



## Legislation Details (With Text)

<b>File #:</b>	17-0595	<b>Version:</b>	1	<b>Name:</b>	PH MAP-17-0002 Rezone
<b>Type:</b>	Agenda Item	<b>Status:</b>		<b>Status:</b>	Public Hearing
<b>File created:</b>	9/25/2017	<b>In control:</b>		<b>In control:</b>	Development Services
<b>On agenda:</b>	10/10/2017	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Hold a public hearing on Zone Change Application, MAP-17-0002 (Wilson Properties), a request to rezone four (4) tracts to "CG" (General Commercial), totaling approximately 13.0 acres, generally located east of West Walker Street and west of State Highway 3 along the north side of West FM 646 in League City, Texas. Tract 1: Rezone approximately 2.6 acres from "CO" (Office Commercial) to "CG"; Tract 2: Rezone approximately 2.84 acres from "RMF-2" (Multi-Family Residential with a maximum density of 22 dwelling units per acre) to "CG"; Tract 3: Rezone approximately 1.49 acres from "RMF-2" (Multi-Family Residential with a maximum density of 22 dwelling units per acre) to "CG"; Tract 4: Rezone approximately 6.01 acres from "CO" (Office Commercial) to "CG" (Director of Planning and Development)				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Data Sheet, 2. Zoning Map, 3. Exerpt Minutes from September 18, 2017 P&Z Meeting, 4. Staff Report, 5. Letters of Interest and Support				

Date	Ver.	Action By	Action	Result
10/10/2017	1	City Council		

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A public hearing is required to consider this zone change application from "CO" and "RMF-2" to "CG".

### Project Timeline:

August 10, 1999 -	All properties located on the north side of FM 646, with the exception of the Galveston County Emergency Management, between Victory Lakes and Benson's Bayou in the area were initially zoned as "CO (C-2)" or Office & Professional Commercial.
October 28, 2003 -	City Council adopted Ordinance No. 2003-65 which rezoned 24.03 acres from Office and Professional Commercial to Multi-Family Residential. The rezoning includes Tracts 2 and 3. The request included the proposal to develop the entire 24-acres for a multi-family development. Construction began on the Beacon Lakes Apartments in late 2007 and on only 19.2 acres of land, leaving Tracts 2 and 3 undeveloped.
August 31, 2005 -	The Office & Professional Commercial zoning district was renamed to "CO" (Office Commercial) and the Multi-Family Residential zoning district was renamed to "RMF-2" (Multi Family Residential with a maximum density of 22 dwelling units per acre) as part of the Zoning Map and Text Amendment of 2005.
June 14, 2017 -	Applicant held a neighborhood meeting. The applicant's sign-in sheet indicated two people attended.

July 10, 2017 - Applicant submitted rezoning application to the Planning Department.  
August 4, 2017 - Notification of public hearings was published in the newspaper. Planning staff sent out public hearing notices to the surrounding property owners and installed public hearing signs on the properties.  
August 25, 2017 - Planning staff sent out rescheduled public hearing notices to the surrounding property owners and installed public hearing signs on the properties because the August 28, 2017 P&Z meeting was cancelled due to possible severe weather (Hurricane Harvey).  
August 27, 2017 - Newspaper notification of the rescheduled meetings is published because the August 28, 2017 P&Z meeting was cancelled due to possible severe weather (Hurricane Harvey).  
September 18, 2017 - Planning & Zoning Commission conducted a public hearing and made a recommendation to City Council of approval, 4-0-1 with four members absent and Nghiem Doan sitting in as an ex-officio member.  
October 10, 2017 - City Council is scheduled to conduct a public hearing and consider request on first and final reading.  
October 24, 2017 - City Council to potentially consider request on second reading if not approved as first and final reading.

**Project Summary:**

The Owner is requesting four properties be rezoned to “CG” to sell and/or develop the properties similarly to the “CG” zoned properties on the south side of FM 646. Recently, the southern portion of FM 646 has seen a large expanse of new development such as a self-storage, office building and restaurants. The Owner’s request is also consistent with the Comprehensive Plan and the Retail Sales Tax Ordinance, which encourage sales tax generating businesses along the City’s thoroughfares. However, those goals cannot be achieved through the current zoning districts since retail uses are not permitted within the “CO” or “RMF-2” zoning districts. The applicant included 2 letters of interest from outside parties interested in developing at least 2 of the tracts along with a letter of support.

The Future Land Use Map in the 2035 Comprehensive Plan identifies Tracts 1, 2, and 4 as “Enhanced Auto Dominant Commercial”. The Commercial focuses on the convenience and access for customers and employees almost exclusively by automobile. These districts are typically at major intersections or linear along major roadways as single storefronts or retail strip centers. The development proposed conforms to this classification.

The Future Land Use Map in the 2035 Comprehensive Plan also identifies Tract 3 as “Enhanced Auto Dominant Residential”. Given the size of the tract, the adjacency to a nearby apartment complex and the development requirements for multi-family, the tract would be extremely difficult to develop any form of residential product.

On September 18, 2017, the Planning and Zoning Commission held a public hearing and recommended unanimous approval, 4-0-1 with four members absent. The applicant was the only person who spoke during the P&Z public hearing. The Planning Department has not received any public communications either in favor or opposed to this requests.

It is requested that this item be considered on first and final reading since the applicant’s request was delayed because of a Planning and Zoning Commission meeting cancellation due to Hurricane Harvey.

**Staff Recommendation:**

Based upon the analysis provided and that the request complements the Comprehensive Plan’s Future Land Use Plan, staff recommends approval.

**Attachments:**

1. Data Sheet
2. Zoning Map
3. Excerpt Minutes from September 18, 2017 P&Z Meeting
4. Staff Report
5. Letters of Interest and Support

CONTRACT ORIGINATION:

Planning and Development

Applicants/Owners: Charles & Dean Wilson

FUNDING

☒ NOT APPLICABLE

☐ Funds are available from Account # \_\_\_\_\_

☐ Requires Budget Amendment to transfer from Account # \_\_\_\_\_ to Account # \_\_\_\_\_