm.

## Regular Meeting

1. The Regular Meeting was called to order at 7:04pm with the same people in attendance.
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) **August 20, 2015**

**Motion to approve: Branson**  
**Second: Triplette**  
**Vote: 7 to 0**

**Motion Carried**

4. Consideration and possible action regarding the **Partial Replat of Lot 1 Oak Creek Forest** being a Replat of Lot 1 and Restricted Reserve A, Oak Creek Forest a Subdivision Plat recorded at Plat Record 2006A, Map Number 28, G.C.M.R. J.T. Perry and E.M. Austin League, A-20 City of Friendswood, Galveston County, Texas

**Motion to approve subject to staff comments: Lovell**  
**Second: Branson**  
**Vote: 7 to 0**

**Motion Carried**

Harbin explained the replat was to subdivide a residential lot into two. She said the owner paid into regional detention with the Galveston County Consolidated Drainage District and has since then filled in the onsite detention pond. She said staff had some clerical items for the surveyor to correct prior to printing the plat on mylar.

Chairman O'Farrell asked Morad Kabiri, Assistant City Manager, to address the drainage concerns presented during the public hearing. Kabiri explained the Galveston County Consolidated Drainage District improved Melody Lane and added two outfalls a few years before. He said the owner filled in the pond to allow for more usable land about 8-12 months prior.

Commissioner Lovell asked how the property elevations related. Kabiri stated the Forest of Friendswood is at a higher elevation. The runoff from Crawford Drive was to flow east and perpendicular to Crawford Drive then south to Melody Lane.

5. Consideration and possible action regarding a **preliminary plat of Fountains at Friendswood** (formerly Friendswood Place), a subdivision of 18.703 acres of land being a portion of Lot 1, Berean Baptist Subdivision, Volume 18, Page 202, G.C.M.R. and out of lots 10-12 of Burgess Subdivision, Book 119 Page 14, G.C.M.R. and located in the George W. Peterson Survey No. 6, Abstract No. 645, City of Friendswood, Galveston County, Texas

**Motion to approve subject to staff comments: Borghese**  
**Second: Branson**  
**Vote: 7 to 0**

**Motion Carried**

Harbin stated this was the commercial development at San Joaquin Parkway currently under construction. She said the previous plat expired.

O'Farrell asked if the layout was the final configuration. Sel Thint, Everest Design Group, stated the plat is final and designed to accommodate a 35,000 square foot, two-story retail/office building for the developer. Harbin explained to the Commission that

they will see this project again as a Final Plat.

Triplette asked Thint if the intent was to sell or lease the buildings. Thint said some would lease and there are currently seven reserves left for sale. He said there had been interest for a sports center, retail and a retirement community. O'Farrell asked if the property was zoned for a retirement community. Thint said the developer would seek a Planned Unit Development if the retirement community panned out. O'Farrell asked Commissioner Annan for his opinion on what the Community and Economic Development Committee would think about a retirement community in that area. Annan said the CEDC wishes to keep that area as commercial property.

Annan questioned how Reserve E2 would be accessed. Thint answered the 24' ingress-egress easement on the plat would serve that reserve.

6. Consideration and possible action regarding the **Final Plat of Sterling Creek Section 2** being 27.2696 acres of land out of a called 194.21 acre tract of land known as Tract A and being recorded in Clerk's File No. 2010059686, comprised of a portion of Lots 1-3 of the David Fahey Subdivision recorded in Volume 118, Pg. 417 and being situated in the Mary Fabreau Survey, A-69, and a partial replat of Friendswood Lakes Section One, Reserve C and Reserve I, Friendswood, Galveston County, Texas

**Motion to approve subject to staff comments: Lovell**

**Second: Branson**

**Vote: 7 to 0**

**Motion Carried**

7. Consideration and possible action regarding the **Commercial Site Plan for Clearwood Business Park** to be located at 4370, 4380 and 4390 FM 2351

**Motion to approve: Neel**

**Second: Branson**

**Vote: 7 to 0**

**Motion Carried**

Harbin said this site plan consisted of three lots zoned Light Industrial, the front lot falling within the Community Overlay District. She said staff had no outstanding comments on the site plan. She explained the developer began in 2007 but had some issues to work out with Exxon Pipeline.

