



**CITY OF FRIENDSWOOD
PLANNING AND ZONING COMMISSION
THURSDAY, AUGUST 10, 2023 - 6:00 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
AUGUST 10, 2023

1. CALL TO ORDER

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD PLANNING AND ZONING COMMISSION THAT WAS HELD ON THURSDAY, AUGUST 10, 2023, AT 06:00 PM 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS

CHAIRMAN TOM HINCKLEY
VICE-CHAIRMAN RICHARD SASSON
COMMISSIONER MARCUS RIVES
COMMISSIONER BRIAN BOUNDS
COMMISSIONER MARSHA CONRAD
COUNCIL LIAISON JOE MATRANGA
DIRECTOR OF CDD/PLANNER AUBREY HARBIN
ASSISTANT PLANNER BECKY BENNETT

COMMISSIONERS TRAVIS MANN AND CATHERINE KOERNER WERE ABSENT FROM THE MEETING. CITY ATTORNEY KAREN HORNER WAS ABSENT FROM THE MEETING.

2. COMMUNICATIONS FROM THE PUBLIC

In order 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 to 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.

A. Consider approval of the minutes for the regular meeting held Thursday, July 27, 2023

****Commissioner Brian Bounds moved to approve the minutes for the regular meeting held Thursday, July 27, 2023. Seconded by Commissioner Marcus Rives. The motion was approved unanimously.**

4. ACTION ITEMS

A. ZONE CHANGE REQUEST: 209 E EDGEWOOD DR TO CHANGE UNDERLYING ZONING FROM PLANNED UNIT DEVELOPMENT (PUD) TO OFFICE PARK DISTRICT (OPD)

- i Conduct a public hearing regarding a request for a zone classification change located at 209 E Edgewood Drive, .2983 acre out of Lot 2, in Block 1, of Final Replat of Melody Plaza, Section Two (2), a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 1136, in the Office of the County Clerk of Galveston County, Texas, to change the underlying zoning from Planned Unit Development (PUD; Ord. 97-22) to Office Park District (OPD), keeping the Specific Use Permit (SUP; Ord. 98-5) that allowed the use of print shop.

Director Harbin said the property requesting a zone change was originally platted with Melody Plaza and later sold by metes and bounds. She said the property was zoned Office Park District (OPD) in 1997 but changed to Planned Unit Development (PUD) and Specific Use Permit (SUP) in 1998 for a print shop. She explained the City's Permitted Use Table (PUT) that lists allowed uses was updated in 2011 to remove PUD as a category. She said the purpose of a PUD is for creative, mixed-use development and removing PUD from the PUT created an unintended consequence for this tract of allowing only one use while all the adjacent tracts are zoned OPD and allowing multiple uses.

Robert Smithhart/owner said he has owned the print shop for three years and only needs the downstairs space. He would like to rezone to OPD and rent the upstairs space to an office professional.

David O'Farrell, the original developer of Melody Plaza, said he built the 12,000 square foot front office spaces for rent plus the building in question for a friend's print shop. He said they had an agreement, in perpetuity, to limit the use of a print shop only in order to protect the parking for the front building. O'Farrell said the PUD/SUP on the rear building was intentionally different than the surrounding tracts. O'Farrell said the city would not enforce internal parking arrangements and civil litigation would be difficult. Therefore, he may litigate the city instead as a "taking" of available parking if the zone change is approved.

- ii Consider making a recommendation to City Council for the requested zone classification change located at 209 E Edgewood Drive, .2983 acre out of Lot 2, in Block 1, of Final Replat of Melody Plaza, Section Two (2), a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 1136, in the Office of

the County Clerk of Galveston County, Texas, to change the underlying zoning from Planned Unit Development (PUD; Ord. 97-22) to Office Park District (OPD), keeping the Specific Use Permit (SUP; Ord. 98-5) that allowed the use of print shop.

****Vice-Chairman Richard Sasson** moved to approve making a positive recommendation to City Council for the requested zone classification change located at 209 E Edgewood Drive to change the underlying zoning from Planned Unit Development (PUD; Ord. 97-22) to Office Park District (OPD), keeping the Specific Use Permit (SUP; Ord. 98-5) that allowed the use of print shop. Seconded by Commissioner Marcus Rives. The motion was approved 4-1 with Commissioner Marcus Rives opposed.

Commissioner Sasson stated PUD is not the appropriate zoning for a single building and prevents any uses without the SUP. He said it sets a bad precedent to use PUDs in that manner plus the tract is surrounded by other OPD zoning. Sasson questioned why the original developer split nine parking spaces when he sold the print shop building by metes and bounds. Sasson said he visited the site multiple times and observed many of the parking spaces open. He commented that while staff does not enforce parking on redeveloped or interior parking arrangements, had this site been newly developed, the current number of parking spaces is fairly close to what would be required for building square footage. He said he spoke with the other commercial neighbor who supports the zone change request.

