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TO: Planning Board – February 19, 2024
FROM: Kim Golden, P.E., City Engineer
CC: Doug Kneupper, P.E.
DATE: February 15, 2024
RE: Heron's Landing Subdivision – Amendments to PUD Application, Master Plan and Development Agreement

Background: Heron's Landing Subdivision is a master planned community which received preliminary zoning approval on August 19, 2015, upon recommendation from the Planning Board at its meeting on July 6, 2015. The Zoning Commission held a public hearing on July 21, 2015, on the original application for PUD rezoning and voted 2-1 to recommend approval to the City Commission. The original application as approved by the City Commission proposed to develop 304 lots on 87 acres. The original application proposed a lot mix of 39% 50ft lots, 52% 60ft lots, and 9% 70ft lots.

Sections 1 and 2 have been developed in accordance with the original PUD application as approved. These sections produced 72 lots. Sections 1 and 2 are not impacted by the Amended PUD.

Proposed revisions to the PUD and Master Plan: The amendment is updating the original PUD application as follows: (1) recognizing Heron's Landing Development, LLC as the developer instead of Galveston Bay Investors as presented in the original PUD; (2) revising the boundary of the PUD to include only the property in which the developer has a proprietary interest as required by Texas City Ordinances; (3) updating the Master Plan with the overall land plan attached as Exhibit C; and (4) clarifying the required amenities as provided in Exhibit D with updated Development Schedule in Exhibit E.

The revised application proposes to develop 204 lots on 65.4 acres. The revised Master Plan presents a lot mix which is slightly different but remains consistent with the character of the original PUD and the sections which have already been developed. The revised lot mix is 45% 50ft lots; 44% 60ft lots; 12% 70ft lots. See comparison on Exhibit F.

The revised Master Plan is adding a detention pond with green space and a playground with play feature. The original PUD provided for only 1.2710 acres open space located in the area which is being designated Section 4 of the revised Master Plan. The open space is being reduced to approximate 0.5-acre open space in Section 4, but an

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additional approximate 10.2 acres of park space is being added to include the detention pond and a few small future reserves. The density of the amended PUD is calculated as 3.1 lots/acre which is less than the density of 3.5 lots/acre in the original PUD.

Proposed revisions to the Development Agreement: The Development Agreement is being amended as follows: (1) recognizing Heron's Landing Development LLC as the developer instead of Galveston Bay Investors; (2) changing annexation from GCMUD 31 to GCMUD 79 and providing that consent will be given as sections are platted; (3) changing the requirement to verify the achievement of an average home value of \$200,000 from the 200th building permit to the 135th permit; (4) changing the requirement to provide funding for a traffic signal on 25th Avenue N from the 250th building permit to the 168th building permit; (5) clarifying the Development Covenants to specify residences to consist of masonry on three sides of the first floor of each residence; and (6) updating the names and addresses for receipt of notices.

Staff analysis and recommendation: The amendments to the PUD application and to the Development Agreement are updating both to current conditions and reconciling to the current ordinances. The amendments are maintaining the character of the PUD as originally approved and remaining consistent with the expectations presented to the current residential owners residing in Sections 1 and 2. The amendments are also updating and clarifying the amenities to be provided and schedule for same. An updated Development Schedule is also provided and incorporated into the PUD as amended.

Staff comments have been addressed and there are no objections presented to the approval of the amendments to the PUD and Development agreement and update of the Master Plan. All should be recommended to the Zoning Commission and the City Commission for approvals.