



PLANNING & ZONING COMMISSION

**MINUTES OF A
SPECIAL & REGULAR MEETING
HELD MONDAY, MARCH 5, 2018
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 7:10pm with the following people in attendance:

Chairman Rhonda Neel
Commissioner Richard Sasson
Commissioner Dick Clark
Becky Summers, Development Coordinator
Aubrey Harbin, City Planner/Dep. Dir. of CDD

Commissioner Brett Banfield
Commissioner Joe Matranga
Commissioner Eric Guenther
Mary Kay Fischer, City Attorney

Absent: Lawson

2. Receive comments from the public, both oral and written, regarding:
 - A. Zone classification for **3.306 acres, Fountains at Friendswood Subdivision, Reserve F (1.428 acres) and Reserve G (1.878 acres) located at 2245 and 2275 Thomas Trace, Friendswood, Galveston County, Texas, to change from Community Shopping Center (CSC) to Community Shopping Center with a Specific Use Permit (CSC/SUP) for the following NAICS Uses: #6231 - Nursing Care Facilities, Skilled Nursing Facilities, #623311 - Continuing Care Retirement Communities (with on-site nursing), and #623312 - Assisted Living Facilities for the Elderly, without on-site nursing (assisted living and memory care)**

Harbin explained the project consisted of 103 units on two tracts of land. She said the first tract, closest to San Joaquin Parkway, would contain two one-story memory care facilities with a courtyard. The interior tract would be the site of a three-story assisted living facility. She said the applicant was requesting an increased height of 51-feet and 6-inches.

Sel Thint/Everest Design Group stated the property owner had marketed the land for three years while building an adjacent 20,000 square foot center and selling two other lots with frontage on FM 528. Thint said the interest by retail users was not present and, since

the owner was a doctor, they began working on a medical project. Thint stated the facility would be a 'for profit' business and that emergency medical services would be privately contracted, therefore removing that burden from the City. Councilman Rockey asked if the private EMS could handle high water rescues. Thint said the EMS company had a fleet of more than 100 vehicles, several of which were equipped to handle high water transports.

Councilman Hill asked if the Community and Economic Development Committee (CEDC) had provided input to the applicant. Thint answered he spoke with Karen Capps, Economic Development Coordinator and she relayed that CEDC would prefer office use. Thint said the interest for office use was low and the recently constructed 20,000 sq ft building currently only had two tenants.

Cody Miller/Centercourt Pizza stated he was the first and only operating tenant in Fountain Plaza right now and had been for roughly a year. He said he liked the thought of a senior community within walking distance of his restaurant. Miller said his grandmother was unable to drive and if she could live in a walkable area, it would be beneficial.

Kelly Hutchinson/realtor said she had been working on the property for several years and that, in her professional opinion, more offices were not the highest and best use of the property. She said medical offices would definitely follow but not right now.

Louis Tannos/consultant agreed with Ms. Hutchinson regarding the lack of demand for office spaces in that area. He also said the three story building would be 350-feet away from the nearest residential neighbors so he did not see an issue with the height increase. Tannos said the facility would bring a good amount of revenue to the area.

Lynette Burns/resident was opposed to the height of the building. She said she can already see the car wash that was recently completed and that it would affect home values and privacy.

Vincent Detmer/resident said he was against the height of the building. He suggested the developer follow the City's guidelines. Deper said senior citizens would not want to visit the nearby restaurant or micropub. He was confused as to why residences would be put into a commercial area.

Unnamed resident – He said EMS transfers are not all through calling 911. He asked for something in writing by the developer that the facility would not utilize City services. He asked what was to keep the business from turning non-profit.

John Kelly/EMS Manager stated his company would serve the facility 24 hours a day, 7 days a week. He said they would have an onsite office to serve transports and emergencies. Kelly explained his company was just as staffed as any other 911 agency.

Councilman Foreman questioned Thint regarding the building height of 51-feet. Thint explained the recently approved facility, The Pond, was done so at 52-feet. Rockey asked if the project was viable without the third story to which Thint answered the facility would not be financially viable with only two stories.

3. The Joint Public Hearing adjourned at 7:30pm.

Regular Meeting

1. The Regular Meeting was called to order at 7:35pm 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
These items are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a commissioner or citizen so requests in which case the item would be removed from the consent agenda and considered separately.

a. Minutes from February 15, 2018 regular meeting

Motion to approve: Sasson

Second: Matranga

Neel asked staff to check item number 4 for the vote that was taken.

Motion to approve with correction to Item 4: Sasson

Second: Matranga

Vote: 6 to 0 Unanimous

Motion passed

Action Items

According to the Planning and Zoning Rules of Procedure (R2010-09), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

4. Consideration and possible action regarding a request for a zone classification change from for **Community Shopping Center (CSC) to Community Shopping Center with a Specific Use Permit (CSC/SUP) for the following NAICS Uses: #6231 - Nursing Care Facilities, Skilled Nursing Facilities, #623311 - Continuing Care Retirement Communities (with on-site nursing), and #623312 - Assisted Living Facilities for the Elderly, without on-site nursing (assisted living and memory care)**

Motion to discuss: Neel

Second: Banfield

Harbin displayed the site plan, the location of the proposed buildings, and the vacant commercial tracts across Thomas Trace.

