

**SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, JANUARY 7, 2014 - 7:00 PM**

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY JANUARY 7, 2014 AT 7:00 PM** IN THE SEABROOK CITY HALL COUNCIL CHAMBERS, 1700 FIRST STREET, SEABROOK, TX 77586, **TO DISCUSS, CONSIDER, AND IF APPROPRIATE, TAKE ACTION** WITH RESPECT TO THE ITEMS LISTED BELOW.

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR OTHER ACCOMMODATIONS OR INTERPRETIVE SERVICES, MUST BE MADE, 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (281) 291-5600 OR FAX (281) 291-5710 FOR FURTHER INFORMATION.

PLEDGE OF ALLEGIANCE

1.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

At this time we would like to listen to any member of the audience on any subject matter, whether or not that item is on the agenda. All comments are limited to a maximum of four minutes for each speaker. In accordance with the Open Meetings Act, members may not discuss or take action on any item that has not been posted on the agenda. When your name is called, please come to the podium and state your name and address clearly into the microphone before making your comments. Thank you.

- 1.1 Mayor, City Council and/or members of the city staff may make announcements about city/community events. (Council)

2.0 SPECIFIC PUBLIC HEARING(S)

 ATTACHMENT 1

- 2.1 Request for approval of a Planned Unit Development (PUD) to create Old Seabrook Village, 101 Lots, 17 Blocks and 9 Reserves.

Applicant/Owner: OSVillage LLC, 2510 De Four Trace, Seabrook, Texas 77586

Legal Description: Lots 1-7, Block 1 and Lots 1-7, Block 2 in the Baybrook Subdivision, Section 1 and Tract 1, 2 and 3. Being 13.81 acres of land, situated in Abstract 52 of Ritson Morris Survey, in Harris County, Texas. This property is located immediately east of Meyer and north of 1st Street. The property is located in the R-2 (Single Family Detached-Small Lot) and OS (Old Seabrook) zoning districts.

- 3.0 CONSENT AGENDA - Council will discuss, consider and if appropriate, take action on the items listed below.**

All consent agenda items are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a council member, city manager, city attorney or city secretary so requests, in which event the item will be removed from the Consent Agenda and considered immediately following the Consent Agenda.

ATTACHMENT 2

- 3.1 Approve second and final reading of proposed Ordinance No. 2013-26, "Amend Types of Utility Charges and Establish Such Charges by Resolution." (Padgett/Lab)

AN ORDINANCE AMENDING ORDINANCE NO. 2007-19 AND CHAPTER 95, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS UPDATING AND REVISING PROVISIONS RELATED TO UTILITY METERS, DAMAGE TO CITY EQUIPMENT, DEPOSITS, LIENS, AND ENFORCEMENT, REMOVING CERTAIN CURRENT CHARGES FOR UTILITY USE FROM THE CODE, PROVIDING THAT ALL SUCH FUTURE UTILITY CHARGES SHALL BE ESTABLISHED BY RESOLUTION; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR ANY VIOLATION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ATTACHMENT 3

- 3.2 Approve proposed Resolution No. 2014-01, "Establishing Water Utility Fees." (Lab)

A RESOLUTION ESTABLISHING WATER UTILITY FEES WHICH HAD PREVIOUSLY BEEN ESTABLISHED BY ORDINANCE AND ADDING NEW FEES FOR WATER METER TESTING, METER AUDITS AND METER REREADS.

ATTACHMENT 4

- 3.3 Approve minutes of the December 17, 2013 City Council meeting. (Glaser)

END OF CONSENT AGENDA

- 4.0 NEW BUSINESS - Council will discuss, consider and if appropriate, take action on the items listed below.**

ATTACHMENT 5

- 4.1 Consider approval of Hotel Occupancy Tax funding for the Battleship Texas Foundation for the Battleship Texas Centennial Celebration Festival on March 15, 2014. The applicant has requested \$5,000. (Royal)

ATTACHMENT 6

- 4.2 Consider preliminary approval of a Planned Unit Development (PUD) to create Old Seabrook Village as detailed in the specific public hearing above. A copy of this

proposed PUD is available for review in the offices of the City Secretary and the Building Department. (Landis)

ATTACHMENT 7

- 4.3 Consider developing an ordinance to prohibit/regulate hunting in the city. (Johnson)

5.0 OLD BUSINESS - Council will discuss, consider and if appropriate, take action on the items listed below.

ATTACHMENT 8

- 5.1 Consider second and final reading of Ordinance No. 2013-25, "Regulation of Peddlers, Itinerant Vendors, Hawkers, Solicitors and Canvassers." (Council)

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, CHAPTER 22, "BUSINESSES," ARTICLE III. "PEDDLERS AND SOLICITORS" BY DELETING THE EXISTING ARTICLE IN ITS ENTIRETY AND REPLACING WITH NEW PROVISIONS UNDER THE SAME CHAPTER, REVISING THE TITLE OF ARTICLE III. TO "PEDDLERS, ITINERANT VENDORS, HAWKERS, SOLICITORS, AND CANVASSERS" TO UPDATE SUCH PROVISIONS RELATING TO SUCH PERSONS; ESTABLISHING PROTECTIONS FOR HOMEOWNERS DESIRING TO AVOID PEDDLERS, SOLICITORS AND CANVASSERS, REGULATING HANDBILLS AND ITINERANT VENDORS; PROVIDING A PENALTY IN AN AMOUNT OF \$500, OR THE MAXIMUM AMOUNT PROVIDED BY LAW FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

ATTACHMENT 9

- 5.2 Approve second and final reading of proposed Ordinance No. 2013-23, "The Commons at Seabrook Planned Unit Development." The required public hearing for this item was held during the special joint Council/P&Z Commission meeting at 6:00 p.m. on December 17, 2013. (Applicant/P&Z)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING APPROXIMATELY 22.61 ACRES FROM A TRACT OF LAND OUT OF THE RUGGLES SUBDIVISION, A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 5, PAGE 30 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND BEING SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT NUMBER 52, HARRIS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A," FROM "C-3" HEAVY COMMERCIAL DISTRICT TO PLANNED UNIT DEVELOPMENT "PUD," TO BE IDENTIFIED AS "THE COMMONS AT SEABROOK" (CONSISTING OF 14.734 ACRES FOR A 416 UNIT APARTMENT COMPLEX, 6.58 ACRES FOR RETAIL DEVELOPMENT,

AND 1.295 ACRES FOR A STREET); PROVIDING FOR AN AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; AND PROVIDING FOR SEVERABILITY.

6.0 ROUTINE BUSINESS - Council will discuss, consider and if appropriate, take action on the items listed below.

 ATTACHMENT 10

- 6.1 Consider approval of the Action Items Checklist which is attached and made a part of this agenda. (Council)

 ATTACHMENT 11

- 6.2 Establish future meeting dates and agenda items. (Council)

THE CITY COUNCIL RESERVES THE RIGHT TO HEAR ANY OF THE ABOVE DESCRIBED AGENDA ITEMS THAT QUALIFY FOR AN EXECUTIVE SESSION IN AN EXECUTIVE SESSION BY PUBLICLY ANNOUNCING THE APPLICABLE SECTION NUMBER OF THE OPEN MEETINGS ACT, (CHAPTER 551 OF THE TEXAS GOVERNMENT CODE) THAT JUSTIFIES EXECUTIVE SESSION TREATMENT.

CERTIFICATE

I certify that this notice was posted on the bulletin board on or before Friday, January 3, 2014 and that this notice will remain posted until the meeting has ended.

Michele L. Glaser, TRMC
City Secretary

Old Seabrook Village PUD

- 1. See Agenda Item 4.2 for attachments.**
- 2. The complete PUD plan is available for review in the offices of the Building Department and City Secretary**



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, JANUARY 7, 2014

Submitter/Requestor: Water Department Date Submitted: 12/27/2013 2:58:13 PM

Presenter: Kevin Padgett

Description/Subject:

Approve proposed Ordinance No. 2013-26, Remove the amounts for various utility department charges from the Code so that such charges can be approved by resolution. The resolution will be on the January 7, 2014 agenda at the same time as the second reading of this ordinance.

Purpose/Need: NA

Background/Issue(What prompted this need):

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

(Please list description of attachments and number of pages in each attachment)

Ordinance No. 2013-26

Utility Fees Comparison Chart

Fiscal Impact:	Budgeted	Yes	Finance	Officer
	Budget Amendment Required	Yes	Review:	
	Future/Ongoing Impact	Yes		
	Budget Dept/Line Item Number			

Funding Comments:

Where on the agenda should this item be placed?

Consent Agenda

Suggested Motion:

Agenda Language:

Approve second and final reading of proposed Ordinance No. 2013-26, "Amend Types of Utility Charges and Establish Such Charges by Resolution." (Padgett/Lab)

AN ORDINANCE AMENDING ORDINANCE NO. 2007-19 AND CHAPTER 95, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS UPDATING AND REVISING PROVISIONS RELATED TO UTILITY METERS, DAMAGE TO CITY EQUIPMENT, DEPOSITS, LIENS, AND ENFORCEMENT, REMOVING CERTAIN CURRENT CHARGES FOR UTILITY USE FROM THE CODE, PROVIDING THAT ALL SUCH FUTURE UTILITY CHARGES SHALL BE ESTABLISHED BY RESOLUTION; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR ANY VIOLATION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

ORDINANCE NO. 2013-26
AMEND TYPES OF UTILITY CHARGES AND
ESTABLISH SUCH CHARGES BY RESOLUTION

AN ORDINANCE AMENDING ORDINANCE NO. 2007-19 AND CHAPTER 95, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS UPDATING AND REVISING PROVISIONS RELATED TO UTILITY METERS, DAMAGE TO CITY EQUIPMENT, DEPOSITS, LIENS, AND ENFORCEMENT, REMOVING CERTAIN CURRENT CHARGES FOR UTILITY USE FROM THE CODE, PROVIDING THAT ALL SUCH FUTURE UTILITY CHARGES SHALL BE ESTABLISHED BY RESOLUTION; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR ANY VIOLATION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance 2007-19 established revisions to Chapter 95, "Utilities", (Utilities Code), and the City Council of the City of Seabrook (City Council) now desires to update its provisions for regulation, specifically including rates and charges for the use of such; and

WHEREAS, in order to facilitate the assessment and update of utility use charges, related deposits, calculation of rates, late fees, and related use charges, the City desires to address these specific use charges from time to time by appropriate Resolution, by revising Utilities Code, Division 2, "Rates and Charges" for such purpose: and

WHEREAS, the City Council has studied the present provisions of the Code of Ordinances of the City of Seabrook and has determined the need to update and revise the provisions of the Utilities Code relative to meters, damage to city equipment, deposits, liens, and enforcement, as provided hereafter, to provide for the protection of the health, safety and welfare of the inhabitants of the City of Seabrook;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

ARTICLE 1. AMENDMENT TO THE CODE.

Ordinance 2007-19 and the Code of Ordinances of the City of Seabrook, Chapter 95, "Utilities", Division 2, "Rates and Charges", Sections 95-51 through 95-57 shall be amended to read as follows:

"Section 95-51. Schedule Generally.

The rates and charges for certain services furnished by the city waterworks system shall be established from time to time by the city council by resolution. A

Ordinance No. 2013-26

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current schedule of such rates and charges shall be maintained on file in [of] the utility billing office [of the city secretary].

Section 95-52. Due date.

Charges under this article shall be due and payable on or before the 15th day of each calendar month and shall be delinquent after the 15th day.

Section 95-53. Late charge; second notice.

Late Charge. In the event charges are not paid in full when due, an additional charge [of ten percent (10%) of the amount past due] established by resolution [and unpaid] shall be added to regular charges and collected with the regular charges.

Late Notice. On the 16th day of each month or the first working day following the 16th falling on Saturday, Sunday, or holiday, a late notice shall be sent to all delinquent customers whose accounts have not been paid by the 15th day of the month (or the first working day following the 15th falling on a Saturday, Sunday, or holiday). This notice shall include the [ten percent (10%)] late charge referred to above. Failure to send this late notice shall in no way affect the charges, the late charges, or their collectibility. The late notice shall apprise customers of the cut-off date, of the availability of an administrative procedure to consider any complaint of erroneous billing and shall inform customers of their opportunity to present any complaint to the City Manager of the City of Seabrook who is hereby empowered to review disputed bills and rectify error, if any.

Section 95-54. Service Cut-Off: Reconnection Charge.

In the event that the charges, late charges, or any part thereof, remain unpaid on the 25th day of the month in which they become delinquent [on a Saturday, Sunday or holiday,] the Public Utility Department or City Manager may, on the 26th day of said month, or the first working day following the 26th day, cause service to be disconnected until all amounts due have been paid in full as provided by law. Upon payment in full, the services shall be resumed, but only after the City has received a fee for reconnection of the service as established by resolution. [of \$25.00 during normal office hours, and a fee of \$50.00 after normal office hours.]

Section 95-55. Miscellaneous charges.

In the event that a customers' check is returned unpaid by his/her financial institution due to insufficient funds or any other circumstances affecting the checking account, a returned check fee [of \$25] shall be added to the regular charges.

In the event of unauthorized tampering of the water meter, a [\$15] tampering fee shall be added to the regular charges. In the event that a water meter must be pulled due to unauthorized tampering, a [\$10] meter pull fee shall be added to the regular charges. [All miscellaneous charges shall be collected with the regular charges.] Nothing in this

Ordinance No. 2013-26

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article shall preclude the city's pursuit of any and all other remedies allowed under civil or criminal law, or in equity, to address conditions which are treated herein, specifically including Section 95-58. Neither shall the city be required, nor prohibited, to issue criminal citations prescribed in this chapter.

A fee shall be charged to a customer requesting an audit of his or her meter. A fee shall also be charged per customer request for a meter re-read/high bill check, unless it is determined that the meter is not working correctly. All charges in this section shall be established by resolution.

Section 95-56. No free service.

No free water service shall be allowed or permitted, and, to the extent that the city and its departments, except for the city's waterworks system, shall avail themselves of the services of the city's waterworks system, they shall pay therefore the same rates charged to other customers.

Section 95-57. Meters required.

The waterworks system shall be operated on a fully metered basis to its customers, without exception. All water meters shall be tested for accuracy by the public utility department no later than five years after installation and shall be replaced no later than ten years after installation or as determined necessary by the city. The city shall assume the full cost of meter replacement except in cases of meter abuse by the customer in which case the customer will be charged with the full cost.

Section 95-58. Damage to equipment; trespass.

It shall be unlawful for any person, not having authority to do so, to open any water hydrant or tamper with any utility service furnished by the city to consumers or to in any other way molest, damage or trespass upon any equipment or premises belonging to the city connected with any utility service.

Section 95-59. Right of entry; search warrants.

Any authorized city official, agent or inspector shall have free access at any time to all premises supplied with any utility service by the city for the purpose of examination in order to protect the utility services, making improvements and repairs, and ensuring compliance with this article. If the city is refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this article, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the city designed to verify compliance with this article or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the officer and/or control authority may seek issuance of a search warrant from an appropriate court.

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Sec. 52-60. Deposits.

(a) General rule.

(1) All accounts must provide the city with a security deposit before receiving water service.

(2) Security deposits shall bear no interest and will be returned when the water service is discontinued if all bills have been paid and all other obligations met.

(3) Security deposits may be set at two (2) times the average bill for city services, unless service has been discontinued to a location for nonpayment.

(4) When service has been discontinued due to nonpayment, the new deposit, along with all associated fees for disconnection and prior amounts due, must be received prior to the restoration of service. A deposit for water service may be adjusted to four (4) times the amount of the highest bill when service has been discontinued to that location due to nonpayment.

Section 95-61. Lien

The City hereby imposes a lien against an owner's property, unless it is a homestead as protected by the Texas Constitution, for delinquent bills for municipal utility service to the property. The lien shall not apply to bills for service connected in a tenant's name after notice by the property owner to the municipality that the property is rental property. The lien shall not apply to bills for service connected in the tenant's name prior to the effective date of this ordinance. The lien shall be perfected by recording in the real property records where the property is located a notice of lien containing the legal description of the property and the utility's account number for delinquent charges. The lien may include penalties, interest, and collection costs. The lien is inferior to a bona fide mortgage lien recorded before the city lien in the real property records and is superior to all other liens."

SECTION 2. INCORPORATION INTO THE CODE; PENALTY CLAUSE.

This ordinance is hereby incorporated and made a part of the Seabrook City Code. Violation of this ordinance is subject to the penalty section of said Code and Ordinance, Section 1-15, "General Penalty; continuing violations" which provides that any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES.

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be

Ordinance No. 2013-26

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adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 4. NOTICE; EFFECTIVE DATE.

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED on first reading on the 17th day of December 2013.

PASSED AND APPROVED on third and final reading on the 7th day of January 2014.

Glenn R. Royal, Mayor

ATTEST:

Michele Glaser, TRMC
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered, City Attorney

5/8" meter

Cities	Owner	Deposits	Commercial	Water	Bill by	Includes	Water Rate	Sewer	Includes	Sewer Rate	Cap on	Residential	Recycle	Multi-Family	Bill	Outside City Rates	Date	MDUS	Impact
Baytown	\$ 50.00	\$ 200.00	2 Mo. Avg.	\$ 9.95	Yes	2,000	\$ 2.30	\$ 9.95	2,000	\$ 2.32	12,000	\$ 19.01	Yes	Yes	Yes	1.5 Times	10/1/2011	Yes	Yes
Beaumont	\$ 125.00	\$ 125.00	\$150 (min.)	\$ 11.38	Yes	1,000	\$ 3.85	\$ 7.22	1,000	\$ 3.45	Yes	\$ 15.00	Yes	No	Yes	1.5 Times	9/25/2012	No	Yes
Bryan	None	\$ 160.00	Indiv. Basis	\$ 8.31	No	None	\$ 2.76	\$ 7.88	None	\$ 4.03	No	\$ 14.08	Yes	Yes	Yes	1.5 Times	10/1/2009	Yes	No
College Station	None	\$30 - \$50	Indiv. Basis	Attached	Yes	None	\$ 2.26	\$ 16.78	4,000	\$ 3.76	\$ 41.34	\$ 14.40	Yes	No	Yes	1.25 Times	11/1/2010	No	No
Deer Park	\$ 100.00	\$ 100.00	Indiv. Basis	\$ 10.25	No	2,000	\$ 3.96	\$ 10.25	2,000	\$ 4.27	No	-	No	No	Yes	1.25 Times	11/1/2010	No	No
Friendswood	\$ 100.00	\$ 100.00	2 Mo. Avg.	\$ 15.50	No	3,000	\$ 2.90	\$ 15.00	3,000	\$ 2.90	\$117 Bl Mblly	\$ 11.81	Yes	No	Yes	1.5 Times	5/1/2006	No	No
Galveston	\$ 160.00	\$ 160.00	2 Mo. Avg.	\$ 12.39	Yes	200 cu. ft.	Attached	\$ 16.98	500 cu. ft.	\$ 3.81	No	\$ 20.48	No	No	No	2 Times	10/1/2012	No	No
Jersey Village	\$ 75.00	\$ 75.00	75.00	\$ 15.75	No	3,000	\$ 3.62	\$ 16.78	3,000	\$ 3.73	NO	IN TAXES	Yes	Yes	Yes	N/A	12/13/2010	N/A	Yes
La Porte	\$ 90.00	\$ 125.00	3 Mo. Avg.	\$ 7.95\$9.35	Yes	2,000	Attached	\$9.75\$16.95	2,000	\$ 3.00	\$ 35.00	\$ 18.00	Yes	Yes	Yes	1.5 Times	10/1/2011	No	No
League City	\$ 100.00	\$ 100.00	3 Mo. Avg.	\$ 7.13	No	1,000	\$ 5.90	\$ 13.88	1,000	\$ 4.62	\$ 11,000	\$ 10.70	Yes	Yes	Yes	see below	10/1/2008	No	No
Pasadena	\$ 125.00	\$ 150.00	2 Mo. Avg.	\$ 10.50	Yes	2,000	\$ 2.75	\$ 8.00	2,000	\$ 2.75	No	\$ 18.00	Yes	Yes	Yes	N/A	10/1/2011	No	No
Pearland	\$ 100.00	\$ 225.00	\$ 200.00	\$ 11.98	No	2,000	\$ 2.93	\$ 14.41	2,000	\$ 3.03	12,000	\$ 16.04	Yes	Yes	Yes	1.5 Times	10/1/2009	Yes	Yes
Port Arthur	\$ 85.00	\$ 85.00	Est. 2 Mo. Bill	\$ 8.80	Yes	10,000	\$ 4.40	\$ 12.55	2,000	\$ 4.04	No	\$ 19.49	Yes	Yes	Yes	1.5 Times + 1.5 Times	12/1/2011	No	No
Sugarland	\$ 50.00	\$ 50.00	Indiv. Basis	\$ 7.98	Yes	3,000	\$ 1.05	\$ 12.40	3,000	\$ 2.90	12,000	\$ 16.00	Yes	No	No	1.5	1/1/2012	Yes	Yes
Seabrook	\$100.00	\$100.00	3 Mo. Avg.	\$ 9.25	Yes	2,000	Attached	\$18.49\$26.21	2,000	\$ 3.52	14,000	\$ 18.88	Yes	Yes	Yes	N/A	2/1/2013	N/A	Yes

Service Charges																																																																																																																																																																																																																																																																																																																																																																														
Cities	Connect	After Hrs.	Serv. Chg.	Temporary	Rereading	Tagging	Reconnect/	Dealing, Disc.	Damaged	Broken	Pulled	Fire Hydrant	Short Side		4" Sewer	Returned	5/8"	1"	Late																																																																																																																																																																																																																																																																																																																																																											
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Service Charges

Cities	Connect	After Hrs.	Temporary	Reconnect/	Reconnect/	Tagging	Delinq. Disc.	Damaged	Broken	Tamper	Service	Fire Hydrant	Short Side	Water Tap	1"	4" Sewer	Returned	5/8"	1"	Late
	Serv. Chg.	Serv. Chg.	Turn-on	Charge	Meter Chg.	Meter Chg.	Cost of ML	Cost of ML	Lock Chg.	Meter	Killed	Deposit	5/8"	Water Tap	1"	Tap	CK Fee	Meter	Meter	Payment
Baytown	\$ 30.00	\$ 50.00	-	\$ 25.00	\$ 35.00	\$ 35.00	\$ 100.00	\$ 100.00	\$ 35.00	\$ 65.00	\$ -	\$ 1,150.00	\$ 550.00	\$ 650.00	\$ 650.00	\$ 600.00	\$ 30.00	\$ 25.00	\$ 25.00	10%
Beaumont	\$ 15.00	-	-	\$ 20.00	\$ 25.00	\$ 35.00	\$ 100.00	\$ 100.00	\$ 35.00	\$ 50.00	\$ 300.00	\$ 2,000.00	\$ 250.00	\$ 400.00	\$ 500.00	\$ 300-\$600	\$ 25.00	\$ 30.00	\$ 30.00	10%
Bryan	\$ -	\$35 - \$50	-	\$ -	\$ 25.00	\$ 25.00	Cost of ML	Cost of ML	-	\$ 100.00	\$ -	\$ 1,000.00	\$ 250.00	\$ 400.00	\$ 500.00	\$ 350.00	\$ 25.00	\$ 35.00	\$ 35.00	5%
College Station	\$ 10.00	\$ 30.00	-	\$ -	\$ 25.00	\$ 25.00	Cost of ML	Cost of ML	\$ 50.00	\$ -	\$ -	\$ 1,000.00	\$ 205.00	\$ 290.00	\$ 290.00	\$ -	\$ 25.00	\$ 25.00	\$ 25.00	10%
Deer Park	\$ -	\$ -	-	\$ -	\$ 25.00	\$ 25.00	Cost of ML	Cost of ML	\$40+cost	\$ -	\$ -	\$ 500.00	\$ 75.00	\$ 155.00	\$ 155.00	N/A	\$ 25.00	\$ 25.00	\$ 25.00	\$0 - 10%
Friendswood	\$ -	\$ 50.00	-	\$ -	\$ 25.00	\$ 25.00	Cost of ML	Cost of ML	\$ 25.00	\$ 40.00	\$ -	\$ 1,150.00	\$ 650.00	\$ 928.57	\$ 928.57	\$ 500.00	\$ 25.00	\$ 25.00	\$ 25.00	10%
Galveston	\$ 15.00	\$ 40.00	\$ 75.00	\$ -	\$ 50.00	\$ 50.00	Cost of ML	Cost of ML	\$ -	\$ -	\$ -	\$ -	\$ 350.00	\$ 450.00	\$ 450.00	\$ 300.00	\$ 30.00	N/A	N/A	10%
Jersey Village	\$ -	\$ -	-	\$ -	\$ 50.00	\$ 50.00	Cost of ML	Cost of ML	\$ -	\$ -	\$ -	\$ -	\$ 300.00	\$ 450.00	\$ 450.00	\$ 300.00	\$ 25.00	\$ 25.00	\$ 25.00	10%
La Porte	\$ 10.00	\$ 35.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	Cost of ML	Cost of ML	\$ -	\$ 40.00	\$ -	\$ 900.00	\$ 300.00	\$ 450.00	\$ 450.00	\$ 300.00	\$ 25.00	\$ 25.00	\$ 25.00	10%
League City	\$ 15.00	\$ 30.00	3 Mo. Avg.	\$ -	\$ 30.00	\$ 30.00	\$ 100.00	\$ 100.00	\$ 25.00	\$ 75.00	\$ -	\$ 1,000.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 525-\$625	\$ 30.00	\$ 50.00	\$ 75.00	10%
Pasadena	\$ 30.00	\$ 55.00	\$ 35.00	\$ -	\$ 25.00	\$ 25.00	\$ 100.00	\$ 100.00	\$ 25.00	\$ 100.00	\$ -	\$ 1,500.00	\$ 1,140.30	\$ 1,255.20	\$ 1,255.20	N/A	\$ 25.00	\$ 60.00	\$ 85.00	10%
Pearland	\$ 30.00	\$ -	\$ -	\$ -	\$ 25.00	\$ 25.00	\$ -	\$ -	\$ 50.00	\$ 25.00	\$ 900.00	\$ 950.00	\$ 500.00	\$ 600.00	\$ 600.00	\$ 450.00	\$ 30.00	\$ 30.00	\$ 30.00	10%
Port Arthur	\$ 15.00	\$ 15.00	\$ 15.00	\$ -	\$ 25.00	\$ 25.00	\$ -	\$ -	\$ 50.00	\$ 50.00	Call police	\$ 850.00	\$ 615.00	\$ 965.00	\$ 965.00	\$ 200.00	\$ 30.00	\$ 30.00	\$ 30.00	1%
Sugarland	\$ -	\$ -	-	\$ -	\$ 25.00	\$ 25.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	call police	\$ 850.00	\$ 615.00	\$ 965.00	\$ 965.00	\$ 200.00	\$ 30.00	\$ 30.00	\$ 30.00	1%
Seabrook	N/A	\$ 75.00	N/A	\$ 25.00	\$ 25.00	\$ 25.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	call police	\$ 850.00	\$ 615.00	\$ 965.00	\$ 965.00	\$ 200.00	\$ 30.00	\$ 30.00	\$ 30.00	1%

RESPONDING CITIES

Beaumont YES-FAX
 Dear Park YES -Email-No Changes
 Galveston Yes-Emailled
 La Porte NO CHANGES -email
 League City YES - Email
 Pasadena YES - Email

CITIES THAT DID NOT RESPOND:

Bryan Ckd online-same
 College Station Ckd online-changed
 Friendswood limited info online
 Jersey Village Ckd online-no info
 Pearland Ckd online-same
 Port Arthur Ckd online-no info
 Sugarland Ckd online-same

Z:\WynalBudget Survey other cities.mrb

**RESOLUTION NO. 2014-01
ESTABLISHING WATER UTILITY FEES**

A RESOLUTION ESTABLISHING WATER UTILITY FEES WHICH HAD PREVIOUSLY BEEN ESTABLISHED BY ORDINANCE AND ADDING NEW FEES FOR WATER METER TESTING, METER AUDITS AND METER REREADS.

