

Meeting Minutes
City of League City
Planning and Zoning Commission
Regular Meeting, Monday, February 6, 2023
Council Chambers, 200 W. Walker Street, League City, TX 77573

1. Call to Order and Roll Call of Members

Paul Maaz, Vice Chair, called the meeting to order at 6:00 p.m.

Present: Pam Arnold, Chris Dodson, Paul Maaz, Tedd Olkowski, Ruth Morrison

Absent: Frank Dominguez, Steve Barron

City Staff: Kris Carpenter, Interim Director of Planning; Mark Linenschmidt, Senior Planner; Christopher Sims, Director of Engineer; Matthew Brown, Assistant City Engineer; Michelle Villarreal, Deputy City Attorney

2. Approval of December 19, 2022, minutes

Mr. Maaz asked if there were any corrections. He stated hearing none, the December 19, 2022, minutes are approved.

3. Citizen Communications

No citizens spoke.

4. Public Hearing and Action Items

A. Hold a public hearing and make a recommendation to City Council on a Zoning Change Application, PUD-22-0012 (Marina Del Sol PUD), to rezone approximately 18.5 acres from “CG” (General Commercial) and “RSF-7” (Single-Family Residential with a minimum lot size of 7,000 square feet) to “RSF-2-PUD” (Single-Family Residential with a minimum lot size of 2,000 square feet with a Planned Unit Development Overlay) and “RSF-7-PUD” (Single-Family Residential with a minimum lot size of 7,000 square feet with a Planned Unit Development Overlay) to create a PUD to allow for the development of 30 townhomes, legally described as Restricted Reserves ‘B’, ‘D’, ‘E’ and Unrestricted Reserve ‘C’ of the Marina Del Sol Subdivision and Restricted Reserve ‘A-1’ of the Marina on the Lake Subdivision, generally located along the south side and east of Twin Oaks Boulevard with the addresses of 1203, 2103 and 2105 Twin Oaks Boulevard.

Mark Linenschmidt, Senior Planner, gave a presentation on behalf of the City of League City.

Mr. Maaz opened the public hearing at 6:12 p.m.

Rick Limas, 312 Lago Vista, stated his concern with the construction traffic could delay the bus routes for children to get to and from the nearby schools.

Trey Lavespere, 1005 Island View Street, spoke in support of the request. He stated the project was something new and exciting for the area that would increase property values.

Jerry Juno, 302 Lago Vista, stated that his main concerns were for flooding in the area.

Shawn Juno, 302 Lago Vista, stated that her concerns for the project were the potential losses in property values for the neighborhood. She indicated that she was informed that property values could decrease approximately 30 to 45% due to loss of the adjacent commercial property and loss to the water view status of the lots. She indicated that the PUD would not be to the benefit to the neighborhood and requested the item not be approved.

Kirby McKillip, 210 Lago Vista, stated that his objections were to the proposed 3-story height of the townhomes along the western property line, which would decrease the property values for the adjacent neighborhood. He requested the Commission limit the height to 2-stories. Mr. McKillip also stated that another concern was the proposed density of the site which would create traffic issues and would cause people to overflow into the surrounding neighborhoods.

Mark Rossetti, 308 Lago Vista, commented that the cleanup of the marina is not affected by the request.

Courtney Williams, 300 Lago Vista, stated he has concerns for traffic congestion and safety in the area. He discussed how the area has grown over the years and appreciates the improvements made and supports the efforts to improve the marina. However, he urged consideration due to the loss of a bridge in the Glen Cove subdivision, no longer a secondary access to the area and noted the multiple accidents at the intersection of FM 2094 at Twin Oaks Boulevard.

Fred Powell, 303 Lago Vista, stated he had concerns of the proposed 3-story height of the structures potentially blocking his view, the current state of the roadway as it needs to be repaired 2 to 3 times a year due to heavy equipment, and the traffic at the intersection of FM 2094 at Twin Oaks Boulevard.

Kevin Wooten, 306 Lago Vista, requested the Commission to consider the negative effects of the request and briefly summarized a previous rezoning request for a portion of the property from commercial to multi-family residential in 2000. The previous request to rezone was denied by City Council.

James Apple, 209 Las Brisas, spoke about the marina and asked why the owner did not dredge the channel going out to Clear Lake when the marina was dredged. He also commented that there were dilapidated boats in the marina and suggested to have minimum requirements for the size of liveaboard boats.

Jan Garcia, 1005 Island View St., spoke in support of the request and calling the neighborhood progressive and that he was sympathetic to his neighbors. He was also concerned about the neighborhood's fears of progress which the development proposes and that he also had concerns about flooding, decrepit boats, and that traffic should be lessened. He finished by stating that marina cleanup is important, and the owner wants to bring value to the area.

BJ Buchanan, 2230 Marina Way, spoke in favor of the proposed rezoning and removing the marina parking lot along Marina Way. Mr. Buchanan stated that he and his wife live next to the marina parking area and had been dealing with unimaginable activities such as drug activities, sex, and police presence at all hours of the night. He added that since the new owner

acquired the property, many of the negative aspects of the area have stopped and his family welcomes new houses in the area.

