

PLANNING BOARD MINUTES OCTOBER 7, 2024

The Planning Board of the City of Texas City met in a regular meeting on Monday, October 7, 2024, at 5:00 p.m. Planning Board members present: Co-Chairman Perry O'Brien, Commissioner Thelma Bowie, Commissioner Jami Clark, Aric Owens, Alternate Member Jose Boix and Alternate Member Andrew Thomas. Staff members present: Kimberly Golden (Secretary), David Kinchen (Deputy Building Official), Kip Urps and Veronica Carreon. Guests were: Jewel Chadd (Langan Engineering), Sherri McElwee (Quiddity Engineering), Bryan Smith (CastleRock Communities), Andy Zepeda (CastleRock Communities), Laura Boyd, Ronny Boyd, Stephanie Tabor (A&S Engineers), Kenneth Clark, and Jerry LeBlanc (Binnacle).

Co-Chairman Perry O'Brien indicated a quorum was present and called the meeting to order.

1) APPROVAL OF MINUTES

A motion to approve the minutes of the August 19, 2024 meeting was made by Commissioner Jami Clark/Aric Owens. All other members present voted aye.

2) PUBLIC COMMENTS

Jerry LeBlanc addressed the Board and distributed a copy of an email he sent to Ms. Kimberly Golden. He stated he was working last week on some forward projections and his lenders like for him to project out sections at a time.

He emailed Santa Fe Engineering and Ms. Golden regarding expectations and planning. He works with a lot of municipalities and lives in Texas City. All of those municipalities adhere strictly to their ordinance, which is always reviewed and presented to the Planning Board in 30 days.

He has seen situations where there is not a quorum and then the plans are automatically approved. Municipalities experience this because they reference to a new state law and the city ordinances. He asked the Planning Board if they could help him on insight for future submittals because there hasn't been a quorum in a while.

He has quite a bit of stuff that is pending and wants to know where Texas City stands on this 30-day time period. If all of these other municipalities are wrong, how does Texas City interpret it?

Co-Chairman Perry O'Brien replied that he personally does not have the knowledge, but he has been called via phone and made himself available to make a quorum. He knows other board members have as well.

Co-Chairman O'Brien added that he understands public comments are heard and there is a timely response to those comments. They are endeavored to do that, but he cannot give an answer today because he does not know the information.

Mr. LeBlanc replied that he understood. He just wanted to make a public comment, but just wants to know what Texas City expects so that he knows what to put on the performance. He stated he has loans expiring and has to renew them, which puts a bind on everybody involved.

Co-Chairman stated that he understood.

3) REGULAR AGENDA

- a. **Consider and take action on the Final Plat for Crystal View Blvd Extension. A portion of unrestricted Reserve "B", Block 2, Lago Mar Commercial, according to the map or plat thereof recorded under Instrument Number 2016044734, map records of Galveston County, Texas. Situated in the Alexander Farmer League, Abstract No. 11, Texas City. Located south of Lago Mar Blvd entrance road and west of the I-45 south bound frontage road.**

Ms. Golden indicated that Crystal View Blvd is already built and in place. This plat is for the dedication of the rest of Crystal View Blvd from where it stops now to reach the I-45 southbound frontage road. The second agenda item is the plat for the 14.3 acres that City Commission has approved a Development Agreement with the developer for a way to record this as a final plat before Crystal View Blvd is actually constructed.

The action that is before the Board now is to approve as a final plat the plat for the extension of Crystal View Blvd. This plat is not going to be any different from what's provided for an ordinance. This means the Planning Board will approve it and then it will be recorded after it has been built.

There are a couple of conditions that Ms. Golden included on her staff memo that specifically the approval be conditioned upon final approval of the Traffic Impact Analysis (TIA) and issuance of the necessary access permits by TxDOT.

Staff are moving this a little fast to accommodate the developer and the pending sale there. Those are the last two things that are in the process of being worked out.

The TIA has been under review. There are some final tweaks that need to be worked out among the engineers and they do have their application pending for the permit to make the connection of Crystal View Blvd to the frontage road, but they don't have it yet.

Typically, these items would be in place before bringing forward for final approval.

Co-Chairman Perry O'Brien asked what the typical timeframe for TxDOT is to approve. Ms. Golden replied that Ms. Sherri McElwee has stated this has been pending for about four months. They have been exchanging comments and they are in the process of trying to set up a meeting with TxDOT to go over the final comments.