Mike Wallace, developer, said they had to work out some easement issues with Exxon then the market crashed. He said they also owned the front tract zoned Commercial Shopping Center. Wallace said they have built industrial buildings before and they were well received by owners who want their own buildings.

O'Farrell stated there were large dirt spoils on the property. Wallace confirmed there were. O'Farrell asked what type of problems they had with Exxon. Wallace said the title report had been misinterpreted and easements needed to be relocated. He said Exxon was no longer drilling onsite but had yet to release the surface rights. He also said an abandoned pipeline had been removed from the site.

Annan asked what type of driveway would serve the rear lots to which Wallace said a concrete curb and gutter drive had already been constructed. Annan asked if the buildings

would be pre-engineered metal buildings to which Wallace confirmed they would be.

O'Farrell asked Harbin to explain to the Commission what the Community Overlay District was. Harbin stated the façade cannot be metal, wood or hardie plank; earth tone colors are required; utilities must be located underground and there were enhanced landscaping requirements.

O'Farrell asked the applicant if he found it difficult to meet the COD requirements. Wallace stated they hadn't planned on cladding an industrial building but they made it work.

Borghese asked if the building were pre-leased and what type of tenants would be in place. Wallace said they typically have clients such as engineering firms, roofing and a/c companies and sport training centers.

Annan asked if a sidewalk would be required or installed. Harbin answered a sidewalk was installed along FM 2351 by the developer. She said the access easement includes a private road and sidewalks are not required along private drives.

## 8. Consideration and possible action regarding **sidewalks and sidewalk funds**

### **No Motion**

O'Farrell said this item was discussed at the last meeting and suggested having a workshop with City Council to see if they were interested in pursuing changes to the ordinance. He said the Commission had prior experience with taking items to City Council after much work only to find they were not interested.

Chairman O'Farrell explained the sidewalk install exemption was created after situations arose where it was difficult to physically install sidewalks. He said Friendswood is known for large lot subdivisions and most of those areas do not desire or require sidewalks. He suggested the Commission drill down to what they want to accomplish, specifically. Annan said the lack of sidewalks provides poor student access to schools. O'Farrell asked if that was the primary reason for the change. Annan said it was not the primary reason. He stated many neighbors and those in the public told him sidewalk access was their main concern. He said he began driving around to see and research and he agreed it was a problem. He stated his initial goal was to stop new developments from not installing sidewalks then tackle problem areas around schools and retirement areas.

O'Farrell said a changing the ordinance would take away flexibility for developers. He also stated the change would not be retroactive.

Commissioner Lovell asked what specific change to the ordinance Annan was proposing. Annan said he would like to strike the exception in Section 70-64 and use Planning and Zoning Commission discretion instead. Lovell asked if striking the exception would address the public's concerns. Annan said it would not address the lack of sidewalks but would stop the problem from continuing. Lovell gave the example that Creekwood Estates is an open ditch community at the end of Wilderness Trail and installing sidewalks there would not enhance school routes. He said he felt it would not increase public safety, only increase construction costs.

Annan explained he had a two phase plan: Phase 1 to stop the problem; Phase 2 to review the Capital Improvement Plan.

Lovell said City Council would need to be shown how it will improve public safety. He said requiring or adding sidewalks in areas out in the boonies would not be beneficial.

O'Farrell asked staff what would happen if the exception was stricken. Harbin said small subdivisions, i.e. two lots, would end up with sidewalks to nowhere. Harbin explained open ditch neighborhoods do not have sidewalks. She said to install sidewalks in open ditch neighborhoods, the City would need to close in the ditches with culverts first.

