The Seabrook Planning & Zoning commission met on Thursday, November 19, 2015 in regular session at Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss and if appropriate, take action on the agenda items listed below:

THOSE PRESENT WERE:

MICHAEL POTTS	CHAIRMAN
BUDDY HAMMANN – Ex. Abs.	VICE CHAIRMAN
ROSEBUD CARADEC	MEMBER
MIKE DEHART	MEMBER
DODIE MILLER	MEMBER
MICHAEL SHARPE	MEMBER
LAURA DAVIS	MEMBER
SEAN LANDIS	DIRECTOR OF COMMUNITY DEVELOPMENT
ROBIN HICKS	CITY 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

There were no comments or announcements.

2.0 SPECIFIC PUBLIC HEARINGS

2.1 Request for a conditional use permit to establish a "Hotel (without full service restaurant)" at 2710 Nasa Parkway as per the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 4, "Special Use Regulations," Section 4.11, "Conditional use permit criteria and procedures,"

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 12, "TEMPORARY AND NONTEXT CHANGES," SECTION 12.03, BY ADDING A NEW PARAGRAPH (21) GRANTING A CONDITIONAL USE PERMIT FOR A "HOTEL (WITHOUT FULL SERVICE RESTAURANT)" TO BE LOCATED AT 2710 NASA PARKWAY, WITHIN THE C-2 (COMMERCIAL – MEDIUM) ZONING DISTRICT AND ESTABLIHING ANY APPLICABLE CONDITIONS FOR THE OPERATION OF THE BUSINESS IN ACCORDANCE WITH LAW; PROVIDING A PENALTY IN AN AMOUNT OF NOT TO EXCEED $2,000.00 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Chairman Potts opened the public hearing.

Sean Landis, Director of Community Development, stated that about a year ago City Council requested that the Planning and Zoning Commission vet out and draft an ordinance, which was eventually adopted by Council, that would require any small scale hotel without a full service restaurant go through the Conditional Use Process so that Council could control the number of small service hotels being constructed in the City in response to the opening of the cruise terminal.

The current application and conditional use permit request is for an 80 room Holiday Inn Express, located at 2710 Nasa Parkway. The property is currently zoned C-2. Prior to the adoption of the CUP ordinance, a small scale hotel was an allowable use by right in the C-2 zoning district. As a reference point, the property to the north is zoned R-1, to the northeast is zoned R-3, and across the street is zoned R-3. The hotel will be configured so that the front of the hotel faces the east and the back of the hotel will be adjacent to apartments on the west. The vehicular entrance is from NASA Parkway. This property is where the dirt yard/mulch yard used to be. No additional condition is required for approval of this application.

Michael Gartner, architect for the developer/project, gave a presentation in seeking a recommendation from P&Z to Council for approval of the CUP. The project is strictly controlled by the international hotel group, and not by the individual franchise developer/owner. This location is not an ideal location for a larger scale hotel. The construction will exceed the setback requirements on all sides. The swimming pool area will be constructed closest to the apartments, to off-set the encroachment. The height of the building will be higher than the height requirements so that people can see the hotel sign from the road. There will be meeting space for 30-40 people. A hot breakfast will be offered free of charge in the mornings. All guest rooms will have a work space and a functional storage unit. There are 174 properties in Texas that generate about $2.3 million per year in taxable receipts. The same type hotels in Houston generate about $2.4 million per year in taxable receipts. This Holiday Inn Express will create 39 full time jobs and attract 5 full time residents. Over a 10 year period, taxable sales will be approximately $6 million, and about $6 million will be added to the tax rolls. Over a ten year period, net revenue to the taxing entities will be about $4.6 million. An estimate of the real and personal property tax value is around $5 million. Local contractors usually build these hotels and it usually takes about 12-18 months to complete.

Mr. Landis mentioned that the maximum height in the C-2 zoning district is 55 feet, and the maximum height required if a CUP is approved is 72 feet 11 inches. If the CUP is approved the project max height will be in compliance.

Mr. Norman Edmundson, representative for CMS Land Company, which owns the three tracts directly behind and adjacent to this property, stated that a request for a zoning change from C-2 to R-2 for the three tracts was denied by Council because the tracts were too close to commercial property. If this CUP is approved, it will be even more difficult to get the zoning change for the three tracts. Right now there are no utilities for anything other than homes, with a one inch water line and no sewer provided by the City. The property has been listed for sale for five years, and there have been no inquiries for any commercial construction or use. Mr. Gartner stated that the storm drainage already exists and TXDOT has approved the curb cut. At the appropriate time a Phase I environmental study will be completed.

3.0 NEW BUSINESS

3.3 Discussion, consideration, and possible action regarding the request for a conditional use permit to establish a "Hotel (without full service restaurant)" at 2710 Nasa Parkway as per the Seabrook City Code, appendix A, Comprehensive Zoning, Article 4, "Special Use Regulations," Section 4.11, "Conditional use permit criteria and procedures, " (Item 2.1 above).

This item was moved up in the agenda, before item 3.1, for consideration while the applicants were in attendance. By consensus, the commission agreed to amend the order of the agenda.

Motion was made by Commissioner DeHart and seconded by Commissioner Sharpe

To approve the request for a conditional use permit to establish a "Hotel (without full service restaurant)" at 2710 Nasa Parkway as per the Seabrook City Code, appendix A, Comprehensive Zoning, Article 4, "Special Use Regulations," Section 4.11, "Conditional use permit criteria and procedures.

MOTION CARRIED BY UNANIMOUS CONSENT

3.1 Discussion, consideration, and possible action regarding a report from the City Engineer on the update of The Land Use Assumptions and Capital Improvements Plan.

