



**CITY OF FRIENDSWOOD
PLANNING AND ZONING COMMISSION
THURSDAY, DECEMBER 8, 2022 - 7:00 PM**

Minutes

MINUTES OF A FRIENDSWOOD REGULAR MEETING HELD AT 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, FRIENDSWOOD CITY HALL, COUNCIL CHAMBERS

STATE OF TEXAS
CITY OF FRIENDSWOOD
COUNTIES OF GALVESTON/HARRIS
DECEMBER 8, 2022

1. CALL TO ORDER

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD PLANNING AND ZONING COMMISSION THAT WAS HELD ON THURSDAY, DECEMBER 8, 2022, AT 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS

CHAIRMAN JOSEPH MATRANGA
VICE-CHAIRMAN RICHARD SASSON
COMMISSIONER TRAVIS MANN
COMMISSIONER TOM HINCKLEY
COMMISSIONER CATHERINE KOERNER
COMMISSIONER MARCUS RIVES
COMMISSIONER BRIAN BOUNDS
COUNCIL LIAISON TRISH HANKS
CITY ATTORNEY KAREN HORNER
DEVELOPMENT COORDINATOR BECKY BENNETT

CITY PLANNER HARBIN WAS ABSENT FROM THE MEETING.

2. PUBLIC COMMUNICATION

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.

None.

3. 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 the CONSENT AGENDA. Seconded by Commissioner Travis Mann. The motion was approved unanimously.**

- A. Consider approving the minutes of the Planning and Zoning Regular Meeting held on Thursday, November 10, 2022.
- B. Consider approving the minutes of the Planning and Zoning Special Meeting held on Tuesday, November 29, 2022.

4. ACTION ITEMS

According to the Planning and Zoning Rules of Procedure (R2021-18), 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. **ZONE CHANGE REQUEST: 110 HUNTERS LANE TO CHANGE FROM CSC TO MFR-M**
 - i Conduct a public hearing regarding a request for a zone classification change from a Community Shopping Center (CSC) Zoning District to a Multi-Family Residential – Medium Density (MFR-M) Zoning District for the property located at 110 Hunters Lane, Friendswood, Galveston County, Texas.

Commissioner Rives recused himself and left the dais.

Bennett said the property is .89 acres currently zoned Community Shopping Center between Masa Sushi and Hunters Creek Estates subdivision. A 15-foot landscape buffer would be required between the proposed development and Hunters Creek Estates. The property is currently undeveloped and the Future Land Use Map indicates retail use. Bennett said detention for the tract was previously accounted for in the Hunters Creek Estates detention facility.

Michael Zhou/property owner said he plans a gated, six-unit townhome project which would be less noisy than a commercial strip center. Jennifer Somich/Remax explained custom townhomes should offer a good buffer between the restaurant and Hunters Creek Estates and be a nice housing alternative in Friendswood.

Meaghan Terminella/1705 Hunters Cove explained she bought her house knowing it backed up to a commercial property with business hours and a rezoning would be devastating. She was concerned a two-story home would have windows looking into her rear windows.

Rob Mulcahy/1701 Hunters Cove said he purchased his home a few months ago and was okay with the adjacent commercially zoned property. He was concerned adding six more homes would add additional traffic.

John Penny expressed concern about drainage and flooding. He also said he was concerned about the additional residents coming in and out of the townhomes, being a revolving door of long-term

leases, and creating a backup in front of Hunters Creek Estates.

Gerry Corona said he is worried about the type of people that will be living there and walking into their neighborhood. He explained they would have no control over background checks. He also expressed concern over devaluing their property values.

Ben Mills/509 Hunters Lane said he is part of the Homeowners Association and is neither for nor against the project. He disagreed with associating multi-family or rentals with any demographic. He said a residential property would be a good buffer but was concerned about traffic in the area. He said they would like to understand more about the project, discuss cost sharing for amenities and drainage, and see a traffic plan that could be shared with their 53 households.

Don Scott/201 Hunters Ln said the gate for the proposed community could conflict with the existing gate for Hunters Creek Estates. He also commented on mowing and drainage cost sharing with the adjacent businesses.