WHEREAS, water utility fees have been established by ordinance; and

WHEREAS, fees for city services are usually established by resolution; and

WHEREAS, it is the recommendation of staff to also establish all utility fees by resolution; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

SECTION 1. FEES ESTABLISHED.

Late Charge Fees

In the event charges are not paid in full when due, an additional charge of ten percent (10%) of the amount past due and unpaid shall be added to regular charges and collected with the regular charges.

Service Cut-off, Reconnection Charge.

If service is disconnected for nonpayment, service may only be resumed upon receipt of a fee of \$25.00 paid during normal office hours or \$75.00 paid after normal office hours.

Insufficient Check Charges

In the event a customer's check is returned unpaid by his/her financial institution due to insufficient funds or any other circumstances affecting the checking account, a returned check fee of \$25.00 shall be added to the regular charges.

Water Meter Field Accuracy Testing Fee

The Seabrook Water Department will implement a minimum water meter testing fee of \$50 for one inch (1") or smaller meters that are tested in-house after a request from a resident or business and found to be within or slower than the allowable calibration range. The fee for larger meters would be the cost of an outside contractor chosen by the City to perform the accuracy test.

If the meter's performance is found to be fast and outside the acceptable standard as set forth by the American Water Works Association, the test fee shall be waived.

Resolution No. 2014-01
Utility Charges
Page 2

When a customer requests an accuracy test be conducted on a water meter, a fee shall be charged in accordance with the following schedule:

Meter Size (in inches)	
1-inch or smaller	\$50.00
1 1/2-inch or larger	Actual cost of invoice from outside contractor

All tests shall conform to requirements set forth by the American Water Works Association.

Meter Audit Fee

A \$50 fee will be charged to a customer requesting an audit of his or her water meter; whereby the meter is read a maximum of two times, at varying periods of a day, within the monthly meter reading schedule to help determine peak usage, possible surges or loss within the private water system.

Meter Reread/High Bill Check Fee

A \$25 fee shall be charged per customer request for a meter re-read/high bill check. If no problem is found and the customer requests a secondary service, the following options are available:

- Field testing of the meter (charges will be according to fee listed above)
- Auditing the meter readings (charges will be according to fee listed above)

Meter Tampering Fee

A \$100 fee per offense will be charged to any customer whose service has been tampered with in the following manner:

- meter reset due to pulling after excessive past issues;
- meter lock broken;
- curb stop damaged or broken;
- dialog damaged or disconnected;
- meter lock removed ;
- meter broken;
- meter stolen;
- unauthorized connection inserted;
- any unauthorized water usage.

Theft of Water Services

Theft of water services shall refer to any customer who reconnects his/her water service in any way after the City has disconnected the water for nonpayment of delinquent bill or otherwise. In addition to the amount of the delinquent bill, the "Reconnect Fee", the "Meter Reset Fee" and the "Meter Tampering Fee" shall be paid before water service will be reconnected.

Resolution No. 2014-01
Utility Charges
Page 3

Section 2. Penalties.

Nothing in the preceding shall be construed to prevent the City from pursuing civil or criminal penalties against any person or parties tampering with, damaging and/or using without authorization water service to the maximum allowed by local and or state laws.

Section 3. Effective Date.

This Resolution shall be effective upon date of passage of Ordinance No.2013-26 or on January 1, 2014, whichever occurs later.

PASSED, APPROVED AND ADOPTED THIS THE 17TH DAY OF DECEMBER 2013.

Glenn R. Royal, Mayor

ATTEST:

Michele L. Glaser, TRMC
City Secretary

**Seabrook City Council Regular Meeting
Minutes of December 17, 2013
Page 1**

The City Council of the City of Seabrook met in regular session on Tuesday, December 17, 2013 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

GLENN R. ROYAL	MAYOR
ROBERT LLORENTE	COUNCIL PLACE NO. 1
MIKE GIANGROSSO	COUNCIL PLACE NO. 2
GARY JOHNSON	COUNCIL PLACE NO. 3
DON HOLBROOK	COUNCIL PLACE NO. 4
THOM KOLUPSKI	COUNCIL PLACE NO. 5
LAURA DAVIS	MAYOR PRO TEM & COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	ASSISTANT CITY MANAGER
STEVEN L. WEATHERED	CITY ATTORNEY
MICHELE L. GLASER	CITY SECRETARY

Mayor Royal called the meeting to order at 7:02 p.m. and led the audience in the United States and Texas Pledges of Allegiance.

1.0 PRESENTATIONS

1.1 Recognition of the Winners of the Old Seabrook Holiday Decorating Contest. (Dearman)

Director of Information, LeaAnn Dearman announced that Gulf Coast Limestone won first place and Buddy Bites won second place.

1.2 Presentation by Bay Access and the Harvest Moon Regatta thanking the City Council for its contribution of Hotel Tax Funds for sailing events and programs.

Organizers presented a framed poster to the city in thanks for its contribution.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS – None

2.1 Mayor, City Council and/or members of the city staff may make announcements about city/community events. (Council)

Councilor Giangrosso announced upcoming events.

3.0 CONSENT AGENDA

3.1 Removed by the Consent Agenda by Councilor Holbrook.

3.2 Approve the November 2013 Building Report. (Landis)

Seabrook City Council Regular Meeting
Minutes of December 17, 2013
Page 2

3.3 Approve the November 2014 Public Safety Report. (Holomon)

3.4 Approve the minutes of the November 19, 2013 special joint meeting. (Glaser)

3.5 Approve the minutes of the December 3, 2013 regular council meeting. (Glaser)

3.6 Consider/approve the Scope of Work for the Water and Sewer Rate Study with Atkins North America, Inc. in an amount not to exceed \$25,000. This is a budgeted item. (Cook)

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso

To approve the Consent Agenda with the exception of Item 3.1

MOTION CARRIED BY UNANIMOUS CONSENT.

END OF CONSENT AGENDA

3.1 Approve a special events permit request and a waiver of permit fee from the Assistance League of the Bay area to hold a 5K race using the trails and the Meador Park Pavilion on February 1, 2014 from 7:00 a.m. until 12:00 p.m. Permission is contingent upon receipt of correct proof of insurance. (Applicant)

Motion was made by Councilor Holbrook and seconded by Councilor Johnson

To approve the special events permit provided that any amplified sound will be directed away from residences.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.0 NEW BUSINESS

4.1 Consider first reading of proposed Ordinance No. 2013-26, "Amend Types of Utility Charges and Establish Such Charges by Resolution." (Padgett/Lab)

AN ORDINANCE AMENDING ORDINANCE NO. 2007-19 AND CHAPTER 95, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS UPDATING AND REVISING PROVISIONS RELATED TO UTILITY METERS, DAMAGE TO CITY EQUIPMENT, DEPOSITS, LIENS, AND ENFORCEMENT, REMOVING CERTAIN CURRENT CHARGES FOR UTILITY USE FROM THE CODE, PROVIDING THAT ALL SUCH FUTURE UTILITY CHARGES SHALL BE ESTABLISHED BY RESOLUTION; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR ANY VIOLATION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Seabrook City Council Regular Meeting
Minutes of December 17, 2013
Page 3

Assistant Director of Public Works Kevin Padgett stated that some new fees, such as meter re-read, audit and meter tampering fees will be added by resolution so that Seabrook's fees are in line with neighboring cities. The new fees will be effective in January and will be advertised on the city web site.

Motion was made by Councilor Holbrook and seconded by Councilor Davis

To approve first reading of Ordinance No. 2013-26 with the reading of the caption serving as the reading of the ordinance.

MOTION CARRIED BY UNANIMOUS CONSENT.

- 4.2 Consider approval of first reading of proposed Ordinance No. 2013-23, "The Commons at Seabrook Planned Unit Development." The required public hearing for this item was held during the special joint Council/P&Z Commission meeting at 6:00 p.m. on this date. (Applicant/P&Z)**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING APPROXIMATELY 22.61 ACRES FROM A TRACT OF LAND OUT OF THE RUGGLES SUBDIVISION, A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 5, PAGE 30 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND BEING SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT NUMBER 52, HARRIS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A," FROM "C-3" HEAVY COMMERCIAL DISTRICT TO PLANNED UNIT DEVELOPMENT "PUD," TO BE IDENTIFIED AS "THE COMMONS AT SEABROOK" (CONSISTING OF 14.734 ACRES FOR A 416 UNIT APARTMENT COMPLEX, 6.58 ACRES FOR RETAIL DEVELOPMENT, AND 1.295 ACRES FOR A STREET); PROVIDING FOR AN AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; AND PROVIDING FOR SEVERABILITY.

Planning and Zoning Commission Chairman, Michael Potts stated that the Commission unanimously approved the final PUD plan with the condition that staff reconcile the table of contents with the actual PUD document. (See Attachment A.)

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso

To approve first reading of Ordinance No. 2013-26 with the reading of the caption serving as the reading of the ordinance with the following conditions/amendments:

**Seabrook City Council Regular Meeting
Minutes of December 17, 2013
Page 4**

- 1) That staff reconcile the table of contents with the actual PUD document as recommended by the Planning and Zoning Commission;
- 2) That the applicant hydro mulch on commercial Parcels A, B and C.
- 3) That the children's splash pad be made an optional, rather than a required, amenity for the apartments.

Council members discussed whether to allow substitution of finishes in the apartments provided that the substitutions made were equal to or greater than the requirement listed in the PUD. However, Mr. Matthew Hales, Western Rim Development stated that he did not need this clause.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.0 ROUTINE BUSINESS

5.1 Consider approval of the Action Items Checklist which is attached and made a part of this agenda. (Council)

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso

To approve the Action Items Checklist.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.2 Establish future meeting dates and agenda items. (Council)

Items on upcoming agendas are:

- 1) Consider regulations regarding hunting within the city. (Johnson – 1/7/14.)
- 2) Consider recommendations from the Public Safety Task Force concerning expenditures from the Public Safety Fund for 2014. (Davis – 1/21/14.)

Upon motion, Mayor Royal adjourned the meeting at 7:42 p.m.

Approved this 7th day of January 2014.

Glenn R. Royal, Mayor

Michele L. Glaser, TRMC
City Secretary

AGENDA BRIEFING

Where on the agenda should this item be placed?

New Business

Suggested Motion:

Agenda Language:

Consider approval of Hotel Occupancy Tax funding for the Battleship Texas Foundation for the Battleship Texas Centennial Celebration Festival on March 15, 2014. The applicant has requested \$5,000. (Royal)

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

HOT Funding Event Request

Battleship Texas Centennial Celebration

The Battleship Texas Foundation works in partnership with Texas Parks and Wildlife to preserve and enhance the Battleship Texas and to help develop the historic ship into a premier hands on museum and visitor attraction. The battleship Texas Centennial Celebration will be held on Saturday, March 15, 2014 and will build awareness of this iconic piece of history and highlight the urgent need for critical repairs of the ship to ensure her preservation for future generations. The Battleship Texas is approximately 15 minutes from Seabrook, located in La Porte.

Amount Requested FY 2013/14	Amount Allocated FY 2013/2014
\$5,000	None at this time
Hotelier Input	
<i>This event is held during Spring Break which is already a peak week for Seabrook hotels. The Comfort Inn on 146 will not be able to secure many room as they are the host hotel for the Seabrook Lucky Trail Marathon which is being held on March 15 & 16.</i>	
Staff Input	
Police Department	N/A
City Secretary's Office	N/A
City Manager's Office	N/A
Public Works	N/A
Application Notes	
- Completed application except for page 5 detailing marketing efforts; however marketing plan and summary included - No Seabrook rooms blocked for event - Program and general budget included	
Committee Recommendation	
Three Options for Consideration a. Fund \$2,500 – remaining contingency with assurance promotions and advertising will be received b. Fund \$5,000 from reserves – One time event which will secure lowest sponsorship level c. Do not fund – Unable to measure impact on Seabrook hotels being a first time event and impact will be minimal due to an already high occupancy rate for Spring Break and the Lucky Trail Marathon. This event does meet the requirements set out by Texas state law in regards to use of HOT funds. It will promote and encourage tourism through advertising and by proceeds going to historical preservation. Committee concern is that the budget included may possibly result in a shortfall not leaving any proceeds to benefit the historic preservation of the battleship. Regardless of funding we will start promoting the Battleship Texas as one of the area's attractions; similar to what we currently do for Space Center Houston by posting it to our city's website and including it in our Seabrook tourism brochure.	

Event Funds for FY 2013/2014

Event	Amount Allocated FY 2013/2014
J/Fest – November 2013	\$15,000
Yachty Gras – February 2013	\$1,500
Lucky Trail Marathon – March 2013	\$25,000
Keels and Wheels – May 2013	\$50,000
Texas Outlaw Challenge – June 2013 <i>Split into 2-payments: \$7,500 prior to the event and \$5,000 after the event pending Council approval.</i>	\$12,500
Gulf Coast Film Festival	\$2,500
Saltwater Derby – Late Sept. early October 2014	\$5,000
Boatoberfest – October 2014	\$8,000
Seabrook Festival of the Arts	\$15,000
Bay Area Access Sailing Programs	\$10,000
Contingency	\$2,500
TOTAL	\$147,000

Application for City of Seabrook HOT Funds

Instructions: Type or print clearly. If not enough space is provided please attach additional pages.

Organization /Group Information

Organization/Group Name: Battleship Texas Foundation
Address: One Riverway # 2200
City: Houston State: TX Zip: 77056
Contact Name: Bruce Bramlett Contact Phone: 713-827-9620
Contact Email: bruce@battleshiptexas.org
Website Address for Event or Organization: www.battleshiptexas.org
Non-Profit or For-Profit Status: Non-profit FEIN#: 76-0449761
Organization's Incorporation/Creation Date: 1998

Purpose or Mission of Organization

Established in 1998, the Battleship Texas Foundation works in partnership with the Texas Parks & Wildlife Department to preserve & enhance the Battleship TEXAS and to help develop the historic ship into a premier, hands-on museum & visitor attraction.

General Event /Program Information

Name of event/program to be funded: Battleship TEXAS Centennial Celebration
Primary location of event/program: Battleship Texas, San Jacinto State Park, La Porte, TX
Date of event/program: 3/15/14 Expected total attendance: 25,000
How many times have you held this event/program? 1st time

For each of the last three (3) times the event/program has been held, list the year held, the number of attendees, and the method of determining the attendance (crowd estimates, ticket sales, sign-in sheet, etc).

Year Held	Number of Attendees	Methodology
_____	_____	_____
_____	_____	_____
_____	_____	_____

Identify the HOT category for which the event/program will benefit (refer to pg 1): # 5

What is the primary purpose of the event/program for which this application applies?

Build awareness of this iconic piece of history & highlight the urgent need for critical repairs of the ship to ensure her preservation for future generations.

Funding Request

Total Event/Program Budget: \$ 856,046.00

Total Amount Requested: \$ 5,000.00

.6 % Percentage of total event or program cost to be covered by the requested HOT funds.

How will the funds be used?

To promote attendance at the event through advertising, merchandise & other attraction/publicity vehicles.

How many people attending this event/program are expected to stay in Seabrook hotels? 1-5%

How many nights will they stay? 1-2

Will you reserve a room block for this event/program at Seabrook hotels and if so, for how many rooms and at which hotels?

No room blocks, but will promote rates

How will you measure the impact of your event on Seabrook hotel activity (i.e. room block usage information, survey of hoteliers, etc).

Cannot measure

Please list other organizations, government entities and grants that have offered financial support to your event/program.

City of La Porte \$50,000

Harris County Precinct Two \$5-10,000

City of Baytown \$20,000

see attachment for complete list

Supplemental Information and Documentation

Please attach the following to the application prior to submission:

- ◆ Proposed marketing plan for the event/program for which funds are being requested.
- ◆ Schedule of activities relating to the event/program.
- ◆ Current budget for the event/program identifying all items funded with HOT revenues.
- ◆ Documentation demonstrating the potential to generate overnight guests such as hotel room blocks, historic information, or surveys on the number of hotel rooms resulted from previous years of the same event/program.

Please sign below acknowledging that the information provided in this application is true and correct.

Bruce Bramlett
Authorized Signature

12/13/13
Date

Bruce Bramlett
Print Name

Executive Director, Battleship Texas Foundation
Title and Organization

Application Deadline for 2013-2014 Fiscal Year is 5:00 p.m. on January 30, 2013

City of Seabrook
Attn: LeaAnn Dearman
1700 First Street
Seabrook, TX 77586

Email: ldearman@ci.seabrook.tx.us

Submit by mail, in person or via email.

This application is not a Special Event Permit Application. You must contact the City Secretary's Office and complete a Special Event Permit Application at least 45 days prior to your event. You may call (281) 291-5663 for more details.



SUPPORT TO DATE

SPONSORS

SILVER

Tribute Video – City of La Porte

BRONZE

Battleship TEXAS Patriot Medal - Patriot Bank

Festival Parking – Vopak Americas

World War II Aircraft - Baker Hughes Foundation

CenterPoint Energy

City of Baytown

Clean Harbors

Dow Chemical

First Texas Volunteers

McArdle Foundation

Taylor Marine

FRIEND

Classic Car Zone – Overhead Door Company of Houston

Capital Bank

OTHER

Bruce Bramlett

Art Jansen

LyondellBasell

IN-KIND

Deer Park High School

INEOS

International Terminals Company Deer Park

Monument Inn

Pasadena Convention Center

San Jacinto Community College

Texas Molecular

Vopak Americas

Waste Connections of Texas



Ticket Prices and VIP Benefits

	<u>Pre-sale</u>	<u>Gate</u>
General Admission	\$ 14	\$ 20
Veteran	\$ 8	\$ 15
Group Ticket (ten or more)	\$ 10	NA
*VIP Tent	\$ 45	\$ 60
**VIP Ship	\$125	\$150

Children under 12 are free

On sale Veterans Day ~ Monday 11/11 at 11am

Can be purchased on website www.battleshiptexas.org

*VIP Tent Ticket Benefits:

General admission to festival

Access to private tented area with seating noon – 10pm

Live screen feed to Texas Uprising Stage

Complimentary non-alcoholic beverages served

Complimentary hors d'oeuvres served

Private restrooms

LIMITED AVAILABILITY

**VIP Ship Ticket Benefits:

General admission to festival

Access to private event on ship 6pm – 10pm

Live screen feed to Texas Uprising Stage

Complimentary alcoholic beverages served

Complimentary hors d'oeuvres passed

Private restrooms

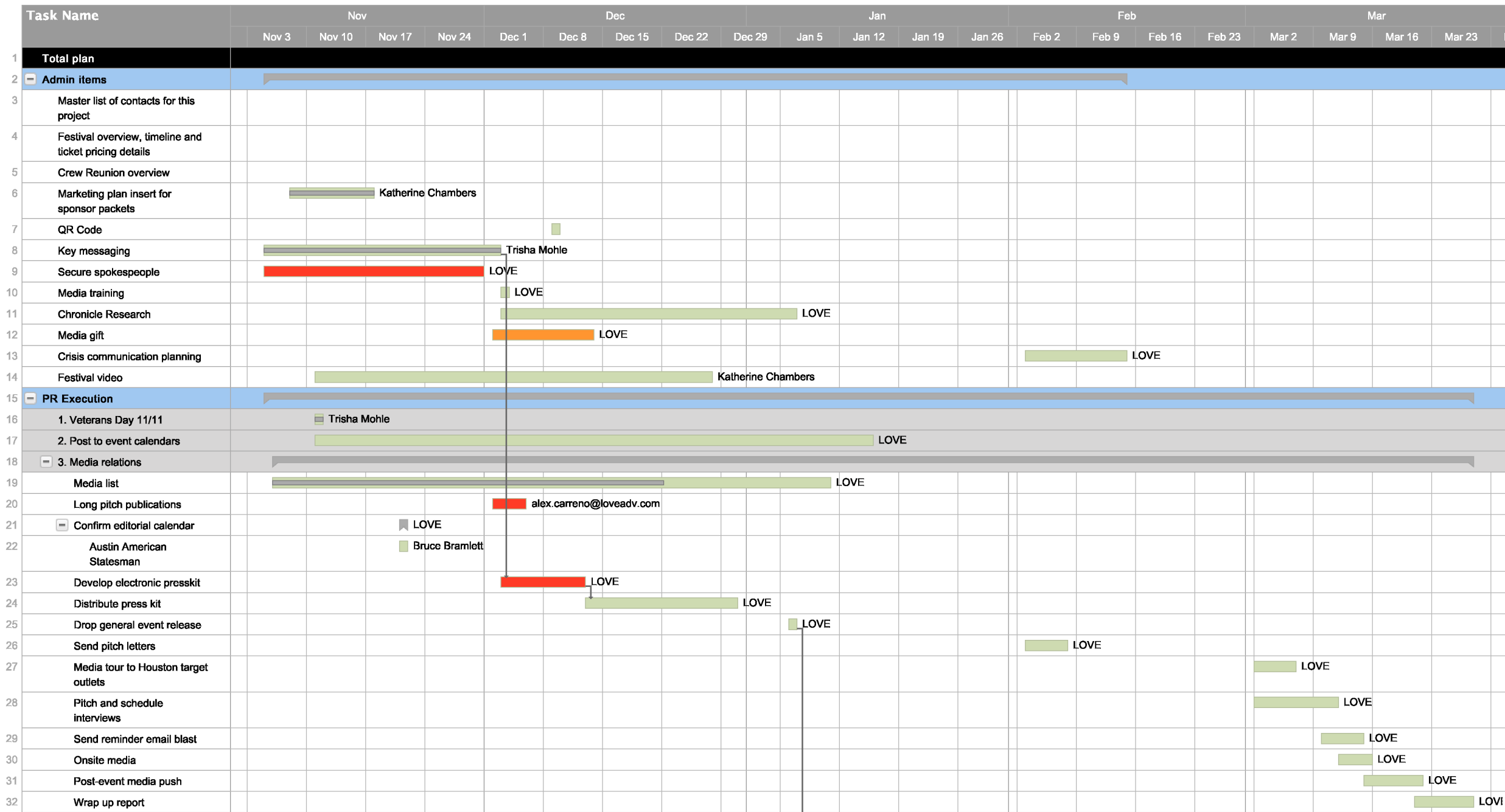
LIMITED AVAILABILITY

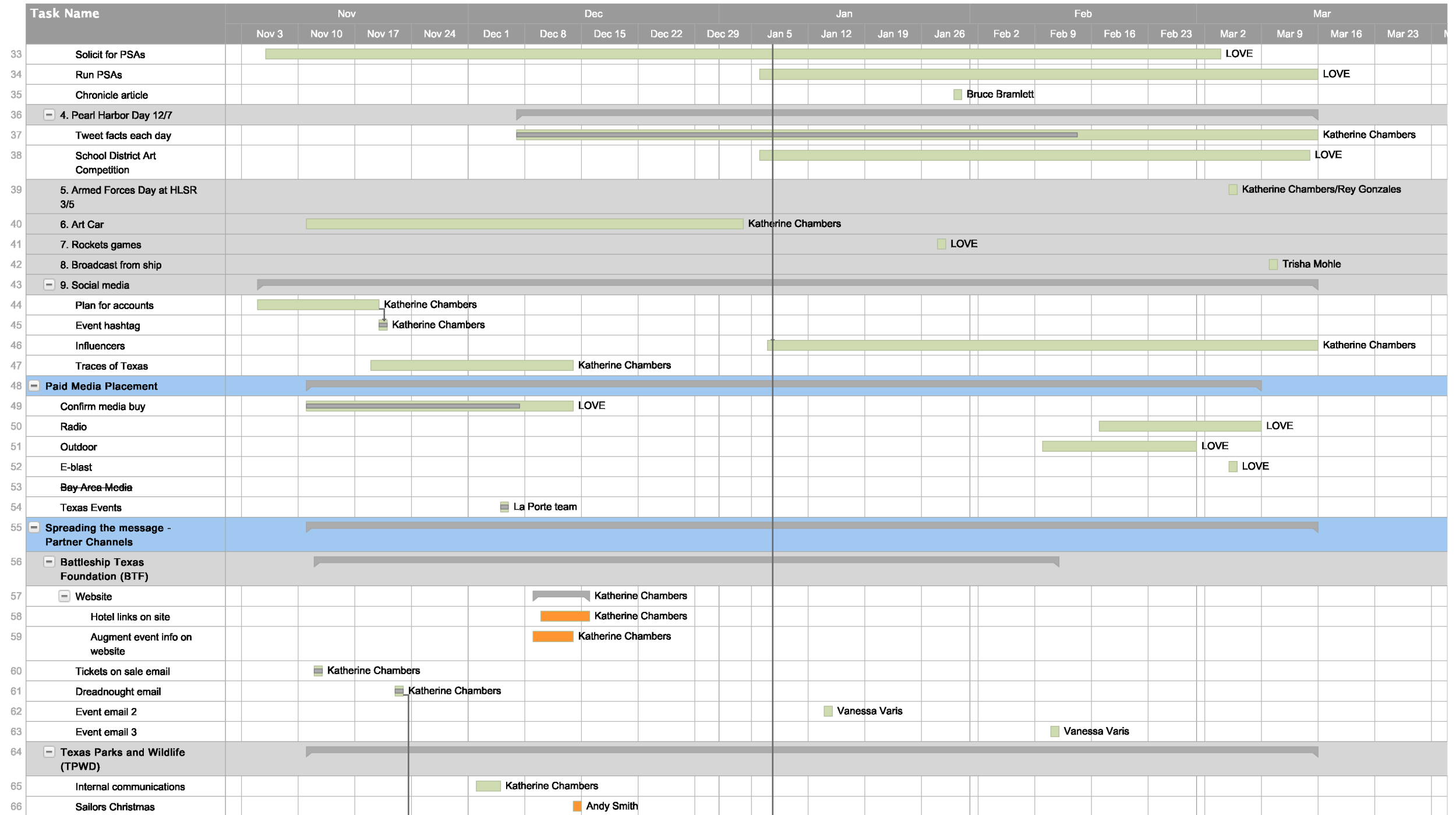


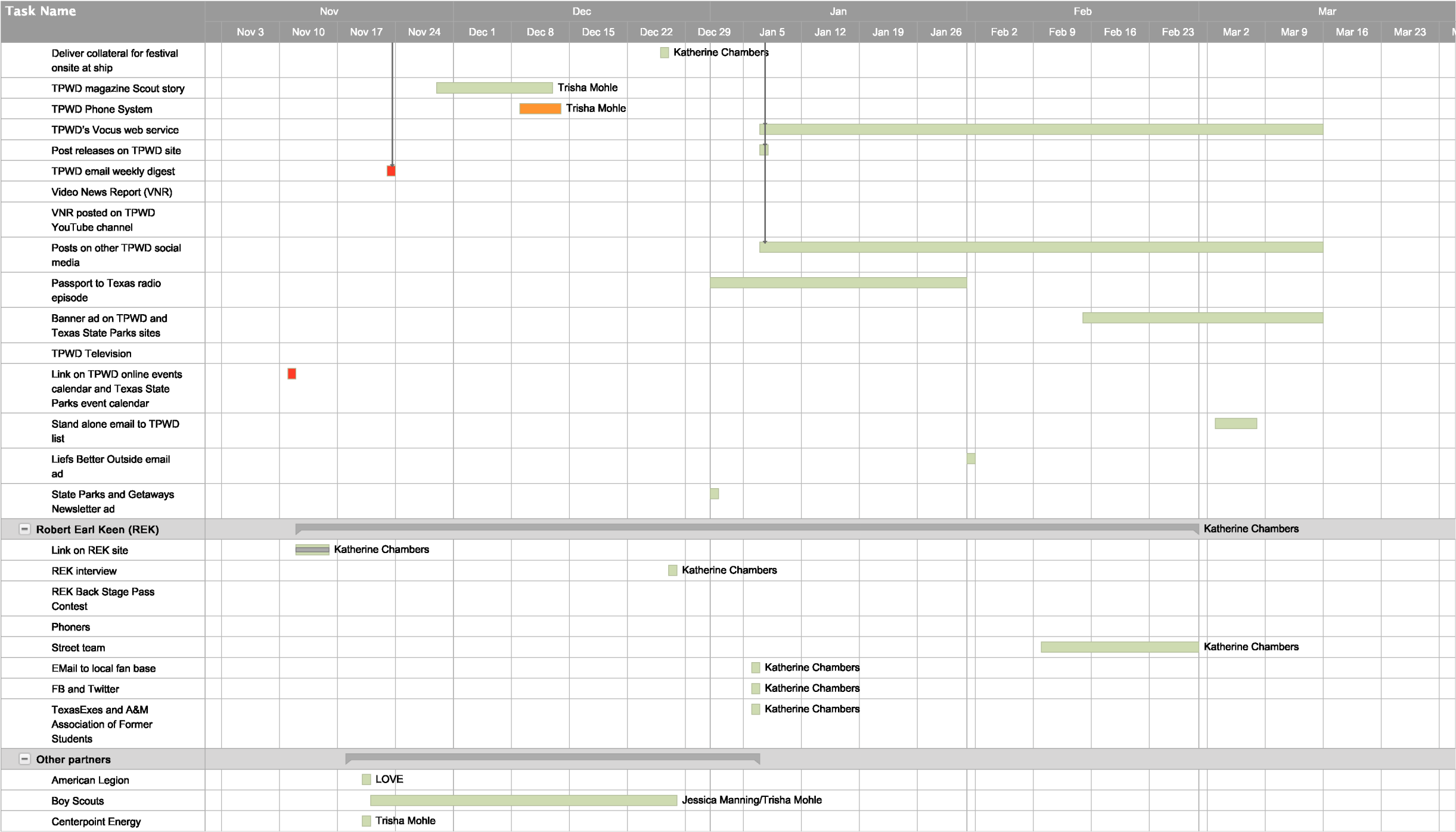
Program

10a	Gates open for ship tours Ticket booth open
Noon	Festival open
12:30-2p	Kelly Willis & Bruce Robison
2-3p	Honor crew members Tribute video Flyover Water boats
3-4:30p	Charlie Robison
4:30-5:30p	Present home to veteran Tribute video Flyover Water boats
5p	Ship closes to the public Ship VIP guest can begin boarding the ship
5:30-7p	Reckless Kelly
6p	VIP Ship event begins
7-8p	Tribute video Flyover Water boats
8-9:30p	Robert Earl Keen
9:30p	Fireworks
10p	Event end