Ms. McElwee added that typical time is about six months to a year. TxDOT has been accommodating with the amount of development going on right now in the I-45 corridor right now. She believes they have a little more accessibility and waiting on that meeting to go over final comments.

Co-Chairman O'Brien confirmed that six months to a year is typical because he has been asked this question before. Ms. McElwee replied that is correct if everything is in order.

Mr. Jose Boix about the turn into the street. Ms. McElwee replied that the exit for Lago Mar Blvd is a little bit further back but there is some denied access a little south of the driveway where you cannot make a connection because there is another exit planned.

A motion was made by Alternate Member Jose Boix/Commissioner Thelma Bowie to approve the Final Plat for Crystal View Blvd Extension conditioned upon final approval of the TIA by the City of Texas City and issuance of the necessary access permits by TxDOT. All other members present voted aye.

- b. **Consider and take action on the Preliminary Plat for Lago Mar Commercial Replat No. 3. A portion of unrestricted Reserve "B", Block 2, Lago Mar Commercial, according to the map or plat thereof recorded under Instrument Number**

2016044734, map records of Galveston County, Texas. Situated in the Alexander Farmer League, Abstract No. 11, Texas City. Located at the southwest corner of Lago Mar Blvd and west of the I-45 south bound frontage road.

Ms. Golden stated this is the Preliminary Plat for 14.3 acres replat which includes the reserves and the property for the grocery store tract. It is referred to as the Lago Mar Commercial Replat No. 3.

It is unusual for both a Preliminary Plat and Final Plat to be brought before the Planning Board at the same meeting, but due to Labor Day Holiday and unfortunately, the lack of a quorum for the second regular meeting in September or a special-called meeting, these two items are being presented.

Staff have reviewed and all comments have been addressed. There are no conditions for this Preliminary Plat approval.

Mr. Boix asked if the TIA would affect this project, to which Ms. Golden replied there would not be any affect.

A motion was made by Mr. Jose Boix/Commissioner Thelma Bowie to approve the Preliminary Plat for Lago Mar Commercial Replat No. 3. All other members present voted aye.

- c. Consider and take action on the Final Plat for Lago Mar Commercial Replat No. 3. A portion of unrestricted Reserve "B", Block 2, Lago Mar Commercial, according to the map or plat thereof recorded under Instrument Number 2016044734, map records of Galveston County, Texas. Situated in the Alexander Farmer League, Abstract No. 11, Texas City. Located at the southwest corner of Lago Mar Blvd and west of the I-45 south bound frontage road.**

Ms. Golden stated that Final Plat for Lago Mar Commercial Replat No. 3 has been reviewed and the developer has addressed all comments made by staff regarding the reserves and the way things outside should be labeled.

This developer put the Final Plat together quickly and staff then reviewed it quickly

This project is where the City Commission has approved a change in the platting procedure that is in the Ordinances. City Commission approved a Development Agreement that specifically sets forth a separate process for this particular lot for this particular condition, which is included in the agenda packet.

Staff have no objection to approval but are recommending the following conditions.

- i) Developer's commitment to implement the recommended improvements of the final approved Traffic Impact Analysis (TIA),
- ii) The approval of a final TIA, and
- iii) The issuance of final permits from TxDOT for the connection of Crystal View Blvd to the I-45 southbound frontage road.

What is not a condition is that it actually be constructed because again, City Commission, through the Development Agreement has already provided for it to be recorded upon bond.

The Developer will post a security bond in a sufficient amount to cover their construction of Crystal View Blvd and the other infrastructure in case they don't actually do the work themselves. It is fully anticipated that the Developer will build the infrastructure. They have three years to complete the work.

A motion was made by Mr. Jose Boix/Commissioner Thelma Bowie to approve the Final Plat for Lago Mar Commercial Replat No. 3 upon with conditions as stated, i.e., the Developer's commitment to implement the recommended improvements, the final approval of the TIA, and the issuance of final permits from TxDOT for the connection of Crystal View Blvd to the I-45 southbound frontage road. All other members present voted aye.