Janet LeCompte/421 Hunters Ln said there is no good to come from a zone change. She said the townhomes would devalue their property. She also spoke about flooding issues. She proposed making the subject property a road to HEB.

Benjamin LeCompte/421 Hunters Ln said there is only one way in and out of Hunters Creek Estates subdivision. He said if anything happened in the multi-family property, his subdivision would be prisoners.

Mary Garnett/Hunters Forest said every property in Friendswood does not need growth. She reiterated the safety issue of only one entrance into the subdivision and flooding. She said there are empty apartments in Friendswood. She also said a fence has been built at the new business and they can no longer drive to HEB.

Cameron Putnman/1710 Hunters Forest said the past few years of Friendswood has mirrored Pearland's expansion. He spoke about traffic and flooding as well as another gated community being so close to Hunters Creek Estates. He said "go build somewhere else" because it is too condensed.

Don Scott spoke against the project again. The public hearing was closed.

- ii Consider making a recommendation to City Council concerning a request for a zone classification change from a Community Shopping Center (CSC) Zoning District to a Multi-Family Residential – Medium Density (MFR-M) Zoning District for the property located at 110 Hunters Lane, Friendswood, Galveston County, Texas.

****Vice-Chairman Richard Sasson moved to make a positive recommendation to City Council concerning a request for a zone classification change from a Community Shopping Center (CSC) Zoning District to a Multi-Family Residential – Medium Density (MFR-M) Zoning District for the property located at 110 Hunters Lane. Seconded by Commissioner Tom Hinckley. The motion was approved 5-1 with Hinckley opposed.**

Bennett said the city received a letter from the HOA discussing cost sharing for the maintenance of the median and detention pond. She stated City Attorney Horner had drafted a response to the HOA explaining the city cannot consider the request in conjunction with the zone change request. She said that agreement would be a private, civil matter. Bennett responded to the public comments about zero foot setbacks. She explained a landscape buffer would be required between

the two different zoning districts and along the right-of-way. Koerner asked what the buffer would be if the property remained commercial. Bennett answered a 15-foot buffer would still be required adjacent to the residential subdivision but not along the other sides. Koerner commented that leaving the property commercial would allow more developable area than changing the zoning to residential.

Sasson said the maximum number of units allowed in multi-family residential- medium is 9 units per acre, but since the property is .89 acres, only 8 units would be allowed. Bennett confirmed. Sasson asked about drainage. Bennett said when the area was originally developed, the detention volume for the commercial tracts was calculated into the Hunters Creek Estates detention pond. She further stated the development, regardless of zoning, will undergo review by the Galveston County Consolidated Drainage District and the City of Friendswood Engineering Department. Sasson said the commission balances the wants of the developer, the wants of the residents, the needs of the city, and the long-term plans of the city. He said the real question is whether to allow townhomes or an Arby's or a tattoo shop. He explained the property would not remain empty and the resident concerns would be valid with both residential and commercial.

Hinckley said traffic would be an issue with residential and commercial developments but is not necessarily something that can be used to make zone change decisions. He said six, beautiful townhomes could be a good buffer but that the commission was only considering the zone change request at this meeting. He said a different developer could build some other type of multi-family residential medium density housing.

Mann acknowledged he heard the residents' concerns but felt the commercial impact would be higher than a residential buffer.

Koerner thanked the residents' participation in the meeting. She explained some of the concerns expressed were outside the purview of the Planning and Zoning Commission. She said her fear is that leaving the commercial zoning would be worse than a residential development.

Bounds asked how many stories the townhomes would be. Mr. Zhou stated the development would be two-story townhomes. Koerner questioned the current height allowance per the zoning ordinance. Bennett answered that commercial zoning allowed 40-foot buildings that could be increased to 70-feet with enough of a setback.

Matranga asked if the commission would see this project again. Bennett answered that preliminary and final plats would go before the commission, followed by a site plan. Matranga asked Mr. Zhou why he wanted to change the zoning from commercial to residential. Mr. Zhou said commercial development would be worse for the neighbors and he did not want to be at odds with the neighbors. Matranga acknowledged the resident concerns and agreed with the majority of the commission that a residential buffer would provide more protection for the adjacent neighborhood.