Neel said the ordinance has a maximum height of 40-feet but there was some language regarding exceptions. Harbin explained there is a provision to allow taller buildings depending on their setbacks and angles. Louis Tannos/consultant stated the overall height of the building to the top of the roof was 51' 6" but the window header height would only be around 30-feet. Harbin said the intent of a Specific Use Permit (SUP) is to protect the residential neighbors. She said the detention pond creates a large setback from the neighbors. Neel said the Gardens at Friendswood Lakes apartments abut residences and asked how tall those buildings were. Harbin said the rooftop is 49-feet and the towers are 59-feet tall.

Matranga asked if the SUP was for the use and/or the height increase. Harbin answered the SUP was for both. Thint explained the lot is not very wide so the development had to be built vertically. Thint explained the height needed for each level from floor to ceiling plus the needed room for mechanical equipment.

Sasson questioned the parking to which Harbin said the proposed parking met the City's requirements. Sasson asked what would become of the culvert that currently exists on the property. Thint replied that was actually an emergency spillway to the pond and that it would be reconstructed into the parking lot to maintain its purpose.

Clark asked if the property needed to be replatted into one tract. Harbin said the two tracts could be developed as one project. Clark objected to a large structure obstructing the view from the nearby restaurant patios.

Banfield stated had the project been proposed on FM 528, he would not have supported it but the subject tract is not prime commercial property. He said there is naturally a conflict between residential and commercial areas and feels this facility could be a good buffer. He said he understood the residents' concerns regarding the building height but felt the viewing height from the windows plus the large setback was reasonable. Banfield said his other concern was the strain on the City's EMS but the developer addressed that issue by hiring a private company.

Neel questioned whether or not the facility would have onsite nursing. Dr. Thomas said the intent is not to have onsite nursing at this point. Harbin said she included the use to avoid an amendment in the future, if need be.

Neel remarked on the comments from Council whether or not the business would be a non-profit in the future. Harbin stated any property or business could potentially be purchased by a non-profit organization. Dr. Thomas said this was a business venture and did not understand why he would turn it over to a non-profit organization. Thomas said Fountains at Friendswood was a master planned community where the residents could walk to restaurants and around the pond.

Motion to table: Neel

Second: Sasson

Vote: 6 to 0 Unanimous

Motion passed

5. Consideration and possible action regarding the **site plan approval for Tannos Plaza 6 to be located at 505 S. Friendswood Drive**

Motion to discuss: Sasson

Second: Clark

Sasson began by stating he was concerned with the shared parking arrangement. He said he felt patrons would more likely use the neighboring strip center parking. Mr. Tannos said he approached the neighboring strip center but was unable to obtain shared parking with them. He said he owns all the land behind and beside the library and would utilize shared parking there as it was located within the distance requirements per code.

Tannos said he would be investing 40 million dollars into several mixed use developments, including the current agenda item and the location for the shared parking. He said he was following the call for a walkable downtown area. Tannos said he recently completed several retail buildings and this project was targeting the office uses and attracting national companies.

Sasson said he was sympathetic to the residential neighbor who would be behind a four story building. Harbin said the maximum allowable height in the Downtown District was 70-feet. She said the proposed building was less than 70-feet and would be required to install an 8-foot fence and a 10-foot landscape buffer.

Matranga said he was concerned with the light pollution the building would bring. Banfield said a photometric plan was included in the submittal. Matranga asked Mr. Tannos why he chose such a modern design for the building. Tannos replied the rendering does not do the building justice and that it is part modern to attract the national clientele and some hill county to blend in.

Guenther asked where the parking analysis came from. Tannos said he modeled it after the City of Houston because the City of Friendswood did not have such a table. He said Houston has more parking issues and the calculations should be conservative for Friendswood.

Banfield stated the plan met City code and it should be approved. Banfield asked how many would be employed in the building. Tannos said it would bring roughly 200 jobs and he had letters of intent on 60% of the building.

Banfield and Neel discussed a recent conference where land planners were advising cities to downsize parking for the future would bring less vehicles. They said planners were trying to repurpose parking garages for when autonomous vehicles were more popular.

Motion to approve: Sasson

Second: Matranga

Vote: 6 to 0 Unanimous

Motion passed

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

Harbin said the next regular meeting would be Thursday, March 15th.

7. Communications from

- a. Commissioners – Neel said she attended the Keep Friendswood Beautiful meeting where they discussed artwork projects that could be done in the City.
- b. Planning Subcommittee Update – Banfield said he had nothing to report and would coordinate with Harbin on future subcommittee meeting dates
- c. Ordinance Subcommittee Update – Sasson said he had nothing to report and would coordinate with Summers on future subcommittee meeting dates
- d. Staff – Harbin said she would email out the January and February DRC Reports.

8. The meeting was adjourned at 8:49pm.

These minutes respectfully submitted by:

Becky Summers

Becky Summers
Development Coordinator/P&Z Secretary