BTF - Centennial Marketing and PR Plan







Task Name		Nov				Dec				Jan				Feb				Mar				M	
		Nov 3	Nov 10	Nov 17	Nov 24	Dec 1	Dec 8	Dec 15	Dec 22	Dec 29	Jan 5	Jan 12	Jan 19	Jan 26	Feb 2	Feb 9	Feb 16	Feb 23	Mar 2	Mar 9	Mar 16		Mar 23
	City of Houston - Mayor Parker			LOVE																			
	Harris County - Judge Ed Emmett			Jessica Manning																			
	Papa Johns			LOVE to Tulaa																			
	Frost Bank			LOVE to Tulaa																			
	Walgreens			Trisha Mohle																			
	CVS			Jessica Manning																			
	Boat Show					LOVE																	
	Houston Honda Dealers (14)					Jessica Manning																	
	Cadence Bank																						
	Houston Yacht Club					Trisha Mohle																	
	Gallery Furniture					LOVE to Tulaa																	
	GHCVB			Trisha Mohle																			
	GHP			Jessica Manning																			
	Marathon Oil																						
	The Houston Club																						
	Texas Historical Commission																						
	WPO			LOVE to Tulaa																			
- Celebrities																							
	George HW Bush			Katherine Chambers/Jessica Manning																			
	Billy Gibbons			Bruce Bramlett																			
	Lyle Lovett			LOVE to Tulaa																			
	David Robinson			LOVE																			
	Nolan Ryan			Bruce Bramlett																			
	George Strait			Meg Malone																			
	Marcus Lutrel			Jessica Manning																			
- Collateral/ Creative																							
	Poster		LOVE																				
	TPWD approval on creative					Trisha Mohle																	
	HEB ticket poster			Katherine Chambers																			
	Stickers for ship visitors					Katherine Chambers																	
	Counter postcard					LOVE																	
	Event Counter Cards and Ship Store Signage					LOVE																	
	Billboards					LOVE																	
	Shirts					LOVE																	
	Battleship Texas Socks					-																	
	Web banners					LOVE																	

Task Name	Nov				Dec				Jan				Feb				Mar					
	Nov 3	Nov 10	Nov 17	Nov 24	Dec 1	Dec 8	Dec 15	Dec 22	Dec 29	Jan 5	Jan 12	Jan 19	Jan 26	Feb 2	Feb 9	Feb 16	Feb 23	Mar 2	Mar 9	Mar 16	Mar 23	Mar 30
Event specific collateral							Meg Malone															
Laptop signage							Meg Malone															
Stage signage							Meg Malone															
Stage header							Meg Malone															
Left panel							Meg Malone															
Right panel							Meg Malone															
Schedule							Meg Malone															
Festival area signage							Meg Malone															
Wayfinding							Meg Malone															
Attendee program/festival guide?							Meg Malone															
Festival map/schedule							Meg Malone															
Merchandise booths (2)							Meg Malone															
Main Stage Area							Meg Malone															
Main stage beverage (3)							Meg Malone															
Main stage beverage menu (3)							Meg Malone															
Main stage VIP area							Meg Malone															
Main stage meet and greet							Meg Malone															
TPWD Family Zone							Meg Malone															
Kids zone area title (2)							Meg Malone															
Kids zone beverage (2)							Meg Malone															
Kids zone beverage menu (2)							Meg Malone															
Kids zone lost kids							Meg Malone															
Kids zone exhibit signs							Meg Malone															
Coastal Expo Activities							Meg Malone															
Fish Games							Meg Malone															
Texas Outdoor Family							Meg Malone															
Operation Game Thief Anti-Poaching							Meg Malone															
Take Me Fishing							Meg Malone															
Target Archery							Meg Malone															
Backyard Bass							Meg Malone															
Baytown Nature Center							Meg Malone															

Task Name		Nov				Dec				Jan				Feb				Mar					
		Nov 3	Nov 10	Nov 17	Nov 24	Dec 1	Dec 8	Dec 15	Dec 22	Dec 29	Jan 5	Jan 12	Jan 19	Jan 26	Feb 2	Feb 9	Feb 16	Feb 23	Mar 2	Mar 9	Mar 16	Mar 23	Mar 30
	Mountain Bike Tour							Meg Malone															
	Arts in the Parks							Meg Malone															
	Battleground Tour							Meg Malone															
	Geocaching							Meg Malone															
	Birding/Digital Photography 101							Meg Malone															
	Buffalo Soldiers							Meg Malone															
	State Park Ambassadors							Meg Malone															
	Historical Zone							Meg Malone															
	Historical zone area title (2)							Meg Malone															
	Historical zone beverage							Meg Malone															
	Historical zone beverage menu							Meg Malone															
	Historical zone exhibit signs							Meg Malone															
	Aircraft Signage							Meg Malone															
	Exhibit interpretive signage							Meg Malone															
	Walk of history area title							Meg Malone															
	Walk of history exhibit signs							Meg Malone															
	VIP Signage							Meg Malone															
	VIP Tent sign							Meg Malone															
	VIP Ship sign							Meg Malone															
	Classic Car Area							Meg Malone															
	Classic cars area title (2)							Meg Malone															
	Classic cars exhibit signs							Meg Malone															
	Food Truck Row area title							Meg Malone															
	Entrance							Meg Malone															
	Entrance volunteer check-in							Meg Malone															
	Entrance admission tickets (2)							Meg Malone															
	Entrance admission ticket menu (2)							Meg Malone															
	Entrance admission booth "no signs" (2)							Meg Malone															

Task Name		Nov				Dec				Jan				Feb				Mar					
		Nov 3	Nov 10	Nov 17	Nov 24	Dec 1	Dec 8	Dec 15	Dec 22	Dec 29	Jan 5	Jan 12	Jan 19	Jan 26	Feb 2	Feb 9	Feb 16	Feb 23	Mar 2	Mar 9	Mar 16	Mar 23	Mar 30
	Entrance welcome gate (2)						Meg Malone																
	Entrance welcome gate "no signs" (4)						Meg Malone																
	Entrance thank you to our major sponsors (2)						Meg Malone																
	Entrance ADA wayfinding (2)																						
	Crew Reunion						Meg Malone																
	Design Crew Reunion invitation						Meg Malone																
	Logo-Water Bottles						Meg Malone																
	Crew member and family VIP Tags						TVA																
	VIP Nametags						Meg Malone																
	Design crew reunion program						Meg Malone																
	Crew Reunion VIP Placecards						Meg Malone																
	Crew Reunion table ID cards?						Meg Malone																
	Food ID cards						Meg Malone																
	Crew Reunion podium signage						Meg Malone																
	Hotel banquet signage						Meg Malone																
	Entrance banner (La Porte)						Trisha Mohle																
	Parking car tags						Meg Malone																
	Private Event sign																						
	Parking/Shuttle						Meg Malone																
	Crew Parking Signage						Meg Malone																
	VIP Parking Signage?						Meg Malone																
	Sponsor signage and display						Meg Malone																
	Parking signs						Meg Malone																
	Shuttle signs						Meg Malone																
	Shuttle drop off/pick up sign						Meg Malone																
	Slow down/festival traffic						Meg Malone																



2014 Centennial Celebration 3/12/2014 & 3/15/14

I. Festival 3/15/14
A. Event Set Up

ITEM	COSTS
Fencing	\$ 6,965
Security	\$ 10,000
Electrical	\$ 15,000
AutoCAD	\$ 2,500
Spectrum event management	\$ 20,000
Financial	
Parking	\$ 1,500
Shuttle	\$ 5,000
Trash	\$ 4,000
Port-a-cans	\$ 3,600
ADA Port-a-cans	\$ 450
First Aid Station	\$ 3,000
Admissions	\$ 750
Tents	\$ 620
Tables & chairs	\$ 51
Beverage booths	\$ 400
Tents	\$ 3,120
Tables & chairs	\$ 204
Food Concessions	\$ 200
4 water containers	\$ 300
Tents	\$ 1,850
Tables	\$ 450
Headquarter Trailer	\$ 2,500
Golf carts	\$ 270
Radios	\$ 150
EVENT SET UP TOTAL	\$ 82,880

B. ZONE A - MUSIC
Main Stage

Musical Acts	
1st, 2nd, 3rd openers	\$ 25,000

Entertainment	headline	\$	35,000
	Travel, Accomodations etc	\$	10,000
	Sub-total	\$	70,000
Main Stage Production	Stage	\$	35,000
	Signage	\$	1,000
	Video screen	\$	25,000
	Stagehand	\$	15,000
	Sound & Lights	\$	25,000
	Generators & cable ramps	\$	7,500
	Backline	\$	6,500
	LDS Trailer	\$	2,000
	All terrrain fork lift rental	\$	500
	Boom lift rental	\$	500
	Sub-total	\$	118,000
Backstage	Tents	\$	1,680
	Tables & chairs	\$	200
	Backstage comfort station	\$	2,000
	Catering set up	= \$	800
	Food & Bev cost	\$	1,500
	Sub-total	\$	6,180
Sponsor booths	Tents	\$	1,590
	Tables & chairs	\$	100
	Sub-total	\$	1,690
VIP Ship	Bistro tables	\$	347
	Linens	\$	300
	Bar set up	\$	1,000
	Food & Bev cost	\$	4,000
	Port-a-cans	\$	255
	Sub-total	\$	5,902
ZONE A TOTAL		\$	201,772

**C. ZONE B - HISTORICAL
VIP Tent**

ITEM		HIGH
	Live Video Feed	\$ 4,000
	Tent	\$ 4,500
	Tables & chairs	\$ 164
	Flooring	\$ 1,200
	Carpet	\$ 800
	Linens	\$ 132
	Catering set up	\$ 800
	Food & Bev cost	\$ 4,000
	Comfort Station	\$ 2,500
	Sub-total	\$ 28,096
Historical Zone Curator	Curator	\$ 10,000
Ship's Historical Walk		\$ 7,500
Sponsor Booth WW 1	Tents	\$ 900
	Tables & chairs	\$ 100
	Sub-total	\$ 1,000
WW1 Experiences	Plane rental	\$ 2,500
	Vehicles	\$ 2,500
	Experience booths	\$ 2,000
	Signage	\$ 1,000
	Miscellaneous	\$ 5,500
	Sub-total	\$ 13,500
Sponsor Booth WW2	Tents	\$ 900
	Tables & chairs	\$ 100
	Sub-total	\$ 1,000
WW2 Experiences	Plane rental	\$ 2,500
	Vehicles	\$ 2,500
	Experience booths	\$ 2,000
	Signage	\$ 1,000
	Miscellaneous	\$ 5,500
	Sub-total	\$ 13,500

ZONE B TOTAL	\$ 64,596
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D. ZONE C - KIDS

TPWD Booths	\$ -
Signage	\$ 500
Miscellaneous	\$ 500
Sub-total	\$ 1,000

Food Truck Galley

Food Tuck Org	\$ 2,500
Signage	\$ 300
Sub-total	\$ 2,800

Sponsor Booth

Tents	\$ 370
Tables & chairs	\$ 50
Sub-total	\$ 420

ZONE C TOTAL	\$ 4,220
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E. Zone D - Market Sponsor Booth

Tents	\$ 400
Tables & chairs	\$ 50
Sub-total	\$ 450

Vendor booths

Tents	
Tables & chairs	
Sub-total	\$ -

ZONE D TOTAL	\$ 450
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F. ZONE E - Classic Cars

Signage	\$ 500
Miscellaneous	\$ 1,500
Sub-total	\$ 2,000

Sponsor Booth

Tents	\$ 400
Tables & chairs	\$ 50
Sub-total	\$ 450

Vendor booths

Tents	\$ 400
Tables & chairs	\$ 50

Sub-total	\$	450
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ZONE E TOTAL	\$	2,900
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G. Fireworks	\$	50,000
H. Flyover	\$	20,000
I. BTF/Event Merchandising	\$	5,000
J. Advertising, Marketing, PR	\$	95,000
K. Decorations	\$	5,000
L. Ticket Sales	\$	5,000
M. Contingency	\$	50,000

TOTAL	\$	586,817
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II. Crew Reunion	Item	COST
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A. Crew Member Hospitality		
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Event Transportation	\$9,000
On Site Transportation	\$270

Crew Member Hospitality	\$9,270
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B. Reunion Luncheon	
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Item	
Caterer	\$16,250
Luncheon Rentals	\$3,000
Tent Rentals	\$7,500
VIP Placecards	\$100
Entertainment	\$1,250
Dessert	\$1,500
Wait staff	\$7,650
AV Rentals/Podium/Set Up	\$2,500
Set up/ take down	\$157
Decorations	\$2,025

Reunion Luncheon	\$41,932
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C. Centennial Celebration	
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Item

Rentals	\$695
AV Rentals/Podium/Set Up	\$2,500
Water Bottles	\$600
Wait staff	\$510
Dressing of Ship	\$10,000
Decorations	\$150
Set up/ take down	\$130
Entertainment/Participants	\$10,000
Centennial Celebration	\$24,585

D. Miscellaneous

Item	
Security	\$1,200
Crew Member Medals	\$22,500
Photographer	\$1,000
Mosquito Fogging	\$350
Centennial Program Printing (400)	\$2,000
Comfort Station	\$2,500
ADA Ramps	\$1,500
Parking Signage	\$400
VIP name tags	\$200
Invitation printing (600)	\$3,500
Crew member/family communications	\$1,000
Contingency	\$1,000
Miscellaneous	\$37,150
TOTAL	\$114,045

III. Centennial Celebration Event Production **\$ 149,184**

TOTAL	\$ 850,046
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12/13/2013

DONATIONS RECEIVED

Name	Receipt Date	Receipt Amount
Taylor Marine	7/26/2013	\$25,000.00
LyondellBasell Industries, Houston	9/17/2013	\$2,000.00
Dow Chemical Company, Texas Hub	9/19/2013	\$10,000.00
Art Jansen	9/24/2013	\$500.00
First Texas Volunteers	10/11/2013	\$10,000.00
Donna & Bruce Bramlett	10/11/2013	\$1,000.00
Patriot Bank	10/15/2013	\$27,500.00
Baker Hughes Foundation	10/26/2013	\$1,000.00
Sub-total cash		<u>\$77,000.00</u>

PLEDGES

Name	Pledge Date	Pledge Amount
Overhead Doors	12/11/2013	\$5,000.00
City of La Porte	12/9/2013	\$50,000.00
City of Baytown	12/12/2013	\$20,000.00
CenterPoint Energy	12/9/2013	\$10,000.00
Baker Hughes Foundation	12/4/2013	\$10,000.00
Capital Bank	8/15/2013	\$5,000.00
Clean Harbors, Inc.	11/5/2013	\$15,000.00
Vopak Americas	11/11/2013	\$20,000.00
John J McArdle III and Joan Creamer McArdle Foundation	11/13/2013	\$10,000.00
Sub-total pledge		<u>\$145,000.00</u>

TOTAL CASH AND PLEDGES \$222,000.00

12/13/2013



CITY OF SEABROOK

AGENDA BRIEFING

Date of Meeting: TUESDAY, JANUARY 7, 2014

**Submitter/Requestor: Community
Development**

**Date Submitted: 12/27/2013 9:20:21
AM**

Presenter: Sean Landis

Description/Subject:

A request for approval of a Preliminary Planned Unit Development (PUD) to create "Old Seabrook Village". A 13.81 acre, 101 Lots, 17 Blocks, and 9 Reserves Mixed Use Subdivision.

Applicant: OS Village, LLC. (Mark Caldwell)

Legal Description: Lots 1-7, Block 1 and Lots 1-7, Block 2 in the Baybrook Subdivision, Section 1 and 2 Tract 1, 2, and 3. Being 13.81 acres of land, situated in Abstract 52, of the Ritson Morris Survey, in Harris County, Texas. The property lies east of Meyer Road and north of First Street. The property is located in the R-2 (Single Family Detached – Small Lot) and OS (Old Seabrook) zoning districts.

Request: The applicant is requesting the aforementioned property be granted a Planned Unit Development (PUD) Overlay.

Purpose/Need: Policy Issue

Background/Issue(What prompted this need):

The purpose of the preliminary Planned Unit Development (PUD) is to provide a flexible approach for development, allows a more flexible response to the market, encourage innovative mixed uses and site plan design. The property is located within the R-2 (Single Family Detached –Small Lot) and OS (Old Seabrook) zoning districts. The proposed changes to the zoning code were recommended by the Planning & Zoning Commission by unanimous vote at their regular meeting on November, 21 2013.

Ayes:

Nays:

Absent:

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

1. Exhibit A. Preliminary Planned Unit Development Plan, Titled: “Old Seabrook Village, A Planned Unit Development”.
2. Planning and Zoning Commission Official Report, dated November 21, 2013.
3. Planning and Zoning Commission Minutes, dated November 21, 2013

Attachments:

(Please list description of attachments and number of pages in each attachment)

PUD attachment

PUD attachment

PUD attachment

PUD attachment

PUD attachment

PUD attachment

PUD attachment

PUD attachment

PUD attachment

P&Z minutes

P&Z report

Fiscal Impact:	Budgeted	No	Finance Review:	Officer
	Budget Amendment Required	No		
	Future/Ongoing Impact	No		
	Budget Dept/Line Item Number			

Funding Comments:

N/A

Where on the agenda should this item be placed?

New Business

Suggested Motion:

The proposed changes to the zoning code were recommended by the Planning & Zoning Commission by unanimous vote at their regular meeting on November, 21 2013.

Ayes:

Nays:

Absent:

Agenda Language:

Consider preliminary approval of a Planned Unit Development (PUD) to create Old Seabrook Village as detailed in the specific public hearing above. A copy of this proposed PUD is available for review in the offices of the City Secretary and the Building Department. (Landis)

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Attachment G

Old Seabrook Village (OSV) - Planned Unit Development (PUD)

Description: The OSV PUD is intended to accommodate a select group of land-use activities permitted within the underlying OS Zoned area of the community known as "Old Seabrook." In accordance with Comprehensive Master Plan 2030, the district is designed to enhance the special characteristics of Seabrook, the small town character, its waterfront, and to create a "unique" place. The OSV PUD will be served by public utilities and a combination of public roads and rear alleys where appropriate. The land uses within this district are also intended to meet a portion of the community's tourism demand. The OSV PUD is primarily intended for detached single-family residential dwellings of a higher density and includes zero lot line, townhome and cluster homes normally required to provide the basic elements of a balanced and attractive neighborhood. These areas are intended to be separated and protected from the encroachment of land use activities which do not perform a function necessary to sustain the residential environment. Internal stability, attractiveness, order, efficiency, security and the maintenance of property values are encouraged by the provision of adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationships of these various elements.

Uses permitted within the Old Seabrook Village PUD:

A. Single Family Homes:

1. *Density:* Two primary buildings per lot; but not to exceed two (2) dwelling units per lot.
2. *Front yard:* 8 feet.
3. *Rear yard setback:* 7 feet.
4. All interior lots will be served by rear alleys per the site plan.
5. *Side:* Not less than 5 feet on one side and 0 feet on the other.
6. *Lot size:* A minimum 2,400 feet shall be required.
7. *Lot width:* Each lot shall have a minimum width of not less than 30 feet or 20 feet at the front building line. Lot width may be calculated from the front yard abutting any common area in lieu of street frontage.
8. *Lot depth:* Minimum lot depth of 75 feet.
9. *Height:* No building or structure may exceed 40 feet in height above BFE. The height limitations specified in this subsection do not apply to church steeples, spires, belfries, cupolas or other normal appurtenances usually required to be placed above the roof level and not intended for human occupancy.

B. Zero lot line Homes:

1. *Density:* No more than one dwelling unit per lot.
2. *Front yard:* 8 feet
3. *Rear yard:* 7 feet
4. *Side yard:* Zero on one side and not less than 5 feet on the opposite side. Any side yard abutting properties outside of the zero lot line development shall be at least 10 feet. Any side yard abutting a street right-of-way shall be at least 10 feet. Houses shall not be less than 5 feet apart. This setback may be commonly owned and maintained, but must be open unoccupied land as is required for any setback.
5. *Lot size:* 2,400 square feet minimum.
6. *Lot width:* Except in the case of those dwellings located on a cul-de-sac terminus, each lot shall have a minimum width of not less than 30 feet at the front building line. Every lot shall abut on a street or common area for a distance of not less than 30 feet.
7. *Lot depth:* Not less than 75 feet.
8. *Other restrictions:*
 - a. There shall be a minimum of five lots held under the same ownership at the time of final plat approval.
 - b. The zero lot line shall not be a right-of-way line or a property line under different ownership at the time of final plat approval.
 - c. The building wall at the zero side yard shall be constructed according to the fire protection requirements of the building code adopted by the City of Seabrook.
 - d. The building walls and garden walls or fences shall be finished with decorative masonry or decorative masonry veneer.
 - e. At the zero lot line, a wall shall be extended from the building wall to the rear lot line and shall be limited to eight feet in height above the finished floor line nearest grade level. Should the zero lot line homes abut the waterfront, this wall shall not be permitted.
 - f. Any garden wall crossing the side yard setback shall have a three-foot-wide gate. Such wall shall be no greater than eight feet in height, above the finished floor line nearest grade level.
 - g. At the zero lot line side, no portion of the dwelling or architectural treatment shall encroach on the adjacent property.
 - h. Roofs pitched toward the adjoining property on the zero lot line side shall be guttered and water shall not drain on adjacent property.
 - i. A two-car or larger garage shall be required per each dwelling unit.
9. *Height:* No building or structure may exceed 40 feet in height above BFE. The height limitations specified in this subsection do not apply to church steeples, spires, belfries, cupolas or other normal appurtenances usually required to be placed above the roof level and not intended for human occupancy.

C. Townhomes:

1. Density: One dwelling unit per lot.
2. Front yard: 8 feet.
3. Rear yard setback: 7 feet.
4. Side yard setback: Not less than 10 feet between blocks of attached units, street rights-of-way or any property outside the townhouse development.
5. Minimum Lot size: 2,000 square feet minimum.
6. *Height:* No building or structure may exceed 40 feet in height above BFE. The height limitations specified in this subsection do not apply to church steeples, spires, belfries, cupolas or other normal appurtenances usually required to be placed above the roof level and not intended for human occupancy.

D. Duplexes:

1. *Density:* Two dwelling units per lot which must be attached.
2. *Front yard:* 8 feet.
3. *Rear yard:* 7 feet.
4. *Side yard:* All buildings shall have side yard setbacks of not less than five feet on one side. Side setbacks from street right-of-ways or from single-family detached lots shall be not less than five feet.
5. *Lot size:* 2,400 square feet.
6. *Lot width:* Except in the case of those dwellings located on a cul-de-sac terminus, each lot shall have a minimum width of not less than 30 feet at the front building line. Every lot shall abut on a street or common area for a distance of not less than 30 feet.
7. *Lot depth:* Each lot shall have a minimum depth of not less than 75 feet.
8. *Height:* No building or structure may exceed 40 feet in height above BFE. The height limitations specified in this subsection do not apply to church steeples, spires, belfries, cupolas or other normal appurtenances usually required to be placed above the roof level and not intended for human occupancy.

E. Approved and Conditional Uses Matrix.

All listed uses (by right and conditional uses) allowed in this PUD per the attached land-use regulation matrix listed below (see Uses Matrix). All building, fire, electrical, and other health and safety codes pertaining to residential, commercial and mixed-use development and as stipulated by Seabrook codes and ordinances shall be met as applicable. Any use designated in the Matrix as “conditional” must be approved by the City of Seabrook through the current, typical approval processes designated for all zoning districts.

F. Regulations that apply to all uses by right and conditional uses allowed in this PUD.

1. Accessory structures: Accessory structures shall not occupy a required front or corner side yard or project beyond the front building line of the principal structure on a site. Accessory structures shall be set back at least five feet from interior side and rear property lines. A minimum distance of not less than five feet shall be maintained between the main structure and accessory buildings. Connecting breezeways shall not exceed eight feet in width from finish wall to finish wall. Buildings shall be separated by an approved fire-stop in the roof and walls. No accessory structures or other obstructions including decks, pools, paving, landscaping structures or trees and fountains may be erected on any utility easement. No accessory structure shall be allowed to be constructed prior to completion of the principal structure unless constructed concurrently with the primary structure.
2. Buffering and screening: Any property classified in this PUD which adjoins or abuts any property classified in the R-1 zoning district shall provide a front, side or rear setback as applicable that is at least as deep or wide as that required in such adjoining or abutting districts. Properties in the OSV PUD which are separated by a street from any R-1 zone will provide a 5-foot landscape buffer between the street and any adjoining R-1 zoning district.
3. Outside storage and display:
 - a. Outside display of merchandise is permitted except in any of the required parking areas or other restricted areas. No display shall be erected in a manner that obstructs the safe flow of pedestrian or vehicular traffic.
 - b. Plants/flowers and boats for sale or rent may be displayed at all times. All other merchandise may be displayed during business hours only.
 - c. Temporary permits for outside display in parking areas or other private areas may be issued to a business by the building official. These temporary permits may be for a period of no more than 72 consecutive business hours.
 - d. Outside storage shall be permitted only when incidental to the commercial use located on the same premises and provided that:
 1. The storage area may not be visible from the front line of the building.
 2. The storage area may not be located in any of the required parking areas.
 3. All stored merchandise must be behind a screen fence which shall be 100-percent impervious to sight and a minimum of six feet in height. Plants/flowers and boats only are exempt from this requirement.
 4. Merchandise shall not protrude above the height of the enclosed fence, walls or buildings. Plants/flowers and boats only are excluded from this requirement.