Commissioner Rives said he can understand both sides. He mentioned he had not seen the parking lot full either and questioned why the parking spaces were cut in half between the two properties. He mentioned if there is an agreement to limit the use or the parking, it could be civilly enforced. Commissioners Conrad and Bounds both commented similarly that the parking lot is never full and questioned why the parking between the two buildings was cut in half horizontally.

Rives asked if the Commission could impose conditions on the approval. Harbin answered zone changes cannot be approved conditionally. Sasson clarified the print shop use would remain with the SUP regardless of the underlying zoning being PUD or OPD. Rives asked if there was an analysis performed on the parking situation. Bennett answered that the existing parking was fairly close to what the current code would require. Chairman Hinckley reminded the Commission the zone change did not include a site plan and was to be based on the use of the property.

B. SITE PLAN AMENDMENT: 3201 E FM 528 RD

Consider approval of a site plan amendment for the property located at 3201 E FM 528 RD for the proposed Friendswood Community Hospital.

****Vice-Chairman Richard Sasson** moved to approve the site plan amendment for the property located at 3201 E FM 528 RD for the proposed Friendswood Community Hospital. Seconded by Commissioner Marcus Rives. The motion was approved unanimously.

Harbin explained the proposed hospital would remodel the former Walgreens at the corner of Bay Area Blvd. and FM 528 with 24 beds being used for emergency patients and scheduled patients. She said the accessible route would be moved to the side of the building and connect to Bay Area Blvd. where three trees would be removed. She said the trees being removed are not substantial trees and the property has lots of mature landscaping. Harbin mentioned the backup generator would be screened, also.

Sasson asked which street would access the ambulance bay. Sel Thint/Everest Design Group answered that ambulances could use either entrance. Sasson said the plan indicates more

landscape islands and trees were being added and asked if more perimeter trees would be added. Thint said due to the existing, mature trees along the streets, no additional trees are being proposed in those areas.

Rives asked if a 20-foot fire lane was approved by the Fire Marshal. Bennett answered the 20-foot fire lane is the required width and was approved by the Fire Marshal's Office during plan review. Hinckley said it would be a nice change to reoccupy that building.

C. RECOMMENDATION: AMENDMENTS TO APPENDIX A, SIGN ORDINANCE

Consider making a recommendation to City Council for the proposed amendments to Appendix A, Sign Ordinance

****Commissioner Marcus Rives moved to approve making a positive recommendation to City Council for the proposed amendments to Appendix A, Sign Ordinance. Seconded by Vice-Chairman Richard Sasson. The motion was approved unanimously.**

Rives asked if the Sign Ordinance contains language to address derelict signs. Bennett said the existing ordinance has provisions to keep signs in good repair and any out of compliance could be reported to the City's Code Enforcement division. Sasson asked if the Sign Ordinance would come back to the Commission if any changes are made. Harbin said staff would not make any changes before presenting it to City Council, but that City Council does have the authority to make changes and they would not need to be reviewed by the Commission. She explained the Sign Ordinance does not require public hearings, so the Council will need to read the ordinance at two meetings instead.

D. Consider approving a one-time, one-year extension for the following final plats: Avalon at Friendswood Detention Final Plat

****Commissioner Marcus Rives moved to approve a one-time, one-year extension for the Avalon at Friendswood Detention Final Plat. Seconded by Commissioner Brian Bounds. The motion was approved unanimously.**

Harbin stated this section of the subdivision is still under construction and the developer needs more time. Sasson commented that plat extensions are fairly common.

5. COMMUNICATIONS

A. Announcement of the next Planning and Zoning Commission regular meetings for (i) Thursday, August 24, 2023 and (ii) Thursday, September 14, 2023.

B. Receive the July 2023 DRC Report, Council Liaison updates concerning action taken by the City Council on Planning and Zoning related items, and Commissioner comments concerning items of community interest and/or requesting future agenda items.

Councilmember Matranga reported the hot topic at the Council meeting was the budget and the proposed tax rate. He said the original increase of 4+ cents had been reduced to an increase of 2 cents. He also said the Permitted Use Table changes passed unanimously with no discussion. Matranga announced the City hired its first EMS Chief, Lisa Camp. And lastly, he announced the Library Gala would occur on September 30th and that tickets were selling fast.

Rives reported he attended the Galveston County Consolidated Drainage District (GCCDD)

meeting where the board approved preliminary plans for Friendswood Trails dependent upon updating the calculations to comply with Atlas 14.

Harbin said the City Council approved the creation of an Ad Hoc Parking Committee that consisted of a mix of existing board members. She said she and Bennett would liaise with the new committee.

6. ADJOURNMENT

This meeting was adjourned at 06:49 PM.