B. ZONE CHANGE REQUEST: 1376 W PARKWOOD AVE SUP TO ALLOW RELIGIOUS ORGANIZATIONS

Commissioner Rives returned to the meeting.

- i Conduct a public hearing regarding a request for a Specific Use Permit (SUP) to allow for NAICS Use #8131 Religious Organizations (the underlying Single Family Residential (SFR) Zoning District will remain) for the property located at 1376 W. Parkwood Ave., Friendswood, Galveston County, Texas.

Bennett explained the applicant is requesting to add a Specific Use Permit to allow Religious Organizations at an existing single family residence. She said the church is looking to use the home as their administrative office. Bennett said interior renovations would be required but no major exterior changes are proposed. The church would install landscaping buffers in compliance with the Community Overlay District, plus add a parking area. She explained the long-term goal of the church is to build their sanctuary on the adjacent property and leave the frontage on FM 528 as commercial to meet the city's long-term goals. She stated the site plan would go before the commission at a later date.

Pastor Scott Neimeyer of HighPoint Church said the church is currently portable and leasing space from the Friendswood Independent School District. He stated HighPoint Church is looking forward to putting down roots. He mentioned the church has inherited the current tenants on a month-to-month basis.

- ii Consider making a recommendation to City Council regarding a Specific Use Permit (SUP) to allow for NAICS Use #8131 Religious Organizations (the underlying Single Family Residential (SFR) Zoning District will remain) for the property located at 1376 W. Parkwood Ave., Friendswood, Galveston County, Texas.

**Commissioner Marcus Rives moved to make a positive recommendation to City Council regarding a Specific Use Permit (SUP) to allow for NAICS Use #8131 Religious Organizations for the property located at 1376 W. Parkwood Ave. Seconded by Vice-Chairman Richard Sasson. The motion was approved unanimously.

Rives said the church retaining commercial zoning along the frontage would fit with the city's long-term plans. Sasson asked about utilities for the site. Bennett said the existing water service would be sufficient for office use. She also said the property uses a septic system but any future development would require a connection to a sanitary sewer. Sasson said the plans call for a 4-foot sidewalk and Bennett confirmed a 5-foot sidewalk would be required along FM 528. Sasson asked the pastor if the two oak trees would remain in front of the house. Pastor Neimeyer said the church has been discussing trees and will defer to their arborist and the city requirements. Pastor Neimeyer said the 4-foot sidewalk should be from the building to the crosswalk.

Koerner asked if the current renters would remain once the building was converted to office use. Pastor Neimeyer said the tenants would not remain when the church takes occupancy. Koerner asked if the SUP would affect the renters. Bennett explained that the SUP is a layer on top of the residential zoning.

Hinckley questioned why the SUP is not being applied to the future sanctuary property. Pastor Neimeyer explained the sanctuary plans are not developed yet, so they are moving forward with the one acre tract for the administrative building.

C. ZONE CHANGE REQUEST: FM 2351/W EDGEWOOD DR FROM PUD TO SFR

- i Conduct a public hearing regarding a request for a zone classification change from Planned Unit Development (PUD) 2017-12 Zoning District to a Single Family Residential (SFR) Zoning District for a tract of land located on W. Edgewood Drive/FM 2351, being a 4.621 acre tract of land out of Lot Two (2), in Block One (1), of Friendswood, a subdivision out of the Sarah McKissick Survey, Abstract 151, in Friendswood, Galveston County, Texas.

Bennett said the property is located on FM 2351 across the street from Red Top diner. She said the current PUD was approved in 2017 for a three-building project including memory care, independent living, and assisted living. She said the property has been rezoned multiple times over the years and is surrounded by a variety of zoning districts.

Bijan Sadoughi/Sorento Builders said he and his partner, Jason Ritchmond, have 50 years of experience between them both. He said the property is not in a flood zone and experiences heavy traffic. He said they have begun coordinating with TxDOT. Sadoughi said the proposed development would be a gated, luxury development of 12 homes around a cul-de-sac. Jason Ritchmond said TxDOT denied commercial use and the highest and best use is residential. He said the project will be a 20 million dollar development and they would like to install a flashing light at the entrance.