- e. No trailer or semitrailer may be used for the storage of retail or wholesale merchandise on any property in this district for a period exceeding 72 hours. Furthermore, no trailer, semitrailer or shipping container may be used for the display, vending or retailing of any merchandise at any time.
4. Animal control: No farm fowl or farm animals shall be kept on the premises. No boarding or sale of any animals shall be allowed within the district at any time.
5. Parking: Parking shall be in accordance with (Article 5*) of the Seabrook ordinance. Please see the comprehensive off-street parking regulation matrix. In addition, properties in the Old Seabrook Village PUD shall be given the following parking credits when applicable.
- a. For all existing buildings, either commercial or to be converted to commercial use:
 - 1. Less than one 1,500 sq. ft.; parking may be reduced 20 percent.
 - 2. Less than 2,000 sq. ft.; parking may be reduced ten percent.
 - 3. Two thousand or more square feet; parking may not be reduced.
 - b. In no case shall there be fewer than two parking spaces provided per unit.
 - c. For each additional tenant in any building for which 2,000 square feet or more of the habitable space is dedicated to commercial use, add one additional space to the requirements listed above.
 - d. All buildings constructed or expanded after passage of this ordinance must meet parking requirements as stipulated in (Article 5*).
 - e. Medical facilities with or without beds shall not be eligible for the above credits, but shall maintain parking in accordance with (Article 5*).
 - f. Commercial vehicles of business shall be parked at other than mandatory parking spaces during business hours.
 - g. All fractional parking space calculations shall be counted as a full space.
 - h. Special exception to parking density, off-street parking and design and standards as listed in (Article 5*) may be permitted on appeal to the board of adjustment without consideration to hardship.
6. Landscaping: The PUD shall be in accordance with (Article 5*) of the Seabrook ordinance with regard to landscaping criteria. It is the intent of this section to comply with the standards for the provision, installation, and maintenance of landscape plantings in order to provide for the orderly, safe, and environmentally sound development of land located within the PUD, thereby promoting the health, safety, and general welfare of the community.

7. Supplementary regulations:

- a. Lighting: Any light used for security or to illuminate the parking area shall be so arranged as to reflect away from any adjacent residential uses.
- b. Temporary structures for uses incidental to construction work on the premises which are removed upon completion or abandonment of construction work are allowed upon permit from the building official.
- c. No temporary structures, including recreational vehicles, construction trailers or travel trailers, may be used for on-site dwelling purposes.
- d. Eaves shall be permitted to encroach no more than 18 inches upon any setback.

8. Visibility requirements:

- a. In any zone, no fence, wall, shrubbery, tree, sign, marquee or other obstruction to vision between the heights of 3½ feet and 15 feet above street level shall be permitted within 15 feet of the intersection of the right-of-way lines of two streets.
- b. Accessory structures within 25 feet of the rear lot line of a corner lot shall be set back the minimum front yard depth required on the side street.

9. Lighting: Adequate lighting shall be provided if off-street parking and/or loading facilities are to be used at night. The lighting shall be designed and installed to reflect away from adjacent property.

10. Sidewalks: All 50-foot and 40-foot ROW street frontages shall have sidewalks which shall be a minimum of FOUR feet in width, placed one foot from the right-of-way line for the full width of the property. 35-foot ROW streets will have sidewalks on one side only.

11. Rights-of-way and street widths:

It is the intent of this section to establish minimum standards for street widths within the PUD. The PUD will comply with the standards set forth in Sec. 80-120 with the following exceptions:

- a. The principal residential street off of Meyer Road, within the PUD shall have minimum right-of-way width of 50 feet.
- b. The minor adjoining residential streets within the PUD shall have minimum right-of-way widths of 35 feet for single sidewalk streets or 40 feet for typical 2 sidewalk streets. Interior lots shall have rear alleys. Waterfront lots will have traditional front-of-lot access off of a 35-foot or 40-foot ROW per plan.
- c. Streets shall have a minimum paved surface width of 30 feet, back of curb to back of curb and rear access alleys shall have a minimum paved surface width of 15 feet.

Notes:

*Article 5 refers to the Seabrook Zoning-Article 5 (Parking, loading, ingress and egress, landscaping and safety requirements)

Category of Regulation

Building Requirements	Single Family Home	Townhome	Zero Lot Line Home	Duplex Home
PUD Density per Acre	8.11	8.11	8.11	8.11
Primary Buildings Per Lot	Two	One	One	Two
Accessory Buildings Per Lot	One	None	One	One
Minimum-Lot square footage	2,400	2,400	2,400	2,400
Minimum-Lot frontage on a ROW	30 feet	30 feet	30 feet	30 feet
Minimum-Lot frontage on cul-de-sac	20 feet	20 feet	20 feet	20 feet
Minimum-Lot width-Front Building Line	30 feet	30 feet	30 feet	30 feet
Minimum-Lot depth	75 feet	75 feet	75 feet	75 feet
Attached Homes	No	Yes	No	No
Minimum Front Yard (set back)	8 feet	8 feet	8 feet	8 feet
Minimum Rear Yard (set back)	7 feet	7 feet	7 feet	7 feet
Minimum Side Yard (set back)	5 feet	5 feet	5 feet	5 feet
Minimum Side Distance (between buildings)	5 feet	10 feet	10 feet	5 feet
Minimum Total Side Yards (set backs)	5 feet	None	None	5 feet
Maximum Building Height above BFE	40 feet	40 feet	40 feet	40 feet
Minimum Garage Spaces	Two	Two	Two	Four
Rear Alley access required, if possible	Yes	Yes	Yes	Yes

Community Requirements	
Primary Street ROW	50 foot ROW
Side Street ROW-2 sidewalks	40 foot ROW
Minor Street ROW-1 sidewalk	35 foot ROW
Roadway Paved Surface width	30 foot
Alley ROW	15 foot ROW
Alley paved surface width	15 foot paved
Sidewalks	4 foot minimum width
Parking	Per Article 5
Landscaping	Per Article 5
Utility Easements	In front and rear of lots

Old Seabrook Village PUD Allowed and Conditional Uses Matrix	
Category of Uses	OSV-PUD
Duplex	Allowed
Single Family Detached	Allowed
Townhome	Allowed
Zero Lot Line Homes	Allowed
Accessory Buildings	Allowed
Alterations, Clothing	Allowed
Antique Shops & Dealers	Allowed
Appliance Dealers-Retail	Allowed
Bakers Retail	Allowed
Banks or Financial Services	Allowed
Barbers/Salons/Spa	Allowed
Bars/Pubs	Conditional
Bed & Breakfast	Allowed
Bicycle Sales	Allowed
Boat Rental	Allowed
Candy & Confection retail	Allowed
Child day care	Allowed
Clothing Store	Allowed
Coffee Shop/Store	Allowed
Coin Dealers	Allowed
Computer Sales & Service	Allowed
Convenience/ General Store	Allowed
Copy & Duplicating Service	Allowed
Dance Instruction	Allowed
Dinner Theatre	Allowed
Florist	Allowed
Food Store, Specialty	Allowed
Health Club	Conditional
Office, Professional	Allowed
Office, Medical	Allowed
Public Use-Government	Allowed
Restaurants	Conditional

Old Seabrook Village

A Planned Unit Development

Seabrook, Texas



Developer/Owner
OSVillage, LLC

November 21, 2013

v.2

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I. Introduction

A Sea Change for Seabrook

Dictionary.com defines "sea change" as 1) a striking change, as in appearance, often for the better; 2) any major transformation or alteration; and 3) a transformation brought about by the sea.

The City of Seabrook is in the midst of a sea change in all of the above meanings. FEMA's raising of the base flood elevation and expansion of the velocity zones will continue to have a major effect on the future built environments of many coastal communities, Seabrook included. The Seabrook EDC's improvements to the road infrastructure at the Seabrook Point are also a reflection of the rise in sea level, and will help reinvigorate the city's access to and enjoyment of Galveston Bay.

In other, less literal ways, Seabrook is experiencing a transformative sea change as well. Increasing attention is being paid to the renewal of Old Seabrook as a walkable, historic town center, with the city government anchoring the area's authentic historic core, along with offices, shops, restaurants, and homes. More of all of these are needed to create a compact, lively community gathering ground.

Old Seabrook should get a boost from the widening of Highway 146; as existing retail establishments along this road are taken out of service to create a second bridge over the Clear Creek Channel and a freeway heading north, many retailers will need to re-locate. It would be very good for all concerned if the city is able to funnel that regeneration into Old Seabrook and other viable local retail corridors nearby. Creating more and denser activity in Old Seabrook will catalyze the entire city, giving it an identity and a busy, interesting core.

Another sea change is the evolution of Seabrook's relationship to the port and the industrial and petrochemical complexes to both north and south. As these major employment centers grow, and they are slated to receive investments in the billions of dollars in the next three years, Seabrook will become an ever-more-preferred location for executive housing to service this vital employment base. Since there are no new significant residential subdivisions being planned or developed within the city limits at this moment, this could be a significant opportunity wasted, if no one takes the lead to catalyze new single-family and even multi-family development.

Finally, one last sea change opportunity is the advent, after years of futility, of passenger cruise traffic just north of Seabrook. Galveston's Strand and other tourism areas of the island have benefited from the increased vibrancy, hospitality stays, and sales tax revenue generated from these thousands of passengers per week; there could be a similar spillover effect from the Bayport Cruise terminal into Old Seabrook, and all the Clear Lake area, if properly promoted.

II. Why a Planned Unit Development (“PUD”)

Old Seabrook Village ("OSV") is a proposed 14-acre waterfront, mixed use infill development located in the 1500 block of N. Meyer Road to be developed as a Planned Unit Development (“PUD”). It is five blocks from the intersection of Highway 146 and East NASA Parkway, with a long water frontage bordering the Seabrook Slough (see Vicinity Map, attachment “J”).

In accordance with the Comprehensive Master Plan 2030, the “Old Seabrook-OS” zoning district is designed to enhance the special characteristics of Seabrook, the small town character, its waterfront, and to create a unique place. In fact, the Seabrook Comprehensive Plan was the inspiration for Old Seabrook Village. This plan established new priorities for the city which OSV aims to fulfill. OSV aspires to lead by example and to be a source of further inspiration, and catalyst, for future developments in Old Seabrook. Located close to the commercial charm of Old Seabrook, OSV seeks to be the residential equivalent, providing unique homes for several hundred new residents to patronize the nearby shops, cafes, recreational opportunities, schools, library, parks, and community facilities. OSV will contribute to the “6.0 Implementation Objectives and Strategies” Goal #3 “Enhance Seabrook’s sense of community” (attachment “I”).

A PUD is the best, and really the only, zoning vehicle available with the latitude to accomplish the varied yet complementary uses and building types necessary to fulfill the vision of the 2030 Comprehensive Plan at Old Seabrook Village. OSV expects to set the development standard in Seabrook, for a more efficient, environmentally sensitive and visually pleasing community. OSV will seamlessly blend the varied eclectic waterfront character of the Old Village with a unique site using new urbanism designs. OSV will enhance the potential for superior urban design and amenities not required by the typical OS and R-2 base zoning regulations. OSV will meet all of the landscaping and parking requirements of Article 5 of the Seabrook Zoning Ordinance, (attachment “C”)

Old Seabrook Village promises the most visible sea change to occur in Seabrook through a new mixed-use village, located just blocks from the heart of the city center.

III. Conceptual Plan Objectives

OSV will be an upscale, high-quality addition to the City of Seabrook, featuring compact, pedestrian-friendly neighborhoods of new, energy-conscious, historically-themed homes. The target market will range from young families looking for the excellence of Clear Creek ISD schools to retirees who long for a tranquil bay vista from their decks and porches. All of the single-family and zero lot line homes, duplexes, and townhomes will have access to several internal pocket parks, providing community meeting points and water views of the Slough and Galveston Bay, especially from the waterfront park's gazebo and dock. Families and empty-nester residents alike will have good pedestrian and bicycle access to the restaurants, shopping, recreational amenities, and nautical lifestyle of Old Seabrook and the entire Clear Lake area.

Outdoor living will be a highlight of Old Seabrook Village. All the homes will feature front porches along streets with no driveways and most will also offer roof-top terraces with views of Galveston Bay and Clear Lake. There will be safe passage for young and old along sidewalks fronting streets with low traffic, since much of the auto traffic will be directed to the alleyways, where the tuck-under garages will be located. The wide sidewalks and porches fronting the homes will promote the making of acquaintances, then friendships among the villagers. Most houses will have alleyways behind with tuck-under garages, and all will have ground-level yards, gardens, courtyards, or spa pools. The waterfront homes will have extensive terraces and decks to take full advantage of the sea breezes and the natural beauty of the surroundings.

The development plan features live-work properties along N. Meyer Road, but all of the homes will allow a home office. This old concept is making a strong resurgence in the new millennium, and is very appropriate to the working styles of both the younger and semi-retired generations. Working from home is now well established and adds to the environmental sustainability of a community. When an employee has to drive to their office once or twice less per week, or perhaps rarely, there are fewer cars on the roads, less gasoline is being expended, less air pollution is being created, fewer accidents will occur, and fewer hours are wasted by the employee in transit, not to mention traffic. This adds up to more time spent with families, less transportation cost, the need for fewer automobiles per family, and increased overall happiness.

There are few subdivisions that promote this live-work option yet, but the urban, compact character of Old Seabrook Village will pioneer this. There may be other, small-scale commercial endeavors throughout parts of the community, since the existing zoning for the portion that is already Old Seabrook allows a multitude of commercial uses. Old Seabrook Village, though a predominantly residential, owner-occupied housing development, will allow and promote a limited palette of commercial uses, as shown on the accompanying chart.

It is not the intention of Old Seabrook Village to compete with Old Seabrook; on the contrary, they should be synergistic and complementary. Having a few hundred more citizens nearby is bound to improve the business success of Old Seabrook's existing and future retailers and

restaurateurs, and as Old Seabrook gains in popularity, Old Seabrook Village will become that much more a desired site for homes.

One feature of Old Seabrook Village which will not be found in Old Seabrook itself are the raised public streets, while the homes in both will be built to the new Base Flood Elevation requirements, so that the lowest structural member will be at 17.5 feet MSL. The raised streets in front of OSV's homes will make the village seem more like Houston's Heights than Galveston's East and West Beaches with their beach houses perched atop tall pillars far above street level. OSV's homes will be on pilings, but it will not look like a beach-house community.

Price points of the interior homes will appeal to a wide array of homeowners, including the millennial generation who choose to raise their families within walking distance of highly rated Clear Creek Independent School District schools, the new library, swimming pool, skate park, and athletic fields. The waterfront lots will feature custom homes at a higher price point, but all of the homes will be sustainable by design. With much of the living to be done outside, rather than inside, utility costs are expected to be less than comparable homes.

Also, it is not intended for Old Seabrook Village to site massive homes, the McMansions which so overpower their lots in highly prized infill locations inside Houston's Loop 610, such as West University and Montrose. The fact that the lots in Old Seabrook Village are smaller than the norm in traditional, single-family subdivisions is intentional, although the overall density of the community is virtually the same as restricted under OS and R-2 zoning (see Attachment "F"). Nationwide, homes are no longer growing in average size; the younger generations are cost conscious of the long-term expense of maintaining large edifices while the older generations are already downsizing as their kids form families of their own.

The quality level of the homes in Old Seabrook Village will be high, with a strong set of deed restrictions and design guidelines, so that the entire project will work as one. Successful paradigms of this can be found in the Heights, where historical design requirements have been retroactively enacted by the residents of various sections by election, because they realized that controlling the architectural expression creates enhanced value for all. Another good example of this in our region is the East Shore in The Woodlands. It has the strongest design guidelines ever seen in the Houston area, with quite specific pattern books, color and material choices, and architectural styles allowed in each section. OSV will be controlled to allow for flexibility within well-thought-out limits, approved by a Design Review Board.

The architectural styles are anticipated to include Coastal Cottages, Craftsman bungalows, and Victorian homes, but will all will be required to be built to withstand the ravages of time, high winds, high tide, and storm surge. All buildings will be constructed to meet or exceed the "Flood Damage Prevention" ordinances as adopted by the City of Seabrook (see Attachment "D")

It is the Developer's goal that Old Seabrook Village becomes the new face and highest expression of the sea change overtaking Seabrook while remaining true to the small town charm of this coastal jewel.

IV. Project / Plan Description

A. Site Inventory and Analysis

The site for OSV is currently vacant and undeveloped but has been cleared by the developer to provide for better site analysis and the identification of property features. The property has approximately 720 feet of frontage, on its western boundary, on North Meyer Road, which is a main North/South artery road in Seabrook. The 14-acre site also includes approximately 1,500 linear feet of waterfront, making up its eastern boundary, on the Seabrook Slough, which is a tidally influenced body of water adjacent to Galveston Bay. The site has elevations ranging from 5' to 12' MSL and is currently located within the AE Flood Zone with a Base Flood Elevation of 12' and 13' MSL. The Developer expects the property to be reclassified as a V zone by FEMA in the near future and is designing the site and building product to comply with the expected higher 16' BFE and more stringent construction requirements of the V zone. The development will comply with all of the City's current and future floodplain regulations detailed in Seabrook Zoning Chapter 38, Attachment "D".

Site development will seek to minimize the amount of fill brought into the property through a unique infrastructure plan. The roadways will be elevated with fill to an elevation of between 10' and 12' MSL with the rear alleys behind most homes at an elevation of 6' to 8' MSL. This will allow for a rear sloping lot to the back alley. Residents will utilize the rear alley for covered garage parking access underneath their homes. Although homes will be constructed on pilings with the lowest floor joists at 17.5 feet MSL, front elevations will be only 5+ feet above the street grade in front, allowing for a home that is closer to street grade and more visually appealing than homes perched high on pilings. (see Illustrations-Attachment "H").

A tree inventory was conducted for the site and a copy of the plan is attached. Every effort will be made to preserve specimen trees on the site as per City code (Attachment "C"). In addition, new trees will be planted per City code in addition to all other landscaping provided by the Developer.

B. Survey

The required boundary, tree and topographic surveys are attached. The boundary survey has been completed and approved by an LSLS State designated surveyor which certifies the waterfront boundary of the State of Texas property. The surveyor is GeoSurv, LLC (Dale Hardy) of League City, Texas. (Attachment "E")

C. Proposed Development Plan

Old Seabrook Village will be a high-quality development embracing the mix of uses and new housing types designed to compliment the land and surrounding community. Although the predominant use and appearance of OSV will be residential, the community will encourage live-work utilization, home offices and many other compatible uses as defined in the OSV-PUD

“Uses Matrix”. The PUD plan will seek to achieve flexible, creative and imaginative guidelines for design, construction and uses to ensure the character and quality-control goals of the community. The PUD allows for efficient use of land through smaller lots and larger open spaces. The rear resident parking should function to reduce street traffic and allow for an abundance of street front, guest parking for homes and live-work type businesses.



The community will be pedestrian friendly and will connect all blocks with public sidewalks leading to pocket parks, community water features and the Bay view waterfront park. The proposed mixed-use nature of the community is intended to allow residents to be close to needed community services to facilitate a reduction of vehicle trips for everyday needs. This will be a vital part of the community’s design and is a clearly defined goal of OSV.

The proposed land uses will follow the underlying OS and R-2 zoning, but will be somewhat more restrictive. Many of the uses allowed by-right in the OS Zoning are not allowed in OSV due to the predominant residential nature of the community. More intensive commercial mixed-use is expected along Meyer Road due to the designated public parking in front of these lots. The frontage lots will offer a business higher visibility than would be available deeper within the community. The lots (19) along Meyer Road border a wide sidewalk fronting public parking and have typical dimensions of 30 feet wide by 90 feet deep, all served by rear alleys. Interior lots are typically 42 feet wide by 75 feet deep, also served by rear alleys and are more residential in nature. The waterfront lots vary in size from 30 to 50 feet wide and from 75 to 150 feet deep and are expected to attract higher-end, custom homeowners.

D. Site plan-Illustrated

The proposed site plan, also called the Overall Master Plan, shown as Attachment “A”, indicates the various lot types and general location for likely commercial sections. The Plan calls for a central traffic circle, pond and park reserve that will make up the center of the development. These areas will be highly landscaped and will highlight the long water view from the main community thoroughfare. Travelling directly through the circle, views expand down a central Boulevard to a waterfront park with long views over Galveston Bay.

The site typically consists of 14-20 lot blocks, most of which back to alleys and front on a public street. The waterfront park is flanked on both sides by premium water-oriented lots, each with a view of the water overlooking the public park. OSV will include public streets and alleys of various widths to accommodate the unique development plan, taking into account the reduced traffic flow on primary streets due to the use of alleys by most of the residents.

There are sufficient local public utilities within close proximity to OSV. Water, sewer, drainage, fire and police are nearby to accommodate the needs of OSV without excessively impacting the local facilities. Water, sewer and storm water drainage are shown on Attachment "B" and have been determined to have adequate service capacity by the City Public Works Department.

E. Old Seabrook Village proposed "PUD Zoning Ordinance"

There are several areas where the OSV PUD development will deviate from the underlying OS and R-2 zoning.

Section 3.12 OS-Old Seabrook district zoning.

3.12.01. Description: This district is specifically designed to accommodate a select group of land use activities associated with that area in the community known as "Old Seabrook." In accordance with Comprehensive Master Plan 2030, the district is designed to enhance the special characteristics of Seabrook, the small town character, its waterfront, and to create a "unique" place. The land uses within this district are also intended to meet a portion of the community's tourism demand.

Section 3.04 – R-2 Single-family detached residential district (small lots).

3.04.01. Description: This district is primarily intended for detached single-family residential dwellings of a higher density than is permitted in R-1 and includes zero lot line and cluster homes. This zone also allows for related religious, educational and recreational facilities normally required to provide the basic elements of a balanced and attractive neighborhood. These areas are intended to be separated and protected from the encroachment of land use activities which do not perform a function necessary to sustain the residential environment. Internal stability, attractiveness, order, efficiency, security and the maintenance of property values are encouraged by the provision of adequate light, air and open space for dwellings and related facilities and through consideration of the proper function relationships of these various elements. The regulatory provisions of this district are aimed at achieving the specific goals and objectives identified in parts 4.0 and 5.2 of the Seabrook Comprehensive Plan 2025.

Items where a Variance is requested to accomplish the stated goals for the OS District are included in tabular form in Attachment "F". All requested variances are per the Overall Master Plan and are included are part of the PUD Zoning ordinance in Attachment "G".

F. Illustrations of conceptual housing products/Architectural Elements

Attachment “H” provides various illustrations of the conceptual designs for the production and semi-custom homes. These illustrations are conceptual in nature and are meant to act as a guide or theme for Builders/Architects/Homeowners who may purchase building lots within OSV. These themes will be implemented through Covenants/Restrictions and Design Guidelines administered by the Property Owners Association (to be formed). The comprehensive set of architectural and design guidelines will be submitted to the City with the Master Plan as the next step of approval. The design guidelines will cover such standards as entries, wall and fence design, signage, landscaping, walkways, building materials, elevation details and lot spacing with relationship to other homes. These guidelines will apply to all construction and development with the OSV PUD and will be flexible enough to encourage artistic license and individual design within the overall community theme.



Illustrations and photos of conceptual housing product (Houston Heights)



G. Development Schedule

OSV will begin development in 2014 and will be developed in multiple successive phases as demand dictates. The developer expects that construction of all streets and infrastructure for all phases will be completed within 3 years from the start date and all homes to be constructed within 4 years from the start date. Current market demand would dictate a much faster production pace, but a conservative and prudent schedule is given above. The developer will maintain a sufficient supply of finished lots to meet the demands of prospective builders and homeowners.

V. Summary

Old Seabrook Village will be a high-quality, architecturally pleasing addition to the quaint and historic City of Seabrook. The large vacant waterfront tract presents a unique opportunity to set a new standard for development and re-development in Seabrook within the framework of stringent new FEMA regulations. The property's waterfront is highly visible from SH-146, Todville Road and 2nd Street. A quality development in this location will benefit all Old Seabrook residents with a new and vibrant sense of place. Unique design controls and architectural elements will serve to make for a timeless place that while new, will appear to have been here for ever. The requested PUD overlay will allow this property to maximize its design benefits to Seabrook and those residents fortunate enough to call Old Seabrook Village home.

Land Owner: **OSVillage, LLC**

1716 Washington Avenue, Suite C

Houston, Texas 77007

Manager: J. Mark Caldwell-703-732-3311 Mark@MarkCaldwell.com

Manager: Zane M. Segal – 281-381-1392 Zane@ZaneSegalProjects.com

Acreage: 13.81 Acres

Open Space: 21.09%

Submission Date: November 21st 2013 (Planning & Zoning)

Project Name: Old Seabrook Village

6.0 IMPLEMENTATION OBJECTIVES AND STRATEGIES

GOAL #1: ENCOURAGE A MORE ECONOMICALLY VIABLE CITY

Objective: *Achieve a balance between commercial and residential development.*

Strategy: Align the zoning map with the land use map in order to create appropriate areas for quality commercial development.

Objective: *Attract and retain business with high revenue generation to expand the local tax base.*

Strategy: Coordinate development recruitment efforts across city departments and the Economic Development Corporation to attract quality revenue generating development.

Strategy: Aggressively recruit and facilitate commercial development that will enable residents to shop locally.

Strategy: Review and revise development codes, as required, to facilitate attractive and functional development.

Strategy: Update the development review and approval process in order to be responsive to the needs of applicants.

Strategy: Educate staff in regards to the revised review procedures and train them to assist new and existing businesses with the permitting and development review process.

Strategy: Partner with TxDOT in order to develop plan for SH 146 that provides access for commercial areas and minimizes impacts on existing businesses.

Objective: *Promote Seabrook.*

Strategy: Continue and expand efforts to retain and expand local businesses.

Strategy: Work with local media and other agencies to make the public and other agencies aware of Seabrook's assets and accomplishments.

Strategy: Maintain excellent working relationships with Harris County, TxDOT, Clear Creek ISD and the Port of Houston Authority.

Strategy: Partner with other local governments to provide affordable services and solutions to residents and the development community.

Strategy: Develop new and promote existing community events.

Strategy: Continue to partner with the Clear lake Chamber of Commerce and the Bay Area Convention and Visitor Bureau to promote the interests of local businesses.

Objective: *Encourage recreation and tourism-oriented waterfront development.*

Strategy: Update and implement the South Seabrook Marine District Waterfront Development Plan (JJR Study).

Strategy: Revise development ordinances as necessary to promote and maintain the waterfront.

Objective: *Encourage development and redevelopment of commercial areas and centers.*

Strategy: Encourage and incentivize the refurbishment of existing businesses and centers through revised codes.

Strategy: Establish a revolving loan fund to assist new businesses and the expansion, redevelopment or refurbishment of existing venues.

Strategy: Establish development regulations that encourage redevelopment and revitalization of existing structures.

Strategy: Expedite all reviews for faster turnaround.

Strategy: Review all fees in order to be competitive with surrounding communities.

GOAL #2: PRESERVE EXISTING NEIGHBORHOODS

Objective: *Preserve and protect residential areas.*

Strategy: Provide consistent code enforcement.

Strategy: Adopt a property maintenance code.

Strategy: Conduct a comprehensive review of all nuisance codes for clarification and ease of enforcement.

Strategy: Improve communications with residents through regular meetings with Homeowner's Associations, Civic Groups and Citizens.

Strategy: Maintain sidewalks, bike trails, streets and utilities within neighborhoods.

