

The Seabrook Planning and Zoning Commission met on Thursday, May 16, 2013 in regular session at Seabrook City Hall, 1700 First Street, Seabrook, Texas to consider and if appropriate, take action on the agenda items listed below:

THOSE PRESENT WERE:

MICHAEL POTTS	CHAIRMAN
BUDDY HAMMANN (Excused Absence)	VICE CHAIRMAN
ROSEBUD CARADEC	MEMBER
MIKE DEHART	MEMBER
DODIE MILLER	MEMBER
MICHAEL SHARPE	MEMBER
BOLIVAR LEWIS	MEMBER
SEAN LANDIS	DIRECTOR OF COMMUNITY DEVELOPMENT
ALESIA HAMMOCK	SECRETARY

Chairman Potts called the meeting to order at 7:00 p.m. and stated there was a quorum present.

1.0 ROUTINE PUBLIC HEARING AND ANNOUNCEMENTS - None

2.0 SPECIFIC PUBLIC HEARING

2.1 Request to change the zoning classification of land described below from the current classification of R-2 (Single-family detached residential district-small lots) to OS (Old Seabrook.)

Sean Landis stated that the owner, OSVillage, LLC is requesting that its property on N. Meyer be rezoned from R-2 to OS in compliance with the spirit and intent of the 2030 Comprehensive Plan and current zoning regulations. He stated that OSVillage is the owner and developer of an assemblage of contiguous properties totaling approximately 14 acres on N. Meyer in Old Seabrook. Approximately 9.5 acres of the property is currently zoned OS with the remainder of approximately 4.5 acres currently zoned R-2. The properties were purchased together and OSVillage intends to develop the property as a single community named "Old Seabrook Village". Rezoning of the 4.5 acres would simply extend the existing OS zoned area of Seabrook by several acres.

Mr. Landis stated that OSVillage believes that highest and best use of the property aligns with the Old Seabrook zoning described in the zoning code as: *"the district (OS) is designed to enhance the special characteristics of Seabrook, the small town character, its waterfront and to create a unique place"*. These permitted uses in OS zoning promote the "mixed use" nature of Seabrook, including the concurrent use of properties as "live-work", bringing together new residents and new business services for the benefit of all Seabrook residents. This combination of residential/business uses is promoted in OS but prohibited in R-2, thus the need to rezone to OS. He stated that in the spirit of a "village concept", OSVillage envisions Old Seabrook Village as the embodiment of the intent of the Old Seabrook zoning, creating a consolidated community to live, work and enjoy the pedestrian friendly, waterfront nature of our property. The business uses generate sales tax revenue, while the new residents will support both the

existing and new businesses. Both are necessary components for a sustainable Old Seabrook Village and are the core of their development plan.

Mark Caldwell, De Four Trace, Seabrook, Texas, stated that the most significant difference between the OS and R-2 zones is that the OS zone has a 0 ft. front-yard setback and the R-2 zone has a 25 ft. front-yard setback. He stated that the type of development that they are considering doing there would involve pulling the product to the street, especially considering the new base flood elevation putting them up to 17 ft. By pulling the houses toward the street and doing narrower lots, makes for more of a village type concept. It gives you more of a unique soft street scene. Mr. Caldwell stated that the garages would be under the homes with access from a rear alley. He stated that from the front it would look like a two-story house, but from the back it would look like a three story house. He stated that it was an efficient way to offer an affordable product that offers a real unique old time look.

Mr. Caldwell stated that another significant difference between the two zones is in the uses. The live/work concept is not allowed in R-2, but is allowed in the OS zone. He stated that there is a unique opportunity to do the mixed use throughout the community. Mr. Caldwell stated that what the concept indicates is that they would create off-street parking on their property and have businesses along the front of Meyer. He stated that they planned to have a significant amount of open space to make maximum use of the water-front.

Mike DeHart asked if the businesses would be accessed through the main entrance to the development and have parking in front.

Mr. Caldwell stated yes. He stated that they want to have a pedestrian friendly, really nice streetscape along the development and hope that it continues on toward Second Street and ultimately to Hwy. 146.

