



Legislation Details (With Text)

File #:	15-0447	Version:	1	Name:	Action Item Cypress Bay
Type:	Agenda Item	Status:		Approved:	Approved
File created:	7/16/2015	In control:		City Council:	City Council
On agenda:	7/28/2015	Final action:		7/28/2015:	7/28/2015

Title: Consider and take action on an ordinance amending Ordinance No. 2005-24 for Z15-13 (Cypress Bay Commercial) to rezone approximately 2.4 acres from "RSF-7" (Single-family residential with a minimum lot size of 7,000 square feet) to "CG" (General Commercial), generally located north of Marina Bay Drive (FM 2094), east of Twin Oaks Boulevard and west of Seminole Drive, with the approximate address being in the 2100 block of Marina Bay Drive in League City, Texas (Director of Planning and Development)

Planning and Zoning Commission recommended approval, 6-1-0 on July 6, 2015.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Data Sheet, 2. Proposed Ordinance, 3. Exhibit A, 4. Exhibit B

Date	Ver.	Action By	Action	Result
7/28/2015	1	City Council	Approved	Pass

Consider and take action on an ordinance amending Ordinance No. 2005-24 for Z15-13 (Cypress Bay Commercial) to rezone approximately 2.4 acres from "RSF-7" (Single-family residential with a minimum lot size of 7,000 square feet) to "CG" (General Commercial), generally located north of Marina Bay Drive (FM 2094), east of Twin Oaks Boulevard and west of Seminole Drive, with the approximate address being in the 2100 block of Marina Bay Drive in League City, Texas (Director of Planning and Development)

Planning and Zoning Commission recommended approval, 6-1-0 on July 6, 2015.

A public hearing is required for this zone change application to the "RSF-7" (Residential Single Family with a minimum lot size of 7,000 square feet) zoning district.

Project Timeline:

August 10, 1999 - Property is zoned Suburban Development Commercial as a result of League City's adoption of zoning.

August 30, 2005 - Property is rezoned from Suburban Development Commercial to "CG" as part of the City's Zoning Ordinance and Map Revision of 2005.

Late 2005 - A portion of the property is rezoned from "CG" to "RMF-1.2" (Multi-family residential with a maximum density of 36 units per acre)

June 14, 2006 - Site development plans are submitted to the Development Review Committee (DRC) for review of the "FM 2094 Seminole Lane Apartments." The applicant withdrew the application a few months later. No reason was given.

February 13, 2007 - Property is rezoned from "RMF-1.2" (Multi-family residential with a maximum density of 36 units per acre) to "RSF-7" (Single-family residential with a minimum lot size of 7,000 square feet).

October 16, 2008 - A plat for Cypress Bay, Section 1 Subdivision is recorded with Galveston County.

January 6, 2015 - Property owner meets with City staff to discuss possible rezoning of property.

April 21, 2015 - Applicant sent out notices for a neighborhood meeting to be held on April 27, 2015 at 5:00 p.m.

April 27, 2015 - Applicant held a neighborhood meeting at 104 Twin Oaks Boulevard. The submitted sign-in sheet indicates one (1) neighbor attended. In addition, submitted minutes of the meeting indicate that the neighbor, Frank

Prisco, had concern that the fence would be relocated just south of Lot 6, Block 2 and then voiced support for the request after the Owner reassured the neighbor that the fence would be relocated.

May 8, 2015 - Applicant submitted a Zone Change Application to the Planning Department.

June 12, 2015 - Planning staff sent out public hearing notices to the surrounding property owners and installed public hearing signs on the property.

June 14, 2015 - Notice of public hearings published in the newspaper.

June 30, 2015 - Planning staff sent out notices of rescheduled City Council public hearing to the surrounding property owners and installed public hearing signs on the property.

July 5, 2015 - Notice of rescheduled City Council public hearing published in the newspaper.

July 6, 2015 - Planning & Zoning Commission held a public hearing and recommended approval, 6-1-0. Commissioner Brockway voted in opposition to the request.

July 28, 2015 - City Council is scheduled to conduct a public hearing and consider request on first reading.

August 11, 2015 - Subject to approval on first reading, City Council to consider request on second reading.

Project Summary:

The applicant, Jared Riggerbach of Baseline Corporation, indicates that the Owner, Nick Scotto of M.B. Harbour, Ltd., has no formal development plans for the property at this time. The Owner would like to prepare the property for development and combine it with an existing 2-acre commercial tract directly adjacent to the east that is zoned "CG".

Overall, the combined lot would be approximately 4.5 acres in size. Commercial development of the site will require the removal of existing private infrastructure and the relocation of existing public infrastructure (see utility exhibit).

The surrounding land use to the north is the remaining portion of the Cypress Bay Subdivision with a 2.04 acre commercial tract directly to the east. Marina Bay Drive (FM 2094) and a high power utility easement are located to the south with a canal, Marina Bay Village commercial strip center and Marina Bay Storage to the west of the subject property.

The proposed zoning map amendment is consistent with the Future Land Use Map in the 2035 Comprehensive Plan. The area directly adjacent to Marina Bay Drive is identified as "Enhanced Auto Dominant Commercial" with properties further north as "Enhanced Auto Dominant Commercial". Allowable uses within the CG district include, among others, Retail Sales, Personal Services, Eating and Drinking Establishments, Offices, and Recreation and Entertainment.

On July 6, 2015, the Planning and Zoning Commission held a public hearing and recommended approval, 6-1-0. Commissioner Brockway voted in opposition to the motion (no reason provided). During the P&Z public hearing there were no speakers for this request. The Planning Department has not received any public communications either in favor or opposed regarding this request.

Staff Recommendation:

Staff recommends approval as the request is in accordance with the Future Land Use Map and would be compatible with the "CG" zoned properties directly to the east and west. In addition, the rezoned property would create buffers for the Cypress Bay residential subdivision from the impacts of Marina Bay Drive and the adjacent commercial property via an 8 ½ foot high fence and a required rear 45-foot wide buffer yard. If denied, it would be foreseen that the property would remain a part of the Cypress Bay Subdivision.

Attachments:

1. Data Sheet
2. Proposed Ordinance
3. Exhibit "A"
4. Exhibit "B"

Origination:

Planning Department

Applicant: Jared Riggerbach of Baseline Corporation

Owner: Nick Scotto of M.B. Harbour, Ltd.

FUNDING

{ } NOT APPLICABLE

{ } Funds are available from Account # _____

{ } Requires Budget Amendment to transfer from Account # _____ to Account # _____