Objective: *Retain buffer zones between non-residential and residential areas.*

Strategy: Continue the policy of carefully buffering single-family areas from commercial and industrial development.

Objective: *Manage opportunities for higher densities.*

Strategy: Carefully scrutinize opportunities and impacts associated with higher densities and establish appropriate standards to buffer single-family neighborhoods.

GOAL #3: ENHANCE SEABROOK'S SENSE OF COMMUNITY.

Objective: *Enhance existing waterfront views and create new ones.*

Strategy: Incentivize developers to create waterfront view corridors through flexible development standards.

Strategy: Recruit suitable development that will provide trademark water views and access.

Objective: *Preserve and enhance Old Seabrook within a mixed-use context.*

Strategy: Develop adaptable zoning standards that will facilitate the redevelopment of Old Seabrook.

Strategy: Conduct a "corridor study" of Second Street and that portion of Meyer Road that is within Old Seabrook in order to establish a design for the refurbishment of the street, landscaping, public amenities, adjacent parks and open space.

Strategy: Establish a list of public improvements needed to implement the Second Street/Meyer Road corridor study and add them to the Capital Improvement Plan.

Strategy: Encourage appropriate mixed-use development in Old Seabrook to implement the findings of the corridor study, the South Seabrook Marine District Waterfront Development Plan (JJR Study) and the finding of this plan.

Objective: *Address the impacts of the proposed improvements to SH 146.*

Strategy: Develop a redevelopment plan for impacted properties along Bayport Boulevard.

Strategy: Develop a directional signage program that will help visitors locate events, local features and shopping venues.

Strategy: Develop distinctive designs and landscaping schemes for all SH 146 overpasses.

GOAL #4: MAINTAIN AND IMPROVE CITY BUILDINGS AND INFRASTRUCTURE.

Objective: *Develop and maintain efficient city facilities.*

Strategy: Develop a city facilities plan to evaluate the optimal utilization and useful life of all city buildings.

Objective: ***Develop and maintain superior utility and drainage facilities.***

Strategy: Make plans and seek funding for the construction of a new wastewater treatment plant to replace the current Second Street facility.

Strategy: Update all city utility plans to address future growth.

Strategy: Improve and maintain drainage throughout the city.

Strategy: Promote underground placement of power, telephone and cable television utilities.

GOAL #5: **MAINTAIN AND IMPROVE A SAFE AND EFFICIENT TRANSPORTATION SYSTEM.**

Objective: ***Improve transportation throughout Seabrook.***

Strategy: Implement the thoroughfare map through the Capital Improvement Plan and the Subdivision process.

Strategy: Partner with area cities, BayTran, BAHEP, the Port of Houston Authority and TxDOT to develop an optimal design for SH 146 that addresses long-term access needs.

Strategy: Work closely with Harris County to assist with the efficient construction and maintenance of Repsdorph Road and Lakeside Drive.

Strategy: Continuously update the city's thoroughfare plan.

Strategy: Include pedestrian and bicycle accommodations in all major capital road projects.

GOAL #6: **ENHANCE THE RECREATION AND OPEN SPACE SYSTEM.**

Objective: ***Update the existing Parks Master Plan***

Strategy: Adopt an updated Parks Master Plan that evaluates the parks inventory and establishes the recreation needs of the community.

Strategy: Develop plans for the optimal use of each city park and implement these plans through the Capital Improvements Plan.

Objective: *Improve public access to Seabrook waterfront.*

Strategy: Encourage additional public access to Galveston Bay and Clear Lake through public-private partnerships with developers.

Strategy: Maintain and improve existing public waterfront property that can provide public access to Clear Lake and Galveston Bay.

Objective: *Extend the trails system throughout the city.*

Strategy: Expand the current trails network throughout the City and to regional amenities.

GOAL #7: **MAINTAIN AND IMPROVE THE QUALITY OF SEABROOK'S NATURAL AND MANMADE ENVIRONMENTS.**

Objective: *Perform a comprehensive review of Seabrook's standards for noise and environmental pollution.*

Strategy: Adopt updated standards for all types of pollution control and train all responding staff in order to provide uniform enforcement.

Objective: *Protect Seabrook's shoreline and estuaries.*

Strategy: Actively promote strategies, policies and ordinances that will assist and inform property owners with shoreline preservation, wetlands and estuary preservation and codify appropriate standards.

GOAL #8: **IMPROVE PUBLIC SAFETY.**

Objective: *Improve policing of the city.*

Strategy: Maintain a sufficient number of police officers to adequately patrol Seabrook.

Strategy: Continuously investigate innovative policing techniques and use of personnel.

Objective: *Establish an Emergency Management Plan which implements lessons learned from Hurricane Ike.*

Strategy: Implement and update a revised Emergency Management Plan.

Strategy: Work with the State, Harris County and surrounding jurisdictions to share planning, personnel and critical resources.

Objective: *Encourage neighborhood watches and other community safety programs.*

Strategy: The City shall encourage neighborhood safety associations and assist with the creation of new neighborhood watch programs.

Objective: *Refine efforts to enforce highway traffic regulations.*

Strategy: Reevaluate the current Department of Transportation (DOT) program for the enforcement of commercial vehicles and implement relevant changes.

Strategy: Re-evaluate the policing of collector and arterial roadways within Seabrook.

Objective: *Improve fire protection and emergency services.*

Strategy: Partner with the Seabrook Volunteer Fire Department and Clear Lake Emergency Medical Corps (CLEMC) to plan for and provide excellent services to Seabrook residents and businesses.

GOAL #9: **SUPPORT EDUCATION AT ALL LEVELS.**

Objective: *Support Clear Creek Independent School District.*

Strategy: Partner with and establish clear avenues of communication with the local campuses and the District administration.

Strategy: Maintain a regular venue to discuss and promote safe access and traffic management with local schools.

Objective: *Promote higher education.*

Strategy: Assist regional campuses with educational opportunities.

APPENDIX

2009 MASTER PLAN REVIEW PUBLIC SURVEY

ASSETS

282 SEABROOK'S CHARM

- 142 Small town charm
- 30 The people
- 23 Low crime rate
- 14 Clean
- 13 Seaside atmosphere
- 12 Community involvement/spirit
- 8 Neighborhoods
- 6 Size
- 6 Environmental awareness
- 5 Historical/old homes/shops in Old Seabrook
- 4 Family oriented
- 4 Demographic/population
- 3 Pelicans
- 3 Peaceful
- 3 Diverse economic and educated population
- 2 Old Seabrook near the Post Office
- 1 Seabrook's loyalty and pride
- 1 Resort like atmosphere
- 1 Residential community
- 1 Decorative street lamps on NASA Parkway

212 WATERFRONT

- 153 Proximity and access to Bay and Lake
- 34 Waterfront views/attractions
- 13 Fish markets
- 5 Large marinas
- 2 Todville Road
- 1 The Point
- 1 Rose's Seafood
- 1 Boating town
- 2 The coastline/drive

194 PARKS AND OPEN SPACES

- 159 Parks, Trails and Pool
- 20 Wildlife and natural areas
- 5 Scenery
- 4 Fishing district
- 3 Pine Gully Park
- 1 Trees
- 1 Open wooded spaces
- 1 Flyway for birds

191 CITY GOVERNMENT

- 55 Schools
- 45 Police and Fire Department
- 14 Professional, accessible and friendly city employees
- 13 City sponsored holiday activities
- 9 Automated phone notification system
- 8 Trash/Recycling Program
- 7 Low taxes
- 7 Housing values close to water/quality real estate
- 6 Library
- 4 Street maintenance/lighting
- 4 Mosquito spraying frequency
- 3 City Manager
- 2 Well updated website
- 2 Building inspections/service
- 1 Parks Department
- 1 On-line bill pay
- 1 Post Office and staff
- 1 Nearby government offices
- 1 Motivated management group
- 1 Infrastructure
- 1 Community activities (news letter)
- 1 City Planner and Building Dept.
- 1 City officials are in control during emergencies
- 1 City employee's dedication to better living conditions.
- 1 Caring government
- 1 Zoning

93 LOCATION

- 37 Location
- 20 Proximity to Houston/Galveston/NASA
- 15 Proximity to area shopping
- 11 Close to Kemah
- 5 Proximity to Hwy. 146, NASA Parkway and I-45
- 3 Nearby sports and recreation
- 1 Location to employers
- 1 Access to other communities

ASSETS (Continued)

52 MISCELLANEOUS

- | | |
|--|---|
| <ul style="list-style-type: none"> 18 Restaurants/entertainment 8 Variety of shops, restaurants and stores 4 Weather - usually 4 Development potential 2 Reasonable traffic 2 Lakewood Yacht club 2 Diversity in housing 1 Seabrook United Methodist Church and members. | <ul style="list-style-type: none"> 1 Resources 1 Resort area potential 1 Opportunities 1 Neptune's Sub Sandwiches 1 Miller's Machine & Welding 1 Bar Harbor Apartments 1 Areas to still be developed for marketing consumer use. |
|--|---|

CHALLENGES

260 DEVELOPMENT

- | | |
|--|--|
| <ul style="list-style-type: none"> 29 Run down businesses, buildings and homes. 28 Lack of quality restaurants 25 Need large grocery store/office supply store 19 Bayport Blvd. needs facelift 19 Limited shopping with major retailers 15 Need of beautifying enhancements 12 Not enough local businesses 9 Continued management of growth and development 9 Lack of commercial tax base 7 Maintaining small-town atmosphere 6 Recovery of the Point and Old Seabrook 5 Anti business attitude 4 Lack of marketing/advertising 4 Need access to movie and mall 4 Lack of clear vision 3 Inability to capture tourist revenue 3 Lack of economic development 3 Implement development plan 3 Lack of landscaping/beautification projects 3 Older neighborhoods not kept up 3 Railroad tracks limit space 2 Ability to move forward on projects 2 Making Old Seabrook & The Point more attractive 2 Need local coffee shop 2 Empty and abandoned homes 2 Have an identity 2 Not utilizing Old Seabrook area enough 2 Draw in crowds without ending up like Kemah 2 Seabrook needs modernization | <ul style="list-style-type: none"> 2 Inability to clean up slums and trailers 2 Seabrook has no attraction 2 Looking forward while conserving Seabrook's history 1 Excessive commercial development 1 Maintain property values 1 Lack of local hangout 1 Over development 1 Need 3-4 star hotels 1 Do not allow tower - residential or commercial 1 Need to develop the Point 1 Elevation of City 1 New "Welcome to Seabrook" signs 1 Helping small businesses & poor people 1 Saving the undeveloped areas north of town 1 Lack of building/deed restrictions 1 Undue influence of developers 1 Industry 1 Specialized export merchandize of city identity 1 Wanting to be like Kemah and Clear Lake Shores 1 Lack of confidence and vision 1 Need to integrate new and old Seabrook 1 Failure to embrace the Port 1 No rental area 1 Need closer medical facilities 1 Unwillingness to change ideas 1 Not enough environmental concern. 1 Hiring consultants with zero results 1 Low quality residential housing development |
|--|--|

CHALLENGES (Continued)

207 TRAFFIC ISSUES

- 155 Traffic congestion at Hwy 146/major intersections
- 26 Hwy 146 expansion - redevelopment
- 11 Traffic on Todville Road/Repsdorph
- 9 Speeding in neighborhoods
- 2 Need pedestrian over walk on 146.
- 1 Speed limit on 146 should be higher than 35.
- 1 Misleading sign "Lakeside Dr" at Neal Street.
- 1 Dangerous turning at Neal and Red Bluff
- 1 Traffic turning left at Kemah bridge when facing south.

77 WATERFRONT

- 51 Waterfront / recreation area development
- 9 Preserving access to the water for the public
- 6 Community fishing pier
- 4 Littering of the waterfront, bay and lake
- 4 The Point is looking sad and trashy
- 1 Channel's oil pollutants - non use of oil eating enzymes
- 1 People fishing on side of roads and bridges
- 1 Noise from boats on lake

70 INFRASTRUCTURE

- 13 Roads
- 11 Storm/water drainage
- 10 Widening Repsdorph and Todville
- 6 Poor infrastructure with growing traffic
- 6 Keeping up with Infrastructure needs.
- 5 Lack of sidewalks/curbs
- 4 Better lighting on streets and parks
- 4 Need bike lanes.
- 3 Underground utilities on NASA Pkwy.
- 2 Repsdorph dangers and ditches
- 2 Need of North-South streets during Hwy. 146 expansion
- 1 Drainage in Seascape I
- 1 Elevation of Todville
- 1 Replacing street signs
- 1 Balance "small town" with infrastructure needs

127 CITY GOVERNMENT

- 59 Council Issues
- 19 Better code enforcement
- 11 Police Department
- 7 Zoning
- 7 Increasing crime rate
- 5 Animal control
- 3 Update schools
- 3 Poor City regulations on properties
- 2 No law enforcement of drug sellers
- 2 Poor planning by City
- 1 Difficulty getting city phones answered
- 1 City inspector tends to nit pick
- 1 Police involvement in apartment, neighborhoods, schools
- 1 Police ticketing their own citizens
- 1 Minimal staff dedicated to safety of citizens
- 1 No enforcement of campfires
- 1 Limitations created by the Charter
- 1 Budget
- 1 Working together as a team

66 DISASTER

- 26 Cleanup/rebuilding after hurricane.
- 12 Emergency preparedness for storms/disasters
- 11 Hurricanes/flooding
- 6 Information dissemination during emergencies
- 3 Hurricane protection
- 1 Keeping people out of homes after a disaster
- 1 Bringing in other agencies with attitudes
- 1 Not enough help from FEMA and insurance
- 1 Enforcing codes, cleanup and safety issues
- 1 Subsidence
- 1 Raising houses.
- 1 Mandatory re-platting for "Ike" victims
- 1 Need seawall

CHALLENGES (Continued)

52 COMMUNITY

- 19 Library reopening
- 7 Lack of organized community events
- 6 Entertainment for kids/families
- 5 Absence of classic "Town Center"
- 4 Draw concerts and cultural events
- 4 Adult night life
- 2 Need amphitheater
- 2 No community association
- 1 Convention venue
- 1 Residents east of Hwy. 146 not equally represented
- 1 Community involvement

113 MISCELLANEOUS

- 13 Sewer Treatment Plant
- 9 Mosquitoes
- 9 High water usage fees
- 8 Taxes
- 7 Bayport Container Terminal
- 7 Proximity to industrial complex
- 6 Trash left by visitors on weekends and holidays
- 4 Insurance
- 4 Help Tookies re-open
- 3 Decreasing number of wildlife
- 2 Standing ditch water
- 2 Too much hassling teens
- 2 Air pollution
- 1 Far removed from metro
- 1 Illegal aliens fishing
- 1 Need for death free animal shelters
- 1 Lack of public health care

44 PARKS, TRAILS AND OPEN SPACES

- 7 Hike & Bike trails need to connect west of 146
- 6 Restoring wetlands
- 4 Protection/renewal of Pine Gully Park/other park land
- 4 Need bike trails along roads
- 4 Lack of accessible cycle and walk paths
- 3 Update park play equipment
- 3 City pool needs resurfaced and bathroom redone.
- 2 Dog park
- 2 More parks and public spaces
- 2 Need golf cart, pedestrian, bike access to east side of 146
- 2 City pool limited opening season
- 1 Untidy green spaces and road side areas
- 1 Skateboard park attracts crime
- 1 No indoor swimming facilities
- 1 Purchasing sufficient open space
- 1 Need a beach
- 1 To close to Kemah
- 1 Closest high school 15-20 minutes drive
- 1 Only draw to city is fishing/fish
- 1 To many sleeping 18-wheelers on 146
- 1 Public intoxication/lewd public behavior
- 1 Poor fire service
- 1 Beach volleyball tournaments
- 1 Selling streets on Todville
- 1 Jet ski, boat and sailboat rentals
- 1 Hide Port from view
- 1 Mindset of "living in the past"
- 1 Littering/loitering
- 1 Kids walking in the middle of the road
- 1 Seabrook Island needs direct road from 146
- 1 Train access to the Port
- 1 Keep wildlife off of the roads



Old Seabrook Village (OSV)
Subdivision
Seabrook, Texas

Old Seabrook Village PUD
Building Variance Matrix
(Underlying OS and R-2 zoning)

Category of Regulation	OSV-PUD	OS	R-2
<u>Single Family Homes:</u>			
Density per Acre	8.11 per acre	none	7 lots per acre
Density per Lot	2 primary buildings/lot	2 primary buildings/lot	1 per building per lot
Minimum-Lot square footage	2,400	6,000	6,000
Minimum-Lot width	30 feet	50 feet	50 feet
Minimum-Lot frontage on cul-de-sac	30 feet	n/a	20 feet
Minimum-Lot depth	75 feet	100 feet	90 feet
Minimum Front Yard (set back)	8 feet	0 feet	25 feet
Minimum Rear Yard (set back)	7 feet	10 feet	15 feet
Minimum Side Yard (set back)	0 feet	5 feet	5 feet
Minimum Side Yards (total set backs)	5 feet	10 feet	15 feet
Maximum Building Height	40 feet above BFE	40 feet above BFE	40 feet above BFE

<u>Townhomes:</u>		(Conditional Use)	
Density per Acre	8.11 per acre	n/a	n/a
Density per Lot	2 primary buildings/lot	1 Unit per Lot	n/a
Minimum-Lot square footage	2,400	3,000	n/a
Minimum-Lot width	30 feet	50 feet	n/a
Minimum-Lot depth	75 feet	none	n/a
Minimum Front Yard-Townhomes (set back)	8 feet	20 feet	n/a
Minimum Rear Yard-Townhomes (set back)	7 feet	15 feet	n/a
Minimum Side Yard (set back)	5 feet	10 feet between blocks	n/a
Maximum Building Height	40 feet above BFE	40 feet above BFE	n/a

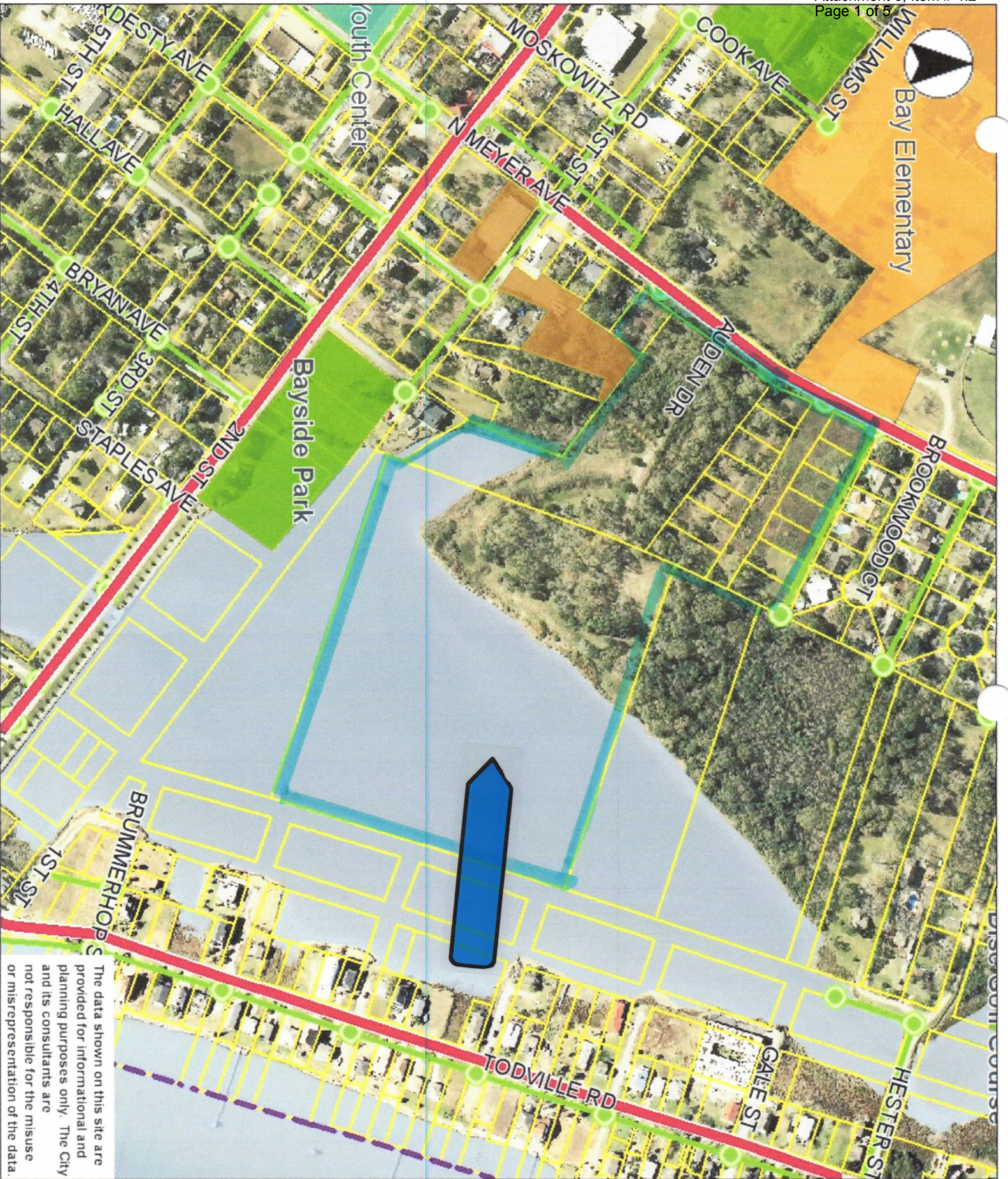
<u>Zero Lot Line, Duplex Homes:</u>		(Zero LL not allowed)	(Duplex not allowed)
Density per Acre	n/a	7 lots per acre	7 lots per acre
Density per Lot	2 primary buildings/lot	2 primary buildings/lot	1 per building per lot
Minimum-Lot square footage	2,400	6,000	6,000 Less Common Land
Minimum-Lot width-Zero Lot Line	30 feet		50 feet
Minimum-Lot frontage on cul-de-sac	30 feet	n/a	n/a
Minimum-Lot depth	75 feet	100 feet	none
Minimum Side Yard (set back)	0 feet	5 feet	None
Minimum Side Yard-Zero Lot Line (set back)	6 feet	5 feet	Zero and 10 feet
Minimum Side Yards (total set backs)	5 feet	10 feet	None
Maximum Building Height	40 feet above BFE	40 feet above BFE	40 feet above BFE

Old Seabrook Village PUD Allowed and Conditional Uses (Underlying OS and R-2 zoning)			
Category of Uses	OSV-PUD	OS	R-2
Duplex	Allowed	Allowed	Not Allowed
Single Family Detached	Allowed	Allowed	Allowed
Townhome	Allowed	Conditional	Not Allowed
Zero Lot Line Homes	Allowed	Not Allowed	Allowed
Accessory Buildings	Allowed	Allowed	Allowed
Alterations, Clothing	Allowed	Allowed	Not Allowed
Antique Shops & Dealers	Allowed	Allowed	Not Allowed
Appliance Dealers-Retail	Allowed	Allowed	Not Allowed
Bakers Retail	Allowed	Allowed	Not Allowed
Banks or Financial Services	Allowed	Conditional	Conditional
Barbers/Salons/Spa	Allowed	Allowed	Not Allowed
Bars/Pubs	Conditional	Not Allowed	Not Allowed
Bed & Breakfast	Allowed	Allowed	Not Allowed
Bicycle Sales	Allowed	Allowed	Not Allowed
Boat Rental	Allowed	Allowed	Not Allowed
Candy & Confection retail	Allowed	Allowed	Not Allowed
Child day care	Allowed	Allowed	Not Allowed
Clothing Store	Allowed	Allowed	Not Allowed
Coffee Shop/Store	Allowed	n/a	n/a
Coin Dealers	Allowed	Allowed	Not Allowed
Computer Sales & Service	Allowed	Allowed	Not Allowed
Convenience/ General Store	Allowed	Allowed	Not Allowed
Copy & Duplicating Service	Allowed	Allowed	Not Allowed
Dance Instruction	Allowed	Allowed	Not Allowed
Dinner Theatre	Allowed	Allowed	Not Allowed
Florist	Allowed	Allowed	Not Allowed
Food Store, Specialty	Allowed	Allowed	Not Allowed
Health Club	Conditional	Conditional	Conditional
Office, Professional	Allowed	Allowed	Not Allowed
Office, Medical	Allowed	Allowed	Not Allowed
Public Use-Government	Allowed	Allowed	Allowed
Restaurants	Conditional	Allowed	Not Allowed

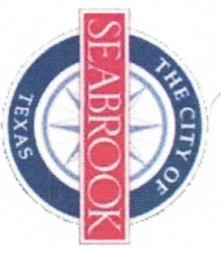


Old Seabrook Village (OSV)
Subdivision
Seabrook, Texas

0 370 740 ft

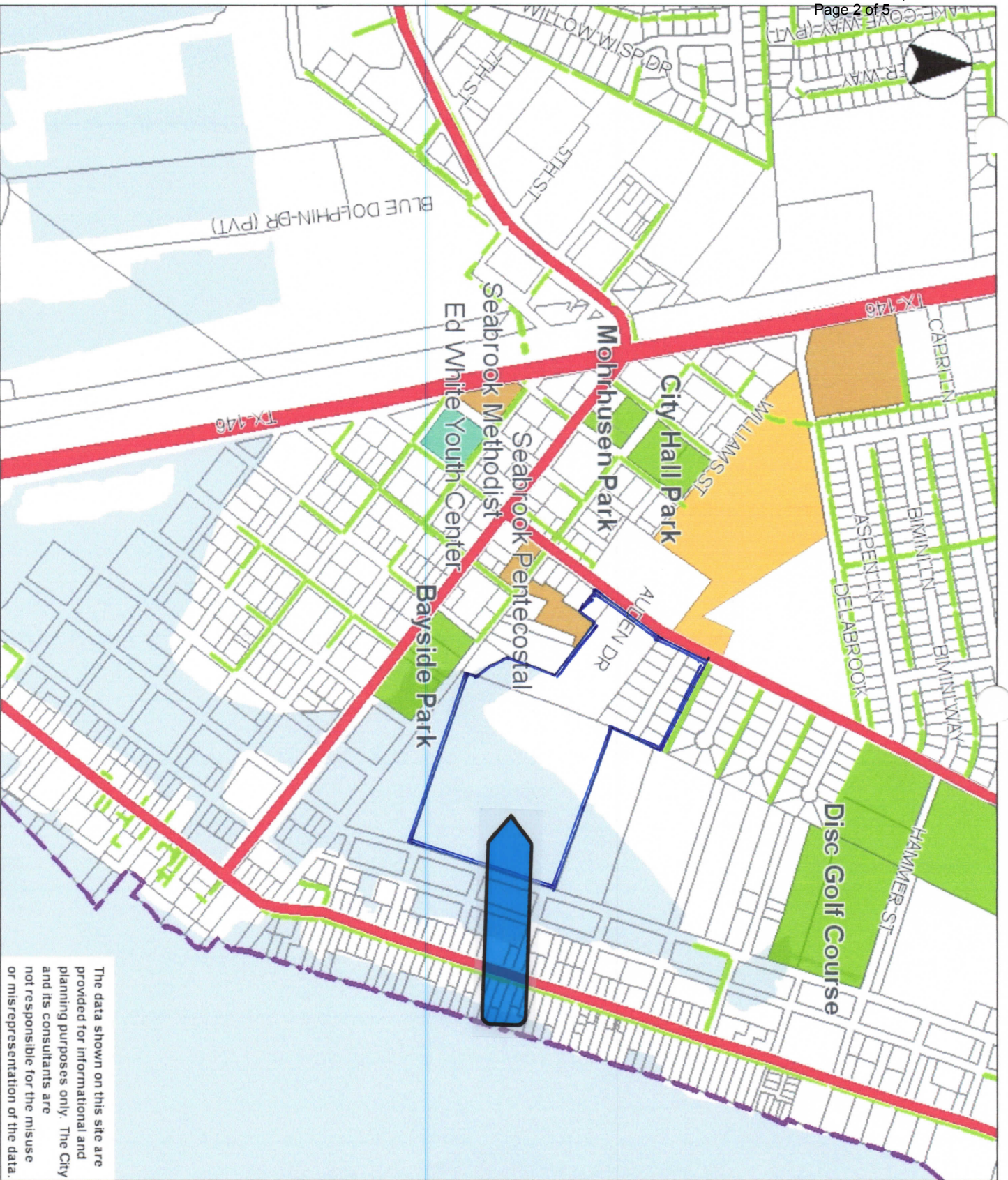


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- Seabrook City Limits
- County Limits
- Extra Territorial Jurisdiction
- Houston Ship Channel
- Major Thoroughfares
- Future
- Existing
- Sanitary Sewer System
- Li Station
- Proposed Li Station
- Existing Manhole
- Proposed Manhole
- Collector
- Force Main
- Collector
- Force Main
- Facilities
- Unrestricted
- Training
- Schools
- Parks
- Libraries
- Daycare Centers
- Churches
- Parcels
- Parcels With Orthos
- Parcels
- Open Water