Sean Landis reported that five years ago the Planning and Zoning Commission approved a recommendation to City Council to update of impact fees; however, City Council did not make any changes to the fees. State statute requires that a study be conducted every five years on impact fees. This year Cobb Fendley was hired to complete the study.

Brad Matlock and Amber Hurd, with Cobb Fendley, worked on the Impact Fee study. Impact fees are what the City assesses to developers for water and sewer utilities. Impact fee studies and land use are in conjunction with the comprehensive master plan. The study proposes three areas of land use changes from medium density or single family residential to multi-family, commercial and mixed use. In conducting the study, data collected by HGAC and the Texas Water Development Board for a 10 year period predict a population growth that follows the City's current growth trend, which ultimately results in higher volumes of water usage. Additionally, as part of the study, Cobb Fendley verified that the City's current facilities will meet TCEQ's requirements over the next ten years, so that there should not be a need for additional funds to upgrade or replace equipment, supplies, or personnel to meet TCEQ requirements. Finally, water system CIP projects total construction and engineering costs are the basis for the impact fee calculations. The current study looked at the current CIP plan (approved projects W-1 through W-7) and found that three additional projects will be needed to rectify fire water flow issues (proposed projects W-8 through W-10). Calculations are not based on right-of-way acquisition, land purchase, soft costs or bond costs. There is a 20-30% contingency, based on individual project needs, built into the final numbers. No additional wastewater costs were identified.

The final proposed impact fees are $2,966 for water and $2,887 for wastewater. The chart included in the report completes calculations for all sizes of lines per how much water is used per one household. The larger increase in the water fees indicates there are more needs on the water system than on the wastewater system. The impact fees assessment is based on project needs and new development.

Because every city has its own specific and unique needs and resulting projects, so that it is difficult to compare city to city. Cobb Fendley looked at Houston, which has a water impact fee of $1200 and a wastewater impact fee of $636. Pearland has a water impact fee of $2800 and a wastewater impact fee of $2100.

The proposed rates are recommended and are the total maximum allowed under the law. The Commission does not have to recommend the proposed amounts.

Commission discussion ensured regarding the message being sent to prospective developers with an increase in impact fees; whether the increase in the fees for water is accurate given the number of CIP projects projected to be completed in the next five years; the ability of Council to waive impact fees on a case by case basis; the statutory requirements and allowances for update of impact fees; the ability of the Planning and Zoning Commission to recommend amounts other than the numbers proposed by the impact fee study.

Motion was made by Commissioner DeHart and seconded by Commissioner Miller

To approve a recommendation to City Council to retain the current impact fee for wastewater of $2,693 and to increase the impact fee for water by 15% each year over the next five years, starting with the current fee of $1,192.

MOTION PASSED BY MAJORITY VOTE AS FOLLOWS:

Commissioner Davis – nay
Commissioner Hammann - absent
Commissioner Sharpe – aye
Commissioner DeHart – aye
Commissioner Caradec – aye
Commissioner Miller – aye
Chairman Potts - aye

3.2 Discussion, consideration, and possible action regarding the update to the Old Seabrook Village Planned Unit Development (PUD).

Sean Landis stated that as per the PUD ordinance, the developer is required to submit an annual report to P&Z and City Council.

Mark Caldwell, representative for the developer, stated the property was acquired 3 years ago, and at the time the developer looked at a plan to complete 50 lots, which were approved by right in the zoning district. If the original concept had been completed, the project would have been built out and been nothing special. The developer wanted something special and unique to match the unique site and the unique area of the City. It's been expensive and hard to find the right builder that has the same vision for the property and the provisions of the Planned Unit Development ordinance. The developer has now found the right builder with the right vision for the PUD after having reviewed the architectural concepts. Greenco Homes has committed to developing a product that will fit within the PUD concept. Greenco builds about 250 homes per year. They do not have an existing product to put on this site, but will develop that product. Greenco's commitment is for the first 19 lots, in Section A, down Meyer. The next section, Section B, is being reserved by the developer for builder with higher end models around the water. There is no activity at this time on or planned for the third section. A preliminary plat for the Greenco section will be brought forth for approval sometime in December. Right now the engineering is about 70-75% complete, and once it is 100% complete, the entire project will be about 80% designed. There has also been a conditional use approval for a resort, but there hasn't been any interest yet on designing and building a resort. The property on the water is for sale, but the developer is not interested in buying yet. There is still discussion of a mixed use property, but right now financing is an issue.

4.0 ROUTINE BUSINESS

4.1 Discussion, consideration and possible action concerning the minutes from the October 1, 2015 Planning & Zoning Commission meeting.

Motion was made by Commissioner DeHart and seconded by Commissioner Sharpe

To approve the October 1, 2015 Planning & Zoning Commission meeting minutes.

MOTION CARRIED BY UNANIMOUS CONSENT.

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

Sean Landis, Director of Community Development, stated the rezoning request from C-2 to R-2 was presented to City Council and Council elected to table the item until they had more information from the Comprehensive Master Plan review.

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

Sean Landis, Director of Community Development, stated the Commission will have a meeting on December 17, even though it is close to Christmas, because P&Z is required by the City Charter to meet once per month. The item on the December 17 agenda will be a CUP request by the Hampton Inn.

Motion was made by Commissioner Sharpe and seconded by Commissioner Davis

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIED BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 8:37 p.m.

APPROVED THIS 17TH DAY OF DECEMBER, 2015.

Michael Potts, Chairman

Robin Hicks, City Secretary