Mike DeHart asked if they would have enough parking for commercial.

Mr. Caldwell stated that it was a requirement that they would have to meet.

2.2 Request to change the zoning classification of land described below from the current classification of C-3 (Commercial - Heavy) to R-3 (Residential – Medium Density.)

Sean Landis stated that Mr. Friedrichs request is to rezone the property to R-3 (Residential-Medium Density) to allow for construction of a 228 unit apartment complex. The property being 22.6755 acres, the applicant wishes to rezone the eastern 16.27 acres R-3 leaving the remaining frontage 6.4055 acres C-3 (Commercial-Heavy) for possible future retail or medical development.

The zoning of the surrounding properties are as follows:

- Northern Boundary C-2 (Medium-Commercial)
- Eastern Boundary R-1 (Single-Family Detached Residential)
- Southern Boundary C-3 (Commercial-Heavy)
R-2 (Single-Family Detached Small Lots)
- Western Boundary R-1 (Single-Family Detached Residential)

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98 Bill Friedrichs, WMF Investments, Kirby Drive, Taylor Lake Village, Texas, stated that he
99 bought the property in 2007. He stated that he has tried various ways to develop it. Mr.
100 Friedrichs stated that large retail and restaurants were not interested due to the Hwy. 146
101 expansion and not enough roof-tops. He stated that at the end of 2008 they did a market study
102 which showed that the best use of the property was apartments. He stated that late 2012, after
103 the announcement of the cruise lines coming to the area, he was contacted by Cornerbrook
104 Development which develops high-end, luxury apartments. Mr. Friedrichs presented several
105 site-plans showing different scenarios of development of commercial in the front and
106 apartments in the back of the property. He stated that this complex would increase the property
107 taxes and the average family would spend around a \$1,000 on food and gas.
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109 Rosebud Caradec stated that the last site plan did not show the city street. She stated that the
110 City has already proposed a street from Red Bluff and the other site plans showed it.
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112 Mr. Friedrichs stated that he has been working with City Staff, who are working with the
113 county, but at this time there are no funds.
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115 Ms. Caradec asked if the City was still planning to help with that street at some point.
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117 Mr. Landis stated yes, it was still in the plan. He stated that would have to be addressed in the
118 site plan process.
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120 Mr. Friedrichs stated that the detention pond was one of the factors in the site plans. He stated
121 that he has given letters of intent for the three lots in the R-2 zone, south of the back portion of
122 the property. He stated that they would like to move the detention pond there because no matter
123 which side of the corner of the property they will have to run 1800 feet of pipe out to Hwy. 146
124 to offset the detention pond. Mr. Friedrichs stated that is why they have different versions of
125 the site plan, because they are waiting to see if the county was going to get involved and are
126 they going to put the road in, if not, then they will move the site plan around accordingly.
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128 Mr. DeHart asked it would be a county road or a city road.
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130 Mr. Landis stated that it could be either one.
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132 Mr. DeHart asked if the road would go from Hwy. 146 to Red Bluff.
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134 Mr. Landis stated yes. He stated that the development of the road and the site plan approval
135 would be another process.
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137 John Packer, Acadiana, Seabrook, Texas, stated that he owned the Subway Sandwich Shop on
138 Hwy. 146 and Red Bluff. He stated that he supported the rezoning request. Mr. Packer stated
139 that Seabrook needed more residential areas to support the local restaurants and retail stores in
140 the area. He stated that he thought that it would be a very positive thing to have this many
141 bodies to draw off of.
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Gary Douglas, Seabrook Circle, Seabrook, Texas, stated that he had a petition of seven local business owners that are adjacent to or within walking distance from the referenced property and would be affected by this change. He stated that they felt the rezoning request should not be allowed. Mr. Douglas stated that several years ago, he and the other business owners in the area supported Mr. Friedrichs in his rezoning request to change the same property from residential to commercial for future development and enhancement of the business community and for their own businesses. He stated that the business owner's and/or their respective representatives feel that the long-term effect of a multi-family dwelling within walking distance of their businesses, would not only deteriorate but also undermine the reason they chose to invest their hard earned money in the locations that they have in Seabrook.