0 740 1480 ft



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- Parcels With Orthos
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Figure 4: Major Thoroughfares Map



Figure 1: Land Use Map

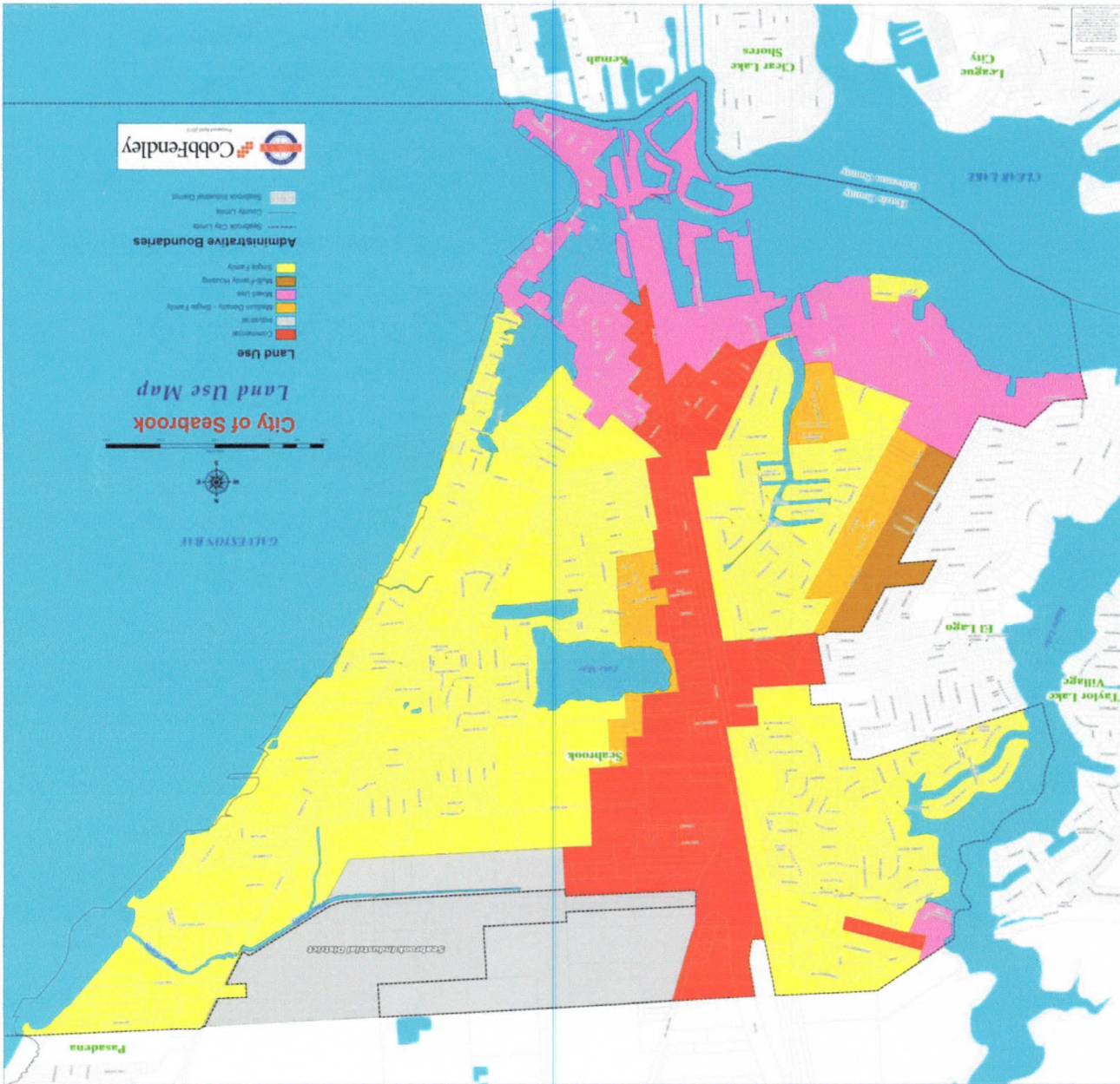
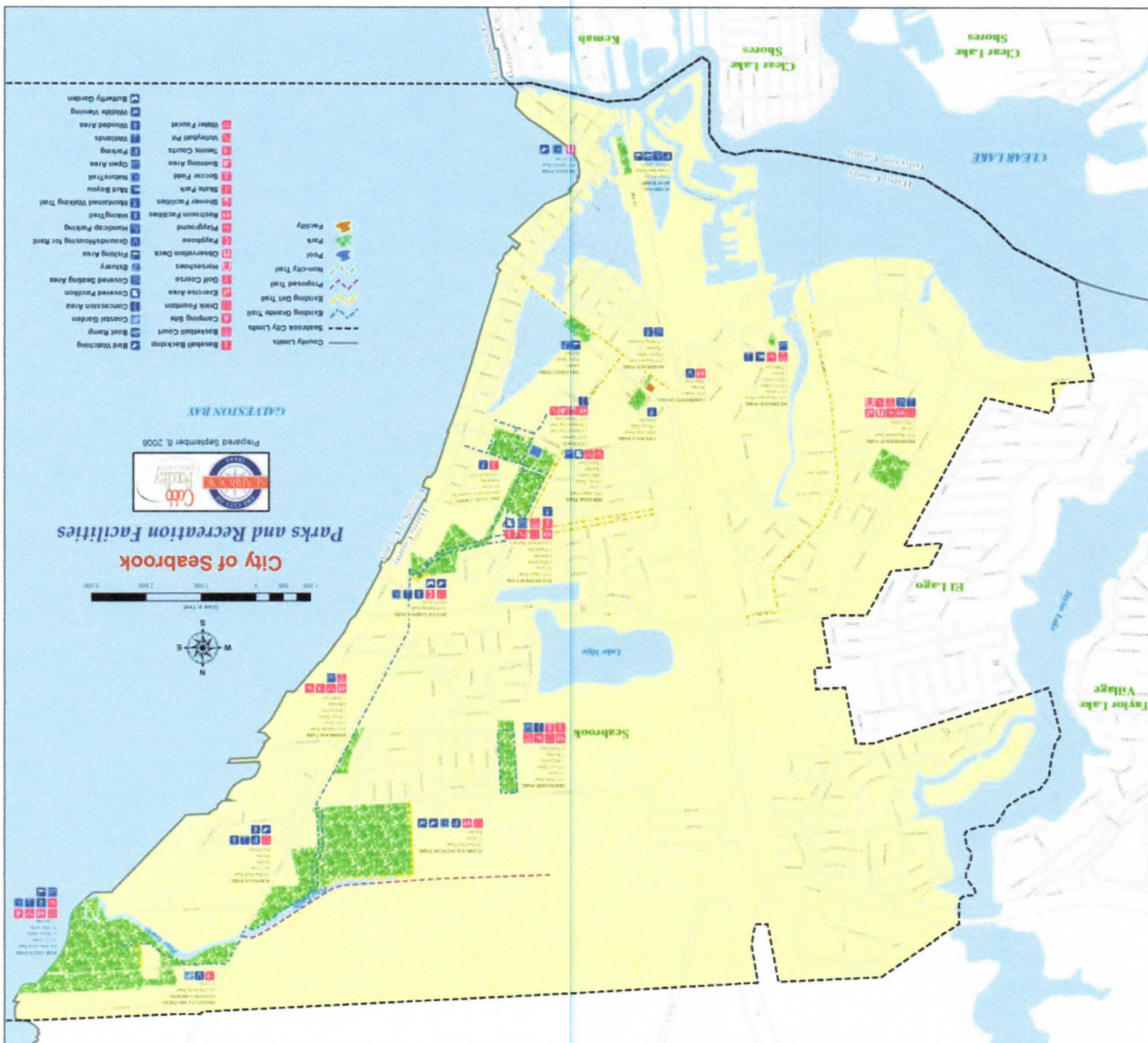


Figure 5: Map of Seabrook's Parks and Trails





OLD SEABROOK VILLAGE



13008.001
MAY 15, 2013

SEABROOK, TEXAS



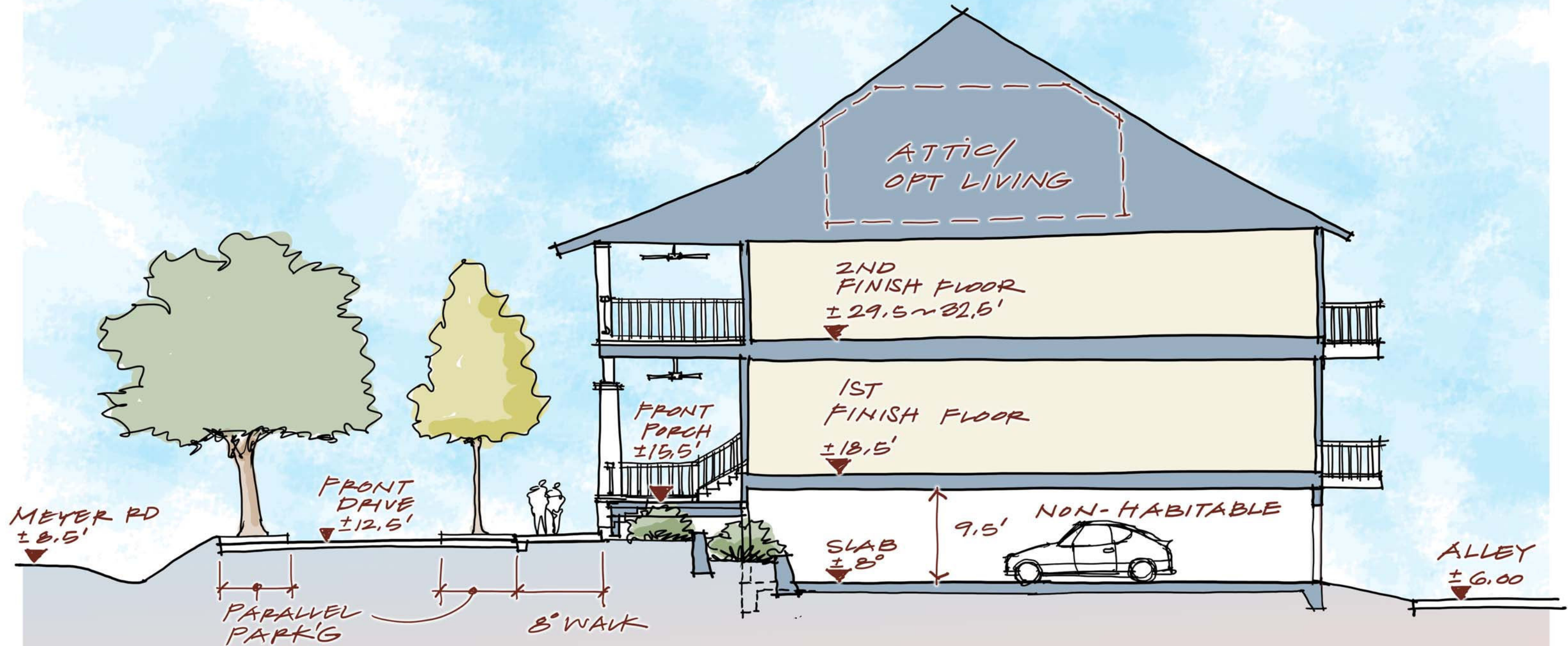
VILLAGE PARK

OLD SEABROOK VILLAGE



13008.001
MAY 15, 2013

SEABROOK, TEXAS



CROSS SECTION @ LIVE/WORK

OLD SEABROOK VILLAGE



13008.001
JULY 31, 2013

SEABROOK, TEXAS



City of Seabrook Ordinance

Sec. 44-78. - Firearms.

- (a) *Definition.* For the purposes of this section, the term "firearm" means any gun, revolver, pistol, rifle, shotgun, pellet gun, cartridge or any other weapon that is spring loaded, discharged by explosive action of any kind or nature or of pneumatic design and operation.
- (b) *Discharge prohibited.* It shall be unlawful for any person within the city to cast, throw, shoot, fire or discharge any rifle, gun, revolver, pistol, pellet gun, shotgun, cartridge or any firearm of any kind or nature in the city.
- (c) *Exceptions; permits.*
 - (1) Nothing in this section shall be construed to apply to the possession or ownership of any firearm or to the sale of such firearm nor shall this section be construed to prevent any public or private demonstration or display of firearms of any kind, if conducted under proper supervision, after an application is made and a permit issued by the city council for such demonstration.
 - (2) If application shall be made for a permit to operate a shooting range of any type or kind, the duration of such permit, if issued, shall be at the discretion of the city council. No such permit shall be granted unless such demonstration, display or shooting range shall be of such a character and so located and operated as, in the opinion of the city council, after proper inspection, shall not be hazardous to property or endanger any person.
 - (3) This section shall not apply to any shooting range sponsored and sanctioned by the city.

(Code 1976, § 18-1; Code 1996, § 42-3) State law reference— Authority of city to prohibit, regulate, etc., use of firearms, V.T.C.A., Local Government Code § 229.001.

Sec. 10-5. - Bird sanctuary.

- (a) The entire area embraced within the corporate limits of the city shall be and is designated as a bird sanctuary.
- (b) It shall be unlawful to trap, **hunt**, shoot or molest in any manner any bird or wildfowl or to rob bird nests or wildfowl nests of protected species within the corporate limits.

Sec. 65-34. - Prohibited acts.

C. Wildlife.

All wildlife within the boundaries of any park is protected. No person may harm, harass, **hunt**, trap or remove any animal, including mammals, fish, insects, butterflies, birds, reptiles or other living creatures from any park facility or wildlife refuge except upon written approval of the city manager or designee.

This section shall not apply where fishing is permitted, by an individual in possession of a valid Texas fishing license or for dangerous insects like flies, wasps, ants, etc.

Texas Parks and Wildlife

Definition: (2) "Archery equipment" means a long bow, recurved bow, or compound bow.

Sec. 62.012. WRITTEN CONSENT TO HUNT OR TARGET SHOOT REQUIRED.

(a) This section applies only to a county having a population of 3.3 million or more. This section does not apply to a person hunting or target shooting on a public or private shooting range.

(b) Except as provided by Subsection (d) of this section, no person possessing a firearm may hunt a wild animal or wild bird, or engage in target shooting on land owned by another unless the person has in his immediate possession the written consent of the owner of the land to hunt or engage in target shooting on the land.

(c) To be valid, the written consent required by Subsection (b) of this section must:

- (1) contain the name of the person permitted to hunt or engage in target shooting on the land;
- (2) identify the land on which hunting or target shooting is permitted;
- (3) be signed by the owner of the land or by an agent, lessee, or legal representative of the owner; and
- (4) show the address and phone number of the person signing the consent.

(d) The owner of the land on which hunting or target shooting occurs, the landowner's lessee, agent, or legal representative, and a person hunting or target shooting with the landowner or the landowner's lessee, agent, or legal representative are **not required to have in their possession** the written consent required by Subsection (b) of this section.

(e) Repealed by Acts 1985, 69th Leg., ch. 267, art. 3, Sec. 110, eff. Sept. 1, 1985.

Added by Acts 1981, 67th Leg., p. 989, ch. 371, Sec. 1, eff. Aug. 31, 1981. Amended by Acts 1983, 68th Leg., p. 4590, ch. 773, Sec. 1, eff. Aug. 29, 1983; Acts 1985, 69th Leg., ch. 267, art. 3, Sec. 110, eff. Sept. 1, 1985; Acts 2001, 77th Leg., ch. 669, Sec. 116, eff. Sept. 1, 2001.

Texas Government Code

Sec. 229.001. FIREARMS; EXPLOSIVES.

- (a) Notwithstanding any other law, including Section 43.002 of this code and Chapter 251, Agriculture Code, a municipality may not adopt regulations relating to:
 - (1) the transfer, private ownership, keeping, transportation, licensing, or registration of firearms, ammunition, or firearm supplies; or
 - (2) the discharge of a firearm at a sport shooting range.
- (b) Subsection (a) does not affect the authority a municipality has under another law to:
 - (1) require residents or public employees to be armed for personal or national defense, law enforcement, or another lawful purpose;
 - (2) regulate the discharge of firearms within the limits of the municipality, other than at a sport shooting range;
 - (3) regulate the use of property, the location of a business, or uses at a business under the municipality's fire code, zoning ordinance, or land-use regulations as long as the code, ordinance, or regulations are not used to circumvent the intent of Subsection (a) or Subdivision (5) of this subsection;
 - (4) regulate the use of firearms in the case of an insurrection, riot, or natural disaster if the municipality finds the regulations necessary to protect public health and safety;
 - (5) regulate the storage or transportation of explosives to protect public health and safety, except that 25 pounds or less of black powder for each private residence and 50 pounds or less of black powder for each retail dealer are not subject to regulation;
 - (6) regulate the carrying of a firearm by a person other than a person licensed to carry a concealed handgun under Subchapter H, Chapter 411, Government Code, at a:
 - (A) public park;
 - (B) public meeting of a municipality, county, or other governmental body;
 - (C) political rally, parade, or official political meeting; or
 - (D) nonfirearms-related school, college, or professional athletic event;or

(7) regulate the hours of operation of a sport shooting range, except that the hours of operation may not be more limited than the least limited hours of operation of any other business in the municipality other than a business permitted or licensed to sell or serve alcoholic beverages for on-premises consumption.

(c) The exception provided by Subsection (b)(6) does not apply if the firearm is in or is carried to or from an area designated for use in a lawful hunting, fishing, or other sporting event and the firearm is of the type commonly used in the activity.

(d) The exception provided by Subsection (b)(4) does not authorize the seizure or confiscation of any firearm or ammunition from an individual who is lawfully carrying or possessing the firearm or ammunition.

(e) In this section, "sport shooting range" has the meaning assigned by Section 250.001.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1995, 74th Leg., ch. 229, Sec. 7, eff.

Sept. 1, 1995; Acts 1997, 75th Leg., ch. 165, Sec. 10.07, eff. Sept. 1, 1997. Renumbered from Sec. 215.001 by Acts 2001, 77th Leg., ch. 1420, Sec. 12.002(10), eff. Sept. 1, 2001.

Amended by: Acts 2007, 80th Leg., R.S., Ch. [18](#), Sec. 5, eff. April 27, 2007. Acts 2011, 82nd Leg., R.S., Ch. [624](#), Sec. 5, eff. September 1, 2011.

Sec. 229.002. REGULATION OF DISCHARGE OF WEAPON.

A municipality may not apply a regulation relating to the discharge of firearms or other weapons in the extraterritorial jurisdiction of the municipality or in an area annexed by the municipality after September 1, 1981, if the firearm or other weapon is:

(1) a shotgun, air rifle or pistol, BB gun, **or bow and arrow** discharged:

- (A) on a tract of land of 10 acres or more and more than 150 feet from a residence or occupied building located on another property; and
- (B) in a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or

(2) a center fire or rim fire rifle or pistol of any caliber discharged:

- (A) on a tract of land of 50 acres or more and more than 300 feet from a residence or occupied building located on another property; and
- (B) in a manner not reasonably expected to cause a projectile to cross the boundary of the tract.

Added by Acts 2005, 79th Leg., Ch. [18](#), Sec. 4, eff. May 3, 2005.

**ORDINANCE NO. 2013-25
REGULATION OF PEDDLERS, ITINERANT VENDORS,
HAWKERS, SOLICITORS, AND CANVASSERS**

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, CHAPTER 22, "BUSINESSES," ARTICLE III. "PEDDLERS AND SOLICITORS" BY DELETING THE EXISTING ARTICLE IN ITS ENTIRETY AND REPLACING WITH NEW PROVISIONS UNDER THE SAME CHAPTER, REVISING THE TITLE OF ARTICLE III. TO "PEDDLERS, ITINERANT VENDORS, HAWKERS, SOLICITORS, AND CANVASSERS" TO UPDATE SUCH PROVISIONS RELATING TO SUCH PERSONS; ESTABLISHING PROTECTIONS FOR HOMEOWNERS DESIRING TO AVOID PEDDLERS, SOLICITORS AND CANVASSERS, REGULATING HANDBILLS AND ITINERANT VENDORS; PROVIDING A PENALTY IN AN AMOUNT OF \$500, OR THE MAXIMUM AMOUNT PROVIDED BY LAW FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

WHEREAS, many citizens of this community expect their local government to assist them in preserving their privacy, protecting citizen safety, avoiding petty annoyances that disrupt their quiet enjoyment of their homes, and prevent litter and debris; and

WHEREAS, the City Council of the City of Seabrook has attempted to be continually aware of the problems and issues relating to itinerant vendors, peddlers, solicitors and other circumstances which negatively impact the health, safety and well-being of its residents, citizens and inhabitants; and

WHEREAS, other persons often desire to interrupt the quiet enjoyment of one's home to solicit donations for causes believed to be worthy of support, or to canvas for support for particular religious, ideological, or political causes or for reasons of prompting commerce; and

WHEREAS, an important part of the freedom enjoyed by all citizens and residents of the United States is the right to speak freely, to express ideas that may be unpopular, and to engage others in debate without government interference; and

WHEREAS, the Supreme Court of the United States has consistently recognized the right and obligation of local governments to protect their citizens from fraud and harassment, particularly when solicitation of money is involved, and

WHEREAS, it is the responsibility of all units of government to balance these competing interests in a manner consistent with the Constitution of the United States and of Texas, while attempting to minimize fraud, prevent crime, and protect the privacy of our citizens; and

WHEREAS, it is a paramount interest of City Council to prohibit the dangerous activity of persons soliciting, selling or distributing any material to occupants of a motor vehicles by entering dangerous traffic intersections; it being aware that newspaper street-vendors in nearby cities have been seriously injured at intersections; and

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Page 2

50 **WHEREAS**, the City Council is aware that streets are traditional public forums and in
51 order to prohibit such activity in a quintessential public forum, a content-based regulation must
52 be "necessary to serve a compelling state interest" and it is the desire and intent of City Council
53 therefore to narrowly tailor such restrictions for the protection of the public, while leaving open
54 adequate alternative channels for solicitation;

55
56 **WHEREAS**, the City Council has evaluated the costs for conducting background checks
57 and has determined that the charges attributable for such, as provided hereafter, are
58 reasonable for recoupment of such costs by the City;

59
60 **NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**
61 **SEABROOK, TEXAS, AS FOLLOWS:**

62
63 **ARTICLE 1. STATEMENT OF FACT.**

64
65 The facts and matters set forth in the preamble of this Ordinance are hereby found to be
66 true and correct and incorporated by reference.

67
68 **ARTICLE II. AMENDMENT TO THE CODE.**

69
70 The Code of the City of Seabrook is hereby amended at Chapter 22, "Businesses", by
71 repealing the current Article III. "Peddlers and Solicitors" in its entirety and replacing it with the
72 following:

73
74 **"Article III. Peddlers, Itinerant Vendors, Hawkers, Solicitors, and Canvassers.**

75
76 **Section 22-66. Definitions.**

77
78 As used in this ordinance the following words have the meaning indicated:

79
80 A. "Peddler" is a person who attempts to make personal contact with a resident at
81 his/her residence without prior specific invitation or appointment from the resident, for the
82 primary purpose of attempting to sell a good or service. A "peddler" does NOT include a person
83 who distributes handbills or flyers for a commercial purpose, advertising an event, activity, good
84 or service that is offered to the resident for purchase at a location away from the residence or at
85 a time different from the time of visit. Such a person is a "solicitor."

86
87 B. "Solicitor" is a person who attempts to make personal contact with a resident at
88 his/her residence without prior specific invitation or appointment from the resident, for the
89 primary purpose of: (1) attempting to obtain a donation to a particular patriotic, philanthropic,
90 social service, welfare, benevolent, educational, civic, fraternal, charitable, political or religious
91 purpose, even if incidental to such purpose there is the sale of some good or service, or (2)
92 distributing a handbill or flyer advertising a commercial event or service.

93
94 C. "Canvasser" is a person who attempts to make personal contact with a resident
95 at his/her residence without prior specific invitation or appointment from the resident, for the

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primary purpose of: (1) attempting to enlist support for or against a particular religion, philosophy, ideology, political party, issue or candidate, even if incidental to such purpose the canvasser accepts the donation of money for or against such cause, or (2) distributing a handbill or flyer advertising a non-commercial event or service.

D. "Itinerant Vendor" or "Hawker" is a person who sets up and operates a temporary business on privately owned property, whether improved or unimproved, in the city, soliciting, selling, or taking orders for, or offering to sell or take orders for any goods or services. A temporary business is one that continues for 72 consecutive business hours or less whether solicitation is from a stand, vehicle, or freestanding, or as provided herein.

Section 22-67. Exception.

This ordinance shall not apply to a federal, state or local government employee, a public utility employee in the performance of his/her duty for his/her employer, or to individuals/professions licensed by the state and exempted from municipal regulation as made the basis of this article.

Section 22-68. License Required for Peddlers, Hawkers, and Solicitors; Available for Canvassers.

No person shall act as a peddler, hawker, or solicitor within the city without first obtaining a License in accordance with this ordinance. A canvasser is not required to have a License but any canvasser wanting a License for the purpose of reassuring city residents of the canvasser's good faith shall be issued one upon request.

Section 22-69. Fee.

The fee for the issuance of each License shall be:

- A. For a peddler, a fee of \$50.00 per month.
- B. For a solicitor (including a commercial solicitor advertising an event, activity, good or service for purchase at a location away from the residence) \$50.00 per month.
- C. For a canvasser requesting a Peddler License no fee.

Section 22-70. Application for Peddler/Solicitor/Hawker License.

Any person or organization (formal or informal) shall apply for one or more licenses by completing an application form at the office of the issuing officer, during regular office hours.

The license shall be issued promptly after application but in all cases within five (5) business days of completion of an application, unless it is determined within that time that:

- A. the applicant has been convicted of a felony or a misdemeanor involving moral turpitude within the past seven years,

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143 B. with respect to a particular license, the individual for whom a card is requested
144 has been convicted of any felony or a misdemeanor involving moral turpitude within the past
145 seven years, or
146

147 C. any statement upon the application is false, unless the applicant can
148 demonstrate that the falsehood was the result of excusable neglect.
149

150 **Section 22-71. Contents of Application.**
151

152 The applicant (person or organization) shall provide the following information:
153

154 A. Name of applicant.
155

156 B. Number of licenses required.
157

158 C. The name, physical description and photograph of each person for which a card
159 is requested and a driver's license, state identification card, passport, or other government-
160 issued identification card (issued by a government within the United States). If a separate
161 photograph is not supplied, the city will take an instant photograph of each person for which a
162 card is requested at the application site. The actual cost of the instant photograph will be paid
163 by the applicant.
164

165 D. The permanent and (if any) local address, phone number and email address of
166 the applicant.
167

168 E. The permanent and (if any) local address, phone number and email address of
169 each person for whom a license is requested.
170

171 F. A brief description of the proposed activity related to this license. (Copies of
172 literature to be distributed may be substituted for this description at the option of the applicant).
173

174 G. Date and place of birth for each person for whom a card is requested.
175

176 H. A list of all infractions, offenses, misdemeanors and felony convictions of each
177 person for whom a license is requested for the seven years immediately prior to the application.
178

179 I. The motor vehicle make, model, year, color, and state license plate number of
180 any vehicle which will be used by each person for whom a card is requested.
181

182 J. In addition, if a license is requested for a peddler:
183

184 1. The name, permanent address, phone number and email address of the
185 business offering the event, activity, good or service (i.e., the peddler's principal).
186

187 2. A copy of the principal's sales tax license as issued by the state of *Texas*,
188 *provided that no copy of a license shall be required of any business which appears on*

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189 *the city's annual report of Sales Tax payees as provided by the Texas Comptroller's*
190 *office.*

191
192 3. The location where books and records are kept of sales which occur
193 within the city and which are available for city inspection to determine that all city sales
194 taxes have been paid.