Branson said she thought starting with adding sidewalks within two miles of schools would be more sellable to City Council. Neel said the problem area is around the high school where busing is not available for students. O'Farrell asked Staff to make a list of addresses with sidewalk issues for the Commission to drive around and look at. Harbin said staff could make a PowerPoint presentation. Neel said she could visualize a dead-end sidewalk.

Annan said he would like to strike option one and option two would give P&Z the discretion to exempt sidewalk installation. Neel said the walk to bus stops was long or there was no bus service at all in some areas. O'Farrell said updating the CIP could help but he could not see how striking number one would help.

Haby stated there was roughly 1,000 square miles of vacant residential land left in the City limits. He said striking number one would make new developments install sidewalks and close in ditches which would impact the developer immensely. O'Farrell said you would not want to funnel developers from 120' lots to 90' lots. Haby explained it could be a "make or break" deal if developers had to close in ditches. Annan expressed that is was bad to put developers over citizens. O'Farrell said citizens like the larger lots with open ditches.

Borghese said striking number one would still give P&Z the discretion to allow open ditches. Harbin explained the difficulty staff would have trying to give information to potential developers if they had to wait for a decision from P&Z. She said it costs thousands of dollars to draw up plats.

Borghese asked if sidewalks were really a big issue. Harbin said the last large lot subdivision was Creekwood Estates done in 2009. She said recently interest has been shown in the old golf course (Sunmeadows) and by the gun range to create small lots, smaller than the City's minimum 90' lots, which would require Planned Unit Developments. O'Farrell stated there was more profit in small lot subdivisions.

Borghese said he understood the "stop the bleeding" mentality but thought the bigger issue was the lack of sidewalks in older neighborhoods. O'Farrell opined he did not think City Council would be agreeable to removing the open ditch option. He told the Commission they only get a couple "big bullets" a year and should use them wisely.

Harbin suggested separating the issues of retroactively installing sidewalks and making all new developments install sidewalks. She said the Commission needing to come to a consensus before going to Council. Annan said that striking number one only eliminated

the automatic approval of no sidewalks on large lots. Lovell argued the developer needs to know in advance what they would be required to install.

City Attorney Arnold Polanco said the agenda would need to reflect text changes in order to make a motion to bring to Council. Neel asked if everyone was willing to continue the sidewalk discussion. Lovell said he needed to understand the impact of the ordinance change and a compelling reason to take to City Council. Borghese said he wanted to bring both phases before Council and the CIP plan needed to be thought through.

Triplette asked what they were fixing. He said he wanted to see statistics of people in danger. Neel expressed that an ordinance change would not accomplish enough and suggested addressing better pedestrian access through changes with the CIP.

Annan said he thought there was enough information to make a decision and wanted to bring the citizens before City Council to express their thoughts. Branson said she wanted to focus on the areas around schools. She said she did not think an ordinance change would be worth it.

O'Farrell said his biggest concern is that an estate developer would walk away due to the high cost of closing in ditches and installing sidewalks. He said striking number one would cost the developer too much money just to bring a plat before P&Z to get a decision on whether or not they had to install sidewalks.

9. Consideration and possible action regarding **Downtown District Amenities**

**No Action**

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

Harbin said the next regular meeting would be held Thursday, September 17<sup>th</sup> at 7:00pm.

11. Communications from the Commission

Neel thanked Staff for her Commission shirt.

12. Reports

A. Council Liaison – Rockey had nothing to report.

B. Staff – Harbin said she emailed out the DRC Report.

13. The meeting was adjourned at 8:24pm.

**Work Session**

1. The Work Session began at 8:30pm with the same people in attendance, minus Commissioner Annan.

2. Training Session 2: Discussion and presentation on the Subdivision Ordinance.

3. The Work Session ended at 9:05pm.

These minutes respectfully submitted by:

*Becky Summers*

Becky Summers  
Development Coordinator