Mr. Douglas stated that multi-family structures many times lose their appeal and their value as they are turned over several times by investors and as each new generation of tenants move in. Due to this, ultimately the properties are not kept up properly and therefore increasing crime in the surrounding area. He stated that with the expansion of Hwy. 146, Seabrook needed the commercial property.

Paul Merryman, Seabrook Circle, Seabrook, Texas, stated that he was part of the petition opposing the rezoning request. He stated that he bought and then built on Seabrook Circle with the idea that there would be future development. He stated that he was very much in favor when Mr. Friedrichs requested the zone change from residential to commercial. Mr. Merryman stated that Seabrook did not have very many places for commercial development.

Mr. Friedrichs stated that he appreciated the other business owners supporting him when he originally requested to change the property from residential to commercial. In the last few years he has spent a lot of time trying to make it commercial. He stated that he would rather go commercial, but with the Hwy. 146 expansion, he could not interest any of the big commercial developers to build on the property.

Mr. DeHart asked with the traffic going south on Hwy. 146, if there was going to be any problem getting into the project whether it was commercial or residential.

Mr. Friedrichs stated that the latest TxDot map shows that he does not lose any property.

Chairman Potts closed the Specific Public Hearing portion of the meeting at 7:54.

3.0 NEW BUSINESS – The Commission will discuss, consider, and if appropriate, take action on the items listed below.

3.1 Discussion, consideration and possible action concerning the request to change the zoning classification of land from the current classification of R-2 (Single-family detached residential district-small lots) to OS (Old Seabrook.)

Motion was made by Mike DeHart and seconded by Dodie Miller

To approve the request to change the zoning classification of land from the current classification of R-2 (Single-family detached residential district-small lots) to OS (Old Seabrook.)

Boliver Lewis stated that this was consistent with what everyone wanted to see in Old Seabrook.

MOTION CARRIES BY UNANIMOUS CONSENT.

3.2 Discussion, consideration and possible action concerning the request to change the zoning classification of land from the current classification of C-3 (Commercial - Heavy) to R-3 (Residential – Medium Density.)

Motion was made by Mike DeHart and seconded by Bolivar Lewis

To approve the request to change the zoning classification of land from the current classification of C-3 (Commercial - Heavy) to R-3 (Residential – Medium Density.)

Rosebud Caradec stated that her only concern was that she would rather see more commercial and a little less R-3.

Dodie Miller stated that he has seen similar apartments as the one proposed. They are beautiful, gated apartments. He stated that it would be good tax revenue as long as it was kept in good condition.

Mike DeHart stated that he did not have a problem with it. He stated that the property has sit vacant for years and he would be glad to see some development coming in. He stated that he thought it was very important that Seabrook has the road access.

Ayes: Caradec, DeHart, Lewis, and Miller

Nays: Sharpe

Abstained: Potts

MOTION CARRIES BY MAJORITY VOTE.

4.0 APPROVAL OF MINUTES

4.1 Discussion, consideration and possible action concerning the minutes from the April 18, 2013 meeting.

Motion was made by Rosebud Caradec and seconded by Dodie Miller

To approved the minutes from the April 18, 2013 meeting as written.

Ayes: Caradec, DeHart, Miller, Potts, and Sharpe

Nays: None

Abstained: Lewis

MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.

5.0 ROUTINE BUSINESS

5.1 Discussion and Consideration of the Community Development Activity Summary.

Sean Landis gave a brief report.

5.2 Report from the Director of Planning and Community Development on the status of a list of actions taken by Planning & Zoning and sent to City Council for its action or review.

Sean Landis gave a brief report.

5.3 Discussion with staff and P&Z Commission to establish future agenda items and meeting dates.

Chairman Potts stated that the next meeting will be on June 20, 2013 and the following will be discussed:

- Sign Ordinance
- PUD Ordinance
- Area Planning

Motion was made by Michael Sharpe and seconded by Dodie Miller

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 8:07 p.m.

APPROVED THIS 20th DAY OF JUNE, 2013.



Michael Potts, Chairman



Alesia Hammock, Secretary