195
196 K. In addition, if a license is requested for a solicitor:

197
198 1. The name, permanent address, phone number and email address of the
199 organization, person, or group for whom donations (or proceeds) are accepted.

200
201 2. The web address for this organization, person, or group (or other
202 address) where residents having subsequent questions can go for more information.

203
204 L. Any other information the applicant wishes to provide, perhaps including, (but not
205 required), copies of literature to be distributed, references to other municipalities where similar
206 activities have occurred, etc.

207
208 **Section 22-72. Investigation.**

209
210 During the time following the application for one or more licenses for peddlers, solicitors
211 and hawkers and its issuance, the city shall investigate as to the truth and accuracy of the
212 information contained in the application. If the city has not completed this investigation within
213 the five (5) business days provided in Section 22-70, the identification card will nonetheless be
214 issued, subject, however, to administrative revocation upon completion of the investigation. If a
215 canvasser requests a license, the investigation will proceed as described above, but if the city
216 refuses to issue the license (or revokes it after issuance), the canvassers will be advised that
217 the failure to procure a license does not prevent him/her from canvassing the residents of the
218 city.

219
220 **Section 22-73. Revocation of license.**

221
222 A. Grounds. Any license issued hereunder may be revoked if the license holder is
223 convicted of a violation of any provisions of this article or has knowingly made a false material
224 statement in the application or otherwise becomes disqualified for the issuance of a license
225 under the terms of this article.

226
227 B. Notice. If the city secretary/designee officer denies (or upon completion of an
228 investigation revokes) the license to one or more persons he/she shall immediately convey the
229 decision to the applicant orally and shall within two (2) business days after the denial prepare a
230 written or electronic report of the reason for the denial which shall be immediately made
231 available to the applicant.

232
233 C. Appeal; hearing. The licensee shall have ten (10) calendar days after receipt of
234 notice of revocation or denial in which to file notice of appeal to the city manager from the order

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denying or revoking the license. If the notice is timely received, the city manager/designee shall make an inquiry and determine whether the city secretary/designee properly revoked or denied the permit and shall schedule a hearing with applicant within three (3) business days after the city manger receives applicants appeal. The city manager shall give the applicant notice of the time, date, and place of such hearing. After the hearing, the city manager/designee shall make a decision in writing affirming or reversing the revocation or denial. In the event of an affirmation of the revocation or denial, the permit or identification card shall be immediately returned to the chief of police/designee.

D. In the event of the filing of an appeal from a revocation issued under the provisions of this article, then, until such appeal has been determined such revocation order shall be stayed.

Section 22-74. Display of License.

Each license shall be (when the individual for whom it was issued is acting as a peddler, hawker, or solicitor) worn on the outer clothing of the individual or otherwise displayed, as so to be reasonably visible to any person who might be approached by said person.

Section 22-75. Validity of Peddler/Hawker/Solicitor License.

A license shall be valid within the meaning of this ordinance for a period of one month from its date of issuance.

Section 22-76. Revocation of Card by Municipal Court Judge.

A municipal court judge, in addition to imposing a fine, may institute proceedings to suspend or revoke the license of a person if the person is required by law to obtain a license from the city and the judge finds the person guilty of violating a city ordinance relating to peddlers.

Section 22-77 Distribution of Handbills and Commercial Flyers.

In addition to the other regulations contained herein, a person leaving handbills or commercial flyers about the community shall observe the following regulations:

A. No handbill or flyer shall be left at, or attached to any sign, utility pole, transit shelter or other structure within the public right-of-way. The police are authorized to remove any handbill or flyer found within the right-of-way.

B. No handbill or flyer shall be left at, or attached to any privately owned property in a manner that causes damage to such privately owned property.

C. No handbill or flyer shall be distributed, deposited, placed, thrown, scattered, left at, or attached to any property having a "no solicitor" sign, as provided in Section 22-78.

D. Any person observed distributing handbills or flyers shall be required to identify himself/herself to the police (either by producing an appropriate license or other form of

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identification). This is for the purpose of knowing the likely identity of the perpetrator if the city receives a complaint of damage caused to private property during the distribution of handbills or flyers.

Section 22-78 General Prohibitions.

No peddler, hawker, solicitor or canvasser shall:

A. Enter upon any private property where the property has clearly posted in the front yard a sign visible from the right of way (public or private) indicating a prohibition against peddling, soliciting and/or canvassing. Such sign need not exceed one square foot in size and may contain words such as "no soliciting" or "no solicitors" in letters of at least two inches in height. (The phrase "no soliciting" or "no solicitors" shall also prohibit peddlers, hawkers, and canvassers).

B. Remain upon any private property where a notice in the form of a sign or sticker is placed upon any door or entrance way leading into the residence or dwelling at which guests would normally enter, which sign contains the words "no soliciting" or "no solicitors" and which is clearly visible to the peddler, solicitor or canvasser.

C. Use or attempt to use any entrance other than the front or main entrance to the dwelling, or step from the sidewalk or indicated walkway (where one exists) leading from the right-of-way to the front or main entrance, except by express invitation of the resident or occupant of the property.

1. Remove any yard sign, door or entrance sign that gives notice to such person that the resident or occupant does not invite visitors.

2. Enter upon the property of another except between the hours of 8:00 a.m. and one-half (1/2) hour before sunset. Except that the above prohibitions shall not apply when the peddler, hawker, solicitor, or canvassers has an express invitation from the resident or occupant of a dwelling allowing him/her to enter upon any posted property.

E. For a commercial solicitor, peddler, or hawker to solicit for a purpose other than that set out in the application upon which the license was issued.

Section 22-79 Refusal to leave.

Any peddler who enters upon premises owned, leased or rented to another and refuses to leave such premises after having been notified by the owner or occupant of such premises or his agent to leave the same and not return to such premises, or any peddler who enters upon property posted with a "No soliciting" or other similar type posted sign shall be deemed guilty of criminal trespass and or attempted criminal trespass and may be punished as provided in V.T.C.A. Penal Code §§15.01, 30.05.

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Section 22-80. Solicitation in public right-of-way.

A. A person may solicit for a charitable or political purpose in or upon the public right-of-way, except those areas prohibited in this article. (See specifically Section 22-80 which shall control in the event of any conflict.)

B. A person may conduct commercial solicitation for legal purposes in or upon the public right-of-way, except those areas prohibited in this article, if the solicitor has obtained a license or is a member of an organization that has obtained a license.

C. Solicitation for any purpose in the public right-of-way shall be conducted only between the hours of 8:00 a.m. and one-half (1/2) hour before sunset.

D. It shall be unlawful for a person younger than eighteen (18) years of age to solicit in the public right-of-way.

E. It shall be unlawful for a person at any time to enter or remain in the traveled portion of the roadway unless otherwise permitted by law. The restriction on solicitation, selling or distributing any material in the traveled portion of the roadway does not apply to public residential streets.

F. It shall be unlawful for a person at any time to enter or remain in the traveled portion of the roadway of residential streets so that their presence impedes the flow of traffic.

G. It shall be unlawful for a person to solicit in the public right-of-way that is within one thousand (1,000) feet of any public or private elementary or secondary school between the hours of 7:30 a.m. and 4:30 p.m. on days when such school is in session. The measurement of the distance shall be made from the nearest property line of the public or private elementary or secondary school.

Section 22-81 Solicitation in selected public rights-of-way prohibited.

No person who is within a public roadway may solicit, sell or distribute any material to the occupant of any motor vehicle stopped on a public roadway in obedience to a traffic control signal light. It is specifically provided, however, that a person, other than a person eighteen years of age or younger, may solicit or sell or distribute material to the occupant of a motor vehicle on a permitted public roadway so long as he or she remains on the surrounding sidewalks and unpaved shoulders, and not in or on the roadway itself, including the medians and islands.

Section 22-82 Itinerant vendors on private property.

A. Permit required. No itinerant vendor/hawker may intermittently occupy any privately owned property for the purpose of operating a temporary business within the city without having previously obtained a temporary sales permit from the city secretary after review by the building inspection department. The applicant must have such permit within his or her personal possession during the time that the temporary business is in operation and must

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display the permit in such a manner that it is clearly visible from the abutting street.

B. Permit fee. Prior to the issuance of a permit, the applicant must pay the City of Seabrook a permit fee in the amount of fifty dollars (\$50.00). The city will not require payment of this permit fee by locally based charitable organizations or organizations engaged in activities such as bake sales or car washes.

C. Permit duration. A permit requested under this article will be issued for a period of no more than 72 consecutive business hours and shall not be issued more frequently than every 90 days to the same applicant or business property. This provision shall not apply to an existing business governed by Section 3.06.08 "Outside storage and display" of this Code. This provision shall also not apply to special events or related use approved by City Council.

D. Requirements for permit issuance. The building inspection department shall only issue a permit if the applicant has complied with the following requirements:

1. The itinerant vendor must conduct his business on the property in a manner that does not violate any code of the city, including all zoning, building, and health codes. The city will exempt an itinerant vendor from zoning provisions where the proposed location of the temporary business is an improved property that contains an active nonprofit institutional use, such as a church or school; and

2. The itinerant vendor must possess a valid state sales tax certificate or proof of a tax exemption; and

3. The itinerant vendor must provide the city with a copy of either a lease or written permission from the owner of the private property showing that the itinerant vendor may use the property; and

4. The itinerant vendor must submit a dimensioned or scaled site plan indicating the location of the display area, curb cuts, and parking area. The city requires all parking on an all-weather surfaced area; and

5. The itinerant vendor must provide one unisex portable sanitary facility. In lieu of the portable sanitary facility, the vendor may provide a permission letter from the owner or manager of a property located within a two-hundred-foot radius of the temporary business granting permission to use their sanitary facilities; however, the property where the itinerant vendor has permission to use the sanitary facilities cannot be located across a thoroughfare of four lanes or larger; and

6. If the sale involves food products, the itinerant vendor must obtain all the necessary health permits.

7. Due to traffic safety concerns, no permit shall issue hereunder for locations along State Highway 146 or NASA Parkway.

E. An itinerant vendor may not use a tent or temporary building, except a portable sanitary facility, in conjunction with a temporary sale."

Article III. Violation.

Any person violating any part of this ordinance or failing to observe any provision of this article shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars or the maximum amount provided by law. Every day the violation continues shall be deemed as a separate offense.

Article IV. Severability.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this ordinance are severable, and if any section, paragraph, sentence, clause, phrase or word(s) of this ordinance shall be declared unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, phrases and words of this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid portion of the ordinance.

Article V. Notice of Publication.

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 19th day of November, 2013;

PASSED AND APPROVED on second and final reading this 7th day of January, 2014.

Glenn R. Royal
Mayor

ATTEST:

Michele L. Glaser, TRMC
City Secretary

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470
471
472 APPROVED AS TO FORM:

473
474
475 _____
476 Steven L. Weathered
477 City Attorney
478



CITY OF SEABROOK

AGENDA BRIEFING

Date of Meeting: December 17, 2013

Submitter/Requestor: Community Development

Date Submitted: December 9, 2013

Presenter: Sean Landis

Description/Subject:

Request for final approval of a Planned Unit Development (PUD) to create "The Commons at Seabrook." A 14.734 acre, 416 unit, luxury apartment complex, 6.58 acres of retail development and 1.295 acres for the construction of a public street by approval of proposed Ordinance No. 2013-23

Applicant:

WMF Investments/Western Rim Development

Legal Description:

TR 21E 1803.08 ft of Lots 19, 20 & adj.93.13 ft of Lot 21, Ruggles West, of Harris County, Texas.

The property lies east of SH 146, due north of Seabrook Circle and south of Bayview Drive.

Request: The applicant is requesting final approval of the aforementioned property to be granted a Planned Unit Development (PUD) Overlay.

Purpose/Need: Policy Issue ☒ Administrative Issue ☐

The purpose of final approval of the Planned Unit Development (PUD) is to provide a flexible approach for development, allows a more flexible response to the market, encourage innovative mixed uses and site plan design.

Background/Issue (What prompted this need?):

The request for approval of a preliminary Planned Unit Development (PUD) "The Commons at Seabrook" was brought before the Planning and Zoning Commission and City Council at a joint public hearing on November 19, 2013.

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Planning and Zoning Commission recommended approval of the Preliminary Planned Unit Development with the following recommended conditions:

1. C-2 uses in the commercial development.
2. Open Space calculations, including assumptions.
3. Detention Pond design details – dimension, landscape, and aeration.
4. Active marketing and signage for commercial property.
5. Defined scope and text – finish.
6. Construction detail for dumpster enclosures.
7. Tab 10: Phasing and Development Schedule – Remove 10% modification clause.
Detailed schedule per ordinance.

City Council approved the Preliminary Planned Unit Development with the recommended conditions.

Impacted Parties (Expected/Notified):

Recommended Action:

Attachments:

Ordinance No. 2013-23

Inserts to Exhibit A. Final Planned Unit Development Plan, Titled “The Commons at Seabrook”.

Ordinance No.

Planning & Zoning November 19, 2013 Draft Minutes.

Planning & Zoning November 19, 2013 Official Report to City Council.

Fiscal Impact:	Budgeted	☐ Yes	☐ No	Finance Officer Review:
	Budget Amendment Required	☐ Yes	☐ No	
	Future/Ongoing Impact	☐ Yes	☐ No	

Budget Dept/Line Item Number N/A

Funding Comments:

N/A

Where on the agenda should this item be placed?

(i.e. Public Hearing, New Business, Old Business, Consent Agenda, Executive Session, etc.)

Joint Public Hearing & New Business

Suggested Motion: To approve first reading of proposed Ord. No. 2313-23.

City Manager Review:

- ☐ Approved as submitted
- ☐ Submitted for Council consideration without comment

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

Agenda Briefing Form
Page 3

☐ Submitted for Council consideration with comments stated below:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances.)

Sent to City Attorney for review _____ Yes _____
(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Received and accepted by the City Secretary/Assistant _____ Yes _____

Returned by the City Secretary/Assistant (If incomplete) _____

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

ORDINANCE NO. 2013-23
THE COMMONS AT SEABROOK
“PUD” (PLANNED UNIT DEVELOPMENT)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, APPENDIX A, “COMPREHENSIVE ZONING”, ARTICLE 2, “ADMINISTRATION”, SECTION 2.05, “OFFICIAL ZONING MAP”, BY REZONING APPROXIMATELY 22.61 ACRES FROM A TRACT OF LAND OUT OF THE RUGGLES SUBDIVISION, “THE COMMONS AT SEABROOK,” A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 5, PAGE 30 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND BEING SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT NUMBER 52, HARRIS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT “A,” FROM “C-3” HEAVY COMMERCIAL DISTRICT TO PLANNED UNIT DEVELOPMENT “PUD,” (CONSISTING OF 14.734 ACRES FOR A 416 UNIT APARTMENT COMPLEX, 6.58 ACRES FOR RETAIL DEVELOPMENT, AND 1.295 ACRES FOR A STREET); PROVIDING FOR AN AMENDMENT OF THE CITY’S OFFICIAL ZONING MAP; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the owner, WMF Investments, Inc., (“Owner”) and applicant Western Rim Property Services, Inc, (“collectively “Applicants”) acting by and through duly authorized representatives have requested rezoning of property consisting of approximately 22.61 acres generally located north of Seabrook Circle and south of Bayview Drive within the City of Seabrook, the same to be divided for residential apartments, retail and construction of a public street and to be referred to as “The Commons at Seabrook,” consisting of 3 tracts of land, with Tract 1, consisting of 14.734 acres, (designated for a 416 unit apartment complex), Tract 2, consisting of 6.580 acres, (designated for retail development), and Tract 3, consisting of 1.295 (designated for a public street), all being out of the 22.61 acres (984,835 square feet) tract or parcel of land out of the Ruggles Subdivision, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 5, Page 30 of the Map Records of Harris county, Texas, and being situated in the Ritson Morris Survey, Abstract Number 52, Harris County, Texas said 22.61 acres tract also being the same tract called 22.6755 acres described in General Warranty Deed from Formosa Realty, LLC to WMF Investments, Inc. recorded under

Ordinance No. 2013-23
Page 2

46 Clerk's File Number 20070747438 of the Official Public Records of Real Property of
47 Harris County, Texas; ("Property"), said 22.61 acres tract being more particularly
48 described by metes and bounds in the attached "Exhibit A", which is incorporated by
49 reference for all purposes; and

50
51 **WHEREAS**, Applicants have filed an application to rezone the Property from
52 "C-3" (Heavy Commercial District) to "PUD" (Planned Unit Development) (mixed
53 use) for the Property now identified as Tract 1 consisting of 14.734 acres designated
54 for a 416 unit apartment complex, Tract 2 consisting of 6.580 acres designated for
55 retail development, and Tract 3, consisting of 1.295, designated for a public street),
56 as further depicted in "Exhibit A", which is incorporated by reference for all purposes;
57 and

58
59 **WHEREAS**, the Seabrook Planning and Zoning Commission and the City
60 Council conducted a joint public hearing to consider approval of the preliminary plan
61 for PUD designation submitted by Applicants, with the Planning and Zoning
62 Commission filing a report recommending approval with conditions, which was
63 thereafter approved by City Council on November 19, 2013 in accordance with the
64 Seabrook Code of Ordinances ("Code"), Appendix A, Section 4.10.06; and

65
66 **WHEREAS**, the Seabrook Planning and Zoning Commission and the City
67 Council again conducted a joint public hearing to consider approval of the final PUD
68 plan submitted by Applicants, with the Planning and Zoning Commission filing a
69 report recommending approval, which was thereafter approved by City Council on
70 December 17, 2013 in accordance with the Code, Appendix A, Section 4.10.06; and

71
72 **WHEREAS**, the subject hearings were duly called as provided by the laws of
73 the State of Texas and Appendix A of the Code of Ordinances of the City, and that in
74 such hearing all persons attending were allowed to be heard on the question of
75 whether or not to rezone the Property from C-3 to PUD (mixed use), as requested
76 and as further depicted in the site PUD plan, ("Plan"), (which is on file with the City
77 Secretary and incorporated by reference), to determine whether such rezoning
78 would affect the health, safety, convenience, or general welfare of the citizens of
79 Seabrook, and whether or not such change in zoning would violate the rights of any
80 interested person; and

81
82 **WHEREAS**, all public notices have been published, mailed and provided in
83 accordance with statute and Appendix A of the City Code of Ordinances (Zoning
84 Code); and

85
86 **WHEREAS**, as a result of the said public hearings and the recommendation
87 of the Planning and Zoning Commission as contained in its final report, the City
88 Council hereby finds and determines that the proposed amendment to rezone the
89 Property to PUD mixed development in accordance with the submitted Plan would
90 not be detrimental to the community, and is in conformance with the zoning
91 ordinance and comprehensive plan for development of the City;

92
93 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY**
94 **OF SEABROOK, STATE OF TEXAS:**

95
96 **SECTION 1. FINDINGS.**
97

98 The facts and matters set forth in the preamble of this Ordinance are hereby
99 found to be true and correct, it being understood that City Council is relying upon the
100 express representations of Applicant and Owner appearing in the documents
101 submitted, including the application, oral representations made to the Planning and
102 Zoning Commission and City Council to induce approval of the rezoning made the
103 subject of this Ordinance, the final report from the Planning & Zoning Commission,
104 the minutes of City Council, the property identification, (Exhibit "A") and plans,
105 (Exhibit "B").
106

107 **SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE AND TO**
108 **THE OFFICIAL ZONING MAP.**
109

110 The Seabrook City Code of Ordinances, Appendix A, "Comprehensive
111 Zoning", Article 2, "Administration", Section 2.05, "Official Zoning Map" is hereby
112 amended by rezoning the Property from C-3 to PUD (mixed use) *strictly conditioned*
113 *upon full and complete compliance with the approved PUD Plan, the regulations,*
114 *restrictions, and conditions* hereinafter set forth in "Exhibit B", (on file with the City
115 Secretary and incorporated by reference), for the subject 22.61 acres generally
116 located north of Seabrook Circle and south of Bayview Drive within the City of
117 Seabrook, the same to be divided for residential apartments, retail and construction
118 of a public street and to be referred to as "The Commons of Seabrook," consisting of
119 3 tracts of land, with Tract 1, consisting of 14.734 acres, (designated for a 416 unit
120 apartment complex), Tract 2, consisting of 6.580 acres, (designated for retail
121 development), and Tract 3, consisting of 1.295 (designated for a public street), all
122 being out of the 22.61 acres (984,835 square feet) tract or parcel of land out of the
123 Ruggles Subdivision, a subdivision in Harris County, Texas, according to the map or
124 plat thereof recorded in Volume 5, Page 30 of the Map Records of Harris county,
125 Texas, and being situated in the Ritson Morris Survey, Abstract Number 52, Harris
126 County, Texas said 22.61 acres tract also being the same tract called 22.6755 acres
127 described in General Warranty Deed from Formosa Realty, LLC to WMF
128 Investments, Inc. recorded under Clerk's File Number 20070747438 of the Official
129 Public Records of Real Property of Harris County, Texas; being more particularly
130 described by metes and bounds in the attached "Exhibit A", which is incorporated by
131 reference for all purposes. The subject rezoning conditions, as referenced, shall
132 require that all commercial business uses on Tract 2 shall be within the C-2 Medium
133 commercial district permitted uses and for Tract 1, in order to comply with the
134 "luxury" model scheme as submitted, Applicant and Owner will ensure that all interior
135 finishes shall be of higher grade or equivalent grade as those defined in Exhibit "B".
136

137
138 **SECTION 3. AMENDMENT OF ZONING MAP**
139

140 The Official Zoning Map of the City of Seabrook shall be revised and
141 amended to show the designation of the Property, as described and as provided in
142 Section 2 above, with the appropriate reference thereon to the number and effective
143 date of this Ordinance, and a brief description of the nature of the change.
144

145 **SECTION 4. INCORPORATION INTO THE CODE; PENALTY CLAUSE.**
146

147 This ordinance is hereby incorporated and made a part of the Seabrook City
148 Code. Violation of this Ordinance is subject to the penalty section of said Code
149 including, Section 11.06, "Criminal Enforcement" which provides that any person
150 who shall violate any provision of this Ordinance shall be deemed guilty of a
151 misdemeanor and, upon conviction, shall be fined in an amount not to exceed
152 \$2,000.00. Each day of violation shall constitute a separate offense. Additionally,
153 should the subject PUD project fail to meet the schedule as approved herein, or
154 otherwise fail to comply with this Ordinance, the PUD Plan, the PUD classification
155 and all related permits shall be immediately terminated, and the Property shall return
156 to the zoning that existed immediately prior to the PUD as conditionally approved by
157 this Ordinance.
158

159 **SECTION 5. REPEAL OF CONFLICTING ORDINANCES.**
160

161 All ordinances or parts of ordinances in conflict or inconsistent with this
162 Ordinance are hereby expressly repealed. This Ordinance shall in no manner
163 amend, change, supplement, or revise any provision of any ordinance of the City of
164 Seabrook, save and except the change in zoning classification and specific
165 uses/structures approved in the Plan, as provided herein.
166

167 **SECTION 6. SEVERABILITY.**
168

169 In the event any clause phrase, provision, sentence, or part of this Ordinance
170 or the application of the same to any person or circumstances shall for any reason
171 be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it
172 shall not affect, impair, or invalidate this Ordinance as a whole or any part of
173 provision hereof other than the part declared to be invalid or unconstitutional; and
174 the City Council of the City of Seabrook, Texas, declares that it would have passed
175 each every part of the same notwithstanding the omission of any such part thus
176 declared to be invalid or unconstitutional, whether there be one or more parts.
177

178 **SECTION 7. NOTICE**
179

180 The City Secretary shall give notice of the enactment of this Ordinance by
181 promptly publishing it or its descriptive caption and penalty after final passage in the
182 official newspaper of the City; the Ordinance to take effect upon publication.

Ordinance No. 2013-23
Page 5

PASSED AND APPROVED on first reading this 17th day of December, 2013.

PASSED, APPROVED, AND ADOPTED on second and final reading this 7nd day of January, 2014.

