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CITY OF LA MARQUE
PLANNING AND ZONING COMMISSION
PUBLIC HEARING / REGULAR MEETING MINUTES
OF
June 12, 2018

Public Hearing / Regular Meeting Minutes of the City of La Marque Planning and Zoning Commission held on June 12, 2018, beginning at 4 p.m. at 1109-Bayou Road with the following members present: Deanna Bethea, Greg Cornett, Augustino Molis, Hugh Cash, Jean Gutierrez and Nancy Vidotto.

(1) CALL TO ORDER

Chairperson Deanna Bethea called the meeting to order at 4:10 p.m.

(2) ROLL CALL

PRESENT:

Chairperson Deanna Bethea – Present
Vice Chairperson Greg Cornett – Present
Commissioner Hugh Cash – Present
Commissioner Jean Gutierrez – Present
Commissioner Augustino Molis – Present
Alternate Nancy Vidotto – Present

OTHER OFFICIALS/STAFF PRESENT:

Robert Michetich – Council Member
Carol Buttler – City Manager
Ellis Ortego – City Attorney
Kathleen Van Stavern – Code Enforcement
Sussie Sutton – Development Coordinator
Colleen Merritt – La Marque Economic Development

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was dispensed by the Planning & Zoning Commission, led by Commissioner Cornett.

(4) APPROVAL OF MINUTES

Regular Meeting Minutes of May 8, 2018.
Ellis Ortego requested to be shown present at the meeting of May 8, 2018.
Commissioner Cash made a motion to accept the Minutes of May 8, 2018. Commissioner Gutierrez seconded. **MOTION PASSED UNANIMOUSLY.**

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(5) **CITIZENS PARTICIPATION**
None.

(6) **OLD BUSINESS**
Discussion/possible action regarding a **Final Plat** of Landing at Delany Cove Section 10, being a subdivision of 11.225 Acres located in the Stephen F. Austin League No.4 Survey, A-2 City of La Marque, Galveston County, Texas. (East of FM 2004 at FM 1765)

Commissioner Gutierrez motioned to approve the Final Plat of Landing at Delany Cove Section 10. The motion was second by Commissioner Cash.
MOTION PASSED UNANIMOUSLY.

The general meeting closed at 4:14 p.m.

(7) **PUBLIC HEARING**

The public hearing convened at 4:14 p.m. to hear the following:
Variance: Conduct Public Hearing to hear public input regarding a **variance** to the Thoroughfare Overlay District Ordinance – Section 71-27(e)(6) and (e)(8), an ordinance speaking to structure setbacks and landscaping percentage for 3219 FM 1765.

Mr. Getty, Economic Development Corporation, addressed the Commission inquiring if this variance was to be heard at another board. City Manager, Carol Buttler, informed Mr. Getty and the Commission that the Board of Adjustments will be making the final decision; because it is requesting a variance from the zoning ordinance. This request is being heard at this meeting because the Planning & Zoning will be discussing in a workshop recommendations on changes to the Thoroughfare Overlay Ordinance and they need to hear the hardships that some of the developers are facing in existing locations.

Mr. Getty informed the Commission that Mr. Mudasir Lakhani has complied with all the City of La Marque's Economic Development Corporation (EDC) requirements. He also noted that the EDC has worked a two-part grant – $10,000 for concrete to be used at the location and $10,000 for the signage to incorporate the City's name, which he presently is requesting a sign distance requirement variance from. Mr. Lakhani is taking an existing building and turning it into a good development for the City with employment and sales tax. Mr. Lakhani is not conforming because he wants to, but facing some real challenges with this property and he just can't meet the landscape requirements. He will be doing some planters boxes to help with the landscaping. Mr. Lakhani presented the Commission with photos of the improvements.

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City Manager Buttler asked what he was proposing for the 15% landscaping requirement. Mr. Lakhani indicated there was a nine-foot strip on FM 1765 that he is going to use as part of his landscaping area. Ms. Buttler asked if he was requesting a reduction in percentage or was he requesting a certain type of landscaping. This question was asked so that the Commission can address this issue when reviewing the changes to the Thoroughfare Overlay District ordinance.

Mr. Mudasir said he was requesting a reduction in percentage of needed landscaping. There will be landscaping on the corner of the property where the sign is to be located. There is an area behind the building that he was going to concrete in and he could use this area as part of percentage of the landscape area. The area is 50x20, so about 1,000 square feet. The sign will have about 400-square feet for landscaping. It was noted by the Commission that the developer was not requesting too much of a percentage reduction, which appeared to be about 10%.

