



Legislation Text

File #: 19-0393, **Version:** 1

Consider and take action on an ordinance amending Ordinance No. 2005-24 for a Zoning Change, MAP-19-0012 (Bahia Cove Phase 2), a request to rezone approximately 4.493 acres from “CG” (General Commercial) to “RMF-1.2” (Multi-Family Residential with a maximum density of 36 dwelling units per acre), generally located along the north side of Farm to Market Road 517, between Bay Sky Drive and Calder Drive, in the 1000 block of Farm to Market Road 517 in League City, Texas. (Director of Planning and Development)

Planning and Zoning Commission’s motion to approve failed by a vote of 1-5-0, with two members absent on June 17, 2019.

Should this ordinance be approved, it will rezone approximately 4.493 acres from “CG” to “RMF-1.2”.

Project Timeline:

August 10, 1999 - The properties were initially zoned as “Suburban Development-Commercial” and “PUD” (Planned Unit Development).

February 22, 2005 - The properties in this request were zoned “CG” (General Commercial) and “PUD” (Planned Unit Development) as a result of the Zoning Map and Text Amendment of 2005.

August 30, 2005 - Both properties in this request were zoned “CG” (General Commercial).

January 23, 2019 - The applicant held a neighborhood meeting for the proposed rezoning. The meeting attendance sheet submitted by the applicant indicated that 26 people were in attendance.

January 29, 2019 - The applicant submitted an application for a Zoning Map Amendment.

March 8, 2019 - Planning staff mailed public hearing notices to the surrounding property owners and installed public hearing signs on the property.

March 10, 2019 - Notice of public hearings published in the newspaper.

March 26, 2019 - Notice of opposition and petition provided to Planning Department.

April 1, 2019 - Planning and Zoning Commission held a public hearing and made a recommendation of denial to City Council.

April 23, 2019 - Public notice was initially posted for City Council to hold a public hearing and hear the item on first reading. The applicant requested to start the entire process over, due to the incorrect acreage being published in the initial hearing notice.

May 24, 2019 - Planning mailed the new public hearing notices to the surrounding property owners and installed new public hearing signs on the property.

May 26, 2019 - Notice of the new public hearings are published in the newspaper.

June 17, 2019 - Planning and Zoning Commission held a public hearing and made a recommendation of denial to City Council.

July 23, 2019 - City Council to hold a public hearing and hear the item on first reading.

Project Summary:

The applicant is requesting to rezone two parcels to allow for the construction of apartments. This would be an expansion of the adjacent Bahia Cove apartment complex. The apartment complex is located between the existing Bahia Cove Apartments to the east and the Mariposa Apartments to the west. Apartments are not

permitted in the current General Commercial zoning district. If approved, the request will allow apartments by right.

The applicant is proposing to construct two multifamily buildings totaling 78 units. It should be noted that while the requested zoning district (RMF-1.2) allows for a higher unit density, other development requirements, such as water capacity and parkland dedication, result in a lower density. The applicant's conceptual plan would satisfy current zoning and site development requirements. The plan shows a density of only 20.586 units per acre, compared to the 36 units per acre permissible under the "RMF-1.2" zoning district. The maximum number of units that could be developed on-site should the rezoning be approved is 118 units.

The on-site detention is proposed to be underground and will drain to TxDOT. No drainage from this site will enter the City or Galveston County MUD 14 facilities.

Staff completed a traffic comparison that shows potential traffic impacts from a maximum buildout of 118 multifamily units versus a commercial development that could be currently developed on the property. The comparison showed that the average daily trips produced by the maximum number of apartments is 785. Two commercial development scenarios on these tracts were also considered and they totaled 1,202 and 1,984 average daily trips. Although several different scenarios could develop on the lot, staff analyzed the worst-case scenario for the multifamily development and an average commercial development based on typical floor area ratios in the city.

Since the initial Planning and Zoning Commission meeting, the applicant provided a Traffic Impact Analysis (TIA) that shows traffic differences between potential commercial developments and the proposed multifamily development. In addition, landscaping was added to the rear of the apartment complex to screen the apartments from the existing single-family neighborhood.

The Future Land Use Plan, adopted by City Council in September 2017, identifies the properties as Auto Dominant Commercial (see attached Future Land Use Plan). Enhanced Auto-Dominant Commercial focuses on creating convenience and access for the end-user in an almost exclusively auto-centric environment, typically consisting of mainly "strip retail/office" and "big-box" developments. The proposed use is not consistent with the Future Land Use Plan.

The Planning Department received a petition in opposition to the request signed by 33 citizens in League City and 3 citizens in Dickinson. Of the signatures provided, 4.6% of area within the 200-foot buffer surrounding the zoning site are represented in the petition.

On June 17, 2019, the Planning and Zoning Commission held a public hearing and a motion to approve the request was denied, 1-5-0 with two members absent.

Attachments:

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

CONTRACT ORIGINATION:

Planning and Development

Applicant: Stephen Zuloaga, WRH Income Properties, Inc.

Owners: Coastal Community Federal Credit Union and JJJ Well LP

FUNDING

☐ Funds are available from Account # _____

☐ Requires Budget Amendment to transfer from Account # _____ to Account # _____

☒ NOT APPLICABLE

STRATEGIC PLANNING

☐ Addresses Strategic Planning Critical Success Factor # _____ and Initiative # _____

☒ NOT APPLICABLE