George Guirgis/407 W Edgewood Dr said he is not against the project but is concerned about detention. He said his property did not flood during Hurricane Harvey and he would like to keep it that way. He acknowledged FM 2351 traffic is bad but did not agree that residential use would be better for traffic than commercial use.

- ii Consider making a recommendation to City Council regarding a request for a zone classification change from Planned Unit Development (PUD) 2017-12 Zoning district to a Single Family Residential (SFR) Zoning District for a tract located on W. Edgewood Dr/FM 2351, being a 4.621-acre tract of land out of Lot Two (2), in Block One (1), of Friendswood, a subdivision out of the Sarah McKissick Survey, Abstract 151, in Friendswood, Galveston County, Texas.

****Commissioner Marcus Rives moved to make a positive recommendation to City Council regarding a request for a zone classification change from Planned Unit Development (PUD) 2017-12 Zoning district to a Single Family Residential (SFR) Zoning District for a tract located on W. Edgewood Dr/FM 2351, being a 4.621-acre tract of land out of Lot Two (2), in Block One (1), of Friendswood, a subdivision out of the Sarah McKissick Survey, Abstract 151, in Friendswood, Galveston County, Texas. Seconded by Vice-Chairman Richard Sasson. The motion was approved unanimously.**

Rives said the property is surrounded by residential areas and thinks a change to residential would be acceptable. He did say he was curious how 12 homes plus drainage would fit on the property, but that was a conversation for another time.

Sasson commented that TxDOT denying commercial use was bizarre. Sadoudhi clarified TxDOT did not deny commercial use but that Sorento Builders feel a residential use would create less traffic. Matranga asked Sadoughi to comment on the drainage, of which Sadoughi said the property is not in a flood zone. Matranga asked Bennett to clarify the confusion around TxDOT's role in zoning. Bennett said TxDOT is not involved in zoning but TxDOT will require permits for the driveway, sidewalk, etc. during the construction plan review. Ritchmond discussed his construction plans. Sasson informed the applicant that only the zone change was on the agenda. Sasson asked Bennett if there were any exceptions to lot size being requested. Bennett answered the minimum lot size would be 90-feet and a 10-foot landscape buffer would be required along FM 2351 because this property is subject to the Community Overlay District regulations.

Koerner questioned the future land use of the adjacent mobile home park. Bennett said there is no intended change to the mobile home park zoning. Rives said he was speculating on future use of the property. Koerner said the most powerful statement made is that three sides of this property are currently residential. She thought it was odd that the future land use of the tract is retail.

Bounds commented that traffic flow needs to be considered whether the property is commercial or residential.

Hinckley said he would like to follow the Future Land Use map but understood the rationale for a change to residential. Matranga said the history of zone changes on this property shows it could go either way and would defer to the property owner as to what use is best for them.

5. COMMUNICATIONS

- A. Receive the November 2022 DRC Report from staff, updates of City Council actions and ordinance considerations, and updates of Galveston County Consolidated Drainage District (GCCDD) actions.

Bennett said the November DRC report was in the backup material. Matranga said he would call the GCCDD Chairman to discuss the liaison assignment.

- B. Receive Liaison and Commission Comments and Reports.
Notice is hereby given in accordance with Section 551.0415 of the Texas Government Code, the Planning and Zoning Commission of the City of Friendswood may receive reports about items of community interest from City staff and/or a member of the Commission, but no action or possible action shall be taken or discussed concerning the subject of such report, except as provided by Section 551.042 of the Texas Government Code.

Bounds said the meeting's discussions were very informative and he learned a lot as a commissioner.

- C. Announcement of the next Planning and Zoning Commission regular meetings for (i) Thursday, December 22, 2022 and (ii) Thursday, January 12, 2023.

Chairman Matranga and Commissioner Mann said they would not be present at the December 22nd meeting.

6. ADJOURNMENT

This meeting was adjourned at 08:51 PM.