

# CITY OF TEXAS CITY, TEXAS

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To: Planning Board – Regular meeting on January 8, 2024  
From: Kim Golden, P.E., City Engineer  
CC: Doug Kneupper, P.E., Consulting Engineer  
Date: December 8, 2023  
Re: Brookwater Subdivision, Master Plan and PUD Zoning

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**Background:** Brookwater Subdivision is a 201-unit subdivision on 50 acres of undeveloped land located on the east side of FM 2004, between Mainland City Centre and GCDD No. 2's Ditch 6 channel. Jerry Leblanc with Binnacle Development is the developer. The developer is re-applying for this rezoning from District A – Single Family Residential to District I – Planned Unit Development because the previous preliminary zoning approval has expired.

The relevant timeline:

November 17, 2021 – City Commission approved masterplan and gave PUD preliminary zoning approval. Preliminary zoning approvals expire in 12 months unless there is application for a building permit. Section 160.106(D)(3 & 4)

May 16, 2022 – Planning Board approved the Preliminary Plat. This has been treated administratively as resetting the 12-month clock on the preliminary zoning approval. Section 159.023(F)

February 3, 2023 – Application received for Final Plat and submission of construction drawings – this was within the reset 12 months

March 14, 2023 – comments were provided on the final plat and construction drawings. Have not received a response or resubmittal of the final plat or construction drawings.

May 16, 2023 – the administratively extended preliminary zoning approval expired.

**Requested action:** Recommend approval of the Master Plan and rezoning from District A – Single Family Residential to District I – Planned Unit Development in accordance with the developer's PUD Application and Planned Unit Development Plan to the Zoning Commission and City Commission.

**Staff Analysis/Recommendation:** The developer is resubmitting a duplicate of the original application with no changes or variations. Copies of the previous staff reports are attached for reference. The relevant surrounding land uses and conditions have not significantly changed. The site has been cleared, but no work has started on the

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construction of infrastructure because no plans have been approved.

The development agreement remains in place. Among other provisions, the development agreement requires underground utilities and 100% masonry construction along FM 2004 and 60% masonry content throughout the balance of the subdivision. It also provides for annexation into MUD 79 upon creation of a PUD.

The previous approval of the PUD rezoning and master plan which is now expired required full development of the Recreation Site prior to the platting of the second section or the plat which creates the 80<sup>th</sup> lot, whichever occurs first. As noted in the timeline, the preliminary plat for Section 1 was approved on May 16, 2022, and has expired. An extension of the preliminary plat approval can be requested from the Planning Board in accordance with Section 159.023(F). Section 1 subdivided 18.97 acres into 67 lots and included the area to be platted as the Recreation Site.

Staff have no objection to approval of the master plan and rezoning from District A – Single Family Residential to District I – Planned Unit Development in accordance with developer’s application dated December 8, 2023, subject to the requirement for the Recreation Site to be fully developed prior to the platting of the second section of the plat which creates the 80<sup>th</sup> lot, whichever occurs first.