



Legislation Details (With Text)

File #: 19-0653 **Version:** 1 **Name:** Ord - Zone Change - FM 646
Type: Agenda Item **Status:** Failed
File created: 11/20/2019 **In control:** Development Services
On agenda: 12/17/2019 **Final action:** 12/17/2019
Title: Consider and take action on an ordinance amending Ordinance No. 2005-24 and Ordinance No. 2013-30 to rezone approximately 33.85 acres (MAP-19-0013 FM 646 Tract) from "CG" (General Commercial) to "RSF-5" (Residential Single Family with a minimum lot size of 5,000 square feet), legally described as Abstract 36 of the WG Banks Survey, Tracts 13 and 13-2, generally located along the south side of Farm to Market Road 646 and east of Caroline Street, in League City, Texas (Executive Director of Development Services)

Planning and Zoning Commission recommended approval, 7-0-0, with 1 absent on November 4, 2019.
City Council postponed, 4-3-0 with 1 absent on November 19, 2019.

Sponsors:

Indexes:

Code sections:

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

Date	Ver.	Action By	Action	Result
12/17/2019	1	City Council	Approved	Pass
12/17/2019	1	City Council	Approved	Fail

Consider and take action on an ordinance amending Ordinance No. 2005-24 and Ordinance No. 2013-30 to rezone approximately 33.85 acres (MAP-19-0013 FM 646 Tract) from "CG" (General Commercial) to "RSF-5" (Residential Single Family with a minimum lot size of 5,000 square feet), legally described as Abstract 36 of the WG Banks Survey, Tracts 13 and 13-2, generally located along the south side of Farm to Market Road 646 and east of Caroline Street, in League City, Texas (Executive Director of Development Services)

Planning and Zoning Commission recommended approval, 7-0-0, with 1 absent on November 4, 2019.
City Council postponed, 4-3-0 with 1 absent on November 19, 2019.

Should this ordinance be approved, it will rezone approximately 33.85 acres from "CG" to "RSF-5".

Project Timeline:

August 10, 1999 - The properties were initially zoned as "Suburban Development-Residential"

August 30, 2005 - The western tract described as Tracts H-1 and H-2 was zoned "CG" (General Commercial) as a result of the Zoning Map and Text Amendment of 2005.

July 09, 2013 - The remaining eastern Tract described as Tracts I and J are zoned "CG" (General Commercial) through a Zoning Amendment Request.

June 24, 2019 - The applicant held a neighborhood meeting for the proposed rezoning. The meeting attendance sheet submitted by the applicant indicated that nine people were in attendance.

August 06, 2019 - The applicant submitted an application for a Zoning Map Amendment.

October 11, 2019 - Notice of public hearings published in the newspaper.

October 14, 2019 - Planning staff sent public hearing notices to the surrounding property owners and installed public hearing signs on the property.

November 04, 2019 - Planning & Zoning Commission held a public hearing and made a recommendation of approval to City Council.

November 19, 2019 - City Council held a public hearing and postponed the item to the December 17, 2019 Council meeting.

December 17, 2019 - Council to consider the request on first reading.

Project Summary:

The subject property was zoned as “SDR” Suburban Development Residential in 1999, when zoning was first adopted. This zoning district allowed for single-family houses. In 2005, the City’s comprehensive ordinance change rezoned the western tract to “CG”. Later, in 2013, the owner of the property rezoned the eastern tract from “RSF-7” to “CG”. The owner has attempted to market the property for appropriate commercial uses but has not had any viable options to date.

The applicant is requesting to rezone two parcels of land to allow for the construction of single-family homes. The applicant is proposing to construct approximately 127 single-family homes and 1.8 acres of open space for drainage and parkland. The proposed development plan shows a road labeled as Southlake Boulevard dividing two tracts of land. The area west of Southlake Boulevard is approximately 9 acres and is proposed to consist of 32 lots. The area east of Southlake Boulevard is approximately 24.8 acres and is proposed to consist of 95 lots.

While the subject parcels are not directly adjacent to any property zoned single-family residential, multiple residential subdivisions exist in the northern vicinity of the properties. These subdivisions include Whispering Lakes Ranch, Hidden Lakes, and Coastal Point. The property south of the subject property, located in Texas City’s jurisdiction, is currently undeveloped, but future plans indicate that the land will be developed as a residential subdivision.

Should the proposed rezoning be approved, single-family uses would be allowed by right. A list of land uses and development requirements are provided in the attached Planning and Zoning Commission staff report (*see Sec.125-70*). The current zoning district, General Commercial, is designated primarily for larger-scaled, auto-orientated development and includes the widest variety of uses. Some of the possible uses permitted in the General Commercial zoning district include automobiles sales and automobile care centers, warehousing and storage facilities, eating and drinking establishments, retail shops, offices, parking facilities, and hotels.

The applicant’s conceptual plan would satisfy current zoning and site development requirements. The plan shows off-site detention being accounted for south of the subject property, outside the city limits of League City. The City has no objection to the use of off-site detention, but the logistics of crossing the utility corridor still need to be determined. Should the off-site detention not be feasible, the conceptual plan will likely change as additional detention will be required on-site. Any drainage plan proposed by this development shall have no adverse impact on any adjacent property.

Staff completed a traffic comparison that shows potential traffic impacts from a buildout of 127 units versus a commercial development that could be developed on the property with the current zoning designation. Based on the trip generation charts, the proposed development, with 127 dwelling units, would have a lesser impact to traffic than a variety of the currently permissible uses. Most notably, a stand-alone 5,000 square-foot restaurant with a drive-thru service would generate 1,266 daily trips more than the 127 single family units, while the 48,000 square-feet of retail/shopping center would generate 846 more daily trips. This site is large enough to

contain both a 48,000 square foot shopping center and multiple restaurants. The potential uses in the current zoning designation could generate over five times the number of trips that a single-family subdivision could generate.

If the request is approved, the developer would be required to submit a Traffic Impact Analysis (TIA) for review and consideration by the City Engineer. The TIA would consider trips generated, existing roadway conditions and traffic volumes, and then determine what necessary improvements would need to be made to the frontage and adjacent roadways, and any access-points leading into the development in an effort to mitigate any possible impact to traffic conditions.

The Planning Department received a letter of opposition from a property owner in Texas City, south of the subject property. They had objections to the off-site detention that would be located adjacent to their parcel. In addition, several residents from Whispering Lakes Ranch spoke at the Planning and Zoning Commission meeting. Three of the residents of Whispering Lakes Ranch were neither in favor, nor opposition of the request. Two of the residents that spoke were in favor of the request. All of the speakers were concerned about the drainage and traffic impacts of this development.

On November 4, 2019, the Planning and Zoning Commission held a public hearing and approved the request, 7 -0-0 with one member absent.

On November 19, 2019, the City Council held a public hearing and postponed the item to the December 17, 2019 meeting, 4-3-0 with one member absent.

Attachments:

1. Data Sheet
2. Proposed Ordinance
3. Exhibit A

CONTRACT ORIGINATION:

Planning and Development

Applicant: Kathryn Parker, META Planning + Design

Owners: Sam Boyd, League City Investors Ltd.

FUNDING

{ } Funds are available from Account # _____

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

{ x } NOT APPLICABLE

STRATEGIC PLANNING

{ } Addresses Strategic Planning Critical Success Factor # _____ and Initiative # _____

{ x } NOT APPLICABLE