



**CITY OF FRIENDSWOOD
PLANNING AND ZONING COMMISSION
THURSDAY, AUGUST 13, 2020 - 7:00 PM**

Minutes

MINUTES OF A FRIENDSWOOD REGULAR MEETING HELD AT 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS

STATE OF TEXAS
CITY OF FRIENDSWOOD
COUNTIES OF GALVESTON/HARRIS
AUGUST 13, 2020

1. Call to order

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD PLANNING AND ZONING COMMISSION THAT WAS HELD ON THURSDAY, AUGUST 13, 2020, AT 07:02 PM 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS

CHAIRMAN JOE MATRANGA
VICE-CHAIRMAN RICHARD SASSON
COMMISSIONER BRETT BANFIELD
COMMISSIONER DICK CLARK - VIA VIDEO
COMMISSIONER LISA LUNDQUIST
COUNCIL LIAISON ROBERT GRIFFON
CITY ATTORNEY MARY KAY FISCHER
DIRECTOR OF CDD/PLANNER AUBREY HARBIN
DEVELOPMENT COORDINATOR BECKY BENNETT

COMMISSIONERS MARCUS PERRY AND TOM HINCKLEY WERE ABSENT FROM THE MEETING.

2. Action Items

According to the Planning and Zoning Rules of Procedure (R2019-15), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

- A. Oaths of Office: Aubrey Harbin, Notary Public, will administer an Oath of Office for one reappointed Commissioner, Brett Banfield

Harbin administered the oath of office to Commissioner Banfield.

3. Communication from the public/committee liaisons

(To comply with provisions of the Open Meetings Act, the Commission may not deliberate on subjects discussed under this agenda item. However, the Commission may direct such subjects be placed on a later regular Commission agenda for discussion and/or possible action)

Brady Mora said he would like the trees in town protected and not be destroyed by man-made causes.

Pastor David Lorenz/First Baptist Church thanked the Commission for their time and effort on the building height ordinance. He said the church canvassed residents in their area regarding the proposed tower and cross and that a letter was submitted to the city, signed by those residents.

Chris Cooper/Hunters Creek resident spoke against the proposed zone change at 801 W Parkwood Ave. He said converting the property to commercial would bring more hazards and that the land could be re-used as residential. He said more strip malls is not beautifying Friendswood.

Brady Burnett/Wedgewood Village spoke against the proposed zone change on Friendswood Link Road. He said the proposed plan is not adequate in regards to flooding. He said it is wrong to put high density housing next to people already struggling to recover from Hurricane Harvey.

4. Consent Agenda

These items are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a commissioner so requests in which case the item would be removed from the consent agenda and considered separately.

****Vice-Chairman Richard Sasson moved to approve Consent Agenda. Seconded by Commissioner Brett Banfield. The motion was approved unanimously.**

- A. Minutes for the regular meeting held July 23, 2020
- B. Final Plat of Albritton

5. Public Hearing

- A. Zone classification change request for a 6.3951 acre tract of land being the remainder of a 19 acre tract of land being the Northwest ½ of Lots 2 & 3, Whitney Subdivision, located at 801 W. Parkwood Ave., Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR) to Community Shopping Center (CSC; 4.3025 acres) and Office Park District (OPD; 2.0926 acres)

Harbin said the property currently has a house that was built in the 1970s, the lot is wooded and adjacent to commercial property on one side with the creek behind the lot. She explained the developer is proposing to rezone the front of the property as Community Shopping Center (CSC) and the rear to Office Park District (OPD). She said OPD is a less intense commercial use. Harbin stated

the proposed zoning would require screening along the residential neighbor and a buffer along the right-of-way. Harbin said the developer is planning to develop outside the high risk flood zones, as well.

David Boone/Virgata Property Company said they are proposing the OPD zoning as a barrier to the Hunters Creek Subdivision. He explained they are not planning to develop that portion of land but instead use it for detention. Boone said the detention pond would be maintained by the Galveston County Consolidated Drainage District (GCCDD). Boone confirmed they are not planning on developing in the floodway.

