



## Legislation Details (With Text)

<b>File #:</b>	16-1064	<b>Version:</b>	1	<b>Name:</b>	Z15-17 TA
<b>Type:</b>	Agenda Item	<b>Status:</b>		<b>Status:</b>	Approved
<b>File created:</b>	6/1/2016	<b>In control:</b>		<b>In control:</b>	Development Services
<b>On agenda:</b>	6/14/2016	<b>Final action:</b>		<b>Final action:</b>	6/14/2016
<b>Title:</b>	Consider and take action on an ordinance amending Ordinance No. 2005-24 to rezone approximately 210 acres (Z15-17 Lakes of Quail Pointe) to "RSF-5-PUD" (Single-family residential with a minimum lot size of 5,000 square feet with a Planned Unit Development) and "RSF-7-PUD" (Single-family residential with a minimum lot size of 7,000 square feet with a Planned Unit Development), generally located south of League City Parkway (SH 96), north of FM 646, east of South Shore Boulevard and west of State Highway 146 in League City, Texas (Director of Planning and Development)				

Planning and Zoning Commission recommended approval, 5-0-0 with 2 absent on May 16, 2016, subject to the condition that construction signs be installed to prohibit construction traffic in the nearby Mar Bella Subdivision.

### Sponsors:

### Indexes:

### Code sections:

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

Date	Ver.	Action By	Action	Result
6/14/2016	1	City Council	Approved	Pass

Consider and take action on an ordinance amending Ordinance No. 2005-24 to rezone approximately 210 acres (**Z15-17 Lakes of Quail Pointe**) to "RSF-5-PUD" (Single-family residential with a minimum lot size of 5,000 square feet with a Planned Unit Development) and "RSF-7-PUD" (Single-family residential with a minimum lot size of 7,000 square feet with a Planned Unit Development), generally located south of League City Parkway (SH 96), north of FM 646, east of South Shore Boulevard and west of State Highway 146 in League City, Texas (Director of Planning and Development)

Planning and Zoning Commission recommended approval, 5-0-0 with 2 absent on May 16, 2016, subject to the condition that construction signs be installed to prohibit construction traffic in the nearby Mar Bella Subdivision.

Should this request be approved, the Lakes of Quail Pointe Planned Unit Development will be established and developed in accordance with League City development regulations and the PUD document. The accompanying Lakes of Quail Pointe PUD document is an attachment to and part of the adopting ordinance, making the development regulations enforceable on the subject property.

### Project Timeline:

#### March 9, 2006 -

City Council of League City adopted Ordinance No. 2006-12, annexing approximately 222.7 acres from League City's extraterritorial jurisdiction into the corporate limits of League City. This annexation accounts for the southern half of the Lakes of Quail Pointe PUD.

#### March 28, 2006 -

City Council of League City adopted Ordinance No. 2006-17, amending the original 2003 agreement between the City of League City and Galveston County Municipal Utility District # 45 (MUD #45) and expanding the service area of the MUD by approximately 256.38 acres. The expansion increases the overall size of the MUD to 849.86 acres while encompassing the majority of property known as the Lakes of Quail Pointe development today.

#### April 25, 2006 -

City Council of League City adopted Ordinance No. 2006-31, rezoning

approximately 201.2 acres from “RSF-20” (Single-family residential with a minimum lot size of 20,000 square feet), “RSF-10” (Single-family residential with a minimum lot size of 10,000 square feet), and “RSF-7” (Single-family residential with a minimum lot size of 7,000 square feet) to “RSF-5” (Single-family residential with a minimum lot size of 5,000 square feet) and “RSF-7” (Single-family residential with a minimum lot size of 7,000 square feet). The property was rezoned for a proposed residential development being called Quail Point.

**October 24, 2006** - City Council of League City adopted Ordinance No. 2006-96, amending the original 2003 and 2006 first amendment agreements between the City of League City and MUD #45 and expanding the service area of the MUD by approximately 65.44 acres. The further expansion of the MUD increases the overall size to 915.3 acres and added approximately 37 acres to property known as the Lakes of Quail Pointe development today.

**March 2, 2015** - Staff held a predevelopment meeting with Matt Stoops of BGE / Kerry Gilbert & Associated to discuss a proposed residential development known as Quail Point.

**September 8, 2015** - Applicant held a neighborhood meeting at League City’s Hometown Heroes Park. The submitted sign-in sheet indicates twelve (12) neighbors attended. It was identified that several neighbors within the Whispering Lakes Ranch Subdivision were displeased with the possibility of two-story homes overlooking the back yards of their homes.

**September 28, 2015** - The applicant submits a rezone request to the Planning Department requesting a Planned Unit Development Overlay.