Susan Buchanan, 2230 Marina Way, voiced her concerns with the parking lot and undesirable activities experienced over past 5 years. The previous owner was not interested in stemming activity and that the new owner brought in security to make the area safer. She continued in stating that while she sympathizes with the adjacent neighborhood, the community already has 3-story homes. She is concerned that the owner could currently build multiple, 125-foot-high commercial buildings. She said she feels the plan tries to find a middle ground, increase property values, and that the owner is on a path to make the area safer while greatly upgrading the community. She concluded that there were several neighbors along Marina Way in favor of the request.

Mr. Maaz permitted Mr. Garcia to return for additional time to speak.

Jan Garcia, 1005 Island View Street, added that he was thankful that the owner and his team were in attendance at the meeting and stated that the owner would do what he could based on the neighbor's comments to make a better community.

Mr. Maaz asked if there was anyone who desired to speak.

Mrs. Juno returned and inquired about the percentage calculated on the submitted petition as there was a discrepancy between staffs' and the neighborhood calculation of the opposing percentage.

Kris Carpenter, Interim Director of Planning, responded by briefly discussing the state law requiring a supermajority by City Council if the 20% of the land area is in opposition of the request. The submitted petition accounted for approximately 9% of the buffer area which did not meet the threshold. He added that this requirement affects City Council only.

Mr. Maaz asked if there was anyone who desired to speak.

Mr. Carpenter indicated that the applicant was here to speak.

Selwin Thint of Everest Design Group, applicant, gave a presentation describing the neighborhood meeting, the City's Informational Meeting and the concerns heard by the surrounding area. He discussed the current rights as a commercially zoned property, the reasoning to redevelop the property as residential and the existing conditions/constraints of the site since it is located within a floodplain.

Mr. Carpenter restated that the item for the Commission's consideration is for the requested rezoning of the property to allow the use of the 30 townhomes and one single-family house in a similar configuration as shown.

Mr. Maaz asked if any of the Commissioners had any questions.

Ms. Morrison asked for confirmation that if the zoning change was not allowed, that the owner could then construct any of the allowable uses within the commercial zoning district.

Mr. Carpenter responded that the properties are currently zoned general commercial and that there is a list of allowable uses for the zoning district. While the uses are permitted by right, the owner is still be required to meet the City's development requirements such as parking, drainage, and landscaping.

Ms. Morrison asked how many uses were allowed within the commercial zoning district.

Mr. Carpenter responded approximately 60 uses. He added that the general commercial is not typically in the middle of neighborhoods. League City adopted zoning in 1999 and he was unaware of why the property was zoned commercial at that time.

Ms. Morrison asked if there were restrictions for short term rentals in the neighborhoods.

Mr. Carpenter responded that League City has regulations regarding short term rentals, but if any of the neighborhoods were to have any specific private standards to prohibit rentals they could. He is unaware if there were any such deed restrictions since the City does not enforce private deed restrictions.

Ms. Morrison asked the general audience if there were any deed restrictions.

Mr. Thint indicated that the townhomes would be sold off and it was not anticipated that they would be turned into rentals.

Ms. Morrison clarified her question and asked the audience if there were any deed restrictions for the existing neighborhoods.

Kirby McKillip returned to the podium and stated he was a director in the Marina Del Sol HOA and that the HOA does not allow short term rentals. Since the development is not part of their HOA, it would need to be incorporated into the development's deed restrictions.

Mr. Dodson asked what type of construction the townhomes would be.

Mr. Thint responded that the current design is to have concrete masonry unit (CMU) on the bottom and wood construction above.

Mr. Dodson asked if there would be grade beams and footings drilled in the ground.

Mr. Thint responded in the affirmative. He added that the finish would be of a stucco material, but would not be using any hardi plank.

Mr. Jerome Karam, Property Owner, thanked people for attending the meeting. He stated that his company has a history of rehabilitating properties and that as the new owner, it is his intention to build 30 beautiful homes in compliance with the City's codes and regulations, in

addition to the current improvements made in the marina. He reiterated that the property was currently zoned commercial and should the rezoning not be approved, it would be redeveloped commercially.

Mr. Maaz closed the public hearing at 7:18 p.m.

Ms. Arnold made a motion to recommend approval of PUD-22-0012 (Marina Del Sol PUD) with staff's recommendations.

Ms. Morrison seconded the motion.

The motion passed by a vote of 5-0-0.

5. New Business

A. Consider and take action on a Preliminary/Final Plat, Samara, Section 1 and Ervin Street Dedication, Phase 1, PLAT-22-0046, and Final Plat, Samara, Section 2, PLAT-22-0047, generally located north and south of Ervin Street, and west of Hobbs Road.

Mark Linenschmidt, Senior Planner, indicated Final Plat, Samara, Section 2, PLAT-22-0047 has been pulled from the agenda at the request of the applicant. He then gave a presentation on PLAT-22-0046 on behalf of the City of League City.

Mr. Olkowski made a motion to approve the Preliminary/Final Plat, Samara Section 1 and Ervin Street Dedication, Phase 1, PLAT-21-0046, per staff's recommendations.

Mr. Dodson seconded the motion.

The motion passed by a vote of 5-0-0.

6. Staff Comments

Mark Linenschmidt reminded the Commission of League City's Board, Commissions, and Committees Dinner on Thursday, February 16, 2023 beginning at 5:30 p.m.

7. Adjournment

Mr. Maaz adjourned the meeting at 7:23 p.m.

Kris Carpenter,
Interim Director of Planning

Paul Maaz, Vice Chair
Planning & Zoning Commission