Kristi Carpenter/Hunters Creek resident said she is concerned with overdevelopment. Carpenter said when she purchased her home it was with the knowledge that the adjacent property was residential.

- B. Zone classification change request for 3.2895 acres, also known as Reserve A5, Block 2, Forest Creek Subdivision, located at 4321 Friendswood Link Rd., Friendswood, Harris County, Texas, to change from Multi-Family Residential-Garden Home District (MFRGHD) to Multi-Family Residential-High Density (MFR-H).

Harbin stated this property is vacant with commercial to the northeast and residential to the side and behind. She said the current zoning would allow 18 units and the proposed zoning would allow a maximum of 36 units with a max height of 40-feet. She said the city had created some mock up sketches of what garden homes versus high density could look like on the property. Harbin said the development would be required to install an 8-foot opaque fence with a 10-foot landscape buffer along the residential property line. Harbin stated the applicant would be required to submit a site plan to the commission for consideration, also.

Sel Thint/Crystal Creek Developers stated the tract was not developable with garden homes due to the 50-foot setback from Friendswood Link Rd. Thint said the intent is not for apartments but townhouses that would be less intrusive.

Robin McClain/resident said the area flooded during Hurricane Harvey and was opposed to the development based on increased traffic, an insufficient buffer, and decreased home values.

Melinda James/resident was against high density due to decreased home values, privacy, and an insufficient buffer. She said garden homes would be nice.

Ellen Needham/resident commented on her disappointment in the Friendswood Link Road expansion and lack of drainage improvements in Harris County. She said she is opposed to having a high-rise apartment in her backyard.

Steve Myrick/resident said Friendswood was meant to be a small horse community and questioned if the development would be Section 8 housing.

Connie Ratisseau/resident said she believed in property owner rights of the developer until she saw the proposed floor plans with four bedrooms. She said the developer is trying to maximize bodies per unit and that the children would have nowhere to play or be in danger trying to cross Friendswood Link Rd. Ratisseau questioned if the development would be low income or involve tax credits.

Carissa Mitchaletti/resident stated the conceptual plans are not binding and the proposed zoning would allow townhouses or apartments. She said the area does not have transit resources and the road is congested. Mitchaletti said the development would cause existing homeowners to move from the area.

Kambiz Pishkar/resident said a 40-foot high building could result in 120 units and he named existing apartment complexes in the area, questioning why Friendswood needed more. He said the property should stay the same and commented the neighborhood had dealt with enough pain after Hurricane Harvey.

Brady Burnett/resident said the developer would not be able to sell the townhomes for the price mentioned. He said the project was not feasible or genuine. Burnett stated the school district would be impacted by a new development.

Needham re-addressed the commission saying that after Hurricane Harvey, developers bought many of the houses which are now rental properties. She said some of the houses in the neighborhood are still vacant and have not been rebuilt. Needham said the proposed development would cause homeowners to move resulting in more rental homes.

Rudy Trahan/resident suggested the city contact the school district. He said 18 garden homes would be better than 36 townhomes.

Judy Miller/resident was opposed to the development for safety concerns saying it would bring more strangers to the neighborhood. She said the road expansion removed many trees and stated development of this property would also result in trees being removed. She said the property should be used to plant trees.

Myrick re-addressed the commission and said to rezone the property to commercial and be done with it.

Trahan re-addressed the commission to state he had never heard of the Forest Creek Subdivision and asked if there was a homeowner's association.

John Hughes/resident said there had been several floods in the area over the years. Hughes said he did not want property values to decrease.

Mitchaletti re-addressed the commission to mention the area had been on the news during Hurricane Harvey.

Needham re-addressed the commission and showed them photos of Hurricane Harvey.

Harbin reminded the commission that four emails had been sent in regarding the zone change for public comment, as well.