By: _____
Glenn Royal
Mayor

ATTEST:

By: _____
Michele L. Glaser, TRMC
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered
City Attorney

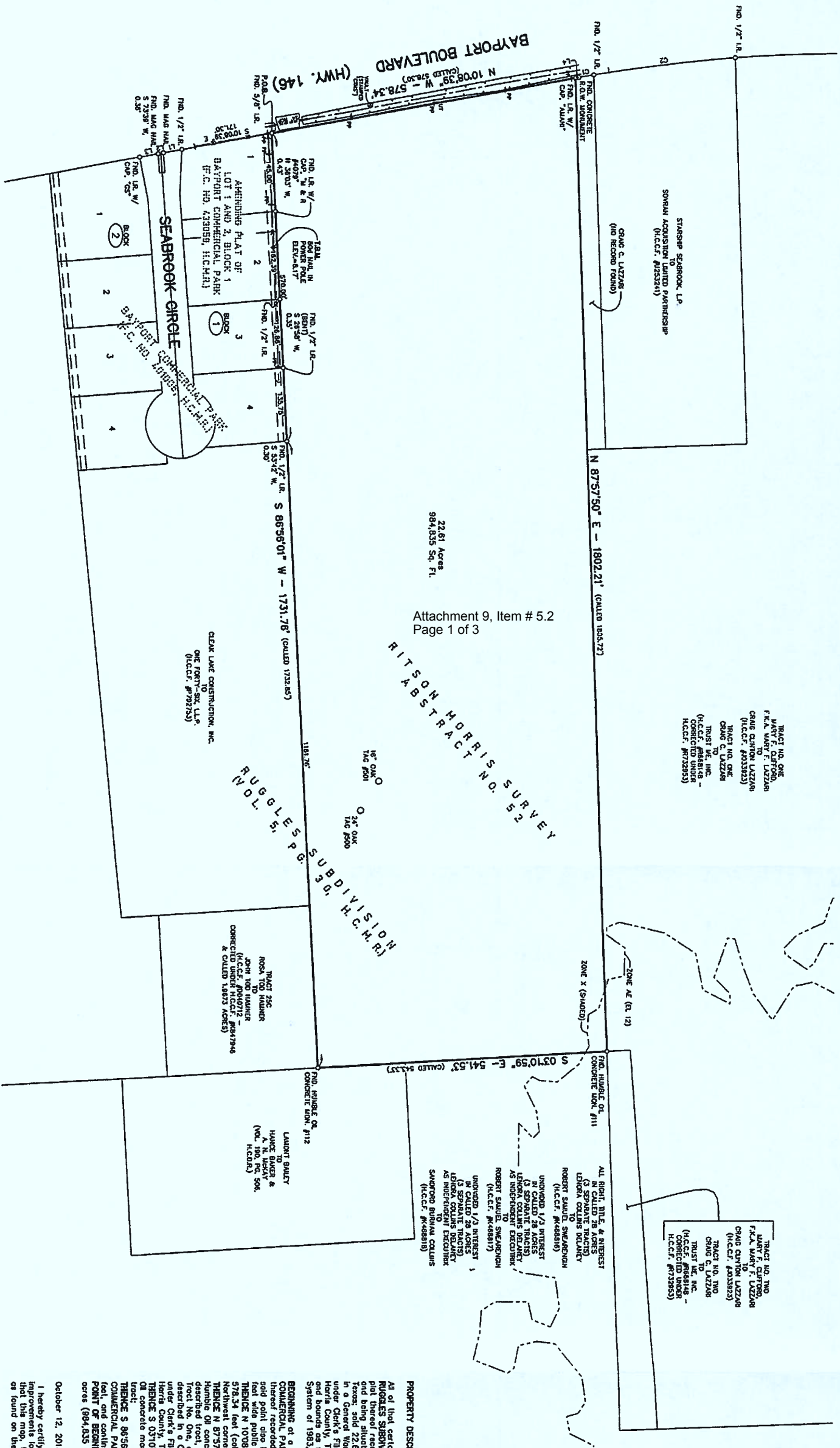
Exhibit “A” to Ordinance No. 2013-23

The Property – Metes & Bounds
22.61 acres tract of land - divided

1. Complete 22.61 acre tract.
2. Tract 1 consisting of 14.734 acres designated for a 416 unit luxury apartment complex
3. Tract 2 consisting of 6.580 acres designated for retail development
4. Tract 3, consisting of 1.295 acres designated for a public street

“Exhibit B” to Ordinance No. 2013-23

1. Application for PUD
2. Planned Unit Development Plan (on file with City Secretary)
3. Surveys and Site Plan



CURVE TABLE				
CURVE	RADIUS	DELTA	ARC	BEARING
C1	280.12	60.3244°	28.34°	N 09°51'17" W
C2	280.12	60.3244°	28.34°	N 09°50'39" W

LINE TABLE				
LINE	DISTANCE	BEARING	CHORD	
L1	34.97	S 100°03'37" E	28.34	
L2	10.05	S 100°03'37" E	28.34	
L3	34.97	S 100°03'37" E	28.34	
L4	34.97	N 00°03'37" W	28.34	

PROPERTY DESCRIPTION

All of that certain 22.61 acres (984,835 square feet) tract or parcel of land out of the RUGLES SUBDIVISION, a Subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 5, Page 30 of the Map Records of Harris County, Texas, and being situated in the RITSON MORRIS SURVEY, Abstract Number 52, Harris County, Texas, said 22.61 acres tract also being the same tract, called 22.61755 acres, described in a General Warranty Deed from Farnsworth Realty, LLC to WWF Investments, Inc. recorded under Clerk's File Number 2007014138 of the Official Public Records of Real Property of Harris County, Texas, said 22.61 acres tract being more particularly described by metes and bounds with bearings and distances as shown hereon, together with the South Central Zone of 1983, South Central Zone.

BEGINNING at a 5/8 inch from rod found for the Northwest corner of BAYPORT COMMERCIAL PARK, a Subdivision in Harris County, Texas, according to the map or plat thereof recorded under Film Code 401008 of the Map Records of Harris County, Texas, said point also being of the East line of Bayport Boulevard (a.k.a. Highway 146), on 120 feet wide public roadway right-of-way;

THENCE N 10°08'39" W, along the East line of said Bayport Boulevard, a distance of 578.30 feet (called 578.30 feet) to an iron rod with cap stamped "Amount" found for the Northeast corner of the herein described tract;

THENCE N 87°57'07" E, along the North line of said Bayport Boulevard, a distance of 14.11 feet (called 14.11 feet) to the North line of the herein described tract;

THENCE N 87°57'07" E, along the North line of said Bayport Boulevard, a distance of 14.11 feet (called 14.11 feet) to the North line of the herein described tract;

THENCE S 03°10'59" E, a distance of 541.53 feet (called 541.53 feet) to a found Humble concrete monument marked H-112 for the Southeast corner of the herein described tract No. One, and the Southwest of that certain tract, called Tract No. 2, both described in a Corrected Warranty Deed from Craig C. Lazzar to Trust No. 2, Inc. recorded under Clerk's File Number R732953 of the Official Public Records of Real Property of Harris County, Texas;

THENCE S 03°10'59" E, a distance of 541.53 feet (called 541.53 feet) to a found Humble concrete monument marked H-112 for the Southeast corner of the herein described tract No. One, and the Southwest of that certain tract, called Tract No. 2, both described in a Corrected Warranty Deed from Craig C. Lazzar to Trust No. 2, Inc. recorded under Clerk's File Number R732953 of the Official Public Records of Real Property of Harris County, Texas;

THENCE S 86°56'01" W, a distance of 1731.76 feet (called 1731.76 feet) to a found Humble concrete monument marked H-112 for the Southeast corner of the herein described tract No. One, and the Southwest of that certain tract, called Tract No. 2, both described in a Corrected Warranty Deed from Craig C. Lazzar to Trust No. 2, Inc. recorded under Clerk's File Number R732953 of the Official Public Records of Real Property of Harris County, Texas;

THENCE S 86°56'01" W, a distance of 1731.76 feet (called 1731.76 feet) to the POINT OF BEGINNING and containing four (4) acres (984,835 square feet) of land.

October 12, 2013

I hereby certify that on the above date, the herein described lot, together with improvements located thereon, was surveyed on the ground and under my direction, and that the bearings and distances as shown hereon, accurately represents the facts as found on the ground this date.

GeoSury, LLC

Dale L. Hardy
Registered Professional
Land Surveyor 4847



Notes:

1.) This survey has been prepared based on Title Commitment provided by South Land Title, LLC, G.F. #01350536, issued September 13, 2013.

2.) This property lies partially in Zone X (shaded) defined by FEMA as areas of 0.2% annual chance flood; areas of 1% annual chance flood with areas greater than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood, and partially in Zone AE, EL 12, defined by FEMA as Special Flood Hazard Areas (SFHAs) subject to inundation by 1% annual chance flood event with base flood elevations determined, as noted from Flood Insurance Rate Map Community-Panel Number 48201C1085, map revised June 18, 2007.

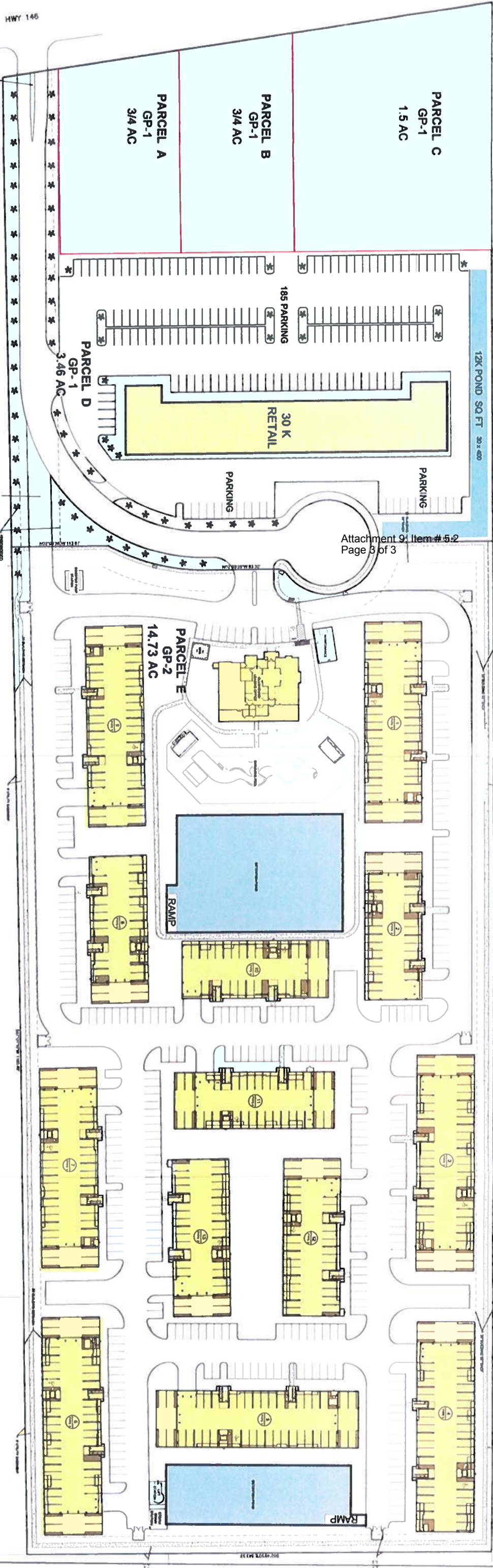
3.) Bearings shown hereon are referenced to the Texas State Plane Coordinate System of 1983, South Central Zone.

4.) Elevations shown hereon are based on Tropical Storm Allison Recovery Project (TSARP) Reference Mark 010240, Elevation 8.17', NAVD83, 2001 adjustment (CORS).

EXHIBIT A

THE COMMONS AT SEABROOK

A PROJECT OF WMF INVESTMENTS AND WESTERN RIM DEVELOPMENT



Attachment 9, Item # 5.2
Page 8 of 3

PARCEL G
0.0055 AC

PARCEL F
0.115 AC

SEABROOK RETAIL CENTER

WMF INVESTMENTS

BASIC SITE DATA	
7.60 ACRES	30,000 SQ FT RETAIL SPACE
4.60 AC TRACK	PARKING 130 CARS
1.15 AC TRACK	
2.34 AC TRACKS	

The Towers at Seabrook

WESTERN RIM DEVELOPMENT

BASIC SITE DATA	
15 ACRES	416 UNITS
REGULAR PARKING	= 290
GARAGE PARKING	= 457
TOTAL PARKING	= 747

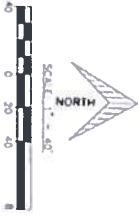


EXHIBIT B

DATE: 08/27/13
BY: [Signature]

ORDINANCE NO. 2013-23

THE COMMONS AT SEABROOK "PUD" (PLANNED UNIT DEVELOPMENT).

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING APPROXIMATELY 22.61 ACRES FROM A TRACT OF LAND OUT OF THE RUGGLES SUBDIVISION, "THE COMMONS AT SEABROOK," A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 5, PAGE 30 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND BEING SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT NUMBER 52, HARRIS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A," FROM "C-3" HEAVY COMMERCIAL DISTRICT TO PLANNED UNIT DEVELOPMENT "PUD," (CONSISTING OF 14.734 ACRES FOR A 416 UNIT APARTMENT COMPLEX, 6.58 ACRES FOR RETAIL DEVELOPMENT, AND 1.295 ACRES FOR A STREET); PROVIDING FOR AN AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the owner, WMF Investments, Inc., ("Owner") and applicant Western Rim Property Services, Inc, ("collectively "Applicants") acting by and through duly authorized representatives have requested rezoning of property consisting of approximately 22.61 acres generally located north of Seabrook Circle and south of Bayview Drive within the City of Seabrook, the same to be divided for residential apartments, retail and construction of a public street and to be referred to as "The Commons at Seabrook," consisting of 3 tracts of land, with Tract 1, consisting of 14.734 acres, (designated for a 416 unit apartment complex), Tract 2, consisting of 6.580 acres, (designated for retail development), and Tract 3, consisting of 1.295 (designated for a public street), all being out of the 22.61 acres (984,835 square feet) tract or parcel of land out of the Ruggles Subdivision, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 5, Page 30 of the Map Records of Harris county, Texas, and being situated in the Ritson Morris Survey, Abstract Number 52, Harris County, Texas said 22.61 acres tract also being the same tract called 22.6755 acres described in General Warranty Deed from Formosa Realty, LLC to WMF Investments, Inc. recorded under

Ordinance No. 2013-23
Page 2

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47 Harris County, Texas; ("Property"), said 22.61 acres tract being more particularly
48 described by metes and bounds in the attached "Exhibit A", which is incorporated by
49 reference for all purposes; and

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51 **WHEREAS**, Applicants have filed an application to rezone the Property from
52 "C-3" (Heavy Commercial District) to "PUD" (Planned Unit Development) (mixed
53 use) for the Property now identified as Tract 1 consisting of 14.734 acres designated
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56 as further depicted in "Exhibit A", which is incorporated by reference for all purposes;
57 and

58
59 **WHEREAS**, the Seabrook Planning and Zoning Commission and the City
60 Council conducted a joint public hearing to consider approval of the preliminary plan
61 for PUD designation submitted by Applicants, with the Planning and Zoning
62 Commission filing a report recommending approval with conditions, which was
63 thereafter approved by City Council on November 19, 2013 in accordance with the
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72 **WHEREAS**, the subject hearings were duly called as provided by the laws of
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77 Secretary and incorporated by reference), to determine whether such rezoning
78 would affect the health, safety, convenience, or general welfare of the citizens of
79 Seabrook, and whether or not such change in zoning would violate the rights of any
80 interested person; and

81
82 **WHEREAS**, all public notices have been published, mailed and provided in
83 accordance with statute and Appendix A of the City Code of Ordinances (Zoning
84 Code); and

85
86 **WHEREAS**, as a result of the said public hearings and the recommendation
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88 Council hereby finds and determines that the proposed amendment to rezone the
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90 not be detrimental to the community, and is in conformance with the zoning
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93 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY**
94 **OF SEABROOK, STATE OF TEXAS:**

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96 **SECTION 1. FINDINGS.**
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100 express representations of Applicant and Owner appearing in the documents
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102 Zoning Commission and City Council to induce approval of the rezoning made the
103 subject of this Ordinance, the final report from the Planning & Zoning Commission,
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133 commercial district permitted uses and for Tract 1, in order to comply with the
134 "luxury" model scheme as submitted, Applicant and Owner will ensure that all interior
135 finishes shall be of higher grade or equivalent grade as those defined in Exhibit "B".
136

137
138 **SECTION 3. AMENDMENT OF ZONING MAP**
139

140 The Official Zoning Map of the City of Seabrook shall be revised and
141 amended to show the designation of the Property, as described and as provided in
142 Section 2 above, with the appropriate reference thereon to the number and effective
143 date of this Ordinance, and a brief description of the nature of the change.
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149 including, Section 11.06, "Criminal Enforcement" which provides that any person
150 who shall violate any provision of this Ordinance shall be deemed guilty of a
151 misdemeanor and, upon conviction, shall be fined in an amount not to exceed
152 \$2,000.00. Each day of violation shall constitute a separate offense. Additionally,
153 should the subject PUD project fail to meet the schedule as approved herein, or
154 otherwise fail to comply with this Ordinance, the PUD Plan, the PUD classification
155 and all related permits shall be immediately terminated, and the Property shall return
156 to the zoning that existed immediately prior to the PUD as conditionally approved by
157 this Ordinance.
158

159 **SECTION 5. REPEAL OF CONFLICTING ORDINANCES.**
160

161 All ordinances or parts of ordinances in conflict or inconsistent with this
162 Ordinance are hereby expressly repealed. This Ordinance shall in no manner
163 amend, change, supplement, or revise any provision of any ordinance of the City of
164 Seabrook, save and except the change in zoning classification and specific
165 uses/structures approved in the Plan, as provided herein.
166

167 **SECTION 6. SEVERABILITY.**
168

169 In the event any clause phrase, provision, sentence, or part of this Ordinance
170 or the application of the same to any person or circumstances shall for any reason
171 be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it
172 shall not affect, impair, or invalidate this Ordinance as a whole or any part of
173 provision hereof other than the part declared to be invalid or unconstitutional; and
174 the City Council of the City of Seabrook, Texas, declares that it would have passed
175 each every part of the same notwithstanding the omission of any such part thus
176 declared to be invalid or unconstitutional, whether there be one or more parts.
177

178 **SECTION 7. NOTICE**
179

180 The City Secretary shall give notice of the enactment of this Ordinance by
181 promptly publishing it or its descriptive caption and penalty after final passage in the
182 official newspaper of the City; the Ordinance to take effect upon publication.

Ordinance No. 2013-23
Page 5

PASSED AND APPROVED on first reading this 17th day of December, 2013.

PASSED, APPROVED, AND ADOPTED on second and final reading this 7nd day of January, 2014.

By: _____
Glenn Royal
Mayor

ATTEST:

By: _____
Michele L. Glaser, TRMC
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered
City Attorney

Exhibit “A” to Ordinance No. 2013-23

The Property – Metes & Bounds
22.61 acres tract of land - divided

1. Complete 22.61 acre tract.
2. Tract 1 consisting of 14.734 acres designated for a 416 unit luxury apartment complex
3. Tract 2 consisting of 6.580 acres designated for retail development
4. Tract 3, consisting of 1.295 acres designated for a public street

“Exhibit B” to Ordinance No. 2013-23

1. Application for PUD
2. Planned Unit Development Plan (on file with City Secretary)
3. Surveys and Site Plan

The Seabrook Planning and Zoning Commission met on Thursday, November 19, 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	VICE CHAIRMAN
ROSEBUD CARADEC	MEMBER
MIKE DEHART	MEMBER
DODIE MILLER	MEMBER
MICHAEL SHARPE	MEMBER
BOLIVAR LEWIS (Excused Absence)	MEMBER
XOCHYTL DIANE GREER	CITY ATTORNEY
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

Chairman Potts stated that they would take 3.0 (Approval of Minutes) out of order.

3.0 APPROVAL OF MINUTES

3.1 Discussion, consideration and possible action concerning the minutes from the November 5, 2013 joint meeting with City Council.

Motion was made by Buddy Hammann and seconded by Rosebud Caradec

To approve the November 5, 2013 minutes as written.

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

Abstained: DeHart

MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.

2.0 NEW BUSINESS

2.1 Discussion, consideration, and possible action regarding the request for approval of a Planned Unit Development (PUD) to create “The Commons at Seabrook”, a 14.734 Acre, 416 Unit, Luxury Apartment Complex, 6.58 Acres of Retail Development, and 1.295 Acres for a Street.

Sean Landis stated that he wanted to discuss the issues that were brought up during the Joint Public Hearing with City Council. He stated that tonight they were considering approval of the preliminary PUD. Mr. Landis stated that if they recommend approval, they are approving the concept. If Planning and Zoning/City Council wanted more information or have conditions that they want added to the PUD document, these would be added before consideration of the final PUD document.

Mr. Landis stated that the applicant is requesting a two phase development. He is requesting commercial development in the front and multi-family residential in the rear. Mr. Landis stated that the applicant is not changing the underlying zone for the commercial phase; it will stay C-3. He stated that during the public

hearing, the Mayor had issues with the intensive uses (allowed by right) in the C-3 zone that could possibly be in front of the apartments. Mr. Landis stated that could be easily fixed by changing all references in the PUD document from C-3 zoning to the C-2 zoning district.

Mike DeHart stated that there were uses in the C-2 zoning district that should not be allowed there.

Mr. Landis stated that he created a spreadsheet that showed what the R-3 zoning district building requirements are and what is proposed in the PUD document.

R-3 ZONING DISTRICT REQUIREMENTS

PROPOSED PER PUD

DENSITY	Limit 20 units per Acre 14.734 Acres x 20 = 295 units max	416 units proposed. $416 \div 14.734 = 29$ units per Acre. Max proposed total # of Buildings – 13
SETBACKS	Front – 25' min Rear – Property abuts R-1 Zoning Required 30' min setback Parking and Storage prohibited. Sideyard – 20' min between buildings on same parcel. 20' min from any street R.O.W. 20' min from side property line.	Front – 25' Rear – 20' proposed Sideyard – 20'
LOT SIZE	12,000 Sq. ft. (min) Lot Width – min 80' Shall abut city street min distance of 35'	641,808 Sq. ft. (14.734 Acres) Lot Width – 336.28' Lot Depth – 1173.60' Front Street Approx 200'
OPEN SPACE	600 Sq. ft. min of open space per unit (5.73 Acres) Open space required = (249,600 Sq. ft.) Required $416 \times 600 =$ Acres No more than 50% of total site area shall be covered by building mass. (320,906 Sq. ft.) Required open space (7.367 Acres) PUD Ordinance Requires min 20% Open Space	(Lot Coverage) 353,764 Sq. ft. Open Space provided 288,049 Sq. ft. Need to provide open space calculation. (Entire Development)
HEIGHT	Max 40'	Proposed 59.5'
PARKING	Shall average min 1.66 spaces per unit. Spaces required = 690 min	Open spaces = 290 Covered spaces = 457 Spaces provided = 747
SIDEWALK	Along all Street Frontages Min 3' width Located min 1' from R.O.W. line Along full width of property	No sidewalks being proposed along public R. O. W.
SIGNS	Wall Signs Allowable area = 2 x linear frontage of Structure, not to exceed 400 Sq. ft.	Proposing 2 Signs One on site (Monument) $4' \times 9' = 36$ Sq. ft.

Freestanding One to be located at front of subdivision
Limit = 1 sign One to be located on Sign reserve G
Height = Max 25' Height = 25' max
Area = Max 144 Sq. ft. per face Area = 288 Sq. ft. max
Max 288 Sq. ft. double faced
Min Setback = 10' from side property line

LANDSCAPING Required Trees Detailed Landscaping Plan
2 per unit
Min 2" Caliper

Items to be addressed:

1. Need to provide open space calculations for the entire development.
 - (a) Not less than 20% of the land shall be reserved for open space.
2. Need to add to the cover sheet of the Pud Plan:
 - (a) Name, Address, and telephone number of the landowner.
 - (b) Date submitted to Planning & Zoning Commission.
3. Under Tab 10. Phasing and Development Schedule (For Discussion)
 - (a) The inclusion of an allowed modification of square footage of uses and ranges of square footage, adjustments in use needs.
4. Provide a construction detail for the dumpster enclosure.
5. Provide a construction detail for the detention ponds.

Mr. Landis stated that they need to provide open space calculations for the entire development, not less than 20% of the land shall be reserved for open space.

Chairman Potts asked if the access street that comes in through the retail to the apartments would be considered part of the open space.

Mr. Landis stated yes, just the parking could not be considered as open space. He stated that they could get credit for one half of Hwy. 146 as part of their open space.

Dodie Miller asked if the detention ponds would be considered part of the open space.

Mr. Landis stated yes.

Mr. Landis stated that he recommended that when the final plan is presented to P&Z for review, a detailed plan for the detention ponds is included. He stated that during the public hearing, City Council stated that they would like to see interior and exterior details in written form in the final plan.

Motion was made by Buddy Hammann and seconded by Dodie Miller

To recommend Approval of the Preliminary Planned Unit Development as presented.

Buddy Hammann stated that he was concerned with having apartment complex next to the R-1 property. He stated that could have a negative effect on the neighboring property values. Mr. Hammann stated that he is also concerned with the impact a complex this big would have on the City's water and sewer facilities.

Mr. Landis stated that the Public Works has reviewed and approved the plans.

Motion was amended by Buddy Hammann and seconded by Rosebud Caradec

To amend the original motion to recommend approval of the Preliminary Planned Unit Development with the following recommended conditions:

1. C-2 uses in the commercial development.
2. Open Space calculations, including assumptions.
3. Detention Pond design details – dimension, landscape, and aeration.
4. Active marketing and signage for commercial property.
5. Defined scope and text – finish.
6. Construction detail for dumpster enclosures.
7. Tab 10: Phasing and Development Schedule – Remove 10% modification clause.
8. Detailed schedule per ordinance.

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

Nays: Caradec

MOTION TO AMEND THE ORIGINAL MOTION CARRIES BY MAJORITY VOTE.

Motion to recommend approval the Preliminary Planned Unit Development with the recommended conditions.

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

Nays: Caradec

MOTION TO APPROVE THE MOTION AS AMENDED CARRIES BY MAJORITY VOTE.

4.0 ROUTINE BUSINESS

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

Chairman Potts stated that the next meeting would be held on December 17, 2013 with a joint public hearing with City Council. Item to be discussed: Request for final approval of *The Commons at Seabrook* Planned Unit Development (PUD)

Motion was made by Buddy Hammann and seconded by Michael Sharpe

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 8:32 p.m.

APPROVED THIS 17th DAY OF DECEMBER, 2013.

Michael Potts, Chairman

Alesia Hammock, Secretary

Planning & Zoning Commission OFFICIAL REPORT

The Planning and Zoning Commission of the City of Seabrook met on November 19, 2013 to hold a meeting to consider:

Request for approval of a Planned Unit Development (PUD) to create "The Commons at Seabrook", a 14.734 Acre, 416 Unit, Luxury Apartment Complex, 6.58 Acres of Retail Development, and 1.295 Acres for a Street.

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL ☐ APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW) ☒ DENIAL ☐
by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on November 19, 2013, as designated below and as certified by the signature of the Chairman. This document is not valid unless signed by the Chairman/Presiding Commissioner.

Recommend Approval of the Preliminary Planned Unit Development with the following recommended conditions:

1. C-2 uses in the commercial development.
2. Open Space calculations, including assumptions.
3. Detention Pond design details – dimension, landscape, and aeration.
4. Active marketing and signage for commercial property.
5. Defined scope and text – finish.
6. Construction detail for dumpster enclosures.
7. Tab 10: Phasing and Development Schedule – Remove 10% modification clause.
8. Detailed schedule per ordinance.

VOTE:

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>INITIAL</u>
Rosebud Caradec		X			<i>R.C.</i>
Mike DeHart	X				<i>MDH</i>
Buddy Hammann	X				<i>BH</i>
Bolivar Lewis				X	
Dodie Miller	X				<i>DM</i>
Michael Potts	X				<i>MP</i>
Michael Sharpe	X				<i>MS</i>

Michael Potts
Michael Potts, Chairman
Planning & Zoning Commission

ATTEST:

Alesia L. Hammock
Alesia L. Hammock
Secretary

ACTION ITEM CHECK LIST STATUS

#	STATUS	DATE ASSIGNED	NEXT REVIEW DATE	PROPOSED CLOSURE DATE	RESPONSIBLE ORGANIZATION	City Council RESPONSIBILITY	PLANNING OBJECTIVE #	AGENDA ITEM NUMBER	DESCRIPTION OF ACTION ITEM	STATUS AND DATE
4	OPEN/IN WORK	12/4/2012			Staff/Council			6.1	Consider transportation alternatives from hotels to new cruise terminal.	Tabled on 12/3/13 for re-evaluation in six months.
5	OPEN/IN WORK	12/4/2012			Staff/P&Z			5.4	Ord. No. 2012-24, "Deleting Existing Point Overlay Sign Regulations" was tabled for staff & P&Z review.	P&Z recommends future discussion/consideration be deferred until the waterfront improvements are complete.
14	OPEN/IN WORK	4/2/2013			City Manager			6.2	Meet with city engineers for recommendations concerning safety of left turns from SH 146.	On 12/3/13 Council directed staff to meet with TxDOT on traffic management systems.
19	OPEN/IN WORK	8/20/2013			City Manager			4.5	Coordinate and lead project to attempt to have Surf Oaks Drive dedicated to allow Precinct 2 to repave.	In progress. Last update provided on 10/15/13.
20	OPEN/IN WORK	11/5/2013			City Manager			5.1	Perform traffic study for possible school zone on El Mar.	In progress.
21	OPEN/IN WORK	11/5/2013			City Manager			5.2	Revisit traffic study to determine if stop sign can be erected at Lakeside & Seward	In progress
22	OPEN/IN WORK	11/19/2013			Staff			3.1	Develop options to reduce sound from Carothers to surrounding properties.	To be discussed on 1/21/14.
23	OPEN/IN WORK	12/3/2013			Mayor/ City Mgr.			5.1	Provide periodic updates on TxDOT's progress to improve/widen SH 146.	In progress.

January 2014

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 New Year's Holiday	2 Open Space	3	4
5	6	7 Council	8	9 EDC	10	11
12	13	14	15	16 HCMCA P&Z	17	18
19	20	21 Council	22	23	24	25
26	27	28	29 First day to file for office in May 2014 election.	30	31	