- d. Consider and take action on the Final Plat for Brookwater Sections 1A, Being a replat of a 12.16-acre tract of land out of Lots 9 through 12 of Waterman's Subdivision of the W.K. Wilson Survey, Abstract No. 208, Texas City. Containing 3 blocks, 48 lots and 4 reserves. Located to the east of FM 2004 and north of Mainland City Centre.**

Ms. Golden asked Co-Chairman O'Brien if this item and the next could be read together, to which Co-Chairman O'Brien stated that would be good.

Ms. Golden stated that Brookwater Subdivision was originally presented to the Board and approved as Section 1 in total as a Preliminary Plat. Before presenting a final plat for Section 1 to the Board, the Developer decided to break Section 1 into two sections – Section 1A and Section 1B.

Everything is basically the same. The construction drawings have been broken into the two sections as well so that they will be able to record Section 1A before Section 1B is constructed.

There is one recommendation condition to approval of the Final Plats for Sections 1A and 1B. There is a small section of property owned by the TCEDC between the subdivision and the GCDD#2 drainage canal. It is recommended that acquisition of a drainage easement across the TCEDC property should be a condition for the final plat approval. There has been an arrangement worked out which the TCEDC Board has approved that. Ms. Golden believes they are in the process of executing the necessary documents.

Mr. Jerry LeBlanc stated that the easement agreement with TCEDC has been negotiated. The process started back in May 2024. Mr. LeBlanc stated that it took a while because "The City" stated that they weren't going to give him the 1,500' unless he stopped the condemnation suits on other items pertaining to the city. He stated that his lender told him he had to fold to keep this going. He couldn't fight the other stuff and so he folded.

He added that they have advertised this job and awarded it to a contractor. The paperwork is executed for the easement from TCEDC. His payment in the amount of \$3,400.00 for the easement is at the condemnation attorney's office.

He stated he does not have a problem with the condition, but he would like to issue a notice to proceed and schedule a pre-construction meeting and get started. Drainage easements are the last thing constructed. Obviously, they cannot trespass on someone else's property. He is okay with waiting on the drainage easement, but he would like to start the rest of the construction.

Co-Chairman O'Brien asked what the timeline would be with the condition. Ms. Golden replied that the documents are at the lawyer's per Mr. LeBlanc and staff are recommending the condition that the document be fully executed and recorded.

Co-Chairman O'Brien asked if there is no anticipated delay to which Ms. Golden replied that is correct.

A motion was made by Commissioner Jami Clark/Jose Boix to approve the Final Plats for Brookwater Section 1A and Section 1B conditioned upon the execution of a drainage

easement connecting the drainage outfall to the GCDD 2 Ditch 6 system. All other members present voted aye.

- e. Consider and take action on the Final Plat for Brookwater Sections 1B. Being a replat of a 7.19-acre tract of land out of Lots 9 through 12 of Waterman's Subdivision of the W.K. Wilson Survey, Abstract No. 208, Texas City. Containing 2 blocks, 19 lots and 3 reserves. Located to the east of FM 2004 and north of Mainland City Centre.**

This agenda item was discussed and voted on with Agenda Item 3d.

- f. Consider and take action on the Preliminary Plat for Heron's Landing Section 5. Being a tract of land situated in the Daniel Richardson Survey, Abstract No. 167, and the T.G. Western Survey, Abstract No. 204, both in Galveston County. Located to the west of Heron's Landing Section 4 and north of The Island's Subdivision.**

Ms. Golden stated this is the Preliminary Plat for Heron's Landing Section 5. The final plat for Heron's Landing Section 4 has been approved.

Section 5 is the section that will have the reserve for the detention pond. There are a mix of lot sizes – 50's, 60's and 70's. There will be a total of 44 lots.

Sections 1 and 2 have been built out with 76 homes. Eighteen are under construction in Section 3. They have had some delays with TNMP as far as getting some power.

Staff have reviewed the Preliminary Plat for Heron's Landing Section 5 and offer no objection to approval. No conditions are being suggested.

A motion was made by Commissioner Thelma Bowie/Commissioner Jami Clark to approve the Preliminary Plat for Heron's Landing Section 5. All other members present voted aye.

- g. Consider and take action on the Master Plan and PUD for Willow Wood Subdivision – an 80-acre tract of land, comprising of nine individual parcels. Located southeast of SH 3 and south of FM 1764.**

Ms. Golden stated this is a Master Plan for Willow Wood Subdivision. A zoning change request will also be reviewed for changing the 80-acre tract in a District I Planned Unit Development (PUD).