6. Consideration and Possible Actions

- A. Consideration and possible action regarding a recommendation to City Council for the requested zone classification change located at 801 W. Parkwood Ave., a 6.3951 acre tract of land being the remainder of a 19 acre tract of land being the Northwest ½ of Lots 2 & 3, Whitney Subdivision, according to the map or plat recorded in Plat Rec. 5, Map No. 6 of the Galveston County Map Records and being all of a 2.009 acre Homestead tract of land describe in Galveston County Clerk's File No. 8204830 in the Sarah McKissick League, Abstract No. 151, City of Friendswood, Galveston County, Texas to change from Single Family Residential (SFR) to Community Shopping Center (CSC; 4.3025 acres) and Office Park District (OPD; 2.0926 acres)

****Vice-Chairman Richard Sasson moved to approve a recommendation to City Council for the requested zone classification change located at 801 W. Parkwood Ave., from Single Family**

Residential (SFR) to Community Shopping Center (CSC; 4.3025 acres) and Office Park District (OPD; 2.0926 acres). Seconded by Commissioner Lisa Lundquist. The motion was approved unanimously.

Sasson stated the commercial use would be a good fit on FM 528 with the surrounding commercial properties. He said he appreciated the Office Park District (OPD) as a buffer to the rear neighbors.

Lundquist agreed the commercial use seemed to be a good fit and that the developer was cognizant of the need for a buffer.

Clark said it was the right place for commercial but was concerned with an increase in traffic.

Banfield said he would support the zone change. He was in favor of property owner rights, the developer not working in the floodway, and that many trees would remain.

Matranga stated this property was the last vestige of Camp Manison and was sad to see it go but he liked the concessions being made by the developer.

- B. Consideration and possible action regarding a recommendation to City Council for the requested zone classification change located at 4321 Friendswood Link Rd., 3.2895 acres, also known as Reserve A5, Block 2 Forest Creek Subdivision, out of the Sarah McKissick Survey, Abstract No. 549, Harris County, Texas, to change from Multi-Family Residential-Garden Home District (MFR-GHD) to Multi-Family Residential-High Density (MFR-H).

****Commissioner Brett Banfield moved to approve a recommendation to City Council for the requested zone classification change located at 4321 Friendswood Link Rd., from Multi-Family Residential-Garden Home District (MFR-GHD) to Multi-Family Residential-High Density (MFR-H). Seconded by Commissioner Lisa Lundquist.**

Sel Thint/Crystal Creek Developers said he is a 25-year resident with two children in Friendswood ISD plus his office across from City Hall. He said he has a vested interest in the community and not oblivious to the resident concerns about development. Thint stated he does not want to develop apartments. He said the garden home concept is restricted due to the 50-foot building setback but if the city would decrease the building setback, he could do an analysis for garden homes to see if it would make financial sense. He said the property owner is currently selling the land, contingent upon plan approval, and not involved in the development.

Banfield reminded the room that the Planning and Zoning Commission is a recommending body and that the zone changes would be further discussed by City Council. He said he has been a multi-family developer for 30 years, a resident for 50 years, and understands the emotion behind re-development. He suggested a medium density use could be a good compromise. Banfield said the commission must balance property owner rights with resident concerns. He said the increase from 18 units to 36 units along a stretch of road with 7,200 cars a day would be an impact but not a substantial impact. He said there are 15,000 houses in Friendswood but different people have different housing needs which require alternatives to traditional single family homes. He said the proposed development would not be Section 8 or low income housing.

Lundquist said she was disinclined to allow high density even before the public comments.

Clark said he was considering the property owner's rights versus the neighbor's rights and was against 40-foot structures overlooking the adjacent homes.

Sasson stated he was impressed with the resident turn out. He said the area is dense already and would be supportive of garden homes.