Public meeting closed and the Regular Planning & Zoning meeting re-opened at 4:30 p.m.

(8) NEW BUSINESS

a. Discussion/possible action regarding a **variance** to the Thoroughfare Overlay District Ordinance – Section 71-27(e)(6) and (e)(8), an ordinance speaking to structure setbacks and landscaping percentage for 3219 FM 1765. (La Marque's One Stop Shop)

Chairperson Bethea suggested that the Commission make a formal recommendation to the Board of Adjustments to look at and grant a variance concerning the setbacks for the signage and a reduction to the percentage for landscaping.

Commissioner Cash motioned to recommend approval. Seconded by Commissioner Gutierrez. **MOTION PASSED UNANIMOUSLY.**

b. Discussion/possible action regarding a **Final Plat** of Trails at Woodhaven Lakes formerly known as Park Meadows Subdivision Section 1, being a plat of 21.74 Tract out of a 75.62 Acres Tract of Land situated in the S. F. Austin League Survey, Abstract 297, in Galveston County, Texas. (West of Delany Rd. & South of FM 1765)

Tony Padua, developer of Trails Woodhaven Lakes, expressed his appreciation for the approval of the re-zoning on a portion of this subdivision from C-1 Commercial to R-1 Single Family Residential affecting Sections 4 and 5. He announced the re-zone doesn't affect Section One, which is being currently considered.

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Commissioner Molis inquired about the commercial piece of property located at FM 1765 and Delany Road. Mr. Padua noted that the original partners still own this property and are waiting to put a retail oriented business there.

Commissioner Cash wanted to see an overall plan of all the parks and the locations. Mr. Padua passed out two copies of Gen7's park plan, which show the parks for the subdivision. The main amenity will be the lakes with the playgrounds in between each lake. Per Mr. Padua and discussed with Mrs. Buttler, there is a preference to get the first park amenity along with the first section constructed.

Mr. Dinh Ho, City Engineer, noted that there were a couple of items on the plat that needed to be on shown on this plat prior to being considered by City Council. The first is a one-foot reserve requirement at the street transition from one section to the next where the road ends.

The second is Reserve A; they need to be restricted for certain purposes so a developer can't come back and build something different other than its original purpose and it needs to be shown as a designated landscape drainage reserve. Any changes to its designated use will require the developer to come back to Council for approval.

Development Services requested that a note be placed on the face of the plat that: 1) maintenance of the detention/retention ponds be the sole responsibility of the Homeowners Association and not the City of La Marque nor the Galveston County Drainage District #2. Mr. Ho noted that the detention is provided off site and this is more for landscape/recreation; 2) Sidewalks shall be constructed at the issuance of the building permit. Mr. Ho noted that sidewalks are a part of the ordinance so it doesn't necessarily need to be on the face of the plat; and 3) Street Trees will not be allowed in any subdivision.

Mrs. Buttler noted that Street Trees were discussed at the last City Council meeting and none will be allowed within 10-feet from the edge of the right-of-way and the sidewalk, there will be none allowed in order to save all the infrastructure. Mr. Padua noted that these notes were reasonable.

Commissioner Cash motioned to recommend approval of the final plat with the changes noted by Mr. Ho. Seconded by Commissioner Molis. **MOTION PASSED UNANIMOUSLY.**

c. Discussion/possible action regarding a **Master Preliminary Plat** of Trails at Woodhaven Lakes for Sections 2, 3, 4, & 5; being a plat of 21.74 acres or 947018.15 square feet tract out of a 75.62 acres or 3,293,858 square feet tract of land situated in the

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Stephen F. Austin League Survey, Abstract No. 297 in Galveston County, Texas. (Delany Road at FM 1765)

Mr. Tony Padua requested, if it was possible, for this plat approval by the Planning and Zoning Commission to be subject to the City Council approving the zoning change to R-1 Single Family Residential.

Commissioner Gutierrez motioned to recommend approval of the Master Preliminary Plat of Trails at Woodhaven Lakes for Sections 2, 3, 4, & 5, contingent upon City Council re-zone approval to R-1 Single Family Residential. Seconded by Commissioner Cash.
MOTION PASSED UNANIMOUSLY.

(9) CHAIRPERSON'S REPORT
There was no Chairperson's report.

(10) EXECUTIVE SESSION
There was no executive session.

(11) REQUESTS AND ANNOUNCEMENTS.
There were no requests nor announcements.

(12) ADJOURNMENT
It was the consensus of the Board to adjourn the meeting at 4:50 P.M.

Deanna Bethea, Chairperson
Planning & Zoning Commission