The Applicant is CastleRock Communities, and they have several projects currently underway in Texas City. They are in good standing with the city.

This is 80 acres. They are proposing to develop 213 single family detached lots at various dimensions ranging from the 6,000 sq. ft. minimum to 13,000 sq. ft.

They are going to add a 7.1-acre park/green space with a playground, seating areas and landscaped entry reserves.

This subdivision will only have one way in, which will be via Willow Street. It will serve both the east and west, but the developer anticipates acquiring some additional property for a future second entrance to the west.

Due to their constraints, as Ms. Golden understands, they can't acquire more property until they receive an approval on this Master Plan. Developer and staff fully anticipate that they come forward with an amendment to have another entrance.

Commissioner Thelma Bowie asked if the Developer is aware that some of the plots that are outside of their construction outline have farm animals.

Mr. Bryan Smith (CastleRock Communities) replied that on parcels that where they have closed the purchases the grazing leases have been terminated or have been given their notice of termination. There will not be any livestock on the tracts that the developer will own. Those leases were with the original landowners and that was in their contract to have the leases terminated.

Commissioner Bowie replied that she happens to know some of the landowners, and she doesn't think they have any plans to sell.

Mr. Smith replied that the names she mentioned aren't part of the ownerships they bought from.

Ms. Golden believes that what Commissioner Bowie is asking is whether the Developer is aware that on some of the properties that the developer is not acquiring people are running livestock on those parcels. The developer acknowledged being aware of that information.

Ms. Golden noted that part of the property is in the flood zone and that is why there is the extensive detention pond. They did a thorough drainage impact analysis which the Drainage District thoroughly reviewed. They seem to have figured out what nobody else has been able to figure out which is a solution for the drainage in this area.

Mr. Smith added that they paid to have the entire watershed included in the drainage done first and then they did a drainage study for this property (indicated on the exhibit), and they included the portions that are not within the boundaries for the fact that if they wanted to come back and get the other properties, the drainage would already be included. This causes you to lose more land, but the drainage in not only worked out for this project but other properties that are in the watershed will have a baseline drainage study they will work from.

Mr. Aric Owens asked about Phillips Street and stated he could not find it on Google Maps. Ms. Golden showed how Willow Street turned into Phillips Street on Google Maps.

Mr. Smith added if you are on the freeway there are two large Willow Street exit signs. There is no street sign at all that indicates Phillips Street from the frontage road. What they understand is Phillips Street turns south and then becomes Willow Street. He remembers speaking with Doug Kneupper and he thought that Willow Street would continue to the north. This is why on both sides, east or west, are large Willow Street freeway signs.

Ms. Golden asked Mr. Smith to tell the Board what the housing product would look like.

Mr. Smith replied that it would look very similar to Pearlbrook Subdivision. In Sections 1 and 2 they are looking at having some 3 car garages, but they are not to that point yet.

Mr. Boix asked about the zoning change request, to which Ms. Golden replied if the Master Plan is approved then the zoning change request would be presented to the Zoning Commission for an action on the rezoning request. The Zoning Commission will want to know that the Planning Board looked at the Master Plan and have given final approval.

A motion was made by Commissioner Jami Clark/Commissioner Thelma Bowie to approve the Master Plan and the Zoning Change Request and that a provision be made in the PUD to allow the additional property when acquired by the developer to provide for the construction of a second entrance. A limit should be determined for the number of permits which will issue until a second entrance is added to the Master Plan. All other members present voted aye.

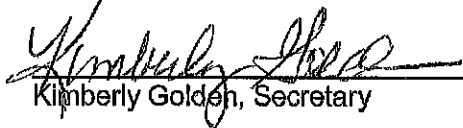
4) GENERAL UPDATES

Ms. Golden then introduced the Planning Board's newest member, Alternate Andrew Thomas.

5) OTHER BUSINESS (Any conceptual development proposal requesting to come before the Planning Board)

6) ADJOURNMENT

Chairman Dickey Campbell asked if there was any other business to which there was none. A motion was made by Commissioner Jami Clark/Commissioner Thelma Bowle to adjourn. All members present voted aye.


Kimberly Golden, Secretary

11/4/2024
Date

Minutes approved by the Planning Board at its meeting on 11/4/2024.