Matranga said Friendswood does need development but all the "low hanging fruit" are gone. He said the commission looks at the needs of the community as a whole, not by county. He asked Thint if Section 8 housing would apply. Thint said Section 8 housing would not be financially feasible. Harbin added that City Council would need to approve Section 8 housing. Matranga asked staff if the existing 50-foot setback could be changed. Harbin said staff would look into a replat and check for any deed restrictions.

****Banfield moved to withdraw his motion to approve and to table the item. Lundquist seconded the motion. The vote was approved unanimously.**

- C. Discussion regarding proposed amendments to Appendix C, Zoning Ordinance "Section 7. I. Downtown District (DD), general purpose and description" to add a reference to Section 20. Definitions, "Section 7.Q.3. Area and Height Exceptions" to amend the height exceptions, and "Section 20. Definitions - Height" to remove a duplicate requirement

Matranga said at the last meeting, the Commission chose the SUP amendment process to accommodate the church's desire for the cross addition. Since then, additional direction from the Mayor was given that he would like the ordinance changed.

Harbin said the discussion last time was that an ordinance could be drafted to allow exceptions in the Downtown District while restricting unintended consequences. She said staff could hopefully complete the ordinance change before the end of the year.

Clark said it has been made very clear that City Council wants the church cross to be allowed. He agreed with trying to draft an ordinance for the whole of the Downtown District (DD) without unintended consequences. He stated he was personally not in favor of changing the building height ordinance.

Lundquist said she is not personally in favor either. She said she thinks 70-feet is tall enough and does not place a hardship on the church. She said the Commission was told what to do and questioned whether their role really counted.

Sasson said the consensus of the seven Commissioners was that an SUP would be the route to allow an exception for the church cross height. Sasson said the commission thought they were asked to do what is right for the city but now the task is to allow one applicant to have special considerations without creating unintended consequences. Sasson stated he is disappointed with the way this situation has been handled.

Banfield said he is still scratching his head as to why the ordinance needs to be changed. He stated a SUP is the correct tool to use for allowing special circumstances. He said an ordinance should only be changed when several applicants are challenging the same ordinance over and over again. Banfield said the commission may draft an ordinance and send up a 0-7 vote.

Matranga stated the Mayor has made it clear that he does not want to make exceptions; He wants to make it the rule. Matranga said the commission's job is to make the best ordinance they can.

Sasson asked if the church is objecting to amending their Specific Use Permit. Pastor Lorenz said the issue is the cross height, not the structure height of the tower. Stephanie Kaup/architect stated they are fine with an SUP amendment.

- D. Consideration and possible action regarding appointments to the Planning Subcommittee and Ordinance Subcommittee

Matranga assigned Clark, Sasson, and Hinckley to the Ordinance Subcommittee. The Planning Subcommittee will be Perry, Banfield, and Lundquist.

- E. Consideration and action regarding updating the Liaison Assignments

Matranga assigned himself as liaison to City Council, Clark and Sasson to the Galveston County Consolidated Drainage District, Banfield to the Construction Board Of Adjustment, Hinckley to the Zoning Board Of Adjustment, Lundquist to Keep Friendswood Beautiful, and Perry to the Friendswood Downtown Economic Development Corporation.

7. Consideration and possible action regarding future Planning and Zoning Commission meeting dates

- A. Thursday, August 27, 2020 - Regular Meeting
Thursday, September 10, 2020 - Regular Meeting

8. Communications

- A. From Commissioners - suggestions for future agenda items, general comments and/or updates from liaison assignments

Matranga said he misspoke at the last meeting and that Chairman and Vice-Chairman positions would be expiring next year, not this year.

- B. From Planning Subcommittee – update on tasks
None.

- C. From Ordinance Subcommittee – update on tasks
None.

- D. From City Council Liaison, Robert Griffon - general comments and communication from City Council
None.

- E. From Staff - July DRC Report, commercial and residential project updates, City Council action and ordinance updates

Harbin said the Zoning Board of Adjustment would be meeting this month to hear two variance cases.

9. Adjournment

This meeting was adjourned at 09:13 PM.