**October 14, 2015** - Staff met with the Applicant to discuss the review of the project.

**January 14, 2016** - Staff met with the Applicant and Owner to discuss the possible phasing of Madrid Lane.

**January 25, 2016** - Staff met with the Applicant and Owner to discuss the engineering of the project.

**February 2, 2016** - Staff met with the Owner and CenterPoint representatives to discuss the electrical power requirements.

**April 24, 2016** - Notice of public hearings published in the newspaper.

**April 25, 2016** - Planning staff sent out public hearing notices to the surrounding property owners and installed public hearing signs on the property.

**April 29, 2016** - Staff and the Owner met to finalize minor changes to the PUD document.

**May 16, 2016** - Planning & Zoning Commission conducted a public hearing and recommended approval, 5-0-0, subject to the condition that construction signs be installed to prohibit construction traffic in the nearby Mar Bella Subdivision.

**June 14, 2016** - City Council is scheduled to conduct a public hearing and consider request on first reading.

**June 28, 2016** - Subject to approval on first reading, City Council to consider request on second reading.

### **Project Summary:**

The Owner, Empire Continental Land, L.P., proposes to develop a Planned Unit Development (PUD) consisting of approximately 550 residential lots. No commercial uses are proposed. The project exceeds the city’s open space and parkland requirement by providing 6.2 acres for a recreation center and two passive parks, while also paying approximately \$550,000 in parks fees. Also, the proposed development complies with the Future Land Use Map in the 2035 Comprehensive Plan, which classifies the area as “Suburban Residential.”

During the course of the PUD process, discussions were held between the Applicant/Owner and city staff resulting in several changes and enhancements to the development plan:

- The incorporation of masonry design requirements for residential lots;
- Design requirements for masonry fences along the perimeter and adjacent to the main thoroughfare;
- The reuse of treated water to irrigate common areas within the development;
- Inclusion of an internally looped, 10-foot wide trail within the development, and;
- Demarcation of infrastructure phasing (i.e. water, sewer, roadways, etc.) for the development.

A Traffic Impact Assessment was submitted as required by the PUD in which the findings and recommendations have been incorporated into the PUD document. The findings and recommendations are based on the impact of the development and will be incorporated during the development phase of the project by incorporating the following recommendations:

- A traffic signal is warranted for the intersection of Madrid Lane and FM 646 when the intersection is open to traffic and a traffic signal study is recommended. Due to its location outside the city limits, League City will have no financial responsibility for the cost of the signal.
- In addition to the traffic signal, an east-bound turn lane and a west-bound turn lane are warranted at the intersection of Madrid Lane and FM 646 based on projected traffic volumes.
- Adjustment of the signal timings of nearby signalized intersections after completion of each phase of the Lakes of Quail Pointe development.

On May 16, 2016, the Planning and Zoning Commission held a public hearing and recommended approval, 5-0-0 with 2 absent, subject to the condition that construction signs be installed to prohibit construction traffic in the nearby Mar Bella Subdivision. Hours prior to the public hearing, staff received four (4) e-mailed letters related to the anticipated construction traffic in the adjacent Mar Bella Subdivision. During the public hearing, three (3) residents of the nearby neighborhoods spoke in opposition to the request. Their concerns were largely related to privacy/green space between the Whispering Lakes Ranch and proposed subdivision, land values, density, and nuisances related (i.e. traffic/power lines/sound/odor) impacts on the Mar Bella Subdivision.

In response to the residents' concerns, staff provides the following additional information:

- The Lakes of Quail Pointe PUD document prohibits construction traffic in the Streets and Circulation section on Page 12. This is supported by the Commission's recommendation for a signs prohibiting construction traffic in the Mar Bella subdivision.
- The minimum allowable distance between structures located within the Whispering Lakes Ranch Subdivision and within the Lakes of Quail Pointe subdivision is 96 feet.
- The proposed density for the Lakes of Quail Pointe is approximately 2.6 dwelling units per acre, while the Whispering Lakes Ranch has a density of 0.59 dwelling units per acre and the Mar Bella Subdivision has a density of 3.03 dwelling units per acre.

#### **Staff Recommendation:**

Given that the request complements the Comprehensive Plan's Future Land Use Plan and that proposed development standards exceed the city's current standards, staff recommends approval of the request for rezoning the size to "RSF-5-PUD and "RSF-7-PUD" with the Planned Unit Development Overlay and Lakes of Quail Pointe PUD document. Should the request be denied, the Owner would continue to be permitted to develop the property for single-family residential in accordance with the existing "RSF-5", "RSF-7" and "RSF-10" zoning districts in which the city could not require enhanced and predictable development standards.

#### **Attachments:**

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

CONTRACT ORIGINATOR: Planning Department; Applicant: Matt Stoops of BGE / Kerry Gilbert & Associates; Owner: Jerry Leblanc of Empire Continental Land, L.

#### **FUNDING**

{X} NOT APPLICABLE